

Article history: Received 26 August 2016 Accepted 9 March 2017

Romani People and the ‘Right to the City’: Gentrification in Fevzipasa, Canakkale, Turkey

Recep Volkan Öner [¥]
A. Aslı Şimşek [±]

Abstract

Canakkale city centre has been home for many different ethnicities from the past to our present day. In time, the city centre was also defined as a protected area due to its historical and cultural value. However, major infrastructure, urban renewal, and transformation projects have emerged in the agendas of both public authorities and the private sector. Similar to the rest of the world, in Turkey, Romani people are amongst the first groups to face the discriminating and excluding effects of such projects. This study aims to explore the relationship between gentrification and the violation of Romani people’s ‘right to the city’ with a focus on the Romani neighbourhood of Fevzipasa, Canakkale.

Keywords: *Gentrification; right to the city; Romani rights; Turkey.*

Introduction

There is no consensus on the definition of the concept of ‘right to the city’ in the literature. We have reviewed the concept with a focus on disadvantaged groups that are excluded from city life because they do not have access to basic utilities in order to maintain a minimum standard of living. They are discriminated against in a fashion that Peter Marcuse (2014a) calls “strategic reading” - a way that is more limited when compared to a Lefebvrien reading, but one that works as an umbrella category to include more urgent needs of these groups. The concept of gentrification has also been defined in several ways, but in this study we treat it as a process that causes the displacement of Romani people living in an area in order to seize the land as a result of the uneven development of city land markets (Beauregard, 2015, 60), a definition which is similar to Neil Smith’s and David Harvey’s. In order to make the gentrification process fully understandable, all aspects of it should be examined in detail and with a holistic approach. We have divided the subject into three analytical branches, each of which has an inherent relationship with the others.

The first branch is the concept of “production of space,” which is the basis of gentrification elaborated by Henri Lefebvre. He claims that capitalism eases its internal contradictions by occupying and producing space; hence, a transition from the production of ‘meta’ in space to the production of space as

[¥] Recep Volkan Öner, Gazi University, Ankara, Turkey. E-mail: recepvolkanoner@gazi.edu.tr.

[±] A. Aslı Şimşek, Atılım University, Ankara, Turkey. E-mail: asli.simsek@atilim.edu.tr.



'meta' (Lefebvre, 1973, 26-27). In this article, we discuss the effects of the renewal/regeneration projects that will affect the Fevzipasa neighbourhood according to this approach.

The second branch is the legal infrastructure of gentrification, which is examined in terms of Turkish law. We examine the ways in which displacement was forced by finance and real estate industries and legally imposed by amendments to the law since the early 2000s.

The third branch comprises the level of awareness and consciousness among the Romani community in Fevzipasa of the situation they are in. For this, we conducted semi-structured interviews with Romani residents in Fevzipasa on April 25, 2016.¹ To overcome the challenges presented by the segregated organization of this Romani community and their reluctance to speak to "strangers," a local guide from Canakkale City Council – Fevzipasa Neighbourhood Assembly accompanied us on the field research.

'Right to the city' concept

The concept of the 'right to the city' was first discussed by Henri Lefebvre in 1968. He underlines that there is a difference between the city and the urban (Lefebvre, 1970). According to him, the city existed before the industrial revolution, and the urban emerged later. The city is a 'work of art' and it is about use value. The urban, on the other hand, is a 'product' and is about exchange value (Lefebvre, 1972, 11-12). Accordingly, the 'right to the city,' which defends use value against exchange value, is a program that consists of (i) defining urban phenomena in a correct way and building relationships with industrialization, developing certain tools to be used in the analysis of this phenomena, (ii) defining the outlines of a multi-disciplinary research program, (iii) one that includes a political vision of the creation of a city that prioritizes use value over exchange value (Costes, 2009; Sangla, 2010).

However, the 'right to the city' is often used as an umbrella concept that includes all the rights claims regarding the city today. Two main views can be mentioned in this regard: the approach of contemporary representatives of the Frankfurt School, and the radical democracy approach.

The Frankfurt School view follows Habermas' idea of objecting to the colonization of life-worlds. Accordingly, there is a need for abstract and theoretical arguments on urbanization processes under capitalism. This view is inspired by Lefebvre's famous statement: "right to the city is like both a cry and a demand" (1996, p. 158). Peter Marcuse (2014b) is a prominent representative of this view and he proposes that those who cry are "direct outcasts" (i.e. those who forfeit their legal rights and essential tools to maintain a dignified life) and those who demand are the "alienated ones" (i.e. those who seem to be

¹ Despite interviewing Romani people on only one day, one of the researchers' hometown is Canakkale, therefore, this was not the first contact of the researchers with the Romani community in Fevzipasa.



integrated into the system and taking advantage of it while forfeiting necessary opportunities for creative activities).

Hardt and Negri are prominent scholars of the radical democracy approach. Even though the duo never actually mentioned the ‘right to the city,’ they both lean on cases that can be interpreted via this concept. They published a book titled *Declaration* (2013) on the Occupy Movement; its main proposition is that urban movements supply certain constitutional elements (objection of private and public ownership, non-representative democratic participation schemes, etc.) that can form the basis of the founding process.

This study, on the other hand, approaches the ‘right to the city’ concept in a way that was referred to as “strategic reading” by Marcuse (2014a: 5-6). This does not contradict Lefebvre’s conceptualization. Lefebvre argues that all initiatives are there to maintain a better life in forming ‘the urban.’ Hence, all efforts, including legal demands, to save city life from the tyranny of the dominant mode of production in order to make life more honourable are a step towards Lefebvre’s right to the city vision.

Romani Rights and Gentrification in Turkey

With the internationalization of finance capital, cities became spaces that produce new isolations in daily social relations. In addition, the previous claims about privatization and urban rights lead to new claims and controversies about living in the city. We observe these as an outcome of property distribution and economic matters.

Restriction of access intercepts with discriminatory practices that prevent people from enjoying their rights as equal citizens. Discrimination mostly appears when citizens are not aware of the violation of their rights. Even when they are aware, the lack of the necessary instruments for defending themselves equates to the same results. These people whose rights are violated are defined as ‘under risk’ or ‘disadvantaged’ groups: women, people with disabilities, children, elderly, LGBTI, migrants, minorities like the Roma, and all those who need “additional specific public precautions (Yücel Dericiler, 2014, 258)” to enjoy their rights as citizens.

The violation of Romani people’s human rights has been categorized by the following parameters in the “Improving Romani Rights in Turkey Project” report (Marsh & Danka, 2008, 53-58) conducted between December 2005 and April 2008: Discrimination on the right of establishment and inadequate access to housing, state and/or third party violence against Romani people, exclusion from the right to equal access to education, jobs in government, professional business and economic life; restricted access to basic health care services, difficulties with access to information and administrative documents; and not being represented in decision making mechanisms. A major part of these parameters is related to the right to the city.

Hence, improving Romani rights can only be achieved by abolishing the violations of the right to the city and its extensions. The aforementioned project

report (Marsh & Danka, 2008, 53-63) highlighted violations of the right of occupancy, such as extremely poor housing conditions, forced evictions², discrimination in the access to housing, as well as poverty and social exclusion in economic, social and cultural dimensions. The destruction of Romani establishments and neighbourhoods located in the historical city centre proves that Romani rights cannot be differentiated from space and the right to the city.

The violations of the right to the city cause other violations. “Sosyal Dışlanmanın Roman Halleri (Romani Ways of Social Exclusion)” (Akkan, Deniz & Ertan, 2011, 34-38) - a part of “Developing Complete Social Policies for Romani Communities Project”- detects that Romani people confront evictions without prior notice, evictions without genuine consultation with the affected communities, and evictions involving police violence and the destruction of private property. These people also lack legal representation. In many cases, authorities fail to provide alternative housing and/or adequate compensation for expropriation. These violations also cause problems with access to justice, especially the right to a fair trial (e.g. adequate legal representation in time to present his/her arguments before a court). These problems about access to justice during the gentrification process make the already excluded gypsy neighbourhoods look like “crime producing dangerous neighbourhoods/locals”. This perception causes them face even more impoverishment.

Gentrification in Fevzipasa

As explained in the previous section, a major part of the violations that Romani groups have to face is directly related to the violation of their right to the city, which happen through gentrification to a great extent.

The relevant literature provides different definitions of gentrification. Among these, Neil Smith and David Harvey provide a paradigmatic example focusing on historical materialism. They dialectically define gentrification as “uneven development” in the context of capitalism. According to this, capitalism, which appears as an over-accumulation of capital within a particular geographical area, consults with “spatial fix” to overcome its internal contradictions and unevenly inserts different territories and social formations into the capitalist world market (Harvey, 2000, 23). Gentrification, on the other hand, forms as a confiscation of land rent, which is caused by the uneven development of land markets in the city.

² Forced Eviction; according to the 7th general comment of Economic, Social and Cultural Rights Committee; it is defined as “individuals, families and/or communities being evicted from the house and/or the land they are living temporarily or permanently without being provided with valid regulations and/or against these regulations forcefully without their consent” 7. General Comment the Right to Adequate Housing (Article 11): Forced Evictions. 20/05/97. par. 3.



When we apply this concept to Fevzipasa, we see that the Bay Bridge project³ gradually increases land prices.⁴ Hence, this study focuses on the economic-politic axis of gentrification and examines the concept under three analytical branches: the production of space, the legal aspect, and the perception of the Romani community in Fevzipasa.⁵

Before examining these three branches, offer a brief introduction to the history of Canakkale and Fevzipasa. Canakkale, which separates Continental Europe from Asia by the Dardanelles Strait, is situated in north-western Turkey, on the Gallipoli peninsula and Biga peninsula. The ancient land of the city is known as Troas. Its population today is 513,341. Canakkale is known as Hellepontos, and Dardanelles has been a settlement since 3200 B.C.⁶

Fevzipasa is very close to the city centre, situated between Cimenlik Castle in the southern part of Dardanelles, and the Saricay River. Recent studies show that the Romani population was brought to this area by Sultan Mehmet the Conqueror in 1462, who put them to work on the construction of Cimenlik Castle. Since then, the Romani community has resided in this area, which was later named Fevzipasa. Despite being very close to the centre, the neighbourhood is socially isolated. According to statistics from 2011, the population of the neighbourhood is 2,388.⁷

Production of Space in Fevzipasa

In reference to Lefebvre (2000), the analysis of production shows that we have passed from the indirect to the direct production of space through the production of things in space. In this context, urban crisis is the most essential among all crises. In Lefebvre's production of space theory, space in itself is an empty abstraction (Lefebvre, 2014, 43). Hence, it cannot have any epistemological basis (Schmid, 2008, 28). The labour process is a must for

³ The Bay Bridge project is a proposal to build a bridge over the strait near Fevzipasa in Canakkale.

⁴ Fevzipasa is also an area that suits luxurious housing construction due to its location in the historical city center at the junction of Saricay Riven and the Dardanelles. Hence, the rise in land prices is not only related to the Bay Bridge project.

⁵ Another approach to the concept is consumption based. Urban white-collar workers are defined as "potential gentrifiers" (Beauregard, 2015, 64). Job opportunities for this group lie in the city center. Houses situated in the urban decay areas are rented or bought by white-collar workers. Later, due to the consumption habits of this group, spaces like bars, restaurants, cafes, and movie theaters are opened in the same area. Thus, the Romani community is forced to leave due to the rising prices of land and housing. It is possible to discuss a similar process in the surroundings of Fevzipasa.

⁶ This information is obtained from Canakkale Governership (<http://www.canakkale.gov.tr/tr>), Çanakkale City Hall (<http://www.canakkale.bel.tr/>) and Turkish Statistical Institute (<http://www.tuik.gov.tr/Start.do>) web sites.

⁷ This information is obtained from Elif Gezgin, Damgalanan Mekanda Yaşam: Bir Kentin Ötekisi Olmak, pp. 142-145 and Arzu Başaran Uysal - Gökçer Okumuş - İpek Sakarya, Bir Mahalleyi Anlamak (Canakkale, Fevzipasa Mahallesi Kentsel İyileştirme Projesi), Canakkale Kent Konseyi Yayınları : 31, 2012, pp. 5-7.

production. Spatial practice, on the other hand, is a must for the production of space. This practice builds the space as a ‘product’ of a triad of spatial dialectics between perceived, conceived, and lived space (in spatial terms: spatial practice, representations of space, and spaces of representation).⁸ This parallel series points to a twofold approach to space, one phenomenological and the other linguistic or semiotic (Schmid, 2008, 29). Lefebvre writes:

“The spatial practice of a society secrets that society’s space; it propounds and presupposes it, in a dialectical interaction; it produces slowly surely as it masters and appropriates it. From the analytical standpoint, the spatial practice of a society is revealed through the deciphering of its space (Lefebvre, 1991, 38).”

Fevzipasa has been home for the Romani community for generations and the space has been produced according to their everyday life practices. The identity of Romani people is formed via their dependency of their neighbourhood space. Supporting evidence for this claim were obtained during field research. For example, some residents told us, “Our street/neighbourhood is open to anyone but we immediately realize when an outsider passes by,” and, “We don’t close the curtains, we get bored.”

Another important indicator of this dependency is language. Those who live outside the neighbourhood are referred to as “*keibar – goray*” (polite in Turkish). During the interviews, one local made a sharp distinction between the inside and outside of the neighbourhood by saying, “We don’t give one of our own people to the police, neither do we let the visitor to be mugged, but I can’t know what would happen outside of our neighbourhood.” Another stated that an outsider would not be able to live among them. These two statements provide evidence of the relationship that the Romani community has with the space of their neighborhood.

We examined the contrast between spatial practice and representations of space in order to understand contradictions about the production of space in Fevzipasa. Lefebvre explains the representations of space thusly:

“The space of scientists, planners, urbanists, technocratic subdividers and social engineers, as of certain type of artists with a scientific bent –all of whom identify what is lived an what is perceived with what it’s conceived. (Arcane speculations about Numbers, whit its talk on golden number, moduli and

⁸ According to Lefebvre, interpreting concrete cases for constructing systems is a kind of dogmatism. But his work, *Production of Space*, also has the characteristics of a partial and open system. This approach causes some researchers studying Lefebvre to get lost in schemes, categories and abstractions (Sangla, 2010, 148). A similar approach is seen in spatial dialectics. In this study, there is a priori acceptance of spatial dialectics. This might be seen as a theoretical mistake according to the Lefebvrian perspective. In this study, we use “the strategic reading” of the right to the city. In other words, we only benefit from Lefebvre’s categories, and it does not mean that we accept all the axioms of the Lefebvrian view. Therefore, the categories used in this study are interpreted in the context of strategic reading and the Lefebvrian perspective is used as a tool.



“canons” tends to perpetuate this view of matters.) This is the dominant space in society (or mode of production) (Lefebvre, 1991, 38-39).”

In some cases, spatial practice and representations of space can be coherent. Lefebvre exemplifies this with Italian cities during the Renaissance period. However, it is not possible to mention a coherent relation in the Fevzipasa case. On the contrary, spaces like Fevzipasa put use value in the centre. This contrasts with spaces that put exchange value in the centre. This process is produced by capitalism in order to make a spatial fix. Considering the location of the neighbourhood, capitalism tends to destroy this place in order to create its own space.

Lefebvre does not address the production of space only according to the contrast between spatial practice and representation. As mentioned above, there is a triad of spatial dialectics. According to him, relations with two elements boil down to oppositions. Such a system can have neither materially nor loose ends; it is a ‘perfect system’ that is supposed to be rational (Lefebvre, 1991, 39). In that framework, we analyse the representation of Fevzipasa. Lefebvre writes:

“Space as directly lived through its associated images and symbols and hence the space of “inhabitants” and “users”, but also of some artist and perhaps of those, such as a few writers and philosophers, who describe and aspire to do no more than describe (Lefebvre, 1991, 39).”

Fevzipasa is characterised as a desolated area full of crimes and an inhospitable and dangerous place by other residents in the city. Nevertheless, the Romani community separates the old neighbourhood from the new (further explained below). In a few words, the old neighbourhood has a positive representation, whereas the new neighbourhood has a negative one. This transformation is a result of systematically making the neighbourhood one of an urban decay/rot. Doubtless, this new representation eases and triggers gentrification in Fevzipasa.

Legal Aspects of Gentrification in Fevzipasa

In this section, we examine a number of current studies in terms of ownership relations to ensure that the interlacing concepts of spatial stigmatizing, ethnic discrimination, and gentrification are understood thoroughly. It is important to rethink the economy-state-law relationship in terms of space and essential to understand why Romani communities, who are mostly seen as nomadic with no land ownership (Gezgin, 2016, 370), face gentrification to such a large extent in modern Turkey. By analysing the role of the law in gentrification, we examine the process going on in Fevzipasa and analyze the knowledge level of the Romani community about the legal procedure.

Romani communities are incapacitated in their attempts to access basic human rights and they are excluded from city life. It is possible to examine the

legal regulations that ease or cause gentrification in three main categories: (i) direct legal orders about discrimination toward Gypsy/Romani groups, (ii) regulations regarding the prohibition of discrimination, and (iii) regulations on urban space.

The first category consists of laws and regulations regarding settlement, travelling rights and public order.⁹ Current discrimination practices rooted in the culture are seen in legal texts, so the law is a cultural vehicle. The second category can be divided into two dimensions, as the ones prohibiting discrimination and the ones paving the way for discriminating actions. Considering the first dimension, there is no general law against discrimination in domestic law – some clauses to regulate discrimination can be detected in the Criminal Code or Labour Law.¹⁰ However, these regulations are neither sufficient to include all discrimination types (direct or indirect) nor adequate to protect all the groups subject to discrimination. Considering the second dimension, even though the term “Gypsy”¹¹ is not directly used in the law

⁹ According to the 4th article of Settlement Law No. 2510, which was valid until 2006, nomad Gypsies would not be accepted in Turkey as migrants. According to the 1st article of the same law, “settlement of nomads and traveler Gypsies on Turkish land will be arranged by Internal Affairs, Health and Social Welfare Ministries according to the program of the Council of Ministers for the improvement of population settlement and distribution and commitment to Turkish culture”. According to the 3rd clause of the 21st article of the Law on Foreigners’ Settlement and Travels in Turkey No. 5683, which was valid until 2011, the Ministry of Internal Affairs is “responsible for the deportation of stateless Gypsies or those who are the citizens of other states and foreign migrants with no connection to Turkish culture”. Law number 5683 was abolished in 2013 with Foreigners and International Protection Law no 6458. The expression “Gypsies without a main occupation” was removed from the text of Regulations Regarding the Police’s Role in Ceremonies and Communities and The Police Stations Organization (The Police Discipline Guide) article 134/B/9/a/5 in 2006. Regulations in the Guide are about the police’s duties and assignments to efficiently fight back with individuals who are prone to cause problems or criminal acts. “Gypsies without a job” was among the individuals assumed to be prone to cause problems or criminal acts.

¹⁰ For example, in the Turkish Criminal Code (2005) No. 5237, article 122, discrimination is a crime. However, obscure terms in the article, limitation of the actions causing legal discriminations, and the removal of “and of similar reasons” statement from the text in 2014 decrease the efficiency of the law (Karan, 2007, 167-168). Prohibition of discrimination in the workplace has been valid since 2003 in Labor Code No. 4857, article 5. This regulation is strongly criticized. Nevertheless, there are no regulations about the prohibition of discrimination in pre-work relationships.

¹¹ The daily use of the word “Gypsy” (*cingene* in Turkish) must be highlighted. In Turkey, the meaning of *cingene* is controversial both between different Romani groups and also between researchers. The term is widely considered pejorative, so if the legal repertoire mentions the term *cingene*, it is generally something related to insulting behaviour. But there are Romani groups and activists who use the term in an inclusive way to cover different Romani groups and to promote the Gypsy culture (Marsh, 2008, 20). Discriminative statements against Romani communities in regulations started to be removed in the beginning of 2000’s.



regarding the right of establishment, it maintains its discriminatory nature in the regulations.¹²

However, enacting necessary legal changes is not enough to remove administrative discrimination completely. Even though no specific case has occurred in Fevzipasa in terms of category (i) or (ii), a discriminative action happened in Manisa's Selendi province in 2009. 79 people were put on trial for lynching and banishing the Romani community from Selendi. According to Turkish Criminal Code article 216¹³, 38 were punished for driving people to hatred and hostility.¹⁴ A similar lynch attempt towards a Romani community happened in Bursa's Iznik province in 2013. 31 people were sentenced for harming public property and opposing the Law on Meetings and Demonstrations. None of them were convicted of any crime regarding Turkish Criminal Code article 216.¹⁵ Similar to these cases, we can observe administrative practices in Fevzipasa. For example, in December 2016 the *muhtar* (local head) of Fevzipasa protested that ambulances were coming to Fevzipasa escorted by police, as if Romani people would attack medical officials (Çanakkale Haber, 2016).

The legal repertoires in these first two categories are mainly domestic laws, which are general provisions for everyone. As it is seen in the examples, the authorities do not evenly apply the rules in these two categories. Also, the decisions of Turkish courts show that their jurisdiction does not have an established case-law on discrimination specifically against Romani communities.

Considering category (iii), we can see that “gentrification” is not defined or used in Turkish law. In addition, current studies in Turkish legal literature about

¹² Even though the word “Gypsy” is not used in Settlement Law No. 5543, it states that the migrants will be placed into homes found by the Ministry of Internal Affairs, provided that they apply within the first 180 days after the settlement announcement. The 4th article of the same law states, “Foreigners that are not related to Turkish ethnicity or Turkish culture and deported individuals with Turkish ethnicity and defined as dangerous to come back due to safety reasons will not be accepted as migrants.” and this article can result in discrimination.

¹³ According to the Turkish Criminal Code, Article 216: (1) A person who provokes a part of society against another part of society due to social class, ethnic, religious, sectarian or regional differences with hate and hostility and cause an open and close danger to public safety is sentenced to 1 to 3 years of prison time; (2) A person who explicitly humiliates and insults a part of society due to social class, ethnic, religious, sectarian or regional differences is sentenced to 6 months to 1 years of prison time.; 3) A person who explicitly insults a religion followed by a certain part of society is sentenced to 6 months to 1 years of prison time, provided that the action is sufficient to disturb public peace.

¹⁴ The decision of the Local Court was announced on May 2016. “Case on the Incidents at Manisa's Selendi District” (<http://www.haberler.com/manisa-nin-selendi-ilcesindeki-olaylarla-ilgili-8426621-haberi/>, Access Date: 20.05.2016), “Selendi Report: Lynched and Exiled Romani Community Cannot Find Any Peace” (<http://bianet.org/bianet/toplum/168964-selendi-raporu-linc-ve-surgun-edilen-romanlar-huzur-bulamadi>, Access Date: 10.05.2016).

¹⁵ “Everybody Included in a Lynch Attempt on Romani People are Acquitted” (<http://bianet.org/bianet/toplum/168585-iznik-te-romanlara-linc-girisiminde-herkese-beraat>, Access Date: 20.05.2016).

the relationship between the right to the city and the law (Zeybekoğlu Sadri, 2013; Yasin & Şahin, 2015) focus on the violations of human rights caused by public bodies implementing urban renewal projects.

The laws regulating the right of settlement, the right to adequate housing, and urban renewal compose the legal procedure of the gentrification process. These laws are: Construction Zoning Law No. 3194 dated 1985, Mass Housing Law No. 2985 dated 1984, Law about Renewal of Disaster Risk Zones Law No. 6306 dated 2012, Municipality Law No. 5393 dated 2005, and Law on Restoration, Protection and Usage of Worn out Historical and Cultural Immovable Assets No. 5366 dated 2005. For example, when the Housing Development Administration of Turkey (TOKI) received authorisation to implement regeneration projects for profit, ‘mega projects’ began to be a popular topic in political debates in Turkey. Similarly, with the amendments made in 2010 in the 73rd article of Municipality Law No. 5393, municipalities gained a wide range of discretionary power. Hence, all public institutions gained the power to change urban space on behalf of the state.

According to the law, the function of the public bodies is to facilitate the transfer of property rights of people who are living in gentrified areas to the private sector. Applying these laws to Fevzipasa, displacing the Romani community from this area has become the main issue of all parties (including universities, government, civil society organizations, and local authorities).

According to Beauregard (2015), the first stage of gentrification is public relations activities done by local newspapers, urban magazines, municipalities, and financial institutions. The descriptions, analyses and advertisements made by these entities have a role in creating mystification around the gentrification process. The main purpose of these activities is to show gentrification as an advantageous process. This stage starts with rumours and speculations about the area subject to gentrification. These activities also prepare the ground for legal procedures used to remove Romani communities from the area. In Fevzipasa, we can observe this process from the local news and press briefings of different public bodies.¹⁶

¹⁶ Rumours are spread by real estate agents, for example a rumour on the internet about Ali Agaoglu, the owner of one of the largest contracting companies in Turkey, buying some land from Fevzipasa. Some of the online news: “This rumour pushes the prices sky-high in Canakkale” (<http://www.emlakrotasi.com/haber/konut-projeleri/bu-dedikodu-canakkalede-emlak-fiyatlarini-ucurdu>, Access Date: 20.12.2016); “The Claims about Ali Agaoglu bought flats from Canakkale increase the house prices” (<http://www.emlaktasondakika.com/haber/sektorden-haberler/ali-agaoglugunun-canakkaleden-daire-aldigi-iddialari-bolgedeki-konut-fiyatlar/51328>, Access Date: 20.12.2016). Another interesting conflict is between the municipality of Canakkale and TOKI. Each public body has its own renewal project for Fevzipasa. TOKI wants to encourage investments to Fevzipasa (“Fevzipasa Neighbourhood is going to be renewed” (<http://www.canakkalehaber.com/yerel/fevzipasa-mahallesi-yenilenecek/2370>, Access Date: 20.12.2016), the municipality accuses TOKI and the government of destroying Romani community in Sulukule and says that they will not let them do the same thing in Fevzipasa (<http://www.canakkaleolay.com/-Bizi-kendileri-gibi-bilmesinler—31261>, Access Date: 20.12.2016). At the same time, the municipality had already done field research on the renewal



The Turkish Constitutional Court evaluated the authorization given to municipalities on applying urban renewal and development projects as, “an authorization given in order to create a public interest in producing faster solutions for the problems which arose due to fast urbanization of our day and ensuring that sustainable, liveable, healthy and modern cities are created.” The court also defined the discretionary power given to municipalities as a requirement as follows: “The discretionary power is limited to ensuring public interest as well as reaching the goals of the legal regulations about requirement necessities, urbanism and planning”.¹⁷ The problem here is that the Constitutional Court tried to explain concepts and institutions that are new to the legal system by using some other legal obscurities (Baştürk, 2015, 295). For example the term “city planning principles, urban development and public interest” is problematic. This decision also shows that the renewal of space under the control of the state is determined as legally legitimate.

The Directorate of Privatization Administration gained the power to conduct construction plans in protected areas like Fevzipasa in 2008.¹⁸ The Turkish Constitutional Court stated that such an exemption for protected areas might be necessary due to the discretionary power of legislative and executive power.¹⁹ However, the Directorate of Privatization Administration works under the Prime Minister’s Office and all of the Privatization High Council Members are ministers. Thus, the authorities were given political power to rule without democratic concerns or any opposition. So, public bodies can favour finance capital at the expense of the property rights.

All legal cases about gentrification have come to a conclusion over the last few years. The courts started to create a judicial opinion on the subject. Currently, there is not any decision on the Fevzipasa case. However, there are some cases that are culturally or socio-economically similar. For example, the Sulukule Project was one of the first major projects begun within the scope of Law No. 5366. Even though the local court decided that the project was against the law, this decision did not stop public authorities from demolishing the

of Fevzipasa between 2010-2012 with some scholars from Canakkale’s On Sekiz Mart University. One of the scholars working in this research, Arzu Basaran Uysal, explains the main purpose as follows: “We, as outsiders, cannot say to the residents of the neighbourhood that ‘this area is inside the city and you are not suitable for here, here is a very precious area, so you have to go somewhere out of our sight; we are going to make this area elegant, and richer people than you are going to settle here.’ Despite the fact that authorities don’t describe the urban renewal projects in this way, the results of these projects always ends with removing people from their homes. In our project we had two assumptions: One is not to displace the residents from Fevzipasa and the other is what can be done for a more sustainable habitat.” (<http://www.comu.edu.tr/haber-8838.html>, Access Date: 20.12.2016).

¹⁷ E. 2010/82, K. 2012/159, K.T. 18.10.2012.

¹⁸ The change made in 2008 in the Construction Zoning Law No. 3194, Additional Article 3 entitles Directorate of Privatization Administration to apply all scales of construction plans without noting if the area is under protection or not.

¹⁹ E. 2008/87, K. 2011/95, K.T. 09.06.2011, AYMKD 48/3, pp. 1792-1794.

settlement and reconstructing the area. Hence, Romani culture and lifestyle in this area was completely disappeared. Law No. 5366 gives municipalities the right to remove the existing social structure from the area. This is also considered one of the goals of urban renewal. In spite of that, the European Court of Human Rights and Turkish Council of State both declared the illegality of removing the existing structure: “applying urban renewal projects in such a way that individuals would not be displaced by force” principle, which is also called the “urban renewal and development principle.”²⁰ Thus, it is not yet certain how national courts will handle the subject.

Considering these three categories of legislation, the Romani community in Fevzipasa is facing gentrification which has been eased by new legal regulations since the 2000s. Also, the Romani community faces segregation because of the legal culture of administrative practice is shaped in favour of finance capital.

Perceptions of the Romani Community in Fevzipasa

We can see that public power is mostly used in order to turn an area into urban decay/rot, and this is in use in Fevzipasa, as well. For example, the “Kuyu Sokaklar” area of the neighbourhood is completely closed to traffic due to irregular urbanization. The Romani locals told us that this area is closed to public access. Furthermore, even the most basic municipality duties such as cleaning the streets and collecting trash are neglected. The Romani community believes that this is the municipality’s way of making them pay the price of their water bills, which they cannot afford.

This study does not compare the neighbourhood’s situation in the past and today. However, we can see that the Romani community divided the neighbourhood into two parts, as the “new part” and the “old part.” The interviewees between 40 and 70 years old stated that the neighbourhood used to be different when they were children, particularly regarding safety in the neighbourhood. From their stories, we also understood that the ‘old neighbourhood’ was perceived as a multicultural place.

There are no work places in the neighbourhood. In addition, it is very hard to find a job for Romani people outside the neighbourhood due to low levels of education and high levels of social discrimination. We also determined that the government does very little to provide them with job opportunities. We can say that this is an extension of turning the neighbourhood into an urban decay/rot by using public power. The interviewees stated that especially the youth of the neighbourhood had to commit a crime to earn some money. Most of the participants had at least one relative in prison. They also stated that they used to be musicians, doormen, or cleaners, but today companies occupied

²⁰ For further information about the decision of the European Court of Human Rights: “Yordanova and Others v. Bulgaria”, (Application No: 25446/06), Judgment rectified version on 5 June 2012; the decision of Turkish State Council D. 6. D. E. 2008/10-11, K. 2010/2564-2576, K.T 12.3.2010. Further information about legal process: Baştürk, 2015, 297-299.



these job vacancies and they were left unemployed. The participants highlighted another important issue about Romani musicians from the neighbourhood who make traditional music: they have a high standard of living because they still can earn enough money by playing at weddings and celebrations, but nowadays there are few of them left.

As their living standards got worse, they started to get suspicious that the public authorities had a secret agenda to displace them. The interviewees stated over and over again that Romani neighbourhoods started to be regarded as criminal communities, so keeping their Romani lifestyle and culture is almost becoming impossible. They predict that displacement will destroy their culture, but improving their financial status is of the utmost importance. We can see that economic concerns outweighed cultural concerns. For example, a woman stated that she urged her daughter to marry an outsider and to move outside the neighbourhood. Especially in the last 5 years, Romani people started to consider leaving the neighbourhood even if it means that they would leave their culture behind. There is also an expectation that if someone could send away the inhabitants that are related to drug abuse or criminal acts, the neighbourhood would become much more liveable.

The interviewees were suspicious and anxious when we asked them about their opinions on urban renewal. Even the grocery store owner asked us whether we were police officers. This demonstrates the pressure on the Romani community applied by public authorities. On the one hand, we can see that urban renewal is a socio-economic pressure; on the other hand, this pressure also causes an economic expectation: an entrepreneur offers about 300,000 Turkish Liras (73,000 Euro) for an abandoned house. (Average rent fee in the neighbourhood is 100 – 150 Turkish Liras (25 – 36 Euro).

There is a Neighbourhood Assembly in Fervzipasa working under the Canakkale City Council. The Assembly was formed when the Romani community detected discrimination against their children in the public schools. The Assembly is helpful but they still need support for accessing information. Currently, all welfare aid is organized by the efforts of some volunteers from the Neighbourhood Assembly. There are no sustainable aid mechanisms. There is a major need for raising awareness between public officials and informing them about the laws on discrimination.

We also interviewed the neighbourhood *mukhtar* (elected local administrator, head of neighbourhood). There is a major difference between the perceptions of the Romani community and the *mukhtar* about the current situation of the neighbourhood. Unlike the Romani people who participated in the interviews, the *mukhtar* said that they do not have any intention to leave the neighbourhood. He criticized the researchers from universities “for using the problematic situation of the neighbourhood to get funding for their European Union projects,” and he did not allow researchers to enter the neighbourhood. This is the only point that the Romani community and the *mukhtar* held in common about Fevzipasa. During the interviews, the participants also

mentioned that there was plenty of research done by universities or similar organizations that did not make any changes to the conditions of the neighbourhood, but made easier to get funding or an academic title for the researchers. We observed that the studies on Fevzipasa became a part of the daily life of the Romani community. For example, a child invited us inside his home to show us their “habitat.” Therefore, it is possible to say that many of the researchers see the neighbourhood as a “research subject” and the Romani community is familiar with these kinds of approaches.²¹

Conclusion

Lefebvre formed the ‘right to the city’ concept as a prerequisite for revolution. According to him, the capitalist mode of production tyrannizes our daily lives, makes it into a recurring system, and drags it into being alienated. Without doubt, an alienated life is not suitable for human beings.

From a Lefebvreian point of view, it is doubtful whether the urgent solutions for urgent needs of the Romani community in Fevzipasa are a precondition for a socialist revolution. In addition, Lefebvre’s actor of the right to the city is working class, but in this study the focus is on an ethnic group. Therefore, what we did in this study is focus on the urgent solutions for Romani communities in the capitalist mode of production by using the concept of instruments and rights of this mode of production. In other words, considering the aim of this study, using Marcuse’s strategic reading approach was not a choice, but a must.

Fevzipasa was formed by the spatial practices of its inhabitants for years. Romani people living there are still trying to preserve its value as a ‘work of art.’ However, such a place is in contradiction with spatial fix that capitalism uses to ease its internal contradictions. Hence, the legal infrastructure of passing ownership to the private sector by using the state power in favour of the finance capital and gentrification is put into action.

²¹ Although an academic work by itself is a kind of praxis, there is no doubt that it is a must for social scientists not only do descriptive studies but also make concrete analysis of concrete conditions. Gamze Yücesan Özdemir mentions this approach in one of her columns by giving examples from Engels’ *‘The Condition of the Working Class in England’*. Yücesan Özdemir (2015), highlights that in his work, Engels was not only describing the condition of working class, but he was trying to understand the social and political consequences of this condition. By doing this Engels could manage to make concrete analysis of concrete conditions rather than just doing moral politics by describing it. In this study we want to apply exactly the same analyze method with Engels. (<http://www.birgun.net/haber-detay/engels-ten-secim-yorumlari-95748.html>, Access Date: 20.12.2016). In order to manage this method, strategic reading of right to the city which focuses on the urgent solutions for urgent needs was preferred and a detailed part was written about the legal aspect which is going to affect the future condition of the neighborhood. At the same time one of the researchers of this study is a legal scholar and his/her hometown is Canakkale. So the researcher got in contact with Canakkale City Council – Fevzipasa Neighborhood Assembly and the researcher has still contacts with them for providing them legal support during the gentrification process.



Removing a social structure via gentrification is not clear on behalf of valid law and regulations on urban renewal. Principles to be used while assessing urban renewal have not been clarified, yet. Besides, since discrimination is not punished as severely as possible under Turkish law and courts, the Romani community in Fevzipasa has a hard time accessing administrative and criminal justice.

On this slippery ground, it is almost inevitable that the Romani community is labelled criminal or that administrative practices are open to property rights and housing rights violations. As Romani settlements were destroyed all around the country, Romani communities were moved to TOKİ (Housing Development Administration of Turkey) blocks in upstate locations. However, they could neither preserve their culture there nor find access to adequate housing and working opportunities. As it was previously seen in these cases, the law/judiciary system works very slowly against the destruction of a neighbourhood and its inhabitants being displaced. It causes unrecoverable damage and secondary victimizations. In this process, even though Romani community in Fevzipasa do not completely adopt the idea of moving outside their neighbourhoods, they state that they might leave provided they are promised better access to basic public services.

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