

In order to understand the nature of this case, it is necessary to analyze political conjuncture that my 27 months captivity and 16 months of illusion which is called trial rest on.

Today in this country very essential concept which prevails is a total break down of democracy and rule of law.

For a long time we live in a process in which, an individual is consumed away, fundamental rights and freedoms are violated, independence and impartiality of the judiciary, separation of powers are infringed.

Political power which is called "the state" exalted. We witnessed a practice in which "will of the ruler", without any judicial oversight, imposed on society as a "sacred will". authoritarianism exceeded and we are heading with full throttle towards totalitarian state structure.

Illegals took place before 17-25 December (corruption cases) due to the collaboration of political power and Gülenists. Persecutions and vengeance that turned everything into tragedies against those who are seen as "others", the morbid situation within especially judiciary that expands, engulfed the society as a whole this is so dreadful

In the times of alliance (Gülenist and government) others who were seen as the domestic enemy were silenced and oppressed, after this, conflict arose between them. this made the whole system deadlocked rendered it unfunctional.

One side is political ruler other is Gülenists. Yesterday they were allies now two sides of a civil war. these two political Islamist fraction's most important weapon in this war is law and judiciary.

After 17-25 December, political power first did not know what to do. later on, the ruler took the power and after 15 July coup attempt, Gülenist were purged considerably from the state apparatus, the ruler directed "judicial gun" against the old partner, new foe. However new regime rests only on one man's will. Unconstitutional, unlawful despotic. Nepotism engulfed all state structure.

Political power lost its institutional identity and become individualized. Because of this really vast part of the society, other than Gülenists, profiled as an enemy only because they are opposed to what has been going on and they did not remain silent in the face of this lawlessness. The coup attempt was seen as "God's grace" by President Erdoğan and he turned this into an opportunity to purge all dissidents. Extraordinary decrees and its practice turned this into a total witch hunt.

Today every act that against new regime's symbols, values, institutions, practices, party, Lider, every criticism against the aforementioned things are criminalized. Every act that oppose oppression, injustices are criminalized by using law and "judicial weapon". "Terror" "High treason" stamp is put on everyone who does that. Word "opposit-dissident" is taken out of the dictionary. There only exists "enemy" which must be destroyed. Truth and who utter the truth is declared an enemy and must be destroyed. There is absolute "us" and "enemies" politics based upon these concepts. They say if you are not one of "us" you are not domestic and you are not from this nation. Ensuingly you are a traitor or terrorist or dividing the country, Nearly half of all the nation falls into one of these categories.

Naturally, the law that is applied is the “enemy criminal law”. In order to apply this, only suitable tool is judiciary which is totally under control of the one man. The judiciary is reduced to a dirty tool in this dirty struggle. Especially institutions such as “criminal peace magistracy” “specially designed court of heavy crimes”. They are unarmed forces of The ruler. Only an instrument in the hands of authority. Some people put behind bars for years, others -real criminals- are freed so this gives all the society a message “ if you are not one of us you are not safe.

This situation comes to the point that ECHR decisions which are binding for all domestic courts were cast aside by the President. In the case of Demirtaş’s (Kurdish party leader who is in jail) release order which is issued by ECHR was not applied because President said I do not recognize it.

This is a hostage situation, not a trial, this is like a prisoner of war. If bigger power then the ruler comes into play, in this situation, hostages, prisoner of war is released. Like International Amnesty Turkish branch head’s release after President’s UK visit. Deniz Yücel, father Bronson is another example. They were traitors, agents of foreign governments in the eyes of the ruler and his media but thanks to these bigger powers our “independent judiciary” released them and we put them into private jets and sent them to their country.

I admit that judiciary was never independent in this country but it has never stooped to this low ever.

Judicial security is the most important thing that a judicial system creates for society. Most important safeguard for individual rights and freedoms is judiciary. But today in Turkey judiciary in its structure and practice is the focal point of the societal crisis. It is used as a stick

In this conjecture and in the face of this kind of judiciary what should be said.? Today “word” is unable to be heard and understand in the face of this dreadful reality. Because of this, I am very well aware that I am talking against a wall and it is futile to do this. In the void of nonsense, the only thing that we hear is again our own voices. This seems a little bit discouraging but the existence of our children who are our future does not give us a reason or right to kneel down or surrender. Talking is useless maybe but our conscience does not let us remain silent.

Due to this situation, maybe not for the new regime or new regime’s judiciary, but for those who resist, with hope and keep perseverance alive, wants the impossible, for those who reject the idea that “history will be written by the rulers”, we have a lot to say. But I must say the things I am about to say is not the last word. Tomorrow when rule of law come back to this country when people who practice this injustice are put on trial, at that time, I will say the last word, not today. With everybody who opposes injustices and persecution.

In this conjuncture, You try to put this case in the form of “terror membership”. Do this as hard as you can, try this but in its essence, this is a punishment for my dissident behavior, that I do not bow in front of the political power, because I reject all injustices. This is a politically motivated- controlled case. Both domestic and international community knows this.

Consequently, the end of this case will not be determined by law, but by politics. Because of this, the verdict that you are about to declare has no legitimacy ether within public conscience or legally. Your judgment will be nothing more than a piece of paper that will be put in garbage been in the near future. In order to see this, it is enough to look at what happened to Silivri plot trials. Balyoz case

collapsed after the Court of Cassation upheld the verdict. Why? because old partners have become enemy. The Ergenekon case is finalized as such.

The fate of this case will be determined at the end of the game of thrones. Of course, you can keep me a little longer inside the prison. I spent 27 months behind bars. How long are you going to keep me? 5 years, 10 years. It is unimportant for us. I am not that kind of a man that can be tamed by dungeon, not to be scared by it, or silenced by it. I am the heir of the legacy of revolutionists who went to gallows with a smile on their face. We took this flag from this freedom fighters. Their values and virtues are understood better now than ever. They inspire us. We are not more important or more valuable than them when we pay the price of what we are doing. Thus we have no privilege or there is no difference between us.

We knew the price to pay when we start this organized struggle within the judiciary and we are ready to pay this price. I am paying the price for not bowing down, or submitting, and paying the price for not remaining silent against injustices. But as Turkish poet Nazım Hikmet said: "It is not important to be held captive or become a prison of war, it is important not to surrender." You can keep me in your dungeons for years but I will never surrender. I prefer to be the prisoner of Fascism instead of being Fascism's judge. Until this day I always sided with persecuted, oppressed, victims, exploited without asking their identities and affiliations. I never surrendered oppression, fear, persecution. I will never do it. I have never sworn allegiance to the Power. I never stoop to the low and ask forgiveness from Fascism or never go down so low to surrender to fear. The price I pay only shows me that my cause is just. This gives me more energy to fight, empowers my beliefs towards a better future. Emboldens my perseverance.

Let me say this much: if I accept offers of cooperation which came from the ruler after 17-25 December process I would not be in front of you today but I will be dining at the feasts of the Palace. But you can not gain respect from political powers, or Palace halls, their purse, their chairs, titles. Your gains will be transient and someday these kinds of people will be ashamed of what they did.

People who support this government and help law and judiciary becoming his puppet will be accounted for what they have done. History will judge these people. Law and judiciary is the glue that keeps society together and makes peaceful living conditions possible for them. Actions that rest on the political power, only postpone legal responsibility, when power diminishes they will be accounted for what they have done.

Any structure that draws its power from political power will have vanished when political power diminishes. Yesterday others (Gülenists) were doing this and they are the target now. Today those who help the power will face the same fate tomorrow. The people who are being used as tools will be very disappointed when they are held responsible and when they see power is no longer with them in that difficult time. This "handy-useful fools" will be held responsible and will be ashamed of what they have done when this happens. History in its darkest pages will remember and mention them. They live in fear of the day in which they are put on trial and someday this will happen, I strongly believe.

This is not a trial because the judiciary is just a tool for politicians in order to create a much-needed environment for them. It creates new Turkey for politicians. This trial is happening under extraordinary conditions. Thus it does not deserve a defense plea or serious answers.

Political power that put me behind bars does not care about a fair trial. This is a theatrical event and political power gives me the role of a defendant. The case file is full of lies, slander, fabricated or unlawful evidence. Pool media (government controlled media) knew everything and made headlines even before we knew them despite the fact that there was the order of secrecy on the file when it was illegal to publish content of my file. Government media did the trial and condemned us to prison already. This clearly shows that the goal is not about justice but only to punish me and intimidation for others

In history, we see similar things. Like the Head of FBI Egar J. Hoover in Mc Carty era. When Rosenberg's are put on trial Hoover said to those who conduct the investigation that "prepare the indictment so grave, so undignified, so disgusting, multi-faced, to the extent that judges would not dare to find him innocent, despite the fact that there is no evidence that shows guilt." What a resemblance. Propaganda and manipulation tools are in place and used. Hitler's propaganda minister Goebbels said that " if lies are huge that means people believe it more easily, and repeat it constantly people will believe it eventually." This logic is applied to my case. But in Turkey considerable amount of people resist injustices, oppression, and they fight for freedoms and for the truth. Thanks to these people, this empire of fear, system of persecution and fascism cannot be victorious. It will rule for a while but in the end, it will fall.

Indictment is nonsense, does not worth an answer. Both indictment and prosecutor's last deliberations are an act of a crime. It is obvious for me that a criminal organization that nested within the state fabricated evidence, liars that are called witnesses and prosecutors come together and prepare this indictment. This is tantamount to murdering the law.

Prosecutor demanded confiscation of the tools that are used for the crime. Did I kill someone so he wants to confiscate the gun? Or did I sell drugs he wants to confiscate it? What are you going to confiscate? I speak, do you confiscate my tongue. I write, do you confiscate my pen, I think, do you confiscate my mind. If you can confiscate any of those things do it.

Prosecutor wants the highest punishments why? because he suggests that I can influence a large amount of people. The only thing that is true in this indictment is this and this shows real nature of this case. They say Murat Arslan can influence lots of people, we should silence him. Because after 15 July countre-coup process, we see a witch hunt, in order to carry out his wich hunt they needed to silence YARSAV and its President. Only this way all opposition voices will be silenced and others would be intimidated. YARSAV the only institution which is domestically and internationally recognized and his President must be silenced. Political power wanted to do this. For this reason and even before coup plotters were caught, YARSAV closed down by a decree. This case is brought against me in order to justify this action.

Prosecutor declared his intention to silence me. But one thing that they do not understand. You can not silence me as long as we have words to say. Lots of people will be influenced by me you can not stop this. This case itself shows to the world injustices that took place in Turkey and its oppressed regime. Our foreign colleagues come from abroad to Turkey and report this trial to the world.

YARSAV has always been open to the public, we uphold democracy, rule of law and laicism. Our practice followed the same principle. Independence of the judiciary, protection of rights and freedoms, equality, social justice are our other principles.

We become the voice of conscience against unlawful actions. We defend justice. We tell the truth to society, warn them about dangers. We do not let society to forget what is happening.

There is no evidence in the case file that shows a concrete link between me and Gülenists. But this does not stop prosecutor to say that "yes it is true that there is no evidence to that effect. This shows that he -Murat Arslan- protected his secret identity very well. There is no evidence thus MA is a secret Gülenist". The link between crime and action has been cut. For being a criminal there is no need to act anymore.

So-called informants/witnesses are all Gülenists who confessed their crime. They are still on trial. You, (the court), do not try to verify what they say and you directly accept whatever they say as the truth. You expect me to prove my innocence. Informants use this method for a long time for personal gain, for more lenient jail sentences etc. You need additional evidence to back their testimony. You do not argue their testimony. Automatically you are accepting them. You try to create your own reality. (Interpreter's note: one of the secret witness who is called "Defne". I know him personally he was my colleague. I know his identity. In his testimony, he openly said that in the time of "Gülenist judiciary", there was a case about a wire-tapping device that was put inside a room of one of the judges in Council of State. In the trial of this case one Gülenist –a judge- was put on trial. "Defne," says that another Gülenists come to him and said, "we need to save our friend so you will testify for his benefit". Defne said I do not know anything about this but Defne again says that this Gülenist prepared a scenario and he testified according to this scenario under oath when he was a judge. Perjury. Defne still works as a judge now)

Another thing is no witness says that "I see Murat Arslan in this or that Gülenist meeting". The only thing they say is they have the impression that Murat Arslan may be a Gülenist. Nothing concrete is said about this issue but only assumptions.

In the Gülenist era there were other politically motivated cases and now all that secret witnesses say that they all lied and manipulated by prosecutors. These witnesses will do the same in the future.

Another witness, "Birol Erdem" who confessed that between 2003-2013 he was the Imam of the judiciary. He still works as a high ranking public servant in justice ministry. His wife arrested for the same charge and a couple of months later his wife was released pending trial. He was taken hostage by using his wife as well. He admitted he controlled and directed Gülenist network within the judiciary for 10 years. he is outside, works in a public office, I am here because of his testimony.

This prosecutor is the third one from the beginning. All judges and prosecutor must hear all the witnesses and evidence. Turkish criminal law stipulates this openly but panel changed all the time. You can not just read papers, you must hear and see them.

This is a fishing expedition everyone knows that. They say I used bylock (app for mainly Gülenists) and provide a document without any information that linked me to this app. No name, no I-ID number, nothing. But after I was arrested they spread this lie by using one of our colleagues "Bülent Yüçetürk". He is a careerist person and betrayed us. Bülent Yüçetürk spread this lie because he was close to me and any other person will not be that influential. He, later on, resigned from the judiciary.

We requested a further investigation in order to verify what is in the case file but you refused them all the time. You do not care about the truth. You will condemn me any way you just want suitable info to back you up.

You can not hear the voice of truth in the cacophony of darkness. But in order to register what I am thinking to the case file, I am still talking. When rule of law returns to this country judges who carry out these injustices will be accounted for what they have done today, at that time, my words will be very valuable. Thus my words are not for today. You are not the interlocutor. This is not a defense plea.

As a conclusion. I want to say I fight for democracy rule of law independence of judiciary until this day. The whole world sees and hears what is going on here. If we were not stopped, lawlessness can not that prevail. Turkey turned into a totalitarian administrative laboratory. It is an ethical and humanitarian necessity for me to fight for freedom for all.

We resist with hope and stubbornness. Today's fascism and system of persecution will fall in the end. Tyrants will be held accountable for what they have done. Do not sign anything that will ruin you in the future. You will be ashamed of what you did when we build new Turkey with all free people. Future is ours and we will win.