

Turkey

In Turkey, Scholars at Risk (SAR) reported a continuation of severe pressures on academic freedom, institutional autonomy, and scholar and student expression more generally. These included the appointment of a university rector based on apparent political considerations, efforts to restrict student protests, and arrests and prosecutions of students and scholars.

Turkey is bound by national and international legal instruments that provide protections for academic freedom. Turkey is a party to the International Covenant on Civil and Political Rights (ICCPR), which provides for freedom of opinion and expression (Article 19), and the International Covenant on Economic, Social, and Cultural Rights (ICESCR), which provides for the right to education (Article 13) and calls on state parties to “respect the freedom indispensable for scientific research and creative activity” (Article 15(3)). Full exercise of academic freedom depends also on respect for institutional autonomy, defined as “that degree of self-governance necessary for effective decision making by institutions of higher education regarding their academic work, standards, management and related activities consistent with systems of public accountability, especially in respect of funding provided by the state, and respect for academic freedom and human rights.”¹ Domestic Turkish law also recognizes academic freedom and related rights, including universities’ right to administrative and academic autonomy.² Turkey’s constitution explicitly recognizes the right to “study and teach, express, and disseminate science and the arts, and to carry out research in these fields freely” (Article 27) and the right to education (Article 42).³

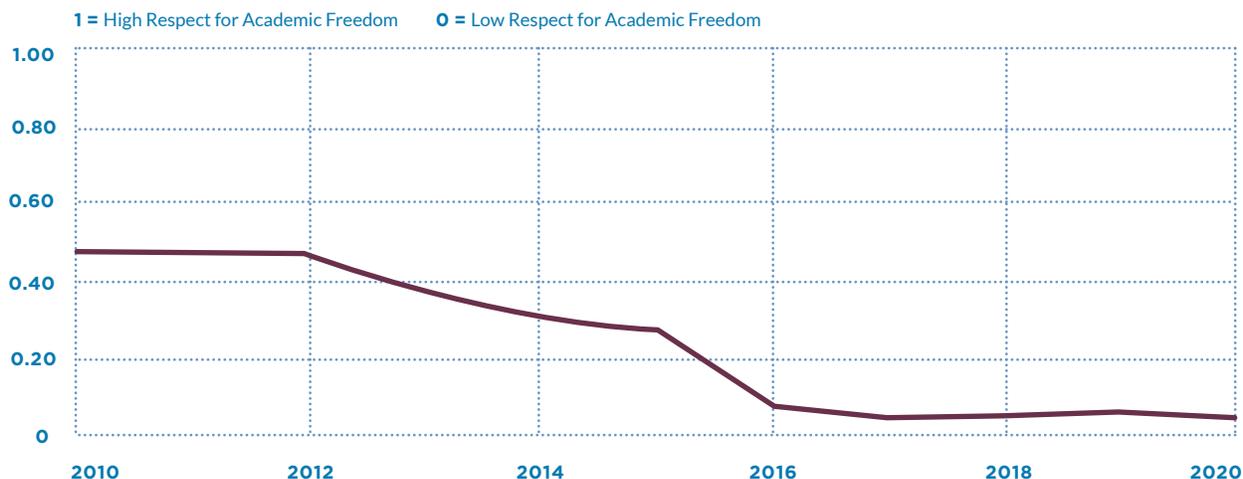
As it relates to a number of incidents discussed here, Turkey’s Constitution also provides for freedoms of expression (Article 26), association (Article 33), and assembly (Article 34), albeit with some caveats.*

Turkey’s higher education community continues to suffer the devastating effects of a series of crackdowns, beginning early in 2016 with sweeping retaliation against academic signatories to a petition demanding an end to Turkey’s harsh policies in the southeastern Kurdish region of the country (the “Academics for Peace” petition), and continuing with the government’s response to a failed coup attempt in July of that year. As previously reported, actions and policies targeting the higher education space following those events include criminal investigations, arrests, and prosecutions of scholars, university staff, and students; government-mandated terminations of more than 6,000 higher education personnel; forced closure of universities; international travel bans targeting affected scholars and their families; and other restrictions amounting to what became known as “civil death” for many of these scholars—an end to their academic careers and their inability to start over elsewhere.† This reporting period also saw a significant number of arrests of and attacks on nonviolent

* For example, with regard to freedom of expression and dissemination of thought, Article 26 stipulates, “The exercise of these freedoms may be restricted for the purposes of national security, public order, public safety, safeguarding the basic characteristics of the Republic and the indivisible integrity of the State with its territory and nation, preventing crime, punishing offenders, withholding information duly classified as a state secret, protecting the reputation or rights and private and family life of others, or protecting professional secrets as prescribed by law, or ensuring the proper functioning of the judiciary.” Articles 33 and 34 contain similar national security-related caveats.

† Many dismissed academics were forced to take on menial work to support themselves and their families. In March 2021, one such scholar, bioengineering professor Mustafa Çamaş, was killed in an accident on a construction site where he was working as a laborer. See “Dismissed academic turned laborer killed in construction site accident,” *Turkish Minute*, March 25, 2021, <https://turkishminute.com/2021/03/25/dismissed-academic-laborer-killed-construction-site-accident/>.

ACADEMIC FREEDOM INDEX: TURKEY



In Turkey, respect for academic freedom dropped steeply amid sweeping attacks on scholars and students ordered by President Recep Tayyip Erdoğan's government, including summary dismissals, arrests, prosecutions, and travel restrictions targeting scholars, staff, and students for public expression or alleged affiliations with groups disfavored by the government. Learn more about the above data, made available by the Academic Freedom Index, a tool co-developed by the Global Public Policy Institute (GPPI), the Friedrich-Alexander-Universität Erlangen-Nürnberg (FAU), the V-Dem Institute, and SAR, at <https://www.gppi.net/2021/03/11/free-universities>.

student protesters and other members of the higher education community. Several of these protests were in response to the installation, by Turkey's president, Recep Tayyip Erdoğan, of a political ally as rector of Boğaziçi University, one of the country's top institutions.

On January 1, President Recep Tayyip Erdoğan appointed new rectors to five universities, including most notably Istanbul's **Boğaziçi University**, an institution internationally known for its progressive culture and academic excellence. According to a report published by the Turkish Academy of Sciences, Boğaziçi was the most "academically productive public university in Turkey,"⁴ and, by virtue of its academic reputation and diversity, had been seen as having avoided some of the worst impacts of government pressures imposed on the country's higher education institutions since 2016.⁵ In the past, under Turkish law, rectors were appointed only after being elected by tenured and tenure-track academic faculty and then presented to the country's president for appointment. On October 29, 2016, however, amidst the state of emergency enacted in response to the failed coup attempt of July of that year, President Erdoğan issued emergency decree No. 676, which removed university faculty from the rector appointment process, placing it in the hands of the presidency and the Turkish Higher Education Council (YÖK). The UN Office of the High Commissioner for Human Rights (OHCHR)

noted that this decree (among others) constitutes "omnibus legislation and regulate[s] various matters which seem unrelated to any threat to national security,"⁶ and endorsed the view, asserted by the Council of Europe's Venice Commission, that the decree did not necessarily appear to have "a link to the management of the state of emergency."⁷ After the state of emergency was lifted in 2018, President Erdoğan again used executive powers to amend the appointment process by issuing a decree that removed YÖK and making the presidency the sole authority to appoint rectors at state universities. While past appointments have raised concerns and protests, at no point has such protest been as intense when Erdoğan unilaterally appointed Melih Bulu, a former politician, member of the ruling Justice and Development Party (AKP), and a political ally, as rector of Boğaziçi University. The decision was swiftly condemned by Boğaziçi faculty and students, who stated that it violated institutional autonomy, academic freedom, and democratic values. Critics of the appointment also raised serious concerns about Bulu's qualifications and integrity as an academic, citing reports that he plagiarized his doctoral thesis.⁸

The appointment of Bulu sparked a series of protests that lasted through the spring. Police routinely responded to with force and arrests.⁹ On January 4, hundreds of Boğaziçi University students and faculty boycotted classes, which were being held online due

to the COVID-19 pandemic, and gathered to protest the appointment in front of the South Campus. Police responded by firing tear gas and rubber bullets at the students and clashing with them.¹⁰ The following day, authorities reportedly raided the homes of 24 individuals alleged to have participated in the protest, taking 17 people into custody, and reportedly another 14 on January 6. The protesters were reportedly strip-searched during their detentions and faced potential charges of violating Law No. 2911 on Meetings and Demonstrations and resisting arrest (although they do not appear to have been charged). They were reportedly released on January 7.¹¹ On January 8, at the Middle East Technical University, police violently arrested 17 more students protesting against the Boğaziçi appointment.¹² On February 1, students, faculty, and others gathered on the Boğaziçi campus shortly after an order by the Istanbul governor's office banning protest activities for a month. Police detained 108 people outside the university gates, and another 51 on campus.¹³ Although most were released about a day later, 97 protesters were later indicted on charges of violating Law No. 2911.¹⁴ Another 71 students were detained in connection with protest activities on February 4 and 5, in Bursa,¹⁵ Çanakkale,¹⁶ Konak,¹⁷ and Samsun.¹⁸

On July 15, President Erdoğan issued a presidential decree ordering Bulu's dismissal and replacing him with Mehmet Naci İnci, a member of the Faculty of Science and Literature, as Acting Rector of Boğaziçi University. Reporting by *Reuters* suggests that YÖK sought Bulu's dismissal at least in part due to shortcomings in his work as rector.¹⁹ Shortly after Bulu's removal, the Acting Rector terminated the contract of **Can Candan**, a filmmaker and a lecturer in the Department of Western Languages and Literatures.²⁰ Candan was publicly supportive of and documented the student protests over Bulu's appointment as rector. İnci noted in his termination letter that Candan was the subject of a disciplinary investigation for expression critical of the university. İnci also declined to approve courses scheduled to be taught by **Feyzi Erçin**, a lawyer and a part-time lecturer in the same department, who was also critical of the university administration and who supported students during the protests.²¹ On August 20, Erdoğan appointed İnci as rector, a decision that prompted renewed protests by faculty and students who expressed outrage that the president ignored an internal vote that found 95 percent of faculty opposed to İnci for the rectorship.²²

The past year also saw prosecutions of scholars and students. For example, on November 30, 2020, **Vedat Demir**, a former Istanbul University communications

scholar who was arrested following the July 2016 coup attempt, was sentenced to six years and seven months in prison for "membership in an armed terrorist organization." Authorities accused him of being a member of the Gülenist movement. The evidentiary bases for the conviction reportedly included Demir's possession of five US one-dollar bills, personal notes, WhatsApp messages with other academics, and articles Demir authored. The hearing reportedly lasted minutes and Demir's lawyer was not permitted to speak.²³ On January 30, 2021, five Boğaziçi University students were arrested for their alleged involvement in an art exhibition on campus that included a poster displaying the Kaaba, a sacred Muslim shrine in Mecca, Saudi Arabia, alongside LGBTQ+ pride flags, a mythical half-woman, half-snake figure found in Middle Eastern folklore, and an explanatory text challenging traditional gender roles. An Islamic group on campus complained about the poster, leading police to search the offices of the university's fine arts and LGBTQ+ student clubs. Police arrested the five students on charges of "incitement to hatred" and "insulting religious values."²⁴ Following the arrests, interior Minister Süleyman Soylu tweeted that "LGBT perverts" had been detained in connection with the exhibition. And on February 7, 2021, police arrested Mimar Sinan Fine Arts University student **Beyza Buldağ**, in connection with a Twitter account she allegedly administered, which posted an open letter addressed to President Erdoğan demanding the release of detained protesters and the resignation of Melih Bulu. She was later transferred to Istanbul and formally charged with "provoking the public to enmity, hatred and hostility" and "provoking to commit crimes."²⁵

In one incident reported to SAR, a higher education body known as the Interuniversity Board declined to certify the equivalence of a scholar's US doctoral degree apparently based on the board's disagreement with the subject and contents of the scholar's thesis.²⁶ The Interuniversity Board ("Üniversitelerarası Kurul" or "ÜAK") certifies international education credentials by determining whether candidates obtained their degree through formal education and whether the university that granted the degree is recognized in Turkey. In 2019, the State University of New York Binghamton (SUNY-Binghamton) granted a PhD in sociology to **Mehmet Baki Deniz**. In May 2020, Deniz submitted to ÜAK the requisite materials for degree certification, including his thesis, titled "Who Rules Turkey Between 1980 and 2008? Business Power and the Rise of Authoritarian Populism."²⁷ In their June 2021 decision declining to certify Deniz's PhD, the Board cited "the content and subject" of the thesis, without providing any further explanation. Without

the certification of his PhD, Deniz is effectively unable to find academic employment in Turkey. Deniz's lawyer has since appealed the ÜAK's decision with Turkey's Council of State ("Danıştay"), the highest administrative court, claiming that it violates Article 27 of Turkey's constitution, which protects "the right to study and teach, express, and disseminate science and the arts, and to carry out research in these fields freely." Commenting on ÜAK's rejection, the Human Rights Foundation of Turkey raised concern that "researchers from Turkey who did a PhD abroad will have to choose between self-censorship to write mediocre theses to be approved by the ÜAK and not returning to Turkey."²⁸

It has been more than five years since Turkish authorities began a nationwide campaign of attacks on scholars, students, and staff for their opinions and alleged associations. Political actors and state officials continue to intervene in university affairs. Authorities continue to use force, arrests, prosecutions, and regulatory powers against scholars and students. Travel restrictions and employment bans under the guise of national security measures continue to freeze out academics across the country looking to pursue their work. Turkey's higher education community and their academic freedom remain in a state of paralysis.²⁹

SAR renews its calls on Turkey's government to reverse the harm done to Turkey's higher education community between 2016 and the present, including by reversing and rectifying prosecutions, terminations, travel restrictions, and other state actions that were conducted in violation of applicable human rights standards. SAR calls on Turkish authorities to refrain from the use of force, arrests, and prosecution against scholars and students for nonviolent exercise of the rights to academic freedom and freedom of expression, and to respect the autonomy of Turkey's higher education institutions, including by restoring the role of faculty in the rector appointment process. SAR further calls upon the global academic community and higher education leaders around the world to publicly express, on all possible platforms, their concerns about academic freedom in Turkey, convey their criticisms to Turkey's Higher Education Council (YÖK), offer support to scholars who have been wrongfully dismissed from their positions or who are the subject of wrongful prosecutions, and uncompromisingly insist on academic freedom as a condition of their partnership with Turkish institutions.

ENDNOTES

1. See UNESCO, "Recommendation concerning the Status of Higher-Education Teaching Personnel," November 11, 1997, para. 17, http://portal.unesco.org/en/ev.php-URL_ID=13144&URL_DO=DO_TOPIC&URL_SECTION=201.html.
2. Fatma Nevra Seggie and Veysel Gokbel, *Academic Freedom in Turkey: from Past to Present* (June 2014), pp. 18-22.
3. Constitution of the Republic of Turkey (1982), available at https://www.constituteproject.org/constitution/Turkey_2017.pdf?lang=en.
4. Middle East Studies Association, "Ongoing erosion of the autonomy of Turkish public universities due to Erdoğan's unilateral appointments of university presidents," January 20, 2021, <https://mesana.org/advocacy/committee-on-academic-freedom/2021/01/20/ongoing-erosion-of-the-autonomy-of-turkish-public-universities-due-to-erdogans-unilateral-appointments-of-university-presidents>.
5. Ayla Jean Yackley, "Turkish university protests continue over Erdogan-appointed rector," *Político*, January 15, 2021, <https://www.politico.eu/article/turkey-university-rector-melih-bulu-protests-recep-tayyip-erdogan/>.
6. UN OHCHR, "Report on the impact of the state of emergency on human rights in Turkey, including an update on the South-East," March 2018, https://www.ohchr.org/Documents/Countries/TR/2018-03-19_Second_OHCHR_Turkey_Report.pdf.
7. Council of Europe, Venice Commission Opinion No. 865 / 2016, November 10, 2016, [https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-REF\(2016\)061-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-REF(2016)061-e).
8. "Erdoğan-appointed rector plagiarised parts of his dissertation - fact-checking website," *Ahval*, January 15, 2021, <https://ahvalnews.com/bogazici-university/erdogan-appointed-rector-plagiarised-parts-his-dissertation-fact-checking>.
9. In addition to the incidents described below, mass detentions of student protesters occurred on November 6, 2020, after a protest outside Turkey's Ministry of Education, see SAR Academic Freedom Monitoring Project (AFMP), November 6, 2020, <https://www.scholarsatrisk.org/report/2020-11-06-various-institutions/>; SAR AFMP, March 25, 2021, <https://www.scholarsatrisk.org/report/2021-03-25-bogazici-university/>; SAR AFMP, March 26, 2021, <https://www.scholarsatrisk.org/report/2021-03-26-bogazici-university/>; and SAR AFMP, April 1, 2021, <https://www.scholarsatrisk.org/report/2021-04-01-bogazici-university/>.
10. SAR AFMP, January 4, 2021, <https://www.scholarsatrisk.org/report/2021-01-04-bogazici-university/>.
11. SAR AFMP, January 5, 2021, <https://www.scholarsatrisk.org/report/2021-01-05-bogazici-university/>.
12. SAR AFMP, January 8, 2021, <https://www.scholarsatrisk.org/report/2021-01-08-middle-east-technical-university/>.
13. SAR AFMP, February 1, 2021, <https://www.scholarsatrisk.org/report/2021-02-01-bogazici-university/>.
14. SAR AFMP, April 19, 2021, <https://www.scholarsatrisk.org/report/2021-04-19-bogazici-university/>.
15. SAR AFMP, February 4, 2021, <https://www.scholarsatrisk.org/report/2021-02-04-various-bursa/>.
16. SAR AFMP, February 4, 2021, <https://www.scholarsatrisk.org/report/2021-02-04-canakkale-onsekiz-mart-university/>.
17. SAR AFMP, February 5, 2021, <https://www.scholarsatrisk.org/report/2021-02-05-various/>.
18. SAR AFMP, February 4, 2021, <https://www.scholarsatrisk.org/report/2021-02-04-various/>.
19. Daren Butler and Ali Kucukgocmen, "Turkey university

- protests not over despite rector's dismissal," *Reuters*, July 16, 2021, <https://www.reuters.com/world/middle-east/turkey-university-protests-not-over-activists-say-2021-07-16/>.
20. SAR AFMP, July 16, 2021, <https://www.scholarsatrisk.org/report/2021-07-16-bogazici-university/>.
 21. Dilek Şen, "Appointed vice rector of Boğaziçi doesn't approve Feyzi Erçin's course," *Bianet*, May 31, 2021, <https://bianet.org/english/education/244887-appointed-vice-rector-of-bogazici-doesn-t-approve-feyzi-ercin-s-course>.
 22. "Fresh protests at Boğaziçi University as Erdoğan appoints new rector," *Bianet*, August 23, 2021, <https://m.bianet.org/english/education/249201-fresh-protests-at-bogazici-university-as-erdogan-appoints-new-rector>.
 23. SAR AFMP, November 30, 2020, <https://www.scholarsatrisk.org/report/2020-11-30-unaffiliated/>.
 24. SAR AFMP, January 30, 2021, <https://www.scholarsatrisk.org/report/2021-01-30-bogazici-university/>.
 25. SAR AFMP, February 7, 2021, <https://www.scholarsatrisk.org/report/2021-02-07-mimar-sinan-fine-arts-university/>.
 26. SAR AFMP, June 16, 2021, <https://www.scholarsatrisk.org/report/2021-06-16-state-university-of-new-york-at-binghamton/>.
 27. See Mehmet Baki Deniz, "Who Rules Turkey Between 1980 and 2008? Business Power and the Rise of Authoritarian Populism," November 20, 2019, ProQuest Document ID: 2379638069.
 28. "Failure to recognize PhD degree's equivalence in Turkey aims to censor," *Bianet*, September 10, 2021, <https://m.bianet.org/english/education/250034-failure-to-recognize-phd-degree-s-equivalence-in-turkey-aims-to-censor>.
 29. See Human Rights Foundation of Turkey, "The University Under Siege: Turkey's Academic Community in Paralysis," in SAR, *Free to Think 2020* (November 2020), pp. 69-73, <https://www.scholarsatrisk.org/resources/free-to-think-2020/>.