MAPPING A NEOLIBERAL TRANSITION:
THE CASE OF SULUKULE

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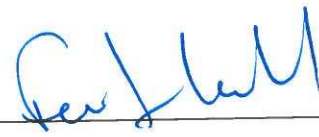İSTANBUL ŞEHİR UNIVERSITY

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This is to certify that we have read this thesis and that in our opinion it is fully adequate, in scope and quality, as a thesis for the degree of Master of Arts in Cultural Studies.

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ABSTRACT

MAPPING A NEOLIBERAL TRANSITION: CASE STUDY SULUKULE

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This thesis aims to fundamentally cover the subject of the process of localizing neoliberalism through examining one of the state's neoliberal policies, the urban transformations projects, as well as the volunteer work undertaken by nongovernmental organizations (NGOs) towards this. By focusing on a Roma district which lies beyond the borders of society, this study examines the urban transformation projects carried out as a result of these neoliberal policies and the reasoning behind them. This study points out NGOs and their activities, the result of these urban transformation projects and the resulting *web of power relations*, as the main underlying problem. The tendency of the state and volunteers to try to normalize the Roma, under the banner of "empowerment", is read as a localization of neoliberalism.

Keywords: Urban Transformation, Volunteerism, Civil Society, Neoliberalism, Romani Studies

ÖZ

BİR NEOLİBERAL GEÇİŞ SÜRECİNİN İZİNİ SÜRME: SULUKULE ÖRNEĞİ

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Bu çalışma temel olarak neoliberalizmin lokalleşme sürecini, devletin neoliberal politikalarından biri olan kentsel dönüşüm projeleri ve buna eşlik eden sivil toplum sektörünün gönüllü faaliyetlerine odaklanarak konu edinir. Toplumun geri kalan kesimiyle sınırları olan bir Roman mahallesini merkeze alarak kentsel dönüşüm projelerinin uygulanma sürecini ve bu projelerin mantığını sorgular. Uygulanan kentsel dönüşüm projesi sonucunda yeniden oluşan *güç ilişkileri ağı* içinde yer alan gönüllüler üzerinden sivil toplum sektörünü ve bu sektörün faaliyetlerini sorunsallaştırır. Bu çalışma, devletin ve gönüllülerin "güçlendirme" adı altında Romanları normalize etmelerini neoliberalizmin lokalleşmesi olarak okur.

Anahtar Kelimeler: Kentsel Dönüşüm, Gönüllülük, Sivil Toplum, Neoliberalizm, Roman Çalışmaları

To my family…

ACKNOWLEDGEMENTS

TABLE OF CONTENTS

CHAPTER 1

INTRODUCTION

Neoliberalism, the new form of capitalism, is a political rational that penetrates every level of society by reshaping the structure of political organizations, nation states, and international institutions, and recasts the subjectivities of individuals as well. It is widely accepted, during last few decades, neoliberal globalization has been enouncing its dominance all around the globe by the regulation of politics, the economy, the space and all grounds of power relations on the basis of profit maximization and the circulation of welfare beyond the national boundaries. It also attempts to expand its rationality by means of these regulations and multiple *techniques*.

This study aims to understand the local effects of neoliberal globalization by focusing on the operations of the neoliberal apparatus in two intertwined grounds of globalization, urban transformation projects and non-governmental organizations. Through the methodology of a multi-sided ethnography, this study contributes to the existing literature on urban studies, civil society studies, and identity politics by studying on the one the hand, the neoliberal global policy trends such as urban transformation projects and non-governmental organizations (NGOs), and on the other hand how the "locals" experience these policies. Thus, the main endeavor of this study can be summarized as to understand the influence of neoliberalism, which is a concrete way of *conducting life*, on local sites.

The Neslişah and Hatice Sultan neighborhoods, better known as Sulukule, the most famous Romani neighborhood in the center of Istanbul, faced a process of a implementing of an urban transformation during the years 2006-2009. Since the neighborhood was located within the walls of the ancient city, which is a UNESCO World Heritage Site, and was known as the earliest Romani settlement in the world (strand, 2005), Sulukule received enormous support from local and international agents and campaigns. However, eventually, the neighborhood was completely demolished. The inhabitants were provided as compensation the option to purchase new flats in the area of Taşoluk, which was approximately 30 km away from Sulukule in outskirts of the city[1]. However, the people of Sulukule[2] could not live in Taşoluk, due to the fact that neither were the houses suitable for performing the previous living culture of the residents of Sulukule, nor were the prices of these houses affordable. As a result of this, most of the Sulukulelis[3] moved to Karagümrük, close to demolished Sulukule site.

During the demolition, various non-governmental organizations and volunteers came to Sulukule to resist against the transformation project on the basis of promoting for housing for the Sulukulelis. The NGOs made declarations in relation to the activities in Sulukule and forged public opinion at the both the

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[1] Contrary to Sulukule which is located in the core of the Istanbul, Taşoluk is located in the outskirts of the city. While it takes 15 minutes to get Taksim-Beyoğlu and 10 minutes to Laleli where the residents of Sulukule mostly work, it takes 2 hours to get to Taşoluk by public transformation. For indicating the local situation of Sulukule in İstanbul, one of the informants said that "it is possible to go to England with two means of transformation". (Personal Communication, Subject 16, May 2012) A map show Sulukule and Taşoluk can be seen in the Appendix H.

[2] In this study, I will call people who were forced to leave their home as Sulukule people, Sulukule inhabitants, the people from Sulukule, the residents of Sulukule and Sulukulelis. The reason is not my concerns of political correctness, but to respect the decisions of the people chose this way for identifying themselves. However, in some parts I prefer to use Roma, Roman, and Romani people for indicating the political discourse.

[3] *Sulukuleli* is a word in Turkish which means "the person of Sulukule" and in English with the plural suffix of –s, *Sulukulelis* gains a plural sense as / of "the people of Sulukule". Since the people of Sulukule mostly define themselves as Sulukuleli, I prefer to refer them in this study with their own definiton as *Sulukulelis*.

national and international level. They also participated in civil activities such as collecting the garbage of destroyed houses left behind by the municipality, preparing alternative urban renewal projects, sending letters to European responsible recourses, presenting many cases from revocation of the project to illegal destructions of historical buildings under UNESCO protection, opening children's atelier for music education, and organizing an international festival as a means of protesting against the demolitions. After the demolition of Sulukule, volunteers did not leave the neighborhood and their main focus shifted from "saving the neighborhood" to "helping the Sulukulelis who were evicted". Nowadays, many of the non-governmental organizations continue their activities "on behalf of Sulukulelis" in Karagümrük.

By taking Sulukule as a case, this study aims to discuss neoliberalism using the concepts, *the state* and *volunteerism*. In the first part, this study encourages a definition of the state not as the one that has retreated in the passive sense, but rather, one that has expanded the areas of intervention concerning these issues and has become a vehicle for neoliberal rationalism through new laws and applications. The case-study of the Sulukule urban transformation project is used as an example to examine the reasoning behind and the effects of urban transformation projects, which have become a part of state policy especially in recent years. While examining urban transformation as a reflection of neoliberalism on urban policy, this thesis views these projects as the effort of the state to try to normalize the Roma community. The second part of this thesis is based on an investigation of the concept of volunteerism and the activities carried out therein. The activities carried out by volunteers in Sulukule as part of this *web of power relations* resulting from urban transformation projects are examined as a rationalized application of neoliberalism. This study

opens up the debate surrounding the non-governmental organizations that carry out activities affecting the people of Sulukule, and going beyond the problem of the democratization of civil society, replaces the rationale of neoliberalism and its policy of normalization as a vehicle for implementing such projects.

I chose Sulukule as a focal local site, which experienced the transformation project, and then became the center of attraction for various non-governmental organizations. I have several reasons for choosing Sulukule as a test case. First, Sulukule was a Romani neighborhood that had concrete frontiers with the rest of society for centuries. Therefore, to implement a transformation project in Sulukule and to *conduct* the residents of Sulukule with a tendency of integration into society are legalized and legitimized easily. Second, since the neighborhood was socially, politically, economically, and spatially discriminated against and excluded from the networking of the surrounding communities for centuries, I thought Sulukule would be an extraordinary example of a local site which provides an explicit frame of unequal encounters of neoliberalism and local people, in order to comprehensively understand neoliberal globalization. Finally, the memories on the demolitions of the neighborhood, which I witnessed while I was a high school student who passed over by bus every day, made me document and discuss the situation of Sulukule within an academic research after eight years of destructions.

I conducted the field work between April 2012 and June 2013 in Karagümrük where most of the Sulukulelis have been living since the destructions. Since I aimed to conduct a multi-sided ethnography[4] (Marcus, 1998), in order to elucidate different

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[4] Multisided ethnography is proposed as a way to examine global processes and the increasing interconnectedness of all people through the process of globalization. It is a method which meets the need of exploring transnational process, people, commodities and ideas that extend over multiple locations. So, conducting multisided ethnography allows the ethnographer for examining various geographic locations and social networks.

points of views and explore the attitudes of the different sides, Karagümrük provided a fertile ground for me to reach the Sulukulelis, the volunteers of several NGOs, the municipality officers, the mukhtar, business owners in Karagümrük, the documentarians, the academicians from various universities, and the reporters and professionals of the international founding agencies.

Before going to Karagümrük, I had read a great number of publications regarding Sulukule and the gentrification process. I benefited from Master theses written with alternative positions and from a host of disciplines such as architecture, anthropology, sociology, law and urban studies; short films shot to show the conditions under which the inhabitants tried to live in their neighborhood during the destructions; reports on the declarations of the local municipality and the metropolitan municipality mayors; proclamations made by the non-governmental organizations; and rumors in the air about the relationship between the inhabitants of Sulukule and municipality. In light of all of this information, I followed Marcus' study on how to conduct a fieldwork.[5] First, I tried to imagine the field and frame the questions. The fact I designed the field does not imply that I went to the field to prove my assertions in my mind with a priori knowledge. However, to design the field, provides a suitable ground to deeply analyze the process and following of the flow of the information forward by having a sense of which information could be more thought provoking for the researcher. Second, I know the field would be incomplete. I never limited myself to only one point of view. I had various conversations with various informants. By doing so, I had the chance to elucidate the complexity of my subject. I collected the moments and built bridges between these

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[5] Marcus listed four main suggestions for reshaping the crucial training at multisided ethnography. These suggestions are that an ethnographer should (1) design the field, (2) be aware of incompleteness would be a positive norm, (3) collaborate with someone who knows the field, and (4) build norms and forms for reception into research practises. (Marcus, 2009, pp. 25-31)

moments in order to make some sense out of them. The collected moments of different times and different context were like puzzle pieces and when they were assembled and tied, the theoretical frame came into view. Third, I collaborated with a volunteer who is known as "the sister of the neighborhood". She made it smoother for me to be accepted in the meetings as *a participant observer*, and she also provided important documents I had never heard and read of before.

The field notes of the observations and in-depth interviews taken during the field research, which, as mentioned, has been covered between the years 2012 and 2013, along with some institutional documents such as declarations and project proposals are central to establishing the theoretical frame and the narration of this research. Finally, I must note that I aim with this ethnographical research to be caught up in the invention, not the representation of the Sulukulelis' culture which is in a transition /transformation process.[6]

The four body chapters brought out several layers to discuss in relation to the research question.

In the first chapter, the study starts with a theoretical discussion on the history of the concept of neoliberalism and neoliberal urbanism. It aims to show the effects of neoliberalism on the state and explain the process of the re-engineering and redeployment of the state. The state is positioned as the core agency which provides a suitable ground for setting the rules and as well as fabricating the subjectivities, social relations and collective representations. In this context, the first chapter provides the details of the laws that paved the way for the gentrification of Sulukule, and dwelt on private-public cooperation. Then, it focuses on the newly emerged discourse based on urgency.

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[6] I am referring to Clifford's famous quotation, "…ethnography, [is tought to be] always caught up in the invention, not the representation, of cultures. (Clifford, 1986, p.2)

The second chapter is concerned with the reasons and the consequences of the gentrification of Sulukule. It starts with the history and the social fabric of the neighborhood. Because, the history of Sulukule is crucial for understanding (1) how the notoriety of the neighborhood was constructed and on which ground the gentrification justified by the municipality and the government, (2) how the social fabric of the neighborhood is affected; and the most important, and (3) how the network of power relations changed. Since, gentrification paved a way for constructing new power relations between the dwellers, municipality officials, academics and several NGOs, the process has an essential role for understanding the reasons behind the change in *composed complex men and things*.

In the third chapter, it is asserted that within this newly emerged web of power relations, NGOs gained an important role. This chapter mainly discusses NGOs in Sulukule have great influence on the residents of Sulukule for forming their daily practices, organizing their relationships with the state and other international organizations and re-creating their subjectivity. In this chapter, readers will see the idea that NGOs in Sulukule have expanded neoliberal rationality by means of their discourses, ateliers and activities. In this chapter, how the NGOs in Sulukule came to the scene, how they legitimized their intervention of the people of Sulukule lives and how they constructed new subjectivities are analyzed. Especially, the discursive practices of the volunteers working in the NGOs in Sulukule are delineated. Finally, this chapter challenges the essentialist construction of civil society, which is based on the assumed distinction between the state and civil society organizations.

The forth chapter focuses on two well-known non-governmental organizations in order to elucidate the assertions on the third chapter by underlining the discourses, the techniques and the influences of these non-governmental

organizations. Mainly focusing on empowerment programs, this chapter explores the subjectivity formations of NGOs and effects of these formations on Romani children and teenagers. Moreover, the grants system is also criticized as a ground of making antipolitics. In a similar line, a project proposal, which aims to awareness building program, is analyzed.

Finally having many deficiencies, this study aims to make a contribution on the literature of Romani studies, civil society studies and urban studies by suggesting that Sulukulelis as a Romani community had faced neoliberalism by means of an urban transformation project and non-governmental organizations and were obliged to accept neoliberal rationality via normalizing techniques of the state and the volunteers.

CHAPTER 2

NEOLIBERALISM AND NEOLIBERAL URBANISM

In recent years, just as the other cities in Turkey, Istanbul has been turned into a kind of construction site. The urban transformation projects have been implemented one after another on the grounds of improving the appearance of Istanbul as a global city and taking measures for the potential of another earthquake[7]. The 2001 economic crisis[8] resulted in radical structural reforms in the policies of urban governance. With the effect of the crisis and the new structural adjustments, which the crisis caused, the government abandoned the prevailing populist housing policies, which were used by ruling parties for years in order to get votes of low-income electors during election periods. The new structural reforms in public administration, housing finance, and development strategies have created a new

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[7] The 1999 Izmit earthquake was a 7.4 magnitude earthquake, which struck northwestern Turkey for 37 seconds on August 17, 1999, at 3:02am. 15,135 people died and approximately half a million people found themselves homeless. Since Izmit is a very close city to Istanbul, the consequences of the earthquake were similar in both cities. The 1999 Izmit earthquake had an important place in this respect for creating a fear discourse constructed on an additional possible earthquake and deaths in speeding up the process of destruction of the low income housing and the creation of a state regulated housing market.

[8] The 12 September 1980 Turkish coup d'état ended with new structural regulations. Privatization, within these structural adjustments, has an important role. So much so that throughout the 1980s and 1990s Turkey's economy leaned heavily on foreign investment for economic growth. In order to maintain the budget deficit, the governments preferred to sell high interest bonds to Turkish banks. The continuing flows of foreign capital resulted in virulent inflation and made it harder for the government to default on the bonds. Moreover, political instability also triggered foreign divestment and foreign divestment caused a worsening of the already exist massive budget deficit. When on February 19, 2001, Prime Minister said "this is a serious crisis", the crash became unavoidable. The dollar rose, people lost their jobs, and income inequality became more tangible. For further information:

Öniş, Z. (2009). Beyond the 2001 Financial Crisis: The Political Economy of the New Phase of Neo-liberal Restructuring in Turkey. *Review of International Political Economy, 16*(3), 409-412.

Öniş, Z., & Rubin, B. (2010). *The Turkish Economy in Crisis*. Istanbul: Taylor and Francis.

Öniş, Z., & Şenses, F. (2010). *Turkey and The Global Economy, Neoliberal Integration in the Post-crisis Era*. Taylor and Francis.

capitalist real-estate market and institutionalized this market under the cloak of a potential earthquake.

The new structural reforms, which I will explain in this chapter, created a neoliberal regime that resulted in commodification of land and housing in low income and informal settlements [9] and the amalgamation of these settlements' residents into the formal market. The public bodies, metropolitan municipalities, local municipalities, and state-led organizations cooperated with private subcontractors to establish real estate companies and implement urban transformation projects [10].

In order to grasp the motivations behind these urban transformation projects implemented for reorganizing urban land and to map out the place and importance of the Sulukule project within this process, I will employ the concept of neoliberalism and its reflection on urbanism. Therefore, first I will discuss in detail what neoliberalism means and how it is conceptualized in this study. Then, the discussion will move on to the new urban development and transformation practices formed by neoliberal rationality in Istanbul in order to understand the effects of these implementations on housing policies and relegated people of Sulukule.

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[9] Since squatter settlements could not prove their houses' legality such as in the case of Sulukule, I refrain from using the notion of squatter settlement here. Many of the Sulukule dwellers had title deeds to their houses. However, since their title deeds were mainly in Ottoman and many of the householders did not have ID, their houses were perceived as illegal by the local authorities. That is why, I prefer to refer to these kind of settlements as informal.

[10] Urban transformation projects firstly emerged in Egland at the begining of the 19th century as a solution of the unsanitary conditions of the urban poor in the rapidly insdustrializing city. In the late 19th century, the modern incarnation of urban transformation projects expanded to the other Europe capitals such as Paris, Prague and Barcelona, and to the American cities as well, with the aim of moderating the high density urban land use. While the first focus of these projects was to ameliorate the living conditions of increased poor population within the cities, in time, urban transformation projects evolved into a policy based on gentrification of poors' residental neighborhoods by relocating the poors and inviting the upper classes to those gentrified neighborhoods. What is new in neoliberal era is that urban transformation projects serve two main motivations; The first motivation aims at the circulation of welfare, the uncommodified urban land, and other motivation targets to integrate/ amalgamate the people who somehow stay out of the system to become _normalized_, middle-classified people.

2.1. Neoliberalism

If it were asked to summarize neoliberalism in one word, then the answer would be circulation. This is because not only is circulation the main objective of neoliberalism, it is also the starting point of the narrative. In the 1970s, many capitalist countries, firstly the USA, attempted to circulate the capital that had stayed within the national economy. "Whereas only 50 billion dollars of capital was 'multinational' in 1973, more than 2 trillion dollars was circulating transnationally by 1983" (Dunn, 2004, p. 18). Neoliberalism is the name of this change in the world of capitalism. Neoliberalism "opens new spaces and intensifies the market process" by dint of circulating the wealth (Dunn, 2004, p. 19).

There is an ongoing debate on the definition and function of neoliberalism. While there are some who perceive neoliberalism as a long-standing economic program, there are also others who maintain neoliberalism should be seen as a cumulative government method, which spreads every minute and is unconsciously supported. I will explain both approaches in the following pages.

2.1.1. Neoliberalism as an Economic Program

The approach viewing neoliberalism as an economic program is basically supported by the neoclassical and neoMarxist points of view (Campbell & Pedersen, 2001; Edelman & Haugerud, 2005; Wood, 2005; Wacquant, 2012). David Harvey who is the leading figure in this approach exerts effort on emphasizing on the market. According to Harvey (as cited in Lilley, 2006), neoliberalism has two dimensions: theory and practice. Individual liberty and freedom, which are seen as the high point

of civilization, constitute the theoretical frame behind neoliberalism. The other dimension, practice, come along for meeting the need of achieving and protecting individual liberty and freedom. Institutional structure, which could provide private property, free markets, and free trade in which individual initiative prospers its potential, takes implementing the theory on as a duty. The state has a role to protect private property and trade rights. The power of the state should be used only to regulate the institutions for the utilization of individual entrepreneurship potential on the behalf of the market, and not to interfere with the economy itself. So, according to Harvey, neoliberalism is a particular set of ideas on economic policy, but it is perceived as if it renders individual initiative possible and liberty in marketing.[11]

According to the neoclassical Marxist approach, the economy is the major agent of neoliberalism and neoliberalism has emerged the economic conjuncture of the 1970s. The whole economic process is taken into consideration in order to explain the causes preparing today's neoliberal conditions (Harvey, 2006).

The starting point goes back in time, to the 1930 Great Depression.[12] After the 1930 crisis, the increasing unemployment, insecurities in economic enterprise, the rivalry between Western and Eastern blocks, and the collapse of the international financial system made the governments take control over of the economy. This new

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[11] With Harvey's own words neoliberalism should be defined as; "…in the first instance a theory of political economic practices that proposes that human well-being can best be advanced by liberating individual entrepreneurial freedoms and skills within an institutional framework characterized by strong private property rights, free markets and free trade. The role of the state is to create and preserve an institutional framework appropriate to such practices. The state has to guarantee, for example, the quality and integrity of money. It must also set up those military, defense, police and legal structures and functions required to secure private property rights and to guarantee, by force if need be, the proper functioning of markets. Furthermore, if markets do not exist (in areas such as land, water, education, health care, social security, or environmental pollution) then they must be created, by state action if necessary" (Harvey, 2005, p. 2).

[12] The timing of the Great Depression varied across states, but in most countries it started in 1930. So, I prefer to use the date 1930.

structure of controlled economy, Keynesianism,[13] depended on the interference of the state, provided a suitable ground for speedy economic growth and aggregation. Following the 1930 crisis, decreasing unemployment, low stationary inflation, and rapid-rise in wealth level were perceived as reflections of the state-controlled economy. In parallel with these developments, social state principals were implemented. Civil, social, economic, and cultural rights were put under protection, and social security was provided (McDaniel, 2010).

Keynesian economics was employed as the standard economic model in developed countries from the later part of the Great Depression to the post war era (1930s-1970s) (Harvey, 2006). However, Keynesianism lost its validity following the oil shock and stagflation[14] of the 1970s (Backhouse, 2002), and the debates resulted on the abandonment of the Keynesian compromise that started to become the main point of discussion. Whereas the "left" answered this by emphasizing a deepened state control and regulation of the economy, the "right", cooperating with conservatives, supported the re-establishing more flexible conditions for active capital accumulation. The main critiques of Keynesian economics were based on the argument that state interference is a restrictive obstacle to the development of economy. Two main reasons were put forwarded to discredit Keynesianism. The first reason is the development of international market resistant to natural boundaries. The

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[13] "Keynesian economics, body of ideas set forth by John Maynard Keynes in his *General Theory of Employment, Interest and Money* (1935–36) and other works, intended to provide a theoretical basis for government full-employment policies. While some economists argue that full employment can be restored if wages are allowed to fall to lower levels, Keynesians maintain that employers will not employ workers to produce goods that cannot be sold. Because they believe unemployment results from an insufficient demand for goods and services, Keynesianism is considered a 'demand-side' theory that focuses on short-run economic fluctuations. Keynes argued that investment, which responds to variations in the interest rate and to expectations about the future, is the dynamic factor determining the level of economic activity. He also maintained that deliberate government action could foster full employment. Keynesian economists claim that the government can directly influence the demand for goods and services by altering tax policies and public expenditures" (Britannica, 2013).

[14] Stagfilation is a term used in economics to describe a situation where the economic growth rate slows down, uneployment remains high and the inflation rate increases dramatically.

regular and consistent supply and demand equilibrium became unbalanced because of the difference in the demands of consumers who had increasing incomes and existing products. At the same time, the national development model, which depended on import substitution industrialization of developing countries, was seen as a restrictive obstacle for the capital of developed countries that were searching for new markets (McDaniel, 2010).

When von Hayek and Milton Friedman were granted the award of the Nobel Prize in economics in 1974 economic liberalization gained respectability as a solution for the capitalist order (Smith, 2003). This market liberalization turned into a new economic orthodoxy in 1979 with contributions of The British Prime Minister Margaret Thatcher and US President Ronald Reagan. Thatcher, as a vigorous advocate of the idea that Keynesianism had to be abandoned, suggested a revolution in social and fiscal policies (Valentine, 2013). Confronting the trade union power, attacking all forms of social solidarity, dismantling or rolling back the commitments of the welfare state, the privatization of enterprises, reducing taxes, encouraging entrepreneurial initiative, and creating a favorable business climate to induce a strong inflow of foreign investment are the principle proposals of Thatcher's revolution (Harvey, 2006, p. 5). Reagan also aimed to make innovations in social and fiscal policies by providing political backing to the privatization of public services (Krieger, 1987). Occupational safety, health policies, and environmental issues were kept out of regulation and this situation opened up new zones for capital accumulation freedom on behalf of powerful corporations. The market in accordance with these legal changes became a tool for fostering competition and innovation, but actually provided a suitable ground for the consolidation of monopoly corporate and multinational powers. While tax cuts for the rich increased social inequality, it also

restored upper class power (Harvey, 2006, p. 6).

The neoclassical Marxist approach put forward that neoliberalism disburdened the state of welfare provisions and posited it as a regulatory agency so a competitive market order would be supplied. This reposition of the state and reduction of its responsibilities are called the withdrawal of the state (Harvey, 2006). Since the neoliberal state puts restraint on budgeting and regulating the central arenas of social democratic states such as public education, health care, social safety, and social services, and only focused on the creation of good business climate, some interpreted the notion of withdrawal of the state as if the state had no longer a limited elbowroom. However, Harvey's assertions on the role of the state in the neoliberal era should be kept in mind: "…If markets do not exist (in areas such as land, water, education, health care, social security, or environmental pollution) then they must be created, by state action if necessary" (Harvey, 2005, p. 2). So, the withdrawal of the state does not sign out the situation of a weak state that could not handle with the problems of its citizens, rather it refers to a situation in which the state marketizes its natural responsibilities on behalf of the capital holders. Since neoliberalism has been a redistributive rather than a generative program (Harvey, 2005, pp. 159-163), the state "through practices like privatization and financialization, seeks to transfer publicly or commonly held assets and resources into private property" (Barnett, 2010). This restoration of capital accumulation, in other words accumulation by dispossession (Harvey, 2005), becomes possible through only legal arrangements that end with the withdrawal of the state.

Externally, neoliberal states seek new local markets in order to sell their surplus production. Because an unproblematic capital flow and marketing would be possible by implementing the same structural adjustments shared by other countries,

the IMF came to the scene promoting "monetary cooperation between countries and achieve a more stable global economy" (UCL Constitution Unit, School of Public Policy, n.d.; International Monetary Fund, n.d.). But, it is well known the IMF had a key role after OPEC crisis. In 1973, on October 17, the Organization of Arab Petroleum Exporting Countries (OPEC) declared an embargo on an ordered consignment of oil to the countries who supported Israel during the war with Egypt (Issawi, 1978-1979). When the oil producing countries increased the oil price, indebted developing countries became in danger of coming into crisis. Mexico was the first country to declare bankruptcy. Thus, the International Monetary Fund (IMF) had gained an advantageous position to regulate Mexico's economy (Cline, 1982-1983). For re-scheduling the debt of Mexico, the IMF forced the implementation of structural adjustments such as: relaxing labor laws, privatization of public enterprises, and cuts in welfare expenditures (Haggard, 1985). In order to overcome the crisis, economic liberalization, pioneered by Reagan and Thatcher, was immediately implemented. This reconstructing of the economy, which shortly was identified as the liberalization of private entrepreneurship and limitation of state interference, came to the scene as the unique solutions for overcoming this second worldwide crisis. Economic liberalization and the limitation of state interference are promoted and imposed by mainly the IMF (Boockmann & Dreher, 2003).

Harvey summarizes neoliberalism as "the financialization of everything and the relocation of the power center of capital accumulation to owners and their financial institutions at the expense of other factions of capital" (Harvey, David, 2006, p. 10). As a general neoclassical Marxist approach, this definition also posits macroeconomics in center and takes in all other issues related with it. However, neoliberalism should not be seen as just a set of economy policies. The culture it

creates, the discourse it spreads, and the practices it teaches, is interpenetrated into every person it touches. Neoliberalism reshapes the perception of the world and the world itself. So, if neoliberalism is explained by an economic deterministic analysis, it would be misconceived and this inadequate explanation results in overlooking its uneven consequences.

2.1.2. Neoliberalism as a Governmental Rationality

As it was mentioned above, the Neoclassical Marxist approach sees neoliberalism as an economic program that "entails the triadic combination of 'deregulation, privatization, and withdrawal of the state from many areas of provision" (Wacquant, 2012). On the very reason, the Governmentality approach[15] criticizes the economic determinism of the Marxist point of view and suggests a new definition and analysis of neoliberalism. As Wacquant indicates:

> Opposed to a "neat" approach to neoliberalism based on an
> assumption of its coherent structure, scholars who support
> governmentality postulate a "messy" approach to neoliberalism that

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[15] Governmenality is a concept developed by Michel Foucault and then elaborated in social sciences by authors such as Nicholas Rose, Mitchel Dean, Peter Miller and Barry Hindess. For Hindess, the essence in government is "the regulation of conduct by the more or less rational application of the appropriate technical means." Hindness in (Lemke, 2002, p. 54). For further information please see:
Rose, N. (1996) *Inventing Our Selves*. Cambridge: Cambridge University Press.
    Rose, N. (1999) *Powers of Freedom: reframing political thought*. Cambridge: Cambridge University Press.;
    Foucault, M. (1997) *Ethics: Subjectivity and Truth*, edited by Paul Rabinow, New York: New Press.
    Foucault, M. (1982) 'Technologies of the Self', in Luther H. Martin, Huck Gutman and Patrick H. Hutton (eds) *Technologies of the Self: A Seminar with Michel Foucault*, pp. 16–49. Amherst: The University of Massachusetts Press, 1988.
    Foucault, M. (1984) *The History of Sexuality Vol. 2: The Use of Pleasure*, trans. Robert Hurley. New York: Random House, 1985.
    Foucault, M. (1984) *The History of Sexuality Vol. 3: The Care of the Self*, trans. Robert Hurley. New York: Vintage Books, 1988.
    Foucault, M. (2004), *Naissance de la biopolitique: cours au Collège de France (1978-1979)*. Paris: Gallimard & Seuil.; Dean, M. (1999) *Governmentality: Power and Rule in Modern Society*. London: Sage.

takes it as streamlined and flexible accumulation of strategies and

calculations on using technologies in order to form people and society.

In this respect, neoliberalism is seen as "generalized normativity" and

a "global rationality" that "tends to structure and organize, not only

the actions of the governing, but also the conduct of the governed

themselves and even their self conception according to principles of

competition, efficiency and utility. (Wacquant, 2012)

Foucault's criticisms on the Chicago School's arguments on the economy could be explanatory for understanding of neoliberal rationality. When the Chicago School suggested institutions and policies should regulate society in the interest of securing market freedoms, Foucault interprets this suggestion as the "expansion of the economic form to apply to the social sphere, thus, eliding any difference between the economy and the social (Foucault in Lemke, 2001, p. 197). Moreover, he also noted "… government itself becomes a sorts of enterprise whose task it is to universalize competition and invent market-shaped systems of action for individuals, groups and institutions" (Foucault in Lemke, 2001, p. 197). From this point of view, it becomes apparent neoliberalism is the name of "the rationality of the modern capitalism" (Dardot & Laval, 2014) that aims at redefining the social sphere as an economic domain in terms of regulating competition and inventing economic rational individuals.

Differently from neoclassical Marxist scholars, governmentality scholars (Dardot & Laval, 2014; Larner, 2000; Ong, 2007) propose "mechanisms of ruling are not located in the state…" (Wacquant, 2012, p. 70). Since the government is not a technique that could be applied by the state authorities and apparatuses, the state itself is seen as a tactic of government. That is why Foucault writes the state is

"nothing more that the mobile effect of a regime of multiple governmentality" (Foucault, 1984, p. 21). With related to this, governmentality scholars perceives the so-called "retreat of the state" as a prolongation of neoliberal government that restructures the power relations in society. It could be useful to note Lemke's words:

> What we observe today is not a diminishment or a reduction of state sovereignty and planning capacities but a displacement from formal to informal techniques of government and the appearance of new actors on the scene of government [16] that indicate fundamental transformations in statehood and a new relation between state and civil society actors (Lemke, 2001, p. 11).

Furthermore, according to governmentality approach, "mechanisms of ruling.... circulate through the society, as well as across national borders" (Wacquant, 2012, p. 70). Thus, the main concern of governmentality scholars is "to track the spread and concatenation of neoliberal techniques [17] for the 'conduct of conduct' across manifold sites of self-production, including the body, the family, sexuality, consumption, education, the professions, urban space, etc." (Larner as cited in Wacquant, 2012, p. 70). However, neoliberal techniques for the conduct of conduct could not be standardized. In relation to local conditions, forms and power relations, these techniques are practiced and result in various ways [18]. Therefore,

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[16] As I will discuss in next chapters, NGOs in Sulukule could be seen as the new actors of the scene of government.

[17] While religion, the police, family, which are less reliant on coercion and less costly as noted by Dufour (Dufour, 2008, p. 157) could be named as old technologies: the internet, multimedia software, the field of marketing and management, telecommunications technology, and popular culture could be listed as the new technologies of neoliberal governance.

[18] That is why Wacquant states: Governmentality scholars are "fond of highlighting contingency, specificity, multiplicity, complexity and interactive combinations (made wondrous by the new Deluzian- sounding catchword of 'assemblages): there is not one big-N Neoliberalism but an indefinite number of small-n neoliberalisms born of the ongoing hybridisation of neoliberal practices and ideas with local conditions and forms" (Wacquant, 2012, p. 70).

Ong's notice that neoliberalism should be studied not as a culture or a structure but as mobile calculative techniques of governing, are clear (Ong, 2007, p. 13). In short, it could be asserted instead of the state imposing on the people, power relations embedded within social layers, what Foucault terms "power networks", and neoliberal techniques for the conduct of conduct are seen crucial for spreading neoliberal rationality.

2.1.3. Is it Possible to Think in an Alternative Way?

I will use neoliberalism in this study in the way Wacquant conceptualized. According to him, although these two mentioned approaches above are explanatory for different dimensions of neoliberalism, they both lack of inclusive clarification of the other side of the coin. While governmentality is shorn of the influence of institutions and the role of the state, neoclassical and neoMarxist approaches turn a blind eye to the micro level and power relations and posit institutions as the only reason for understanding today's world. According to Wacquant, these two concepts are sharing a common point that is missing: "the remaking and redeployment of the state as the core agency that actively fabricates the subjectivities, social relations and collective representations suited to making the fiction of markets real and consequential" (Wacquant, 2012, p. 68).

Wacquant insists that neoliberalism is not an economic but a political project that requires not only the withdrawal of the state, but also the reengineering of it. According to him, the reengineering and redeployment of the state as the core agency provides a suitable ground for it to set the rules and fabricate the subjectivities, social relations, and collective representations.

In parallel to Wacquant's concern on the role of the state and micro level power struggles, I believe neoMarxist and governmentality approaches are both needed to make a comprehensive analysis by drawing the upper frame and elucidating the layered and cumulative structure of neoliberalism. In this chapter I will briefly talk about the state intervention in the real estate market economy and discuss its neoliberal implementation.

2.2. Neoliberal Urbanism

Neoliberal urbanism could be explained as an effort to entrepreneurializing cities in regard to their physical and social aspects. The new reform packages concerning urban governance make the authorities and local municipalities responsible for transforming the cities into centers of attraction for new investment sources and assertive competitors in global competition. Since the traditional applications of local governments such as providing water supply networks and implementing welfare policies on behalf of low income dwellers are seen as a burden on the shoulders of local municipalities, an alternative way is suggested instead of local government applications: reorganization of local governments. Private companies and/or subcontractors undertake local government obligations and services and share these discarded responsibilities with people who are supposed to be self-helped and trained in entrepreneurship programs and vocational courses.[19]

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[19] Vocational courses aim to train people so they can find jobs and sustain their own welfare. İSMEK is an explanatory example for showing the discarded responsibilities of the local governments. İstanbul Büyük Şehir Belediyesi Sanat ve Meslek Eğitimi Kursları (Istanbul Metropolitan Municipality Art and Vocational Courses) founded in 1996 by Recep Tayyip Erdoğan the prime minister of Turkey who was formerly Istanbul Municipality Mayor in that time. It is defined a kind of "public university" in the website for reaching every street of Istanbul and having a great deal of trainees more than a university has students. The vision of İSMEK is stated as to make individuals efficient by helping them to invest into their education. For further information please see: http://ismek.ibb.gov.tr

The state of local government, which could be seen as withdrawal, is actually a reorganization and reengineering process aiming to provide a suitable ground for municipalities and other local governors focusing on only urban growth and development.

Urban transformation projects, in this sense, could be seen as the representation of the transition in the governance of urban housing from a populist to a neoliberal mode (Kuyucu & Ünsal, 2010, p. 1480). As many studies have shown, since the 1980s, especially on global cities of advanced capitalist countries, the complex relationship between urban transformations and neoliberalization has become remarkable (Kuyucu & Ünsal, 2010, p. 1482). Since neoliberal regimes extend market borders to all domains of human life (Brenner & Theodore, 2002), urban space has also started to be seen as a new source of profit and investment. While populist urban regimes, which were based on the incomplete commodification of land and partial application of property, and had sustained a coalition between political parties seeking loyalty and industrialists in need of cheap labor and the urban poor in search of affordable housing, the neoliberal regime of government no longer tolerated incompletely commoditized areas (Kuyucu & Ünsal, 2010, p. 1483). Furthermore, with the emergence of new actors such as large developers and various state agencies, urban transformation projects became the main mechanisms for implementing this shifted urban government in incompletely commoditized areas. As urban transformation projects, which are productions of neoliberal regime, are implemented by place-marketing strategies to attract capital, displacement and dispossession of the urban poor, who could not effort their living places any more, has become inevitable. Not surprisingly, this forced marketization of urban land resulted in "generating fast returns for investors and local governments, they also

instigate strong dynamics of displacement and dispossession for disadvantaged communities" (Kuyucu & Ünsal, 2010, p. 1483).

In order to see the whole frame of what happened in Sulukule, the transition in the governance of urban housing from the populist to neoliberal mode should be kept in mind. The Sulukule project was one of the first series of urban transformation projects [20], which were implemented under the neoliberal urban governance mentality. The reconstruction of Sulukule started with several legal arrangements. Moreover, these legal arrangements also enabled local authorities to go into partnerships with the private sector. The legal arrangements on implementation of urban transformation projects and public-private partnerships provided a suitable ground for the gentrification of Sulukule and the displacement and dispossession of the Sulukule residents. Within this process, authorities used the discourse of urgency as an instigative tool for accelerating and legitimating the implementation of the project.[21]

As mentioned above, neoliberal urbanism has changed the context of urban governance. Transforming the cities into the center of attraction for new investment sources and assertive competitors in global competition, namely entrepreneurializing

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[20] For Further information on other urban transformation projects, please see:

Deniz, M. B. (2010). Grassroots action against gecekondu renewal projects: The case of İstanbul Başıbüyük and Ankara Dikmen Vadi / Gecekdu Dönüşüm Projelerine Karşı Mahalle Örgütlenmeleri: İstanbul Başıbüyük ve Ankara Dikmen Vadi örnekleri. Unpublished Master Thesis. İstanbul: Boğaziçi Üniversity.

Karslıoğlu, S. (2009). Stories of the Past and Present: Politics of Belonging and Subjectivity in Gülsuyu Neighborhood / Geçmişin ve Bugünün Hikâyeleri: Gülsuyu Mahallesi'nde Aidiyet ve Öznellik Politikaları. Unpublished Master Thesis. İstanbul: Boğaziçi University.

Kuşçuoğlu, Ceren. (2010). Relocation and Disempowerment: A Critical Approach to Gecekondu Resettlement Projects in Turkey Through the Example of Bezirganbahçe Housing Project, Unpublished Master Thesis. Istanbul: Boğaziçi University.

[21] Since I will discuss legal arrangements, public private partnerships, gentrification of Sulukule and discourse of urgency in detail in this chapter, I do not dwell on these notions here.

the cities[22], has become the main target of local authorities. In this sense, Urban Transformation Projects are presented as the only solution for overcoming the obstacles to entrepreneurialize the city: (1) Legislating new structural adjustments for consolidating the authority of local governments for preparing and implementing projects wherever they chose; (2) public-private partnership in urban transformation projects and housing markets; (3) gentrification of especially historical places in the inner city,[23] and (4) discourse of urgency, which are the manifestations of neoliberal urban policy making, could be listed as the *sine qua non*s of urban transformation projects.[24] Now, I will explain these notions in detail.

2.2.1. Legal Arrangements

The Justice and Development Party (Adalet ve Kalkınma Partisi, hereafter AKP) government made a series of legal regulations in order to provide a suitable ground for implementations of urban transformations projects. These legal arrangements should be seen as the expressions of the neoliberal mentality and the carriers of neoliberal urban policies to every region of the country. Since discussing

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[22] I am referring here to Harvey's notion of "new entrepreneurialism" (Harvey, 1989). The new entrepreneurialism turns a blind eye to the city's and its inhabitants' immediate needs and only focuses on speculative construction and marketing of the city for making profit. The main focus of the new entrepreneurialism is to invest in urban space rather than amelioration of derelict parts and inhabitants of the city.

[23] As I mentioned in the introduction, Sulukule was one of the oldest historical parts of the city and dated back to the first settlement in the Byzantium era. Although Sulukule was under the protection of world heritage list of UNESCO, legislated laws on the authority of local municipalities and protection of historical parts of the city cleared the way for the gentrification of Sulukule.

[24] These four subheadings mentioned above are suggested as the some of the main characteristics of neoliberal urban policy. For further information:
Jessop, B. (2002). Liberalism, Neoliberalism and Urban Governance: A State-Theoretical Perspective. *Antipode, 34*(3), s. 452-472.
Hackworth, J. (2007). *The neoliberal city: governance, ideology, and development in American Urbanism*. Ithaca: Cornell University Press.

all the arrangements on urban governance is beyond the scope of my thesis, I attempt to focus on the most essential laws, which prepared the basis for neoliberal urbanism.

In advance of giving information about the content of the laws enacted in the form of the neoliberal urban governance mentality, it is essential to mention the general characteristic of these arrangements. The terms used for explaining the limitations of municipal's authorities and definitions of urban land, which could be taken under transformation implementations, create a vague language. This questionable language causes administrative irregularities especially on the issue of how and in which period of projects authority would be shared by local and higher level of municipal and subcontractor companies. The arbitrariness of the addressee precludes legal opposition and accelerates the process of project implementation. In addition to the lack of a constant addressee, the definition of spaces also could be perceived as another tool for strengthening the local governors' hand in the presence of its oppositions. Elusiveness in the definitions of spaces, which are declared suitable land for transportation projects, creating opportunity on behalf of the decision-making authorities. Since the definitions such as "historical areas" or "distressed" places have broad meanings changing according to the context, intention, and personal attitudes of policy implementers, these arrangements were found legally problematic.

The content of the laws, which were enacted for preparing the basis of the massive urban transformation projects in general, Sulukule gentrification in particular, could be listed as below[25]:

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[25] For further information about the legal changes concerning urban renewal and comprehensive analyses of these laws see: Özden, Pelin Pınar. (2008) Kentsel Yenileme, Ankara: İmge.

Oral, Evren. (2009) Tarihi Kentsel Çevrelerin Korunmasında Yasal Düzenlemelerin Kent Kimliğine Etkileri Sulukule Örneği, Unpublished Master Thesis. İstanbul: Mimarsinan Üniversitesi.

Uzun, Nil.(2006) "Yeni Yasal Düzenlemeler ve Kentsel Dönüşüme Etkileri", *Planlama Dergisi* (2).

Law No. 5216, Metropolitan Municipalities Law (passed in 2004): Metropolitan municipalities were authorized with the right to determine in which areas urban transformation projects could be implemented and to develop projects for urban transformation. IMP[26] was established following this law.

Law No. 5237, New Criminal Code, (passed in 2004): For the first time, slum construction is defined as a criminal offense to be punished by five years in prison. As Tuna Kuyucu and Özlem Ünsal indicated, this law is "... clearly showing the government's 'zero-tolerance' approach. Gecekondu (slums) demolitions, which had been rare in Istanbul, sped up afterwards; between 2004 and 2008, 11,543 units in Istanbul were demolished, a record high for any period" (Kuyucu & Ünsal, 2010, p. 1484).

Law No. 5393, The Law of Municipalities (passed in 2004): The municipality acquired the right for implementing urban transformation projects by rebuilding or restoring the historical parts of the city and creating new housing or commercial areas. Also the municipality became responsible for taking measures against potential natural disasters such as earthquake and protecting the historical and cultural features of the city.

Law No. 5104, The Northern Ankara Entrance Urban Regeneration Project (passed in 2004): This law is the first legal arrangement that specifically targets the urban transformation legality. The requirement of this law was legitimized based on the statement that developing physical and environmental outlook are indispensable implementations for improving the quality of urban life and arranging healthy residential places.

Eren, Özgür.(2008) "Toprağın Rantı, Rantın Yasası", *Express* (4).

[26] İstanbul Büyükşehir Belediye Başkanlığı Metropoliten Planlama ve Kentsel Tasarım Merkezi – Istanbul Greater Municipality Metropolitan Planning and Urban Design Center. IMP will be explained in the next heading.

Law No. 5366, Renovation and Utilization of Deteriorated Historical and Cultural Assets (enacted in 2005): The proposal on the law was based the desire to take the immovable cultural and historical parts of the city under protection via revitalization and restoration. Moreover, the emphasis on the potential natural disaster in law as "precautions should be taken against natural disasters in risky regions" is also has importance for rendering possible the implementation of the law in a short time. This law could be the starting point of Sulukule gentrification because of the reason that the municipality, TOKİ, and its subcontractors authorized for demolishing 300 Sulukule houses and building 620 new flats by means of this law.

I would like to give brief criticisms of this law.[27] There are illegalities in terms of authorization, format, and international conventions.[28] Illegality in terms of authorization stems from the contradiction of position and authority of The Board for Protection of Renovation, because the board has different definitions in Law No. 5366 and Law No. 2863, which were enacted for the protection of cultural natural assets in 1983. While Law No. 5366 provides a suitable ground for forming a renovation board as private board that has right of approving the projects which will be implemented by the municipalities or private administration of provinces, Law No. 2863 authorizes the renovation board to conduct protection of cultural and historical assets related to scientific principles. In short, The Board for Protection of Renovation turned form being protector of cultural assets in terms of scientific

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[27] These criticisms are mainly quoted from the lawsuit petition which requests for motion for stay and deciding for cancellation of the resolution of the Regional Board for Protection of Cultural and Natural Assets of Renovation Sites of Istanbul, the Ministry of Culture and Tourism, dated 02.11.2007, no. 20 and the resolution of Fatih Municipality Council, dated 10.12.2007, no. 2007/156, which approves implementation of that resolution. Since, this document was submitted to Chairmanship of Istanbul Administrative Court for cancellation of the project, the reasons why this Project should be cancelled are explained in detail. This document could be seen in the Appendix F.

[28] Illegality in terms of reason will be mentioned under the next title "the discourse of urgency".

principles into urban renewal projects implementer. Apart from the contradictory definitions of competence of the renovation board, there is also another contradiction between these two laws on the protection of cultural assets. Since it is stated in Law No. 2863 (enacted 1982) "protecting the culture cannot be ignored by another law enacted for another purpose", the validity of Law no. 5366 (enacted 2005) is challengeable.[29]

Moreover, the illegality in terms of format arises from the code of members of the Renovation Board. The Metropolitan Municipality and Fatih Municipality have a right to participate in the meetings of the board, making presentations in the decision-making process and voting for their projects. Unsurprisingly, the Metropolitan Municipality and local municipality mayors attended the board meetings as the board members and could have influence on the decision-making process of permanent members and voted their own projects. So, the objectivity of the board comes under serious question. The reliability and the objectivity of the board are also open to challenge.

Besides, the contradictions with international conventions also throw suspicion on the legitimacy of this law. The World Heritage Committee, under the roof of UNESCO, the Education, Science, and Culture department of United Nations and its official advisory body ICOMOS defined standards and criteria for the management of sites. Although the international law formed by World Heritage Committee has clearly specified the criteria, Law No. 5366 ignores the standards suggested by international law. Law No. 5366 makes it possible to implement projects for renovation in protected sites, which are covered by the World Heritage List. There are also contradictions to Malta/Valetta Convention (Turkey signed in

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[29] Lawsuit petition can be seen in the Appendix F.

1999), the Granada Convention (signed in 1989), and the Paris Convention (signed in 1983).

These legal arrangements above were made under successive AKP governments, which has been in power since 2002. All these arrangements share the same aim: to reorganize the local governments in accordance with the principles of neoliberal urban governance such as authorizing the local governors and accelerating the process of transformation of entrepreneurial cities.

2.2.2. Public-Private Partnerships

Since the neoliberal rationality promotes being an entrepreneur, entrepreneurship reverberates in local government policies as an effort to create opportunities and maximize profits. In this sense, the entrepreneurship mentality encourages public-private partnership and posits the private sector mentality as the paragon for the local governments. While the first dimension where local governments use the private sector mentality is establishing private companies bound to municipalities and governmental institutions, the second dimension is to collaborate with subcontractor companies undertaking the discarded responsibilities and services of local municipalities.

In order to clarify the state's active and leading role in neoliberal urban policy making, I will provide brief information on how the private sector mentality is implemented in urban governments by founding private companies. First, the history and the function of the semi-autonomous enterprise of the Istanbul Metropolitan Municipality, BİMTAŞ[30], would be explanatory for institutional arrangements.[31]

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[30] BİMTAŞ, Boğaziçi Peyzaj İnşaat Müşavirlik Teknik Hizmetler Sanayii ve Ticaret A.Ş. - Bosphorus Landscape Construction Consulting Technical Services Industry and Trade Co., Ltd.

Secondly, TOKİ[32], which is one of the leading actors in the housing market and implementations of urban transformation projects, will be mentioned as another public-private partnership example.

BİMTAŞ is a company established by the Istanbul Greater Municipality in 1997, in order to prepare urban transformation projects, and control the construction process of private and public initiatives.[33] BİMTAŞ gained functionality especially after the 2004 elections, when the mayor of the Greater Municipality won the elections again as a member of the AKP, the ruling party. Apart from the Greater Municipality, the 24 local municipalities of Istanbul (out of 32) were bound with the same party. This situation provided a more organized and coherent coordination between central and local governments. Along with legal regulations I will mention in this chapter, this organized structure of two layers of governments made implementation of urban transformation projects easier and quicker. IMP[34], the Metropolitan Planning and Design Center, came to the scene in order to fulfill the need of a great deal of civil engineers, professionals, urban planners, and architects for preparing projects and providing consultancy. When the strategic planning works of the city transferred to the IMP, it gained a semi-autonomous status by being under the name of municipality but working according to a private sector mentality. Thus,

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[31] ANAP, Anavatan Partisi, the Motherland Party, restructured the urban government system during its ruling period. In July 1984, two layered municipal system, metropolitan and district municipalities were legislated. Metropolitan mayors undertook the authority from the central government. Apart from this, Water Supply and Sewerage Authority (İSKİ) was given under the control of metropolitan municipality as a semi-autonomous enterprise. Since discussion of all semi-autonomous enterprises is beyond the scope of my thesis, I focused on BİMTAŞ, which is more crucial for implementation of urban transformation projects.

[32] Başbakanlık Toplu Konut İdaresi Başkanlığı - Mass Housing Institution.

[33] BİMTAŞ is founded when Recep Tayyip Erdoğan, the prime minister of Turkey since 2002, was the mayor between 1994-1998.

[34] İstanbul Büyükşehir Belediye Başkanlığı Metropoliten Planlama ve Kentsel Tasarım Merkezi – Istanbul Greater Municipality Metropolitan Planning and Urban Design Center.

the fundamental duties of the local municipalities moved towards private sector services rather than state responsibilities. The definition of the IMP's mission should be mentioned here for clarification of its entrepreneurial function:

> The formulation of the city vision *to secure a global city status*, producing strategic plans of Istanbul as important tools that would bring about a valuable perspective *to define and actualize the city's economic possibilities and potentials* based on a comprehensive approach that *prioritized the natural historical and cultural values of the city.*[35]

In spite of the fact there are also other parties involved in implementing the urban renewal projects, the IMP has a more crucial role in terms of acting in coherence with the Greater Municipality and local municipality, because of being formed only for urban transformation projects specifically and directly bound to the Greater Municipality.

TOKİ (Toplu Konut İdaresi- Mass Housing Agency) is the institution, which was established for "making adequate shelter available and accessible to meet the housing requirements of the ever-increasing populations of urban settlements" (Republic of Turkey Prime Ministry Housing Development Administration of Turkey)[36]. Nowadays, TOKİ could be defined as a monopoly in the housing sector throughout the country thanks to the legal arrangements on urban governance, which authorize and reorganize the institution and bestow new responsibilities as well. TOKİ was first established under the name of Prime Ministry Mass Housing

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[35] IMP booklet, (2006). Quoted from Kuşçuoğlu, Ceren. (2010). Relocation and Disempowerment: A Critical Approach to Gecekondu Resettlement Projects in Turkey through the Example of Bezirganbahçe Housing Project, Unpublished Master Thesis. Istanbul: Boğaziçi University. p 24. Emphasis mine.

[36] For further information: http://www.toki.gov.tr/english/overview.asp

Undersecretariat in 1984. Before the AKP government, the Mass Housing Undersecretariat was dedicated to the Auditing Commission and Prime Ministry Higher Auditing Commission. When the AKP government decided to abolish both the Secretariat and the Auditing Commission, TOKİ was constituted in lieu of the Secretariat and has been monitored by Court of Accounts. After the Laws No. 4966 and No. 2985 were enacted in 2003, TOKİ gained new responsibilities and semi-autonomous status due to being reattached to Prime Ministry and taking on a private sector governance mentality.

In compliance with these legal arrangements, TOKİ has a right to establish enterprises, go in a partnership with private companies in the housing market, build houses especially in regions that have experienced natural disasters or in the risks of possible natural disasters, provide infrastructure and social facilities, implement profit-making projects for creating resources, prepare projects even outside of the country, and take public lands freely by proposal of the Ministry of Public Works and Settlement and with the approval of the Prime Minister.[37]

It has become possible for TOKİ to act as a private company by holding the autonomy to create income, develop projects, and implement them by itself and subcontractor partnerships. Moreover, the most important part of its legal authority lies in the right of publicizing lands wherever needed for a project. Beyond TOKİ's private sector governance mentality, it could be asserted the above-mentioned laws weakened its attachment to the state. While TOKİ was monitored by one of the jurisdictional authorities, the Court of Accounts, it has been subjected to the Prime Ministry Higher Monitoring Agency and State Monitoring Agency of which definition of mission is limited to regulation consultancy.

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[37]For further information: http://www.toki.gov.tr/ptext.asp?id=2,
Bayraktar, Erdoğan. (2006) *Bir İnsanlık Hakkı Olarak Konut.* Istanbul: Boyut.

The second dimension of public-private partnership, which could be named as partnership with subcontractors, also should be noted here. The AKP, since the first day it appeared on the political scene in Turkey, has stressed its awareness of individual liberty, the importance of democracy, and a powerful economy. Decentralization of the state, regulation of block sale privatization of large-scale state enterprises, boosting the national economy and strengthening good governance are the basic principles of the party program (AK Parti Parti Programı). Since urban construction and urban transformation projects are seen as the driving engine of the economy, the construction and real estate sector have increased significantly. [38] Islamic capital and capital holders who are known by being close to the party members have become more and more wealthy when they were involved in the construction and real-estate sector. Taşyapı, Kiler Group, Albayrak Group, Cengiz-Kolin-Limak Consortium, and Özkar İnşaat are five of the leading enterprises, which usually have a role in public private partnerships in the housing and real estate sector. [39]

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[38] For further information, please see:

İnşaat ya Resullah! (2011,10) Brikim (270).;

Öktem, B. (2006). "Neoliberal Küreselleşmenin Kentlerde İnşaası: AKP'nin Küresel Kent Söylemi ve İstanbul'un Kentsel Dönüşüm Projeleri". Planlama (2)

Cengiz, P. (n.d.) *AKP İktidarı ve İnşaat Fetşizmi*. Retrieved 03,21,2013 from Taraf Gazetesi: http://www.taraf.com.tr/pelin-cengiz/makale-akp-iktidari-ve-insaat-fetisizmi.htm

Sönmez, M. (2012). "*Transformation" Deceit of AKP – The Constructor*. Retrieved 01,04,2014 from Reflections Turkey: http://www.reflectionsturkey.com/?p=815;

Sönmez, M. (2013) *Construction surges after public lands opened during ruling AKP rule* Retrieved 01,04,2014 from Hürriyet Daily News:http://www.hurriyetdailynews.com/construction-surges-after-public-lands-opened-during-ruling-akp-rule.aspx?pageID=238&nID=50128&NewsCatID=345

Eligür, B. (2013) *Gezi Park protests: The AKP's battle with Turkish society*. Retrieved 30 02,2014 from The Jerusalem Post: http://www.jpost.com/Opinion/Op-Ed-Contributors/Gezi-Park-protests-The-AKPs-battle-with-Turkish-society-316870

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[39] For further information, please see:

Dombey, D., & Zalewsk, P. (01.01.2014). *Turkey Probe Underlines Links Between Construction and Politics.* Retrieved 04.29.2014, from Financial Times: http://www.ft.com/intl/cms/s/0/ef8b4e0e-72d5-11e3-b05b-00144feabdc0.html#axzz30GkVZ9ZR

Kuşçuoğlu, C. (2010). Relocation and Disempowerment: A Critical Approach to Gecekondu Resettlement Projects in Turkey Through the Example of Bezirganbahçe Housing Project,

Özkar İnşaat, which is the subcontractor of TOKİ in the construction, has been involved in many other TOKİ projects implemented throughout the country.[40] While the judicial process of the request for a motion of stay was in progress, on 6 November 2009, the Sulukule project was handed over to Özkar İnşaat by means of a tender made by TOKİ. Özkar İnşaat was already famous for being the leading subcontractor of TOKİ and member of MÜSİAD.[41] Moreover, one of the founders of the company is Mustafa Özcan, who was the Kayseri provincial chairman of AKP.[42]

2.2.3. Gentrification of the Urban Land

Since the authority of governing shifted from the national level to the local and regional level, this structural regulation has made the central government exempt from providing budgets (Kuşçuoğlu, 2010). As a consequence of budgetary cuts, the revaluation of urban land has become the main profit-making resource for local governments. As Brenner and Theodore suggested, urban land has turned into a "privileged instrument" in the hands of local authorities who are trying to entrepreneurialize the cities (Brenner & Theodore, 2002, p. 375). In this sense, it can

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Unpublished Master Thesis. Istanbul: Boğaziçi University. Retrieved from academia.edu, Share Research.

[40] For seeing implemented projects: (n.d.) Retrieved 01 04,2014 from Özkar Group: http://www.ozkar.net/v3/ozkar_insaat/index.php?option=com_igallery&view=category&id=15&Itemi d=86&phpMyAdmin=LmrNmek-%2CJ56msJyTAakxGEJjPa
[41] Müstakil İşasamları Derneği - Independent Industrialist and Businessmen's Association. The members of this association is known by being conservatives and close to the government. Moreover, the common pronunciation of this association is spelled as Muslim businesspeople by playing on words: Müstakil İşadamları and Müslüman İşadamları.
[41] Müstakil İşasamları Derneği - Independent Industrialist and Businessmen's Association. The members of this association is known by being conservatives and close to the government. Moreover, the common pronunciation of this association is spelled as Muslim businesspeople by playing on words: Müstakil İşadamları and Müslüman İşadamları.

[42] Please see: *Sulukule Projesi Mahkeme Kararıyla İptal Edildi Ama…* (2012) Retrieved 01 04,2014 from Sol Haber Portalı: http://haber.sol.org.tr/kent-gundemleri/sulukule-projesi-mahkeme-karariyla-iptal-edildi-ama-haberi-55851

be beneficial to remember that David Harvey insists the context of urban governance has shifted from managerialism to new entrepreneurialism (Harvey, 1989).

New entrepreneurialism adopted as a principle commercializing the city by encouraging urban transformation projects, which use urban lands as market-making tools, rather than the ameliorating the derelict parts of the city where low income dwellers mostly live (Harvey, 1989). Especially the derelict parts of the city such as *gecekondu* districts and historical areas attract the attention of local governments for the very reason of being far from competitors in the global struggle and falling behind the entrepreneurial mission of the city. So these parts of the city are "re-imagined or re-imaged as an economic, political and cultural entities which must seek to undertake entrepreneurial activities to enhance its competitiveness" (Jessop B. , 1997).

In this respect, the Sulukule gentrification project can be seen as an illustration of neoliberal urbanism. In order to explain the process of re-imagination of urban land as a profit-making resource within a wider frame, now I would like to focus on the intention of the municipality on reimagining and reevaluating the district as an investment.[43]

From the beginning of the project, the municipality advertised the project as an unmissable opportunity for turning Istanbul into a "museum city"[44] with old style traditional two-story Ottoman houses. The advocacy for newly constructed buildings was based on saving the historical heritage by imitating the Ottoman architectural

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[43] Since I will discuss the notion of gentrification in detail in the next chapter, I will just focus on the reimagination of Sulukule here.

[44] İstanbul Müze Kent Projesi. (n.d.) Retreived from T.C. İstanbul Valiliği http://www.istanbul.gov.tr/?pid=2242
İstanbul 'müze kent'e dönüştürülüyor. (n.d.) Retrieved from NTVMSNBC :http://arsiv.ntvmsnbc.com/news/271515.asp?cp1=1

character. As a consequence, Sulukule was reimagined by the effects of neo-Ottoman ideology without historical value or a museum-like appearance. It is obvious the aim is not to protect to historical parts of the city as it is. The aim is to recreate Sulukule as if it has connotations of the Islamic Ottoman tradition. The reason behind this re-imagination of Sulukule could be seen as an effort to fulfill the demands of the rising commercial elites of the Islamic-oriented traditional classes, politically represented by the "innovative group" in the ruling party, AKP.[45] It is not a coincidence that the buyers of these new constructed houses are mainly known for being close to the ruling party.[46]

Apart from the appearance of the houses, their plans also give clue about how these houses are reimagined as modern houses from which it would be easier to make a profit. The new buildings have parking areas on the ground flours and every flat has its own place for two cars. As one of the people I have talked to in Sulukule stated, "Since no one has a car, if the project was planned for us, there was no need for a parking area".[47] However, these parking areas and swimming pools located in the basements of the villas, could be seen as farsighted architecture, yet, it is doubtful

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[45] Actually to build a global city according to Islamic connotations has a historical background. During the period, between 1994-2004, Refah Partisi (Welfare Party, after it was suspended because of its Islamic orientation, it took the name Fazilet Partisi, Virtue Party) was ruling the Istanbul Metropolitan Municipality, the RP conferred a global city vision of Istanbul and constructed their own discourse on turning Istanbul into a global city by adding some modifications corresponding to their political and religious agenda. However, both parties could not cooperate with big capital owners and implement their projects with Islamic connotations. For further information:

Bora, T. (2000) Fatih'in İstanbul'u In Ç. Keyder (Ed) *İstanbul: Küresel ile Yerel Arasında*. (pp. 71-73) Istanbul: Metis.

Aksoy, A. And Robbins, K. (1996) "Istanbul Between Civilization and Discontent." City 5, (6)

Schlebusch, S. (2008). *Sulukule'yi geliştirmek - gentrifikasyon, aktivizm ve mekan yaratma üzerine antropolojik bir çalışma / Bringing development to Sulukule-an anthropological study of gentrification, activism and place-making, Unpublished Master Thesis*. Istanbul: Yeditepe University.

[46] In the next chapter, I will focus on this topic.

[47] "Kimsenin arabası yok ki, proje bize yapılsaydı iki arabalık park alanına ihtiyaç olmazdı."

these are planned for meeting the needs of Sulukule inhabitants who mostly do not have water and electricity and share a 30 square meters slum with three families or for fulfilling the upper-middle class expectations on what a "modern" house offers them. Moreover, at the beginning of the project, the municipality asserted the first prepared plan was aiming to construct solely two-story houses, but in one of the explanations of the mayor about the construction process, he stated in order to *fulfill the increasing demand of the public*[48], it is decided on making some changes on the plan what is understood as erecting three and four-story buildings that appear from behind the city walls and create visual pollution.[49]

A last point to note with respect to the effort of making historical parts of the city undertake entrepreneurial activities and enhance their competitiveness, speeches of local and metropolitan municipalities mayors could be read as manifestations of the entrepreneur mayors who prepare the city's global competition. While in speech of the mayor of Greater Istanbul, Kadir Topbaş, indicated the goal was to increase the cost of living in Istanbul to the standards of *Paris* ("İstanbul ve Türkiye dünyaya model oluyor", 2013), for legitimizing the destruction of Sulukule, the mayor of Fatih municipality, Mustafa Demir, declared his re-imagination of Sulukule by associating a newly constructed gated community with his dreams about Sulukule (Aksu, 2012).

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[48] Emphasis added.

[49] The municipality advocated the destructions of the traditional Sulukule houses by asserting that the houses cause visual pollution. But actually, it was not possible to see the one-story houses behind the city walls.

2.2.4. The Discourse of Urgency

The discourse of urgency is a public discourse, which emerged right after the 1999 Izmit earthquake, within a public debate on the potential massive earthquakes and the city's preparedness to deal with them (Bartu Candan & Kolluoğlu, 2008). As precautions that should be taken to pending earthquakes are discussed in public: migration, over population, crime and chaos in transportation are also discussed related to the city problems and natural disasters, which are awaiting the city residents (Bartu Candan & Kolluoğlu, 2008, p. 17). During the years under the AKP governments, this public discourse of imminent natural disasters has shifted from being discussed about the potential earthquakes to problematizing and criminalizing the disadvantaged populations of the city. [50] While potential earthquakes pose a danger and creates an emergency situation, the "talk of crime" justifies any sort of intervention in the criminalized and problematized parts of the city (Bartu Candan & Kolluoğlu, 2008, p. 17). This discourse fed the impression that all the problems of the city mentioned by the authorities could only be solved by means of implementing urban transformation. Due to the very reasons the proposed projects, which are suggested as the only solutions, urban transformation projects acquire urgency.

As Bartu-Candan and Kırlı indicate (Bartu Candan & Kırlı, 2007, pp. 69-70), urban transformation projects have three axes: while the legal arrangements

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[50] The Housing Development Administration (TOKI) President Erdogan Bayraktar, who claims he cried after the demolition of Sulukule, said, to great reaction from the Sulukuleians; "They have sold the housing projects to others without us receiving a single penny. Within 15-20 days they had spent the money earned. It is also clear what they have spent that money on." http://abdullahagahoncul.com/sulukule/

Prime Minister Erdoğan said "They are making up all sorts of unfounded claims about the Sulukule project. The people spreading these rumours haven't even visited Sulukule once. If they had, they wouldn't talk such nonsense. If one has an ounce of common sense, upon seeing the project one would say "Thank you for transforming Sulukule from the state it was to a modern yet historic street, a place full of historic avenues." These are the steps that have been taken." http://www.haberinyeri.net/sulukule-ucube-halinden-kurtarilacak-14718h.htm

potentiate the power of local governments, the discourse of urgency, and the governmentality language that resonate neoliberal principals concertedly pave the way for implementing the laws without any resistance. The newly emerged neoliberal language, which has new concepts such as effectiveness, transparency, and flexibility, is used by local government websites under the titles of missions and visions, brochures, interviews and press speeches. According to Candan and Kırlı (2007) while laws, which were enacted for expanding the sphere of neoliberal applications, entrepreneurialize the city, this new language creates an illusion of an effective and transparent government open for participation of all, and conceals the neoliberal transformation process. The government, the municipalities, and their collaborators and subcontractors posit themselves in a higher rank than the public and constitute their authority by stressing on science, sustainability, and transparency. In such a picture, the government, and the municipality are seen as actors who do and know the best for their subjects.

The discourse of urgency created around natural disasters and the criminalization of some parts of the city in order to spread fear throughout the people and cut short the predicted resistance to the proposed projects. As I mentioned above, the Izmit earthquake killed approximately 20,000 people and the memory of these earthquakes is still threatening for many people. Because of the fact that Turkey, particularly Istanbul, has experienced an earthquake and has active fault lines throughout the country, the discourse of urgency is mainly based on potential earthquakes. So, to declare a part of the city as under the risk of a potential earthquake legitimizes the destruction of a historic settlement and the construction of a gated community.

According to Law No. 5366, in article 1, the proposal of the law is specified as "... to take measures against risks of natural disasters, to protect immovable historical and cultural assets by renovating them and to use assets by perpetuating them." The Fatih Municipality in accordance with this article which holds the municipality responsible for taking measures against risks of natural disasters, declared the quarters of Sulukule, Neslişah, and Hatice Sultan neighborhoods as renewal areas. Right after the agreement signed between the district municipality of Fatih and TOKİ for the rebuilding of the new houses in Sulukule, the Council of Ministers votes an "emergency expropriation" on 13 December 2006[51]. However, the report[52], dated 18 December 2007, had been prepared by The Istanbul Branch of The Chamber of Geology Engineers states "... As a conclusion, the geological elements, on which the settlements in Hatice Sultan and Neslişah Sultan neighborhoods are located, does not have any inconvenient ground structure in terms of their supporting power and earthquake risk. The ground of the site does not feature any risk and there is not any event that requires to take any measure." As in this example, the earthquake risk is turned into a kind of weapon for speeding up the process of transformation of the city into an entrepreneurial city, which is in a global competition. Although Sulukule was declared as a safety area in terms of a potential earthquake by a well-known scientific institute, mayors kept on using the legitimization of Sulukule destruction, which was mainly based on the risk of potential earthquakes, anyway.

Apart from natural disasters, criminalization of the derelict parts of the city also has an important role for feeding the discourse of urgency. As mentioned in introduction chapter, Sulukule inhabitants are known as "Roman" in the media and

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[51] Chronology prepared by volunteers can be seen in the Appendix B.

[52] The report could be seen in the Appendix F.

public opinion. Since having a Roman identity has racist connotations and a constructed hierarchy between "betters" and Roman people, it cannot be argued the criminalization of Sulukule people is a novelty. For centuries, Romans have been excluded economically, socially, politically and discursively[53]. Within this urban transformation process, the Sulukule people under the name of Roman were stigmatized and criminalized in order to legitimize the destructions and gain public support against resistance and declarations of the people of Sulukule who are indicated as inherently dangerous and criminals.

On the 3 December of 2007, while the Sulukule project was being discussed in Fatih municipal assembly, the AKP assembly member Koksal Ozer identified the residents of Sulukule as "those who have a natural inborn tendency for prostitution" (Platform, n.d.). While Prime Minister Recep Tayyip Erdoğan on 19 March 2008 characterized Sulukule as "freak of nature", the mayor of Fatih Municipality, Mustafa Demir always portrayed Sulukule as a "den of iniquity".[54]

Contrary to the speeches on the riskiness of Sulukule, according to the research conducted by the Sulukule Platform when the gentrification process had not started yet, the 65 percent of the dwellers participated in this research said they were happy to live in Sulukule. As 56.12% were pleased with the security of the neighborhood and 66.33% do not support the project.

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[53] For Further information, please see:
  Özateşler, G. 2011 The Forced Dislocation of Gypsy People from the Town of Bayramic, Canakkale in 1970, Unpublished PhD Thesis. Sociology, Boğaziçi & Leiden Universities, Istanbul & Leiden.
  Diler, M. 2008 The Survivors: Roma University Students in Turkey. Unpublished MA Thesis. Sociology, METU, Ankara.
Durmaz, N. (2012). Eğlence sektöründe korunmasız istihdam örneği olarak
  çingenelerin/Romanların durumu / The situation of gypsies/Romany as an example of unprotected employment in the entertainment sector. Unpublished Master Thesis. Ankara: Ankara University.

[54] Chronology could be seen in the Appendix B.

For a comprehensive analysis of the use of discourse of urgency in terms of criminalization there is one more point that should be noted here. Since the determination of the penalty in the risk society[55] is not related to the consequences of the crime, the potential risk of the crime is enough to enslave a potential criminal, generally a marginalized minority community. Related to this, that crime is not perceived as something should be punished after it had been committed brings about that the measure should be taken for obviate the potential of the crime. This situation ends with the "urgent" resolutions for supposed criminal tendencies of derelict parts of the city. This discourse of urgency based on criminalization legitimizes neither destruction of the houses nor construction of new ones, it actually legitimizes ostracizing dwellers to the outskirts of the city in order to easily control them. In this sense, Taşoluk[56], where the owners and tenants of Sulukule were encouraged to move, could be seen as a kind of open prison keeping potential criminals, the Sulukule people, away from the rest of society. So, it is possible to assert Taşoluk was supposed to function as a "prison city".[57] Furthermore, in this context, one should keep in mind that marketing the city as a commodity results in two models of neoliberal housing: constructing gated communities in the core of the city and implementing needy-indigent resettlement projects in the outskirts of the city. While criminalized and marginalized people are hurriedly displaced and sent to prison cities, new dwellers of new gated communities are secured. If I may say so, this is to kill two birds with one stone. While some people are secured, the others,

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[55] I am referring here Ulrich Beck.

[56] Taşoluk is about 30 km far from Sulukule in outskirts of the city. It takes 2 hours to get Taşoluk form Sulukule by public transformation. Please see the map in the Appendix H.

[57] I am referring to Murray's suggestion on creating prison cities for potential criminals. For further information about Murray's this suggestion, please see Davis, 1996.

marginalized and criminalized people, are controlled.[58]

To sum up, in this chapter I focused on the concept of neoliberalism and its reflection on urbanism in order to grasp the motivations behind urban transformation projects implemented for reorganizing urban land and to map out the place and importance of the Sulukule project within this process. Therefore, I discussed in detail what neoliberalism means and how it is conceptualized in this study. Then, the discussion moved on to the new urban development and transformation practices formed by neoliberal rationality in Istanbul in order to understand the effects of these implementations on housing policies and relegated people of Sulukule.

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[58] There are some who argues that neoliberal urbanism results in a new definition of the urban city. Since urban transition projects heightened levels of spatial and socioeconomic segregation, the city starts to be defined through different economic groups and their spatial positioning within the city. For further information:

Bartu Candan, A., & Kolluoğlu, B. (2008). "Emerging Spaces of Neoliberalism: A gated town and a. *New Perspectives on Turkey* (39), s. 5-46.

Kuyucu, T., & Ünsal, Ö. (2010). Urban Transformation as state-led Property Transfer: An Analysis of Two Cases of Urban Renewal in Istanbul. *Urban Studies, 47*(7), 1479-1499.

CHAPTER 3

THE UNEQUAL ENCOUNTERS BETWEEN

SULUKULELIS AND THE STATE

Rak Rak Raki, Yaktın Bizi TOKİ[59]

The objective of this chapter is a discussion of the unequal encounters between the people of Sulukule and the state. The chapter aims to explore how the state systematically operated and influenced the neighborhood-based social organization of the Sulukule Roman community by means of an urban transformation project. Then the chapter examine the different subject where the unequal encounters of the state, Sulukulelis, volunteers, and national/international organizations are realized. With a close analyses of these encounters, the aim is to understand in general how the state manages neoliberal globalization policies over the local disadvantaged community, how the natives experience this process, and in particular how an urban transformation project is implemented by the state and how the people of Sulukule responded.

This chapter will begin with a brief history of Sulukule and its people in order to understand how the social fabric of the neighborhood was affected and how the network of power relations changed. The chapter proceeds through having a focus on

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[59] A repeated part of a song sung by Sulukulelis during demonstrations. There is a kind of play on words by repeating the first syllable of the word "rakı / raki" a traditional alcoholic drink and singing assonantly with the word "TOKİ" the name of one of the responsible institution of Sulukule Project. The song means; raki, you have ruined us TOKİ.

the gentrification process. Since, gentrification paved a way for constructing new power relations between the residents, municipal officials, academics, and several NGOs, the process played a crucial role in the understanding of the reasons behind the change in "complex composed of men and things".[60]

3.1. Sulukule before Gentrification: History of Poverty and Solidarity

As mentioned in the introduction, Sulukule is a historical settlement famous for being the first Roma settlement in the world (Somersan, Kırca Schroeder, & Uçan Çubukçu, 2011; UNESCO World Heritage Committee Mission Report Historic Areas of Istanbul, 2008; Marsh, 2006a). According to well-known studies on Gypsies in Istanbul (Marsh, 2006; Somersan & Kırca-Schroeder, 2007; Aksoy & Robins, 2011; UNESCO World Heritage Committee Mission Report Historic Areas of Istanbul, 2008), the Roma people came to Sulukule in the Byzantium era and remained there after the arrival of the Ottomans. Evliya Çelebi (Marsh, 2008), a well-known historian and Ottoman traveler, and two famous novels the first *Çingeneler,* written by Osman Cemal Kaygılı (1939) and the second *Beyoğlu Piliçleri,* written by Turan Aziz Beler (1946), portrayed Sulukule as a place known for having a historical entertainment tradition of music, dance, fortune telling, and bear shows. Some recent studies on Sulukule (Foggo, 2007; Madra, 2009; Ozan, 2007; Schlebush, 2008; Sakızlıoğlu, 2006; Somersan & Kırca-Schroeder, 2007) support that it is possible to talk about demographic and cultural continuity in the neighborhood. While the land registers dating from the late Ottoman Empire could be seen as the proof of the demographic continuity, the famous entertainment houses,

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[60] I am referring here to one of Foucault's' famous quotations as "What government has to do with is not territory but, rather, a sort of complex composed of men and things" (cited in Inda, 2005, p. 3).

which are called "devriye" houses, are seen as the remnant of the historical entertainment tradition of Sulukule.

As Ana Opşiran points out "Roma identities, and often times, settlements are occupationally based" (Opşiran, 2006, p. 165), Sulukule Romans are known for their music and dance through their entertainment houses (Somersan & Kırca-Schroeder, 2007, p. 100). Moreover, according to Marsh's study, the Roma of Sulukule became known in the entertainment sector of the Ottoman Empire since the 17th century as musicians, dancers, fortune-tellers, illusionist, and acrobats (Marsh, 2006a). Parallel to this, Romani performers were taken to world fairs as part of the Ottoman team, because of their identification with Ottoman entertainment (Marsh, 2006a).

During the Turkish Republican era, Sulukule Roma continued the 19th century tradition of dynamic entertainment houses (Akçura, 2007). Discussing the entertainment houses (devriye houses hereafter) is important to show the economic and social background of Sulukule. Devriye houses are small "listen-watch, eat and drink places" (Akçura, 2007). According to informants, devriye houses were a family enterprise. While the father and sons were playing music, daughters were belly dancing and the mother was offering alcohol and appetizers.[61] Sonia Seeman's note in the cover of the CD "Sulukule" (released by Traditional Crossroads in 1998) has a description for these places:

> Traversed by narrow meandering streets that spill off from ancient city
> walls, Sulukule is a neighborhood in Istanbul famous for its Roman
> (Gypsy) music and belly dancing. Here late-night private parties are
> provided by the local Roman residents in a space that has no other
> marking than an evocative name such as the "Gazelle's Place" or the

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[61] In time, the fame of these houses expanded and the entertainment sector had developed. So much so that the second film of James Bond film series, "From Russia with Love" has scenes shoot in Sulukule.

name of a person "Sezgin", and in some cases no marking at all. The entertainment setting is a small, bare cement-floored room often outfitted with little more than rickety tables and chairs. Making arrangements for such a night out involves finding a friend who has a friend who has a phone number. Members of a Roman family organize the party and provide the necessary services, including a Roman band of up to four members to play clarinet, violin, kanun (zither-type lap harp), cümbüş (banjo-like lute) or ud (non-fretted lute), and darbuka (goblet-shaped han drum); one or two female dancers; children or an elderly retired man to watch the car; and some appetizers and alcohol to lubricate the evening (Aksoy & Robins, 2011, p. 225).

The development of the entertainment sector actually started with the demolishment of a large portion of the original Roman quarter. In 1957, a part of historical city walls and twenty houses settled in Sulukule were destroyed for paving a way of the creation of one of today's highways of Istanbul, Vatan Caddesi (Somersan & Kırca-Schroeder, 2007). As a result, the residents of demolished part of Sulukule resettled in other nearby neighborhoods called Hatice and Neslişah Sultan, which are known as Sulukule today. In 1969, Sulukule Tourism and Preservation Association[62] was established in order to continue the solidarity of the residents of Sulukule and protect the neighborhood from another demolition. In spite of this, the association could not achieve its main target to protect the neighborhood from demolition, it organized the International Gypsy Festival with the support of Tourism

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[62] Sulukule Turizmi Yaşatma ve Koruma Derneği

Ministry in 1969.[63] The support of the Tourism Ministry was not limited to this festival. In 1985, the Tourism Ministry declared it supported the project on entertainment houses. The number of devriye houses, which was only three, increased dramatically[64]. Sulukule became a center of attraction with its house entertainment life. Opposite to attitudes of the Tourism Ministry towards devriye houses, the local municipality and its mayor Yetkin Gündüz, who is known as popular figure of a conservative party, did not support the project of residents and tried to restrain Romans from operating the entertainment houses. However, as one of my informants indicated, since these years were under the influence of authoritarianism, which had started with the 1980 coup d'état, the police were overlooking the existence of such houses where they could also have fun. The entertainment sector developed more in Sulukule in this time and contributed to the livelihood of almost 3,000 people. Musicians, singers, dancers, performers, barmen, cooks, waiters, local taxi drivers, bodyguards, tailors, liquor sellers, grocery shops, and hairdressers were earning money by working in the entertainment sector.

There is another dimension that must be noted here, during these years, thanks to the Roma success in the entertainment sector, Sulukule inhabitants received registry records for their houses. In 1983 and 1984 with the opportunity of the *imar affı* (amnesty for illegal buildings) all illegal buildings could be registered. Inhabitants became property owners by paying the land value of their houses.

In 1992, Saadettin Tantan who is known as being conservative became Istanbul Regional Administrator of the Committee of Inspection, which is subordinated to the General Directorate of Security Affairs. Tantan appointed

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[63] Uluslararası Çıgan Festivali.

[64] Despite the fact that the total number of entertainment houses is unknown, many informants indicated that the number of these houses was not below fifty.

Süleyman Ulusoy as Yedikule District' Police Chief and "ordered a clearance action against the entertainment houses on the basis of imputed moral degeneracy" (Aksoy & Robins, 2011, p. 225). When the entertainment houses fell under Tantan and Ulusoy's authority, the freedom to run the houses was removed and the musicians' equipment was confiscated. Süleyman Ulusoy, who was nicknamed "Hortumcu Süleyman",[65] became notorious for terrorizing the inhabitants by beating them with his famous hose (Somersan & Kırca-Schroeder, 2007, p. 101). The municipality and police justified their restrictions on operating houses and attacking the residents by suggesting that the residents of Sulukule were not paying the entertainment taxes. My elder informants maintain they were paying taxes without receiving the official documents testifying to the payment of taxes given by the authorities. However, Asu Aksoy explains the reason behind the restrictions on entertainment houses and terrorizing the residents in Sulukule as:

> …what became apparent that the culture of the Roma could not accord
> with the new urban vision and the gathering city-branding drive,
> which was by then rapidly developing in order to fashion Istanbul as a
> twenty-first-century global city. The informal, unplanned, and
> seemingly disorderly, organization of life in Sulukule was
> incomprehensible to the disdainful municipal authorities, and could
> not possibly figure in their globalizing-modernizing neo-liberal plans
> (Aksoy & Robins, 2011, p. 226).

When Tantan became elevated to the mayorship in Istanbul (1994-1997), the entertainment houses were denounced as illegal and were closed down (Somersan & Kırca-Schroeder, 2007). As a result of the closure of the entertainment houses and

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[65] Süleyman the Hose.

the forced eviction policy of the municipality, the majority of Roma had to move to other parts of Istanbul. The population, which was approximately 10,000, decreased dramatically to 3,500. Unemployment and poverty got worse in Sulukule. Since the running of entertainment houses was the main profession, most of the people became unemployed and unable to pay their expenses for electricity, water, and heating. The closure of entertainment houses fostered a new period of poverty for Sulukule.

Before the gentrification process, according to research[66] carried out by the Sulukule Platform[67] in September 2007, population of Sulukule was approximately 5,000. The Roman people comprise of seventy percent of this population accounting for approximately 3,500 people. One of the most important aspects of Sulukule is that the whole population was in one way or another related to each other. Most residents have relatives living close by. This situation creates an impression of one large extended family. The research conducted by the Sulukule Platform showed 76% of the residents were born in Sulukule. Parallel to the aforementioned research, 66.3% of the residents were content to live in Sulukule, many of my informants indicated they were living at peace.[68] Moreover, as the informants indicated the life in Sulukule was based upon mutual help and reciprocity. As Somersan shows:

> Indeed, as observers we have noticed that there is constant borrowing
> of all sorts of household items, goods, food, and money between the
> Sulukule Roma. Even the tiny grocery shops (nearly one in every
> other street) are part and parcel of this circle of solidarity. They sell

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[66] This research could be seen in the Appendix C.

[67] The Sulukule Platform defined itself as: "The Sulukule Platformu is a volunteer organization made up of volunteers, various NGOs, academics, engineers, journalists, jurists, Sulukule residents and many other people have different backgrounds. Sulukule Platformu unifies these people from the starting of Sulukule Project up until now in order to help Sulukule residents." (taken from a proposal of a project)

[68] "Biz bize yaşıyorduk." "Kimselere karışmazdık."

food items on loan (to be paid sometime in the future, hopefully by the
end of the month) and often of times give freebie biscuits, sandwiches,
and drinks to hungry children. They even break up tea, coffee and
flour packages so they can be sold in smaller quantities to make life
easier for those impoverished Roma who can only pay in very small
amounts (Somersan & Kırca-Schroeder, 2007, p. 99).

The self-sufficient manner of the neighborhood mentioned above comes from
not just the social fabric of the community based on relationship by affinity, but also
the professions held by the residents enabled this unity. The Sulukule residents were
working together, and consuming together.[69] Street vending was one of the main
professions engaged by the district's residents. Textiles, fruit, toys, balloons, fish,
pickles, and stuffed mussels were the basic commodities sold by street vendors to the
local clientele. In addition to street vendors, small businesses such as markets, food
shops, tailors, and small restaurants catered to the residents. Many of my informants
assert the relationship between local clients and local sellers was based on loyalty.
The sellers let the residents buy whatever they needed on credit. This was important
for the survival for many residents.

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[69] Most of the professions the Sulukulelis are making their living outside of the formal economy or in
economic relations that are not to be accepted by the state system. Forging, sieving, basketry, flower
selling, garbage collection, shoe shinning, peddling, scrap dealing, porterage, and cleaning are mostly
unsecured occupations without any perceptions of future and possessed by mostly outcasts (Wacquant
2008). It should be noted here that as Işık and Pınarcıklıoğlu indicated in last two decades by the
effects of neoliberal economic regulation, urban poverty has increased dramatically just because of the
transformation of the dominant economic organization of society and the means of production (Işık &
Pınarcıklıoğlu, 2001). Thus, the traditional professions of Sulukulelinas have invalidated and
Sulukulelis quite harshly disqualified.

Moreover, working in an entertainment sector with relatives is still common. Most of the
residents are working in the entertainment sectors by constituting family or relative groups. These
groups are composed of people who are relatives such as the father who drums his instrument, a
neighbor's daughter who dances and a cousin who is a waiter.

This togetherness stems from two main reasons, a settlement based Romani way of life (1) provides "the space to perform community relations and poverty far from the gaze of outsiders and (2) makes the survival possible within the solidarity chains built inside" (Özden, 2013, p. 11). These solidarity chains, which would be referred to as reciprocal help chains, could be seen in every part of life in Sulukule. To find a job, to care for a sick family member, to cook for the neighbors, to pay the rent, or even not take the rent from the poor tenants[70] are usual and seemed natural for the residents of Sulukule.

Although the reciprocal chain of gift exchange between residents actually defined the solidarity of the Sulukulelis, this local culture based on reciprocity and mutualization also points to another rationality shared by residents - a gift economy[71]. A gift economy, gift culture, or gift exchange is a mode of exchange where valuables are not sold, but rather given without an explicit agreement for immediate or future rewards (Cheal, 1988). In the gift economy, one gives gifts (give a pot of soup, to pay for the doctor or to find a job etc.) to someone close or a potential enemy for establishing a relationship by placing them in debt. It could be possible to assert, "The character of the human relationships is formed through gift exchange which is an exchange of inalienable objects between people who are in a state of reciprocal dependence that establishes a qualitative relationship between the transactors" (Gregory, 1982, pp. 100-101).

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[70] The abandoned entertainment houses had rented out to very poor Roma, as one of the informant told owners have given up collecting monthly rents, and when the Municipality cut the running water in these houses because the tenants even could not pat the bills, owners and neighbors helped the tenants carry water from the public fountain (Somersan & Kırca-Schroeder, 2007, p. 104).

[71] Ever since the publication of Marcel Mauss's landmark 1925 anthropological study-cum-historical romance Essai sur le don, scholars in a variety of disciplines have been fascinated with gift exchange. Yet despite Mauss's discovery that gifts are "total social phenomena" governed by particular norms and obligations (76), they have often been either explained away as disguised self-interest or sentimentalized as a remnant of a golden age of pure generosity. The Question of the Gift, an interdisciplinary collection of essays, poses new questions and offers new paradigms that transcend these trite polarities. Please see: http://www.cwru.edu/affil/sce/QG_volume.html

Parallel to the organic organization of neighborhood-based life of the Sulukulelis, their houses had been built without a systematical knowledge of how a modern life should be, but with an organic approach based on their conditions and needs. Mostly, a family built one room for them to live in, and then the relatives built other rooms attached the first one built and created a kind of multiple household. The relatives' rooms were attached one by one until the households reached the borders of the other households. Opposite to the widespread comfort standards of modern living, (1) the same room functioned as a kitchen, bedroom, bathroom, and living room; and (2) the toilets were mostly for common use and thus built external houses without any sanitary sewer and water supply.[72] Tinplate and tires were common materials used for reinforcing the walls and the roof. Such an architectural form had an enormous diversity of shapes and colors, and provided a personal space for performing personal aesthetics onto the house. Moreover, life has a physical extension within this architectural structure that fit the requirements of the solidarity chain. The togetherness reaches the home inside by communal use of the houses between the neighbors who were mostly relatives.

The history of Sulukule and its social fabric based on affinity and gift economy should be kept in mind to understand how the urban transformation process affected Sulukule.

3.2. Gentrification of Sulukule

The urban transformation process in Sulukule can be what is described in academic literature as a process of gentrification. In the mid 1960s, the British

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[72] It is not a general rule for all Sulukule houses, but yet, I am presenting a general picture of the common situation.

sociologist Ruth Glass coined the term gentrification to describe the process of working-class displacement in the West End of London (Engels, 1999). Gentrification was defined as "the working class quarters of London … (had) been invaded by the middle classes … , modest mews and cottages … have been taken over… and have become eloquent, expensive residences" (Glass, 1964, cited in Engels, 1999, p. 1473). And she notes "this process … goes on rapidly until all or most of the original working class occupants are displaced and the whole social character of the district is changed" (Glass, 1964, cited in Engels, 1999). So, it is possible to assert gentrification refers to both the physical and social transformation of neighborhoods.

Since the late 1960s, the discussions of gentrification have produced many explanations. "As Palen and London (1984, p. 7) states, 'the term gentrification suggest the return of some sort of landed aristocracy to the inner city from some place outside the urban arena.'" Karp, Stone and Yoels argue, "Gentrification occurs when well-off populations buy up, renovate, and refurbish buildings in decaying inner-city neighborhoods" (Karp, Stone & Yoels, 1991, cited in Uzun, 2001, p. 47). Lyons, who is one of the authors on the subject, brought additional points related to the process, gives three basic conditions that must be exits for naming a transformation as a gentrification. First, high-income householders must displace low-income traditional householders. Second, original devalued housing in the inner city must be refurbished and revalued. Third, the tenure must be changed (Uzun, 2001, p. 49). Corresponding to Lyons, Badyina, and Golubcikov defined the most essential characteristics of gentrification as "the physical upgrading of low status residential neighborhoods in inner cities and displacement of low-income residents by wealthier upper class newcomers" (Somersan & Kırca-Schroeder, 2007, p. 97).

Taking all of the above into consideration, gentrification hitherto implies "back to the city", "urban reinvasion", "central city revitalization", and "renovation" all of which have somewhat different implications (Somersan, Kırca Schroeder, & Uçan Çubukçu, 2011, p. 47). However, all these definitions and implications of gentrification cannot comprehensively provide a comprehensive meaning. Nevertheless, in current studies gentrification could be seen as a state-led implication[73], which markets urban land by means of (1) the physical upgrading of inner city residential neighborhoods where lower income and often with migrant or/and minority backgrounds people live and (2) dispossession and displacement of these disadvantaged urban poor by wealthier upper class newcomers. Moreover, as many studies have shown that urban transformation projects, which are argued as the main mechanisms of neoliberal urbanism, result in gentrification. (Bartu Candan & Kolluoğlu, 2008; Bartu Candan & Kırlı, 2007). Parallel to this, Sulukule as a derelict inner city neighborhoods in Istanbul, was declared urban transformation project areas, and experienced harsh gentrification.

As Hackworth indicates "the location, history, and demographics of a particular neighborhood are all important factors in how neoliberalism gets localized through gentrification" (Hackworth, 2007, p. 123). The local conditions, in this sense, have crucial role in how neoliberalism becomes localized by means of gentrification. Referring to Dutton, who advocates for a re-consideration of the

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[73] Since, in Turkey, urban transformation projects have a crucial role for gentrifying inner city low status residential neighborhoods with the encouragement of the government and these projects are implemented by state-private partnership, state is seen as a crucial actor in gentrification and urban transformation projects are accepted as state-led implications for generating profit. For further information please see:

Öktem, B. (2006). Neoliberal Küreselleşmenin Kentlerde İnşaası: AKP'nin Küresel Kent Söylemi ve İstanbul'un Kentsel Dönüşüm Projeleri". *Planlama*(2).

Kuyucu, T., & Ünsal, Ö. (2010). Urban Transformation as state-led Property Transfer: An Analysis of Two Cases of Urban Renewal in Istanbul. *Urban Stadies, 47*(7), 1479-1499.

influences "local conditions have on the magnitude, intensity and consequences of gentrification in particular urban contexts" (Dutton, 2005, pp. 208-9, cited in Schlebush, 2008, p. 16). The historical background of Sulukule and its location right in the center of Istanbul, and neoliberal urbanism implementations such as urban renewal projects of the local municipality could be seen as such a "local condition" – "a condition which *makes* the place as it is perceivable today" (Dutton, 2005, pp. 208-9, cited in Schlebush, 2008, p. 16). Moreover, according to Inda "the territory (or, a place) on which policies are applied is never just a place but rather a space loaded with histories, life-stories, networks, and divers human/non-human relationships" (Inda, 2005, pp. 3-4, cited in, Schlebush, 2008, p. 16).[74]

This approach, which interprets territory not as a place but rather as a space with complex composed of men and things, compels us to think about the relationship between gentrification and territory in a wider frame. In the light of arguments on territory and gentrification, I want to make a contribution to the definition of gentrification by adding a new dimension which is not just about territory but related to it. The main motive behind gentrification can be seen within a wider frame as to amalgamate the people, who had lived informal settlements by earning their lives through outlawed occupations and somehow could stay out of the neoliberal cycle thanks to having a territory to practice their lives out of institutional social control, to the system. By taking all of the above into consideration, gentrification could be defined as a neoliberal apparatus which has four interrelated motives: (1) to re-divide and confiscate the urban land in order to make profit on behalf of the upper classes, (2) to force the poor and historically discriminated residents of confiscated territories to settle down into *proper* monotype apartments,

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[74] He reinforced his argument on the citation from Foucault as "What government has to do with is not territory but, rather, a sort of complex composed of men and things" (Inda, 2005, pp. 3-4, cited in, Schlebush, 2008, p. 16).

(3) to oblige the poor residents for making monthly paybacks as a middle class attitude, and (4) to regulate and control the *dangerous* people by making them settled into social housing sites. While the first motivation aims at the circulation of welfare, the uncommodified urban land, other motivations targets to integrate/amalgamate the people who somehow stay out of the system to become *normalized*, middle-classified people. The three main technologies of this amalgamation operation are: (1) to force residents to live into monotype apartments, (2) to oblige them to make monthly paybacks for these apartments, and (3) to make them settled into social housing sites by trying to control them.

As opposed to Sulukule houses, which were built with an organic approach rooted on the needs and conditions, TOKİ houses are centrally designed with a systematical knowledge of modern life. By offering a room to eat, a room to cook, a room to bathe, a room to sleep, in other words telling the residents where to wash their hands, where to eat and sleep. Centrally designed houses dictate a single definition of life which excludes alternative living forms and imposes how human life and standards should be. Moreover, since the maximization of profit is the main principle of the housing market, the formula of making the highest profit has become to construct massive buildings where a large population can be settled on the smallest portion of the land. Parallel to this formula, TOKİ houses/apartments are also multi-flat buildings following the requirements of atomizing and alienating the rules of everyday life of middle-class culture, which manipulates each individual taking its part inside the system. These multi-flat monotype buildings do not have outdoor space or a common shared public ground to communicate with each other and thus have no suitable conditions for Sulukulelis to perform their previous neighborhood-based community relations and establish their environment through the dynamics of

their own life style.

Beside the effects of modern architecture technologies (monotype-multi-flat TOKİ houses), TOKİ is also operating under the new commercial trends of contemporary life in its system of social housing. After demolishing the deeded houses of the Sulukulelis, the municipality and TOKİ offered to sell TOKİ flats as a compensation by taking Sulukulelis into long term mortgage credit. Since most of the Sulukule residents were making their living by working without social security with irregular working hours, and in the informal economy or in economic relations not formalized by the state system, it was quite unimaginable for the Sulukulelis to be obliged to make monthly payments. In order to be able to make monthly paybacks, Sulukulelis who do not have even the proper definition of the work they do, would be obliged to work and earn on monthly basis.[75] These obligations are not proper to Sulukulelis life-style, this should be seen as a normalizing and middle-class project aiming to integrate Sulukulelis into the system, the neoliberal cycle, as demanding subjects who mortgage even their future labor.

Furthermore, it is possible to assert Sulukule was offering a resistance against the hegemonic economical perception of capitalism by providing a space out of the control of capitalism for (1) a tax free economic production and (2) the population the ones living out administration system. Since the society of surveillance, as Foucault indicates, "is in need of proper iconography of street settling and house numbering to keep up the control over the population" (Özden, 2013, p. 84), one of the Sulukule project can be seen to demolish the resisting space where the Sulukulelis could live out of the system cycle and control over them is almost lost.

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[75] Since the economic discrimination against the Romas in Turkey is still quite common, finding a job with a monthly salary is almost impossible. That is why, only one family who migrated to Taşoluk could stay there by paying their monthly credit. The father could find a job in a small textile factory and started to earn in monthly basis. According to him, he is accepted by his boss and new friends thanks to being a Muslim and praying five times a day.

So, in this context, social housing is a technology, which is used for regulating the Sulukulelis and keeping control over them.[76]

After theorizing gentrification, I aim to show in the following pages how the gentrification process started and proceeded and how the power relations, which had already existed, changed and new ones constructed through newly emerged networks of NGOs, local/international authorities and the state.

3.2.1. Towards Destructions

Law No. 5366, The Protection and Revitalization of Cultural and Historical Immovables,[77] could be seen as the starting point of the gentrification of Sulukule. This is the fact that the municipality, TOKİ (Toplu Konut İdaresi, the Prime Minister's Housing Development Administration of Turkey - hereafter TOKİ), and its subcontractors were authorized to implement urban transformation projects in historical areas, in this case Sulukule. On 28 June 2006, The Fatih Municipality took the first step towards implementing the project by inviting the local residents to inform them about the plan.[78] Within the same day, Sulukule residents under the name of the Association for the Solidarity and the Development of Sulukule Romani Culture (Sulukule Roman Kültürünü Geliştirme ve Dayanışma Derneği, henceforward the Sulukule Association), made its first declaration to the press in order to assert the plan prepared by the local municipality ignores the socio-

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[76] For a similar argumentation please see the first chapter, the subtitle of "discourse on urgency".

[77] Yıpranan Tarihi ve Kültürel Taşınmaz Varlıkların Yenilenerek Korunması ve Yaşatılarak Kullanılması Hakkındaki Kanun

[78] Actually, according to informants the preparation of the project had begun approximately a year ago. In the Renovation Fair which was organized in June 2005, the municipality of Fatih stated: " all the buildings have been listed during the months of October and November 2005… all the physical measures have been made, according to the number of floors in each building, in order to estimate the real estate value" (Platform, n.d.).

economic conditions of the residents and they have the risk of eviction.

Şükrü Pündük the head of the association declared:

> As a consequence of this project, we will have to leave the places in
> which we have lived for centuries. If the Municipality really wants to
> preserve Sulukule as a historical post, they can offer us financial and
> technical assistance for the renovation and repair of our houses. We
> wish to have Sulukule revived and become a positive feature of
> Istanbul's cultural and entertainment life.[79]

In 2006, when the project commenced by the municipality, TOKİ was
providing loans for individual applications for restoration and revitalization of
buildings.[80] Moreover, the aforementioned Law No. 2863, which was enacted to
protect cultural natural assets in 1983, enabled fund-raising for planning,
conceptualizing, and implementing the projects in historical areas for public interest
(Sakızlıoğlu, 2006). Both TOKİ credits and Law No. 2863 have been used for
Sulukule residents in order to revitalize their neighborhood. However, their claims
for self-restoration were ignored.

Two weeks later the Sulukule residents heard about the project and made a
declaration to the press, on 3 July 2006, the Istanbul Metropolitan Municipality, the
Fatih Municipality, and TOKİ signed an agreement on their co-operation of
destruction of Sulukule (Platform, n.d.). According to the agreement, a renewal area
is determined as 86,760 m2 large and included 571 families' houses (Platform, n.d.).
On July 13, another agreement was signed between the local municipality and TOKİ
for the distribution of tasks. In conformity with this agreement, the municipality

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[79] Şükrü Pündük's declaration, will be added in Appendix B.

[80] A document from TOKİ indicates that TOKİ approved 51 individual credit applications and
provided 3,700 TL for restoration and revitalization projects. The document can be seen in Appendix
D.

becomes responsible for destructions and TOKİ is tasked with the rebuilding of the new site. The residents of Sulukule were not invited to these protocol ceremonies. [81]

During the summer, residents, volunteers, various NGOs, and academicians come together and collectively made joint declarations to the press [82] and sent letters to the cabinet of the ministers [83]. The European Roma Rights Centre, Helsinki Citizens' Assembly, Accessible Life Association, Sulukule Romani Culture and Development Association, and Foundation of the Romani Associations Federation EDROM undersigned the letter written for expressing the concern about the forced eviction of the Sulukule residents.

3.2.2. Sulukule Turns into a Rent Field

According to my informants, these letters and declarations to the press gave them hope for the cancellation of the project. As informants mentioned, NGOs and volunteers explained how the process will develop and how the residents should resist against the project. The atmosphere of resistance, which escalated during the summer, excited the anticipation of the residents on the future of the project. However, contrary to the expectations on the cancellation of the project, the "urgent

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[81] Neither the conceptualizing of the project nor of the decision process of the project, the residents of Sulukule have a chance to explain their needs and expectation from an urban transformation project or express their opinion on the existing project. The municipality offered two options to the residents: To sell their houses to the municipality for a low price that the municipality determined or to buy the houses which are offered by the municipality and TOKİ on condition that bearing heavy burdens of debts. I will explain these options in the following pages.

[82] Please see: http://www.radikal.com.tr/yorum/sulukulede_vicdanlar_ikna_olmadi-876885
http://www.radikal.com.tr/turkiye/istanbullular_anlatti_unesco_dinledi-1108719
http://www.radikal.com.tr/radikal2/kapimizdaki_kentsel_donusum_tehlikesi-875643
http://www.radikal.com.tr/yasam/sulukulede_senlik_var_haydi_dayanismaya-809478
http://www.radikal.com.tr/turkiye/ille_roman_olsun_ama_orgutlu_olsun-784675
http://www.bianet.org/bianet/toplum/133365-villalar-bitmek-uzere-ama
http://www.bianet.org/bianet/azinliklar/124227-sulukule-aihm-nin-gundeminde

[83] Two of the letters sent to the cabinet of the ministers, the letter sent to the Prime Minister and the letter sent to Culture Minister could be seen in the Appendix A.

expropriation" decision was voted by the Council of Ministers on 13 December 2006.

"Emergency expropriation" decision on Sulukule was named as the utilization of the urgent expropriation law because of the reason that this measure, turned into an instrument in the hands of the municipality for legalizing and expediting the implementation of the project (Foggo, 2007). Moreover, according to Eyüp Muhcu, head of the Istanbul branch of the Chamber of Architects, the rapid expropriation decision was a clear violation of Turkish law, because, the law on "emergency expropriation" of lands allows the Cabinet to decide expropriation in special conditions such as war or naturel disasters. [84] Furthermore, the destruction of Sulukule without any regard to the resident's expectations and culture could be termed a violation in Turkish Law on the protection of local cultures enacted by the European Union reforms on city planning. Along similar lines, since Sulukule was a place on the list of World Heritage sites by UNESCO in 1985, ignoring local culture results also in violation of Turkey's commitments to UNESCO. According to Turkey's commitments to UNESCO, peoples and cultures in historical sites in the list of World Heritage should be protected. In spite of the fact that the "rapid expropriation" decision of Sulukule was an unlawful decision has many contradictions with legal regulations, the people of Sulukule had experienced the harsh effects of this decision.

Right after the declaration of the decision to expropriate, even the municipality had not put into effect the decision, the expropriation threat caused panic amongst the Sulukulelis and created a selling spree. As mentioned above, the municipality had offered two options to the residents: (1) to sell off their property to

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[84] The special condition for this decision was based on the risk of potential earthquake in Istanbul. However, as shown in the previous chapter, Sulukule is not a place at risk of potential earthquake destruction.

the municipality and migrate or (2) to buy the new flats, which would be built by TOKİ and sold the prices well beyond the residents' budgets. The expropriation threat of the municipality added a new dimension to the pressure of the municipality. The prices, which were suggested by the municipality for the houses in Sulukule, had decreased dramatically after the declaration of expropriation decision.

Since the houses in Sulukule were small, approximately 40 square meters and the municipality offered 500 - 800 TL (Turkish Liras, TL hereafter) per square meter, the compensation determined by the municipality was considered insufficient by the house owners to sell their houses to the municipality. Moreover, if the owners decided to buy the new flats, they would have to sign the leasing agreement for the heavy burden of debt for 15 years of new flats which were sold approximately for 75,000 - 125,000 TL (by pay off the difference of their own houses, which are estimated approximately 20,000 TL) under the condition of paying 10% of the new flat price in advance. Since Sulukulelis could not afford the heavy burden of debt of the new flats by getting a small amount of money in return for their deeded houses, they prefer to sell their houses to the third parties and companies who suggest a slightly higher prices of what the municipality offered.

According to the aforementioned research conducted by the Sulukule Platform, 54% of the traditional owners were told by the local municipality unless they signed the agreement offered, the local municipality would seize their houses. Again this research shows that after only 8 months, the declaration of rapid expropriation, 20% of the traditional owners sold their houses and all these owners agreed with third parties. In the time when this research was conducted, September 2007, 62% of the owners indicated they neither sold their houses to the municipality, nor signed the leasing agreement for the condominiums to be built. Their hesitation

to sell their houses to the municipality is due to low compensation. Moreover, if one takes into consideration the level of income of residents, the reason they did not lease the condominiums would be clear. According to aforementioned research, a quarter of the local residents' income is below 300 TL, approximately 150 EUR, 50% of the population made less than 500 TL, 250 EUR income a month. For the half of the population it was not possible to have the funds to pay 275 - 475 TL, 132 - 246 EUR, per month for the credit debt of the condominiums to be built.

It should be said that the *strategy* of the municipality was to force people to sell their houses for the price estimated by the municipality or expose to condemnation and get nothing, the residents mostly sold their houses to third-party individuals who paid more than the municipality. With such a *tactic,* inhabitants thought they made the most beneficial decision for themselves, yet they were mistaken. Inhabitants involuntarily created a new unearned income field. [85]

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[85] In order to understand the process of involvment of the third parties and the creation of this unearned income field deeply, I would like to discuss about the situation of the mukhtar in whose office I spent hours. While I was in his office asking about the neighborhood and the Sulukulelis, a TOKİ officer came. After a while, the mukhtar started to bargain with the officer. During the conversation, he said on many occasions "I make you earn money and get rid of them, so you should give me a discount. 400,000 TL is enough". The officer replied to him as "OK, OK, I will work for it". When the officer left, the mukhtar started to explain how much he "helped" those "şopars[85]." He told many stories, but I think the most staggering one was regarding selling of the house to a third individual who had a relative in the municipality. While the municipality estimated a price for the house as 15,000 TL, the mukhtar asked the landlord whether she would like to sell her house for ten times the price. She accepted the mukhtar's idea. He made contact with a buyer by means of a municipality officer. Then the mukhtar sold the house for 170,000 TL. "Thanks to my help, she earned 150,000 instead of 15,000 TL and I earned 20,000 more." There are two important points which should be emphasized in this sentence. The first is that the mukhtar is aware of the fact that there is something unfair and there are those who are exploited. The unfairness of the situation turned into a form of legitimization in the speech of the mukhtar. He defined himself "as a responsible mukhtar whose duty is to save and protect his citizens' rights by providing them a suitable ground for selling their houses for a better price". Thus, the mukhtar perceives that entrepreneurship is a social responsibility and legalizes his intervention for collecting profit by securing justice. The second is that the "more" means that the mukhtar "helped" those "şopars" as in selling their houses and he gained 20,000 TL commission in the process for every house sold. By the effect of the rapid expropriation decision, such a social turmoil turned into an opportunity for entrepreneurial activities, and since the mukhtar is one of them, I realized at the end of the day, he could succeed in purchasing a flat for 400,000 TL in the newly constructed Sulukule gated community by collecting the commissions.

The real estate speculators, investors, and investing companies benefited from this situation by collecting the Sulukule houses at rock bottom prices – a little higher than expropriation compensation. The trick of the work was those speculators, investors, and companies could buy more than one house and benefit from the same rights of the locals in indebting from the municipality and TOKİ. The project changed after this handover spree.

As mentioned in the previous chapter, it was asserted that the first prepared plan aimed to construct just two story houses with an Ottoman style appearance. But, one year later, in one of the explanations from the mayor about the construction process, he stated in order to *fulfill the increasing demand of the public* it was decided on making some changes to the plan to erecting three or four story buildings that would be visible from behind the city walls (Sulukule'de Kuralar Çekildi, 2012). [86] Moreover, the other changes made were strictly luxury and comfort oriented. The 65 square meter houses expanded up to 180 square meters after third parties bought traditional owners' properties and expressed their demands. With these changes, the purpose of the Sulukule project became definite: to meet the desires and wishes of new owners in the market for cheap real estate, not fulfill the needs and expectations of the local residents.

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[86] Whereas the municipality were accusing the poor and Roman's houses for creating visual pollution, it did an incomparable example of this pollution. The three and four-story buildings appear behind the historical city walls with a giant-like ÖZKAR İNŞAAT and Okyanus Koleji signboard on top of them.

3.2.3. The New Owners of Sulukule

During my research I heard on several occasions even before the announcement of the project to the inhabitants and the coordinator of the urban renewal project office had come to Sulukule a few times with some famous religious figures, especially Mahmud Hoca's followers, to show where they could buy new apartments suitable for them and their relatives. It is well known that there are some who have relatives in the municipality or a high level supporter behind the government bought houses before destructions when the prices of the houses were only around 3,000- 4,000 TL. [87] On 20th November 2007, the Justice and Development Party's Fatih District's Board member lawyer Recep Koloğlu, who bought many properties in Sulukule, was made public in news reports, as a result of which he resigned from the party. Within the same day, he gave a speech and declared there were other party members who bought houses from Sulukule and must also resign (Platform, n.d.). The news reports written by the Sulukule Platformu members and opponents of the project draw a parallel picture about the new owners of Sulukule. There are famous names [88] that bought houses from the traditional owners who panicked because of the rapid expropriation threat. The notary of the

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[87] During destruction period the prices of the houses were increased. Since the demand was increased, the prices of the houses increased, too. The muhktar told that there are some owners sold their properties for 100,000- 170,000 TL.

[88] Please see: http://sulukulegunlugu.blogspot.com/2009/03/sulukule-bugun-hurriyet-gazetesine.html It is really interesting that Hürriyet, which is the newspaper, headlined Sulukule rent and its new residents, block off the report on Sulukule, while other reports can be read via Internet.
http://www.yapi.com.tr/Haberler/iste-sulukulenin-yeni-sakinleri_67463.html
http://www.gercekgundem.com/?c=61700&com=all
http://haber.sol.org.tr/kent-gundemleri/sulukulede-artik-kimler-yasayacak-haberi-21424
http://bianet.org/bianet/siyaset/115273-sulukule-de-kentsel-donusume-yakalanan-hayatlar
http://www.etha.com.tr/Haber/2010/09/24/yasam/sulukuledeki-rant-belgelendi/

Light House Association[89] who was involved in corruption and put on trial in Germany, a son of a deputy of the ruling party, İSKİ (İstanbul Su ve Kanalizasyon İdaresi - Istanbul Municipality Waterworks) managers and their wives, and a famous religious figure and his followers are the names frequently mentioned in the media as the new owners of Sulukule.

Before the destruction, the prices of the houses were only around 3,000-4,000 TL. After the declaration of the decision of expropriation, the municipality offered 500 - 800 TL for each square meter of a house. The prices increased up to 15,000 – 20,000 TL. Most of the third parties bought properties form Sulukule for a price little higher than what the municipality offered.[90] Estimating how much profit third parties made from Sulukule, it is not hard to see a huge gap between two exchange values. Nowadays an 81 square meter house is sold for 560,000 TL[91], and a 125 square meter house can be purchased for 800,000 TL.[92] Moreover, a recent news report asserts there are luxury duplex flats selling for 950,000 TL.[93]

The municipality did not provide me a list showing the new owners or new Sulukule residences. However, parallel to the mayor's declarations, municipality officers, with whom I talked, advocated this urban renovation project for Sulukule as

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[89] Deniz Feneri Derneği. This association was known for being close to the ruling party and drew attention by standing in trial in Germany. This association was charged with collecting profit by emotional abuse of Muslims who live in Europe. Whereas the Light House Association advertised itself as a religious and conservative association serving for benevolence, three public prosecutors wanted to start a prosecution process in Turkey. Instead of the association, these prosecutors were put on trial. Because of this reason, the Light House Association occupied Turkey's agenda for a while.

[90] During the destruction period the prices of the houses were increased. Since the demand increased, the prices of the houses also increased. The muhktar said that there are some owners who sold their properties for 100,000- 120,000 TL.

[91] Please see: http://www.sahibinden.com/ilan/emlak-konut-satilik-sulukule--satilik-119410272/detay

[92] Please see: http://www.sahibinden.com/ilan/emlak-konut-satilik-anahtar-teslim-fiyat-sulukule-evlerinde-satilik-daire-92968010/detay

[93] Please see:http://www.hurriyet.com.tr/ekonomi/21513856.asp
Please see: http://www.sahibinden.com/ilan/emlak-konut-satilik-toki-nin-istanbul-icindeki-tek-projesi-48916519/detay/

the most social project ever. According to them it should be seen as a successful transformation of ramshackle slums into modern apartments. When I asked what they thought about the criticism that the real motive of the municipality was to drive the Roma out of Sulukule, they answered, the municipality did not attempt to exile Romans, and their culture will remain. According to the officials, the music school, which will be built in the new site, will provide music education for Roman children. Then, I recalled there are only 50 families that paid their installments for new flats, officials replied to me culture is not something countable. Moreover, I chanced upon a news report of the mayor's speech on the assertion that the municipality prepared the project in order to "bring rich people in."[94] According to the mayor, this assertion is ridiculous. He goes on his expostulation "TOKİ would have chosen some other place to invest TL 1 million if profits and not a social project were its priority."[95] If one takes into consideration the mentioned prices above for new flats, one will realize TOKİ does not need to choose some other place to invest TL 1 million, while the new flats are advertised as located in "the pupil of the eye of Istanbul", emphasizing the new site is located in the center of Istanbul.[96]

3.2.4. Taşoluk, a Normalizing Project

On 23 November 2007, by the request of the Sulukule Platformu and neighborhood representatives, renewal council and the municipality representatives met. The platform and neighborhood representatives presented a proposal to the

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[94] From the declaration of the head of Sulukule Association.

[95] This report can be seen in Appendix B.

[96] Please see: http://www.hurriyet.com.tr/ekonomi/21513856.asp

municipality about the expectations of the owners and the tenants and solutions for the social problems the project created. The main discussion in this meeting was about the demands of the Sulukule residents for remediation of their situation and the high prices of new condominiums. After a while, the municipality offered a solution for the situation for the impoverished owners and tenants. Fatih Municipality encouraged the people of Sulukule, both owners and tenants, to buy cheaper houses from the state's social housing complex in Taşoluk.[97] On 4 December 2007, Fatih Municipality organized a lottery for the apartments, which were constructed in Taşoluk. Everyone who lived in Sulukule could apply to the lottery. 204 tenants gained the right to have a flat in Taşoluk. For the remaining renters, the Fatih Municipality stated there would be another lottery within a few months. However, the municipality has not yet organized another lottery.

The condition of having new apartments in Taşoluk was simple. Renters who could pay between 275 – 475 TL, 150 - 200 EUR every month, depending on the size of the apartments, over a fifteen-year period, would be the owners of their lottery apartments. The municipality benefited from the anxiety of tenants of having new flats. While they were putting their names under the lottery list, they actually accepted to leave their neighborhood.

Unsurprisingly, as mentioned above, except from one family, renters could not buy a flat in Taşoluk. Most of the tenants selected in the lottery actually could not even sign the contract with TOKİ. Because, they could not pay the stamp tax, which is between 800 – 1,300TL, 400-650 EUR, requested by the banks from the tenants. The proposed tenants, who could sign contracts, were unable to pay the credit debts.

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[97] Taşoluk is a newly developing area in outskirts of the city. It is located in the north side of Istanbul and 30 km away from Sulukule. To get to Taşoluk takes 2 hours and it costs 5 YTL, 2 EUR. With the offer of the municipality, the 571 owners and 434 tenants have a right to lease property in Taşoluk by paying 180-month long credit debts. The map and the photographs of Taşoluk can be seen in Appendix H.

As according to the aforementioned study, since a quarter of the local residents' income is below 300 TL, approximately 150 EUR, 50% of the population have less than 250 EUR income a month, they could not pay 275 - 475 TL, 132 - 246 EUR, per month for the credit debt of the condominiums.[98] Moreover, as indicated above, for Sulukulelis who are out of regular occupations, it was hard to be obliged to making monthly payments.

Informants who experienced to live in Taşoluk stated that not just the heavy burden of the credit debt, but also the location and the physical conditions of centrally designed multi-flat TOKİ houses were not proper for Sulukulelis. Firstly, since Taşoluk was about 30 kilometres far from Sulukule, it also costs a high amount of transportation expense and time to reach the city center, where residents mostly work and used to reach by foot, from Tasoluk, unlike Sulukule. One of my informants, a flower seller, who moved to these new TOKI site and making her worklife in Taksim, stated that it takes four hours of trip with public transportation to reach her job and be back to home (Personal Communication, Subject 14, May 2012). Apart from the location of the TOKİ site, the physical conditions of the houses which are centrally designed with a systematical knowledge of modern life, were not suitable for Sulukulelis to perform their previous neighborhood based community relations and establish their environment through the dynamics and needs of their own life-style.

> Now, look, we eat all together. What we have, we always share. All
> together. They place us in different places, apart from each other,
> some there, some far. I have a sister, they placed her far from us. Far,
> actually she was not so far, we can go there by foot. However, while

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[98] In one of the declaration to the press, the head of the Sulukule Association asks, "How will the people who cannot pay 60 TL (approximately 30 EUR) in rent have the funds to pay 275 - 475 TL per month for his credit debt?" (cited in Foggo, 2007).

we were here, If I waved my hand, I would hit her. Do you understand? Anyway. [Neighbors were complaining from that] the children were making nose, we were making nose, I would not know, I was shaking the carpets. Of course I shake the carpets! Of course, children are making noise, of course, they are shouting, they are children! Sometimes even I wanted to shout out, too, because of being in the house without people you know. There was nothing. They just threw us to the backwoods. Do you understand?" (Personal Communication, Subject 18, May 2012).[99]

The passage above belongs to one of my informants who could not live in TOKİ apartments because of its design which excludes the forms lively in Sulukule. As she indicates, although her sister is in a distance to go by foot, she is still complaining about being far from each other. Parallel to this, the expression "Sometimes even I wanted to shout out, too, because of being in the house without people you know" also signs the fact that the multiflat monotype buildings without outdoor space and a common shared public grounds do not provide a suitable ground for performing their own life-style based on communication and being all together. Moreover, apart from breaking the neighborhood based relations, being obliged to obey modern life conditions, namely the middle class apartment culture, was also hard for Sulukulelis. Since, shaking carpets and making noise point out an situation of being *underdeveloped*, the neighbors assert to intervene the Sulukulelis' way of

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[99] "Şimdi, bak, hep birlikte yer içeriz. Ne varsa ortaya. Hep bir arada. Orda koydular bizi biri bi yana, biri daha öte. Sonra kardeşim vardı, gitti o uzağa. Uzak hani yakın, yürüme gidersin, ama bak burda, elimi sallasam çarpardım kardeşime. Anladın mı? Neyse. Çocuklar ses yaparmış, çok bağırırmışız, ne bileyim, halı silkermişim. Silkerim, neye silkmeyim. Sonra çocuk bu, tabi bağaracak. Benim bile bağırasım geliyordu, insansızlıktan, kapalı evde, insan yok bişi yok. Dağ başına attılar bizi öyle. Anladın mı?"

living by warning and correcting them. Since culture of solidarity was a function as a survival strategy in order to deal with discrimination, in the TOKİ site where this solidarity chain is broken, middle class apartment culture becomes a means of discrimination.

> I put my handcart near the door. They said "remove it from here!" I replied "where should I put it, into my hat? I earn money with it, we live thanks to it!" then, we fought. They just put us there. Every day, I bring the handcart with me, put it to the bus, and then fight the bus driver. When I come back to home, I fight with the neighbors. What a nice, apartment ha! I used to put the handcart in my own garden wherever I wanted, even in the house. Nobody would interrupt me. (Personal Communication, Subject 22, July 2012).[100]

Parallel to a street peddler's expression above, discriminative attitudes toward Romans made it hard to live in Taşoluk. When tenants moved to Taşoluk and lived there at least for a while, they faced harsh discrimination. Their new neighbors have already lived in Taşoluk demanded TOKİ and Fatih Municipality should resettle Sulukule residents somewhere else. Non-Romani Taşoluk residents founded an association and gave petitions for relocation of their new neighbors.[101]

On the contrary to that the main argument of the demolishment and the compensation of multiflat modern housing sites was to overcome the miserable living conditions of the Sulukule residents and to better integrate the communities, Taşoluk was actually a normalizing project, which aimed to push Sulukulelis to obey

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[100] "El arabasını koydum kapının yanına, dediler bunu burdan kaldır. Dedim nereye koyayım, şapkama mı? Ekmek yeriz, ekmeğimi ondan çıkartırım ben. Hani bu defa kavgaya tutuştuk. Hani, şimdi aldın koydun beni buraya. Her gün o arabayı bindir, indir otobüse, şöförle kapış. Hadi kavga gürültü gel geri bu kez bunlarla didiş. Apartmanmış, peh. Bahçemde ister oraya kordum arabayı ister eve sokardım, kim ne derdi?"

[101] Please see: http://www.arnavutkoyrehberi.com/toki-tasoluk-konutlarinda-sulukuleli-isyani-h1697.html

middle class living conditions. In a short span of time, Sulukulelis, who gained right to buy flats, moved from Taşoluk.[102] Nowadays, tenants of Sulukule mostly live in Karagümrük, a neighborhood very close to Sulukule.

3.2.5. European Parliament

Two months later the declaration of emergency expropriation order, on 12 February 2007, the Sulukule residents introduced an appeal against the expropriation decision voted by ministerial cabinet at the administrative tribunal of Istanbul. Ten days later, on 21 February 2007, the municipality started to demolish the buildings. The first demolished building belonged to the Güldür family, who were away at the time of the demolition. This house was destroyed without having its water supplies and electricity cut. The municipality apologized to the family by saying the demolition of the house was an accident. However, destruction had already started throughout the neighborhood.

In March 2007, the municipality announced the demolitions would start in mid-May. Immediately after this declaration, the Sulukule Platform decided on organizing "40 days and 40 nights" program in order to attract attention of the public and emphasize that there were 40 days left for resisting against the operations announced by the municipality. While "40 days and 40 nights" organization was planned as a series of entertainment for the locals, the main aim was to create public opinion about Sulukule. [103] During this organization, students, academicians,

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[102] Please see: http://ekonomi.haber7.com/ekonomi/haber/783287-334-roman-aile-sulukuleye-dondu
http://ekonomi.haber7.com/ekonomi/haber/783287-334-roman-aile-sulukuleye-dondu
http://www.arnavutkoyrehberi.com/tasoluk-ta-sulukule-liler-300-aileydi-bugun-27-aile-kaldi-h305.html

[103] Please see: http://40gun40gece-sulukule.blogspot.com/

volunteers, and association members made declarations to the press and they could create a tremendous impression about Sulukule. So much so that on 18 May 2007, the reporter of United Nations, Miloon Kothari, made a report about the Sulukule inhabitants. Moreover, on 8 November 2007, the European Parliament assembled a meeting on the situation of Sulukule by inviting the Mayor of Fatih Municipality Mustafa Demir with his advisors, the head of the Sulukule Association, an activist, and an academician under the name of the Sulukule Platform to Brussels. After this meeting, the parliament members emphasized the participation of the locals was crucial for this renovation project and the integration of Sulukule inhabitants should be ensured.

However, the destruction continued. According to the records kept by the Sulukule Platform, so far on 22 October 2007, 21 buildings were demolished, between 280- 320 residents moved from Sulukule, 104 properties had been sold to third parties, and only 8 families had signed leasing contracts but 4 of them had decided to cancel the agreements.

3.2.6. At the Human Rights Commission of
the National Assembly of Turkish Republic

Sulukule residents under the leadership of the Sulukule Association presented 84 petition signatures to the Human Rights Commission of The National Assembly of Turkish Republic on 13 November 2007. The petition was written stating the problems in Sulukule. On the same day, the Istanbul representative of CHP (Cumhuriyet Halk Partisi - the Republican Public's Party), Çetin Soysal declared a speech at the National Assembly and stated "…without giving more pain to the

locals here, considering their income level should create a life style that is comparative to their culture" (Platform). However, the Environment and Forestry Minister replied to Soysal's arguments that the Fatih Municipality did not unjustly treat the Sulukule inhabitants.

On 26 December 2007, the Fatih Municipality, Neslişah, and Hatice Sultan Neighborhoods' Support and Solidarity Association [104], Sulukule Association, representatives from the Sulukule Platformu, Hatice Sultan Neighborhood mukhtar, and Amasya Ormanönü Village Association [105] met by the invitation of the commission in order to discuss the complaints and claims of Sulukule residents. As one of my informants who attended this meeting as a representative of the Sulukule Platformu stated, the discussions were not about the complaints of Sulukule residents. The complaints of the Neslişah Association and the mukhtar about the Sulukule inhabitants were talked about more. For a better understanding the atmosphere of the meeting and the attitudes of the commission members towards the Sulukule inhabitants, it would be beneficial to lend and ear to what one of the informants attending the meeting said:

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[104] On 7 December 2007, the municipality officials, Renewal Council members, Sulukule Association members, Sulukule Platform representatives, AKP neighborhood presidents of Fatih district and neighborhood inhabitants met. The importance of this meeting lies behind the support of the municipality a second association named Neslişah and Hatice Sultan Neighborhoods' Support and Solidarity Association was founded.

The Sulukule neighborhood is divided into two main regions. One is called as Sarmaşık where conservative people live and the other is Surdibi famous for its entertainment houses and the stigmatized Sulukule. The associations are also overlapping with this division. As Sulukule Rome Culture Development and Solidarity Association resisted to destruction by emphasizing its Roman identity and culture, named the process as an assimilation process, which started with gentrification and tried to syndicate with internal and external supports; Neslişah and Hatice Sultan Neighborhoods' Support and Solidarity Association (hereafter Neslişah Association) supported the destruction for gentrifying the neighborhood and having more conservative life.[104] Moreover, the names of the associations give clues on their points of view. While one of them using Rome name, the other one is choosing to deny the word Roma and using formal nomenclature of the Sulukule.

[105] A local association. The members of the association were living in Sarmaşık and supporting Sulukule Project.

When the Neslişah Association and the mukhtar said that there is not such a thing as culture in Sulukule and there are only drug sellers and prostitutes over there, I took exception to their arguments and way of speaking. I warned the head of the commission about defamations made by them and said defamatory speeches are also a part of the human rights violation. However, the head of the commission replied to me as there is freedom of speech in Turkey. I was shocked (Personal communication, Subject 5, April 2013).

Unsurprisingly, on 18 January 2008, the Human Rights Commission with the votes from members of AKP (Adalet ve Kalkınma Partisi - Justice and Development Party) and MHP (Milliyetçi Hareket Partisi - the Nationalist Action Party) decided to close the case and declare the situation of the Sulukule residents, their evacuation from the neighborhood, did not constitute a violation of human rights.

3.2.7. After the Decision of the Commission

Throughout January 2008, the destruction of the houses continued. Within this month 40 houses were demolished. A house, which had been offered as a cultural heritage example by the Platform, was set on fire on 17 January 2008 (Platform). Moreover, on 11 February 2008, the municipality destroyed two traditional Ottoman houses, which were officially registered as cultural heritage examples and under the protection of UNESCO. Two activists who are members of the Sulukule Platformu opened a case for officially registered cultural heritage

destroyed by the municipality.[106] However, when the case was determined, nobody was sentenced.

During February, as stated in records of the Sulukule Platformu and confirmed by my informants, the municipality sent notices to the house owners to empty their houses within two months. What is more, the municipality also encouraged the owners to remove their tenants. In notices it was *kindly reminded* if the owners do not want to collaborate with the municipality, they would lose their rights to buy a flat in the new site. Some owners in order to force their tenants to move from their houses, cut electricity and water supply of their tenants' apartments.

According to informants, the ulterior motive of the municipality was to displace the Roma inhabitants of Sulukule. Informants based their assertions on different facts. First, the emergency expropriation decision voted in the ministerial cabinet was seen as a trick for legitimizing the project by alleging future earthquakes. However, when the Istanbul Chamber of Geology Engineers delivered a report, which stated Sulukule does not have any risk of possible earthquake, the doubt of inhabitants came true. Moreover, the prices and the features of the new flats, heavy burden of debts, and alternative place, Taşoluk, shown by the municipality, considered as proof of the effort of the municipality for evacuation of the traditional residents from Sulukule. Lastly, the haste of the municipality in demolishing the buildings in Sulukule was also considered as another proof the municipality wanted to force Sulukule inhabitants to leave their homes.

The informants, who maintain the municipality wanted to get rid of them in a short time, told many stories about quick demolitions. According to them many buildings were destroyed even while people were inside their houses. As one of my

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[106] In 22nd of February, 2008. Case No: 2008/ 4033. For further information: Hacer Foggo and Nese Ozan's article added in Appendix B.

informants said that while she went to school to bring her child, the municipality destroyed her house within fifteen minutes. Moreover, there is a short documentary shows a destruction scene[107]. In this video, members of the Sulukule Platformu were shouting to the bull dozer drivers and warning them about being careful, because there were people in the building. While volunteers and residents were making declaration to the press for their rights after the destruction, one of the volunteer asks, "What kind of social project is this? While the teapot is boiling on the heater in the house, the bull dozers try to destroy the building?" (Madra, 2009).

Piles of debris of the demolished buildings also could be seen as the proof of the rashness of the destructions. As most of the informants indicated and the documentaries shot during the demolitions, the municipality was reluctant to collect the rubbish and garbage of destroyed buildings. Since most of the houses were destroyed without the cutting of electricity and water supply, the damaged infrastructure and dust caused infectious disease among inhabitants who resisted demolitions and insisted on living in ruins of their old houses.[108] According to Hacer Foggo "following the demolition of residents' homes by Fatih Municipality, at least 2 Roman infants and one Roman adult have died of exposure or burning caused by the highly substandard housing conditions into which they were forced" (Foggo, 2007). The members of the Sulukule Platformu whom I met stated they applied several times to the provincial directorate of health to collect the ruins and provide assistance for preventing the spread of disease. According to them the municipality did not collect

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[107] Please see: http://www.habervesaire.com/news/bir-zamanlar-sulukule-de-1473.html

[108] Please see the Picture which shows the living conditions of the inhabitants who took shelter in the ruins of their old houses: http://sulukulegunlugu.blogspot.com/2011/10/insan-hakk-olarak-mimarlk-fotograf.html
http://www.radikal.com.tr/radikal.aspx?atype=radikaldetayv3&articleid=879824&categoryid=97

the ruins and sewage could be seen as a kind of deterrent policy of the municipality for compelling residents who remained, to leave.

The demolitions lasted for three years.[109] The last demolished house belonged to Gülsüm Bitirmiş.[110] Her old traditional house, which has an Ottoman land title, was demolished without waiting for her expropriation case to resolve.

On 6 November 2009, the municipality handed over the baton of the Sulukule renovation project to TOKİ and TOKİ authorized its subcontractor Özkar İnşaat for constructions. Finally, the municipality had completed its task, which was indicated in the contract signed between TOKİ, which was to clear the project area.[111]

3.3. The Latest Situation of Sulukule

Despite the European Court of Human Rights not accepting the applications of which the domestic court cases are ongoing, the application of Sulukule Roma Association against the renovation project was accepted on 20 August 2010. The application was based on the urban transformation project in Sulukule of violating six articles, namely: "protection of privacy and family life," "prevention of discrimination," "protection of property," "right to fair trial," "respect of human rights" and "right to have efficient application."[112] The case has not finalized yet.

On the other hand, the court case, which lasted for four years and launched by the Istanbul Architects Board, the Sulukule Association, and the Urban Planning Board, finalized on 14 June 2012. Istanbul's Fourth Administrative Court ruled the

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[109] Please see: http://artizinconnu.com/video/01-sulukuleyi-gordun-mu/

[110] For a video about Gülsüm Bitirmiş: http://www.youtube.com/watch?v=jLD3nyxblvs

[111] The aforementioned contract is in previous chapter dated 13 July 2006.
[112]Please see: http://sulukulegunlugu.blogspot.com/search?q=AİHM

project is not beneficial to the public and decided for motion for stay against the constructions of the new buildings.[113]

In spite of this court ruling that the project does not regard the public interest and that the implementation of the project must be halted, the constructions and selling of the new houses are ongoing. The municipality applied to the council of state to cancel the court decision.

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[113]Please see: http://www.hurriyetdailynews.com/court-rules-against-new-sulukule villas.aspx?pageID=238&nid=23085
the result of the case could be seen in Appendix G.

CHAPTER 4

THE UNEQUAL ENCOUNTERS BETWEEN
SULUKULELIS AND THE VOLUNTEERS

The gentrification of Sulukule dramatically changed the lives of the people who lived there for years. Many of them moved to Karagümrük and rented new flats. Only one family, who moved to Taşoluk with the hope of having a new house in the future, could stay there. I have met some parents whose children dropped out of school so they could work and help their families to afford the high rent compared with what they had in Sulukule. Actually, focusing on only the economic consequences, such as high rents, could be deceptive. What changed in the lives of the people of Sulukule should be deeply analyzed. During my fieldwork I heard many times, my informants frequently emphasized the old fabric of the society, which was based on solidarity and mutual assistance, had disappeared.

The assertions about the changed social lives of the people of Sulukule became my main interest in this study. I allege gentrification created a new process for the construction of new power relations and in parallel with this, new subjectivities. Within this process, the people of Sulukule, who had lived for years under the shadow of state and police threats, met with various non-governmental organizations (hereafter NGOs) and also independent volunteers who introduced themselves as the people working for the benefit of the Sulukule inhabitants. I believe within this newly emerged the web of power relations, NGOs gained an important role by having a hegemonic subject position. The NGOs in Sulukule had a

great influence on the people of Sulukule for forming their daily practices, organizing their relationships with the state and other international organizations, and re-creating their subjectivity. I will propose in this chapter the NGOs in Sulukule expanded neoliberal mentality by means of their discourses, ateliers, and activities. Seeing the NGOs in Sulukule as a chain in the governmental mechanism, the NGOs' concerns of the wellbeing of the Sulukule population and their efforts in reshaping this population according to middle class norms and neoliberal precepts made me posit these NGOs as the governors and organizers of Sulukule people's lives and subjectivities.[114] The NGOs in Sulukule turned the people of Sulukule's lives into an intervention field and legitimized this intervention by means of their discourse based on the duality of conscious and conscientious citizens and needy and unconscious people of Sulukule.

This chapter aims to understand the role of the NGOs in Sulukule. In the first part of this chapter I will demonstrate the power relations that emerged after the gentrification process of Sulukule. I will analyze how the NGOs in Sulukule came to the scene, how they legitimized their intervention of the lives of the people of Sulukule and constructed new subjectivities. I will delineate the discursive practices of the volunteers working in the NGOs in Sulukule. At the end, the arguments proposed here will challenge the essentialist constructions of civil society. In the second part of this chapter, there will be a criticism of the discussion of civil society within the problematic of democracy. I will assert that the proliferation of civil society organizations does not mean democratization. Correspondingly, the assumed

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[114] I do not intend to give an agency to the NGOs in Sulukule. Contrary to this, I suggest the NGOs in Sulukule should be seen as governed and also governors in the whole web of power relations. That the volunteers are sure of "how to do things properly" and eager to teach these proper behaviors and mentality to those who lack of this formation, making it possible to assert the volunteers are already governed. Besides, their concern of the wellbeing of the population and effort for conducting the people leads to posit the NGOs as governors.

distinction between the state and civil society organizations will be discussed and I will propose that these assumed distinct spheres are completely intertwined.

4.1. Redressive Stage of Sulukule

Victor Turner, a well-known social anthropologist, suggests every society has a propensity to conflicts and these conflicts emerge in public episodes of tensional irruption (Turner, 1975). Turner terms these episodes "social dramas" and proposes social dramas could be useful for the study of societies at all level of scale and complexity and especially for the case in political situations (Turner, 1975, p. 33).[115]

Turner, in his work on the Ndembu society, analyzes social dramas and probes the society, which experienced a conflict. He suggests a society does not only experience the irruption of conflict, but also the resolution of the conflict has a crucial role in the society. He maintains explaining the process of the irruption of conflict is a perfunctory effort to the understanding of social behavior. The states of cooperation also should be taken into consideration. In order to analyze the complexity of the process that the society experienced in the conflict, he suggests four episodes, social dramas, could be observed in a society. This first phase is named "the breach of regular". In this stage, norm governed social relations are "signalized by the public, overt breach or deliberate non-fulfillment of some crucial norm regulating the intercourse of the parties" (Turner, 1975, p. 38). The second phase is the "crisis phase". This phase of crisis could be seen as the process of

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[115] I am aware of that "social dramas" could be misleading for a study in societies at all levels of scale and complexity on the very reason that it generalizes and essentialies every society, which especially has the case of political situations. Although "social dramas" concept generalizes all the societies and changing processes and tries to explain them by essentializing, I will employ this concept in my study. Because, I believe social dramas concept could be helpful for my methodology in order to have a comprehendible analysis.

change, danger, or suspense. The problems become apparent in this phase. The "redressive action phase" follows the crisis phase. In the redressive phase, the leadership of structurally representative members of the disturbed social system comes to the scene in order to resolve the crisis and by doing this leadership operates the redressive mechanisms such as giving advice, mediation, consultation, and legal or juridical adjustments. For Turner, this phase is the most important process where social change could be understood. Although whether redressive mechanisms could handle the crisis is an important question that comes to mind, what is more important is in this process the society experiences the change. This is not a peace process where society encounters known rules, rather the redressive phase is "betwixt and between", and discussions on the experienced crisis continue (Turner, 1975, p. 41). "The society, group, community, association, or whatever may be the social unit, is here at its most self-conscious and may attain the clarity of someone fighting in a corner for his life" (Turner, 1975, p. 41). The "reintegration phase" follows as the final phase. In the reintegration phase while some of the old rules exist, new rules and norms, which are originated in the redressive process, are also generated. The old rules and new ones are intertwined with each other.

Taking all these into consideration, I suggest the Sulukule gentrification can be seen as an example of Social Drama. The gentrification action of the municipality was the first breach. But the real breach, which Turner named "the phase of crisis", started when the people realized the project prepared by the municipality was not for the residents of Sulukule's benefit. Hundreds of families had to move from their houses. This was a real crisis. During this period, the people of Sulukule reinterpreted the meaning of the state. They revised the concept of citizenship. As my informants indicated, they realized the state could authorize its apparatus such as

the municipality in order to destroy both illegal and legal houses for the purpose of gaining more income. Gentrification opened a new way for the political stage. While the destruction continued for one and half years, the residents of Sulukule tried to make themselves heard. In every attempt taken for revocation of the project, the people of Sulukule were rejected. In every attempt, they reinterpreted their citizenship.

The NGOs came on to the scene in such an atmosphere. When the state abandoned the responsibility of "prolonging life"[116], the vacuum of responsibility[117] captivated the volunteers. Since gentrification reduced the bio-political legitimacy of the state regarding the security of life, volunteers could find a suitable stage for legitimizing their bio-political policies. At the end of this process, the NGOs are seen as heroes who help residents survive.

With the NGOs intervention, I believe the redressive phase started. The NGOs as the saviors and the new authorities fulfilled many basic functions. The NGOs made declarations about what was going on in Sulukule and forged public opinion at the both national and international level, collected the garbage of

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[116] In the first volume of The History of Sexuality, Foucault argues there is a shift from the sovereign's power to take life to modern state's power to enhance life. As the power shifted to enhance life, the source of the state's power became the bio-political production of life.
For further information: Foucault. (1991). Politics and the Study of Discourse. In G. Burchill, C. Gordon, & M. P. (Eds.), *The Foucault Effect: Studies in Governmentality*. London: Harvester Wheatsheaf.
Foucault. (2004). *Abnormal : lectures at the Collège de France, 1974-1975*. New York: Picador.
Foucault, M. (1984). La phobie d'Etat (excerpt from the lecture of 31st january 1979 at the Collège de France). *Libération, 967*(30-31).
Foucault, M. (1996). *Foucault Live (Interviews, 1961-1984)*. (S. Lotringer, Ed.) Semiotext(e): MIT Press.
Rose, N. (1996). Governing 'Advanced' Liberal Democracies. In A. Barry, T. Osborne, & N. Rose, *Foucault and Political Reason; Liberalism, Neoliberalism and Rationalities of Government*. The University of Chicago Press.
Rose, N. (1999). *Powers of Freedom: refraiming Political Thought*. Cambridge: Cambridge University Press.
Sachikonye, T. (2010). A Foucauldian Critique of Neo-liberalism. Unpublished Master Thesis. Rhodes University. Retrieved 04 01, 2014, from http://eprints.ru.ac.za/1812/3/Sachikonye-MA-TR10-48.pdf

[117] Responsibility is the hallmark of neoliberal mentality. I will explain this issue in the following pages.

destroyed houses left behind by the municipality, prepared alternative urban renewal projects, sent letters to European responsible recourses, presented many cases from revocation of the project to illegal destructions of historical buildings under UNESCO protection, opened children's atelier for music education, and organized an international festival for protesting the destructions. The power employed in this situation has many enhancing dimensions. Hence the NGOs took their parts in the web of power relations, which were newly constructed after the gentrification.

I am not sure whether redressive phase has ended, or if it is important to end, but as Turner indicated, the state of cooperation is crucial for understanding social change. So, I will move on to the issue of how the NGOs and their volunteers constructed their positions as governors and how they legitimized their intervention by cooperating with the people of Sulukule.

4.2. Power, Discourse, and NGOs

According to Foucault, power cannot be taken for granted and every manifestation of it should be critiqued. To question and critique power could be helpful for understanding the different contexts and also mutual relationships of domination and oppression (Sachikonye, 2010, p. 46). Since neoliberalism is an economic, political, and social rationality steeped in power relations, it is important to discuss Foucault's understanding of power.

To Foucault, power is inherent in society and it is not possessed by anyone. For this very reason, power makes possible social relations and operates within social networks. Since the power "profoundly and subtly penetrates an entire social network" (Foucault, 1996, p. 75), "no one, strictly speaking, has an official right to

power; and yet it is always exerted in a particular direction, with some people on one side and some on the other. It is often difficult to say who holds power in a precise sense, but is easy to see who lacks power" (Foucault, 1996, p. 79).

Power diffuses social space and shapes the society through "multiplicity of relations" (McNay, 1994, p. 90). Power normalizes behaviors, marginalizes the people, and legitimates interventions. The whole complexity of the society should be seen as the effect of power (Sachikonye, 2010, p. 47). Thus, Foucault states "power is much more complicated, much more dense and diffuse than a set of laws or state apparatus" (Foucault, 1996, p. 235).[118]

Since power emerges within sets of complex relations and particular contexts, it is "heterogeneous" and is "always born of something other than itself" (Foucault, 1996, p. 259). Hence, power could be readable and understandable only if the context, which brings power into play, and the set of power relations, which it operates, are analyzed.[119] Thus the question arises, how the particular context emerges and gives birth to new power relations?

As indicated by Foucault power should be seen as "certain modification, or the form, differing from time to time, of a series of clashes which constitute the social body, clashes of the political economic type, etc." (Foucault, 1996, p. 260). For the Sulukule case, I suppose the gentrification of Sulukule and the displacement

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[118] In parallel with this, McNay suggests the study of power relations should be decentered. According to him, "power can no longer be analyzed either in terms of intentionally-'who then has a power and what has he in mind?' or by focusing exclusively on legitimate and institutionalized centers of power, such as state apparatuses. This can only lead to an oversimplified and functionalist understanding of power" (McNay, 1994, p. 91).

[119] Foucault's analysis on 16th century Europe could be a good example of elucidating the straticulate structure of power. When the poor and increased populations began to be seen as a social, political, and economic problem, a new particular context emerged. The problematizing of the poor could be seen as the reflection of the power relations. Moreover, laws enacted concerning the population, institutions such as imprisonment and mental health that were constructed for isolation and normalization are the manifestations of power. These institutions and the discourses produced on the population arose out of a specific context (Foucault, 1996, pp. 47-48).

of the people of Sulukule started a series of clashes. Within these series of clashes among the state, the municipality, volunteers, academicians, experts, and Sulukule residents, a particular context arouse. This context, which is saturated with urban renewal projects, housing right discussions, marginalization processes, and NGOs interventions gave birth to new power relations. These newly emerged power relations took the form of conflicts, contradictions, tensions, and reconciliations. As mentioned above, the NGOs within this web of power relations had a position aimed at intervening into the residents of Sulukule resident's lives. The NGOs held power for conducting the people which does not mean that they are the origins of power. Quite the contrary, the NGOs should be seen as the means that the power uses "within thin but all entangling web of power relations" (Caputo & Yount, 1993, p. 4).

4.2.1. Discursive formations of NGOs in Sulukule

As Foucault has indicated power lost its function and cannot be exercised "unless a certain economy of discourses of truth functions in, on the basis of, and thanks to, that power" (Foucault, 2004, p. 24). On the basis of this statement it is possible to assert power could be exercised when it is legitimized and the legitimacy of power is provided by means of discourses.[120]

Discourse is a practice of producing a particular kind of knowledge on a certain topic. It is a practice, which produces meanings, has real effects and is structured within a complex structure of knowledge (Ferguson, 1994). Although discourse is not a closed system (since it contains different meanings and settings

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[120] Discourse refers to "a coherent or rational body of speech or writing; a speech or a sermon" (Hall, 1992, p. 291).

from other discourses), it has several statements, which must be "regular and systematic not random", work together to form a discursive formation (Hall, 1992, p. 292). For this very reason, it is vital to trace this regularity within a discursive formation in order to understand how this formation affected the thinking and speaking of people regarding their communities and themselves and how they produce certain knowledge to intervene in certain problems (İpek, 2006, p. 91). Thus discourses should be analyzed as the manifestations of power-knowledge. The purpose is not to question the intention of the discourses, but ask how the power effects that rise out of particular discourses to provide a comprehensive understanding. That is why Foucault notes, "I do not question discourses about their silently intended meanings but about the fact and conditions of their manifest appearance" (Foucault, 1991, p. 60).

Taking the above into consideration, a discursive analysis offers an insight into understanding volunteers' subjectivity and the conceptualization of the state and civil society. I assert volunteers present themselves as ideal citizens and legitimize their actions solely on the basis of being responsible, capable, and conscientious. Since they are ideal citizens who fulfill the lack of government, support the state, and share the burdens of it, their subjectivities are constructed on being self-sacrificial. Their position, which is self-sacrificial and that of an ideal citizen as reflected in their discourse, paves a way to create a governor and governed distinction. Being a conscious, responsible, and capable citizens give correctness to the volunteers to be superior to the needy and unconscious people of Sulukule. Thus there emerged a particular "regime of truth" concerning the conduct of conduct, such as transforming needy Sulukulelis into responsible citizens. In this way, volunteers become the means through which power was exercised. Concurrently, there is the invention of

the assembly of particular apparatuses and devices for exercising power and solving particular problems. Volunteer organizations set up ateliers, produce projects in order to help conduct the people of Sulukule living and form their subjectivities. Since volunteers' discourse, which is based on binary opposition of capable conscious volunteers and the needy unconscious people of Sulukule, enables their actions to come true, it is necessary to take closer look at this discourse.

4.2.2. The Dual Construction of the
Capable Citizen Volunteers and Needy People of Sulukule

I maintain the gentrification process opened up a space for volunteers in the social sphere. Within the gentrification process, volunteers came to the neighborhood, they also brought their acquaintances with them, built networks with national and international civil organizations, and made Sulukule residents heard. In the beginning, all the volunteers were united under one organization, the Sulukule Platform. The Sulukule Platform could be understood as the major actor of resisting process of Sulukule's destruction. As I have mentioned above, the Sulukule Platform did many things from collecting the garbage to applying to the European Court of Human Rights. The claims of the Sulukule Platform was clear, since the government destroyed the poor and discriminated Roma neighborhood in order to create a rent area under the name of revitalization of rundown areas, Sulukule should be saved (Sulukule Günlüğü). For the platform, they indicated their declarations frequently[121], the renewal project, which is announced as "the most social urban renewal project in the world" (Yılmaz, 2009) by the municipality, saw the project as an extension of the

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[121] The letters written by Sulukule Platform can be seen in Appendix B.

capitalist logic of the government on urban land and housing market. In this connection, the Sulukule Platform came to the scene as an oppositional movement to the government. While the government was creating a coalition of urban developers such as TOKİ, the local municipality, subcontractor construction companies, credit institutions, and politically and economically stronger inhabitants in order to develop a "forced marketization" (Kuyucu & Ünsal, 2010) by displacing the poor, the Sulukule Platform was positing itself as "a savior" against the "unreliable" government. So, it is possible to suggest the volunteers' motive was quite obvious, to fill the vacuum caused by the unrighteousness of the government. As my informants said, the unrighteousness of the government is the main factor that attracted the volunteers to Sulukule. Their actions, in this sense, could be read as an attempt to redress a grievance, and support the people who lack the means for fighting against injustice. In order to emphasize the savior role of the Platform, the blog written by its volunteers gives an idea on how volunteers identify their contribution to the Sulukule:

> Platform, involves each person thinking of and working in the project
> as well as all activities against the demolition of Sulukule, compulsory
> removal of inhabitants and it provides a basis for these. Platform has a
> structure that it questions an imposed transition period, investigates
> alternative approaches, producing solutions regarding current and
> urgent problems. It is constitution without a headquarters and a limit.
> An individual can participate in Platform by dealing with the subject
> in accordance with his/her priorities or profession. Some work around
> the neighborhood, some work in the offices. Some of us run about in
> the city to make interested authorities and related channels heard

about us. We communicate with each other via email and sometimes
we make personal decisions, sometimes we make participator
decisions. In those times that we are not able to cope with the problem
we ask our friends, families and everybody for help. Platform consists
of individual activists, academicians, college students and civil society
organizations.[122] (Sulukule Günlüğü).

Moreover, the Sulukule Atelier, which is one of the associations which
derived from the Sulukule Platform, also has the same reason for supporting
Sulukule residents. The emphasis on the Sulukule residents' rights for shelter, living,
and city had been revoked and has a crucial role for understanding what motivated
volunteers to form an association:

Sulukule Platform consist of about 60 volunteers such as
academicians, specialists in variety of disciplines (city planner,
architect, anthropologist, lawyer, local economic development
specialist, psychologist, artist, activist, ec.) citizens concerned about
Sulukule and supporters of this interdisciplinary voluntary group. Our
common ground is our consideration about incorrectness of renewal
projects in Sulukule, about outrage of sheltering rights and rights to
life, our witnessing to gentrification of Sulukule and our strong will

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[122] "Platform, 2005 yılından itibaren bugüne kadar Sulukule'nin yok olmasına, mahallelilerin yer değiştirmek zorunda kalmasına karşı yapılan bütün çalışmaları, bu konuda düşünen, çalışan herkesi kapsıyor ve bunlara bir zemin oluşturuyor. Platformun mahalleye dayatılan dönüşüm sürecini sorgulayan, alternatif yaklaşımları araştıran, güncel acil sorunlara çözüm üretmeye çalışan bir yapısı var. Merkezsiz ve sınırsız bir oluşum. Herkes konuyu kendi öncelik ve uzmanlık alanına, kendi olanakları elverdiğince ele alıp, o noktadan platforma katılabiliyor. Kimimiz mahallede, kimimiz masa başında çalışıyoruz. Bazılarımız ilgili ve yetkili mecralara sesimizi duyurabilmek için şehirde oradan oraya koşturuyoruz. E-mail aracılığı ile koordinasyon ve haberleşmeyi sağlıyor, bazen inisyatif kullanarak bireysel, bazen de katılımcı kararlar alıyoruz. Gücümüz yetmediği zamanlarda arkadaşlarımızdan, ailemizden, herkesten yardım istiyoruz. Platform, bağımsız aktivistler, akademisyenler, üniversite öğrencileri, stk'lardan oluşuyor."

against to this process.[123] (Yılmaz, 2009)

4.2.3. Conscious Volunteers vs. Unconscious Sulukulelis

Since the first days of Sulukule project appeared in the press, volunteers took the initiative against the local municipality and the government. The volunteers' main focus was on repealing the project. They made declarations that Sulukule residents were going to be exposed to an eviction and presented a case for a motion for stay. They organized a petition for the cancellation of the project and invited academics and legists to the neighborhood to inform the residents and plan an alternative project. As one of my local informants asserted "the legal assistance of the Sulukule Platform was crucial, especially for those who could not read and write, even could not understand what the mayor talked about."[124] Actually, the Sulukule residents were in a chaotic atmosphere. The mayor and municipality officers spoke with different words such as "urban renewal project", "according to law no 5366", "restoration", "long-term lease contract", "in cooperation with TOKİ", which do not make any sense for Sulukule residents who were hearing these words for the first time. Volunteers took part at first for informing the residents about the project and leading them to fight against the municipality's implementation. Since most of the

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[123] "Sulukule Platformu öncülüğü ve koordinasyonunda bir araya gelen akademisyen, çeşitli disiplinlerden konusunun uzmanı meslek insanı (şehir plancısı, mimar, sosyolog, antropolog, hukukçu, yerel ekonomik kalkınma uzmanı, psikolog, sanatçı, aktivist vb.) ve Sulukule'yi dert edinmiş vatandaşlardan oluşan yaklaşık 60 gönüllü ve bu disiplinlerarası gönüllü grubun destekçilerinden oluşmaktadır. Ortak noktamız Sulukule'de örneğine şahit olduğumuz yenileme projelerinin yanlışlığına olan inancımız, Sulukule örneğinde mahallede yaşayan insanların barınma, kent ve yaşama haklarının ellerinden alındığına, buna karşılık Sulukule'nin soylulaştırıldığına şahitliğimiz ve bu süreci durdurma irademizdir."

[124] As one of my informants indicated "It is very important to receive support from Platform for litigation. Consider us. Many can't read and write. We even didn't understand what the chief was saying, it was meaningless for us.""Platformun dava açma yardımı çok önemliydi. Düşün ki bizim için. Özellikle okuyamayan, yazamayanlar için. Başkan gelip konuştuğunda anlamıyorduk ne diyor bu adam diye." Personal communication, Subject 23, July 2012)

volunteers (at least as many as I have met) were graduates from well-known universities and had relatives in different occupations, it was not hard for them to create a network for legal assistance to Sulukule residents. Since the volunteers can speak the same language of the state, their education and networks provided them with a superior position relative to the Sulukule residents. While most of the Sulukule residents are illiterate and lack knowledge about fighting against the municipality and the government through legal means, the volunteers became the major actors by speaking on behalf of the Sulukule residents. This situation turned the volunteers into a kind of protector and opened the way for being governors as well. Being educated enabled the volunteers to posit themselves as conscious people who were helping the uneducated and illiterate Sulukulelis. However, being consciousness has a power for discursively constructing a sphere of action for the middle class.[125] Consciousness is one of "the basic tenet of the working through of the neoliberal discourse is also one of the most important concepts that are evoked in order to articulate the particularity and distinction of the volunteer" (İpek, 2006, p. 177). As an extension of nature and nurture tension of liberalism, there are two different and contradictory approaches to consciousness: "on the one hand, it is portrayed as something to be developed throughout life, while on the other, as a set of natural properties or tendencies" (İpek, 2006, p. 177). Both these approaches create a duality: while consciousness could be presented as a natural quality giving

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[125] I deployed the term "middle class" in the way Chatterjee theorizes it as a national elite group in India aiming to form the nationalist and modern culture of the country. Chatterjee posits the middle class in between the population and governors and describes their situation as being mediators in assuming a social authority. The middle class subject "takes upon him/herself the responsibility of speaking on behalf of those who were poor and oppressed. To be in the middle now meant to oppose the rulers and to lead the subjects" in Partha Chatterjee, The Nation and Its Fragments (Princeton, NJ: Princeton University Press, 1993, p. 92). Since the volunteers in Sulukule assumed the responsibility of saving the Sulukule population and claimed to represent the people who lived there, I will assert they functioned as a middle class, which aimed to lead and form the population. I will discuss this issue in this study at length.

conscious people priority, it is also seen as a property could be developed in everyone, the lack of which amounts to the irresponsible attitude of the ones who lack it. When consciousness is given as natural quality, "it proposes the social capital inherent in "consciousness" and "education" as means of distinction in the utmost Bourdieuan[126] sense and renders a secure class of 'conscious' people" (İpek, 2006, p. 178). At the same time, if consciousness is proposed as something cultivated in everyone, it opens an intervention field for those who lack consciousness and education and turns them into governmentalized subjects who could be corrected and transformed into responsible citizens. [127] By means of this dual construction of consciousness, the distinction between educated/cultured and consequently conscious volunteers and uneducated and unconscious Sulukulelis becomes clearer. Moreover, thanks to this duality and distinction, on the one hand the middle class volunteers had a suitable ground for constructing themselves as unquestionably birth-given conscious and responsible people, and on the other, it becomes possible to correct the unconscious people and govern them so they could be conscious and responsible citizens as well. Therefore, these two contradicting senses of consciousness simultaneously rendering the distinction of a specific group of people, in our case volunteers, as capable citizens and the incapable Sulukule population in need of the intervention and correction of the former.

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[126] Referred to Bourdieu, P. (1984). *Distinction: A social Critique of the Judgment of Taste.* Cambridge: Harvard University Press.

[127] The notion of consciousness which is proposed as something cultivated in everyone will be discussed in the next chapter at length.

4.2.4. Conscientious Volunteers

This newly emerged space of power opened a way for "responsible" citizens to resolve the problems of social space. In such a social space, responsible citizens problematize others who lack power and then create a space for intervention. In our case, the volunteers' basic claim for why they are supporting the Sulukule residents and fighting against the municipality is that the people of Sulukule needed their help. Many of my local informants asserted that they did not make a call for volunteers to come and speak on behalf of the Sulukule residents. However, during the conversations, volunteers indicated that what actually called them to Sulukule was their conscience. As one of my informants said, "Being here is related to being conscientious and minimum quantity of conscious is enough in order to say stop to injustice by government."[128] In parallel to this claim, the narratives of the volunteers reveal a discourse on conscience. Conscience is offered as their main motive, which is essential to be a volunteer. The conscience, thus, comes the scene as a call to every capable person to act upon the incapable others. Thanks to their conscience, volunteers take their positions against the unjust implementation of the government and local municipality or/and neglectfulness of the state to its needy indigent citizens. So, it would be possible to assert conscience is interpolated to the empty space existing due to the retreat of the state. Volunteers as responsible and capable citizens undertake the state responsibility of "the wellbeing of the population" and posit themselves on the side of the governor of the governed/governor distinction set up in the governmental regime. Since the 1980s, increasing reforms on economic and political liberalization weakened the sovereign power of the state and deepened the

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[128] " Burada olmak bir vicdan meselesidir, devlet tarafından yapılan haksızlığa dur demek için asgari miktarda vicdan yeterlidir."

structural inequality. Inevitably, this withdrawal of the state resulted in the rise of capable segments over the marginalized segments of the city. The previous relations between the sovereign state and the needy people are gradually transformed into a relation between the responsible citizens and the needy people (İpek, 2006). In this context, it would be beneficial to remember what Rose points out: "Neoliberalism does not abandon the will to govern. It maintain the view that failure of government to achieve its objectives is to be overcome by inventing new strategies of government that will succeed" (Rose, 1996, p. 57). Actually what is peculiar about these neoliberal strategies is that while these strategies are creating a distance between formal political institutions and other social actors, volunteers in our case, they also conceive these actors as subjects of responsibility, autonomy, and choice (Rose, 1996). This new subject is transformed into the "active individual that maximizes his/her quality of life through acts of choice" (Rose, 1996). "Within this new regime of the actively responsible self, individuals are to fulfill their national obligations not through their relations of dependency and obligation to one another, but by seeking to fulfill themselves within a variety of micro-moral domains or 'communities' – families, workplaces, schools, leisure associations, neighborhoods" (Rose, 1996, p. 57). Taking all the above into consideration, I maintain the main motive behind the volunteers attracting them to be a volunteer in Sulukule is not that they are conscientious people (at least not just conscientious people) but the volunteers are molded by various neoliberal strategies as subjects of responsibility, autonomy, and choice. Within the new regime of the actively responsible self, volunteers had been conducted to learn and act as responsible citizens. In order to analyze the responsibilization of the individual, O'Malley indicates how the new technology of "prudentialism" (decreasing rates of collectivist risk management and increasing

responsibility of self-management) perforates all spheres of social life" (O'Malley, 1996, pp. 199-202). As mentioned above, there is a shift of responsibility from the state to the capable individuals. In parallel to this, security cannot be left to the police just as education cannot be left to the schoolteachers. The individual becomes the main responsible agent concerning risk management and takes responsibility or duty to solve the problems of crime to poverty. As O'Malley brilliantly explains, "each individual acquires a personal preventive capacity vis-à-vis the event of his or her illness... If the regulation of lifestyle, the modification of risky behaviors and the transformation of unhealthy attitudes prove impossible through sheer strength of will, this constitutes at least in a part a failure of the self to take care of itself- a form of irrationality, or simply a lack of skillfulness" (O'Malley, 1996, p. 200). Volunteers, in this context, come to the scene as who are imbued with a sense of responsibility of taking care of themselves and also others who lack this skill. Volunteers become volunteers simply because they had learned that one should be responsible for oneself and also less fortunate others, not because they are all virtuous and conscientious people. In other words, the newly emerged governors of Sulukule residents are already being governed by the neoliberal governmentality strategies.

On the other hand, consciousness is an important notion in the discursive construction of the capable responsible citizen and the needy incapable Sulukulelis duality. While the volunteers are talking about conscience, they always emphasize sacrifice. For them, being conscience is required for being self-sacrificial. During the conversations, they emphasize the sacrifice of time, the effort, and even the life for those people who need to be governed and corrected. However, although being self-sacrificial sounds like a very private experience, I realized portraying oneself as self-sacrificial has a kind of functional power. As I observed, being self-sacrificial has

three main functions in discursively constructions of volunteerism. The first one is self-sacrifice which conceals the authoritative positions of volunteers. As a result of a complex and various historical process volunteers access an authoritative position within "the regime of power", that is constituted through different problems of the wellbeing of the population and the projects implementations over it. The volunteer's narratives on self-sacrifice render possible a discursive displacement of this authoritative position. The word sacrifice has a meaning of doing something without expecting a profit and excludes many references to power. Similarly, self-sacrifice refers to a person who is of good will, insomuch as they can sacrifice themselves for the sake of goodness. The connotations of "sacrifice" and "self-sacrifice" propose the volunteers as an ideal citizen who is full of goodness and acting gratis for the incapable needy population. The second function of presenting oneself as self-sacrificial is that volunteers attain moral satisfaction. Sacrifice as an act that reminds one of rebellion. People act because they are not satisfied with the current situation and sacrifices themselves in order to change something. For this reason, the ones who sacrifice themselves are much more valuable and worthy than the others who they sacrifice for, since they take the risk of acting, and even they do much more than what they are responsible for. Feeling worthy provides the continuation of being a volunteer. This neoliberal feeling of pleasure is formed by this feeling of worth. Finally, very similar to conscious-unconscious distinction, self-sacrifice creates a distinction between volunteers and the rest of the capable citizens. Self-sacrifice differentiates responsible, sacrificial and thus worthier, educated and capable citizens from the careless and indifferent educated middle class citizens. As one of my informant volunteers indicates, "You have a responsibility to the society you live in.

You should also use your education for them." [129] Since, education is seen as something that should be reciprocated back to the society, an educated person is supposed to serve "the wellbeing of the population". In this sense, being a volunteer is constructed by emphasizing the debt to society and the feeling of responsibility in fulfilling the duty of making a contribution to society. While education makes the middle class responsible for the less capable remainder of society, conscience functions as a kind of exciting motive for the educated people to stimulate them to pay their debt to society. For this reason, volunteers differentiated themselves from "educated but not conscience enough" people. In a similar way, in the narratives of the volunteers, education is proposed, as something that should be used in order to conduct and correct the less capable and transform them into responsible citizens. In the first day of my study in the neighborhood, one of the volunteers said me "So give a hand of course, did you have all this education for nothing?" [130] I could not decipher correctly the meaning of this sentence when I heard it the first time, but over time, I realized volunteers perceive being a volunteer as "a use of their education". Apart from the implication of duty, for which everyone has a portion to do, the main focus was on if you are educated, then you should use your education on behalf of less capable segments of the society. In this context, it can be stressed volunteers integrate "utility", which is a neoliberal value, into collectivist culture in order to make sense of their self-sacrifice. Therefore, the neoliberal emphasize on utility and the middle class concept of debt to society overlap and create a value system rendering coherent the subjectivity of the volunteers. Thus, a volunteer finds

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[129] "İçinde yaşadığın topluma karşı bir yükümlülüğün var. Aldığın eğitimi onlar için de kullanmalısın."

[130] "Bir ucundan sen de tut tabi, o kadar boşuna mı okudun?"

suitable ground for constructing a neoliberal subjectivity that dexterously harmonizes duty and responsibility with free choice and satisfaction.

4.2.5. Kindhearted Volunteers

The discourse based on capable-needy duality is expanded through all residents' speech. While most of my local informants define themselves and their neighbors as ignorant and needy, they define volunteers as the saviors, pathfinders, well informed, and kindhearted people. This narration of one of my informants form Sulukule is illustrative to show how the volunteers and Sulukule residents are discursively constructed:

> They are all nice people, may God bless them. Our people didn't help like them. When they first come, we said, "Who are these people?", " Why are they here?". But then we got that they were here for good. They tried to save our neighborhood. They said, "We can sue so please write petitions. What this municipality does is not fair, it is injustice. They cannot do that. We, together, can correct these mistakes". But they couldn't stop it. Again, may God bless them. They are educated people, they have good manners. Buildings were destroyed, the government destroyed them but those people tried to protect us. Nobody is obliged to do that! Look around! They are here to help us again.
>
> -Are you going to the organization? Or are you sending your children to the workshop?

I don't go but some of my neighbors go. There are some people that can make some money there, in workshop. Fabric painting stuff and like this… My child goes to the workshop. They teach good things to children like music. I don't know how to read and write and my eldest daughter repeated her first grade 3 times in a row. We can't understand her lessons. Their father can read, but he works at nights so he can't take on children. Therefore I send my child to the workshop so that he can learn new things and he can't hang with other children in streets. I bought even a cello for my son. In this way he can learn good things and save himself.[131] (Personal communication, Subject 2, February 2013)

The volunteers are kind and helpful people, whereas she constructs herself as needy and illiterate.

4.3. New Intervention Areas

The discourse, which is giving priority to the volunteers and positing them as the governors, has expanded thanks to the volunteers' actions and intervention areas.

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[131] "Hepsi iyi insanlar, Allah razı olsun. Bizim kendi insanımızdan böyle yardım görmedik biz. İlk geldiklerinde dedik kim bunlar, ne ararlar buralarda, ama sonradan anladık hep iyilik için. Mahallemiz kurtulsun diye uğraştılar. Dediler dava açalım, dilekçe yazın, hani bu belediyenin yaptıkları hep haksızlık, yapamazlar, edemezler, mahlleyi kurtarırız dediler ama, oldu işte. Yine de allah razı olsun. Okumuş insanlar, yol yordam bilirler. Evler yıkıldı, devlet yıktı evleri ama gene onlar sahip çıktı bize. Kim mecbur, kimse! Ama bak gene onlar işte yardımcı bize burda."
-Siz derneğe gidiyor musunuz? Ya da çocuğunuzu gönderiyor musunuz atölyeye?
"Ben gitmem ama komuşlarım var giden. Üç beş kuruş kazananlar var orda, atölyede. Kumaş mumaş boyuyorlar hani. Benim çocuk gidiyor atölyeye. Çocuklara öğretiyorlar güzel şeyler. Ders öğretiyorlar, müzik çalsınlar, öyle şeyler öğretiyorlar. Ben okuma yazma bilmem, ablası okudu 3 sene birinci sınıfta. Anlamıyoruz onun derslerini. Baba okur eder ama o da gece çalışır, gündüz kim uğraşacak bu çocukla. Bizimkini de gönderiyorum onların yanına, tabi. Hem ders öğrensin hem de sokakta kalıp öğrenmesin kötü şeyler, uymasın diğerlerine diye. Çello bile aldım oğluma. Tek gitsin oraya da güzellik öğrensin, kurtarsın kendini."

After the demolition of Sulukule, volunteers did not leave the neighborhood and their main focus shifted from saving the neighborhood to helping the Sulukulelis who were evicted. According to the volunteers, since the demolition of Sulukule poverty has doubled for the residents of Sulukule, Sulukulelis needed to learn survival skills such as having professions or being enterprising. Therefore, volunteers who had already positioned themselves as capable citizens and governors of the less capable Sulukule population proliferated their intervention areas. Not only legal assistance, but also educational programs organized in order to teach reading and writing to the children and the elders as well, vocational courses aiming to create productive people, ateliers where children could learn music in modern ways such as reading notes, women producing handmade commodities, projects prepared especially for the Roma youth and sponsored by foreign funds are the obvious conduct areas and enclosures[132] of volunteer organizations. When their areas of action expanded, their unique organization, the Sulukule Platform, has spontaneously abolished and replaced with various associations, which were newly established by the volunteers of the Sulukule Platform. As these associations vary by the area of conduct, the discourse that they expanded has become varied as well. Instead of the discourse constructed by the volunteers on the basis of housing rights, discrimination, and urban poverty during the struggle against the demolition of the neighborhood, parallel to the proliferation of different areas of conduct, a new discourse was developed on neoliberal principles such as entrepreneurship, leadership, production/producer support, using the opportunities, self-confidence, self-enhancement, capacity-building, and empowerment. It is possible to bring together

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[132] I mean here these conducting areas, ateliers, courses, projects, and every sort of assistance can be read as the examples of enclosures which are operating through the technique of the partitioning and creating functional sides. For Foucault, creation of functional and hierarchical places guarantees the obedience of the individuals and provides a better economy of time and gestures (Foucault, Governmentality, 1991, pp. 87-104).

these values under the roof of empowerment discourse, which aims to transform the less than capable Sulukule population into capable citizens via various empowerment strategies.

4.4. Empowerment

Empowerment, within the course of neoliberalism, has become a central concern for NGOs throughout the world and for this very reason it constituted a wide area of activities (Bandura, 1997; Carver & Scheier; Diener & Biswas-Diener; Cummins, 2011; Koelen & Lindström, 2005). In the book, "Empowerment and Poverty Reduction: A Sourcebook", prepared by the World Bank, empowerment is addressed as increasing one's own capacity to shape one's life (Narayan, 1992). It is predicted poor people can increase their power through local participation and access to information. As many studies indicate, the psychological dimension is central to the question of empowerment (Diener & Biswas-Diener; Carver & Scheier). Studies point out that empowerment focuses on creating the sense of self-efficacy, because, it is predicted one who feels efficacious, can also feel self-confident, optimistic, autonomous, and competent, which are essential feelings for pursuing goals and experiencing success. Since it is believed "people need to experience the positive emotions and self-confidence that produce feelings of empowerment" (Diener & Biswas-Diener, p. 135), "the optimistic expectancy that their actions will be successful" is central to psychological empowerment (İpek, 2006, p. 64). "Hence, when feeling becomes central, education, positive mood inductions or role models happen to be crucial for gaining psychological empowerment" (İpek, 2006, p. 64).

Psychological betterment targets marginalized people whose self-esteem has been destroyed and who therefore need to be self-improved and empowered. NGOs, in this context, do not restrict their activities to providing benefits or services, but expand their intervention fields for active engagement in these marginalized people in programs for reconstruction of their subjectivity as people who are rational, responsible, and able to control their life. Through psychological techniques, NGOs find a suitable ground for "acting on the self", helping people make plans or develop strategies in order to conduct marginalized people's action according to volunteer expectations.

For our case, in the declarations of the volunteers in Sulukule, there is a strong emphasis on the hope to make a contribution to the personal development of Sulukulelis. According to these declarations, volunteers enthusiastically assert thanks to the ateliers and associations, Sulukule residents were empowered by means of self-efficiency. Volunteers legitimized their existence in the neighborhood by pointing out their main motive was to recast self-efficient/self-reliant individuals, in their own words: "an individual who stands on her own feet"[133] in the meaning of a person who can cope with the problems of life and does not need any help from the state. One of my informants explains the reasons for being a volunteer for the Sulukulelis as

> How can we leave here after the destructions? Who can leave these
> people who are under hard conditions? Their houses were destroyed,
> they lost their jobs, they had nobody. This is tough. We tried to do
> anything we could do. Some suggested to take care of the kids. Some
> suggested to provide women with occupation. Our whole struggle is

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[133] Kendi kendine yetebilen, kendi ayakları üzerinde durabilen.

about making them more powerful, stand on their own feet and

reintegrating them in the society.[134] (Personal communication, Subject

9, May 2013)

The volunteers' initial focus after the demolition of Sulukule was to create

domains where autonomous subjects could exercise free choice, in other words,

where individuals could stand on their own feet. In order to provide self-sufficiency,

volunteers aimed to develop and cultivate individuals' predicted talents and for this

purpose, set up new ateliers for women and children.[135] Since, in the neoliberal era,

self-reliance, decision-making capabilities, and independence are assumed as innate

properties of human beings in order to be self-sufficient (Dunn, 2004, p. 20),

Volunteers believe thanks to empowerment practices these entrepreneurial qualities

could be liberated. Therefore, the common point of all the work done by volunteers

is to develop self-entrepreneurial qualities of the Sulukulelis. The emphasis on

transforming the Sulukulelis into self-enterprising individuals could be seen in a

project written for the fight against early marriage, and in a speech made by one of

the volunteers about the reason why children were brought to the museum, or in a

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[134] "Yıkımlardan sonra nasıl gidelim ki buradan? Kim bırakıp gider bu insanları bu şartlar altında? Evleri yıkılmış, işlerini kaybetmişler, komşuluk kalmamış, çok zor, çok. Elimizden geleni yapalım dedik. Kimimiz çocuklarla ilgilenelim dedi. Kimimiz kadınlara bir meslek edindirelim dedik. Güçlü olsunlar, kendi ayakları üzerinde durabilsinler diye tüm çabamız. Onları topluma geri kazandırabilmek için."

[135] For instance, in one of the ateliers, women produced hand-made commodities in order to sell and make profit, and their self-sufficiency is based on their hand-made talent. In this respect, self-sufficiency is identified as being productive and using the talent. Furthermore, there is also another atelier where children learn music playing and reading musical notes and a study center where providing educative help on school courses. While this atelier supports a children music band and provides opportunity for them to take the stage in cultural organizations, the study center focuses on activities based on personal developments and launches campaigns for saving "the children of Sulukule at the risk". These two organizations both pay attention to rehabilitating the children and turning them into self-efficient individual in the future. Through their educational programs, children are supposed to increase their self-esteem and be self-entrepreneurial individuals. I will discuss these ateliers at length in the next chapter.

discussion on the benefits of literacy courses for adults.[136] The main focus is clear: to create entrepreneurs who may struggle with the challenges of life by themselves, in other words, to create a new form of subjectivity.

In order to integrate the marginalized Sulukule people into the system as capable and self-sufficient citizens who can stand on their own feet without the need of the state, volunteers tried to mold the attitudes of the Sulukulelis about working and individuality. Through techniques[137]- capacity building seminars, audit, paying per piece work, standardization, and radically different ideas about work, choice, individuality, production and power - volunteers try to turn Sulukulelis into self-directed, self-activating, self-monitoring, self-regulating, self-responsible, flexible and agile, and thus self-enterprising individuals. However, the idea of creating independent subjects goes beyond to regulate subjectivity, rather, it means to a change in mentality or a cultural change.

As I mentioned in the previous chapter, Sulukulelis were living within a reciprocal chain of gift exchange. Although this reciprocal chain of gift exchange between residents actually can be defined as the solidarity of the Sulukulelis in the narrations of the residents, this local culture based on reciprocity and mutualization actually define a gift economy. Within a gift economy, "the character of the human relationships is formed through gift exchange which is an exchange of inalienable objects between people who are in a state of reciprocal dependence that establishes a qualitative relationship between the transactors" (Gregory, 1982, pp. 100-101). The web of gift exchange constructs the person as the plural and composite sites of ongoing exchange relationships and although separable from them if they fail to maintain them (Dunn, 2004, p. 125). Since, the person shows up within a horizontal

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[136] The examples will be discussed in the next chapter.

[137] In the next chapter, I will discusses these techniques in detail.

exchange relationship among a circle of intimates, it is embedded in a social context. The inherently "dividual" or socially embedded person acts upon the world by acting upon others (Dunn, 2004, p. 126). Through the extension of personal "spacetime" via the exchange of gifts, the person moves others minds(Mann, cited in Dunn, 2004, p.124). In this respect, reciprocal small amounts of debt chain, which was defined as solidarity in the Sulukulelis narrations on their social lives before the gentrification, could be seen as a way of moving another's mind. Sulukulelis were using personal connections for fighting against poverty. Through small amounts of debt, they attempted to know others and make themselves known to them. Personal connections, in other words to the world outside the self, were crucial for understanding the extension of the self, which is constructed in the gift society. [138]

The new form of subjectivity, the entrepreneurial self, is a sharp contrast with the dividual self. While volunteers praise self-regulating, self-directed, self-activating, self-monitoring, self-responsible, flexible, agile, and self-enterprising individuals and expected the Sulukulelis to act through the radically different notions about work, individuality, choice, production, and power, they actually intervened in the field of the "self". Through the techniques of volunteers, the socially embedded individual is the self by breaking ties with personal connections, in other words collectivity, and the self becomes a kind of private property. In contrast to dividual person who acts upon the world by acting upon the others, the person as an individual acts upon the world by transforming the self.

When I asked one of my informants, who works in the atelier and also participates in the bazaars to sell the products that they produced, about what has changed in her life after she started to work, she replied to me:

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[138] These relationships based on the gift chain has not totally ended. However, Sulukulelis have placed their networks in a new context and I will discuss this issue in the fifth chapter.

I serve a purpose rather than sitting at home and doing nothing. Before, we didn't use to go beyond our neighborhood, I didn't. We were all together. Always here. We couldn't go out of here. But now, I have gained my self-confidence. To sell these, I can go away. I've changed, girl. How should I put that ... I'm kinda whizz-kid. And I earn my own money and pay my debts. Sometimes I have some money for myself.

-Do you lend money?

Old me would lend. And borrow too. There were some times that I borrowed 1 Lira and I couldn't pay it back. But now, I don't lend any money. Earning money isn't an easy thing? Look around, I'm working here. She also can work and make money like me. Am I less precious than her?[139] (Personal communication, Subject 12, May 2013)

This narration shows the shift from social embededdness to the entrepreneurial individual. Since she refuses to maintain the exchange relationships, it could be asserted her dividual self has disappeared. Although she admitted that borrowing small amounts of money was crucial for survival and even sometimes it was hard to pay it back, money is seen as something deserved, not a reciprocal exchange for a commodity anymore. While "she also can work and make money like me" signifies this sphere of competence where individuals categorized as deserving and undeserving, "Am I less precious than her?" points out the changes in priorities.

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[139] "Evde oturacağıma bir işe yarıyorum. Eskiden mahalleden öteye çıkmazdık, çıkmazdım. Hep bir aradaydık. Hep burda. Caddeye çıkamazdık. Kendime güvenim geldi artık. Bak şimdi nerelere gidiyorum bunları satmak için. Eskisi gibi değilim, tabii kızım. Nasıl diyeyim, iş bitirici oldum artık. E bir de para kazanır oldum. Borcumu harcımı ödüyorum. Elimde de kalıyor bazen." (borç veriyor musunuz peki? Diye sorduğumda) "eskiden olsa verirdim. Alırdım da. Yeri geldi bir milyon borç aldığım oldu, veremediğim de. Ama artık vermem. Kolay mı? Bak, ben burda çalışıyorum. O da çalışsın, kazansın. Benim canım yok mu?"

She posits herself as more important than her intimates. Her feeling about being worthy stems from her work in an atelier and production of commodities by using her time and handicraft. Her feelings of being productive and self-sufficient pave a way for her to construct her self-entrepreneurial individuality. In contrast to previous; where she was inherently social "dividual" person who did not need to go beyond her neighborhood, she has transformed herself to an entrepreneurial "individual" who defines herself as a fixer and seeks new bazaars for selling the commodities. This shift in remaking of persons is not confined only to change the ways people regulate their economic behaviors, but the perception of the "self" is totally displaced and reconfigured on the basis of competence, in other words what really matters is a change in mentality.

4.4.1. Empowerment as a Depoliticizing Strategy

So far, it has been discussed empowerment is actually an active engagement of marginalized people through a whole array of programs, which focus on the psychological state of the people (İpek, 2006, p. 48). On the other hand, there is the other side of the coin. While the discourse of empowerment regulates subjectivity as possible via psychological betterment techniques, it also decontextualizes social inequalities such as poverty and discrimination.

James Ferguson's famous study [140] on development discourse and empowerment practices of NGOs in Lesotho, could be a stimulating example for understanding the relationship between empowerment and poverty. While Ferguson

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[140] Ferguson, J. (1994). *Anti-Politics Machine: Development, Depoliticization, and Bureaucratic Power in Lesotho*. Minneapolis: University of Minnesota Press.

investigates the effects of independent NGOs assistance to reduce poverty in several countries, he recognized while this assistance is larger than the assistance to countries like Sudan, Somalia, or Ethiopia, the development projects in Lesotho are continuously failing. Then he realizes that development apparatus is not a machine for ameliorating poverty, rather it is a machine for reinforcing the state power. "By uncompromisingly reducing poverty to a technical problem, and by promising technical solutions to the sufferings of powerless and oppressed people, the hegemonic problematic of development is the principle means through which the question of poverty is depoliticized in the world today" (Ferguson, 1994, p. 256). Although a great deal of money is transferred to NGOs and the empowerment apparatus in order to eliminate poverty, it actually serves to expand and reinforce the power of technocrats and experts over the resources and the population.

Parallel to this conclusion, some volunteers who reduced poverty to a technical problem wrote about several projects and opened an atelier for the Sulukulelis. According to these volunteers, the poor Sulukulelis could deal with their poverty by working and producing. One of the volunteers talked about a project, which would empower the poor Roman by funding them in order to produce wicker baskets. Another group of volunteers opened an atelier providing a work place for unemployed-housewives. The truth of the matter is when Sulukulelis eagerly welcomed these technical solutions for reducing their poverty and normalized volunteers' intervention in their economic mentality, the perception of poverty is decontextualized and depoliticized. Poverty becomes a kind of personal failure, not a consequence of structural inequalities. [141] With related to this, work and education are suggested as solutions for reducing poverty.

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[141] As Maurer points out "persons who are 'entrepreneurs of themselves' flexibly alter their bundles of skills and manage their careers, but they also become the bearers of risk, thus shifting the burden of

Where could I work but here? Who employs us but here? Also we've learnt this business, we throw in together. We're working and earning our own money. Otherwise, life is hard. How can we pay our rent? You know what they say, "Squeaky wheel gets the oil". No money for the ones who don't work. If you work and earn money, you're not gonna remain poor.[142] (Personal communication, Subject 19, 2013)

I met this informant when I visited the atelier on the first day. When I asked her about working in the atelier, she replied, "I'm serving the purpose, it's nice!"[143] While she was smoking, she praised to work. She said thanks to this atelier, she could purchase a packet of cigarettes. When I asked her about poverty, she did not blame the national economy or the discrimination against the Roman, which is the obstacle for finding the job. She believes that working could reduce the poverty.

When I grow up, we're not gonna be poor people. I'm studying in primary school. I'm not gonna drop out as my big sister did. I promised to my mother. I'm going to finish my school and be successful man … (Do you attend the workshop?) I'm attending the courses. My father bought a cello for me, I'm taking a course for that. Also I'm taking lessons about my school subjects. There are educated people there like you. They say that if we want to be like them, we

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risk from the state to the individual."[141] A self-enterprising individual is molded as self-sufficient in order to create opportunities and also bear the risk of failure. Precisely for this reason, self-enterprising individuals blame themselves, not the national economy or structural inequalities when they become unemployed or when they are unhappy with their living conditions. Dunn 22, maurer 1999.

[142] "Burası olmasa nerede çalışacaktım ben? Burası olmasa kim iş verir bize. Hem öğrendik bu işi, birlikte yapıyoruz muhabbetle. Çalışıyoruz, kendi paramızı kazanıyoruz. Yoksa çok zor. Nasıl öderiz kirayı? Hani nasıl derler, ağlamayana emzik yok, öyle işte. Çalışmayana para yok. Çalışınca, kazanınca neden fakirlik kalsın?"

[143] "İşe yarıyorum, ne güzel işte!"

have to study a lot. I'm going to study and look after my mother. I'm going to buy a house for her.[144] (Personal communication, Subject 9, May 19, 2013)

Sulukulelis are expected to change, but the children are expected to change even more. The narration above belongs to one of my children informants. While I was talking about the poverty with his mother[145], he interrupted our conversation and said the words above. With reference to his narration, it is possible to assert the volunteers, who are providing educative help for school courses, posited themselves as unquestionable role models and directing the children's subjectivities by promoting education. While the volunteers make children imagine educated Roman children can eliminate poverty in the future, they actually create an illusion that education can reduce poverty. By doing so, volunteers personalize poverty by

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[144] "Ben büyüğünce fakir olmayacağız biz. Ben okula gidiyorum abla. Bırakmam ben okulu ablam gibi. Anneme de söz verdim. Okulumu bitiricem, adam olacağım… (atölyeye gidiyor musun peki?) Kurslara gidiyorum abla. Çello aldı babam bi tane, bi ona gidiyorum, evin yanındakine. Bi de etüte gidiyorum. Orda da böyle senin gibi okumuş ablalar var. Bizim gibi olmak istiyorsanız çalışın derslerinize diyorlar. Ben de okuyacağım, anneme bakacağım. Ev alacağım ona."

[145] "Poverty exists everywhere. Everybody is poor. But if you work, that's okay, if you don't work, you will lead a poor life. Actually we were fine when the bordellos were still open. My father and brother used to work and I used to dance. You should've seen me there, I was beautiful and I was famous, too. People asked about me. We made a lot of money. There were many cars in front of the house. Then I got married and quit that job. But I'm telling you, if I don't work, we are starving. I can't pay the rent without working, how can I? Nothing for non-worker but poverty".

"Hep fakirlik. Herkes fakir. Ama çalışırsan olur kızım, çalışmazsan aç kalırsın. Eskiden eğlence evleri varken iyidik hani. Babam çalışırdı, abim çalışırdı, ben dans ederdim, ah bi görsen ne güzeldim hem o zamanalar. Ünlüydüm de he. Beni sorarlarmış geldiklerinde. İyi de kazanırdık. Arabalar sıra sıraydı kapının önünde. Abinle evlenince çalışmadım ama demem o ki şimdi çalışmazsam aç kalırız. Kirayı ödeyemem, nasıl ödeyeyim? Çalışmayana ekmek yok. Fakirlik var."

This narration belongs to this child's mother. Since she has a similar perception of poverty, I thought this narration also can be explanatory for understanding the personalized poverty. After the demolition of her house, she started to work with her daughter in a nightclub. As she mentioned, she was a famous belly dancer and working with her family in an entertainment house. As mentioned previous chapter, entertainment sector was the main sector for the Sulukulelis in order to make their living. Although she emphasized the police terror in the mid-nineties and the reasons why the entertainment houses were closed down several times during our conversation, when I asked her about the poverty of the neighborhood, she never pointed out the closure of the entertainment houses as a reason for the poverty. Poverty is considered as a personal failure.

making children perceive it as something that could be reduced through personal qualities, in our case a good education. Personalizing poverty paves the way for responsibilizing the discriminated Roman children about their own fates. The message "If you study, you will be one of us", decontextualizes poverty and redefines it on the will of children. So, poverty reduction becomes just a matter of will, to want it reduced is enough to reduce poverty. What is at stake here is responsibilizing children about their own fates that turn them into self-entrepreneurial subjects. As demanding, attempting, and willing subjects, children see the coming future as the solution of their problems. The neoliberal vicious cycle starts here: the hope for the coming future does not solve the current problems, but transmits to children the idea that if one wills and works for it, one can succeed. The optimistic expectancy for a brilliant future becomes the main motive for doing whatever volunteers suggested. So they become individuals who fail every time and try again when they fail. While trying to get over the political and economic problems by breaking off the structural relations producing the continuous inequality, they try the construction of a body that is politicized with the desire of developing oneself more and more and becoming successful (Can, 2007).

Taking all above into consideration, volunteers imagine themselves as capable and conscientious citizens who sacrifice themselves for the wellbeing of the population. The discourse constructed capable citizens and the needy Sulukule people created a governor and governed distinction and opened up an intervention field. Within this intervention field, volunteers, thanks to their technologies and domains, found a suitable ground for regulating the Sulukulelis' subjectivity. In order to integrate the poor Sulukulelis into society and render them self-sufficient and capable citizens, the volunteers attached great importance to psychological

betterment and empowerment activities. Consequently, the Sulukulelis changed into self-entrepreneurial individuals as job seeking and demanding subjects.

4.4.2. Civil society, Non-governmental Organizations, Democratization

The debates about civil society and non-governmental organizations in Turkey are mainly based on the supposed distinction between the state and civil society. The majority of the studies views the state and civil society in a mutually exclusive manner and supposes a confrontation between these two assumed sides.[146] The historical and political background of civil society in Turkey can be seen as a reason for this supposed distinction. The constitutional impediments on civil society, which restrict pursuing political goals or engaging in political activities for public

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[146] "This widespread acceptence of the central premises of the hegemonic perpective on the concept of civil society in Turkey, even crosscutting different politico-philosophical dispositions, does not mean that it is without any challangers. To the contrary, there are also critical studies challenging the central premises of the hegemonic view; yet, at least so far, these critical studies have remained as a small minority in the literature on civil society in Turkey" (Onbaşı, 2008, p. 265).
For some critical examples, please see:
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Keyman, E., & İçduygu, A. (2003). Globalization, Civil Society and Citizenship in Turkey: Actors, Boundaries and Discourses. *Citizenship Studies, 7*(2).
Onbaşı, F. (2008). Unpunlished Doctoral Dissertation. *Civil society debate in Turkey: A critical analysis / Türkiye'de sivil toplum tartışması: Eleştirel bir analiz*. Orta Doğu Teknik Üniversitesi, Sosyal Bilimler Enstitüsü.

associations, banned independent political activity. [147] Although these constitutional impediments were replaced with new amendments in 1995, political restrictions for public associations have been imprinted on the collective memory as civil society and political arena are/should be separated from each other. [148] Parallel to this, as mainly argued by liberal academicians [149] in Turkey, civil society is posited as a means of limiting the dominance of the state over the society. From this perspective, within the framework of the liberal idea of pluralism, the increase in the number of NGOs is celebrated as signifying a process of democratization. [150]

Parallel to the democratic essentialism, which underlines civil society is a democratic movement from bottom to top, the proliferation of NGOs provides a suitable ground for democratization, studies on Sulukule gentrification defined the NGOs acting for the Sulukulelis as symbols of democratization. [151] In these studies,

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[147] In the Article 14 of Constitution of the Turkish Republic, which is adopted in 1982, it is clearly specified that no organization can be based upon regional, ethnic, religious, or class identity. Please see: Tanör, B. (1997). *Perspectives on Democratization in Turkey*. İstanbul: TÜSİAD.

[148] In the foundation declaration of ROMFO (Türkiye Roman Hakları Forumu - Turkey Roma Rights Forum) it is highlighted that ROMFO is a non-political organization. Despite the fact that the main claim of this organization is to provide legal equalities in terms of social and cultural rights for disadvantaged Romans, in other words to fight for political recognition, there is a need to emphasize being non-political. This situation, which is not limited to only ROMFO, should be seen as the vestiges of constitutional impediments.

[149] Toprak, B. (1996). Civil Society in Turkey. E. Brill (Dü.) içinde, *Civil Society in the Middle East*. Leiden.

[150] On the very reason, the Open Society Foundation funding ROMFO in order to help for democratizing the country. I will discuss this issue in the next chapter at length.

[151] There are fourteen master thesis (two of them are closed access) and a doctoral dissertation on Sulukule gentrification. 8 of these studies are positing Sulukule Platform as political dissident to the state on the ground of the state and civil society distinction. In these studies, the Sulukule Platform is defined "as a protest social organization in order to save Sulukule" (Baş, 2008, p. 30), "as a civil society formation of volunteers fighting against the demolishment of the neighborhood" (Schlebusch, 2008, p. 4), "as a platform which bridges local population with the state authorities" (Yılmaz, 2009, p. 109), "as urban activists who want to put pressure on the municipality for the preventation of the project by providing public support" (İslam, 2009, pp. 45-46), "as an organized opposition to the project" (Balcı, 2009, p. 70), "as a bridge between local authorities and residents" (McDaniel, 2010, p. 100), and "as an organization investigating alternative approaches and producing solutions to the problems" (Kayalar, 2010, p. 71). All these thesis has praised the Platform for its contribution to political life and change. However, only Tolga İslam has assertion that the volunteers and the municipality have a common point regarding to decide what is good for Sulukulelis. Please see:

the state and civil society dichotomy is crystallized due to the Sulukule Platform and the unity of the volunteers is posited against the municipality. The platform is defined as a resisting organization to the unfair implementation of the state. Based on the assumption civil society limits the domination of the state, the Sulukule Platform is praised for their activities during the gentrification process. Moreover, since The Platform is perceived as a bridge between the residents and the municipality, it is promoted as means of local participation and plurality. However, these studies remain blind to the elite-based structuring of the Platform and undemocratic foundations of the local associations by contradicting their essentialist assumptions on civil society. Since the volunteers were middle class citizens, it is essential to act with suspicion towards the assertion of "bottom to top". As mentioned before, all the volunteers were graduated from respectable universities and have reputable professions. Moreover, none of the volunteers were from the neighborhood. As many of my informants indicated, the volunteers came to Sulukule after the declaration of

Baş, M. (2008). Reading Sulukule as a social production of space: Ownership/possession and boundaries of the dwelling / Sosyal mekan üretimi olarak Sulukule: Mülk edinme/ sahip olma ve evin sınırları. *Unpublished Master Thesis*. Orta Doğu Teknik Üniversitesi / Fen Bilimleri Enstitüsü.

Schlebusch, S. (2008). Unpublished MAster Thesis. *Sulukule'yi Geliştirmek - Gentrifikasyon, Aktivizm ve Mekan Yaratma Üzerine Antropolojik Bir Çalışma / Bringing Development to Sulukule -an Anthropological Study of Gentrification, Activism and Place-Making*. Yeditepe Üniversitesi / Sosyal Bilimler Enstitüsü.

Yılmaz, E. (2009). Unpublished Master Thesis. *Türkiye'de Kentsel Dönüşüm Uygulamalarında Süreç ve Aktörler: Sulukule Örneği / Urban Regeneration Progress and Actors in Turkey: Sulukule Case*. Mimar Sinan Güzel Sanatlar Üniversitesi / Fen Bilimleri Enstitüsü.

Balcı, H. (2009). Unpublished Master Thesis. *Kentsel Dönüşüm Projesi Bağlamında Sulukuleyi Anlamak: Roman Kimliğinin Analizi / Understanding Sulukule within the Context of Urban Regeneration: An Analysis of Roma İdentity*. Yıldız Teknik Üniversitesi / Sosyal Bilimler Enstitüsü.

McDaniel, G. G. (2010). Unpublished Master Thesis. *Kentsel Dönüşüm Politikalarının Küreselleşme Çerçevesinde Değerlendirilmesi: Sulukule Örneği / Evaluating Urban Transformation Policies in Accordance with Globalisation: The Case of Sulukule*. Marmara Üniversitesi / Sosyal Bilimler Enstitüsü.

Kayalar, A. (2010). Unpublished Doctoral Thesis. *Soylulaştırma Projelerinin Çift Yönlü Simetrik Model Kavramları Çerçevesinde Değerlendirilmesi: Sulukule ve Fener-Balat Örnekleri / Evaluation of Gentrification Projects within the Framework of Two-Way Symmetrical Model concepts: Sulukule and Fener-Balat*. İstanbul Üniversitesi / Sosyal Bilimler Enstitüsü.

İslam, T. (2009). Unpublished Doctoral Dissertation. *Devlet Eksenli Soylulaşma ve Yerel Halk: Neslişah ve Hatice Sultan Mahalleleri (Sulukule) Örneği / State-led Gentrification and the Local Residents: The Case of Neslişah and Hatice Sultan Neighborhoods (Sulukule)*. Yıldız Teknik Üniversitesi / Fen Bilimleri Enstitüsü.

the project in the media. Apart from the elite-based structuring of the platform, local associations should be also problematized in terms of their foundation process. Although these two local associations, Sulukule and Neslişah Associations, were thought of as activating the participation of the Sulukulelis into political life, it is a well-known that the Neslişah Association was founded under the leadership of the municipality as a GONGO [152], and Sulukule association was founded with the guidance of a volunteer who has been a years-long activist for Roman rights. [153]

Since these studies posit NGOs in Sulukule as an opposition of the state through the lenses of democratic essentialism and remaining blind to the neoliberal rationality occupied in NGOs' agenda, I will propose another perspective: civil society does not exactly serve democratization. I assert two reasons for suggesting this argument. The first is NGOs acting for the Sulukulelis to support the state in solving the problems by collaborating with the state, thus the assumed distinction between these sides are actually intertwined. The second is NGOs killed two birds with one stone, while the volunteers regulated neoliberal individuals, they also prevent the development of the politics of the governed. [154]

First, I offer to go beyond the obsession with the state and civil society dichotomy. During my fieldwork, I observed the voluntary organizations transcended the supposed distinction between the state and civil society. This assumed distinction between the state and civil society is overtly violated due to volunteerism.

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[152] GONGO (a government organized non-governmental organization) is an organization organized by a government to look like a non-governmental organization in order to promote the issues the government wants to bring attention to or provide outside aid. For further information: (Anheier & Toepler, 2010, pp. 179-183)

[153] Since the president of this association was a çeribaşı (a gypsy chief), it can be asserted there is a shift in existing authority to a new locus of power (Yılmaz, 2009, p. 2).

[154] I am referring here Partha Chatterjee's book, which I will talk about in the next pages.
Chattarjee, P. (2006). *The Politics of the Governed: Reflections on Popular Politics in Most of the World*. Columbia University Press.

Volunteers, who are working for the Sulukulelis, are acting through their bio political concerns such as wellbeing of the population, sustaining social order, and thus forming a new problem-solving agency in the aftermath of gentrification of Sulukule. As mentioned before, volunteers deal with problems such as collecting the ruins-garbage and providing assistance for preventing the spread of disease, solutions that had once had been solved by state institutions. At this point, it becomes possible to assert the volunteers, who were acting for covering the fraud of the state institutions, instead of acting in an autonomous space of action, participated in a complex network of relations intricately intertwined with the state. For this very reason, to talk about the distinction between civil society and the state is just an assumed distinction, which cannot be seen in reality. Moreover, with effect of the will to collaborate, which is articulated along with the common bio political concerns, the relations between the state and NGOs became more and more intertwined. In that sense, it can be useful to remember the formal and informal agreements, which were made between the Sulukule Platform and the municipality. [155] The various applications made by the platform for replanning the project or reconsidering the Sulukulelis' rights on new flats should be seen as attempts of collaboration with the municipality, in other words, violation of supposed boundaries. [156]

Second, contrary to widespread acceptance of the idea civil society is a means of democratization, I will assert that the volunteers working for the Sulukulelis

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[155] Please see the chapter two.

[156] Similarly, the United Nations declared in 2001 as the International Year of the Volunteer and defined volunteers as strategic resources of public policy. A quotation from the UN declaration of the International Year of Volunteer could be explanatory for the perception of the volunteer as a collaborator: The volunteer represent an enormous reserve in abilities, energy and local wisdom that may help governments to carry out better, efficient, transparent, participative and focused programs and public policies. However, it is uncommon that volunteering be recognized as a strategic resource that may positively influence public policy and more uncommon that it be taken into consideration in internal strategies for development. The International Year of the Volunteer offers a quite opportunity, to confirm ... an ancestral tradition, recognizing its potential as an asset in social promotion" (Butcher, 2004, p. 16).

prevented the development of the politics of governed, in other words democratization, by both depolitizing poverty via empowerment and proposing "appropriate" ways of resisting the gentrification to the people they served. In order to make clearer my argument, I should briefly talk about Chatterjee's conceptualizing of civil society and democratization.

Chatterjee, in his study, "The Politics of the Governed - Reflections on Popular Politics in Most of the World", suggests unlike citizens who produce politics within civil society, populations produce their own popular politics in political society. In order to clarify the subject, he makes a distinction between citizens and population. This distinction is described in his own words:

… while philosophical discussions on the rights of citizens in the modern state hovered around the concepts of liberty and community, the emergence of mass democracies in the advanced industrial countries of the west in the 19th century produced an entirely new distinction – one between citizens and population. Citizens inhabit the domain of theory, populations the domain of policy. Unlike the concept of citizen, the concept of population is wholly descriptive and empirical; it does not carry a normative burden. Populations were identifiable, classifiable, and describable by empirical or behavioral criteria and are amenable to statistical techniques such as censuses and sample surveys. Unlike the concept of citizen, which carries the ethical connotation of participation in the sovereignty of the state, the concept of population makes to government functionaries a set of rationality manipulatable instruments for reaching large sections of the inhabitants of a country as the targets of their "policies"- economic

policy, administrative policy, law and even political mobilization (Chattarjee, 2006, p. 34).[157]

Based on this distinction, Chatterjee describes two sets of conceptual connections. "One is the line connecting civil society to the nation-state founded on popular sovereignty and granting equal rights to citizens. The other is the line connecting populations to governmental agencies pursuing multiple policies of security and welfare" (Chattarjee, 2006, pp. 37-38). While the first line points out the domain of politics, the second line points out a different domain, which Chatterjee terms political society. Since the population is not regarded as citizens [158] who energize on interventionist political projects within civil society, he makes a distinction between civil society and political society. Opposed to civil society, which is described as "the closed association of modern elite groups, sequestered from the wider popular life of the communities, walled up within enclaves of civic freedom and rational law" (Chattarjee, 2006, pp. 3-4), political society is defined as a political terrain, where people who are not regarded as citizens, "organize to get themselves identified as a distinct population group that could receive the benefits of a governmental program" (Chattarjee, 2006, p. 56). In contradiction with the terrain

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[157] The distinction of citizen - population can be seen in the discourse constructed on the duality of capable citizen and the needy Sulukule population. While volunteers posit themselves as capable citizens, Sulukule residents are posited as the Sulukule population. For the very reason, since Sulukule people could be seen as population, volunteers legitimized their conduct of conduct and proposed appropriate ways of doing things.

[158] With reference to India, he emphasized that in terms of the formal structure of the state as given by the constitution and the laws, everyone is a citizen with equal rights and all of the society is civil society. Thus, everyone should be regarded as a member of civil society. However, in reality, most of the inhabitants are not proper members of civil society and are not regarded as rights bearing citizens in the sense imagined by the constitution, rather, they are only tenuously, and then ambiguously and contextually, rights bearing citizens (Chattarjee, 2006, p. 38). It is possible to think Sulukulelis' citizenship within this frame with an example. While the government was conducting a Roman Opening campaign, a famous Roma musician is presented as a presumptive nominee of the ruling party. He was not elected, but being nominated as a candidate means recognition by the state, as he indicated during our conversation "benim vatandaş olduğumu bildi devlet, sen çingenesin, öte git demedi". In order to point out the contextually and ambiguity of citizenship of Roma population, it should be mentioned here that the brother of this candidate musician is died in the garden of the hospital due to the fact that the doctor refused to examine the patient who does not have an ID card and thus did not serve in the army.

of established law or administrative domain, population groups who organize to claim the benefits of various governmental programs do not do as members of civil society (Chattarjee, 2006, p. 66). Since existing procedures have historically worked to exclude or marginalize population groups, they must succeed in applying the right pressure at the right places in the governmental machinery (Chattarjee, 2006, p. 66). To apply the right pleasure at the right places, point to the tenuous logic of strategic politics of a political society based on bending or stretching of the rules. Since the success of the popular politics depends on the ability of groups to influence the implementation of governmental policy in their favor, it is necessarily temporary and contextual.

Taking all this into consideration, it is possible to maintain a political society among the Sulukule residents could not be developed due to the intervention of civil society. Volunteers who proposed appropriate ways of resisting against the gentrification precluded the possibility of producing popular politics in Sulukule. Most of the informants indicated the Sulukule Platform and independent volunteers lead the residents on how to resist against gentrification. Writing petitions, preparing reports to present to UNESCO and other international institutions such as ERRC and Helsinki Citizens' Assembly, performing surveys, presenting cases, arranging entertainment activities, issuing press statements, arranging congress and workshops, distributing information about the events taking place in Sulukule in order to raise awareness and find support, shooting documentary films and inviting directors and photographers into the neighborhood in order to record the gentrification process, conducting petitions, preparing alternative projects, and writing letters to the prime minister and ministers could be listed as some of the ways of resistance to gentrification. However, all of these activities did not serve to achieving a more

substantive equality of Sulukule dwellers or ensuring adequate representation for them within the body politic. Volunteers did not notice that procedures such as writing petitions or presenting a case do not work on the behalf of Sulukule dwellers, rather, through these procedures populations are excluded or marginalized for centuries.

I would like to give an example about two different politics produced by the Sulukule children and the volunteers on preventing a building from demolition. When the demolition team of the municipality came to the neighborhood to demolish a particular building, which was being used as a children's center where volunteers provided educative support including painting, music, and support for formal education, on the 23th of January 2009, the demolition team faced the children who occupied the house and shouted slogans. Since the children were participating in music workshops and doing their homework with volunteers in this building, the children did not want to let it to be demolished by the municipal police. When the bulldozer approached the center, fifteen children, ages between 4 to 10, suddenly occupied the building and started to protest to the municipal forces by singing songs and playing their drums. The important point of this story is none of the volunteers who everyday work at the center everyday were present at the time when the children occupied the building. Moreover, the children who took their own decision succeeded, they prevented the building from demolition.[159]

However, the volunteers had submitted petitions to the municipality two weeks before the children occupied the building. Although the volunteers had demanded that since the center is the only place where the children can escape from

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[159]For further information, please see:
http://fre.habitants.org/layout/set/print/nouvelles/habitants_d_europe/children_of_sulukule_halt_demolition
http://arsiv.ntvmsnbc.com/news/473490.asp

the trauma of demolition, the center should not be targeted before the entire demolition of the neighborhood is completed, the municipality still requested the demolition team. The petition was not enough for cancelling the demolition of the building, but the children, by occupying the building, was. In other words, bending and stretching the rules, succeeded where the volunteers could not.

To sum up, contrary to the widespread acceptance that the proliferation of civil society organizations signifies the democratization of the country, I proposed the NGOs in Sulukule did not exactly serve democratization. I base my argument on two reasons. First, I assert the NGOs in Sulukule, instead of acting in an autonomous space of action, participated in a complex network of relations intricately intertwined with the state. Just like the state authorities, NGOs are producing projects and conducting the Sulukule residents in according with their bio-political concerns. Second, I discussed that along with the empowerment technologies, which depoliticize poverty, the volunteers, by proposing appropriate ways of resisting against the gentrification, had prevented development of popular politics among the Sulukulelis.

CHAPTER 5

NGOs BETWEEN TWO WORLDS,

LOCALS AND INTERNATIONALS

In this chapter I aim to explain the non-governmental organizations and their activities which I have mentioned generally in the previous chapter. Revealing two of the well-known non-governmental organizations, the discourse and the techniques of these organizations will be underlined in order to examine the influences of these organizations on the Sulukulelis. At first, the Sulukule Volunteers Association will be presented as a local association which produces and implements programs for the children of Sulukule children, and then the Turkey Roman Rights Forum which will be discussed as an example of an organization which aims to make contact between local associations and international organizations. While the former provides a suitable ground for understanding the local level of *conduct of conduct*, the latter draws a wider frame for explaining the process of localization of global NGO trends.

5.1. Sulukule Volunteers Association

The Sulukule Voluntaries Association[160] was established in 2010 as part of the Sulukule Platform in order to support the Sulukule children for their education and provide awareness among Sulukule women regarding their legal rights. (Sulukule Gönüllüleri) Sulukule Voluntaries Association (hereafter SVA) is one of

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[160] Sulukule Gönüllüleri Derneği.

the most important non-governmental organizations in Karagümrük by reason of having a great number of members and using actively its network with other voluntarily organizations. As one of the leading volunteers of SVA has announced approximately 300 children participate in the activities of the association which is in collaboration with two other non-governmental organizations [161] for scheduling activities. Since SVA has reached approximately 300 children and young people with the active support of numerous volunteers from various NGOs, SVA has a considerable visibility among the public more than any NGOs in Sulukule.

Through the constitution of education as a lack [162], since the considerable number of children cannot go to school in Sulukule, SVA puts the Sulukule children in a risky situation requiring intervention. SVA organizes comprehensive programs of both formal and non-formal educational activities which aim to develop social and personal skills of "the children in risk" between the ages 5- 16. These programs are provided in the state schools which are located near the SVA and mostly children in risk attended, and also the center of the SVA, supported by implementation guides who are university student volunteers of TOG. All these programs are realized in collaboration with scientific advisors and experts such as psychologists [163], performers, teachers, lawyers, and supervisors of supranational NGOs. Based on the

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[161] (1)TOG, Toplum Gönüllüleri Vakfı- Community Volunteers Foundation, is founded in 2002 in the aim of encouraging young people to the social responsibility projects as volunteers and by doing so contributing their personal development. Every year the Foundation supports the realization of over 980 projects and activities implemented by about 40,000 young people in over 120 university clubs. For further information: http://tog.org.tr/EN/
(2)Mavi Kalem which is founded in 2000 right after the great Northwestern Anatolian Earthquake of 1999 is based on the idea of volunteering is a life style. For further information: http://www.mavikalem.org/en/who/

[162] In the aforementioned research conducted by the Sulukule Platfom in 2007, education is the second important subject after the housing problem. Based on this research, volunteers present education as an urgent need of Sulukulelis. The research can be seen in the Appendix C.

[163] One of the founders and coordinators of SVA is a well-known psychologist graduated from one of the prominent universities of Turkey and has worked with children in risk for years.

presupposition that the state is unable to fulfill its duty in education and has deliberately left the people of Sulukule to their own fate by destroying the neighborhood and abandoning them in the streets, SVA arrives to the situation as saviors who fulfill the absence of the state and share its responsibility by improving the educational conditions and creating efficient educational programs-activities for Sulukulelis. SVA, posits education given by the volunteers as superior to that given by the families and the state by blaming the unconsciousness of the families and criticizing the ineffectiveness of the state schools.

As one of coordinators of SVA indicates in a newspaper interview, families eagerly welcomed the volunteers and appreciated their activities and programs organized for the children. (Koca, 2012) In order to understand the reason of SVA's public acclaim, it is needed to focus on representations of the families, in other words, the discourse of blaming.[164]

The discourse of blaming used by volunteers and endowed with "preservation of children", "children in risk" and "taking children out of the dangerous masses" is central to understand the process of justifying the intervention of SVA. The function of this discourse is twofold: while it portrays the children of Sulukule as in need to be saved by the volunteers form their dangerous families, and their families as "a lack" (lack of education, lack of healthy, lack of morality, lack of job etc.), and it also posits volunteers' as the ones who are capable and superior than the families and justifies their interventions on behalf of the children.

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[164] Instead of asserting that these representations are false or true, I aim to question conditions of possibility which render these representations *sayable*. (Foucault, 1980)

5.1.1. The Discourse of Blaming

Through the discourse of blaming which is mainly based on accusing the families, SVA problematizes the families as a lack, legitimizes the intervention and thereby opens up a space for a hegemonic abler subject position. Although the volunteers stress that the state has affected the people of Sulukule living standards badly by referring to the structural problems of Sulukule community partially. However, they contradict this assertion mostly. Parallel to the general discourse of formation of the government and municipality during the demolishment process of the neighborhood, the discourse of blaming has been formed around the accusation of the family failing to meet the needs of the children. "Uneducated" families are represented as lazy, irresponsible, unable to find efficient time planning, careless, and accused for being the unique responsible of dirtiness and the malnutrition of the children, and thereby are unconscious people. The lazy fathers who refuse to work hard and become jobless[165] along with careless mothers[166] who are portrayed as insensitive and careless signifies the problem of consciousness. Through the constitution of poverty as "a lack" situation, lack of health, lack of education, lack of cleanness, lack of care, lack of job unified under one lack situation, lack of consciousness. Tearing away the issue of poverty from its structural, social and political dimensions, poverty is personalized and reduced to a conscious issue in the representations of families. The parents are mostly presented as the people who cannot even take care of themselves.

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[165] Lazy and jobless father figure reflects an important tenet of neoliberal ethics, the importance of hard work and production. Please see the previous chapter.

[166] In order to see a comprehensive understanding the division of labor between the father and the mother and moralizing attempts of the state over middle class and working class families, via *regulation of images* in the period of the 19th and 20th centuries, please see Donzelot, Policing of the Families.

One of booklet (SGD, 2012) published by SVA could provide some examples of the discourse of the blaming. The booklet aims to inform public opinion about the problems of Sulukule people who witnessed the demolishment of the neighborhood, and starts with the adults' health problems. Cardiovascular diseases, asthma, lung diseases, hernia, osteoporosis, diabetes, mouth and dental health problems, and sexual health problems are listed as the major health problems that the residents of Sulukule faced mostly. Along with this list, two examples of adults with health problems are given. Two sorrowful examples tell two mothers' stories on inability to take care of neither their children nor themselves. In the first example of a sex worker female who lost her parents at early childhood and gave birth at 17 years old is told. It is stressed that although social services and the child protection agency has saved the first born baby whom mother is unable to take care of, the mother who is 19 years old now, gave the second birth and this baby will probably have been under protection of the state, as well (SGD, 2012, p. 6). In the second example, another young mother with four children is presented. This woman has oral and dental problems which stem from malnutrition from early childhood to the present. Additionally her dental problems, it is emphasized she lives with her four children, brother in law and his children in an old tenement without water supply and unhygienic conditions. (SGD, 2012, p. 6) Both examples present the same message: These mothers were children in risk, the former was not saved by her parents and latter faced malnutrition during childhood. At present, their children are at risk, unless we intervene, they will be like their mothers.

In the following pages of this booklet, the problems of adults are diversified. It is mentioned that most of the Sulukule women have psychological problems. The hard living conditions, high crime rates, living in a risky neighborhood, the long term

demolition process has forced these women to be confronted with psychological problems such as depression, anxiety disorders, and temper tantrums. This unhealthy situation of the mothers makes them fail to meet the needs of the children and resort to violence. Moreover, it is asserted that "these unconscious mothers" who have psychological problems take pills and even sometimes they share their pills with their infants. Therefore, children of these problematic women are in risk. Moreover, another highlighted problem stems from the high rate of drug and cigarette addiction. It is emphasized that since it is common to smoke among adults and teenagers, children who are already exposed to nicotine via cigarette smoke, are in risk of smoking and drug addiction.

> His father lost his job after the demolition. He currently isn't working, if on occasion of a night-job presents itself he goes there. His mother never went to school, she married very young. In the evening, his mother waits for her husband to return. The house is only made up of one room. The TV stays on until morning. The child can neither study nor get any sleep. They can't get up in the morning. They haven't adjusted to such a *culture*[167]. The child is unable to go to school, due to sleeping in. Let's suppose he did get up and go to school, then there would be the school fees to deal with. They can't afford it. He is filthy all over, his collar black as coal. No one in his class wants to make

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[167] Culture is an important signifier here. As Bourdieu asserts in his book Distinction, middle class always present their own particular culture as universal and thereby they eagerly try to naturalize their culture by making it culture of the whole society. As middle culture is naturalized and then universalized, distinction becomes clearer: people who lacks this culture becomes un-cultured and middle class individuals who already have the culture become superiors to these un-cultured people. Since middle class individuals gain a hegemonic position over the un-cultured people, they have the right to determines the standard way of doing things and thus sharpen the distinction; while middle class constitutes their culture as the wide and enlightened world of culture, the other cultures are posited as underdeveloped or as indicated above a lack of culture situation. For further information please see Bourdieu, Distinction.

friends with him, for fear of catching lice. His mother doesn't bathe him, nor prepare him for school, and she can't help him with his homework does she either. If one were to ask about the father, who knows what coffeehouse he could be sitting in. If we weren't here what would these children do? (Personal Communication, Subject 15, May 2013)[168]

The passage above was said by one of my informants. She had participated in one of SAV programs as an implementation guide and then quit the organization because of a personal conflict with a coordinator. She describes the reason behind one of her students dropping out from the school. She explains how the jobless father who spent his time mostly in local café shops, comes to the mind as the first one guilty of the reason for the child not able to attend school. After placing blame at the lazy, jobless, and irresponsible father, the careless mother then takes place in the list of the guilty. It then points to an illiterate mother who cannot wake up early, unable to make efficient time planning to send her child to the school. Moreover, she does not clean the child's clothes, and nor is able to help him with his homework. While the informant is portraying the parents as the major obstacles to the child's education, she also indicates the structural differences too. The fact that living in a one-room home also does not facilitate for the child's study. Since the father is only able to find night jobs, probably of a dangerous nature, and subsequently the mother would await for his return by watching TV all the night. Moreover, the volunteer also signs out

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[168] Babası yıkımlardan sonra işini kaybetmiş. Çalışmıyor şimdi, gecelik işler çıkarsa gidiyormuş. Annesi okula hiç gitmemiş, erken evlenmiş zaten. Gece annesi, babasının dönmesini bekliyor. Tek oda ev zaten. Televizyon sabaha kadar açık. Çocuk ne ders çalışabiliyor ne de uyuyabiliyor. Sabah da kalkamıyorlar. Yok yani, böyle bir kültür gelişmemiş. Okula gidemiyor çocuk. Uyumaktan. Hadi kalktı diyelim, gitti okula, bu defa okul masrafları var. Karşılayamıyorlar. Üstü başı kirli, o yakaları simsiyah. Sınıfta istemiyor kimse onunla arkadaşlık etmeyi, bitlidir diye. Temizlemiyor, okula hazırlamıyor annesi, ödevine yardım edemiyor. Baba dersen kim bilir hangi kahvede? Biz olmasak ne yapacaktı bu çocuklar?

the discrimination that the child encounters in school. However, the informant, who is aware of these structural inequalities, cannot help herself from blaming the parents.

5.1.2. The Educative Activities and Programs of SVA

As indicated above, education has been problematized as "a lack" in a particular way in the discourse of blaming. Within this particular problematization of education, comprehensive programs and formal and non-formal educational activities designed and organized by experts and implementation guides. These programs and activities are implemented in order to create the future conscious citizens who are aware of the notions such as individual responsibility-competition-autonomy-self-confidence-self expressive-self-discipline and collaboration-consensus-coherent-communication-agreement-harmony. While these educational program and activities aim to construct the children as self-responsible, self-confident, competitive, and entrepreneurial subjects, and also targets to create harmonious and collaborative citizens.

As one of the coordinators of SVA indicates what the volunteers are aiming is to instruct the children to prepare them for the future and make them capable to develop strategies for the problems that the future may bring. For her, the programs and activities are mostly designed for endowing the children with different abilities such as problem solving, critical thinking, and collaboration; and empowering them by developing their self-confidence, self-discipline and self-responsibility. In order to make children have fun and obtain effective results, various techniques such as role playing, dramatization, visiting museums-theatres and award-winning games are

consciously used by volunteers. Through these techniques, children are supposed to learn and internalize proper modes of behavior.

In order to illustrate the assertions above, some examples can be provided. SVA organized one day within a week as an *activity-play therapy*[169] day in which the children play a game takes approximately one hour. Instructors and implementation guides organize the children to sit in a circle that to create a sense of equality and harmony, and revive one of the children to initiate a new story and then the story is told by all of the children one by one. If one of the children does not like any part of the story, they, all together try to find a new plot. At the end of the day, the children learnt to communicate with each other without fighting, listen to a host of opinions, do something together, collaboration, and to come to a mutual understanding, agreement (Pazartesi Günleri Artık Oyun Günleri Oldu, 2014). There is another example on communication and coherence. It is a game instructed by an expert, all the children write their demands and expectations from one another on a white blank paper. "We shall not interrupt each other", "we shall not curse each other" or "we shall not fight each other" one of the many sentences written on the paper. While the aim of this game is to teach the children how they can build coherence, it actually makes the children internalize the volunteers' expectations of behaving properly by making children write the codes of these proper behaviors as if their own expectations (Sosyal Faaliyetlerimiz Başladı, 2014).

Apart from indoor activities which are implemented within the state schools and the center of SVA, volunteers also organize museum trips, theatres and cinemas visits which are promoted as the first museum/theatre/cinema visits of the children in

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[169] The word, "play therapy" is an important signifier of volunteers' aim for attending and implementing these activities with children. Since the children are "in risk", volunteers perceived them as patients who need intervention by making therapy. Moreover, there is also an insidious artifice which tries to conceal this intervention by suggesting it as if this intervention is a "game".

the website of SVA. (Tatili Sinema ile Bitirdik, 2014; 23 Nisan'ı Kibritçi Kızla Kutladık, 2014; Koca, 2012). As Rose puts out "museums and other exhibitions have provided the spatial and visual means of self-education, whereby persons were to be governed not by imposing duties on them, but by throwing a web of visibilities, of public codes and private embarrassments over personal conduct" (Rose, 1999, cited in İpek, 2006, pp. 144-145), these visits could be seen as governmental technologies[170] whereby the codes of proper behaviors of civility are exerted over and taught to the children. During these visits, children are taught middle class civility codes, which are accepted as a proper forms of behaving in the public spaces and are supposed to known by all individuals, and *becoming normalized* by both (1) following the disciplining regarding the set of rules of public places and (2) imitating of the volunteers who know how to behave appropriately. While one my informants who is also a volunteer started to narrate their first visit to the museums and theatres by complaining about how much the children were noisy and unaware about how they should behave in public spaces, she ends her stories pridefully by asserting "they finally learned how to behave in public spaces, finally they became *normalized*[171]" (Personal Communication, Subject 15, May 2013).

5.2. ROMFO – Turkey Roman Rights Forum

In 2004, due to the interest of Turkey's national policies regarding the integration to the European Union, Turkey has been assigned the statements of the Copenhagen Criteria, a prerequisite of the European Harmonization process, which

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[170] I prefer to call these visits as technologies with reference to Rose who named museums and other exhibitions as "topographical technologies of civilizations" (Rose, 1999, s. 74)

[171] "En sonunda nasıl davranmaları gerektiğini öğrendiler, nihayet normalleştiler."

enables some legislative changes in establishing ethnic identity based organizations. [172] Thus, the current history of the organizations of the Roman community in Turkey has taken its initiations since 2004 by setting the first official Romani organization, Edirne Association for Research on Gypsy Culture, Aid and Solidarity (EDÇİNKAY)[173] (Özden, 2013, p. 12). Nowadays, since "… NGO models are being promoted at least in Turkey as the only form of human organization", Roman identity based associations are organized in the *viable* forms all around the country one after the other (Özden, 2013, p. 14).

The main motivations of local Roman organizations are to act for the basic rights of the Roman communities and social acceptance. However, the motivations of these organizations are determined by neither their local dynamics nor novel ways of policy making, but rather the international NGO trends. [174] Since the years 2005-2015 has been declared as the Decade of Romani Inclusion, European Union collaborates with a variety of transnationally operating organizations, such as Open Society Institute (OSI), the Council of Europe Development Bank (CoEDB), the Council of Europe (CoE), the European Commission (EC), European Roma Rights Center (ERRC), the Organization for Security and Cooperation in Europe (OSCE), the World Bank (WB), the United Nations Development Program (UNDP), and conduct several funding programs about Roman communities especially in countries that are

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[172] As mentioned on the previous chapter, according to the Article 33 of 1982 constitution which was legalized under the conditions of post coup d'etat period, all the ethnic identity based organizations was banned on the basis of all these organizations were separatist and thus threatening for the national security. This legislation which were banning ethnic identity based organizations, was repealed with Copenhagen Criteria.

[173] EDÇİNKAY has changed its name as EDROM and it is still one of the most effective organization among all Roman community organizations by having an important network whole around the world and implementing many projects which are funded by international funding organizations.

[174] These trends could be listed as grants-fund raising, professionalism and campaigning. Since the scope of research provided by this thesis is too limited to discuss all these trends, I will only focus on granting system in the following pages.

not included in the EU. These funding programs are designed to encourage the local Roman communities to become organized in the viable form of organizations, namely associations.

ROMFO, Turkey Roma Rights Forum, which includes six Roma federations and more than 70 Roma associations all over Turkey, was founded in 2012 November 12-13 with the intention of supporting Roma associations for their inabilities in relation to organizations and self-representation (Turkey Roma Rights Forum Established). Having a witness position, I had an opportunity of attending the first two meeting of ROMFO, which was funded by the Open Society Institute on the basis of supporting the democratization of the society.[175]

To come together was an important experience for the representatives of the different Roma associations coming from different parts of the country to meet each other, to talk about the similarities of the problems that they face, and to focus on the manner how they could deal with these problems on a country-wide scale. The meetings have made the sharing of ideas, experience and knowledge between different Roman associations possible. There, I will take the debates of the meetings as a basis to discuss main questions of the Roman associations and the effects of these questions on the declaration of ROMFO.

> The main agenda of the debates taken during the first gathering was a
>
> weak situation of the Roman communities such as social exclusion,
>
> lack of access to public services, and identity definitions. In the
>
> opening speech, one of the volunteers who is a well-known Roma
>
> rights activist and one of the founders of Sulukule Platform, took the

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[175] When I asked the reporter of Open Society Institute the reason behind why the institute provides funds for this meeting, she replied me as "we are providing funds for supporting democratization of the society." As mentioned on the previous chapter, according to general acceptance, proliferation of NGOs is perceived as democratization of the society. Parallel to this assumption, I observed many times that Open Society Instıtute provides funds mostly this kind of organizations.

floor and indicated the importance of making a common cause with all the Roma associations in order to negotiate with the state. After she defined the NGOs as a bridge between the state and the public[176], she continued her speech:

A new commission will be established according to the European Union criteria. The aim of this commission is to eradicate the problems faced by the Roma population of Turkey. It is a project supported by many international organizations. But there is no one suitable to join this commission, no one that can say "I represent the Roma community". Now, it is for this reason, the fact that there is no policy towards the Roma community that we have gathered here today. We will agree amongst ourselves that such and such are our problems, and these are the people we want to represent us. This is the association and this is how many members it has. The state is not directly addressing anyone, we will address them and say "these are our problems, let's see you solve them" (Personal communication, Subject 5, December 12, 2012).[177]

Thus, in the beginning of the meeting, ROMFO has been positioned as an organization which is founded not for making novel policies based on local dynamics and needs but for negotiating as a bridge between the commissions which is formed

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[176] The definition of NGOs here overlaps the definition of middle class in Chatterjee's theorization. For further information please see the Chapter 4.

[177] "Avrupa Birliği kriterlerince yeni bir komisyon kurulacak. Bu komisyonun amacı Türkiye'deki Romanların sorunlarını gidermek. Uluslarası kuruluşların da desteklediği bir proje bu. Ama kimse yok ki bu komisyona gitsin; ben tüm Romanları temsil ediyorum desin. Şimdi, bu yüzden biz bu gün, devletin Roman politikası olmadığı için toplandık bu gün. Biz kendi aramızda bir anlaşacağız ki diyelim bak, dertlerimiz bunlar bunlar bunlar, bu insanlar da bizim temsilcilerimiz. Şu kadar derneğin, şu kadar temsilcisi. Devlet bizden muhattap beklemiyor, biz ona muhattap olacağız ki diyelim bak dertlerimiz bunlar, hadi şimdi çöz bakalım."

by EU harmonization criteria and supporting by international non-governmental organizations, and Roman associations. Sharing the same anti-political characteristics of non-governmental organizations, ROMFO has no will to take a radical critique of the very conditions to the communities, and aims to serve for better integration by instrumentalizing the organizations in order to get closer to the state and international funding agencies.

After this introduction of the first gathering, daylong discussion of participants made also during coffee and launch breaks can be summarized about the weak situation of the Roma communities in relation to other the surrounding communities and every participant explained the host of problems which were similar such as urban transformation projects, which are implemented in Roma neighborhoods without local participation, or low education levels and high rates of unemployment among the Romans. After the lunch break, one of the young participants, who was a representative of a well-known actively working association and also famous for being one of the first young Roma people who graduated from high school and thereby has a reputable position, began to speak on the ways to deal with the current problems of the Roma community and gave voice to his ideas as

> Look, speaking amongst you as someone from the younger generation, I'm saying that some things have to change. Just like the eastern populations have chosen their own candidates and won 185,000 votes, we too will select our own candidates. But if we don't look out for and give our candidate full backing, then why should the state take us seriously? If we want to say "we are here, we exist", we need to select an independent candidate. If however, our candidate is a member of the AKP or CHP parties, then our votes will yet again be

split amongst them. For our own power we must produce our own member of parliament. We must take the Kurds as an example. Let us ask, let us learn from them, work together with them; they too were marginalized and excluded, yet they, unlike us, have representation in parliament (Personal communication, Subject 30, December 12, 2012).[178]

His suggestions on making novel policy by nominating a Roma as an independent candidate who would represent all the Roma community and try to solve their problems by the means of national assembly, was firstly well received by other participants. However, when he asserted that "we should follow in the Kurds' footsteps", the atmosphere in the saloon changed in an instant. Nobody liked the idea of following the Kurds in the political arena. Since minority rights as a demand in Turkey was an agenda discussed around the Kurdish question[179], Kurds who have been politically active in minority rights, have a negative implication as separatist regarding the official ideology (Özden, 2013, p. 116). As soon as he finished his words, one of the participants who was the representative of Association of Blacksmiths, took the floor and put his objection into words as

No, we are from a noble background, we are Ottomans, Ottoman!

Who knows how many hundreds of years we have lived on this soil.

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[178] "Bakın, ben aranızda genç olarak diyorum ki değişsin bir şeyler. Nasıl doğulular çıkarttılar kendi adaylarını, 185.000 oy aldılar, biz de kendi adayımızı çıkartalım. Ama biz kendi adayımıza sahip çıkmazsak, devlet neden ciddiye alsın bizi? Biz buradayız demek istiyorsak, bağımsız aday çıkartmalıyız. Adayımız eğer olursa bir partiden, CHPnin AKPnin oyuyla yine bölünmüş oluruz. Kendi gücümüz için kendi milletvekilimzi çıkartmalıyız. Kürtleri örnek almalıyız. Soralım, öğrenelim onlardan, birlikte hareket edelim, onlar da dışlandı, ama bak gene bizden öteler, onlar var mecliste."

[179] The official definition of minorities in Turkey was formed in the Treaty of Peace with Turkey Signed at Lausanne, July 24th, 1923 text some months before the foundation of the Republic of Turkey. According to the Article 45 of the treaty only the non-Muslim population in Turkey was treated as minorities. On the other hand, besides religious minorities, namely the Greek, Armenian and Jewish communities, minority rights as a demand was an agenda discussed around the Kurdish question which was having a negative implication for the official ideology as being separatist (Özden, 2013, p. 116).

We made shields, swords, always from iron, always here. Ataturk also

loved us, did he not? He did. Which Kurd should I imitate now?

Which Kurd should I take as an example, that I can consult?

Nonsense! Am I a traitor? No! I am a Turk, Praise be to God I am a

Muslim. I am also a Roma (Personal communication, Subject 31,

December 12, 2012).[180]

While he was finishing his speech, he took a Turkish flag out of his bag and

showed it to all the participants and kissed it many times. His speech and his display

of loyalty to the flag were applauded for minutes. It seems obvious that this speech

and the show were made for legitimizing self-identity which was misunderstood the

Roman should act in unison with the Kurds. The legitimations of self-identity by

uttering "We are Ottomans", "I am a Turkish", "I am a Muslim", "Atatürk loved us"

are always about gaining social acceptance as much as I observed during my

research.[181] Being Muslim and being Turkish always come before being a Roman. It

is a fact that such tendency stems from harsh conditions of exclusion and this kind of

identity expressions actually function as a survival strategy. In order to be accepted

by the surrounding greater communities, sometimes the values of these powerful

communities are defended even more than an ordinary member of these

communities. However, what is at stake here is that the speech on being Turkish,

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[180] "Hayır, biz ahilikten geliriz, Osmanlıyız Osmanlı! Kim bilir, yüzyıllardır bu topraklarda yaşarız. Kalkan yaptık, kılıç yaptık, hep demirle, hep burada. Atatürk de sevdi bizi, sevmedi mi? Sevdi. Hangi Kürt gibi yapayım ben şimdi? hangi Kürdü örnek alayım, ona danışayım. Laf! Hain miyim ben, hayır! Türküm, Müslümanım elhamdülillah. Hem Romanım da."

[181] I noticed at the end of my research that there is no constant and unique Roman identity which is commonly shared by all the members of the community. However, the significance of Roma identity is that Roma people construct their identity depending on several dynamics of surrounding communities. If they live close to conservative community, they chose to identify themselves as Muslim, or if they live in a neighborhood where the residents have Balkan origins, then, Rome people prefer to identify themselves as immigrants from Thessaloniki, the city Atatürk was born in. So, the constant tendency of Roma community can be noted down as to construct the identity against the whole set of cultural pressures of exclusion.

Ottoman, and Muslim has shifted the main argument of the discussion on the possibilities of making novel policies based on local dynamics and needs. After this speech and show, every participant gave the similar speeches on being Turkish, Muslim, and Ottomans by feeling obliged to state sentences proclaiming their love to the country and hate to the *separatist Kurds*. At the end of these speeches, the coordinator of the gathering, who opened the meeting with her speech, emphasized that the aim of ROMFO is not about being political, but rather it is to construct a network between the Roma associations all over the country, support them for their inabilities regarding organizations and make contact with international funding agencies. [182] Then, she changed the subject. Thus, the possibility of producing popular politics in a political society[183] was made impossible. ROMFO took a central position as the other non-governmental organization in order to melt down the possibilities of resistance by encouraging antipolitics[184] (Ferguson, 1994).

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[182] In order to show how ROMFO was perceived by the participants as a "provider of opportunities" rather than "an organization which produces popular politics", I would like to talk about a young participant who defines himself as an entrepreneur. He was a young president of a local Roman association who holds an attaché case and has a guard with him. Incidentally I sat next to him during the meetings and had the chance to know him. His attitudes, his clothing, his speeches were quite different than the other participants. He was wearing a two piece suit and walking and sitting quite differently as if he was imitating the volunteers. While the topic was based on the Kurdish question, he got down to the floor and started to speak about the implementation of the past projects and how they were successful of the managing of these projects. During this speech, he strongly emphasized words such as, collaboration, project development, harmony, equality, empowerment, self-confidence and capacity building. While he was speaking, he opened his suitcase, in which there was a notebook and a pair of pajamas, took a camera out and gave it to me by making eyes at me for taking a photo of him.   During the break, he told me that what was important here was to promote the association, especially in this kind of meeting organized by the international funding agencies, by talking about their implemented projects, creating network with funding agencies and taking photos for creating an institutional image in order to use in project proposals. He continued his speech as:

   We learned in time. We also opened our eyes. Why should we stay underdeveloped? Look, there are a lot of advantages in this associationalism stuff. There are some who receive the funds and use the money for organizing wedding ceremonies, or restoring their houses. But, we use the funds for the association. We serve the young, and open courses for them. I would not know, diction courses and CV preparation seminars. What you should do is to watch for the opportunities[182] (Personal Communication, Subject 50, November 2013).

[183] With reference to Chatterjee (2006). For further information, please see chapter 3, pages 36-40.

[184] With reference to Ferguson (1994). For further information please see chapter 3.

After the discussions above, the coordinator opened a new topic on the possible names of the organization, which named ROMFO after this gathering. The new topic started with the suggestion of the coordinator as "Turkey Roman Rights Forum" and then most of the participants objected to this name on the basis of the meaning of the word "forum". Since the participants were not familiar with the viable forms of organizations such as associations, foundations or forums and the terminology of NGOs, the word "forum" caused a commotion among participants. One of the representative asked "What forum, how exactly? Are we going to fill something out, hand it in, how exactly is this going to work?"[185] and another replied to "Yes, remember how we filled something out at the municipality building some time ago, one of those I reckon, you know how the state works, always the same stuff"[186] (Personal communication, Subject 42, December 12, 2012). A participant who has a respectful position by being the head of one of the well-known Roma Association silenced them and suggested to use the term "platform" instead of the word "forum". However, this suggestion was rejected by the coordinator, and she must have been feeling obliged to make a statement as:

> Whilst we were the Sulukule Platform, we made use of the platform extensively. This is why I think that a platform would be better. But we must not confuse forum with a form. The meaning of a forum is a place where there is a stand so that everyone may talk, everyone has a right to talk (Personal communication, Subject 5, December 12, 2012).[187]

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[185] "Nasıl forum, ne yani? Bir şey mi dolduracağız, vereceğiz, nasıl yani?

[186] "Evet, hani geçen doldurduk ya belediyede, ondan heralde, işte devlet işleri beya, hep aynı terane".
[187] "Biz Sulukule Platformu'yken de platformu çok kullandık. Çok yıpratıldı platform artık. O yüzden bence forum daha iyi olur. Ama forum ve formu birbirine karıştırmamak gerekir. Forumun anlamı herkesin konuşabileceği bir kürsü bulundurmak, yani herkesin söz hakkı var yani."

While another participant, who was not content with this explanation, suggested "initiative" instead of "forum", his suggestion was rejected by a young representative "An initiative is personal, meaning to say an initiative is established according to one's behavior. This is not appropriate for us, look around you at how many of us there are!" (Personal communication, Subject 39, December 12, 2012).[188] When the coordinator interrupted to the objection by insisting on using the word "forum" in title of the organization, a participant, who felt the high tension of the meeting and wanted to defuse the tension, suggested to use both words by saying "So no one may be disappointed, may our name be Turkey Roma Right Initiative Platform Forum" (Personal communication, Subject 45, December 12, 2012).[189] The reporter of the Open Society Institution interrupted the discussion and recommended to the participants to take care of her suggestion for the reason that she is a professional/expert who works with a wide range of non-governmental organizations all around the world. After she poured oil on troubled waters, stated:

> May it be called The Turkish Roma Rights Forum – ROMFO – both saying it and remembering it are easy. Your application, your self-introduction would be easier. Anyway, there are many platforms in Europe, you may add a platform to your name that may otherwise cause confusion. That you are a new group should be obvious, your name should take of the forum (Personal communication, Subject 47, December 12, 2012).[190]

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[188] "İnsiyatif bireyseldir, yani kendi şeyine, tavrına dersin insiyatif. Bize olmaz o, bak kaç adam var etrafında?"

[189] "Kimsenin kalbi kırılmasın, *Türkiye Roman Hakları İnsiyatif Platformu Forumu* olsun madem adımız."

[190] Türkiye Roman Hakları Forumu –ROMFO- olsun, söylemesi ve aklıda kalması kolay. Başvurularınız, kendinizi tanıtmanız daha kolay olur. Hem Avrupa'da çok platform var, kafa karışıklığı yaratır isminize platformu eklerseniz. Yeni olduğunuz belli olsun, forum olsun adınız."

All the participants had to accept the name of the organization. The Roman representatives were actually excluded from the naming of the organization simply because they were not professionals or experts as the coordinator or the reporter were. Thus, participation, under these unequal encounters, is possible to the some extent.

At the end of the meetings, ROMFO was defined as a non-politic organization which places special emphasis on entrepreneurship of Romans by transforming their ideas into implemented projects.[191]

5.2.1. Grant System: Making of the Anti-politics

As Gill (2000) puts neoliberalism has changed the NGO climate from political opposition to accommodation (Özden, 2013, p. 122), NGO industry, at least in Turkey especially in the case of ROMFO, functions to make global policies implementable in the local level by positioning itself as a bridge between state, international non-governmental organizations, and society. The mentioned transnational non-governmental organizations donate projects concerned about Roman rights for the sake of supporting democratization of countries, and these projects are implemented by local associations in accordance with the instructions of the donors. While all these projects donated by transnational organizations and implemented by local associations are legitimized with the discourse of the reduction of poverty, harmonization, integration, cultural rights, social responsibility,

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[191] In addition to this definition, ROMFO made a press statement in the following days and listed its principles as tolerance, transparency, accountability, justice, solidarity, multiculturality, participation, synergy, education, entrepreneurship and freedom. (Turkey Roma Rights Forum Established) Through this principles, ROMFO actually promises a much better administration by emphasizing a deep sensitivity about issues like transparency, accountability, and participation, which are the problematic of governments, while undertaking the state's mission on democratization.

entrepreneurship, fight against unconsciousness, etc., they actually became the means of making *the informal* Roman community manageable.

Transnational organizations decide their politics[192] and budgets, and through funding programs, local associations implement these policies on the local level. The granting process starts with the announcement of the programs which are donated by transnational organizations, and local associations are asked to purpose their projects in a local scale. Then, these applications are evaluated by assessors and professionals, the ones who fit best on the eligibility criteria deserve to receive the funding. The local associations who receive funding and operating their projects have to follow the policies and instructions of donor organizations and make a proper report on what they did with this money and how they are working parallel to the objective and expectations of the program. What is at stake here is that through this granting system, local associations are pushed to manage their problems to the programs dictated from the funding organizations, and transform their policies for the requirements of the donors. Since the anti-political policies of funding transnational non-governmental organizations do not aim to take a radical critique of the very conditions of the communities face, the granting system does not work for towards democratization or integration of *disadvantaged communities* in society, but rather it serves to produce antipolitics in local level and absorbs the potential of producing popular politics.

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[192] The basic decisions of these policies are given by the meetings of World Economic Forum and G8 meetings where the politically and economically most developed countries gather and make evaluation and future forecasting in framework of what does the humanity need. The constant tendency of the decision giving process of this global apparatus are dominated by the neoliberal argument which meets the needs of global capitalist interrelations (Özden, 2013, p. 123).

The virginity of Romani environment in Turkey,[193] has a potential market for this granting system and provides a suitable ground for local associations to construct their project proposals on empowerment of the Roma community and democratization of the society. In this context, ROMFO was founded for meeting the need of a negotiators position between the internationally operating funding organizations and the newly emerged local associations. Now, I will take a project proposal which was prepared by a local association and ROMFO as a base to discuss the main questions regarding volunteers, namely, how they decontextualize structural inequalities by reducing them to technical problems and regulate subjectivities of the residents of Sulukule via psychological betterments.

5.2.2. The Fight against Early Marriage

The Fight against Early Marriage is a project funded by the European Union, coordinated by TACSO (Technical Assistance for Civil Society Organizations[194], an organization funded by the EU) with the proposal of one of the well-known Roma association and guidance of ROMFO. The project proposal, which has a prepared template, starts with the description of the association with a list of implemented projects needed for developing trust in order not to be recognized as briefcase association.[195] After the description of the association, the project is explained

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[193] This virginity stems from the local conditions which were mentioned above and can be listed as the ban of 1982 Constitution, and the definition of minority in Turkey and related to this definition the imposibility of demanding cultural rights.

[194] In Turkey, Non-governmental Organizations are called as Civil Society Organizations which can be seen as a remnant of the perception that there is a clear cut distinction between the state and *civil* society.

[195] Briefcase association is an organization who had no grassroots relations at all but able to manage proper reporting and thus receive funds.

regarding the problematization of early marriage and suggested as a contribution to the solution of this problem of the Roman community.

In the proposal, early marriage presented as one of the main problems of the Roma community which requires immediate solving. The reasons of early marriages are listed in the proposal respectively as lack of education, lack of role model, gender inequality, culture, social discrimination, peer pressure, economic powerlessness, and as the main reason, unconsciousness. It is explicitly apparent that all these reasons listed above intertwine with each other in the discourse, that the cause effect bundles of each sense of "lack" get mixed up one another and therefore construct a needy position for the Roma community and render the volunteers' projects more urgent and meaningful.

Considering the discourse of the proposal, one can point out many issues. Firstly, the strong tendency to appoint "real people" who faced social problems as the reasons of such problems is obvious in this proposal. To problematize early marriage on the basis of "a lack situation" (lack of education, lack of role model, lack of gender equality, lack of conscious), and emphasize mostly on the unconsciousness of people as the main reason for early marriage actually have a weak connection with the reality of the people. Because, to marry at an early age, which is the only choice for most teenaged Romans who are already excluded from the educational system, is actually an economic survival strategy. Since the families think that there is no chance for a Romani to have a proper position within society by receiving an education, they encourage their children to start to work and get married during an early age. This decision could stem from living in harsh poverty conditions where child labor is an important contribution to the family budget. There, to marry at an early age and have children are perceived as a sort of sustainable economic strategy

147

in abject poverty. Moreover, as far as I have observed during this research, getting married is explained as a tradition. As one of my informants indicates

> We always marry in this way, this is the tradition. Well you're not going to get married you say? What will you do? You should have a child at the appropriate age, and live. When you get sick, when you age, 10 years, 20 years later, at least you can say that they will look after you (Personal communication, Subject 3, April 2013).[196]

Taking this expression into consideration, early marriage is suggested as a term of a natural flow of life. To marry in early age is not defined as a problem which should be solved immediately as the volunteers suggested, but rather, it is defended as a strategy for the coming future by planning to raise children in order to be cared by them. While this expression points out the culture of solidarity based on living together with an extended family and caring for family members, it also hints at a life cycle which is of around the Romani way of life.

Secondly, the Romani culture is also presented as an "underdeveloped" culture regarding early marriages, which should be intervened by volunteers immediately. By constituting Romani people as unconscious and having an "underdeveloped" culture which encourage the people to get married in early ages, volunteers legitimize their intervention on the basis of being conscious, who can deal with this problem immediately, and having the "developed culture", which has the proper behavior patterns. Thus, volunteers aim to raise awareness among unconscious Roma people who have an "underdeveloped" culture, in order to integrate them to society by means of providing a training program on early marriages by applying to programs of international funding organizations. However,

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[196]"Hep böyle, hep böyle evleniriz, adet bu. Hem evlenmeyeceksin de ne yapacaksın? vakitlice çocuğun olsun, yaşa, gör. Hastalandığında, yaşlandığında, 10 sene, 20 sene sonra, bari bunlar büyümüş olsun da baksınlar sana, dimi?"

aiming to raise awareness on early marriage actually promotes an imagined definition of ideal-acceptable Romani identity which is to reduce an ethnic belonging. This tendency has pointed to the Romans to become ethnically Roman, in other words normalized, by accepting the middle class developed culture. However, contrary to the expectations, as I have observed for two years in the field, the Roman identity is an outcome of multiple crosscuts of various living conditions. So, it is possible to assert that volunteers, who think that they prepare this projects on behalf of the integration of Romani people to the society, are actually serving for normalizing Romani people and forming their identity according to middle class truths.

After the problematization of early marriage based on unconsciousness of the people, the project proposal suggests training programs, which focuses on awareness raising and self-empowerment of Roma teenagers, as a solution for the mentioned problem. In the following pages, I will explain this training program briefly.

5.2.3. Training Programs

Since neoliberalism is a political rationality, which responsibilizes individuals against decreasing provision of public services, increasing poverty, and displaces the explanation of public problems form political and structural concerns towards level of individual success, it is expected an individual should be self-caring in taking responsibility for resolving the problems they have faced, and those who are in better conditions should be volunteers for the self-empowerment of others (İpek, 2006). As it is mentioned in the previous chapter, through self-empowerment and awareness raising programs, volunteers who have already learned how to do things

appropriately, find a suitable ground for "acting on the self", and develop strategies in order to conduct socially disadvantaged people's actions according to their expectations. Volunteers, in this context, do not restrict their activities to providing benefits or services, but expand their intervention fields for active engagement in these socially disadvantaged people in programs for reconstruction of their subjectivity as people who are rational, responsible, and able to control their life. However the idea of creating rational, responsible, capable, namely conscious citizens aims to turn Roma people into self-directed, self-activating, self-monitoring, self-regulating, self-responsible, flexible, and agile, and thus self-enterprising individuals. In a similar line, in the project proposal of fight against early marriage, there is a strong emphasis on the hope to make a contribution to the personal development of Roman teenagers by providing them several training programs for recasting Roma youth as self-efficient/self-reliant and self-responsible individuals, as volunteers' own words: "an educated and conscious individuals who can cope with the problems of life by their own" (Personal Communication, Subject 13, February 2013).

By blaming families who encourage their children to marry in early ages as irresponsible unconscious individuals, early marriage which is actually a survival strategy that stems from structural inequalities, reduced to an individual fault and a technical problem which can be corrected and solved by training programs. Parallel to this decontextualization of early marriage from a fact of structural inequalities to individual failures in other words the unconsciousness of the people, these training programs, which are proposed as a solution for the problem of early marriage, do not provide a radical critique of the very conditions that result in early marriages, but rather aim to recast Roma teenagers subjectivity by using the techniques of (1)

responsibilizing them for their future, (2) and creating hope regarding the future. In practice these two intertwine with other: the teenagers are expected to acquire qualities that will turn them into self-entrepreneurial subjects such as demanding, attempting, and willing individuals who see the coming future as the solution for their problems.

In the project proposal, several implemented training programs for fighting against early marriage, which are organized with the collaboration of other non-governmental organizations such as the Turkish Roma Youth, are mentioned. These programs are listed as capacity building seminars, Tacso leadership training, youth training, advocacy strategy seminars, and a theater play for children on early marriage. Moreover, project planning, entrepreneurship, CV preparation seminars are also known as commonly provided training programs. Although all these training programs do not have a direct link to the solution of the problem of early marriage, the idea that if Roma teenagers integrate to society they will overcome the social problems automatically, works here. Thus, these programs do not aim to early marriages directly, but rather they aim better integration of the Roma teenagers to the society as the unique solution of all the problems.

The common points of all the training programs are (1) to change the psychological states of teenagers by restoring a sense of self-esteem and teaching self-promotion for better integration to the market economy under the name of the society, and (2) to make the teenagers believe in the necessity of being self-sufficient, even though these programs have no influence on their socio-economic status and current problems. It is explicitly apparent that these programs are provided for giving pragmatic capabilities and the motivation that "you can do it if you want" and thereby these programs decontextualize the problems of Roma community and

redefines them on the will of teenagers. The optimistic expectancy of teenagers for a brilliant future becomes the main motive for doing whatever the volunteers suggest. The Roma teenagers become individuals who are politicized with the desire of developing oneself more and more to become successful. In this context, to provide an interest based, profit maximizing qualities by providing trainings, which prioritize pragmatism and individual capacity, is suggested as the only solution for overcoming the problem of early marriage. However, these training programs are not serving for ameliorating living conditions of Roma teenagers or reducing the discrimination against them within society, but rather these programs are acting on the "self" of the Roma teenagers and consequently changing them into self-entrepreneurial individuals as job seeking and demanding subjects.

To sum up, in this chapter I aimed to explain the non-governmental organizations and their activities which I mentioned generally in the previous chapter. First, by focusing on two well-known non-governmental organizations, Sulukule Volunteers Associations and Roman Right Forum, I explained the discourses in order to understand the legitimation of the interventions and the techniques for elucidating the process of subjectivity formation of the Sulukulelis. Second, while SVA provided a suitable ground for seeing the local level of conduct and conduct, ROMFO paved a way for drawing a wider frame of layered structure of localization of global NGO trends.

CHAPTER 6

CONCLUSION

The present study aimed to discuss the concept of neoliberalism and neoliberal globalization by focuses the operations of neoliberal apparatus in two intertwined grounds of globalization, urban transformation projects and non-governmental organizations. Sulukule is taken as a case to explicate the influence of neoliberalism on the local site.

First, this study provided a theoretical discussion on neoliberalism and neoliberal urbanism. In the first instance, neoliberalism is defined as a political rationality that requires not only the withdrawal of the state, but also re-engineering of it. By focusing on the regulations of the state, it asserted the state is positioned as a core agency of neoliberal globalization which serves for setting of rules, fabricating subjectivities, social relations and collective representations. In this context, it is asserted that the reconstruction of Sulukule started with several legal arrangements. Moreover, these legal arrangements also enabled local authorities to go into partnerships with the private sector. The legal arrangements on the implementation of urban transformation projects and public-private partnerships provided a suitable ground for the gentrification of Sulukule and the displacement and dispossession of the Sulukule residents. Within this process, authorities used the discourse of urgency as an instigative tool for accelerating and legitimating the implementation of the project.

Second, in order to understand the influences of this transformation project on the Sulukulelis, the history and the social fabric of the neighborhood is presented. Then, following the chronological records of the destruction process, in other words

the unequal encounters between Sulukulelis and the state, the study focused on the newly emerged *web of power relations* between the volunteers and Sulukulelis. Volunteers and NGOs, who did not leave the neighborhood after the destructions ended, gained a hegemonic position by constructing their subjectivity as capable citizens, who are conscious, responsible, and conscientious people. By discursively constructing their higher position against the Sulukulelis, volunteers legitimized and proliferated their intervention fields. After the gentrification process, the main concern for the volunteers shifted from saving Sulukule to empowering the Sulukulelis. In order to integrate the marginalized Sulukule people into the system as capable and self-reliant citizens who could stand on their own feet without the need of the state, volunteers tried to mold the attitudes of the Sulukulelis about working and individuality. Through techniques such as capacity building seminars, audit, paying per piece work, standardization, and radically different ideas about work, choice, individuality, production and power- the volunteers tried to turn the Sulukulelis into self-directed, self-activating, self-monitoring, self-regulating, self-responsible, flexible and agile, and thus self-enterprising individuals. Moreover, through empowerment techniques volunteers attempt to decontextualize and depoliticize poverty and prevent the development of politics of the governed. So, the assumption that the proliferation of NGOs signifies the democratization of the country, is challenged.

I aimed to problematize the neoliberal rationality which spreads within web of power relations which are formed around the state and volunteers. Within this problematization, the position of the state was so clear; as an abler implementer of neoliberal rationality, without any hesitation I posited the state as a governor. However, while I was trying to conceptualize the position of the volunteers, I had to

challenge those who maintain the volunteers were mainly leftist and anti-statist people who have good intentions and struggle against the capitalist state. During my fieldwork I realized that although the volunteers have good intentions, they *paradoxically* serve for formation of "modern" individual under total neo-liberal politics. This is not just because of volunteers' personal ambitions, but rather because they have already become neoliberal subjects. So, within the web of power relations emerged after gentrification, the already governed volunteers gained a governor position against "not yet governed Sulukulelis". Besides, this study neither ignore the existence or the possibility of Sulukulelis resisting any kind of oppression and placing demands on the political arena, nor disregard the unexpected consequences of NGO activities. Nevertheless, I endeavored to draw attention to the recent developments on neoliberal globalization which encouraged not just the state but also individuals for implementing bio-political concerns on a historically discriminated neighborhood in Istanbul. Because, I believe that interpreting and discussing the governmental strategies of the present are also significant.

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APPENDIX A

LETTERS

1.

SULUKULE: US Helsinki Commission letter to the Turkish Prime Minister

"The Turkish government should adequately compensate the Romani families and provide alternative housing to keep the community united now that their historic neighborhood is gone."

http://csce.gov/index.cfm?FuseAction=ContentRecords.ViewDetail&ContentRecord_id=753&ContentRecordType=P&ContentType=P&CFID=11428141&CFTOKEN=58672235

234 Ford House Office Building	www.csce.gov
Washington, D.C. 20515-6460	Media Contact: Neil Simon
Hon. Benjamin L. Cardin, Chairman	202.225.1901
Hon. Alcee L. Hastings, Co-Chairman	**May 20, 2009**
For Immediate Release	

U.S. HELSINKI COMMISSION CHAIRMAN CARDIN AND CO-CHAIRMAN HASTINGS CONDEMN TURKISH GOVERNMENT DESTRUCTION OF NEARLY 1,000-YEAR-OLD ROMA NEIGHBORHOOD

WASHINGTON—Senator Benjamin L. Cardin (D-MD), Chairman of the Commission on Security and Cooperation in Europe (U.S. Helsinki Commission) and Co-Chairman Congressman Alcee L. Hastings (D-FL), today released the following statements upon reports that the Turkish government completed the demolition of Sulukule, a suburb of Istanbul that has been home to the Roma minority since 1054.

"The bulldozing of Sulukule this week by the Turkish government shows a lack of regard for the Romani people, and sadly erases a centuries old fixture of Istanbul's history," Cardin said. "The Turkish government should adequately compensate the Romani families and provide alternative housing to keep the community united now that their historic neighborhood is gone."

"We are deeply concerned about the pattern of housing dislocation Roma are experiencing in numerous countries, brought on by everything from flooding to armed conflict to pure discrimination. When Roma are removed from their homes, often with no adequate alternatives, they are disconnected from schools, health care and a host of other public services, and get sucked even deeper into a vortex of

poverty – with predictable and disastrous consequences for families," Hastings said.

"The destruction of Sulukule to make way for new, higher-priced, villa-style homes that Roma could not afford to purchase is especially regrettable because it occurs at a place this Romani community has called home for nearly 1,000 years," Cardin added.

The unfortunate outcome of this so-called urban renewal project is not only the destruction of this historic neighborhood, but the forcing of 3,500 Sulukule residents 40 kilometers outside of the city to the district of Tasoluk or onto the streets.

"We urge all OSCE participating States to honor the commitments adopted at the 1999 Istanbul Summit and in other OSCE documents to ensure Roma are treated with dignity and respect," said Co-Chairmen Cardin and Hastings.

2.

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September 14, 2006
Budapest/Istanbul

Honourable Prime Minister Erdoğan,

We, the undersigned organizations write to you to express our concern about the
recent wave of forced evictions resulting from urban renewal and rehabilitation
projects which gravely affect hundreds of Romani families in Istanbul and elsewhere
in Turkey. The European Roma Rights Centre (ERRC) is an international public
interest law organization aimed at combating anti-Romani racism and human rights
violations against Roma. The Helsinki Citizens' Assembly works to advance

peaceful political debate, democratization, civic engagement and human rights in Turkey and the neighboring region, aiming to build a "wider Europe" from below. The Accessible Life Foundation (UYD) supports disadvantaged communities in Turkey to ensure better access to social and economic rights. The Sulukule Roma Culture Association is a Roma civil society organization established with the aim of combating prejudice and discrimination against Roma in Turkey and promoting tolerant relations between Roma and other communities.

On the basis of an ongoing monitoring of the situation in several neighbourhoods in Istanbul with large numbers of Romani residents as well as a number of field research missions, we note that forced evictions of Roma have been carried out in gross violation of Turkey's obligations under international human rights law. Our fact finding missions show that, numerous Romani individuals, including children, are currently facing homelessness and deprivation of basic rights as a result of forced evictions. Forced evictions of Roma are sometimes reportedly accompanied by police violence and executed in contravention to due process guarantees.

The gravity of the reported human rights violations against Roma in Turkey calls for your urgent attention and interference to halt the execution of forced evictions until a reasonable solution to the housing situation of the Romani families is found.

Below we provide a summary of our findings based on the testimony of Romani individuals who have been affected and/or threatened by forced evictions.

According to reports, on July 20, 2006, police and municipal officials demolished 120 houses of Roma in Küçükbakkalköy neighbourhood, in Kadiköy, Istanbul, as part of the Urban Transformation project of the Istanbul Metropolitan Municipality. Part of this neighbourhood used to be home to about 200 Romani families. As of July 26, 2006, nine Romani families had remained at the spot after the demolition due to lack of alternative housing provisions. The families were reportedly provided with monetary compensation from the municipality and were given a notice to vacate the area by August 15, 2006. As of July 26, around 30 Romani individuals were living in extremely substandard conditions in makeshift structures, amidst piles of rubble and trash. There was no running water and sanitary facilities.

According to the testimonies of Roma, in November 2005, municipal officials notified the inhabitants that they had to leave the area due to the forthcoming reconstruction project. At that time most of the Romani families who had legal documents for their houses sold the houses to a company which had obtained permission to construct apartment buildings in the area. A number of Roma did not agree to sell their houses because the houses were very small and the money received for them would not have been sufficient to buy another house or even rent a house for more than a very short period of time. The families who did not sell their houses remained in the area despite the eviction notice. Several Romani families who had no property and were tenants also remained in the area. Their houses were destroyed during an eviction operation on July 20, 2006.

A middle-aged Romani woman testified that during the July 20, 2006 eviction action, police entered the neighbourhood in the early morning hours, reportedly around 5 am, and ordered the Roma to leave their houses. The people were not allowed to take

any belongings with them. Police then proceeded demolishing the houses, burying inside furniture, personal belongings and documents. Several persons testified that the police used pepper gas to force people out of their homes. The pepper gas had reportedly caused health problems for children in the days following the eviction. Several Roma also testified that police officers attempted to instigate Roma to violence against the police telling them, "Defend yourselves so that we can hit you!"

In the absence of adequate social support and/or alternative accommodation, the evicted families are faced with homelessness and severe deprivation of basic rights. It was reported that municipal officials visited the community after the July 20 eviction and offered compensation to the families whose houses were destroyed. According to the families that compensation was far from enough to buy or rent a new house. Some of the families who were tenants and who did not own any property reportedly did not receive any compensation.

A separate, but apparently related eviction affected Romani families living in Hasanpaşa neighbourhood, Kadiköy district of Istanbul. As of July 8, 2006, approximately 10 families lived on a very large vacant lot near Fenerbahçe Deresi. The area which looks like a trash dump with bottles, soda cans, plastic and paper scattered around, is fenced in and located just below several middle-class apartment buildings and car repair shops. Families lived in shelters made of canvas and rope tied to trees, about 1.3 meters high and 2 meters wide. There was no electricity and running water. Drinking water was kept in an open jug. According to the testimony of a 50-year-old Romani woman, in the winter of 2006, on a snowy day, municipal bulldozers leveled the shacks of around 40 families who used to live in that area for around 70 years. The Roma were given a deadline of 15 days to leave the place. After the expiry of the deadline, in the early morning hours, approximately 7-7:30 am, while many people were still in bed, around 200 police circled the area. Then four bulldozers proceeded to destroy the houses. The families were not given time to collect their belongings from inside. Furniture, personal belongings and documents were destroyed together with the homes. Some of the families left the area after the destruction of the houses. Around 10 families assembled shelters and remained on the spot. Several Roma stated that they were determined to remain where they were because they had no other place to go and could not afford to pay rent or buy a house. They were reportedly not offered any help from the municipality. One man alleged that after the winter eviction he requested help from the municipality but was turned down by a municipal official. Roma testified that in the recent weeks officials from the municipality visited them threatening them with a new eviction.

As of July 9, 2006, around 60 Romani families lived in simple makeshift shelters in Yildizbakkal, another area of the Kadiköy district. The families lived on a small plot of land surrounded by large apartment buildings, houses, cranes and construction equipment for a new office building. Some families have lived on that spot reportedly for as much as 60 years. Others have arrived in 1999 from Küçükbakkalköy neighbourhood, after being forcibly evicted.

According to the testimony of local Roma, the Kadiköy Municipality owns the land in Yildizbakkal and wants to develop the land into office space. Three months previously, municipal representatives evicted eight families in the neighborhood. People who had title deeds for the property were reportedly provided with

compensation, while tenants were not given any compensation or offered alternative housing. Some Romani families rent houses from family members or friends for symbolic prices, around 15 Turkish liras per month (approximately eight Euros) and fear that if they are evicted from this place they would not be able to afford renting a house elsewhere as prices are much higher. Romani people stated that they expected more evictions in the near future. They believed that the evictions halted temporarily because of the approaching local elections. The families had not yet received official eviction notices but municipal representatives had reportedly visited them and notified them about the pending eviction. One Romani couple testified that they did not own property and if they were evicted they would have to build a tent and continue living in the same area.

Another area targeted for forced eviction actions is the Hatice Sultan (Sulukule) neighbourhood in the Fatih Municipality of Istanbul. The neighbourhood is a historical site where Roma have lived for centuries since their arrival in the European continent in the 11th century. It may in fact be the oldest Romani settlement in Europe. According to information by local Romani community members, 571 households, most of them Romani, including more than 1000 families, are facing forced eviction scheduled for September 2006, due to renovation of the area as reported by media sources. In October 2005, the Fatih Municipality considered plans to rehabilitate and develop the area. On July 13, 2006, the Türkiye Toplu Konut İdaresi (TOKI) and Fatih Municipality signed an agreement for constructing new buildings in the area, involving, reportedly, the demolition of the existing houses. According to the representatives of the Sulukule Roma Culture Development and Solidarity Association, the decision to evict the families in Sulukule was made without a feasibility study or any consultation with community members about alternative solutions. Since October 2005, the Fatih Municipality reportedly undertook to notify the families residing in the area about the urban renewal project which involves their eviction.

An issue of serious concern is the lack of adequate alternative housing provisions for large numbers of families who will be affected by the eviction. The number of individuals who have title to land or ownership of property is reportedly around 300. Several thousands of individuals, who do not own property and are therefore not eligible to compensation after the eviction, would be required to move to social housing and pay rent. Many people, who do not have regular jobs or any jobs at all, may not be able to afford the cost of renting housing or buying one. Following the eviction, these individuals may be rendered effectively homeless.

Forced evictions are also reported in other parts of Turkey. According to information obtained by the Istanbul-based civil society organization Accessible Life Foundation, in the period May-August 2006, the following cases of forced evictions have occurred:

- In Ankara, in the Aldındağ Municipality, Gültepe neighbourhood, 170 houses of Roma were destroyed and destruction of further 400 houses is pending;
- In Ereğli/Zonguldak, Müftü neighbourhood, a two-storey building, home to about 45 Roma, was destroyed.

Honourable Prime Minister Erdoğan,

The practice of forced evictions violates a number of international law commitments of the Republic of Turkey. Most notably, Turkey is bound by the International Covenant on Economic, Social and Cultural Rights (ICESCR), which states, at Article 11(1), "The States Parties to the present Covenant recognise the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions. The States Parties will take appropriate steps to ensure the realisation of this right, recognising to this effect the essential importance of international co-operation based on free consent."[197]

Evaluating in its General Comment 7 the relationship between the right to adequate housing (including, as noted above, the element of legal security of tenure) and the issue of forced evictions, the United Nations Committee on Social, Economic and Cultural Rights (CESCR) held that "forced evictions are prima facie incompatible with the requirements of the Covenant."[198] General Comment 7 defines, at Paragraph 3, forced evictions as "the permanent or temporary removal against their will of individuals, families and/or communities from the homes and/or land which they occupy, without the provision of, and access to, appropriate forms of legal or other protection." Finally, at Paragraph 16 of General Comment 7, the Committee stated: "Evictions should not result in individuals being rendered homeless or vulnerable to the violation of other human rights. Where those affected are unable to provide for themselves, the State party must take all appropriate measures, to the maximum of its available resources, to ensure that adequate alternative housing, resettlement or access to productive land, as the case may be, is available."

In addition, the CESCR has emphasized that special attention should be accorded to vulnerable individuals or groups, *inter alia*, ethnic and other minorities, since often these individuals and groups suffer disproportionately from the practice of forced evictions.[199]

The CESCR has recommended a number of procedural protections in relation to forced evictions. These include, "(a) an opportunity for genuine consultation with those affected; (b) adequate and reasonable notice for all affected persons prior to the scheduled date of eviction; (c) information on the proposed evictions, and, where applicable, on the alternative purpose for which the land or housing is to be used, should be made available in reasonable time to all those affected; (d) especially where groups of people are involved, government officials or their representatives should be present during an eviction; (e) all persons carrying out the eviction should be properly identified; (f) evictions should not to take place in particularly bad weather or at night unless the affected persons consent otherwise; (g) the provision of

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[197] Turkey ratified the CESCR on December 23, 2003.

[198] "General Comment No. 7 (1997), The Right to Adequate Housing (Art 11(1) of the Covenant): Forced Evictions", adopted by the UN Committee on Economic, Social and Cultural Rights on 20 May 1997, contained in U.N. document E/1998/22, annex IV.

[199] CESCR. General Comment 7, paragraph 11.

legal remedies; and (h) the provision, where possible, of legal aid to persons who require it in order to seek redress from the courts."[200]

The UN Commission on Human Rights has affirmed that the practice of forced evictions constitutes a gross violation of human rights, in particular the right to housing.[201] Furthermore, the UN Sub-Commission on Prevention of Discrimination and Protection of Minorities has reaffirmed, "the practice of forced eviction constitutes a gross violation of a broad range of human rights, in particular the right to adequate housing, the right to remain, the right to freedom of movement, the right to privacy, the right to property, the right to an adequate standard of living, the right to security of the home, the right to security of the person, the right to security of tenure and the right to equality of treatment [...]."[202]

In addition, a number of provisions of the European Convention on Human Rights provide protections against forced evictions and other core elements of the right to adequate housing. Article 8(1) of the European Convention on Human Rights sets forth the following guarantees: "Everyone has the right to respect for his private and family life, his home and his correspondence." Article 8's protection encompasses *inter alia* the following rights: the right of access[203], the right of occupation[204], and the right not to be expelled or evicted, and is thus intimately intertwined with the principle of legal security of tenure.[205] Further, the European Court has developed extensively under its Article 8 jurisprudence the concept of "positive obligations", under which a Contracting State must not only restrict its own interferences to what is compatible with Article 8, but may also be required to protect the enjoyment of those rights and secure the respect for those rights in its domestic law.[206] In addition, protections available under Article 1 of Protocol 1 to the European Convention -- guaranteeing the peaceful enjoyment of one's possessions -- have been interpreted to

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[200] CESCR. General Comment 7, paragraph 15.

[201] UN Commission on Human Rights. Resolution 1993/77, paragraph 1.

[202] UN Sub-Commission on Prevention of Discrimination and Protection of Minorities. Forced Evictions: Sub-Commission resolution 1998/9 (E/CN.4/SUB.2/RES/1998/9). August 20, 1998, paragraph 1. Furthermore, international bodies have ruled that, in certain instances, forced evictions and the destruction of property amount to cruel and inhuman or degrading treatment. For example, in the case of *Selçuk and Asker v. Turkey*, the European Court of Human Rights ruled that the destruction of houses and the eviction of those living in them constituted a form of ill-treatment in violation of Article 3 of the European Convention for the Protection of Human Rights and Fundamental Freedoms (Judgement of 24 April 1998, Appls Nos 00023184/94 and 00023185/94). Similarly, the UN Committee against Torture (CAT) has ruled that, under certain circumstances, destruction of property may amount to cruel and inhuman or degrading treatment in violation of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Committee against Torture. Communication No 161/2000: Yugoslavia. 02/12/2002. CAT/C/29/D/161/2000 (Jurisprudence)).

[203] *Wiggins v. United Kingdom*, No. 7456/76, 13 D & R 40 (1978).

[204] Ibid.

[205] *Cyprus v. Turkey*, 4 EHRR 482 (1976).

[206] E.g. *Costello-Roberts v. United Kingdom*, March 25, 1993, Series A, No. 247-C; 19 E.H.R.R. 112, para.26.

include the protection of housing rights.[207] In some circumstances, forced evictions and extreme housing conditions may rise to the level of cruel and degrading treatment or punishment, as banned under Article 3 of the Convention.[208]

Forced evictions have implications well beyond the act itself, and frequently result in a range of consequences triggering violations of civil and political rights, as well as other economic and social rights, *inter alia*, the right to life, the right to security of the person, the right to non-interference with privacy, family and home, and the right to peaceful enjoyment of possessions, the right to an adequate standard of living, the right to security of the home, the right to security of tenure. It is imperative that legal protection is afforded individuals against unjust evictions from their homes and/or land and that legal redress be made available for victims of illegal forced evictions. When forced evictions are unavoidable, state authorities must ensure that suitable alternative housing solutions are provided. In cases of justifiable evictions, it is incumbent upon state authorities that said evictions be carried out in a manner according to relevant law and that legal remedies and recourses be made available to those affected. Prior to carrying out forced evictions, all possible alternatives must be discussed with the affected persons in order to prevent the use of force.

Finally, the serial targeting of Romani settlements for forced eviction gives rise to serious concerns that these actions are racially discriminatory. Racial discrimination in the field of housing is banned under a range of international law provisions in effect in Turkey, including but not limited to:

- Articles 2 and 26 of the International Covenant on Civil and Political Rights;
- Article 2(2) of the International Covenant on Economic, Social and Cultural Rights;
- Article 5(e)(iii) of the International Convention on the Elimination of All Forms of Racial Discrimination;
- Article 16 of the European Social Charter.

Finally, banning discrimination in housing and providing effective legal means for victims to secure due legal remedy is a requirement of Turkey's obligations in the context of efforts to join the European Union, as a result of Council Directive 43/2000 "implementing the principle of equal treatment between persons irrespective of racial or ethnic origin".

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[207] See *Öneryildiz v. Turkey*, 48939/99 [2002] ECHR 491, 18 June 2002, paras. 28, 80, 86.

[208] See *Mentes and Others v. Turkey*, 58/1996/677/867 and *Selcuk and Asker v. Turkey*, 12/1997/796/998-999.

Honourable Prime Minister Erdoğan,

We urge your Government to take into consideration the situation regarding the urban development projects that have a grave impact on Roma communities in Istanbul and Turkey, to cease the forced evictions forthwith, and, to design and implement an acceptable solution of the housing situation of the affected Roma, in consultation with the communities concerned. Furthermore, we urge you to ensure that the Romani families whose home have already been demolished be immediately provided with alternative accommodation as well as with due compensation for the loss of and/or damage to their property.

Yours sincerely,

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Executive Director, European Roma Rights Centre

Ümit Fırat
Member of the Board of Directors, Helsinki Citizens' Assembly

Belgin Cengiz
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Sükrü Pündük
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3.

FREE RESPONSE QUESTIONS TO THE MINISTER OF CULTURE

Ertuğrul Günay, the Minister of Culture and Tourism Affairs responding to a parliamentary query motion about the urban renewal project in Sulukule has revealed that the district will be reshaped with an Ottoman architecture and that these building types had been determined by the project designers who are professors in universities.

We would like to state that these explanations of the Minister are not a response to the questions in heads but in direct contradiction they are words which give rise to anxiety.

HISTORY

1. Each one of the urban renewal projects prolonging among the Historical Peninsula at the center of Istanbul which is named to be one of the two residential areas with a history going back to thousands of years in the world could be qualified as an architectural scandal.

For example the registered buildings in excellent condition having demolished to meet with the investment requirements of the new owners and having bowdlerized from the people by Kiptaş[209] in Süleymaniye displays how a city such as Istanbul has been delivered to a constructor judgment. Even the Conservation Committee which had confirmed the Süleymaniye Project has announced a crime report about these demolitions, unfortunately when it was too late, in order not to participate to a crime or because the mass killing of historical buildings made even their heart ache in real. Because as it is the case, the committees are serving to "renewal through demolishing" rather then "conservation"…

Even demolishing the registered buildings at the districts and building Ottoman style houses instead without attaching any importance to the UNESCOs' notifications is an indication that the residences are made for the new owners. Because the "clients" who receives the information that this area will become valuable from "inside" and making investments accordingly do not prefer the old buildings.

As a matter of fact setting the number of the registered civic architecture examples low from what they actually are, ignoring the tens of other houses exactly at the same qualifications in the Sulukule project indicates this, too.

Why does the dear Minister who is a public servant at a top executive position about culture supports this barbaric architecture application which aims only to transform the physical locality with a constructor judgment that ignores culture?

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[209] Kiptaş is an institution of Istanbul Metropolitan Municipality which deals with the planning, development and construction of public facilities.

2. The scandal which has been lived at the hotel construction in Sultanahmet is about to be repeated in Sulukule this time. Underneath the houses has been envisaged to be car parks in the project. However it is known that the district has been a very important residential area during the Byzantine and Ottoman times. The UNESCO convention which Turkey has signed at 1982 says that new constructions cannot be made without searching the architectural substances under the ground. Beside the construction facilities to be implemented at the districts where the city walls are should be conducted via communicating with the DKMK according to this convention. In addition, the TR laws entail to consider the international standards.

However the remains at the district have never been searched. The existence of Deuteron Palace built in 569-570 in Sulukule is a very high probability according to some sources.

Building a swimming pool complex two years ago over a Byzantine cistern which ones upon a time collects the water of Lycos valley coming from the Bayrampaşa ridges and gives Sulukule its historical name is another scandal... What a coincidence that the construction of this complex encounters with those days when Sulukule was announced to be a renewal area! To take the attention of investors, to raise the value of the district and to create an attraction center to the new residents who are to be settled in the neighborhood instead of Roma who will be displaced as a result of the project... Once you build a shopping center and a hotel alongside, here you have culture, "modern" renewal!.. Moreover "social", too!..

There is no need for an archeological digging for now according to the Fatih Municipality and to the project of course. But, if something hits to the excavators, dozers during construction diggings what to do will be decided then! Or, like as it is the case with Sultanahmet example, are the remains will be destroyed freely through rotating curtains all over the district?

SOCIAL, ECONOMICAL, CULTURAL PROBLEMS

3. What can be expected from a "social" project apart from displacing, forcing people to change their life and environment and destroying the culture in there which has been developed through ignorance, lack of knowledge or manipulation and many blunders all of which presents the people leaving in Sulukule for hundreds of years as destructive people?

- Take the mentality of qualifying them as "black and dark skinned citizens" and judging them by saying "they are doing bad things" as if he is a prosecutor and a judicator both (TOKI president Erdoğan Bayraktar, Ekonomist Magazine 12 November 2007);
- Take the perception of identifying the NGOs which struggles to realize the project with the participation of the residents and the non-governmental organizations as "provocateurs and inflammatory people trying to gain more benefit" (The press conference of AKP Member of Parliament Mehmet Müezzinoğlu and Fatih Mayor Mustafa Demir, Yeni Şafak newspaper 27 December 2007);

- Take the public-owned corporation director who tries to present the demonstration of NGOs against the renewal projects to the public as the mobilization of "drug and woman dealers" so as to protect their own benefits (again the president of TOKİ, Milliyet Newspaper, 18 November 2007);
- Take the Fatih Municipality which bets that the residents in the district are "extremely ashamed of" being mentioned as Sulukule without even knowing that this explanation both humiliates the people living in Sulukule and the name of Sulukule itself which comes from the history or take the works of the municipality in confirming the displacing and demolitions by telling that the Sulukule was once a district where middle and upper Ottoman classes used to live in despite all the historical data (http://www.fatih.bel.tr/kate_detay.asp?id=46&tur=387)

4. The life economy in the district is also made upside down, the work sources borne from living together and the ways to reproduce their culture are intercepted, too. Forcing people to sell their houses, forcing the renters to relocate is against the living, housing and human rights. It is for sure that Roma culture which has been sustained through living together in solidarity will not be sustained for a long time if they are divided and distributed. This application is an open discrimination and assimilation.
How could a culture minister support this discrimination and the destruction of a culture which goes back to at least one thousand years?

5. On the other hand, the ones who announced the district as a renewal area, the ones who exists in the decision making bodies related with the project, the ones who makes investments to the region are either the same people or the relatives of them in the same political parties. Moreover they even have arguments among themselves for annuity (http://www.haberfatih.com/detay.asp?hid=1213).

How could a culture minister take no notice of destroying such a neighborhood for annuity which has fulfilled a high empire once with its melodies, which is unique in the world for its internationally accepted music, which has raised many musicians famous worldwide?
Why doesn't he makes any comments on or struggles to sustain this place with its residents and develop it by making it a culture and tourism center?
Why doesn't he demand a project not for renewing or "gentrification" but for "improving"?

ARCHITECTURE

6. The minister says that the city walls have been taken into account as clearance limits in the works of the board. Could such an approach be sufficient for a subject related with culture? It should be necessary to look at the walls as a management area. The City Walls of Istanbul are the only example in the world which has protected its historical topography with its garden wares, statutes and neighborhoods.

Someone cannot approach to a cultural heritage with a simple mass housing administration method, with a business center, holiday village, residences that is to say one type, homogenizing architecture and city planning mentality. However the Sulukule project foresees to fit a mass housing system in there like a patch.

7. What does Ottoman architectural style mentioned in the explanation of the minister means? Which period's Ottoman style is taken into account for Sulukule? Could a culture minister use such an idea related with architecture and urban design without questioning and ignoring its public function?

The results of the projects which closes the architectural thoughts and questioning areas under the headline of "residences harmonised with the city walls", which are produced with "I did it and it is done" mentality is known very well. Working to transform a city like Istanbul from such a limited perspective, with a constructor mentality trying to homogenize without a management plan, through transgressing the international norms, laws, ignoring participatory, without opening it to creative ideas will only result in enriching just a little minority as it was the case in the other bolt from the blue applications in the past.

However the developed world has already given up such methods by acknowledging their results as they are the same everywhere.

Hoping to have the projects made for people.
Sulukule Platform

4. An open letter from Sukru Punduk, born on 1/1/1968 in Sulukule, living at Edirnekapi Kaleboyu Cad. Zuhuri Sok. No: 5. The people in neighbourhood began to settle in the quarter around 1054 in Byzantium times. After the arrival of the Ottomans in 1453, the Roma community remained there and many of the Romani people passed through to Europe from Sulukule. The neighbourhood is next to the historical city walls in the district of Fatih. There are approximately 3500 Romani people living in the neighbourhood, which was approximately 10.000 before the forced eviction policy of the Fatih municipality began in 1992. The municipality suddenly closed down the music and entertainment venues, arguing that they were not paying the entertainment taxes and that they could not organise such entertainment in this neighbourhood. However, we were supposed to be the tax 'champions' (i.e. paid the most in taxes) since we were paying the entertainment taxes without receiving the tax boards (the official document testifying to the payment of taxes given by the authorities). Therefore the people living in the neighbourhood became unemployed and thus became unable to pay their electricity, water and heating expenses and the neighbourhood is not able to receive such services. Now the municipality of Fatih is determined to demolish our houses for which we have registry records in hand received in 1983 and 1984 with the imar affi, the period when all illegal building could be registered and granted an amnesty, thus legalizing their status by payment of their land values. These events, should be considered as a part of a conscious process of removal of Romani communities from the city centre. We, the Romani people living in Sulukule are suffering from the abuse of our basic rights such as property rights, our right to have a decent job and our right to access clean water and electricity.

The number of houses to be demolished is around 571, which is around 8000 square meters in total. We have read in the newspapers and seen on the TVs that the municipality has a development plan for the neighbourhood. Therefore we asked for a meeting with the Mayor of Fatih municipality, Mustafa Demir. We were 17 people from the neighbourhood in November 2005, who met with the mayor. 251 people were landowners and 320 are tenants at that moment. The Mayor said that the houses in the neighbourhood are going to be demolished and this area was declared as an area of urban renewal. He offered new houses to the tenants without going through the usual 'lottery' for public housing that exists here in Turkey, in Tasoluk, which is around 2.5 hours from the city near by Gaziosmanpasa. The houses in Tasoluk are going to be built by the Prime Ministry Housing Development Administration, known as TOKI in Turkish However, it is not certain what the cost of the new houses will be, and therefore we do not know how we are going to be supposed to pay the rent. On the other hand, the occupations that people living in Sulukule can no longer be practiced in these houses which will result in the burden of an unknown time of rent payment under unemployment. The Mayor offered two options. Firstly, this was to buy their lands based on an uncertain amount of money per square meter. The second option was to offer houses to be paid for over 15 years after deducting the land value. Our problem is the uncertainty of the situation. There is no concrete project or prices to be offered for our lands and therefore we are unable to decide what to do. We have offered the municipality to build our own houses and to develop a common project. But the municipality has refused our proposal.

Afterwards the municipality sent us individual invitations in July 2006, to explain the situation that we have spoken about before. They based their argument on the decision of Council of Ministers, which asks to determine the urban renovation areas, under the law number 5366. They declared that towards the end of August 2006 we will receive the demolition decisions. So far none of the people from the neighbourhood have received any declaration, however there is an important concern within the neighbourhood considering the fact that there is no concrete solution to the problem and that there are serious demolitions taking place in Kucukbakkalkoy and Yahya Kemal Romani neighbourhoods of Istanbul. In these neighbourhoods the municipalities are demolishing houses for which there are registry records and not offering any solution aside from forcing these people to live in their own ruins. We, the people living in Sulukule, do not want to leave our houses. In the 1960s people from Sulukule were forced to go to Gaziosmanpasa. There is a Romani community living at this neighbourhood under the threat of demolition from Gaziosmanpasa municipality. Therefore forced migration is not the solution to the urban renewal project. We are asking not to be removed or to be forced to live in apartments, which we are not used to. We are willing to keep on living with our instruments, dance and music in the neighbourhood where our ancestors settled a thousand years ago. We do not want to see ourselves as excluded people from the community, neither we are willing to migrate from our lands. Therefore we are asking from organisations and individuals to support us in our struggle against this process of forced migration. We demand lawyers and journalists to come and see the situation and document what we are living.

We will appreciate organisations in Europe or elsewhere to send questions about this situation in Sulukule to Turkish embassies and consulates abroad. We would also highly appreciate your letters of support to our community to feel that we are not alone in this struggle and that the solidarity among people is possible. Sulukule Romani Culture Solidarity and Development Association President

CHRONOLOGY

1.

SULUKULE İN THE LAST 5 MONTHS

Hacer Foggo- Nese Ozan (Sulukule Platform Activist)

The Sulukule district (Neslisah ans Hatice Sultan Neighborhoods) has a total population of approximately 5000 people, roman people comprise seventy percent of this population. An important aspect of this district is that most residents have relatives living close by within their neighborhood. According to research carried out by the Sulukule Platformu, seventy-six percent of the population has been born in district neighborhood. Sulukule Platformu is a volunteer organization made up of NGOs, academics, engineers, journalists, and many other types of people who desire to help Sulukule; this group allows these people to be unified.

The Fatih Municipality has decided on expropriation of the roman population, however this ruling has not yet been implemented. This decision incited anxiety within neighborhood populations, resulting many of them to sell their homes to 3rd parties. According to the ruling, expropriating offices have the privilege of not paying homeowners the full value of the homes they acquire, but rather giving payments over five years via installments. While people fearing the effects of this law sold their houses and this created the rent environment. The project was changed as a result of this situation. Not on behalf of the people who were living in the neighborhood, but rather the new owners who had recently bought a house from the local Roman far below market value.

According to research made in September of 2007, 'municipality (representatives) told fifty-four percent of the house holders that their houses will be expropriated if they do not agree (to prices set)'. Within the same study we noted twenty percent of people surveyed sold their homes to third parties. Sixty-two percent of people surveyed did not want to agree to the villas that the municipality would build in Sulukule because of low economic conditions. The neighborhood residents' income is less than 120 Euros per month for 1/3 of the population, and ½ have less than 220 Euros income a month.

According to recent updates, 400 of the 620 houses in the project have been sold to some people not from Sulukule district. The remaining 220 homes are under the threat of expropriation. An obvious observation is that this project has been done for third parties and corporations that the Sulukule locals want to be sent away.

-The Culture and Tourism Ministry Istanbul Renewal Areas Protection of Cultural and Natural Heritage Regional Committee which is commissioned to examine and

confirm the first draft project made prepared by AARTI company by Fatih Municipality has visited Sulukule for the first time on **1 November 2008** upon the petition Sulukule Platform had had given.

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Platform had a meeting at the neighborhood coffee house that Sulukule locals, Commission members and Municipality representatives attended. Locals indicated that they are against to the project, they want the renewal without forcing them to move out.

The residents left the meeting with hopes that the Renewal Board will listen to their demands however the next day on 2 November 2008 they heard that the Renewal Board had confirmed the draft project.

-13 November 2007: Twenty-five people from the Sulukule Association and the other neighborhood residents presented eighty-four petition signatures to the Turkish Republic's National Assembly of Human Rights Commission regarding to problems in Sulukule. On that same day, CHP (Republican Public's Party) Istanbul representative Cetin Soysal delivered a speech at the National Assembly and said the "Fatih Municipality should remember that they are doing this project for the people. Without giving more pain to the locals here, considering their income level should create a life style that is comparative to their culture". Environment and Forestry Minister Veysel Eroglu answered Cetin Soysal and mentioned that Sulukule people were not being treated unjustly; the Fatih Municipality prepared the project by talking with people living there and giving his personal endorsement of support.

-20 November 2007: AKP (Justice and Development Party) Fatih District Board Member Lawyer Recep Karaoğlu, resigned from his party after it was made public, via news reports, that he bought homes in Sulukule, further contributing to the large percent of rental properties. With his explanation speech after he resigned Recep Karaoğlu called for the resignation of other party members who bought houses from Sulukule.

-23 November 2007: By the request of the Sulukule Platform, Renewal Committee members, neighborhood representatives and Municipality authorities met. The Municipality members wanted a coalition to solve the social problems that the project will create. Platform and neighborhood representatives indicated willingness to form a shared coalition. Requests for a signed protocol were made which would clarify the mission and responsibilities of the commission. The platform then presented the proposal to the municipality for review.

-3 December 2007: Sulukule project was discussed at the Fatih Municipality Assembly. AKP (Justice and Development Party) Assembly member Koksal Ozer characterized Sulukule residents as "(those) who have natural, inborn tendency for prostitution".

-4 December 2007: The Fatih Municipality organized a lottery for the apartments, which were constructed by TOKI, at the area named Tasoluk. Tasoluk is thirty kilometers away from Sulukule. People who live and pay rent in Sulukule could put

their names on the list for the homes in Tasoluk. After the first lottery, 204 renters from Sulukule were destined for homes to move into located in Tasoluk. As for the remaining renters, the Municipality said there will be another lottery in the upcoming weeks.

Renters are going to be able to own the lottery apartments by paying between 275 YTL and 475 YTL every month, depending on size of the apartments, over a fifteen year period. Municipality notices the contracts will be ready in upcoming days, and renters will sign paperwork with the bank. The lottery revealed the Municipalities intensions of moving renters from Sulukule. Renters currently compose nearly 2/3 of the neighborhood.

-7 December 2007: At Zübeyde Hanım Culture Center, the Municipality and Sulukule Platform met. Renewal Commission members, academics, Sulukule Association, neighborhood residents and Platform representatives attended as well as AKP neighborhood presidents from different areas of Fatih district.
A second association named Neslisah Neighborhood Association had opened nearby. Representatives of the new association criticized Roman culture in Sulukule during their opening speeches. They also spoke of helping third parties to buy houses from the neighborhood. The Fatih Municipality did not sign the protocol offered by Sulukule Platform that was offering partnership.

-10 December 2007: The first draft project confirmed by the Renewal Board has been put to vote and accepted by the Fatih Municipality Board

-18 Aralık 2007: Istanbul Chamber of Geology Engineers office delivered a report about the geological situation of Sulukule. According to the report, the area does not have any risk of possible earthquakes and there is no need for prevention policies in the area. Yet possible earthquake danger for the neighborhood was a reason for the Municipality's project.

-26 December 2007: TBMM İ(Turkish National Assembly) Human Right Commission had a meeting to discuss petitions of Sulukule residents. The Fatih Municipality, Sulukule Roman Association, Platform representatives, Hatice Sultan Neighborhood mukhtar, Neslisah Neighborhood Association, and Amasya Ormanonu Village Association were invited to the meeting. However, complaints about residents of Sulukule were discussed more than complains of Sulukule residents. Hatice Sultan Neighborhood mukhtar, Neslisah Neighborhood Association, and Amasya Ormanonu Village Association said there is prostitution and drug trade in the neighborhood. They alleged that there is no such a thing called **culture** in Sulukule.
President of the Municipality explained the project.

-31 December 2007: Sulukule Association and neighborhood representatives formed lawsuits for Sulukule Projects cancelation.

-January: During the whole month, the Fatih Municipality called house owners in Sulukule to come to meeting and discuss issues which had not been resolved. Some

house owners agreed with the Municipality during this meeting on the purchase of apartments for a 15-year payment plan.

-4 January 2008: Sulukule Platform applied for official registration to Renewal Commission for the 85 houses that were categorized as civil engineering cultural heritage examples. In the project there were only 33 houses that were offered as cultural heritage examples.

-8 January 2008: Culture and Tourism Minister Ertuğrul Günay answered Cetin Soysal's proposition about the Sulukule project. He explained the neighborhood will be reshaped; and that new houses were going to be examples of Ottoman engineering which were designed by university teachers.
Sulukule Platform commented on Presidents explanations.

-17 January 2008: The Fatih Municipality put fire to a house, burning what had been offered for official registration as cultural heritage example by Sulukule Platform.

-18 January 2008: TBMM Human Right Commission decided that there is no human rights violation in Sulukule and closed the case. In protest, Sulukule Platform published an article explaining their side.

-30 January 2008: UNESCO World Heritage Center Europe and North America Center President Mechtild Rossler stated that they defined 35 dangerous areas in Istanbul, which they will monitor, their observations are intended to aid their later decision in July for World Heritage list.

Mechtild Rossler said to NTV television reporter that "There should be more projects regarding different cultural and historical neighborhoods. For example: Sulukule, Beyoğlu and Süleymaniye. The purpose is not only to protect the history of the areas; it should also be for the integration of the people. The most important aspect is to bring social and economic integration and revival with the renewal of the areas".

-February: Demolition of the houses continued throughout the month. Forty houses were destroyed.

-11 February 2008: The Fatih Municipality demolished nine houses, two were officially registered as examples of cultural heritage. These are;

> 1)Address: Neslişah Mahallesi, Kaleboyu Caddesi No: 95
> Ada: 2492
> Parsel: 13

Sok.
> 2)Address: Neslişah Mahallesi, Çınarlı Bostan Sok ile Kuru Çınar köşesindeki çeşmeye bitişik bina
> Ada: 2489
> Parsel: 26

Members of Sulukule Platform Nese Ozan ve Hacer Foggo applied to court for officially registered cultural heritage examples demolition by the Fatih Municipality in 22nd of February, 2008. (Case No: 2008/4033)

- The whole month of February, the Fatih Municipality sent written notices to house owners to empty the houses until the end of March. In the notice there was no mention about renter's rights; house owners were asked to remove the renters, otherwise they will loose their right to get an apartment in the project. Some house owners responded by stopping electricity and water to the renter's apartments, in an effort to force them move.

-Mid-month, February: Call to sign contracts was made to those selected in lottery for apartments in Tasoluk. Banks requested 800-1300 YTL as stamp tax from the tenants. Proposed tenants were unable to pay the amount, thus no contracts were completed.

-Renters could not sign any contract to date. Future lotteries have not been organized after the last lottery on the fourth of December, the remaining renters continue to wait.

-There is a risk for the seventy-five remaining households (approximately 300-500 people) to stay on the street. The monthly income of the remaining families averages 50-100 Euros.

2.

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Sulukule Kentsel Yenileme Projesi
Mücadele, Uygulamalar ve Yaşananlar

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Sulukule Kentsel Yenileme Projesi, iddia aşamasından, uygulanmaya başlanış aşamasına kadar kent gündeminin çok hareketli geçmesine neden olmuştur. Bu bölümde ilk günden son güne yaşanan süreç kronolojik bir sırayla aktarılmaya çalışılacaktır.

Eylül 2002'de İstanbul Büyükşehir Belediyesi, Romanların yaşadığı bölgeleri 'Kentsel Tasarım Projeleri' kapsamında rehabilite etmek için 2002 ve 2003 yatırım programına dahil etti. Proje kapsamında ilk olarak Sulukule, ardından da Romanların yoğun olarak yaşadığı diğer bölgelerin rehabilite edilmesi düşünüldü.
Bu tarihte düşünülen projenin başlıca hedefleri; Romanlar'ın altyapı olanaklarından daha fazla faydalanmalarının sağlanması, mahallelerine çocuk parkları yapılıp yeşil alanların yerleşim alanına indirilmesi, binaların elden geçirilmesi, bunlar yapılırken Romanlar'ın eğlence kültürüne zarar verilmemesi, Romanlar'a, eğlencelerini sergileyebilecekleri, sinema ve geleneksel oyunların sergilenebileceği genel toplu salonların tahsis edilmesi olarak kararlaştırıldı.[210]

16 Haziran 2005 tarihinde 5366 sayılı "Yıpranan Tarihi ve Kültürel Taşınmaz Varlıkların Yenilenerek Korunması ve Yaşatılarak Kullanılması Hakkında" kanun kabul edildi ve 5 Temmuz 2005'te de Resmi Gazete'de yer buldu.

Kasım 2005'te 5366 sayılı kanun kapsamında Sulukule, Neslişah ve Hatice Sultan Mahalleleri Kentsel Yenileme bölgesi ilan edildi.
Haziran 2006'da "Sulukule Roman Kültürünü Geliştirme ve Dayanışma Derneği" kuruldu ve Sulukuleliler Kale Kapısı girişinde müzikli eylem yaptı. Eylem sırasında "Eğer belediye burayı tarihi bir mekân olarak korumak istiyorsa evlerimize bakım ve tamir için maddi imkân ve mimari destek sağlasın" diye açıklama yapıldı.

13 Temmuz 2006'da TOKİ, Büyükşehir Belediyesi ve Fatih Belediyesi kentsel yenileme projesi ile ilgili protokol imzaladılar. Bu protokole göre 5366 sayılı "Yıpranan Tarihi ve Kültürel Taşınmaz Varlıkların Yenilenerek Korunması ve Yaşatılarak Kullanılması" başlıklı kanun kapsamında, Fatih Belediyesi tarafından kentsel yenileme alanı olarak belirlenen Sulukule'de TOKİ ile ortaklaşa gerçekleştirilecek bir proje ön görüldü.
Temmuz-Ağustos 2006, Sulukule Roman Kültürü'nü Geliştirme ve Dayanışma, İnsan Yerleşimleri Derneği, Ulaşılabilir Yaşam Derneği, Mimarlar Odası, Bilgi Üniversitesi'nin katılımıyla yoğun bir direniş, gösteri ve tartışma dönemiyle geçti.

14 Eylül 2006'da Avrupa Roman Hakları Merkezi, Helsinki Yurttaşlar Derneği, Ulaşılabilir Yaşam Derneği, Sulukule Roman Kültürünü Geliştirme ve Yaşatma Derneği, Edirne Roman Kültürünü Araştırma, Geliştirme, Dayanışma ve Yardımlaşma Derneği imzasıyla Başbakan Tayyip Erdoğan'a, genelde Roman Mahallelerindeki yenileme projeleri sonucunda Roman ailelerin karşı karşıya kaldığı sorunları bildiren bir mektup gönderildi.

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[210] http://www.radikal.com.tr/veriler/2002/09/26/haber_51292.php

Eylül 2006'da mahallede yıkımlar başladı

13 Kasım 2006'da Avrupa Birliği Konseyi yaptığı görüşmede İstanbul'un 2010 yılında Avrupa Kültür Başkenti olmasını onayladı.

13 Aralık 2006 Sulukule; Neslişah ve Hatice Sultan Mahalleleri için Bakanlar Kurulu'ndan sadece savaş ve deprem gibi afet şartlarında alınan "Acele Kamulaştırma Kararı" çıktı.

12 Şubat 2007'de Sulukuleliler, Danıştay Başkanlığına gönderilmek üzere, İstanbul İdare Mahkemesi'nde Acele Kamulaştırma Kararı'nın iptali ve yürütmenin durdurulması için İstanbul İdare Mahkemesi Başkanlığı'na Mimarlar Odası İstanbul Büyükkent Şubesi Avukatı ile dava açtılar. Mimarlar Odası İstanbul Büyükkent Şubesi'nin de müdahil olduğu bu davaya, bir çok sivil toplum kuruluşu ve bölge halkı da destek oldu.

22 Şubat 2007'de Fatih Belediyesi Sulukule'de Güldür ailesine ait bir evi yanlışlıkla yıktı. Fatih Belediye Başkanı Mustafa Demir ise "Arkadaşlar büyük metruk binayı yıkarken o ev de hasar görmüş. Camları kırılmış, hasar görmüşken indirmişler. Belediyenin operatörü yapmış, bir sıkıntı olmuş tabii. Kurumumuz muhakkak onların zararını karşılar. Gerekirse mahkemeye de gidilir." şeklinde açıklama yaptı.

26 Şubat 2007'de İnsan Hakları Derneği (İHD) İstanbul Şubesi tarafından Sulukule'deki yıkımlarla ilgili Fatih Belediye Başkanı Mustafa Demir'e mektup gönderildi. Mektupta yıkıma ilişkin araştırma yapılması ve Güldür ailesinin mağduriyetinin giderilmesi istenildi.

24 Mart-11 Mayıs 2007 tarihleri arasında, Yıkıma 40 gün kaldı denildiği sırada STK'larin, gönüllülerin, bölge halkının, akademisyenlerin, öğrencilerin katılımıyla "40 gün 40 gece Sulukule Etkinlikleri" düzenlendi. Etkinliklerde bölgenin özelliklerini farklı yönlerden ele alan paneller, müzik atölyeleri, çocuklarla resim-fotoğraf-dans atölyeleri, sergiler, söyleşiler, konserler yer aldı. Bu sayede bölgenin potansiyeli ortaya çıktı ve tanıtıldı. Sulukule'nin karşı karşıya bulunduğu tehlike olumlu bir bakış açısıyla kamuoyuna duyuruldu. Konuya basında ve televizyonda yer verildi. [211]

17 Mayıs 2007'de konu 2010 Komitesine taşındı. Ve komite çatısı altında 17 Mayıs 2007'de bir toplantı yapıldı. Toplantının ilk bölümünde konu ile ilgili sunumlar yapıldı: Mayıs ayında bölgede öğrencileri ile katılımcı planlama üzerine çalışmalar yapan DPU(The Development Planning Unit University College London) geliştirdikleri öneri alternatif bir planlama yaklaşımını sundu, Fatih Belediyesi'nden Mustafa Çiftçi, Sulukule için yaptıkları 30. projeyi ve nasıl ele aldıklarını aktardı; DPU'dan Prof.Yves Cabannes, konu ile ilgili genel bir çerçeve çizen bir konuşma yaptı; 40 Gün 40 Gece Sulukule Platformu, Bölgede etkinlikler öncesi ve sonrası yapılanları, tespitleri ve önerilerini aktardı. İkinci bölüm, karşılıklı soru-yanıtlarla devam etti. Toplantı sonucu; çok ortaklı bir protokol antlaşmasının hızla gündeme alınması, çok aktörlü bir komisyon oluşturulması ve bu süreçte yıkım ve satış

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[211] http://40gun40gece-sulukule.blogspot.com

sürecinin durdurulması gündeme geldi. Toplantı ardından, 2010 Komitesi Belediyeyi ziyaret ederek, çok ortaklı protokol konusunda ilk görüşmeleri gerçekleştirdi. [212]

20 Eylül 2007'de Mahallede yapılan bir yıkımın ardından, roman müzisyenler ve sanatçıların önderliğinde "Sulukule Yok Olmasın" adı altında imza kampanyası düzenlendi. 7 gün içerisinde 332 imza toplandı.

5 Ekim 2007'de konuyla ilgili STK'lar olarak İstanbul Yenileme Alanları Kültür ve Tabiat Varlıkları Bölge Koruma Kurulu toplantısına katılınarak, bölgede yapılan 40 Gün 40 gece Sulukule etkinlikleri ve sonuçları, eylül ayında yapılan anket çalışması ve alan çalışmaları sonuçları, başlayan yıkımlar ve etkileri ve bölgede yaşayan halkın süreçle başlayan mağduriyetleri dile getirildi, sunum yapıldı. [213]

1 Kasım 2007'de STK'ların daveti üzerine, İstanbul Yenileme Alanları Kültür ve Tabiat Varlıklarını Koruma Bölge Kurulu ve belediye yetkilileri Sulukule'yi mahalleliyle görüşme ve proje alanını yerinde inceleme maksadıyla ziyaret ettiler. Bölge halkının ihtiyaç ve taleplerini, süreçten kaynaklanan mağduriyetlerini dinlediler ve avan projeye yansıtmak için not aldılar.

2 Kasım 2007'de Sulukule Yenileme Avan Projesi, İstanbul Yenileme Alanları Kültür ve Tabiat Varlıklarını Koruma Bölge Kurulu tarafından onaylandı.

5 Kasım 2007'de Özgürlük ve Dayanışma Partisi (ÖDP) İstanbul milletvekili Ufuk Uras, Cumhuriyet Halk Partisi (CHP) İstanbul Milletvekili Çetin Soysal ve Prof. Dr. Baskın Oran Sulukule'yi ziyaret edip, semt halkını dinlediler. Soysal, sorunu Meclis'in İnsan Hakları Komisyonu'nun ele aldığını söyledi. Toplantının ardından semt sakinlerini şikayetlerini komisyona vermek üzere dilekçelendirdi. Uras ise Sulukule sorununu TBMM'ye taşıyacağını açıkladı.

6 Kasım 2007 günü "Projenin geliştirilmesine kimler nasıl katkıda bulunabilir, neler önerilebilir?" sorusunu tartışmak üzere tekrar bir toplantı düzenlendi. İstanbul 2010 Komitesi Toplantı Salonu'nda gerçekleşen toplantıya Sulukule Platformu adına Aslı Kıyak İngin, Yerel Halk ve Sulukule Roman Kültürünü Geliştirme ve Dayanışma Derneği adına Şükrü Pündük, İstanbul Yenileme Alanları Kültür ve Tabiat Varlıklarını Koruma Bölge Kurulu adına Mehmet Erdal, Fatih Belediyesi adına Fatih Belediye Başkanı Mustafa Demir ile danışmanı ve projenin koordinatörü Mustafa Çiftçi katıldı. [214]

8 Kasım 2007'de Sulukule sorunu Avrupa Parlamentosu'na taşındı. Brüksel'de yapılan toplantıya konuyla ilgili olarak Fatih Belediye Başkanı Mustafa Demir ve danışmanları ile Şükrü Pündük, Korhan Gümüş ve Hacer Foggo katıldılar. Toplantının başkanlığını Türkiye-AB Karma Parlamento Komisyonu Eş Başkanı Joost Lagendijk yaptı.

14 Kasım 2007'de Sulukule'de uygulamaya konulan kentsel dönüşüm projesi kapsamında evleri yıkıldığı için mağdur olan Romanlar, Meclis'te destek aradılar. Çevre ve Orman Bakanı Veysel Eroğlu ise "Sulukule halkına değer veriyoruz. Proje,

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[212] http://www.arkitera.com/interview.php?action=displayInterview&ID=&year=2007&ID=68
[213] Aslı Kıyak İngin, Sulukule Neighbourhood Inura Presentation
[214] http://sulukulegunlugu.blogspot.com

orada güzel bir çevre oluşmak için hazırlanmış muhteşem bir projedir" sözleriyle çalışmayı savundu.[215] CHP İstanbul Milletvekili Çetin Soysal mecliste Sulukule ile ilgili bir konuşma yaptı.

14 Kasım 2007'de Mimar Sinan Güzel Sanatlar Üniversitesi'nde Sulukule Platformu tarafından, birkaç mahallelinin de katılımıyla öğrencilere ve öğretim görevlilerine sunum yapıldı. Sulukule Projesi'nin mahalleli ve mahalle için nasıl tehlike arz ettiği ile ilgili bir dilekçe verildi. Bunun yanında yine Sulukule Platformu'nun tezini destekleyen raporlar dilekçenin ekinde sunuldu: O ana kadar yapılan yıkımlar, zor durumda kalan aileler, mahallenin sosyal ve kültürel özellikleri, korunmasının gerekliliği hakkında belgeler sunuldu. Aynı dilekçe ve raporlar yine Kasım ayında Yıldız Teknik Üniversitesi'ne, Aralık ayında da İstanbul Teknik Üniversitesi'ne verildi.

22 Kasım 2007 tarihli Gazeteport'ta Sevilay Yükselir'in haberinde, Fatih İlçe Başkanı Yardımcısı Avukat Recep Karaoğlu'nun ve iktidar partili bir grup milletvekilinin Sulukule'de yapılacak evlerden satın aldığı ve parti yönetimi tarafından kurulan ETİK kurulunun bu isimlerin istifasının istediği iddia edildi.[216]

23 Kasım 2007'de, 6 Kasım'da yapılan toplantıda alınan karar üzerine çok ortaklı yerel plan geliştirme komisyonun ilk toplantısı yapılmıştır. Sulukule Platformu tarafından hazırlanan protokol taslak metni katılımcıların görüşlerine sunulmuştur. Komisyon toplantılarına katılan Fatih Belediyesi yetkilileri Sulukule ile ilgili yapılacak her çalışmanın çok ortaklı komisyon tarafından karar alınacağını belirtmiş özellikle 23 Kasım 2007 tarihinde yapılan toplantıda Fatih Belediyesi Başkan Danışmanı Mustafa Çiftçi, belediyenin Sulukule ilgili yapacağı bütün çalışmalarda komisyonun kararı olmaksızın hiçbir adım atmayacağını taahhüt etmiştir.[217]

2 Aralık 2007'de Fatih Belediyesi tarafından sekiz otobüsle Gaziosmapaşa Taşoluk'a götürülen Sulukuleli bir grup kiracı henüz bitmeyen TOKİ bloklarını gezdiler.

4 Aralık 2007'de Fatih Belediyesi Taşoluk'ta TOKİ bloklarını gezdirdiği kiracılara yeni evlerini belirlemek üzere kura çektirdi.

7 Aralık 2007 tarihinde Çok Ortaklı Komisyon'un çalışması ile ilgili hazırlanan protokol metninin görüşülüp karara bağlanması için Çok Ortaklı Plan Geliştirme Komisyonu toplantısı, Fatih Belediyesi'nin Zübeyda Hanım Kültür Merkezi'nde adı ve içeriği değiştirilerek "Sivil İnsiyatif Platformu Toplantısı" adı altında gerçekleştirildi. Bu toplantının önce 30 Kasım'da yapılması kararlaştırılmışken Belediye toplantıyı bir hafta ertelemeyi yani 7 Aralık'ta yapmayı uygun gördü. Ancak bu geçen bir hafta içerisinde Belediye, Sulukuleli Kiracıları Taşoluk'a götürmek ve kura çektirmek gibi iki önemli uygulamayı devreye soktu. Böylece çok ortaklı plan geliştirme komisyonu tarafından talep edilen ve protokolde belirtilen 'protokolün kesinleşmesi ve ortakların çalışmaya başlamasına kadar geçen süre içinde Sulukule Kentsel Yenileme Projesi'nde hak sahiplerinin statülerinde

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[215] http://www.radikal.com.tr/haber.php?haberno=238839
[216] http://www.gazeteport.com.tr/YAZARLAR/NEWS/GP_111943?WebsiteSearch=true
[217] Sulukule Çok ortaklı Plan Geliştirme Komisyonu Taslak Protokol Ön Mektubu

değişiklik yapacak uygulamalar da dahil, atılacak adımların askıya alınması bir zorunluluktur"[218] maddesi ihlal edilmiş oldu. Bu süreçte Fatih Belediyesi tarafından taslak protokol ile ilgili hiç bir öneri getirilmedi ve imza atılmadı. Belediye Başkanının da olduğu 6 kasım toplantısında ortak alınan Komisyon oluşturma ve çalışma kararı böylece delinmiş ve işlemez hale gelmiş oldu.

18 Aralık 2007'de Jeoloji Mühendisleri Odası hazırladığı raporda, bölgede ilk günden beri büyük afet riski olduğunu iddia eden Fatih Belediyesi'nin aksine Sulukule'nin jeolojik zemin özellikleri açısından İstanbul'un güvenli bölgelerinden birisi olduğu açıklandı.
Bütün bu gelişmeler yaşanırken Aralık 2007'de belediye tarafından "Neslişah ve Hatice Sultan Mahalleleri Derneği" kuruldu.

31 Aralık 2007'de Fatih Belediyesi tarafından başlatılan kentsel yenileme projesinin iptali için Romanlar ve Roman hakları savunucuları dava açtı. Davada, öncelikle projenin yürütmesinin durdurulması sonra da iptali istendi. Davanın avukatı Hilal Küey, İstanbul 2. İdare Mahkemesi'nin 8 Kasım 2007 tarihinde 1/100.000 ölçekli imar planına ilişkin olarak yürütmeyi durdurma kararı verdiğini anımsatarak, "Bu karara rağmen yıkımların sürmesi, mahkeme kararının açık ihlalidir. Belediye bu uygulamaya derhal son vermelidir" görüşünü savundu. 5366 sayılı "Yıpranan Tarihi ve Kültürel Taşınmaz Varlıkların Yenilenerek Korunması ve Yaşatılarak Kullanılması Hakkındaki Kanun"un, kamulaştırmayı düzenleyen 4. maddesinin de Anayasa'ya aykırı olduğunu öne süren Küey, ayrıca, Belediye'nin projesine onay veren Yenileme Kurulu'nun iki üyesinin Belediye çalışanı olduğunu, bu durumun da "hukukta tanımlanmış objektiflik ve tarafsızlık ölçütleri ile" çeliştiğinin altını çizdi.[219]

4 Ocak 2008'de İnsan Yerleşimleri Derneği İstanbul Yenileme alanları Kültür ve Tabiat Varlıklarını Koruma Bölge kuruluna bölgedeki 85 öneri tescilli yapının incelenmesi ve tescil edilmesi için 100 sayfalık ayrıntılı bir dosya ve dilekçe ile başvurdu.[220]

8 Ocak 2008'de Sulukule'deki kentsel yenileme projesiyle ilgili bir meclis soru önergesini yanıtlayan Kültür ve Turizm Bakanı Ertuğrul Günay, mahallenin, Osmanlı mimarisiyle yeniden şekilleneceğini ve bu yapı tiplerinin üniversite öğretim üyesi olan proje tasarımcıları tarafından belirlendiğini açıkladı. Proje kapsamında yıkılması öngörülen yapıların yerine bitişik nizamda, 7 ana mimari üslupta toplam 21 yapı tipinin tasarlandığını belirten Günay, bu konutların dışında konaklama tesisi ile ticaret ve kültür tesisi olarak 2 yapının da avan projede yer aldığını kaydetti.

17 Ocak 2008'de TBMM İnsan Haklarını İnceleme Komisyonu, 'Sulukule Kentsel Dönüşüm Alanı' dosyasını kapattı. Fatih Belediyesi'nin, Sulukule'de gerçekleştirmek istediği kentsel dönüşüm projesi ile ilgili şikâyetleri değerlendiren TBMM İnsan Haklarını İnceleme Komisyonu son kararını verdi ve Sulukule'de yaşatılan Roman kültürünün yok edileceğine dair bir veri bulunmadığı sonucuna ulaşıldı. AKP ve

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[218] Sulukule Platformu tarafından hazırlanan Çok Ortaklı Plan Geliştirme Komisyonu Taslak Protokolü
[219] http://www.bianet.org/bianet/kategori/bianet/104225/romanlar-sulukulede-yikimin-iptali-icin-dava-acti
[220] İYD 4 Ocak Tarihli kurul başvuru dilekçesi

MHP'li üyelerin oylarıyla 'Sulukule sakinlerinin evlerinden çıkarılmalarında insan hakkı ihlali olmadığına' karar verildi.

29 Ocak 2008'de Üniversiteler arası çalışma grubu kentsel dönüşüm uygulamalarından duydukları kaygıyı duyurmak için imza kampanyası başlattılar. Çeşitli disiplinlerden 167 akademisyen ve 448 destekçi imzası toplandı.

9 Şubat 2008'de Türkiye-AB Karma Parlamento Komisyonu Eş Başkanı Joost Lagendijk meseleyi ve sorunları yerinde görmek için Türkiye'ye geldi ve Sulukule'yi gezdi. Lagendijk, bölge yenilenirken sosyal yapının korunmasının da önemli olduğunu vurgulayarak, Avrupa'da da benzer projeler gerçekleştirildiğini ve birçok hatalar yapıldığını anlattı.

11 Şubat 2008 tarihinde Sulukule'de "kentsel yenileme projesi" kapsamında Fatih Belediyesi yıkımlara devam etti. İlk etapta daha önceden belirlenen ve boşaltılan dokuz ev yıkıldı. Sulukule Roman Kültürünü Geliştirme ve Dayanışma Derneği Başkanı Şükrü Pündük "Henüz hukuki süreç devam ediyorken neye dayanarak yıkıma başladılar. Burada yaşayan insanlar var. Eğer projenin durdurulması kararı çıkarsa bu yıkımların hesabını nasıl verecekler?" diye açıklama yaptı.

21 Şubat 2008'de Fatih Belediyesi Sulukule'de İstanbul IV Numaralı Kültür ve Tabiat Varlıklarını Koruma Kurulu'nun kararıyla sivil mimari örneği olarak tescillenmiş iki adet yapıyı yıktı. Bu binaların kurul tarafından restorasyon kararı ve bu kararın şekli oluşmadan yıkımların gerçekleştirilmiş olması ise hukuka aykırı bir durum teşkil etmekteydi. Durumla ilgili olarak harekete geçen "Sulukule Platformu" ise, 2863 sayılı yasa gereğince yasal işlemlerin başlatılmasını talep eden dilekçesini, koruma kuruluna iletti.

21 Şubat 2008'de Gazi Üniversitesi Şehir Bölge Planlama Bölümü'ne Sulukule Platformu tarafından dilekçe verildi ve sunum yapıldı.

24 Şubat 2008'de Türkiye'deki tarihsel ve kültürel mirasın korunması alanında söz sahibi olan ve halen UNESCO İzleme Komitesi ile ICOMOS Türkiye Ulusal Komitesi üyeliği bulunan Prof. Dr. Cevat ERDER, Sulukule Platformu üyeleriyle beraber mahalleyi ziyaret etti.

7 Mart 2008 tarihinde Fatih Belediyesi görevlileri içinde aileler olduğu halde evlerin kapısına kiracılar için mahalleden "zorunlu göç" anlamına gelen X ve Y işaretleri koydu.

13 Mart 2008'de İşaretli evlerden 7'si yıkıldı. Yıkımların devam edeceği söylenirken, Sulukule Platformu yıkımları protesto etmek için mahalle halkıyla birlikte basın açıklaması yaptı. Mahallede eylül ayından bu yana yıkılan evlerin sayısı 47'ye ulaştı. Ayrıca Belediyenin yıkım ekipleri "yanlışlıkla" 42 yıllık mahalle kahvehanesini de yıktılar.[221]

19 Mart 2008'de Sulukuleli kiracılar, proje çerçevesinde sahip olacakları Gaziosmanpaşa Taşoluk'taki TOKİ konutlarının kapı numaralarını belirleyen

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[221] http://www.bianet.org/bianet/kategori/bianet/105565/sulukulede-7-ev-yikildi-romanlar-sokakta

kuraları çekti. Yenileme Projesini hazırlandığı günden bu yana eleştiren Sulukule Roman Kültürünü Geliştirme ve Dayanışma Derneği Başkanı Şükrü Pündük de sahneye çıkarak kura çekimine katıldı.[222]

19 Mart 2008'de Başbakan Recep Tayyip Erdoğan, Sulukule'yi ucube olarak niteledi ve restorasyona karşı çıkanlara "Bir kere gidip Sulukule'yi görmüş değildir. Bilen de bilmeyen de konuşuyor" dedi.

20 Mart 2008 tarihinde "Sulukule'yi ucube halinden kurtaracağız" diyen Başbakan'a, Sulukule Platformu cevap verdi: Ne bu insanlar ucube doğdu, ne bu mahalle ucube olarak tasarlandı. Ucube, yönetimlerin ayıbı.

26 Mart 2008, İnsan Yerleşimleri Derneği tarafından İstanbul 4 nolu Kültür ve Tabiat Varlıkları Koruma Kuruluna yapılan 85 öneri yapıdan 25 tanesinin tescil edilebilir olduğu ve konuyla ilgili 2 Kasım 2007'de onaylanan avan proje ve envanter çalışmasının talebi ve bu belirlenen 25 evle ilgili yıkımların durdurulması kararı alındı. Karar 04 Nisan 2008 tarihi ile ilgili kurumlara gönderildi.[223]

4 Nisan 2008'de Helsinki Komisyonu'nun eşbaşkanları Alcee Hastings ve Ben Cardin, Başbakan Erdoğan'a gönderdikleri mektupta, yenileme projesinin uygulanması yerine, eski mahallenin korunmasını ve Roman halkının o bölgede yaşamasına izin verilmesini istediler ABD Kongresi'nin en etkili kuruluşlarından biri olan Helsinki Komisyonu'nun eşbaşkanları, Başbakan Recep Tayyip Erdoğan'a bir mektup göndererek, Sulukule'nin yıkılmamasını istedi. Mektupta, Romanların, "Avrupa'da halen en geniş, fakir ve en hızlı büyüyen azınlık" olduğu ve çeşitli ırkçı ayrımcılıklara hedef oldukları belirtildi. Avrupa Güvenlik ve İşbirliği Teşkilatı'nın (AGİT) 1999 İstanbul zirvesinde, Türkiye ve diğer bütün AGİT ülkelerinin, bu toplumun karşı karşıya kaldığı zorlukları kabul ederek, tam fırsat eşitliğinin sağlanması yönünde etkili tedbirler almayı kararlaştırdığı hatırlatıldı. ABD'li parlamenterler, AGİT kurallarının izlenmesi görevini üstlenen ABD Helsinki Komisyonu'nun, özellikle İstanbul'daki Roman halkının durumundan endişe duyduğunu belirttiler.[224]

7 Nisan 2008 tarihinde Fatih Belediyesi ekipleri, Sulukule'nin İstanbul dışına taşınması projesi kapsamında 12 evin daha yıkımını gerçekleştirdi. İçinde eşyalar bulunan bazı ev sahiplerine ise 24 saat süre verildi.

8 Nisan 2008 sabahı yani "Dünya Roman Günü"nde Sulukuleliler güne dozer sesleriyle uyandı. 7 binanın yıkıldığı günde halk "Bugün 8 Nisan Dünya Roman Günü, ve biz Sulukuleliler bu günü kutlamak yerine, matemle karşılıyoruz..." diye başlayan bir basın açıklaması yaptı.

15 Nisan 2008 de Çingeneler üzerine yaptığı filmlerle pek çok ödül alan Roman yönetmen Tony Gatlif, Sulukule'yi gezdi, halkın sorunlarını dinledi, Roman müziği eşliğinde dans etti.

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[222] www.fatih.bel.tr
[223] 26 Mart 2008 tarihli 4 Nolu Kültür ve Tabiat Varlıkları Koruma Kurulu Kararı
[224] http://www.milliyet.com.tr/default.aspx?aType=HaberDetay&ArticleID=513689

24 Nisan 2008 tarihinde Başbakanlık İnsan Hakları Başkanlığı tarafından İstanbul Valiliği, İl İnsan Hakları Kurulu'na Sulukule ile ilgili bir yazı gönderdi. Yazının içeriği şu şekildeydi:

"Basın yayın organlarında yer alan haberlerde, Neslişah ve Hatice Sultan Mahalleleri'nde (Sulukule) 759 hak sahibi ve hissedarla 303 kiracı olmak üzere, aileleriyle beraber 3 bin 500 kişinin ikamet ettiği, "Kentsel Dönüşüm Projesi" kapsamında yer değiştirmeye zorlanan mahalle halkının, yer değiştirme nedeniyle çok ağır ekonomik ve sosyal koşullarla karşı karşıya kaldığı, özellikle çocukların bu durumdan olumsuz etkilendikleri iddia edilmektedir.

Bu konuda Fatih İlçe İnsan Hakları Kuruluna 05.03.2008 gün ve 319 sayılı yazı gönderildiği, bu yazımıza Fatih Belediyesi'nden 28.03.2008 gün ve 1373 sayılı cevap verildiği, ancak konunun İnsan Hakları Kurulu'na getirilmediği ve kurul kararı alınmadığı anlaşılmıştır.

İl ve İlçe İnsan Hakları Kurulları'nın Kuruluş Görev ve Çalışma Esasları Hakkında Yönetmeliğin 18/g maddesi nazara alınarak, mahallede temini mümkün bilgi ve belge olabileceğinden, haberde yer verilen iddialar ilgisi nedeniyle incelenmek üzere Kurulumuza gönderilmiştir. Konunun İl İnsan Hakları Kurulu gündemine alınmasını, gerekli inceleme ve araştırmanın kurulumuzca yapılmasını, insan hakları ihlali olup olmadığına kurulumuzca karar verilmesini, yapılan işlem hakkında da Başkanlığımıza bilgi verilmesini rica ederim.

Prof.Dr. Hasan T. FENDOĞLU
Başbakan a.
Başkan"

4 Mayıs 2008'de Sulukule Platformu ve Sulukuleliler tarafından bir Hıdrellez Şenliği organize edildi. Kötü hava koşullarına rağmen kalabalık bir grubun katılımıyla eğlenceli geçen şenlikte sanatçılar verdikleri konserlerle ve katılımlarıyla Sulukule halkına destek verdiler. Özellikle Sezen Aksu'nun şenlikte bulunması basının daha fazla ilgi göstermesine neden oldu.

11 Mayıs 2008 tarihinde UNESCO'dan bir heyet İstanbul'a, verilen taahhütlerin yerine getirilip getirilmediğini kontrol etmek amacıyla geldi. Sulukule Platformu'nun baskısıyla Sulukule de uğrayan heyet, proje alanını yerinde görmüş, mahalle halkının sorunlarını dinledi.

12 Mayıs 2008'de UNESCO heyetinin başkanı Francesco Bandarin yaptıkları geziyle ilgili düzenlenen basın toplantısında bu tür projelerin de hem fiziki hem de sosyal açıdan değerlendirilmesi gerektiğini vurgulayarak "Koruma faaliyetlerine bakıldığında popülasyon ihtiyaçlarının dikkate alınmak zorunda olduğunu görüyoruz. Ve fiziksel ve sosyal yapı boyutunun orantılı olması gerekiyor. Oradaki yoğunluk belki azaltılabilir. Ama orada yaratılan ruhun kaybolmaması gerekiyor. Zaten bir şehri oluşturan o şehrin vatandaşlarıdır. Onlara uygun koşullar sağlayabilmeliyiz. Bu durum fiziksel ve sosyal yapının değiştirilmesini de gerektirebilir. Ama oradaki halka da danışılması gerekiyor. Şu an bakıldığında demokratik olduğunu düşünüyorum, olumlu bir sonuç çıkacağına inanıyorum." açıklamasını yaptı. Bu açıklama ilgili belediyeler ve basın tarafından "Bandarin Sulukule projesini onayladı" şeklinde yorumlandı. Hatta Büyükşehir Belediye Başkanı Kadir Topbaş da "UNESCO projelerimizi beğendi, sınavdan geçtik" doğrultusunda basına beyanat verdi.

16 Mayıs 2008 tarihinde Bandarin, yanlış anlaşıldığını, projeyi bu haliyle onaylamadıklarını, halkın katılımını sağlayarak ortak bir platformda karar üretilmesini, bir kentin yalnızca anıtlar ve yapılardan oluşmadığını, kent içindeki toplulukların, tüm koruma süreci içerisinde temel bir rol oynadıklarını ve kentlilerin yaşamlarının iyileştirilmesinin kentsel korumanın önemli bir temel hedef olduğunu savunduklarını açıkladı.

3.

<div style="text-align:center">

S U L U K U L E

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<div style="text-align:center">

1500 people will be left homeless, in the street

</div>

Hacer Foggo (Roma Rights Activist)

The people in neighborhood began to settle in the quarter around 1054 in Byzantium times. After the arrival of the Ottomans in 1453, the Roma community remained there and many of the Romani people passed through to Europe from Sulukule. The neighborhood is next to the historical city walls in the district of Fatih. There are approximately 3500 Romani people living in the neighborhood, which was approximately 20.000 before the forced eviction policy of the Fatih municipality began in 1992. The municipality and polices suddenly closed down the music and entertainment venues, arguing that they were not paying the entertainment taxes and that they could not organize such entertainment in this neighborhood. However, we were supposed to be the tax 'champions' (i.e. paid the most in taxes) since we were paying the entertainment taxes without receiving the tax boards (the official document testifying to the payment of taxes given by the authorities). Therefore the people living in the neighborhood became unemployed and thus became unable to pay their electricity, water and heating expenses and the neighborhood is not able to receive such services.

As a result of the urban renovation project 3500 Roma inhabitants (among which 759 shareholders and 303 leaseholders), of Hatice Sultan Quarter, the place which is known in Istanbul as the "Historical Sulukule" since November 2005, will have to vacate their habitat of one thousand years. The metropolitan municipality, the municipality of Fatih and TOKİ (The Collective Housing Administration) have signed a common protocol on the restoration of the Neslişah and Hatice Sultan Districts (Sulukule) in the style of Ottoman - Turkish civil architecture in 13 June 2007. This protocol was signed according to the law number 5366 regarding the "Protection, Restoration and Active Reuse of the Decrepit Historical and Cultural Real Estates" which was formerly affirmed by the cabinet. Right after this protocol, which has been announced with the slogan "People First", the decree for urgent expropriation of Sulukule is executed.

The threat of Urgent Expropriation Decision by Law

Five families from Sulukule in cooperation with the Sulukule Association for the Enrichment of Roma Culture and for Solidarity and the Chamber of Architects have opened a lawsuit in İstanbul Court of Administration in order to "cancel the urgent expropriation" on the 12th of February. In the motion, it has been stated that the Urban Renewal and Press Compulsory Purchase decisions are;

Against the Law, the Constitution, the European Declaration of Urban Rights and the European Urban Charter, the Convention Concerning the Protection of the World Cultural and Natural Heritage, the UN Covenant on Economic, Social and Cultural Rights (CESCR) and the Report of the Joint ICOMOS /Unesco World Heritage Committee that is released after the 30th session of the World Heritage Committee in

Vilnius, Lithuania under the Convention Concerning the Protection of the World Cultural and Natural Heritage; thus against the laws and obviously against the Public Interest, thereby necessitating the cancellation of these decisions by the court, as well as the prior and immediate stay of their legal proceedings, before any further harm - with hardly any chances of true compensation afterwards- is given.

Council of State has decided in favor of the municipality. Now in Sulukule, those who haven't sold their houses are threatened by expropriation as the municipality can take their houses by depositing the price at a bank in installments; which means that these families will be evacuated

While this process was going on, and there was still no affirmed (approved) renovation project in the agenda, the municipality of Fatih has destroyed 20 houses. The title of one of these houses was not even registered to the municipality. This double storied wooden house inhabited by the Güldür Family on Sulukule Street was demolished on 21 February 2007 at around 9:30 while the family members were in Ankara, without even cutting the electricity or shutting down the water connections. The municipality of Fatih, which was later on visited by the residents of Sulukule offered their apologies to the them.

The municipality was claiming in each declaration about the urban renovation project for Sulukule that this project ought to be the most social project ever. They were also arguing that at the end of this project everybody would witness one of the few projects where a slum is transformed along with the life of its inhabitants.

However, our research proves the opposite. While the legal process for the decision for expropriation still continues, some of the current inhabitants are forced to buy the houses which are to be built in place of their old historical houses by bearing heavy burdens of debt, while those whose economic power lacks behind are compelled to sell their houses to other people and companies who five a little higher prices of what municipality offers as 500-600 YTL per meter square. In areas of renovation defined as 1st and 2nd stages by municipality, according to local sources approximately 10 out of 102 houses agreed deals with municipality, while others were left to reconcile themselves to sell to other people or companies. Besides, those people and companies that can afford to buy more then one house from the really poor can benefit from the very same rights of the locals by way of indebting from municipality and TOKİ.

Based on observations I have made in the area, communities of Sulukule say that they demand rehabilitation without being displaced, but are compelled to sell their livelihoods since they are left with no options. On the other hand, mentioned people and companies – by way of closing agreements with the Fatih municipality – can get indebted for the houses to be made under same conditions with the local citizens. During this process because of their economic disadvantage, local community cannot get as lucky as these people and companies from outside.

Local communities also state that regarding the renovation work, they have not received information about the plans for new houses and business centers. They say that related institutions gave them neither written nor verbal explanation, simply

declared that they "could either own the new houses by getting indebted, or that they immediately have to sell their current houses". None of them have complete information regarding the content of the project. Besides all, those without title to land and the renters will remain as the worse aggrieved parties at the end of this project. During the public meeting in 2006, July 13, Fatih municipality, İstanbul Metropolitan Municipality and TOKİ as partners of projects said that "With special focus, the renters will be made house owners in response to rental without lottery. Fatih and İstanbul Metropolitan Municipalities will cover together the one year cost of rentals people living here, which in total sums up to 1.2 million YTL. Nobody living here will be victimized. Those who wish will own house from their same neighborhood, those who wish will be able to acquire from other residents of TOKİ, and those who wish will just receive their cash. The aim here is to get even, to shake hand, and to remain concordant.

Whereas, interviews I've done with renters show that promises were not kept. Nearly 20 renters had to evacuate their houses because the owners sold it. Based on information given by the renters, after evacuating their houses, they have done agreements based on promises Fatih municipality made regarding the help for them. Yet, they have not received the mentioned help since 4 months, and they are left to stay with their neighbors together with all their belongings and children. Municipality states that TOKİ has constructed public housing in Taşaoluk for the disadvantaged renters and owners in Sulukule. A crucial detail at this point is that, based on the research made by Faith Municipality in 2005, the number of renters were established as 403, and the right holders for the newly constructed public housing is based on this research. However, in reality there are nearly 500 renter families in the area. What this means is that 300 families actually live there for years but since they are extremely poor, some can not even pay the rents; they get along with the support of the neighborhood. What is expected to happen to these families (around 1500 people) are they supposed to be left on the streets?

Buying and evacuations are taking place in Sulukule while the draft of the urban renovation project is not yet confirmed, and while the mentioned promises within the protocol haven't yet been met. What's the reason for this rush?

Romans living in Sulukule for a thousand years are being exposed to forced migration and 1500 of them are left homeless by these practices. Local people are well aware that they will also be deprived of the social solidarity networks they have developed since 1992, as a result of the closure of the entertainment spaces. To banish the thousand years old neighborhood comes to mean the disregard for the local history and the commercializing of the cultural heritage and eventually the becoming of the city into a circus space.

All the options the municipality offers for the Sulukule people open to the destruction of history and neighborhoods. If the municipality really wants to preserve here as a historical space, the alternative project should be made together with the locals. Everybody living in Sulukule wish the exhilaration of Sulukule and to participate to the cultural and entertainment life of İstanbul – not by leaving their thousand years of history, but by producing an alternative project.
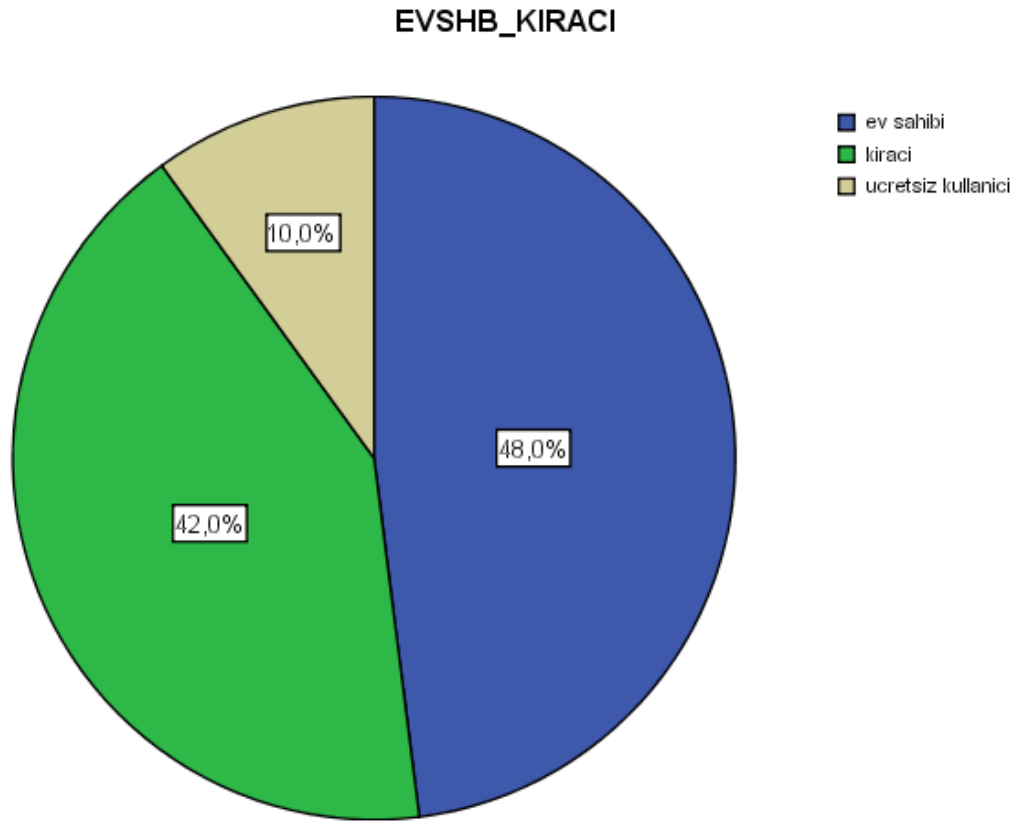
Sulukule is known as the second biggest authentic Roma settlement in the world. It has been for ages renowned for its entertainment places where authentic Gypsy music is played. Therefore nearly all the population are musicians. On the contrary the municipality's project include nothing of the nature of Roma culture.

Romans from Sulukule being afraid of expropriation have sold their properties to private companies and persons. Therefore, 200 families of their houses have been sold to private companies and persons. According to our research, we have found that most of these private companies and persons had close ties with AKP (justice and development party, the party that is in power) local administration and its officials. If things do that way, there will remain no Roman family in Sulukule. These private companies and persons have purchased houses which will be renovated. Roman families in the neighborhood are extremely poor and unable to afford the houses which will be renovated. According to the view of Romans in the region and Sulukule Roman Association, the hidden purpose behind this process is to force Romans evacuate the neighborhood.

A brief note about the history of Sulukule, a quotation from an open letter dated 21.8.2006 from Sukru Punduk, born on 1/1/1968 in Sulukule. The complete text can be found in English at: http://www.idebate.org/roma/topicarticle.php?id=331

Anket yapılanların genel profili:
Evsahibi-kiracı oranları:

EVSHB_KIRACI

- ev sahibi
- kiraci
- ucretsiz kullanici

Mahallede kaç yıldır yaşadıkları:

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	<10	16	16,0	17,4	17,4
	10 - 19	15	15,0	16,3	33,7
	20 - 29	21	21,0	22,8	56,5
	30 - 39	12	12,0	13,0	69,6
	40+	28	28,0	30,4	100,0
	Total	92	92,0	100,0	
Missing	System	8	8,0		
Total		100	100,0		

MAH_NEZMN_2 (Banded)

203
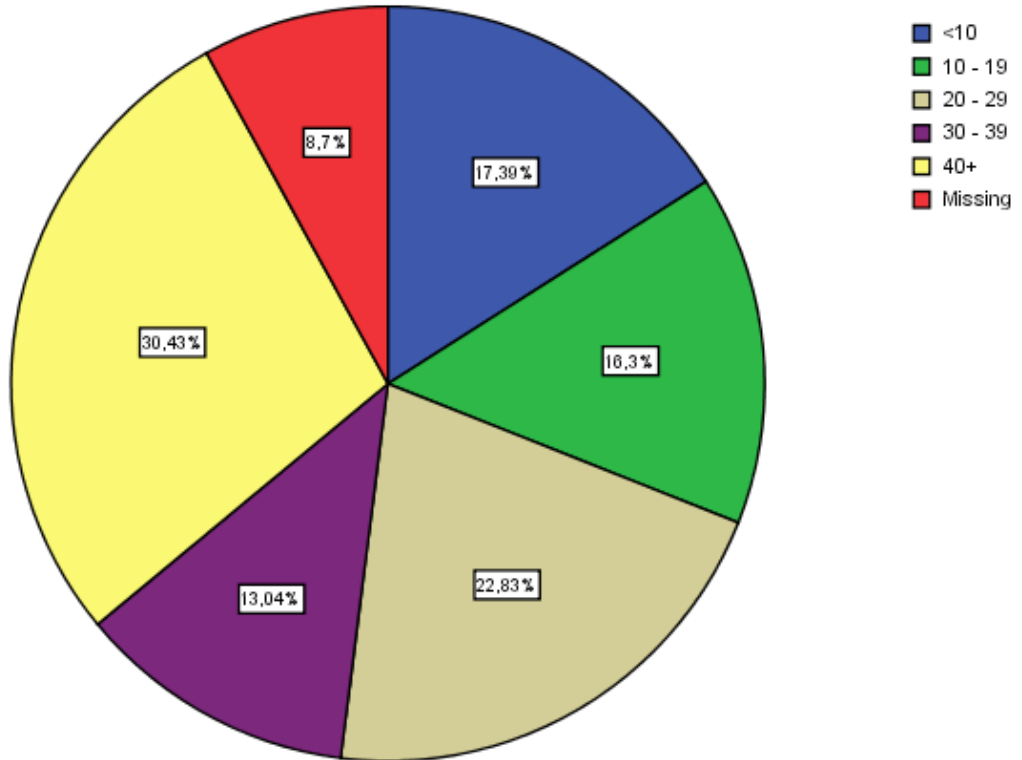
Mahalleden memnuniyet:

MAH_MEM

Legend:
- ■ memnun degil
- ■ ne memnun, ne memnun degil
- □ memnun

29,0%

6,0%

65,0%
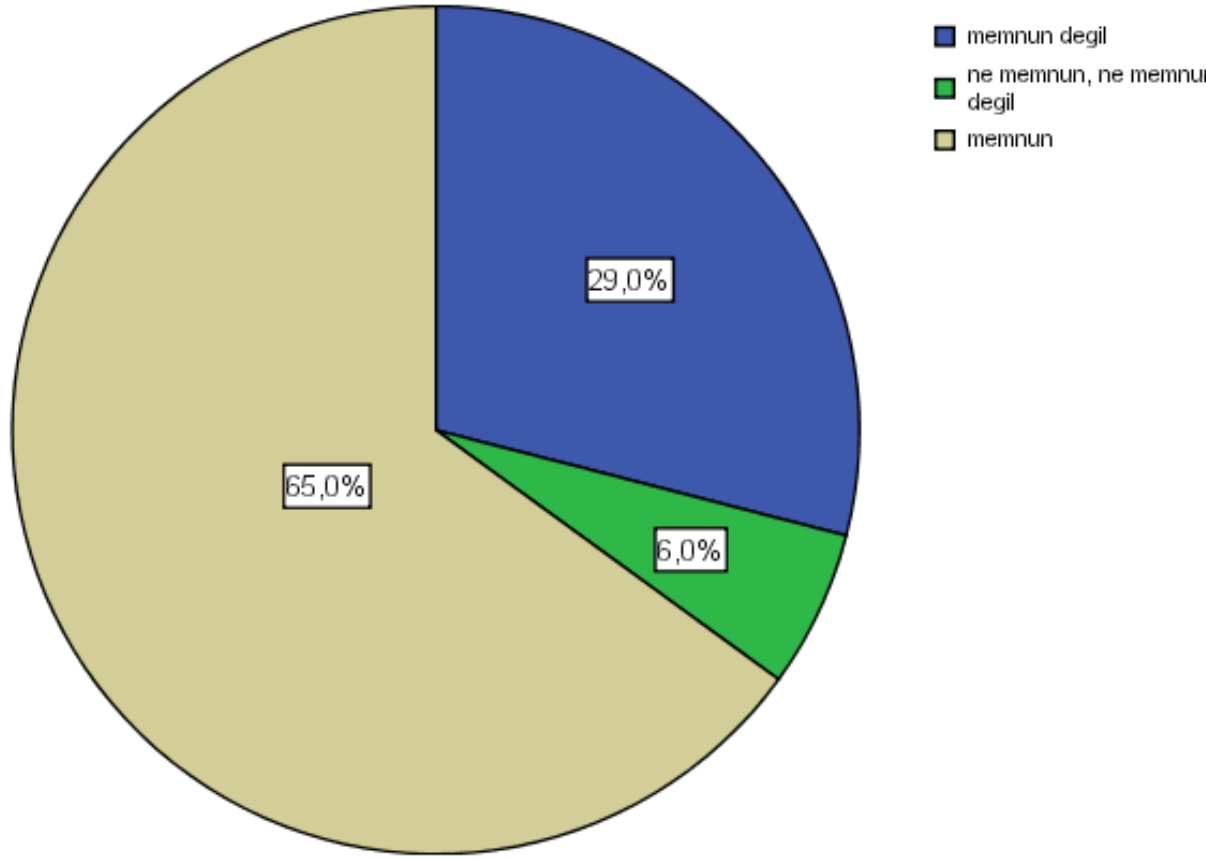
Mahallenin güvenliğinden memnuniyet:

GUV_MEM

- memnun degil
- ne memnun, ne memnun degil
- memnun

35,71%

56,12%

8,16%
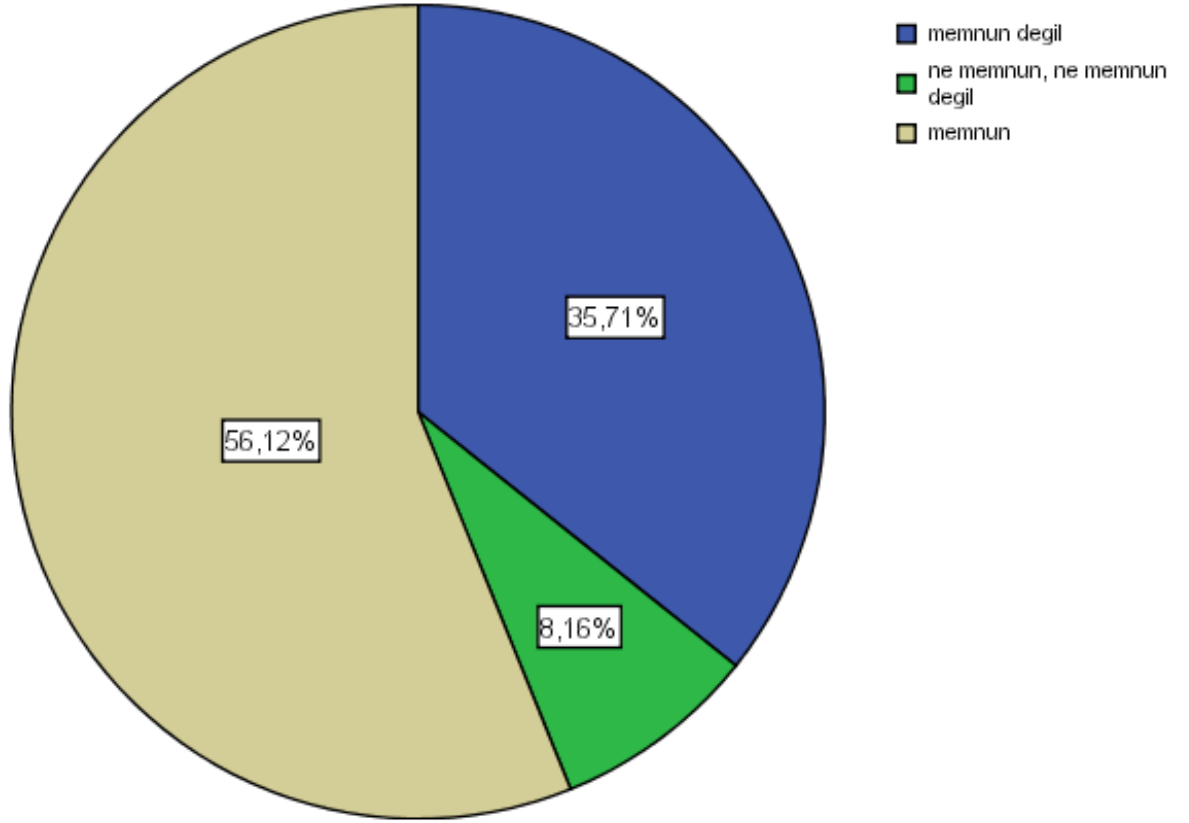
Belediye'nin yenileme projesi ile ilgili sizlerin görüşlerini dikkate aldığını düşünüyor musunuz?

PRJ_GORUS

Legend:
- Evet
- Hayir
- Fikrim yok

7,14%
10,2%
82,65%
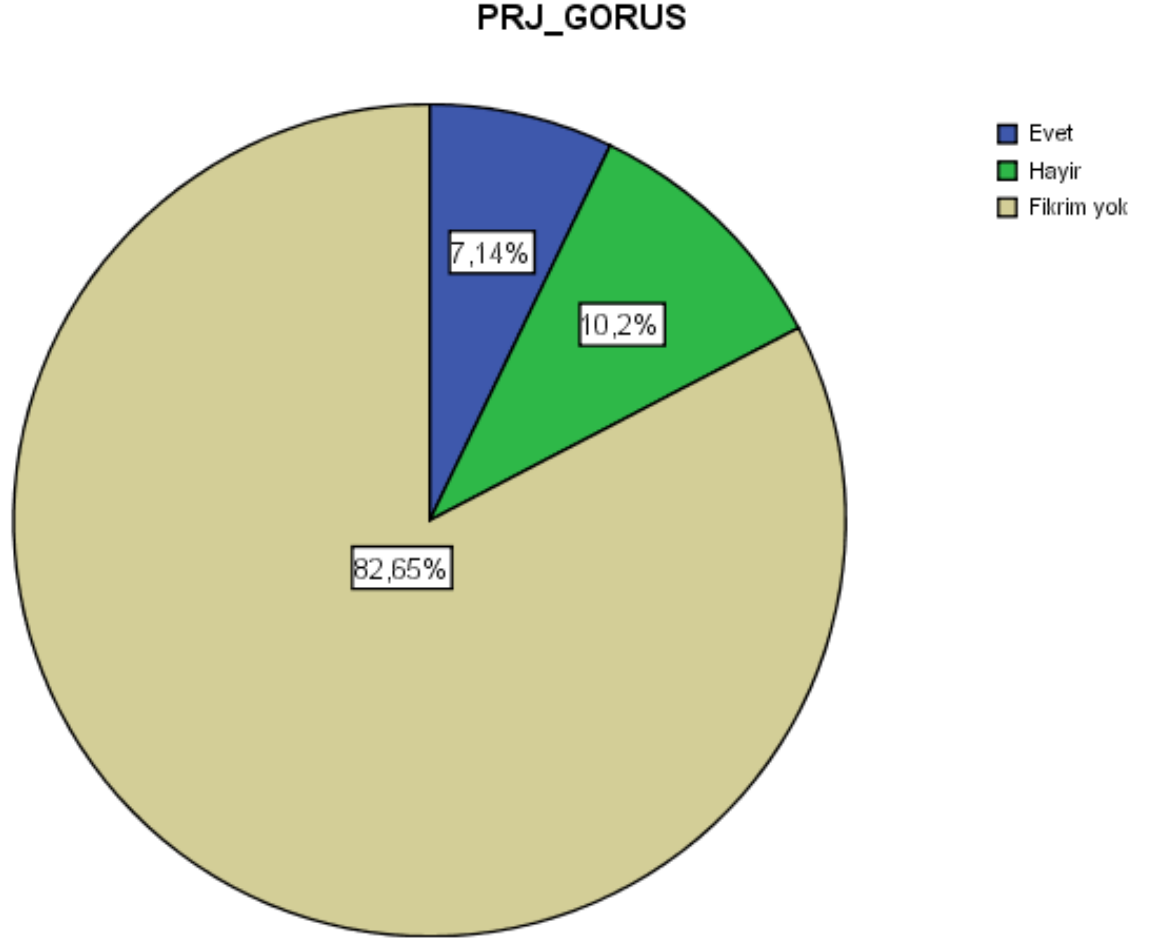
Belediye'nin Neslişah Sultan ve Hatice Sultan Mahalleleri (Sulukule) yenileme alanı projesini destekliyormusunuz?

PRJ_DESTEK

Legend:
- Evet
- Hayir
- Fikrim yok

22,45%
66,33%
11,22%
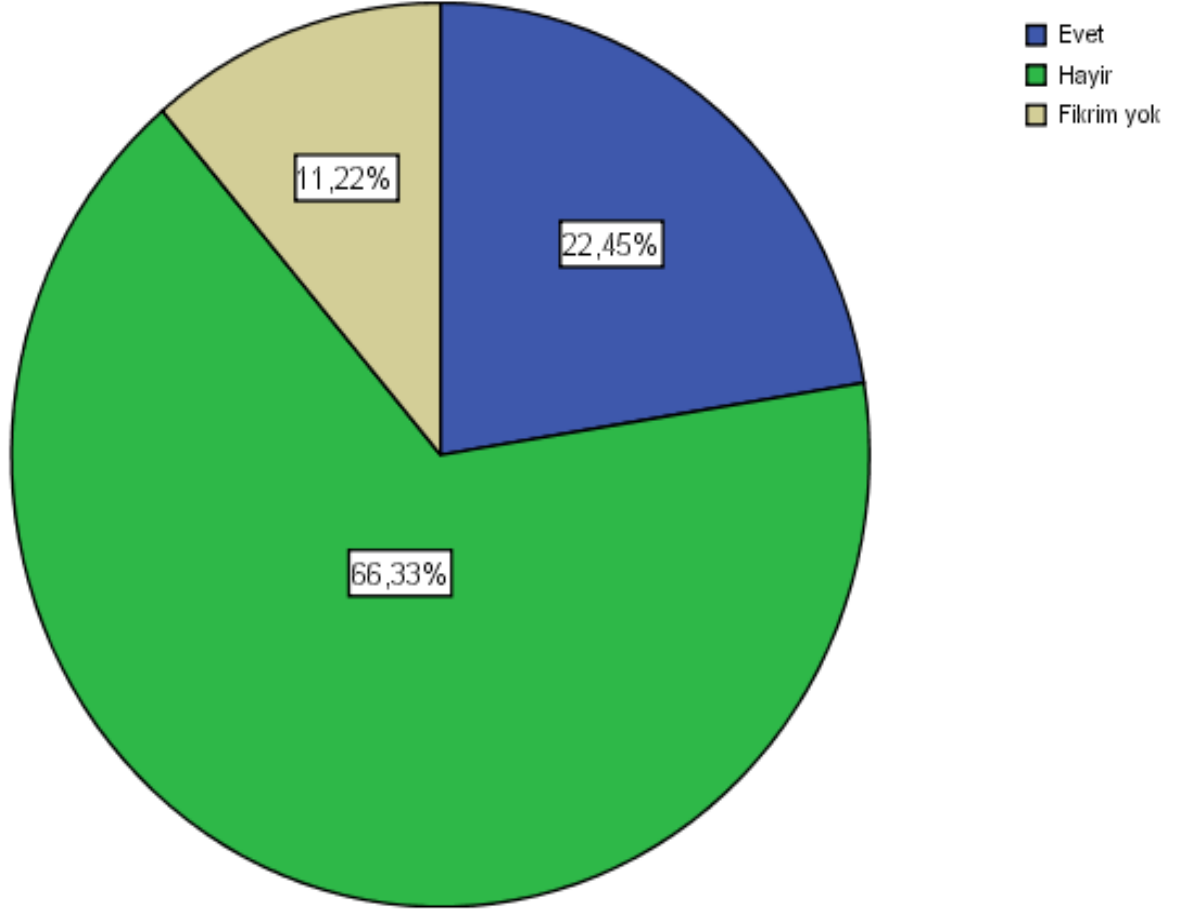
Siz ya da bu evde oturan herhangi biri Belediye'den bir yetkili ile evinizi satma ile ilgili görüşme yaptınız mı? (sadece ev sahiplerine)

E_BLD_GORUS

Legend:
- Evet
- Hayır

44,68% (Evet)
55,32% (Hayır)
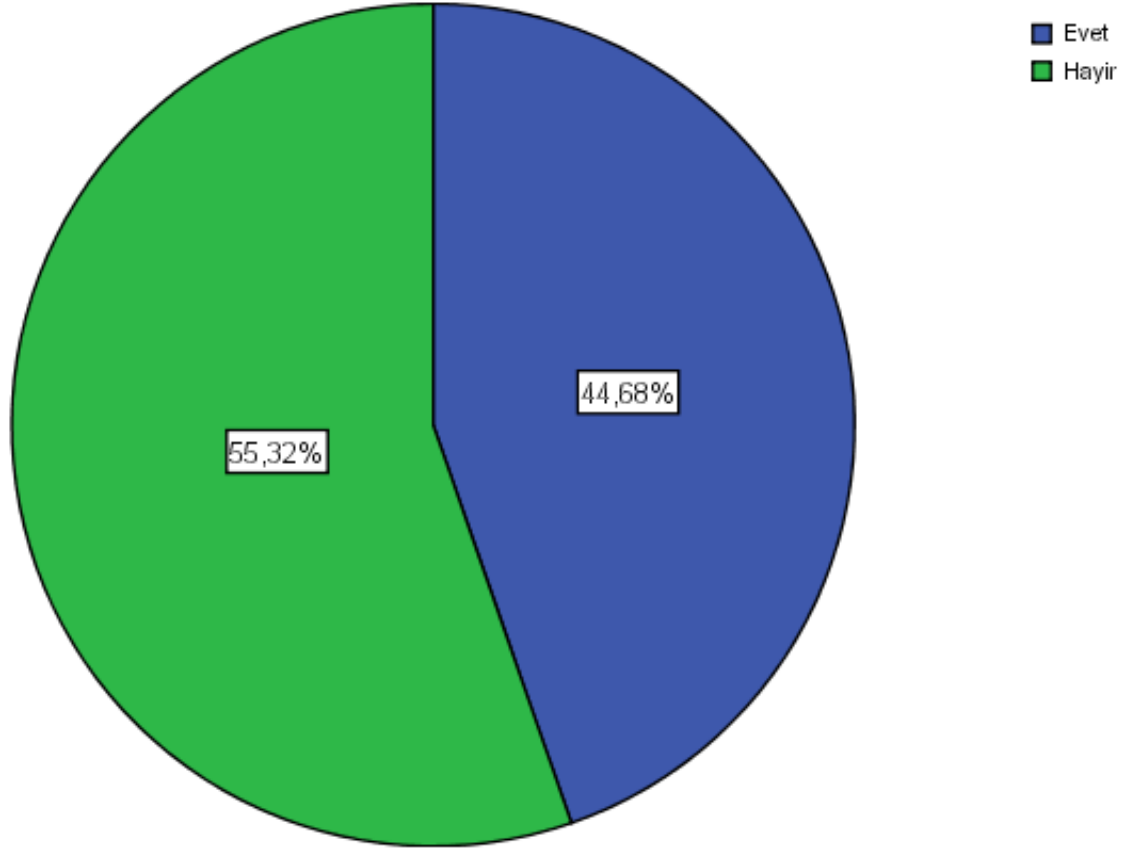
Belediye ile yaptığınız görüşmede Belediye size sunduğu önerileri kabul etmediğiniz takdirde evinizi kamulaştıracağını söyledi mi?

E_BLD_KAMULAS

Evet
Hayir

44,0%

56,0%
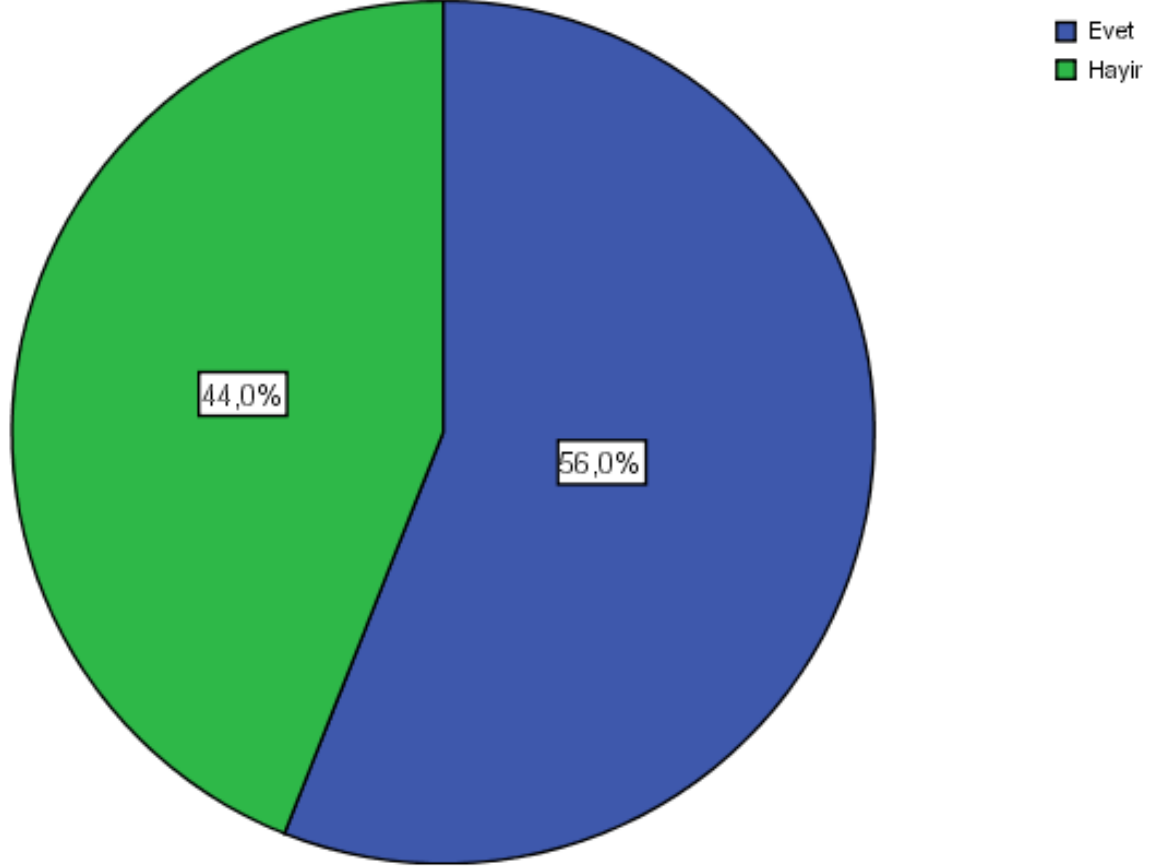
Ailelerin ortalama gelir seviyeleri:

AILE_TOP_GLR (Banded)

Legend:
- <300
- 301-500
- 500-750
- 750-1000
- 1000+
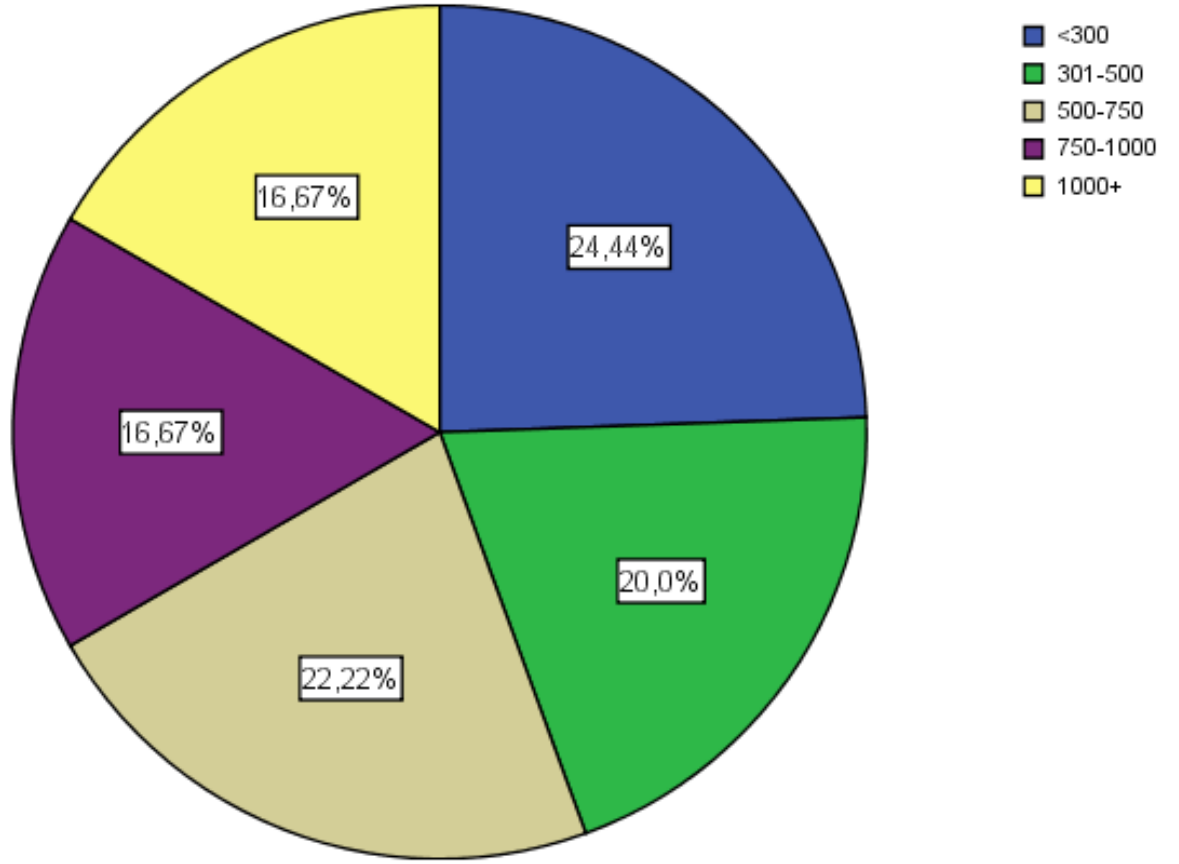
Kiracıların aylık verdikleri kira:

K_KIRA_YTL (Banded)

Legend:
- <100
- 100 - 199
- 200 - 299
- 300 - 399
- 400+

Pie chart values: 12,5%, 46,88%, 21,88%, 9,38%, 9,38%
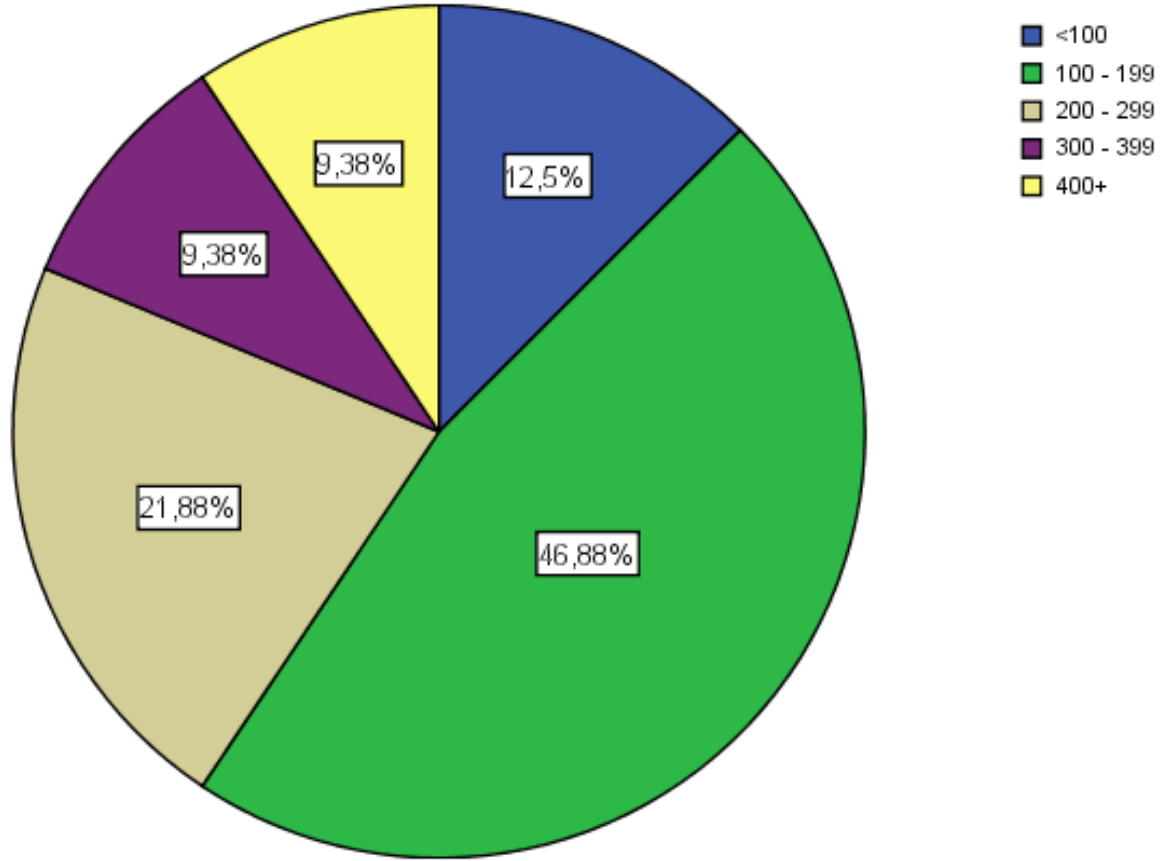
Taşoluktaki evlere yazıldınız mı? (sadece kiracılara)

K_TASOLUK

Evet
Hayir

36,96%

63,04%
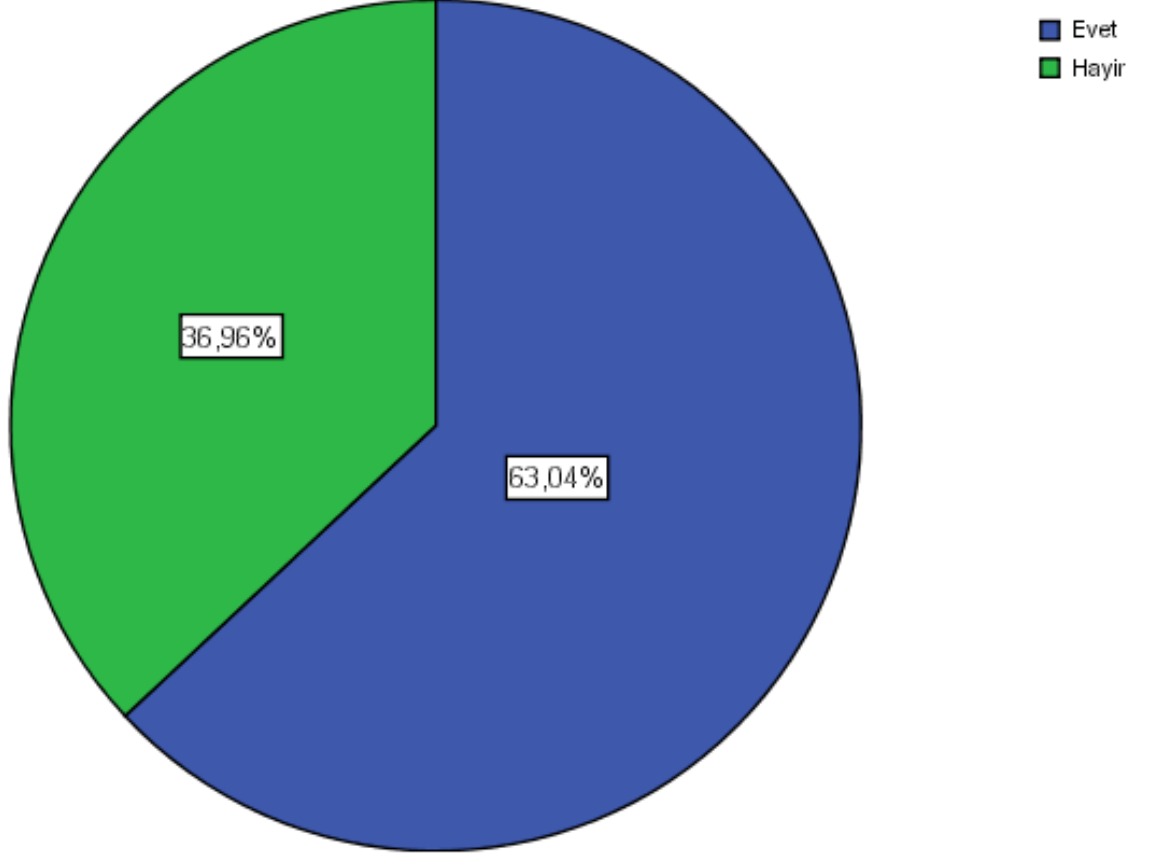
- Anket yapılan hanelerin %32.6'sında iş arayan en az bir kişi var.
- Anket yapılan hanelerin %37.6'sında yeşil kart sahibi bir kimse var.
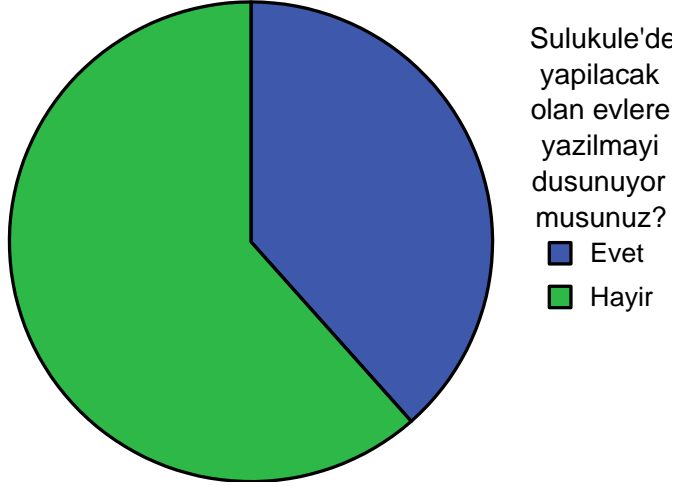
Sulukule'de yapilacak olan evlere yazilmayi dusunuyor musunuz?

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Evet	10	10,0	38,5	38,5
	Hayir	16	16,0	61,5	100,0
	Total	26	26,0	100,0	
Missing	9	49	49,0		
	System	25	25,0		
	Total	74	74,0		
Total		100	100,0		

Evsahiplerinin %62'si Sulukulede yapılacak evlere yazılmayı düşünmediğini söylüyor.

APPENDIX D

TOKİ e-MAİL

Inbox X

toki@toki.gov.tr

3/27/
13

to me

Turkish
English

Translate message

Turn off for: Turkish

Bu mail size T.C. Başbakanlık Toplu Konut İdaresi Başkanlığı web sitesindeki bilgi edinme başvuru formunda yazılmış bulunan talebe cevap olarak gönderilmiştir.

Sayın Elif Kevser ÖZER, 2006 yılı I ve II dönemlerde İdaremizce Restorasyon Kredisi Başvuruları İdaremizce kabul edilerek 51 Proje Kredilendirilmiş olup, yaklaşık 3.700 Türk Lirası Kredi Tahsisi gerçekleştirilmiştir. Bilgilerinizi rica ederim.

Sizin de ev sahibi olmanız dileğiyle...
T.C. Başbakanlık Toplu Konut İdaresi Başkanlığı

LAW NO. 5366

Yıpranan Tarihi ve Kültürel Tasınmaz Varlıkların Yenilenerek Korunması ve
Yasatılarak Kullanılması Hakkında Kanun

Kanun No: 5366
Kabul Tarihi: 16.06.2005

Amaç ve kapsam

MADDE 1. — Bu Kanunun amacı, büyüksehir belediyeleri, büyüksehir belediyeleri sınırları içindeki ilçe ve ilk kademe belediyeleri, il, ilçe belediyeleri ve nüfusu 50.000'in üzerindeki belediyelerce ve bu belediyelerin yetki alanı dısında il özel idarelerince, yıpranan ve özelligini kaybetmeye yüz tutmus; kültür ve tabiat varlıklarını koruma kurullarınca sit alanı olarak tescil ve ilan edilen bölgeler ile bu bölgelere ait koruma alanlarının, bölgenin gelişimine uygun olarak yeniden insa ve restore edilerek, bu bölgelerde konut, ticaret, kültür, turizm ve sosyal donatı alanları olusturulması, tabiî afet risklerine karsı tedbirler alınması, tarihi ve kültürel tasınmaz varlıkların yenilenerek korunması ve yasatılarak kullanılmasıdır.

Bu Kanun, yukarıda belirtilen amaçlar dogrultusunda olusturulacak olan yenileme alanlarının tespitine, teknik altyapı ve yapısal standartlarının belirlenmesine, projelerinin olusturulmasına, uygulama, örgütlenme, yönetim, denetim, katılım ve kullanımına iliskin usûl ve esasları kapsar.

Alanların belirlenmesi

MADDE 2. — Yenileme alanları, il özel idarelerinde il genel meclisi, belediyelerde belediye meclisi üye tam sayısının salt çogunlugunun kararı ile belirlenir. *l özel idaresinde il genel meclisince, büyüksehirler dışındaki belediyelerde belediye meclisince alınan kararlar Bakanlar Kuruluna sunulur. Büyüksehirlerde ise ilçe ve ilk kademe belediye meclislerince alınan bu kararlar, büyüksehir belediye meclisince onaylanması halinde Bakanlar Kuruluna sunulur. Bakanlar Kurulu projenin uygulanıp uygulanmamasına üç ay içinde karar verir.

Bakanlar Kurulunca kabul edilen alanlardaki uygulama bir program dahilinde etap etap projelendirilebilir.

Etap proje ve programları, meclis üye tam sayısının salt çogunlugunun kararı ve belediyelerde belediyebaskanının, il özel idarelerinde valinin onayı ile uygulamaya konulur.

Belirlenen alan sınırları içindeki tüm tasınmazlar, belediyece ve il özel idaresince hazırlanacak yenileme projelerinin kültür ve tabiat varlıklarını koruma kurulunca karara baglanmasını müteakip bu Kanuna göre yapılacak yenileme projesi hükümlerine tâbi olurlar. Büyüksehir belediye sınırları içinde büyüksehir belediyelerinin yapacaklarının dısında kalan yenileme projeleri, ilçe ve ilk kademe belediyelerince hazırlanması ve meclislerinde kabulünden sonra

büyüksehir belediye baskanınca onaylanarak yürürlüge girer. Buna göre kamulastırma ve uygulama yapılır.

Yenileme alanlarının teknik altyapı ve yapısal standartların olusturulması, bu alanların yönetimi ile örgütlenme ve uygulama alanlarında bulunan hak sahiplerinin veya bölge halkının katılımına dair usûl ve esaslar yönetmelikte belirlenir.

Uygulama

MADDE 3. — Yenileme alanları olarak belirlenen bölgelerde il özel idaresi ve belediye tarafından hazırlanan veya hazırlatılan yenileme projeleri ve uygulamaları ilgili il özel idareleri ve belediyeler eliyle yapılır veya kamu kurum ve kurulusları veya gerçek ve özel hukuk tüzel kisilerine yaptırılarak uygulanır. Bu alanlarda Toplu Konut *daresi ile ortak uygulama yapılabilecegi gibi, Toplu Konut *daresine de uygulama yaptırılabilir.

Büyüksehirlerde, büyüksehir belediyeleri tarafından baslatılmayan uygulamalar ilçe ve ilk kademe belediyelerince tek basına veya müsterek olarak yapılır veya yaptırılır.

Yenileme alanı içinde yapı parsellerindeki uygulamalarda kendi parseli ve yapısı aynen korunarak yenilenecek yapılar, projenin bütünlügünü bozmamak sartıyla belediyece kabul edilen projeye baglı kalmak ve il özel idaresi ve belediyenin belirleyecegi amaçta kullanılmak kaydıyla parsel sahibince yapılabilir. Bu durumlarda uygulamanın projeyle es zamanlı olarak baslatılması ve tamamlanması esastır. Aksi takdirde il özel idaresi ve belediyece bu Kanun hükümleri uygulanır.

Yenileme alanlarında yenileme projelerinin uygulanması sırasında tabiî afet riski tasıdığı Bayındırlık ve İskan Bakanlıgınca belirlenen bölgelerde gerekli tedbirleri almak üzere il özel idareleri ve belediyeler yenileme projelerinde tasfiye de dahil olmak üzere gerekli düzenlemeleri yapabilir, yasaklar koyabilir. Bu konudaki esas ve usuller yönetmelikte belirlenir.

Uygulama esnasında her türlü kontrol, denetim ve takip islemleri, ilgili il özel idaresi ve belediyece yapılır veya yaptırılarak sonuçlandırılır. Bu islemler, projenin özelligine göre konuyla ilgili uzman kisi, kurum ve ekiplere yaptırılır.

Yenileme alanlarındaki uygulamalar her türlü vergi, resim, harç ve ücretlerden muaftır.

Yenileme projelerini onaylamak üzere 2863 sayılı Kültür ve Tabiat Varlıklarını Koruma Kanununun 51 inci maddesine göre gerektigi kadar Kültür ve Tabiat Varlıklarını Koruma Bölge Kurulu olusturulur. Kurulca onaylanan projeler, il özel idaresi veya belediyece uygulanır.

Yenileme alanlarında yapılacak uygulamalarda her türlü mal ve hizmet alımları ile yapım isleri, ceza ve ihalelerden yasaklama hükümleri hariç olmak üzere 4734 sayılı Kamu *hale Kanunu hükümlerinden muaftır.

Yenileme projeleri, uygulama alanı içerisinde bulunan tasınmaz kültür ve tabiat varlıklarının rölöve, restitüsyon, restorasyon projeleri ile onarılacak veya yeniden insa edilecek yapıların imar mevzuatında öngörülen projelerinden olusur.

Tasınmaz tasarruflarının kısıtlanması ve kamulastırma

MADDE 4. — İl özel idaresi ve belediye, yenileme alanı ilan edilen yerlerdeki tasınmazlar üzerinde, her türlü yapılasma, kullanım ve isletme konularında proje tamamlanıncaya kadar geçici kısıtlamalar uygulayabilir.

Yenileme alanlarında bulunan yapıların bosaltılması, yıkımı ve kamulastırılmasında anlasma yolu esastır.

Anlasma saglanamayan hallerde gerçek ve özel hukuk tüzel kisilerinin mülkiyetinde bulunan tasınmazlar ilgili il özel idaresi ve belediye tarafından kamulastırılabilir. Bu Kanun uyarınca yapılacak kamulastırmalar 2942 sayılı Kamulastırma Kanununun 3 üncü maddesinin ikinci fıkrasındaki iskân projelerinin gerçeklestirilmesi amaçlı kamulastırma sayılır.

Tapuda mülkiyet hanesi açık olan tasınmazlar ile varisi belli olmayan, kayyım tayin edilmis, ihtilaflı, davalı ve üzerinde her türlü mülkiyet ve mülkiyetin gayri aynî hak tesis edilmis olan tasınmazlar için de aynı madde hükümlerine göre kamulastırma islemleri yürütülür. Kamulastırma islemlerinin yürütülmesinde il özel idareleri ve belediyeler veraset ilamı

açık arttırmaya, kayyım tayin ettirmeye veya tapuda kayıtlı son malike göre islem yapmaya yetkilidir.

İl özel idareleri ve belediyeler tasınmaz mülkiyetinin kamulastırılması yerine, uygun gördükleri takdirde satın alma, kat karsılığı ve 4721 sayılı Türk Medeni Kanununun ilgili maddelerinde düzenlenen intifa hakkı veya üst hakkı kurulması yolu ile sınırlı aynî hak tesis edebilirler.

Yenileme alanı içerisinde kalan Hazineye ait tasınmazlar baska bir isleme gerek kalmaksızın projeyi yürüten il özel idaresine ve belediyeye bedelsiz devredilir. Satıs ve gelir getirici bir ise dönüstürüldügünde proje ve uygulama giderleri çıktıktan sonraki gelirin yüzde yirmibesi Hazineye verilir. Devre ait islemler il özel idaresi ve belediyenin talebi üzerine ilgili tapu sicil müdürlügünce resen yapılır. Bu islemler her türlü vergi, resim ve harçtan muaftır. Yenileme

alanı ilan edilen yerlerde, yenileme projesi kapsamında kalan tasınmazlar Hazinece satılamaz, kiraya verilemez, tahsis

edilemez.

Yenileme alanlarında uygulanacak projelerin kamulastırma, plân, proje ve yapım islerinde kullanılmak üzere, 2863 sayılı Kültür ve Tabiat Varlıklarını Koruma Kanununun 12 nci maddesine göre olusturulan Tasınmaz Kültür Varlıklarının Korunmasına Katkı Payı hesabından belediyelere aktarma yapılır.

Millî Savunma Bakanlıgına tahsisli arsa, arazi, yapı ve tesisler, 2565 sayılı Askeri Yasak Bölgeler ve Güvenlik Bölgeleri Kanunu kapsamında bulunan yerler, sivil ve askeri hava alanları ve mania plânları kapsamında kalan yerler, mülkiyeti Milli Egitim Bakanlıgına ait bulunan okullar, mülkiyeti veya idaresi Vakıflar Genel Müdürlügüne ait bulunan tasınmazlar ile tapu kayıtlarında vakıf serhi bulunan tasınmazlarda bu Kanun hükümlerinin nasıl uygulanacagı Milli

Savunma Bakanlıgı, ilgili bakanlık veya Vakıflar Genel Müdürlügü ve il özel idaresi veya belediyece müstereken belirlenir.

Sınırlı ayni hak tesisi

MADDE 5. — Kamu kurum ve kuruluslarının ellerinde bulunan tarihi eser niteligini haiz bina ve müstemilatı, tarihi özelliklerine uygun olarak restore ettirilmek ve/veya tarihi özellikleri korunmak ve mülkiyeti ilgili kamu kurum ve kurulusunda kalmak suretiyle; egitim, saglık, kültür ve sosyal amaçlı olmak üzere kamu yararına çalısan dernekler, vakıflar, kamu kurumu niteligindeki meslek kurulusları ve diger kamu kurum ve kurulusları ile üniversiteler ile ticarî

faaliyetlerde kullanılmak üzere gerçek ve özel hukuk tüzel kisilerine sınırlı ayni hak olarak tesis edilebilir.

Sınırlı ayni hak tesisi ile ilgili esas ve usuller ile bedeli ve kullanma süresi, ilgili belediye veya ilgili kamu kurum ve kurulusları tarafından Türk Medeni Kanunu, İl Özel İdaresi Kanunu, Belediye Kanunu ve ilgili diger mevzuat çerçevesinde belirlenir.

Yönetmelik

MADDE 6. — Bu Kanunun uygulanmasına iliskin yönetmelik, İçisleri Bakanlığının teklifi üzerine Bakanlar Kurulunca Kanunun yayımı tarihinden itibaren üç ay içinde yürürlüge konulur.

Uygulanmayacak hükümler

MADDE 7. — Bu Kanun kapsamında yer alan yenileme alanlarında, uluslararası hukuktan dogan yükümlülükler saklı kalmak kaydıyla, diger kanunların bu Kanuna aykırı hükümleri uygulanmaz.

Yürürlük

MADDE 8. — Bu Kanun yayımı tarihinde yürürlüge girer.

Yürütme
MADDE 9. — Bu Kanun hükümlerini Bakanlar Kurulu yürütür.
 4 Temmuz 2005

THE LAWSUIT AGAINST LAW NO. 5366

Att.HİLAL KÜEY
Att.LATİF KÜEY
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No:2/606 Konak-_zmir
tel: 4461340
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MOTION FOR STAY AND
REQUEST FOR TRIAL

TO CHAIRMANSIP OF İZMİR ADMINISTRATIVE VACATION COURT
in order to be submitted to
CHAIRMANSHIP OF ISTANBUL ADMINISTRATIVE COURT

PLAINTIFFS : 1- Mehmet Asım Hallaç 2- Ayse Gülsen Gökırmak 3- Gülsüm
Bitirmis 4 - Sükrü Pündük 5- Sulukule Roman Culture Development and Solidarity
Society

COUNSELS : Att. Hilal Küey

DEFENDANTS : 1- The Ministry of Culture and Tourism
Atatürk Bulvarı No: 29 06050 Opera - ANKARA
                    2- Fatih Municipality
Büyük Karaman Cad. No: 53 Fatih - ISTANBUL

SUBJECT : The request for motion for stay and deciding for cancellation of the
resolution of the Regional Board for Protection of Cultural and Natural Assets of
Renovation Sites of Istanbul, the Ministry of Culture and Tourism, dated 02.11.2007,
no. 20 and the
resolution of Fatih Municipality Council, dated 10.12.2007, no. 2007/156, which
approves implementation of that resolution.

CASE :
1- a) The Board of Ministers has urgently taken a decision for expropriation in
Hatice Sultan and Neslisah neighborhoods of Fatih district based on the "Law for
Renovation and Utilization of Deteriorated Historical and Cultural Assets" No.5366,
enacted by being published at the Official Gazette, dated 05.07.2005, no. 25866.
b) The lawsuit, filed at 6th Office of Council of State, dated 19.10.2006 with case no.
2007/1115 for cancellation of the said expropriation action, is still pending.
c) Following the said Urgent Expropriation Resolution, there is not any urgent
expropriation lawsuit/resolution, filed/taken by the Municipality according to Article
10 of Expropriation Law.
However, despite of this fact, Fatih Municipality is continuing to demolish structures
in the site sometimes. The Law No. 5366, shortly known as Urban Transformation
Law, which was enacted with the claim of being a social project, is being

implemented by Fatih Municipality by ignoring the principles of modern municipality management. (Annex:1 An example to illegal demolitions: CD record of demolitions, dated 03.11.2007) Therefore your court **must decide for motion for stay** against implementation of the project.

d) Furthermore there are some news in the media that some officers are purchasing immovable properties in the region in order to have surplus value clearly in contradiction with the purpose of the law (Annex: 2). There is no doubt that these are allegations that can only be clarified as a result of an investigation. However since even its existence is causing serious doubts regarding the social aspect of a project, **it must be decided for motion of stay regarding the project.**

2- The administrative operations that we want to be cancelled are those operations that are illegal in terms of their authorizations, formats, purposes, and reasons.

Illegality in terms of authorization

The Board for Protection of Renovation is a private board, established according to Article 3/7 of the Law No. 5366. The text of this article states, *"In order to approve renovation projects, sufficient number of Regional Boards for Protection of Cultural and Natural Assets are formed according to Article 51 of the Law for Protection of Cultural and Natural Assets, No. 2863. Projects that have been approved by the Board are implemented by Private Administration of Provinces or Municipalities"*. However this text is in conflict with the Law No. 2863, which aims to protect cultural and natural assets.

Because the boards that have been formed according to Article 51 are the ones being formed by the Ministry of Culture and Tourism in order to conduct protection of these assets in accordance with scientific principles. **The renovation board, which has been formed by a private law is not authorized according to the Law No. 2863.** The statement, "*...provisions of other laws that are in contradicting with this law cannot be implemented*" in Article 7 of the Law No. 5366 is in contradiction with the technique of making laws and the hierarchy of laws. It is also contradicting with the principle of which law must be implemented in case of conflict of private laws.

In the Republic of Turkey, the private law of Protecting Cultural Assets, is the Law No. 2863. The law that is protecting the culture cannot be ignored by another law that has been enacted for another purpose. Therefore the Board of Renovation, which was formed according to the Law No. 5366 is not authorized to take decisions in a project, related with construction in historical city and protection zones.

Also this text is in contradiction with **Article 63** of the **Constitution**, stating "The State ensures that historical, cultural, and natural assets and values are protected and takes supporting and encouraging measures for this purpose". **We hereby allege that paragraph 7 of Article 3 of the Law and the statement, "*...provisions of other laws that are in contradicting with this law cannot be implemented*" in Article 7 of the same Law are in contradiction with the Constitution and therefore they must be cancelled.**

Because not the Boards, that have already been formed according to Article 51 of the Law No. 2863 but **the boards formed especially for renovation projects are contradicting with the rules of objectivity that have been defined in the law.**

Illegality in terms of format
In the concrete resolution of Board of Renovation, the members of Metropolitan Municipality and Fatih Municipality have participated to the meeting and decision making process and have used their voting rights and undersigned the resolution (Annex: 3)
If the representatives of actual owners of a project do not contribute to related decisions, the objectivity of that resolution is lost.
On the other hand, most important characteristics of such Boards of Protection must be their objectivity, however it is not possible to see such objectivity in the format of this resolution. **Therefore the decision for motion of stay must be taken.**

Illegality in terms of purpose
The reason for existence of Boards of Protection is to protect the Culture as per the Law No. 2863.
Plots in the project are located in the sites, announced as "Urban and Historical Protected Sites" by the resolution of Regional Board of Istanbul No. 1 for Protection of Cultural and Natural Assets, dated 12.07.1995 and no. 6848. However in the draft project, approved by the resolution of Board of Renovation, dated 02.11.2007 **it is not possible to see that "Sulukule Culture" and "historical texture of the city", which were the reasons for announcing the site as protected, are protected**. The project can easily be implemented on a site other than Sulukule. However such kind of protected sites require special plans and projects. But in the project that we request to be cancelled, it is aimed not to "protect the historical and cultural texture of the city" but to gain more sites for sale.
Also as it can be seen in the Board's resolution, the blocks that even have not been expropriated are requested to be included to the Project. (Block No. 2599)

Illegality in terms of reason
a) According to Article 1 of the Law No. 5366, which specifies the purpose of law, *"the purpose of this law is....... to take measures against risks of natural disasters, to protect immovable historical and cultural assets by renovating them and to use these assets by perpetuating them."*
The Municipality takes the earthquake risk of the zone and the requirement to take measures as basis for its project. However, the **Report, dated 18.12.2007**, taken from Istanbul Branch of Chamber of Geology Engineers (Annex: 5) states that *"As a conclusion, the geological elements, on which the settlements in Hatice Sultan and Neslisah neighborhoods are located, does not have any inconvenient ground structure in terms of their supporting power and earthquake risk. The ground of the site does not feature any risk and there is not any event that requires to take any measure."*.
In this case **the implementation zone of the Board's resolution, dated 02.11.2007 is not a renovation zone that is suitable for the purpose of law no. 5366.**
b) **There are contradictions in the project, which was requested to be cancelled, with the zoning plan with 1/1000 scale.**
In the plan for city walls protection band, there are 3A and 3B protection zones and it is prevented to increase **concentration of population and constructions** in 3A zone. While the maximum allowed no. of flats for buildings within the city walls protection band was two, existence of 3 and 4 floors buildings (Ground floor + 2, Ground floor + 3) in the project is a contradiction with this plan.

Since an extensive survey was not conducted for registered and monumental artworks, all of them have not been protected in the project. An archeological survey was not conducted in the entire zone, particularly in the sites at which underground parking lots will be constructed.

d) In the action for nullity, filed by Istanbul Chamber of Civil Engineers at **Istanbul 2nd Administrative Court** with file no. **2007/1846 E. it has been decided to stay execution of Environmental Layout Plan of Istanbul province with 1/100,000 scale** (Annex: 6). In this case it would be necessary to make amendments in the protected sites of other zoning plans. We also kindly request from your court to investigate whether the project is in compliance with the zoning plans or not by summoning all of these plans. If they are not compliant, this would require cancellation of the project due to contradiction with the zoning plan.

Since the decree for stay of execution of 1/100,000 scaled plan would cause a new regulation for all zoning plans, we also hereby kindly request you're your court to decide for stay of execution in our lawsuit.

e) **Contradictions with international conventions**

aa) The World Heritage Committee, operating under the roof of "UNESCO", the Education, Science, and Culture department of United of Nations, is composed of representatives of 21 member countries, selected for 6 years. The main document that is directing the studies of World Heritage Committee methodologically and theorically is the Operational Guidelines, which was formed with the data obtained through international meetings that are being organized for the last fifty years in the area of cultural heritage by ICOMOS, official advisory body of the Committee. These guidelines are specifying the criteria for management of the sites to be included to the World Heritage List, the sites to be included to World Heritage List in Danger, and the sites that are already included to the World Heritage List, in accordance with the "site management" model. "The last point" that international protection theory has reached is describing the "site management model" as the first requirement for the management of sites included to "World Heritage List. Sites that are included to the World Heritage List must not only be managed by "Site Management Model" but also the candidacy for World Heritage List requires the availability for an site management plan and this requirement became a part of the international legislation in the said Guidelines

(Site Management Model can shortly be described as a management model, aiming to manage the site by a multi-party and democratic model, targeting the creation of a common mind by gathering all competent central and local authorities as well as the stakeholders, universities, and relevant non-governmental organizations together in order to ensure that protection-utilization balance is kept through approaches prescribed in the statutes that are forming the international protection theory).

As a result of the studies, conducted by the General Directorate of Cultural Assets and Museums of the Ministry of Culture and Tourism, nine sites within the borders of Turkey are included to the World Heritage List since 1985. **Therefore management of these sites in accordance with the criteria determined in the aforesaid Guidelines, is the only way to keep them included to the World Heritage List. Although the international law has clearly specified that the management model for World Heritage Sites would be "Site Management", the management model offered with the Law No. 5366 is completely out of these standards.** The Law No. 5366 opens the way for announcement of protected sites, which are covered by the World Heritage List, as "renovation sites" and allows implementation of projects that are aiming not to "protect" but "renovate" the

cultural, demographical, and historical texture of these sites, which must be "management sites", by focusing on utilization.

The projects to be implemented under the Law No. 5366 shall be a model in contradiction with the "liabilities arising out of international laws". However in Article 7 of the Law it is stated that "…provided that liabilities arising out of international law shall be reserved for renovation sites".

Therefore the project, which was finalized without reaching a consensus as well as without including any opinion of local residents during the preparation stage and which does not protect the cultural and historical texture **is in contradiction with Article 7 of the law, which requires not to be in conflict with international liabilities.**

On the other hand, "international conventions are deemed as laws" according to Article 90 of the Constitution. The World Heritage Committee, which meets for once in a year, has presented its concerns about the sites that were included to World Heritage List in 1985 (Karasurları, Sultanahmet Archeological Park, Süleymaniye, Zeyrek) and warned Turkey for several times that these sites would be included to "World Heritage List in Danger". It has also requested in the report, released after 30th Periodical Meeting, to determine the borders of a buffer zone and to submit the draft of "Site Management Plan" to the Committee until February 1, 2007 and to submit the final "Site Management Plan" to Committee's approval on February 1, 2008.

Neslisah and Hatice Sultan (Sulukule) neighborhoods, at which the project that we have

requested to be cancelled will be implemented, are located within the City Walls Zone and adjacent to the Karasurları (Land Walls).

bb)1992 **Malta / Valetta Convention** (Turkey has declared that it has signed this convention on the Official Gazette, dated 13.1.1999) According to this convention, the parties are undertaking *".... to take the measures necessary to protect archeological heritage, to secure research activities in terms of scientific issues, to protect and maintain archeological heritage preferably in the site that it is found........"* .

1985 **Granada Convention** (Turkey has declared that it has signed this convention on the Official Gazette, dated 13.04.1989). According to this convention, the parties are undertaking *".......to create an inventory list of these historical assets, to prepare the necessary documents as soon as possible in case a dangerous situation that might damage these historical assets occurs, to conduct necessary audits in order to protect architectural heritage, to prevent deterioration, damage, or demolition of protected assets......"*.

1972 **Paris Convention** (Turkey has declared that it has signed this convention on the Official Gazette, dated 14.02.1983). According to this convention, each party *".......accepts that the task to detect, protect, preserve, display, and hand on the cultural and natural heritage on its lands to next generations shall initially be its own liability."* (Article 4)

"Each state that is a party of this convention, ensures that effective and active measures are taken in order to protect, preserve, and display the cultural and natural heritage in their lands" (Article 5)

The resolutions and project that we request to be cancelled are in contradiction with aforesaid conventions, which aimed to protect the archeological, architectural, and cultural heritages.

cc) Also, according to Paragraph 172 of Operational Principles pertaining to Implementation of Convention for Protecting the World's Natural and Cultural Heritage (February 2005), "States are invited to inform the World Heritage Committee through the Secretariat regarding any large restoration or new construction projects that they will initiate/have authorized on the sites, which were already protected by the Convention, and which might have an impact on the significant universal value of the said property. **The said notification must be submitted as soon as possible (for instance, before preparation of the draft of basic documents of a certain project) and before resolutions, which might be difficult to restore, are taken.** So the Committee would be able to assist in finding the most suitable solutions that might ensure that the significant universal value of the said property can be completely protected".

Since there is not such a notification for the bases of resolutions as well as the project, which we request to be cancelled, this fact maims the resolution in terms of its reason.

dd) Again, when we take a look to **Memorandum of Wien**, dated May 20, 2005, it will be understood that projects to be approved "by all stakeholders" are aimed in order to supervise and manage the development of historical city sites, which are forming the World Culture Heritage: *"Continuous developments that have occurred in historical city sites in the form of "structural intervene" and in relation with functional utilization, social structure, political concept, and economical development can be accepted. For this purpose the decision makers must act with a vision focused on future and covering the entire city and must establish dialogues with other actors and stakeholders."* (Article 13)

"As a result of emotional bonds between human and their surrounding and the sense of humans of belonging to a place we can claim that ensuring that urban and environmental habitation quality contributes to social and cultural activities has a great importance." (Article 16)

"Taking a decision for 'intervening and modern architecture' in any historical city site requires a serious thought, a sensitive approach in terms of history and culture, and consultation with all stakeholders and related experts. While such a process is assisting in taking the right approach for special cases and examining the link between the old and new in terms of locations, it also ensures that historical texture and structural transformation is kept significant and integral." (Article 18)

*"When the most basic definition is taken into consideration, the 'city planning, modern architecture, and protection of historical city site' that denies concurrently both the historical and modern one must refrain from any type of fake historical designations. **A historical view must not replace another and so while the history is kept as readable the continuity of culture must be maintained through quality intervening, and this is the biggest aim."*** (Article 21)

The project that we request to be cancelled never ensures such a cultural continuity.

ee) Aware of the fact that cultural continuity can be incarnated by protection of cultural diversity in our today's world, UNESCO has **Statute of Venice** and other various statutes written in the same approach:

- Nara Document on Authenticity:

"The diversity of cultures and heritage in our world is an irreplaceable source of spiritual and intellectual richness for all humankind. The protection and enhancement of cultural and heritage diversity in our world should be actively promoted as an essential aspect of human development." (Article 1)

"Cultural heritage diversity exists in time and space, and demands respect for other cultures and all aspects of their belief systems. In cases where cultural values appear to be in conflict, respect for cultural diversity demands acknowledgment of the legitimacy of the cultural values of all parties." (Article 2)

"All cultures and societies are rooted in the particular forms and means of tangible and intangible expression which constitute their heritage, and these should be respected." (Article 3)

"It is important to underline a fundamental principle of UNESCO, to the effect that the cultural heritage of each is the cultural heritage of all. Responsibility for cultural heritage and the management of it belongs, in the first place, to the cultural community that has generated it, and subsequently to that which cares for it. However, in addition to these responsibilities, adherence to the international charters and conventions developed for conservation of cultural heritage also obliges consideration of the principles and responsibilities flowing from them. Balancing their own requirements with those of other cultural communities is, for each community, highly desirable, provided achieving this balance does not undermine their fundamental cultural value." (Article 4)

In the project that we request to be cancelled, there is not any indication for protection of Roman-Sulukule culture.

- Charter on the Built Vernacular Heritage:

" The conservation of the built vernacular heritage must be carried out by multidisciplinary expertise while recognising the inevitability of change and development, and the need to respect the community's established cultural identity." (Article 1)

*" **Contemporary work on vernacular buildings, groups and settlements should respect their cultural values and their traditional character."*** (Article 2)

"The vernacular is only seldom represented by single structures, and it is best conserved by maintaining and preserving groups and settlements of a representative character, region by region." (Article 3)

"The built vernacular heritage is an integral part of the cultural landscape and this relationship must be taken into consideration in the development of conservation approaches." (Article 4)

*" The vernacular embraces not only the physical form and fabric of buildings, structures and spaces, but the ways in which they are used and understood, and the traditions and the intangible associations which attach to them.*** (Article 5)

There has not been any such extensive cultural study for the project that we request to be cancelled.

- Charter on the Conservation of Historic Towns and Urban Areas (Washington Charter).

"In order to be most effective, the conservation of historic towns and other historic urban areas should be an integral part of coherent policies of economic and social development and of urban and regional planning at every level." (Article 1)

"Qualities to be preserved include the historic character of the town or urban area and all those material and spiritual elements that express this character, especially:Urban patterns as defined by lots and streets; Relationships between buildings and green and open spaces; The formal appearance, interior and exterior, of buildings as defined by scale, size, style, construction, materials, colour and decoration; The relationship between the town or urban area and its surrounding setting, both natural and man-made; and The various functions that the town or

urban area has acquired over time. Any threat to these qualities would compromise the authenticity of the historic town or urban area." (Article 2 – 7)

"The participation and the involvement of the residents are essential for the success of the conservation programme and should be encouraged. The conservation of historic towns and urban areas concerns their residents first of all. Conservation in a historic town or urban area demands prudence, a systematic approach and discipline. Rigidity should be avoided since individual cases may present specific problems." (Articles 8 and 9)

"Planning for the conservation of historic towns and urban areas should be preceded by multidisciplinary studies. Conservation plans must address all relevant factors including archaeology, history, architecture, techniques, sociology and economics. The principal objectives of the conservation plan should be clearly stated as should the legal, administrative and financial measures necessary to attain them. The conservation plan should aim at ensuring a harmonious relationship between the historic urban areas and the town as a whole. The conservation plan should determine which buildings must be preserved, which should be preserved under certain circumstances and which, under quite exceptional circumstances, might be expendable. Before any intervention, existing conditions in the area should be thoroughly documented. The conservation plan should be supported by the residents of the historic area. Until a conservation plan has been adopted, any necessary conservation activity should be carried out in accordance with the principles and the aims of this Charter and the Venice Charter." (Articles 10 and 11)

The project that we request to be cancelled, which was created without considering any criticism, is still being implemented with demolitions despite of all critics. Is it possible to claim that protection is in compliance with aforesaid principles?

ff) **Convention for the Safeguarding of the Intangible Cultural Heritage**, (Turkey has signed this convention on January 21, 2006) The purpose of this convention is described as follows:

" The "intangible cultural heritage" means the practices, representations, expressions, knowledge, skills – as well as the instruments, objects, artefacts and cultural spaces associated therewith – that communities, groups and, in some cases, individuals recognize as part of their cultural heritage. This intangible cultural heritage, transmitted from generation to generation, is constantly recreated by communities and groups in response to their environment, their interaction with natüre and their history, and provides them with a sense of identity and continuity, thus promoting respect for cultural diversity and human creativity."

As it can be understood from the text, the sense of identity to the environment and continuity is highlighted in the convention. However the project that we request to be cancelled is established on a plan to move residents of Sulukule to another location. It is not possible to see the sense and practice of protecting the significance and continuity of environment in terms of the artworks being performed by Roman community in their residential area in Sulukule and for transmitting these arts and their community characteristics to new generations in the project that we request to be cancelled.

gg) The project that we request to be cancelled is also **in contradiction with the right to pay respect to the residence and private life and family life as described in European Convention for Human Rights (Article 8), the right to not be exposed to discrimination (Article 14) and the right for protection of properties as described in Article 1 of Additional Protocol 1.**

f) Contradictions in our National Legislation

This project and the Law No. 5366 that forms the basis of this project are setting the principles of private life, immunity of residence, legality in front of laws, and the right of property, regulated by Articles 20, 21, 10, and 35 of the Constitution and are in contradiction with the concept of right in the laws:

Article 4 of the Law No. 5366 states that *expropriations in renovation sites* are *considered as expropriations for realizing the settlement projects* as described in Article 3 of Expropriations Law. This article is in contradiction with the spirit of Expropriations Law and the foundation of philosophy of expropriations. While an expropriation operation is being performed the public benefit is the 'sine qua non' principle of the expropriation and the first requisite for expropriation decisions.

However in the expropriation operations being performed according to the Law No. 5366, the main factor is not the public benefit but whether the sites are falling within the renovation site or not.

This case is in contradiction with Article 35 of the Constitution, stating, *"everybody has the right of property and heritage. These rights can be limited by law only for the purpose of public benefit".* **It is in contradiction with the definition of "state authority cannot be applied on private property without existence of any public benefit", which is the essence of administrative law and public management.** As a result of aforesaid reasons **we are claiming that Article 4 of the Law No. 5366, which is in contradiction with the Constitution, must be cancelled and we are alleging that there is a contradiction with the Constitution.**

3- If an expertise and estimation is conducted on the plots of my clients (Mehmet Asım Hallaç, Section No. 462, Block No. 2484, Plot No. 57; Ayse Gülsen Gökırmak Section No. 462, Block No. 2484, Plot No. 70; Gülsüm Bitirmis and Sükrü Pündük-have shares on the same two houses – Section No. 462, Block No. 2493, Plot No. 5 and Section No. 462, Block No. 2489, Plot No. 63) and entire Sulukule, it would be understood that the project draft and implementation resolution are illegal.

LEGAL REASONS: International Conventions, Constitution, Law No. 2863, Law No. 5366, Expropriation Law, Municipality Law, Administrative Judgment Law, No. 2577, and other legal legislations.

EVIDENCES: Land registry records, the resolution of Board of Renovation and Protection, dated 02.11.2007 and no. 20, the resolution of Fatih Municipality Council, dated 10.12.2007 and no. 2007/156, the resolution of Regional Board of Istanbul No. 1 for Protection of Cultural and Natural Assets, dated 12.07.1995 and no. 6848, **the decree of Istanbul 2nd Administrative Court, dated 08.11.2007, no. 2007/1846 E. for stay of execution of Environmental Layout Plan of Istanbul province with 1/100,000 scale**, Zoning Plans, news in the media, CD record, examination of expert, and other legal legislations.

CONCLUSION AND REQUEST: Due to aforesaid reasons, we hereby kindly request from your court to decide
- initially for stay of execution,
- to accept our claims for contradiction with the Constitution as prejudicial issues,
- to accept our request for estimation and expert,
- to exercise the jurisdiction with trials,
- to cancel the resolutions as a result of the trials,
- to burden the judicial expenses and attorneyship fees to the counter party regarding the resolution of the Regional Board for Protection of Cultural and Natural Assets of Renovation Sites of Istanbul, the Ministry of Culture and Tourism, dated 02.11.2007,

no. 20 and the resolution of Fatih Municipality Council, dated 10.12.2007, no. 2007/156. 31/12/2007
Counsel of Plaintiffs
Att. Hilal Küey

Annex: Power of attorneys
1- CD record
2- News in media (Printouts from websites)
3- Resolution of the Board of Renovation
4- Summary of the Council Resolution (printout from website)
5- Report of Chamber of Geology Engineers
6- The decree for stay of execution, dated 08.11.2007
7- Land registry records.

T.T. 11.06.2012

T.C.
İSTANBUL
4. İDARE MAHKEMESİ
ESAS NO   : 2009/758
KARAR NO   : 2012/783
DAVACI   : TMMOB MİMARLAR ODASI İSTANBUL BÜYÜKKENT
                       ŞUBESİ
VEKİLİ   : AV. ŞERAFETTİN CAN ATALAY
                       Kemankeş Cad.No: 31 Karaköy Beşiktaş/İSTANBUL
DAVALILAR   : 1- FATİH BELEDİYE BAŞKANLIĞI
VEKİLİ   : AV.NURAN ÖZDİLLER
                       2- KÜLTÜR VE TURİZM BAKANLIĞI - Merkez/ANKARA
MÜDAHİL   : FATİH SULUKULE MÜLK SAHİPLERİ KÜLTÜR VE SOSYAL
                       DAYANIŞMA DERNEĞİ BAŞKANI (Davalı)
VEKİLİ   : AV. AHMET ÖZER
                       Tercüman Blokları A-2 Blok K:15/64 Zeytinburnu/İSTANBUL

DAVANIN ÖZETİ   : Davacı tarafından, İstanbul İli, Fatih İlçesi, Neslişah ve Tahice Sultan Mahalleleri (Sulukule) Yenileme Alanına yönelik hazırlanan Yenileme Avan Projesinin uygun bulunmasına ilişkin İstanbul Yenileme Alanları Kültür ve Tabiat Varlıklarını Koruma Bölge Kurulunun 02.11.2007 tarihli ve 20 sayılı kararı ile avan projesinin, dayanak alındığı 5366 Sayılı Kanunun Anayasaya aykırı hükümler içerdiği, söz konusu kanunda korumaya ilişkin hükümler bulunmadığı gibi bunun aksine yönelik düzenlemeler bulunduğu, söz konusu projenin bu bölgenin Kentsel ve Tarihi Sit olarak belirlenmesine yönelik alınan Koruma Kurulu kararlarına ve yürürlükte olan imar planları ile şehircilik ilkelerine aykırı düzenlemeler içerdiği iddialarıyla iptali istenilmektedir.

KÜLTÜR VE TURİZM BAKANLIĞI SAVUNMASININ ÖZETİ : İstanbul İli, Fatih İlçesi, Neslişah ve Tahice Sultan Mahalleleri (Sulukule) Yenileme Alanın İstanbul 1 Numaralı Kültür ve Tabiat Varlıklarını Koruma Bölge Kurulu kararıyla belirlenen "Tarihi ve Kentsel Sit Alanı" içerisinde kaldığı,Bakanlar Kurulu kararıyla bu alanın yenileme alanı ilan edildiği, ihtilaf konusu alanla ilgili olarak alınan kararın kararın hukuka uygun olduğu eliri sürülerek davanın reddi gerektiği savunulumuştur.

FATİH BELEDİYE BAŞKANLIĞI SAVUNMASININ ÖZETİ : Öncelikle davacı tarafın dava konusu işlemi dava konusu etme ehliyetinin bulunmadığı, esas yönünden de dava konusu projenin hayata geçirilmesinin koruma amaçlı imar planı ve tarihi doku ile uyumlu mevcut ada ve sokak dokularının korunduğu bir yaşam alanına dönüşeceği, 5366 Sayılı Yasa'nın amacına uygun bir şekilde bölgenin tarihi ve kültür değeri gözönünde tutularak yenilenip yaşatılmasının sağlandığı, bu açıdan hukuka ve mevzuata uygun hareket edildiği ileri sürülerek davanın reddi gerektiği savunulumuştur.

TÜRK MİLLETİ ADINA

Karar veren İstanbul 4. İdare Mahkemesi'nce,duruşma için taraflara önceden duyurulan 16.06.2010 tarihinde davacı vekili Av. Şerafettin Can ATALAY ile davalı Kültür ve Turizm Bakanlığı'nı temsilen Sönmez ÖNAL ve davalı Fatih Belediye Başkanlığı'nı temsilen Av. Nuran ÖZDİLER'in geldikleri görülerek duruşma açıldı. Taraflara usulüne uygun söz verilip dinlendikten sonra duruşmaya son verildi. Usule ilişkin itirazlar yerinde görülmeyerek gereği görüşüldü:

Dava, İstanbul İli, Fatih İlçesi, Neslişah ve Tahice Sultan Mahalleleri (Sulukule) Yenileme Alanına yönelik hazırlanan Yenileme Avan Projesinin uygun bulunmasına ilişkin İstanbul Yenileme Alanları Kültür ve Tabiat Varlıklarını Koruma Bölge Kurulunun 02.11.2007 tarihli ve 20 sayılı kararı ile avan projesinin iptali istemiyle açılmıştır.

05.07.2005 gün ve 25866 sayılı Resmi Gazete'ye yayımlanarak yürürlüğe giren 5366 sayılı Yıpranan Tarihi ve Kültürel Taşınmaz Varlıkların Yenilenerek Korunması ve Yaşatılarak Kullanılması Hakkında Kanun'un 1. maddesinde ;"Kanunun amacı, büyükşehir belediyeleri, büyükşehir belediyeleri sınırları içindeki ilçe ve ilk kademe belediyeleri, il, ilçe belediyeleri ve

1

229

nüfusu 50.000'in üzerindeki belediyelerce ve bu belediyelerin yetki alanı dışında il özel idarelerince, yıpranan ve özelliğini kaybetmeye yüz tutmuş; kültür ve tabiat varlıklarını koruma kurullarınca sit alanı olarak tescil ve ilan edilen bölgeler ile bu bölgelere ait koruma alanlarının, bölgenin gelişimine uygun olarak yeniden inşa ve restore edilerek, bu bölgelerde konut, ticaret, kültür, turizm ve sosyal donatı alanları oluşturulması, tabiî afet risklerine karşı tedbirler alınması, tarihi ve kültürel taşınmaz varlıkların yenilenerek korunması ve yaşatılarak kullanılması " şeklinde düzenlenmiş, 2. maddesinde; yenileme alanlarının, il özel idarelerinde il genel meclisi, belediyelerde belediye meclisi üye tam sayısının salt çoğunluğunun kararı ile belirleneceği, il İl özel idaresinde il genel meclisince, büyükşehirler dışındaki belediyelerde belediye meclisince alınan kararların Bakanlar Kuruluna sunulacağı....Bakanlar Kurulunca kabul edilen alanlardaki uygulama bir program dahilinde etap etap projelendirilebilebileceği.....belirlenen alan sınırları içindeki tüm taşınmazların belediyece ve il özel idaresince hazırlanacak yenileme projelerinin kültür ve tabiat varlıklarını koruma kurulunca karara bağlanmasını müteakip bu Kanuna göre yapılacak yenileme projesi hükümlerine tâbi olacağı hükmü yer almış, 3. maddesinde; yenileme alanları olarak belirlenen bölgelerde il özel idaresi ve belediye tarafından hazırlanan veya hazırlatılan yenileme projeleri ve uygulamaların ilgili il özel idareleri ve belediyeler eliyle yapılacağı veya kamu kurum ve kuruluşları veya gerçek ve özel hukuk tüzel kişilerine yaptırılarak uygulanacağı....büyükşehirlerde, büyükşehir belediyeleri tarafından başlatılmayan uygulamalar ilçe ve ilk kademe belediyelerince tek başına veya müşterek olarak yapılacağı veya yaptırılacağı...yenileme projelerini onaylamak üzere 2863 sayılı Kültür ve Tabiat Varlıklarını Koruma Kanununun 51 inci maddesine göre gerektiği kadar Kültür ve Tabiat Varlıklarını Koruma Bölge Kurulu oluşturulacağı, Kurulca onaylanan projelerin il özel idaresi veya belediyece uygulanacağı, yenileme projelerinin, uygulama alanı içerisinde bulunan taşınmaz kültür ve tabiat varlıklarının rölöve, restitüsyon, restorasyon projeleri ile onarılacak veya yeniden inşa edilecek yapıların imar mevzuatında öngörülen projelerinden oluşacağı belirtilmiştir.

Yıpranan Tarihi ve Kültürel Taşınmaz Varlıkların Yenilenerek Korunması ve Yaşatılarak Kullanılması Hakkında Kanunun Uygulama Yönetmeliği'nin 11. maddesinde; yetkili idarelerin kesinleşen kararları Bakanlar Kurulu onayına sunulmak üzere Bakanlığa gönderileceği, yenileme alanı kararı, Bakanlar Kurulu kararının Resmi Gazete'de yayımlandığı tarihte yürürlüğe gireceği ve uygulama bir yıl içinde başlatılacağı, 12. maddesinde;Yetki ve sorumlulukları yenileme alanları ile sınırlı olmak ve yenileme projelerini karara bağlamak amacıyla, 2863 sayılı Kültür ve Tabiat Varlıklarını Koruma Kanununun 51 inci maddesine göre gerektiği kadar koruma bölge kurulu oluşturulacağı, 17. maddesinde ise; yetkili idareler tarafından yapılan veya yaptırılan yenileme avan projesi koruma bölge kurulu kararını müteakip yetkili idarelerin meclis üye tam sayısının salt çoğunluğunun kararı ile; belediyelerde belediye başkanının, il özel idarelerinde valinin onayı ile yürürlüğe gireceği hükümleri yer almıştır.

Dava konusu işlemin içeriğine bakıldığında; İstanbul İli, Fatih İlçesi, 2484(bir kısmı) ada, 2490 ada, 2492 ada, 2493 ada, 2494 ada, 2495 ada, 2497 ada, 2498 ada, 2499 ada, 2525 ada, 2524 adaları kapsayan yerin İstanbul I.numaralı Kültür ve Tabiat Varlıklarını koruma Bölge Kurulu'nun 12.7.1995 gün ve 6848 sayılı kararı ile belirlenen Kentsel ve Tarihi Sit alanı içerisinde kaldığı, 22.4.2006 gün ve 26147 sayılı Resmi Gazete ve 13.10.2006 gün ve 26318 sayılı Resmi Gazete'de yayımlanarak yürürlüğe giren Bakanlar Kurulu kararlarıyla ilan edilen Neslişah ve Hatice Sultan Mahallesi(Sulukule) Yenileme Alanına ilişkin olarak Fatih Belediye Başkanlığı Etüd Proje Müdürlüğü'nce Yenileme Avan Projesi hazırlandığı, hazırlanan bu projenin onaylanmasına yönelik olarak 3.9.2007 gün ve 1508 sayılı yazısı ve 01.11.2007 gün ve 14 sayılı uzman raporunun gönderilmesi sonrasında, uzman raporu ile birlikte dosyası ekleri ve Yenileme Avan Projesinin 5366 sayılı Yasa ile ilgili Yasa, yönetmelik ve mevzuat hükümleri kapsamında incelendiği, yapılan yerinde inceleme ve görüşmeler sonucunda; İstanbul İli, Fatih İlçesi, 2484(bir kısmı) ada, 2490 ada, 2492 ada, 2493 ada, 2494 ada, 2495 ada, 2497 ada, 2498

2

230

ada, 2499 ada, 2525 ada, 2524 adaları kapsayan Neslişah ve Hatice Sultan Mahallesi(Sulukule) Yenileme alanına ilişkin hazırlanan Yenileme Avan Projesi'nde tescilli kültür varlığı yapılarının korunduğu, gerekli yeşil alan ve sosyal donatı alanlarına yer verildiği, özgün ada morfolojisi ve sokak rejiminin yeterli düzeyde korunduğu sonucuna varılarak   sunulan Yenileme Avan Projesi'nin uygun olduğuna, Uygulama Projesinin ilgili belediye tarafından hazırlanarak veya hazırlatılarak Kurulumuza iletilmesine, proje aşamasında Fatih Belediyesinin etkin katılımının mutlaka sağlanmasına, tüm aşamalarda kentsel koruma ve restorasyon uzmanlarının projede yer alması gerektiğine, yeni yapıların, taşınmaz kültür varlıkları ve tarihi çevreyle olan ilişki ve uyumuna ilişkin düzenlemelerin uygulama projesi aşamasında özellikle göz önünde tutulmasına, tescilli kültür varlığı yapıların rölöve, restitüsyon ve restorasyon projelerinin uygulama projeleriyle birlikte hazırlanmasının zorunlu olduğuna,yenileme alanı dışında kalan 2599 adanın proje dışı bırakılmasına yönelik olarak dava konusu kararın alındığı, bunun üzerine de bakılan davanın açıldığı anlaşılmaktadır.

Uyuşmazlığın çözümlenmesi ve davacı iddialarının doğruluğunun tespiti amacıyla Mahkememizce mahallinde keşif ve bilirkişi incelemesi yaptırılmasına karar verilmiş ve yapılan keşif ve bilirkişi incelemesi sonucunda hazırlanan ve ayrıntıları dosyada mevcut bilirkişi raporunda " Dava konusu taşınmazların; dünyanın sayılı metropollerinden ve 2010 yılı Avrupa Kültür Başkentlerinden biri olan; İstanbul'a adını ,veren Yeditepeli Tarihi Yarımada'nın yedi tepesinden birinde ve Edirnekapı Mihrimah Sultan Külliyesi'nin yanındaki bölgede yer aldığı,bu önemli sosyal ve kültürel değeri bulunan Tarihi Yarımada'nın çeşitli dönemlerde imar planı yapılma girişimleri olduğu, bazılarının gerçekleştirilmiş, ancak bu gerçekleştirilen planlar yargı yoluyla iptal edilmiş ve uzun süre geçiş dönemi yapılaşma koşullarında imar durumu düzenleyen koruma kurulu kararlarıyla imar faaliyetleri sürdürüldüğü, bu kapsamda sürece bakıldığında; dava konusu taşınmazların bulunduğu bölgenin; İstanbul Tarihi Yarımada Fatih Bölgesi'nde yer aldığı, bu bölgenin de içinde bulunduğu Tarihi Yarımada ile ilgili yapılmış olan 2.11. 1990 onanlı 1/5000 ölçekli nazım imar planı ile 7.2.1994 onanlı 1/1000 ölçekli imar planlarının yapıldığı ve bu planlar yürürlükte iken İstanbul Kültür ve Tabiat Varlıkları 1 numaralı Koruma Kurulu'nun 12.5.1995 tarih ve 6848 sayılı kararı ile Eminönü ve Fatih ilçelerini kapsayan Tarihi Yarımada'nın Sur İçi alanını, kentsel ve tarihi sit, kentsel ve arkeolojik sit alanı olarak ilan edilmesi sonucu 2863 sayılı yasa gereği yürürlükleri ortadan kalktığı, yine aynı yasa kapsamında bir boşluk oluşmaması için koruma kurulunun 2.8.1995 tarih 6898 sayılı kararı ile geçiş dönemi yapılanma koşulları ilan edildiği, bu yapılanma koşulları kararında ayrıca iptal edilen 1/5000 ölçekli 2.11.1990 onanlı 1/5000 ölçekli nazım imar planı başvuru belgesi olarak kullanılmasına karar verildiği, bu niteliği ile uzunca bir süre geçiş dönemi yapılanma koşullarında imar faaliyetleri yürütülmüş ve nihayet 30.4.2005 onanlı 1/5000 ölçekli koruma amaçlı imar planı ile bu plan doğrultusunda hazırlanan 21.5.2005 onanlı 1/1000 ölçekli koruma amaçlı imar planı onandığı, söz konusu bu planların onanmasına ilişkin koruma kurulunun 26.1.2005 tarih ve 399 sayılı koruma kurulu kararının İstanbul 8.idare mahkemesinin 2006/388 esas no ile açılan davada Mahkemenin 29.11.2007 tarih ve K:2007/2444 sayılı kararıyla iptaline karar verildiği, bu durum sonrasında İstanbul 4.numaralı Kültür ve Tabiat Varlıklarını Koruma Bölge Kurulunun 26.3.2008 tarih 2015 sayılı kararıyla 26.1.2005 tarih ve 402 sayılı kararı ile uygun bulunmuş olan 1/1000 ölçekli Fatih koruma amaçlı imar planı ve bu planın ilke, esas, plan notları ve şu ana kadar yapılmış olan tadilatları ile beraber geçiş dönemi koruma esasları ve kullanma şartları kabul edilmişse de bu karar da yargı yoluyla iptal edilmiş durumda bulunduğu, bu nedenle mevcut durum itibariyle söz konusu bölgenin yürürlükte olan herhangi bir imar planı bulunmadığı, söz konusu bölgenin yukarıda belirtildiği şekilde bir sit bölgesi olduğu, 2863 sayılı yasa kapsamında sit bölgesi olarak ilan edilen yerde yürürlükte bulunan tüm imar planlarının yürürlüklerinin duracağı ve bir sene içerisinde sit alanı olarak ilan edilmiş bölgede koruma amaçlı imar planlarının yapılmasının zorunlu olduğu; 2863 sayılı yasa kapsamında bir yerin korunup yenilerek gelecek nesillere aktarılması gerekliliği, mutlaka tespit, tescil ve bu

3

231

tespit ve tescile yönelik hazırlanan koruma amaçlı imar planında saptanması ile mümkün olduğu; koruma amaçlı imar planı metodolojisi açısından mutlaka 1/5000 ölçekli koruma amaçlı nazım imar planı ile buna dayalı 1/1000 ölçekli imar planları yapılarak, bu planlarda koruma yenileme gereksinimi olduğu belirlenen alanların sınırlandırılması gerektiği ve bu sınırlandırma doğrultusunda 5366 sayılı yasanın yürürlüğe girmekte ve bu yasa kapsamında ilgili kurum ve kuruluşların görüşleri ile belediyeler tarafından onaylanmış ve kurul kararlarıyla yürürlüğe girmiş imar planlarındaki sınırları belirlenmiş koruma yenileme alanlarının ilanının ancak bakanlar kurulu kararı ile mümkün olduğu, burada koruma imar planlarının yargı kararları ile iptal edilmiş olması nedeniyle söz konusu koruma yenileme projelerinin plan teknikleri şehircilik ilkeleri koruma mevzuatı açısından uygun olmadığı; bu aşamada söz konusu hazırlanmış koruma yenileme avan projelerinin mutlaka önce koruma amaçlı imar planlarının yapılması ve bu planlara işlenmesi gerektiğinin saptandığı, sonuç olarak; 5366 sayılı Yıpranan Tarihi Kültürel Taşınmaz Varlıkların Yenilenerek Korunması ve Yaşatılarak Kullanılması hakkında Kanun ile 2863 sayılı Kültür ve Tabiat Varlıklarını Koruma Kanunu doğrultusunda bölgenin özellikleri göz önüne alındığında Neslişah ve Hatice Sultan Mahallesi(Sulukule) Yenileme Alanına ilişkin Avan Projenin onaylanmasına ilişkin kararın, bölgeye ait koruma amaçlı imar planlarının iptal edilmiş olması nedeniyle; üst ölçekli plan kararları, şehircilik ilkeleri ve koruma kurulu ilke kararları ile kamu yararına uygun olmadığı kanısına varılmıştır."görüş ve kanaatlerinin vurgulandığı görülmektedir.

Yukarıda içeriğine yer verilen bilirkişi raporundan sonra 28.12.2010 tarihinde Mahkememizce 5366 Sayılı Yıpranan Tarihi Kültürel Taşınmaz Varlıkların Yenilenerek Korunması ve Yaşatılarak kullanılması Hakkında Kanun ile 2863 Sayılı kültür ve tabiat varlıkları Koruma Kanunu doğrultusunda bölgenin özellikleri de göz önüne alındığında; Projenin 5366 Sayılı Kanunda öngörülen amaçların gerçekleştirilmesine hizmet edebilecek nitelikte bulunup bulunmadığı ve kamu yararına uygun olup olmadığının, taraf iddiaları ve savunmaları ile dosyadaki bilgi ve belgeler ışığında incelenerek ek rapor düzenlenmesine karar verildiği, bu karar üzerine düzenlenen ek bilirkişi raporunda da "Sulukule Yenileme Alanı sınırlarına bakıldığında, alanın yaklaşık % 90 nının 1970 li yıllarda Unesco Kriterleri kapsamında geliştirilen Koruma Amaçlı İmar Planında Sur Koruma Bandı içinde kaldığı ancak Yenileme Projesi ile sur koruma bandı sınırlarının değiştirilerek koruma alanının yaklaşık %50 oranında küçültüldüğü, küçültülen alanda üç ve dört katlı yapıların yapılmasına olanak tanındığı, Sulukule yenileme alanının mevcut durumu ile onaylı Yenileme Avan Projesi karşılaştırıldığında mevcut sokak dokusu ve mevcut yapı adaları oluşumunun Yenileme Avan Projesinde farklılıklar gösterdiği, mevcutta 12 yapı adasından oluşan alanda 24 adet yapı adası oluşturulduğu, bu nedenle özgün ada morfolojisinin ve sokak rejiminin yeterli düzeyde korunamadığı, başka bir deyişle değiştirilmiş olduğu, mevcut durumda donatı için kamu kullanımına ayrılmış olan Bostan Alanının Yenileme Avan Projesi nde ortadan kaldırılarak ve yapı adaları oluşturularak yapılaşmaya açıldığı, sokak en kesitlerinin mevcuda göre büyütülerek sokak karekterlerinin değiştirildiği, ada ortaları dışında yeşil alanlara, parklara projede yer verilmediği, mevcut sokak dokusu ve mevcut tescilli yapıların gabari ve proporsyonuna uygun olmayan üç dört katlı yeni yapı tipolojisi oluşturulduğu, sonuç olarak; 5366 Sayılı Yıpranan Tarihi Kültürel Taşınmaz Varlıkların Yenilenerek Korunması ve Yaşatılarak Kullanılması Hakkında Kanun ile 2863 Sayılı Kültür ve Tabiat Varlıkları Koruma Kanunu doğrultusunda bölgenin özellikleri de göz önüne alındığında; Yenileme Avan Projesi nin yukarıda açıklanan nedenlerle, 5366 Sayılı Kanunda öngörülen amaçların gerçekleştirilmesine hizmet edebilecek nitelikte bulunmadığı ve kamu yararına uygun olmadığı" görüş ve kanaatlerinin vurgulandığı, görülmekte olup, söz konusu bilirkişi raporu na davalı taraflarca yapılan itirazlar yerinde bulunmayarak rapor mahkememizce hükme esas alınacak nitelikte bulunmuştur.

Öte yandan; davalı idarelerce dava konusu avan projede değişiklikler içeren 22 adet uygulama projesi hazırlandığı ve uygulamaya geçirildiği yönünde savunma dilekçesi verilmesi

4

232

üzerine Mahkememizce bu hususla ilgili olarak da bilirkişilerden ek rapor alındığı buna göre " Davalı idarelerce öne sürülen söz konusu uygulama projelerle birlikte dava konusu avan projede yapılan herhangi bir değişiklik bulunmadığı, bu nedenle önceki bilirkişi raporunda saptanan aykırılıkların giderilmesi gibi bir durumun söz konusu olmadığı hususlarının vurgulandığı görülmektedir.

Bu durumda, dosyada mevcut bilgi ve belgelerle bilirkişi raporları birlikte değerlendirildiğinde, yenileme avan projesinin uygun bulunmasına ilişkin dava konusu koruma kurulu kararının bölgenin özellikleri de göz önüne alındığında 5366 Sayılı Kanunda öngörülen amaçların gerçekleştirilmesine hizmet edebilecek nitelikte ve kamu yararına uygun olmadığı sonucuna varılmaktadır.

Açıklanan nedenlerle, dava konusu işlemin **iptaline**, aşağıda dökümü yapılan 1.164,33 TL yargılama gideriyle 1.200,00 TL. avukatlık ücretinin davalı idareden alınarak davacıya verilmesine, kullanılmayan 52,60 TL harç ücreti, 67,37 TL.bilirkişi ücreti ve artan posta ücretinin hükmün kesinleşmesinden sonra davacıya iadesine, müdahil tarafından karşılanan 30,40 TL. müdahale giderinin müdahil üzerinde bırakılmasına, artan posta ücretinin hükmün kesinleşmesi halinde müdahile iadesine, kararın tebliğini izleyen tarihinden itibaren 30 gün içerisinde Mahkememiz aracılığıyla Danıştay Başkanlığı nezdinde temyiz edilebileceği hususunun taraflara bildirilmesine, 26/04/2012 tarihinde oybirliğiyle karar verildi.

BAŞKAN	ÜYE	ÜYE
SEBAHAT TURAN	LEVENT YÜKSEL	EMİNE ÖZDEMİR GÜÇLÜ
27033	101856	107230

YARGILAMA GİDERİ :

Başvurma harcı	:	14,00 TL
Karar harcı	:	14,00 TL
YD harcı	:	66,90 TL
Vekalet harcı	:	2,30 TL
Bilirkişi ücreti	:	932,63 TL
Posta ücreti	:	134,50 TL
TOPLAM	:	1.164,33 TL

MÜDAHİL GİDERİ

Başvuru harcı	:	18,40 TL.
Posta ücreti	:	12,00 TL
TOPLAM		30,40 TL

ZY/
LY

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233

APPENDIX H

THE MAP
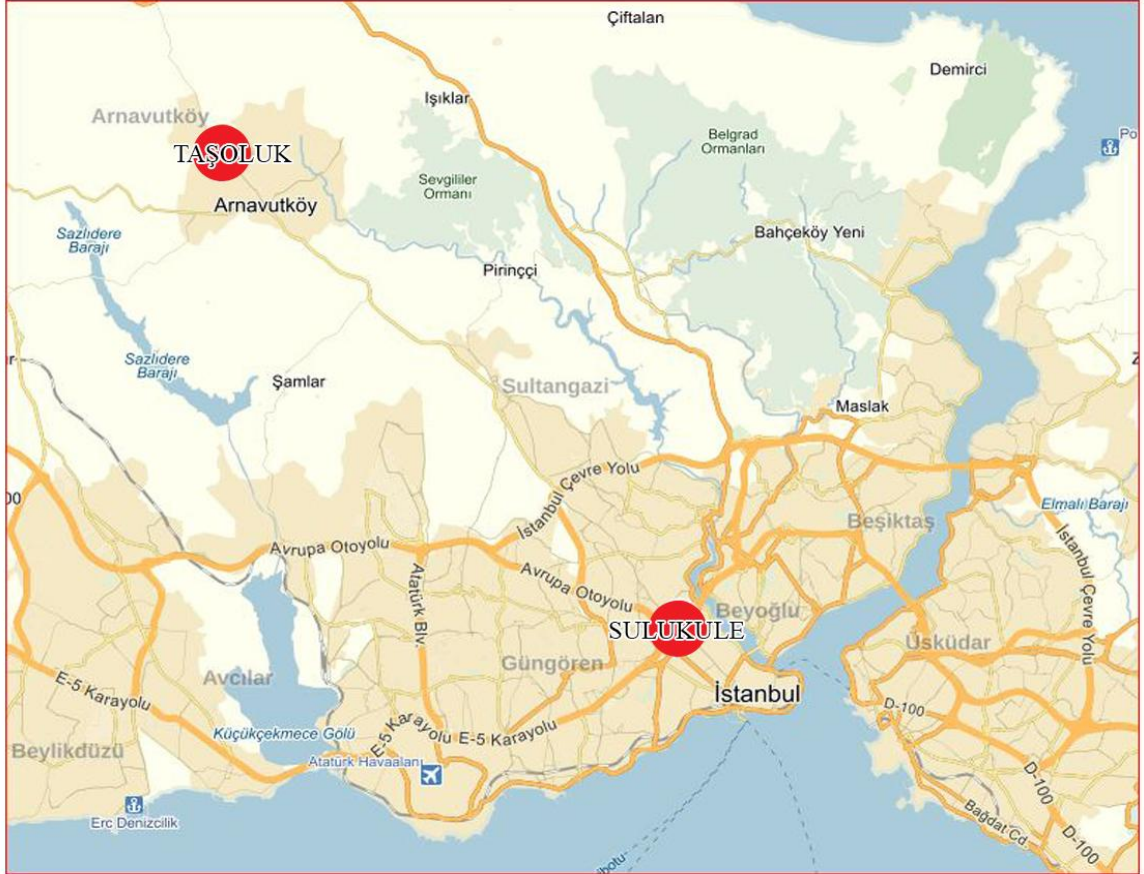
This map shows Istanbul in all its scope, including Sulukule in relation to Tasoluk.