

IS THERE ANYONE WHO LOVES THE EXECUTIONER?

ATTORNEY CEM MURAT SOFULOĞLU

following the execution of Saddam Hussein, public discussion of the death penalty in Turkey began immediately. We briefly review the execution process in our country from the Republican era until recently.

The renowned criminal lawyer Beccaria said, "The death penalty has never made a person better off." How can the death penalty make a person better off? Because it ends human life.

Beccaria was right. Since the founding of the Republic of Turkey, between 1926 and 1984, 443 people sentenced to death and executed, the majority for their political views, have never had the opportunity for rehabilitation.

In Türkiye, the death penalty was mostly used during periods of military rule. While the death penalty was applied at a rate of 13.5 percent during military regimes, this rate remained at 2 percent during civilian regimes. From this fact, we can conclude that, with a few exceptions, civilian regimes have generally avoided the death penalty.

During the fifteen-year period when democratically elected governments were in power between 1965 and 1971 and 1973 and 1980, not a single death penalty was carried out.

Consequently, if the military coups of 1960, 1971, and 1980 had not occurred, the death sentences carried out by these regimes would not have been implemented. Death penalties were primarily carried out during periods of military rule.

After 1964, the Turkish Grand National Assembly (TBMM) did not pass a resolution to implement death sentences already imposed by courts. However, after the 1971 military coup, under the influence and threat of coup generals, the TBMM passed a resolution to implement the death penalty for 14 people, three of whom were political prisoners, and they were executed.

During the military regimes of 1960, 1971, and 1980, first ordinary criminals and then political prisoners were executed. Accordingly, survival or execution was directly linked to the regime's political structure.

Throughout the history of the Republic of Turkey, 46 members of the Turkish Grand National Assembly have been executed. 12 of these were executed between 1922 and 1929.



The executions were carried out based on death sentences handed down by the Independence Tribunals operating between 1960 and 1970. Prime Minister Adnan Menderes, Foreign Minister Fatin Rüştü Zorlu, and Finance Minister Hasan Polatkan were sentenced to death by an extraordinary court established during the 1960 military coup and their sentences were carried out. Turkey still suffers from the trauma of hanging a prime minister and two ministers. The crimes of these three executed individuals were political, and modern criminal law does not include a penalty for political crimes. Therefore, in 1990, 29 years after their executions, the Turkish Grand National Assembly enacted a law restoring the reputations of these three politicians. Their graves, located on the island where they were executed, were transferred to a mausoleum in Istanbul with a grand ceremony. The late Adnan Menderes's name was given to a university, Izmir Airport, and several streets and boulevards.

From all of this, we can conclude that the Republic of Turkey has admitted its mistake regarding these executions and that the trial was unfair.

In 1972, three young extreme leftists were among the 14 people executed during the military rule. Deniz Gezmiş, Yusuf İnan, and Hüseyin Aslan, who were sentenced to death by a martial law court, had never committed a murder.

At the time, the coup generals did not shut down parliament, but they forced the legitimate government to resign and threatened to shut down the Turkish Grand National Assembly if their demands were not met. Under the influence of the coup plotters, Parliament also approved the death penalty for these three young men.