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Prime Minister Binali Yıldırım
Office of the Prime Minister
Başbakanlık
06573 Ankara
Turkey

Dear Prime Minister Yıldırım,

We write on behalf of the Middle East Studies Association (MESA) of North America and its Committee on Academic Freedom in order to express our concern over reports that İřtar Gözaydın, a renowned professor of political science and law, was arrested at her home on the morning of Monday, December 19, 2016. Professor Gözaydın is believed to have been arrested as part of a broader operation by the Izmir chief public prosecutor's office against academics formerly employed at Gediz University (Izmir).

MESA was founded in 1966 to promote scholarship and teaching on the Middle East and North Africa. The preeminent organization in the field, the Association publishes the *International Journal of Middle East Studies* and has nearly 3000 members worldwide. MESA is committed to ensuring academic freedom and freedom of expression, both within the region and in connection with the study of the region in North America and elsewhere.

Prior to this most recent incident, Professor Gözaydın had been impacted twice by the purges across Turkish academia since the failed coup attempt of July 15, 2016. She was fired from her position as chair of the Department of Sociology at Gediz University on July 21, 2016, days after the attempted coup, as a result of having tweeted articles opposing the reinstatement of the death penalty and condemning both the attempted coup and the mob violence that followed it. Gediz University, in turn, was closed by the government on July 22, 2016 by emergency decree. Indeed, Gediz University was one of fifteen private universities subjected to asset seizure and closure by the government due to alleged ties to the Gülen movement about which we have previously written to your office (see our letter dated December 14, 2016). The arrest of Professor Gözaydın on December 19th was reportedly linked to an anti-terror probe launched by the Izmir prosecutor's office as part of its investigation of alleged activities of the Gülen movement (designated a terrorist organization by the government, which they term the "Fetullahçı Terör Örgütü/ Paralel Devlet Yapılanması" or the Fetullahist Terrorist Organization/Parallel State Structure (FETÖ/PDY)) at Gediz University. Turkish media reports suggest that 33 arrest warrants were issued for faculty formerly employed at Gediz University and that 14 people were detained, among them Professor Gözaydın.

Professor Gözaydın is a prominent and well-regarded scholar of law, politics and religion. She received training at Georgetown University's International Law Institute, is a graduate of New York University Law School and holds a PhD in law from Istanbul University. In her long career, she became a full professor and served as the chair of the Department of Humanities and Social Sciences at Istanbul Technical University (2005-2011), from which she retired. She also served as Dean

of the the Faculty of Arts & Letters at Dođuş University (Istanbul) prior to joining Gediz University. Professor Gözaydın is recognized for her scholarship outside of Turkey, as well; she has served as a Fulbright fellow in the United States and as a research fellow at the University of London, Birkbeck College. She is the author of numerous articles and books in comparative politics and comparative law concerning the relationship between state and religion in Turkey. She is perhaps the leading scholar in Turkey studying the role of the Ministry of Religious Affairs (Diyanet) in the constitutional order, and has long been an outspoken analyst on the subject of religion and politics in Turkey. She has participated in seminars and conferences around the world and, until this summer, appeared regularly on Turkish television and radio addressing these subjects. She served for two decades as the host and presenter of a regular program aired by Açık Radyo (Open Radio) a left-leaning radio station in Turkey. She is, as well, one of the founders of the Helsinki Citizens Assembly (Helsinki Yurttaşlar Derneđi), one of the most active human rights organizations still operating in Turkey.

In short, Professor Gözaydın's reputation is built on decades of internationally recognized scholarship, advocacy for human rights and the energy she brings to her role as a public intellectual. Her very public, decades-long record as an academic and intellectual belies any claim that she could have played the slightest role in supporting a coup or participating in a terrorist network. Indeed, the tweets for which she was dismissed from her position were courageous calls for justice and non-violence in the aftermath of the attempted coup. She has consistently used her voice to advocate for human rights, and far from being a legitimate basis for suspicion, her criticism of post-coup violence, even as she condemned the coup, is a testament to her consistent commitment to human rights. Gözaydın's detention is unjustifiable. She should be released immediately.

We have previously written numerous letters concerning the arbitrary exercise of powers by your government under the state of emergency to purge academics from their positions by the thousands, detain scholars by the hundreds and close universities all without the slightest due process of law or public showing of evidence. Professor Gözaydın's arrest and that of her colleagues adds another set of depressing statistics to these measures in violation of freedom of opinion, freedom of thought, academic freedom, freedom of expression and basic due process rights. But beyond that, she represents one instance among the many hundreds of an academic whose public reputation both in Turkey and internationally is sufficiently well-established to fully expose the arbitrariness with which people are being purged and detained on excessively broad and implausible charges under the rationale provided by the state of counter-terrorism operations. Professor Gözaydın's case symbolizes the degree to which purges and detentions are being used to silence all public voices of dissent and political opposition including the targeting of human rights advocates.

As a member state of the Council of Europe and a signatory of the European Convention for the Protection of Human Rights and Fundamental Freedoms, Turkey is required to protect freedom of thought, expression and assembly. Further, Turkey is also a signatory to the Universal Declaration of Human Rights, the International

Covenant on Civil and Political Rights, and the Final Act of the Conference on Security and Cooperation in Europe (OSCE), all of which protect the rights to freedom of opinion, expression and association, which are at the heart of academic freedom. These rights are also enshrined in articles 25-27 of the Turkish Constitution. We urge your government to take all necessary steps to ensure that these rights are protected.

We respectfully ask that your government take immediate steps to release Professor Gözaydın and drop all charges against her. If the government wishes to pursue allegations against the academics who have been detained, it should do so in accordance with basic procedural rights and the rule of law, through open court proceedings giving individuals an opportunity to confront any alleged evidence and offer a defense and appeal. Until and unless such procedures are instituted, all those scholars, academics and students who are being detained should be released.

We continue to urge you to take note of mounting international condemnation of the erosion of the rule of law in Turkey. In the aftermath of the failed coup attempt, your government has an opportunity to restore confidence in its commitment to democratic rights and freedoms. We ask that you reverse the present course by taking steps to protect academic freedom, freedom of expression and freedom of association and to reinstate basic procedural protections whenever criminal investigations are undertaken.

Thank you for your attention to this matter. We look forward to your positive response.

Yours sincerely,



Beth Baron
MESA President
Professor, City University of New York



Amy W. Newhall
MESA Executive Director
Associate Professor, University of Arizona

cc:

Recep Tayyip Erdoğan, Türkiye Cumhuriyeti Cumhurbaşkanı (President of the Republic of Turkey)

İsmail Kahraman, Türkiye Büyük Millet Meclisi Başkanı (President of the Turkish National Assembly)

Bekir Bozdağ, Türkiye Cumhuriyeti Adalet Bakanı (Justice Minister of the Republic of Turkey)

Yekta Saraç, Türkiye Yüksek Öğretim Kurulu (YÖK) Başkanı (President of the Turkish Higher Education Council)

Elena Valenciano, Chair of the European Parliament Subcommittee on Human Rights

Barbara Lochbihler, Vice-Chair of the European Parliament Subcommittee on Human Rights

Monika Kacinskiene, Member of the Cabinet of Federica Mogherini, High Representative of the European Union for Foreign Affairs and Security Policy

Johannes Hahn, Commissioner for European Neighborhood Policy and Enlargement Negotiations

Nils Muižnieks, Council of Europe Commissioner for Human Rights

Kati Piri, Member, Committee on Foreign Affairs, European Parliament

Zeid Ra'ad Al Hussein, United Nations High Commissioner for Human Rights

David Kaye, United Nations Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression

Kishore Singh, United Nations Special Rapporteur on the right to education

Serdar Kılıç, Turkish Ambassador to the United States

John R. Bass, United States Ambassador to Turkey