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May 6, 2014

Prime Minister Recep Tayyip Erdoğan
Office of the Prime Minister
Başbakanlık
06753 Ankara, Turkey
Via facsimile +90 312 417 04 76

Dear Prime Minister Erdoğan:

I write on behalf of the Middle East Studies Association (MESA) of North America and its Committee on Academic Freedom (CAF) concerning the ongoing violations of academic freedom at Marmara University's Faculty of Communications under the leadership of its government-appointed dean, Yusuf Devran. We wrote to you previously in January 2013 concerning Dean Devran's abusive practices, which have encompassed harassment of students and faculty, including through improper disciplinary proceedings and ethnic and political profiling. We are now writing to follow up on that previous letter due to the continuation of alarming practices, including the improper dismissal of academic staff, under Dean Devran's leadership.

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 3,000 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.

The body that appointed Devran to his current position—the Higher Education Council (Yüksek Öğretim Kurulu, or YÖK)—is a legacy of the 1980 military-coup government's efforts to regulate and control university activities in Turkey. In the era since Turkey returned to civilian rule, we would expect a less intrusive role for YÖK and a concomitant diminution in the atmosphere of intimidation at the country's universities. Regrettably, the record of YÖK activities under your government suggests precisely the contrary, with a steady increase in violations of the rights of students and faculty at universities, many of which we have documented in the letters we have written to you in recent years. The case of the Faculty of Communications at Marmara University under Dean Devran represents one of the more troubling examples of the violations of academic freedom that have become unfortunately common on university campuses across the country. The annex to this letter lists allegations against Dean Devran, which were detailed in our earlier letter of 24 January 2013.

The most recent development at the Marmara Communications Faculty was reported by the Education and Science Workers Union (Eğitim-Sen). During a meeting with representatives of the Union, Dean Devran reportedly stated that he will be reappointed as dean by YÖK in July 2014 for another three years. He further noted that during his upcoming term he intends to deny permanent academic positions to anyone who criticized his administration on social media, or signed a petition entitled "Academic Freedom [is Our Freedom]," or received a disciplinary penalty during his tenure, or participated in a two-day strike on 4-5 June 2013, in connection with the Gezi Park protests. In other words, Dean Devran has adopted a policy of denying academic appointment or promotion to those who have been critical of his management of the Communications Faculty or who have been critical of the AKP government's policies in

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connection with last summer's protests. Several days after this meeting, a disciplinary investigation of academic staff who participated in the June 2013 strike was completed, resulting in the dismissal of Dr. Figen Algül and Dr. N. Can Özbaşaran as research assistants. The grounds provided for the dismissals were that these individuals had "deserted work," which constitutes a basis for dismissal under Article 10 of the Disciplinary Code of Administrators, Faculty and Teaching Staff, and Civil Servants in Institutions of Higher Education. Yet this article specifies that "desertion" involves an unexplained absence of no less than ten days, whereas these individuals were absent for only two days in connection with the strike. Further, this article has now been annulled by YÖK. In addition to these dismissals, eight other faculty members were suspended from work or were fined one month's salary in connection to the same strike. The imposition of different disciplinary sanctions for the same underlying activity further underscores the arbitrariness of the actions taken against academic staff who participated in the two-day strike.

Subjecting academic staff members to disciplinary proceedings and denying them the opportunity to be considered for permanent positions on the basis of their political opinions is an arbitrary violation of the rights to freedom of expression and association enshrined in articles 25-27 of the Turkish Constitution. Additionally, 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 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 expression and association, which are at the heart of academic freedom. Dean Devran's threat to take punitive action against faculty members on the basis of their political opinions and speech violates all of these protections and casts a dim light on academic freedom in Turkey.

We urge your government to take all necessary steps to ensure that the disciplinary measures taken against academic staff members at the Marmara Faculty of Communications are not approved by YÖK and that the core academic freedom of faculty and students are protected by government appointed university administrators or other officials. Further, we respectfully request that YÖK require written clarification from Dean Devran that he will not condition academic appointment and promotion decisions on the political views and activities of academic staff at Marmara University's Faculty of Communications.

Sincerely,



Nathan Brown
MESA President

cc:

Türkiye Cumhuriyeti Cumhurbaşkanı, Abdullah Gül (President of the Turkish Republic)
Türkiye Büyük Millet Meclisi Başkanı Cemil Çiçek (President of the Turkish Grand National Assembly)
Adalet Bakanı, Bekir Bozdağ (Minister of Justice)

Yüksek Öğretim Kurulu (YÖK) Başkanı, Gökhan Çetinsaya (President of YÖK)
Chair of the European Parliament Subcommittee on Human Rights, Barbara Lochbihler
Member of the Cabinet of Catherine Ashton, High Representative of the European Union for
Foreign Affairs and Security Policy, Carl Hartzell
Special Commissioner for EU Enlargement, Štefan Füle
Council of Europe Commissioner for Human Rights, Nils Muižnieks

ANNEX TO 24 January 2013 CAFMENA LETTER CONCERNING INCIDENTS AT THE MARMARA UNIVERSITY FACULTY OF COMMUNICATIONS

In our letter, we identified five areas of concern related to recent incidents at Marmara University's Faculty of Communications under the decanal regime of Yusuf Devran who has served since July 2011 as the government-appointed Dean of the Faculty. In this Annex, we provide additional background on the five areas of concern.

1. Dean Devran reportedly directed university administrators to designate certain students with a "P" (allegedly standing for "PKK") on the lists of students registered for the graduate admissions exam, in order to set those designated students apart for special treatment, scrutiny or surveillance on the basis of suspicions concerning their political and ethnic affiliations. Personal reports (also published in the media) state that the dean resorted to this strategy on oral exam committees that he did not chair. According to the graduate admissions process at Marmara Communications, the students would traditionally take a written exam followed by an oral exam. Different committees would be assigned for the oral examination of each graduate school applicant. Reports indicate that last year, not only did Dean Devran chair 8 out of 15 oral exam committees, but he also tried to influence the decision-making process in those committees that he did not chair or take part in by pre-marking the list of applicants with such marks as "P." For example, Azad Bedirhan, a Kurdish student whose name was marked by a "P," did very well in the graduate school admission exam, but was not admitted reportedly as a result of his "P" designation. The student has affirmed repeatedly that he has no connection to any activity to which the "P" designation might relate and that he has never been the subject of any disciplinary hearing during his exemplary record of four years of undergraduate study. Aside from graduate admissions, it has also been reported that Kurdish and leftist students are identified by colored markings on regular midterm and final exam lists and sent to a separate building for the administration of the exam, apart from other students. If true, this sort of designation or profiling practice amounts to an impermissible singling out of students for disparate treatment, raising serious concerns regarding protection of their right to an education free from discrimination on the basis of ethnicity or political orientation. Further, Dean Devran's twitter record includes personalized attacks on some students with similar labels, aggravating the poisonous atmosphere on campus and reportedly contributing to serious tensions amongst students.
2. Academic staff members and others who disapprove of the dean's policies have allegedly been targeted with various measures that include disciplinary investigations, involuntary detention on campus, and verbal and physical harassment. Associate Professor Necmi Emel Dilmen and research assistants Uraz Aydın and Behlül Çalışkan are among those who have reportedly been singled out for such treatment. Additionally, press records indicate that during the

graduate admissions process, a professor who was on the admissions committee was bullied and harassed in an attempt to force her to accept and sign a list of students for admission who had been pre-selected by the dean rather than by criteria of academic achievement and merit as measured by exam results. When this professor refused to sign-off on the dean's list, she was detained on campus until midnight by the dean's security personnel. Following this incident, this professor has taken up the practice of coming to campus with a bodyguard to ensure her safety. An additional example of threatening actions undertaken against faculty members is the case of Professor Dilmen who criticized, via Twitter, the campus presence of police and other heightened security measures put in place by Dean Devran. Following this criticism, Dean Devran allegedly physically assaulted Dilmen in the dean's office and then had him forcibly ejected from his office, accusing him in the process of engaging in "propaganda" against the university.

The treatment of research assistants lends further weight to concerns regarding allegations of the arbitrary and abusive exercise of authority by Dean Devran. For instance, research assistant Uraz Aydın's private email—containing criticisms of the dean—to the Union of Higher Education was intercepted by the dean, who then successfully demanded that the Rectorate of the University open a disciplinary and criminal investigation against Aydın. Likewise, Behlül Çalışkan was reprimanded by the dean for critical "tweets," while another academic staff member was threatened with disciplinary investigation on the grounds that this person had been seen privately cursing the dean. In another case, Dean Devran suspended a student, Mikail Boz, on the grounds that he had made unflattering comments about the dean on a website. Further reports indicate that Devran has also intercepted Facebook postings and tweets among Kurdish or pro-Kurdish students and used this private communication as a basis to accuse such students of engaging in "separatist activities." These incidents reveal a pattern of harassment and surveillance of academic staff members, faculty and students by the dean, which extends to their personal Facebook and Twitter accounts and private email communications in which they air criticisms of university administration. The surveillance and punishment of speech by academic staff and students is particularly troubling in the case of a Dean of Communications, presiding over a faculty that should be training students to avail themselves of their speech rights in multiple venues rather than seeking to limit speech.

3. The third issue that we highlighted is the atmosphere of intimidation occasioned by the employment of a large body of private security personnel on campus and the institutionalization of the presence of undercover police officers. For instance, Dean Devran has reportedly stationed police officers in an office adjacent to the space provided for research assistants. The alleged responsibilities of these police officers include monitoring the activities of faculty and research assistants and reporting them to the administration, with a particular focus on any evidence of contact with detained students or planned visits to imprisoned journalists. The heart of the research by academic staff members in a Faculty of Communication is conducted through their interactions with journalists and exploring newsworthy subjects such as the detention of large numbers of civilians—whether they be students, members of the press corps or others. Suggesting that such communication is illicit and establishing surveillance systems to report the research activities of the academic staff to the administration through an overt police presence is inimical to any definition of academic freedom. Further, the guilt-by-association approach to dissent evidenced by these policies is itself threatening to freedom of thought and the free dissemination of information and

knowledge. To say that these measures create a hostile campus environment for the conduct of research on the media would be a vast understatement.

4. Dean Devran's direct interference in the planning and conduct of scheduled academic events is a fourth area of concern. For instance, Dean Devran decided to prohibit the use of university facilities to offer a planned seminar entitled "Journalism, the Government and Freedom of Opinion: Report Card on Ten Years," which would have considered media freedoms during the decade of AKP rule (the seminar ultimately went forward in a separate venue). In addition to this example of an arbitrary attempted-cancellation of a planned seminar, the Dean's actions have created an intimidating climate in which comparable conferences and workshops are planned off-campus from the outset to avoid his efforts to regulate, control and police academic research and academic speech.
5. Dean Devran's interaction with the alumni base of the Faculty of Communications at Marmara University and the broader journalistic community in Turkey is a final area of concern. As we noted, this Faculty has long been an important site for the production of the country's most influential and active journalists and commentators. Unsurprisingly, then, some of this alumni base has noted and taken exception to the regime of surveillance and intimidation that Dean Devran has instituted on campus. In one telling example, the dean entered into a testy and threatening public exchange with alumnus Ismail Saymaz, a respected journalist with the mainstream wide-circulation newspaper, *Radikal*. After Saymaz tweeted criticism of the dean's attempt to cancel the seminar on the AKP's ten-year record on the media, Dean Devran issued a particularly harsh set of tweets that exemplify his pedagogical approach. Specifically, he wrote that:

"I decide what academic events may be held on the campus of the Faculty. You will no longer be allowed to deceive Marmara Communications students. The liar, Ismail Saymaz, claims that he was barred from entering the campus. Who prevented you from entering the campus? If you cannot prove your claim you are nothing but a liar, Ismail. Know this: Marmara Communications will no longer train deceitful journalists like yourself. Ismail Saymaz at *Radikal* newspaper is a provocateur and a collaborator. I will sue him."

The threats and insults directed at an alumnus for criticizing the censorship of events on Marmara University's campus, together with the insistence that the Faculty of Communications will henceforth produce the "right" kind of journalist according exclusively to Dean Devran's standards, exemplifies the repressive campus environment under Devran's decanal administration.