

Via email to: nabiavci@meb.gov.tr

Mr. Nabi Avci Minister of National Education T.C. Milli egitim Bakanligi Atatürk Bulvarı No: 98 06650 Bakanlıklar Ankara, Turkey

March 31, 2016

Dear Minister Avci:

Thank you for your reply to our letter about recent pressures on members of the Turkish higher education community, and especially your affirmation of Turkey's commitment to academic freedom, freedom of expression and freedom of association. Respectfully we urge you to issue such a statement publicly, as it could have very positive effect inside and outside Turkey.

Our earlier letter was written with due regard for Turkey as a democratic state, as you note, and precisely because we are concerned that the recent pressures on academics seem to be putting the space for inquiry and democratic expression at risk. We acknowledge the difficult conditions facing the Turkish State and society, including the conflict in Syria, the refugee crisis, and violent attacks in Turkish cities, as well as the challenges of addressing these in a manner consistent with domestic and international human rights norms. Our earlier letter did not question these, nor did it endorse the content of the academics' public statement. Our letter only shared our concern that the "official reactions" noted in your letter, including targeted investigations by the Turkish Council of Higher Education and Universities and judicial authorities, are based solely on the signatory academics' nonviolent expression of an opinion on a matter of legitimate academic and public concern.

While we appreciate that the opinions expressed in the academics' statement may be disputed and unpopular, the asking of questions and expression of ideas—especially disputed or unpopular ideas—is not only essential to quality higher education; it is the root of democratic legitimacy and rule of law. Academics have a special responsibility within democratic society to ask questions and to impart information and ideas to the public. This ensures that sensitive issues may be more widely understood, and affords the public a means of forming opinions based on evidence and reason over passion, prejudice or ideology. The principles of institutional autonomy and academic freedom are designed to protect scholars when they accept this responsibility, whether from overzealous "official reactions" or public outcry. This is especially true when the questions raised are complex, when information is limited, or even when conclusions are mistaken. A democratic society must show special restraint in sanctioning academic scrutiny and tolerate imprecision or even error in scholarly and public discourse to avoid crippling public debate and undermining its own legitimacy.

While we also appreciate that institutional autonomy and academic freedom do not shield acts of or incitements to physical violence, if these values are to have any meaning such that academics can embrace their responsibility to research, teach and comment on important issues, then the burden must be on the state to show conduct beyond mere questions and statements. Academic freedom and institutional autonomy demand a presumption that a scholar's questions and ideas

alone cannot be the basis for professional or personal sanction—whether expressed in books, research articles, essays, blog posts, class lectures, workshop or conference participation, teachins, nonviolent demonstrations or assemblies, public statements or petitions. Any restrictions or sanctions on these are inherently suspect, and must be shown by the state to be both absolutely necessary and more important than the public's right to receive critical information. This is especially true when academics question government action, as in this case.

We therefore remain concerned that the pending investigations and proceedings against the signatory academics are in response to public outcry—precisely the pressure against which institutional autonomy and academic freedom are designed to protect—and that the Turkish Council of Higher Education and Universities and judicial authorities appear to consider the mere act of signing a public statement a criminal offence. Because of these concerns, and because we deeply value our ties with the Turkish higher education sector, we respectfully urge you as an academic and as Minister of National Education to issue publicly and in private communications with relevant authorities a clear statement of the position of the Ministry:

- affirming as you have in your letter that Turkey and the Ministry remain squarely committed to the principles of academic freedom, freedom of expression and freedom of association;
- affirming that the asking of questions and expression of disputed or unpopular ideas is essential to quality higher education and democratic society, and that the principles of institutional autonomy and academic freedom recognized in Turkey's Constitution specifically protect scholars when they accept this social responsibility; and
- affirming that any pending investigations or proceedings against the signatory academics based solely on their public statement should be quickly ended.

Although we realize that the Ministry may not have direct authority over many of the current actions against the signatory academics, it does have responsibility to protect the quality and reputation of the Turkish higher education sector. We are confident that a public statement from you would send a strong message and help to restrain further harmful and overzealous efforts.

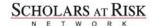
We would also respectfully offer whatever assistance we might be able to provide in creating a positive dialogue about these issues, within Turkish higher education and among international partners, including if appropriate arranging a delegation to meet with you and other officials, a workshop, or other opportunities which you might suggest.

We appreciate your continuing attention to this urgent matter and look forward to your reply. Please feel free to contact me at scholarsatrisk@nyu.edu or +1-212-998-2215.

Sincerely,

Robert Quinn Executive Director

CC: See attached pages (2)



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Copies to organizations co-endorsing the original letter of concern:

Academic Cooperation Association

American Political

Science Association

Association of International Education Administrators

Canadian Association of University Teachers

Committee of Concerned Scientists

Conference of Rectors of

Academic Schools in Poland

European Association for International Education

European University Association

Foundation for Refugee Students (UAF)

German Rectors' Conference (HRK)

International Council for Science's Committee on Freedom and Responsibility in the conduct of Science

Magna Charta Observatory

Mexican Association of International Education

Middle East Studies Association

National Tertiary Education Union, Australia

Norwegian Students' and Academics' International Assistance Fund

Royal Netherlands Academy of Arts and Sciences

Scholars at Risk Norway Section

The New Zealand Tertiary Education Union

Te Hautu Kahurangi o Aotearoa Incorporated

Alexander von Humboldt Foundation

American Association for the Advancement of Science

American Philosophical Association

American Sociological Association

Berlin Social Science Center

The British Philosophical Association

Columbia University's Center for the Study of Social Difference

Council for European Studies

Council for the Development of Social Science Research in Africa (CODESRIA)

German Academic Exchange Service (DAAD)

German Society for Analytic Philosophy

International Development Ethics Association

University and College Union