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# Being a Human Rights Academic during the State of Emergency

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# **Being a Human Rights Academic during the State of Emergency: *Academia Overshadowed by Repression, Threats and Investigations***

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**Translation: Devrim Kılıçer & Fahri Öz**

This study was drafted as the field research report that aimed to reveal the impact of the state of emergency on human rights studies in Turkish academia conducted within the scope of the project “Bringing Human Rights Academy to Society” supported by EU’s European Instrument for Democracy and Human Rights (EIDHR) and undertaken by the Capacity Building Association (Kapasite Geliřtirme Derneđi –KAGED).

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## PREFACE

The aim of this study, conducted within the scope of the project *Coping with State of Emergency: Bringing Human Rights Academy to Society* (School of Human Rights) during 2018 and 2019, was to reveal the level of destruction human rights as an academic field sustained through the experiences of academics studying, lecturing, researching, writing dissertations on human rights or those who were dismissed from their academic posts through decree laws, dismissed, and forced into retirement under the state of emergency conditions. We would like to thank Ahmet Murat Aytaç who acted as an advisor during the design stage of the study; Ceren Salmanođlu Erol, Celil Kaya and Pınar Yıldız for conducting the questionnaires; Elçin Aktoprak, Diñer Demirkent and Canberk Gürer for their contribution at the organization stage; Güneş Daşlı and Metin Öztürk for assisting data processing and analyses, and the anonymous academics who agreed to face-to-face interviews, filled out the questionnaires whose contribution rendered this study possible.

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## INTRODUCTION

The aim of this study is to reveal the kind of impact that the state of emergency (SoE), which was in effect between 21 July 2016 and 19 June 2018, had on academic studies in the human rights field in Turkey and the kinds of consequences that the pressures had on the field, which had already emerged before the SoE but became overt with the SoE practices, in terms of academic studies and educational activities. The study is based on the findings of the questionnaires and semi-structured interviews conducted with academics and/or graduate students of the field during and after the SoE within a period of about one year. Some of the questionnaires conducted with a total of 103 academics were undertaken while the SoE was still in effect (June 2018), whereas some others were conducted immediately after the SoE was lifted (September-December 2018). Further, semi-structured face-to-face interviews were conducted with 20 academics within a year between June 2018 and June 2019. The events of the study period also proved to be instructive so as to more clearly reveal the level of destruction that the SoE had on the human rights field and its short-term effects. Human Rights Joint Platform's "Updated Situation Report –State of Emergency in Turkey 21 July 2016-20 March 2018"<sup>1</sup> demonstrates the fact that at least 160,000 individuals were taken into police custody while at least 228,137 persons were detained and public prosecutors launched criminal investigations into 155,000 persons charging them with "membership in an armed organization" within the designated 20-month period of the report. According to the report, 112,679 persons were dismissed from their posts for life (this figure went as high as 125,806 when the SoE was lifted); 5,705 academics were dismissed from universities (this figure went up to 6,081 later on); 15 private universities with a total of 3,041 academic positions were closed down during the SoE. Further 174 media outlets, 1,419 associations, 145 foundations, and 19 trade unions were closed down during the SoE as well.

The impact of the repressive atmosphere brought about by the SoE continued to affect the human rights field even after it was lifted. Indeed, assessments offered during the interviews ascertained their course while referring to the facts that the repressive atmosphere faced by the human rights field had been put into effect before the SoE, the level of destruction deteriorated with the declaration of SoE, and its impact was sustained after the SoE particularly because of purges from public service. We, therefore, regarded the SoE as a process during which the effects of repressive policies and practices on the human rights field were experienced more forcefully and became more visible instead of merely taking the date when the SoE was declared, 21 July 2016, as a turning point while analyzing the findings of this study although our starting point was to come up with a frame about the impact of the SoE on human rights as an academic field of study.

The study firstly offers an overall assessment of the development of the human rights field in academia in Turkey, the scope and limits of academic studies conducted within this field, and

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<sup>1</sup> <https://ihop.org.tr/updated-situation-report-state-of-emergency-in-turkey-21-july-2016-20-march-2018/>

the ways in which it has gradually been affected by political developments in Turkey. Within this context; during which periods, with which content and methods human rights as a concept and norm was studied by the academia in Turkey, the ways in which and to what degree the political conjuncture affected the development of the field have been scrutinized through a historical perspective. The second part of the study presents the findings of questionnaires and semi-structured interviews conducted with academics at different stages of their careers who have published in related fields like human rights and women's rights, LGBTI+ rights, prohibition of discrimination, and refugee rights. This part delivers the results of the field study conducted with a total of 123 faculty and graduate students. The questionnaire conducted within the scope of the field study aimed to reveal the degrees to which human rights academics faced such repressive practices as administrative investigations, judicial proceedings, penalties, mobbing, and threats or rights violations; whether there had been an increase in such repression and violations with the SoE, whether they felt threatened, and what kinds of responses they had against such harassment and threats. The questionnaire also investigated the situation of graduate students in the field and the ways in which they were affected by the SoE process. Through semi-structured face-to-face interviews conducted with 20 academics; their observations, views and evaluations on the impact of the SoE on the human rights field were compiled; a comprehensive framework was established about how educational activities and overall academic freedoms were affected by the repressive atmosphere before and during the SoE; what kinds of effects the SoE had on the human rights field along with what kind of consequences these effects might have.



# I. THE FOUNDATIONS OF THE RELATIONSHIP BETWEEN HUMAN RIGHTS, FREEDOMS AND THE ACADEMIA IN TURKEY

## 1. The Problematic of “Development of Human Rights” in Literature

Any analysis of the interaction between academia and human rights in Turkey is only possible by taking the development of human rights as a basis since the presence or absence of the concept can render the examination of its place within the academia possible, otherwise, tracking the traces of human rights in academia would be impossible. There are, of course, some exceptions but most of the studies on the “development of human rights in Turkey” have usually been drafted under the influence of either Turkish nationalism or statist political imagination or the history of Turkish constitutional law, therefore, incorporating rather problematic features both in retrospection and classification dating back to the Seljuk State reaching today, even to the Central Asian Turkic communities although all claimed to have been drafted with a pronounced commitment to the ideal of human rights.<sup>2</sup> Moreover, taking conversion to Islam, too, as a criterion for classification further deepens the above-mentioned problem and overshadows the modern and universalist claims of human rights. The most significant factors for the emergence of this problem are *i.* the absence of an autonomous civil society in the Ottoman-Turkish history up to the middle of the 20<sup>th</sup> century and *ii.* The failure of scientific or academic works to focus on the concept of human rights and fundamental rights and freedoms. These two significant interconnected questions have led both to a weak correspondence of human rights in social life and to the prevention of a formation of a canon accompanied by social-political or theoretical debates rather than a mere description of fundamental rights and freedoms. Indeed, when a researcher wishes to conduct an investigation into the human rights situation of a period exceeding a century –let alone their relationship with the academia- they usually encounter provisions and regulations on rights and freedoms incorporated in constitutional texts. This title, however, deserves and necessitates a much more comprehensive and radical analysis. Yet the above-mentioned limitations have brought along the incarceration of the question within a strictly legal space while the foundations of an in-depth historical study on a specific rights category (such as academic freedom, freedom of expression or the prohibition of torture) have been destroyed from the ground up.

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<sup>2</sup> For instance, Ahmet Mumcu classified “Development of Human Rights and Public Liberties in Turkey” in his work entitled *İnsan Hakları ve Kamu Özgürlükleri* [Human Rights and Public Liberties] under such categories as “Before Conversion to Islam,” “During Islam,” “Up to Tanzimat,” [political reforms of 1839 in the Ottoman State] etc. covering both the Seljuk and Ottoman states. Ahmet Mumcu, *İnsan Hakları ve Kamu Özgürlükleri*, Savaş Yayınları, Ankara, 1992, pp. 145 et al.; Erol Anar, who wrote about the history of human rights as sophisticated as possible in an exceptionally dissident fashion, preferred a similar distinction as well and presented the following classification in his *İnsan Hakları Tarihi* [The History of Human Rights]. Erol Anar, *İnsan Hakları Tarihi*, Çiviyazıları Yayınları, İstanbul, 1996, pp. 85 et al. Similarly, Münci Kapani classified the chapter “The Development of Public Liberties in Turkey” as “In the Ottoman Empire” and “In Republican Turkey” and analyzed the development of human rights in the Ottoman era up to the Tanzimat within the scope of “The Place of Human Rights and the Concept of Freedom in Islamic Philosophy” in his work entitled *Kamu Hürriyetleri* [Public Liberties]. Münci Kapani, *Kamu Hürriyetleri*, Ajans Türk Matbaası, Ankara, 1964, pp. 64 et al.

Although such limitations disable studies, Ottoman Empire's modernization process and the *official historical rounds* at the time of the foundation of the Republic of Turkey and its aftermath incorporate more or less some clues about the evolution of human rights as a concept and norm based on collected data. Studies presenting "arguments" on the subject within the context of Turkey essentially observe the nuclei of human rights that came to bear a name and a corpus in the 20<sup>th</sup> century, in the 19<sup>th</sup> century Ottoman Empire.

Addressing the development of Ottoman-Turkish human rights in the manner mentioned has brought about its incarceration within the framework of the Imperial Edict of Reorganization [Tanzimat Fermanı], Imperial Edict of Reform [Islahat Fermanı] and the Ottoman Constitution [Kanuni Esasi], which are recognized as the official historical turning points in "public law, constitutional law or political science" courses offered at universities, although it is extremely challenging to track that period's repercussions in the academia.

Within such a framework, the development of human rights is studied *dating it back to 1839* often by arguing that some of the provisions enshrined in the Imperial Edict of Reorganization introduced natural law to positive law while such parts as "public rights" and "fundamental rights" of modern constitutions had been drafted under the influence of this philosophy claiming that the Imperial Edict of Reorganization could be listed among them *when one particularly takes into account fundamental rights and freedoms, in other words, the dimension of human rights translated into positive law.*<sup>3</sup> The Imperial Edict of Reorganization, in Bülent Tanör's words, "sets forth the first neat Ottoman list though with shortcomings regarding rights and freedoms."<sup>4</sup> Therefore, the starting date of "human rights in Turkey" has been fixed to 1839, considered to be the first stop of a historical moment also known as the long twentieth century, and the question of human rights is studied along these lines at universities: to the Imperial Edict of Reorganization the seeds of which were sown under the influence of developments in Europe though with a frail intellectual and philosophical background. The other official turning point of the modernization process, the Imperial Edict of Reform proclaimed in 1856, is also referred to as another significant document which had contributed to the development of human rights in Turkey due to its provisions proscribing discrimination among religious and national communities. The goal of this document, which is also regarded as the precursor of the concept of modern minorities and legal guarantees in Turkey, was essentially to "provide equality to non-Muslim subjects with Muslims in all respects."<sup>5</sup> The Imperial Edict of Reform, which can also be regarded to be the first example of defense of collective rights, had even been assessed to be the "declaration of independence of Christian nations"<sup>6</sup> as the first stage of the right to self-determination. One can thus state that these two documents, which can be characterized as consecutive human rights declarations when handled together with the Tanzimat itself, are commonly recognized as *sine qua non* stages of the history of Turkish-Ottoman human rights, hence, the sought after traces of human rights in academia.

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<sup>3</sup> Yavuz Abadan, "Tanzimat Fermanı'nın Tahlili," *Tanzimat*, Vol. I. MEB Yayınları, İstanbul, 1999. p. 52.

<sup>4</sup> Bülent Tanör, *Osmanlı Türkiye Anayasal Gelişmeleri*, 10<sup>th</sup> Ed. YKY Yayınları, İstanbul, 2004, p. 89.

<sup>5</sup> *Ibid.*, p. 96.

<sup>6</sup> *Ibid.*, p. 97.

The Constitution of 1876 [*Kanuni Esasi*], on the other hand, bears the hallmark of a foundation as it is considered to be the first constitutional reference on the subject and was the fundamental organization which allowed human rights to be modelled on Western standards even though it did so in a limited fashion. It proves to be the first and last significant document stated to have enabled many a right to attain constitutional guarantees by modelling them on Western standards in spite of its limitations. While this constitution, which enshrines many provisions on rights, liberties and judicial guarantees, on the one hand secures these liberties officially, on the other hand it sets its limits in an extremely strict manner and incorporates “derogation” powers on the grounds of “security and survival of the sultan and the government” with a notion of *raison d'état* that precludes handling the human rights regime as an independent catalogue of rights. Thus, although the first constitution incorporates many rights ranging from freedom of religion to liberty of person, from the right to property to the freedom of the press, from prohibition of torture to freedom of education; it was overtly held that almost all these would be suspended when it was concluded that the “security of the government was violated” (Article 113). Studies in literature, however, regard the Constitution of 1876 as more progressive in terms of fundamental rights and freedoms than that of 1924 regardless of the fact that the former merely looks good on paper.

The Period of Despotism [*İstibdat Dönemi*] (1878-1908) which followed the Constitution of 1876 does not occupy a place within the history of human rights because this period is one during which the oppression of the palace extremely escalated as it saw “coming side by side of even two people” as a challenge to the regime and effectively put an end to rights and freedoms both on paper and in practice. This period during which human rights were suspended in all areas of social life also proves to be a black hole for both the academia and human rights. Constitutional amendments and liberalization in social-political life following 1909 affected the academia as well and the “official” comprehension of human rights was reintroduced to the curriculum.

One should also note that recorded information on this subject is rather limited. Yet information provided by Cem Eroğul in his study on the development of human rights at *Mülkiye* [The Faculty of Political Sciences] is quite suggestive of the approach of both *Mülkiye*'s and other universities' approach to the question of human rights:

The roots of the interest in human rights thought and education at *Mülkiye* go way deep. Indeed, the first Constitutional Law course was initiated a year after the declaration of the First Constitutional Monarchy, that is, in 1877. As is known, particularly in the 19<sup>th</sup> century the constitutionalism movement became one of the most prominent instruments of the struggle for freedoms. The Ottoman Empire did not opt out of this general rule. Not only declaring but also defending and teaching the Constitution were acts for freedom. Suspension of the constitution by Abdülhamit II in 1879 also led to the removal of the Constitutional Law course from the program at *Mülkiye*. Although we see the title of this course in the 1891 program once again, it became immersed in a traditionalist religious education while becoming a component of the kind of education that supported the order. The Constitutional Law course truly started during the Second Constitutional Monarchy. Constitutional Law was introduced as an indispensable course at *Mülkiye* in the year that followed the proclamation of Liberty, that is, in 1909.<sup>7</sup>

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<sup>7</sup> Cem Eroğul, “*Mülkiye*'de Yeni Bir Enstitü: İnsan Hakları Merkezi,” *AÜSBF Dergisi*, Vol. 3 (3), 1978, p. 49.

The development of human rights during the founding years of the republic has also been studied with a commitment to the above-mentioned perspective within the framework of the single-party regime and the Constitution of 1924; the new regime created a repressive state of affairs different from the one prescribed by the constitution with regards to rights and freedoms. The conceptions of rights and freedoms were utterly disregarded by setting forth the needs of the “Turkish revolution” by means of Courts Martial and Independence Tribunals<sup>8</sup> or official and/or *de facto* practices: the lack of guarantees for the right to life, the corporatist character of work life and the violation of prohibition of forced labor in every sense, implementation of forced placement and replacement policies, the monopoly over and repression of the media, restriction of religious freedoms through radical and sporadic, yet, fanatic interpretations of laicism, thought crimes, refusal of collective rights (mass killings amounting to genocide), minimization of the right to political participation, the problem of separation of powers and independence of the judiciary are indicators of the fact that many forms of modern and developing rights were destroyed. In such a period the existence of human rights in the academia does not seem possible. Although the university “reform” of 1933 was justified on the grounds of the “laws and needs of the revolution, the reactionary nature of university curricula, inertia of the faculty, the failure of education to compete with European standards, etc.,” it ended up in the purge of instructors who remained distant to top down pressure and interventions forcing faculty to support the Turkish History Thesis; the “reform” became a subject for human rights having violated academic freedoms itself.<sup>9</sup> This status quo was maintained until 1945, the year when the single-party era ended, and the practices in human rights followed a quite negative path in contradiction to what the official documents put forth.

Therefore, one can argue the following regarding this long era: Rather than studying human rights as an issue of freedom in the social, political, philosophical, cultural and/or scientific sense for more than a century, such an *official criterion* for human rights indicates that human rights was merely based on a legal perspective as the phenomenological image of Westernization and was not a conception that became a problematic as a result of a social and scientific concern. It is a fact that no in-depth studies and intellectual movements on human rights were brought about by the 20<sup>th</sup>-century Ottomans<sup>10</sup> but resorting to a chronology of official documents, instead of basing the Ottomans and human rights title on a theoretical background by scrutinizing it merely as a problem of fundamental rights in universal literature even without a thorough assessment of whether these rights were exercised or not, is an indicator that the historicity in question was handled in an extremely superficial way with many a shortcoming. The progress of the history of Ottoman-Turkish human rights was materialized upon the end of the single-party regime when more in-depth and nuanced studies

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<sup>8</sup> Hüsni Öndül, “İstiklal Mahkemeleri Yargılamaları,” “1938 Harp Okulu ve Nazım Hikmet,” “Dünden Bugüne Satır Başı Hukuku Sonuçları: 1925-38 Yargılamalarından Genel Sonuçlar” in “Adil Yargılanma ve Savunma Hakkı,” in *İnsan Hakları Yazıları*, Ç Yayınları, Ankara, 1997, pp.36-48. See the whole work for an overall critical legal panorama of Turkey’s human rights record.

<sup>9</sup> See Nurşen Mazıcı, “Öncesi ve Sonrasıyla 1933 Üniversite Reformu,” *Birikim*, No 76, August 1995.

<sup>10</sup> A. Mumcu, *op. cit.*, p. 176.

on various branches of human rights began to emerge and the academia began to move forward within this framework along with the foundation of the United Nations that declared a new world order. Studies on human rights conducted by the primary higher education institutions of the time, namely *Mektebi Mülkiye*, *Mektebi Sultani*, *Darülfünun* or İstanbul University,<sup>11</sup> have always remained limited. The essential adventure of human rights in Turkey in both socio-political and academic areas lies in the collaborative association of *civil society* that began to emerge with the transition to the multi-party regime and, accordingly, the newly flourishing *human rights activism* and new political participation with the *academia*.

## **2. UN Membership, Formation of Civil Society, and the Academia Meets Human Rights**

Initiatives for both an active and academic human rights organization in Turkey were inaugurated by the foundation of an entity much like a “human rights center” by Prof. Dr. Ali Fuat Başgil the Law School at İstanbul University during World War II. This center was an in-school unit conducting studies on human rights rather than an institution established in the form of an association. This short-lived center fulfilled its “mission” by drafting a booklet on human rights.<sup>12</sup> Turkey ratified the United Nations Charter in the aftermath of World War II on 15 August 1945 and opened up a new page in its history after transitioning to the multi-party system as well. Deputies held debates at the Grand National Assembly of Turkey (GNAT) on the ratification of the UN Charter, the “Preamble” and Article 1 § 3 of which covered the concept of “human rights” prescribed to establish the foundation of a new world order. Ağrı Deputy Rıfkı Refik Pasin speaking on behalf of the International Committee addressed the national assembly stating:

The document at hand delivers significant progress in comparison to the Covenant of the League of Nations in many ways. Particularly such provisions set forth by the new charter as the recognition of human rights in the most comprehensive way, nations helping one another in social and economic fields deserve appreciation.

Eskişehir Deputy Yavuz Abadan also stated that one of the principles of the UN Charter, which could be classified in three main points, was “cooperation in all areas within the framework of a democratic life based on liberal social grounds that would substantiate human rights and fundamental freedoms.” İzmir Deputy Cemil Birsnel also underlined the “necessity to respect human rights in terms of establishing perpetual peace and security in the world.”<sup>13</sup> What these three names had in common was that they also were individuals who stood out with their educator/academic identities along with being members of the parliament. Thus these symbolically significant figures and their addresses comprised the first important steps of the relationship that began to emerge between human rights and the academia.

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<sup>11</sup> Taner Timur, *Toplumsal Değişme ve Üniversiteler*, İmge Yayınları, Ankara, 2000, p. 81 et al.

<sup>12</sup> Nevzat Helvacı, *Karanlıkta Yol Aramak*, İmge Yayınları, Ankara, 2013, p. 149.

<sup>13</sup> Rona Aybay, *İnsan Hakları Evrensel Bildirgesi ve Türkiye (1945-1948)*, İstanbul Bilgi University Press, İstanbul, 2016, pp. 78-79.

The UN Commission on Human Rights, which was established by the UN Economic and Social Council in 1946, resonated with the public opinion in Turkey. UN General Assembly issued a call to its members upon the establishment of the Commission which read “Members of the United Nations are invited to consider the desirability of establishing information groups or local human rights committees within their respective countries to collaborate with them in furthering the work of the Commission on Human Rights.” This call has been regarded to be the start signal of both founding associations and academic studies. In short, one can argue that UN membership formed the basis of a special interest in human rights in Turkey and this interest, in turn, marked a new age in both civil society and academic fields.

It should also be noted that some of these initiatives in question were autonomous while some others were “encouraged and promoted by the state.” The first step in this direction was the “Association for the Protection of Human Rights” [İnsan Haklarını Müdafaa Cemiyeti] which was a non-governmental organization led by Prof. Dr. Ali Fuat Başgil who had also established a human rights center during wartime. The association was closed within a year and was transformed into the “Association for the Dissemination of Free Ideas” [Hür Fikirleri Yayma Cemiyeti] established in 1947 by Başgil in order to extend support for the Democratic Party and maintained its dependent activities as a “state sponsored” organization, or a GONGO.<sup>14</sup> Yet this first step constituted the precedent for two significant organizations in the field of human rights: “The Turkish Group for the Promotion and Protection of Human Rights and Fundamental Freedoms” [İnsan Haklarını ve Ana Hürriyetlerini Sağlama ve Koruma Türk Grubu] that was founded in 1946 in Ankara and the “Human Rights Association” [İnsan Hakları Cemiyeti] founded in İstanbul.<sup>15</sup> In *The Human Rights Yearbook* issued by the Turkish Group, the authors argued that this government-sponsored initiative was founded against the Human Rights Association founded by the state in İstanbul.<sup>16</sup> It is also noteworthy that such figures as the Rector of İstanbul University Prof. Dr. Sıddık Sami Onar, the Dean of Ankara University Law School Prof. Dr. Zeki Mesut Alsan, and Prof. Dr. Baha Kantar from the same school were involved with the group. Although the group was state-sponsored it passed a series of decisions on its line of work with an ideal “to facilitate and promulgate initiatives for UN’s goals and principles; to lead activities for the promotion and protection of human rights in Turkey”<sup>17</sup> and issued a journal titled *Human Rights* between 1947 and 1951. This journal, according to Rona Aybay, “published the first qualified articles in the field of human rights in Turkish academic life.” Furthermore, academics whose articles were published in the *Human Rights Yearbook* and the *Human Rights Journal* extended academic support to the Ministry of Foreign Affairs for its initiatives on human rights.<sup>18</sup>

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<sup>14</sup> Anar, *op. cit.*, p. 163.

<sup>15</sup> *Ibid.*, pp. 164-165.

<sup>16</sup> *Human Rights Yearbook* (İnsan Hakları Yıllığı), Publication of the UN Turkish Group for the Promotion and Protection of Human Rights and Fundamental Freedoms, Ankara, 1954. Rona Aybay qualified this initiative as “state or government sponsored” based both on information in the preface of the yearbook and the political disposition of the team that established the Group. Rona Aybay, *op. cit.*, pp. 70-71.

<sup>17</sup> Anar, *op. cit.*, p. 164.

<sup>18</sup> *Ibid.*, p. 72.

In the post-World War II era the relationship between the academia and human rights began to emerge in universities as well, albeit in a minor way. Eroğul characterizes this era as follows:

The link between Constitutional Law education and the movement for freedom became prominent once again particularly after World War II. Freedoms gained even more significance within the Constitutional Law course. Finally in 1955, which can be regarded as a milestone year towards the hard-liner policies of the Democratic Party rule, new regulations were put in place and a separate course titled “Public Liberties” was introduced [at Mülkiye]. We see that this course was initiated at both undergraduate and doctorate levels in 1956-1957. The tradition to assuredly allocate one of the undergraduate seminars offered each year at Mülkiye to human rights also began to take root during those years.<sup>19</sup>

The relationship among human rights, civil society and the academia, the foundations of which were laid under such circumstances, went through an initiation period during which academic production was weaker while civil society incorporating academics was relatively stronger. A great majority of the publications issued by the civil society, on the other hand, focused either the UN’s or UN members’ human rights mission or the intellectual-historical stages that human rights followed over the years. Human rights studies, expected to take off with the Universal Declaration of Human Rights adopted on 10 December 1948, revealed their genuine effects through studies published after the Constitution of 1961. The grounds for this can be listed as the Cold War balances, repressive character of the Democratic Party era and the failure of both the civil society and the academia to adopt human rights as an ideal as of yet. One can argue that liberty brought about by the Constitution of 1961 in terms of rights and freedoms, particularly its advanced and applicable framework covering classical rights, social rights and political rights led to a visible relief in almost all areas of social space.

### **3. The Construction of the Relationship between Human Rights and the Academia between 1960 and 1980**

The space of civil society and fundamental rights and freedoms, aimed to be expanded in order to limit the executive power in the aftermath of the Constitution of 1961, brought about the revival of human rights in many a medium including the academia. The first example of this was the “Association for the Survival of Fundamental Rights” [Temel Hakları Yaşatma Derneği] established by Prof. Dr. Mehmet Ali Aybar in 1962. Aybar, who had been removed from office by the order of Minister of National Education Hasan Ali Yücel in 1946, dedicated his life to human rights and freedoms. He started publishing a political daily called *Freedom in Chains* [Zincirli Hürriyet] but the daily’s press was raided and its publications were stopped.

Human rights awareness in universities gradually increased as well. The leftwing and free climate in the civil society consolidated its impact in parallel with the developments in the world and the human rights conventions signed by the state also delivered momentum to studies on this subject. Interest in the European Convention on Human Rights that went into

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<sup>19</sup> Eroğul, *op. cit.*, p. 50.

force in 1953 was merely born in the 1960s. Further, the adoption of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights (1966), also known as the twin covenants, led to changes in the syllabi of courses on human rights offered at universities. Rights and freedoms gained more prominence within the scope of Constitutional Law courses, while subjects and courses on the international protection of human rights were introduced in political science and law departments. One can observe that an unprecedented academic production on human rights began to flourish and one or a couple of articles on human rights were published in almost each issue of university journals: within a field ranging from the international protection of human rights<sup>20</sup> to the principle of rule of law<sup>21</sup>, from analyses on the anniversary of the Universal Declaration of Human Rights<sup>22</sup> to freedom of association<sup>23</sup>, from the political rights of women<sup>24</sup> to theoretical discussions.

Yet one should note at this point that these human rights studies in question distanced themselves from subjects identified as “sensitive” and rendered a “regime problem” and criminalized by the regime itself: such as the Armenian question, Kurdish question, prohibition of torture. These studies did not over issues like past mass massacres, pogroms, violations against collective rights, etc. The most significant example that went against this discretionary conduct was the studies by İsmail Beşikçi on the Kurdish issue<sup>25</sup> along with the facts that he was dismissed from the university and jailed because of these studies. İsmail Beşikçi’s suspension from the university in such a period during which human rights studies were introduced to universities needs to be assessed as an attack on and violation against both freedom of thought and the very field of human rights itself. Such a significant purge turns out to be a *unique* case that is ignored and unmentioned in tens of studies focusing on “university purges in Turkey.” Authors have always listed, in a consumptive fashion, the purges of 1933 at *Darülfünun* [İstanbul University],<sup>26</sup> of 1948 at the Faculty of Languages, History and Geography at Ankara University<sup>27</sup>, the case of the “147s” of the coup d’état of 27 May 1960<sup>28</sup>

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<sup>20</sup> Fikret Arık, “İnsan Haklarının Milletlerarası Korunması: Avrupa İnsan Hakları Çerçevesinde,” *AÜSBF Dergisi*, 15(4), 1960, pp. 113-150.

<sup>21</sup> Tahsin Bekir Balta and Hüseyin Nail Kubalı, “Türkiye’de Hukuk Devleti Anlayışı,” *AÜSBF Dergisi*, 15(3), 1960, pp. 1-10.

<sup>22</sup> Recai Okandan, “İnsan Hakları Evrensel Beyannamesinin 14. Yıldönümünde Türkiye,” *İstanbul Üniversitesi Hukuk Fakültesi Mecmuası*, 28(3-4), 1962, pp. 563-568.

<sup>23</sup> İlhan Akın, “Dernek Kurma Özgürlüğü,” *İstanbul Üniversitesi Hukuk Fakültesi Mecmuası*, 32(2-4), 1966, pp. 474-486.

<sup>24</sup> Authors began to publish studies on women’s rights as a specific rights category, though rare, in this period. See Bülent Daver, “Kadınların Siyasal Hakları,” *AÜSBF Dergisi*, 23(4), 1968, pp. 121-130.

<sup>25</sup> For the complete works of İsmail Beşikçi, see <http://ismailbesikci.org/en/>

<sup>26</sup> T. N. 92 academics were dismissed from what would then become İstanbul University, including A. Ağaoğlu. See Nurşen Mazıcı, “Öncesi ve Sonrasıyla 1933 Üniversite Reformu,” *Birikim*, No 76, August 1995.

<sup>27</sup> T. N. Such prominent scholars as Behice Boran, Niyazi Berkes, Pertev Naili Boratav and Muzafer Sherif were dismissed in 1948 having been charged with the “offense of communism.” See Mete Çetik (ed.), *Üniversitede Cadı Avı: 1948 DTCTF Tasfiyesi ve P.N. Boratav’ın Müdafası*. Dipnot, Ankara, 2008.

<sup>28</sup> T. N. A list of 147 academics, including Ali Fuat Başgil, to be dismissed after the 1960 coup d’état, on 28 October 1960 by the decision of the National Unity Committee.



and “1402”<sup>29</sup> victims in the aftermath of September 12, 1980 coup d’état; yet they happened to disregard the fact that Beşikçi was blatantly dismissed from the university and put behind bars. This kind of conduct was also adopted by some of the veteran professors of Turkish academia.<sup>30</sup> One can, thus, state that the limits of academic studies on human rights have also been conditioned by a certain “contract”<sup>31</sup> or the *official ideology*.<sup>32</sup>

The military memorandum of 12 March 1971 dealt a quite destructive blow on social-political life as well as universities. Not only did institutional autonomy but also academic freedom was destroyed rapidly and acutely during this period. This destructive process went through a normalization period brought about in the aftermath of the 1973 elections and a relative will for recovery emerged in universities. It is a fact that democratization periods following authoritarian ones generally raise sensitivity for human rights and the 1970s proved to be a decade during which this fact was reconfirmed because, in spite of all kinds of repression, the relationship between human rights and the academia during the 1970s proceeded on its way with a similar impetus, while this decade went down in history as one that provided for more permanent developments institutionally. It is also noteworthy that human rights education gained more prominence in both course contents and independently. For instance, Prof. Dr. Server Tanilli who was teaching at various departments in İstanbul reserved a significant portion of his syllabi to human rights and his courses were taken not only by the students of that department but also by those of other departments, universities, and even by non-students.<sup>33</sup>

These dates witnessed a further progress in the advancement levels of human rights studies and it was a period during which not only periodicals but also original works, books were published. The Faculty led the formation of a canon in the human rights field with their books published by university presses and publishing houses offering rights based studies.<sup>34</sup> Particularly the very significant steps taken at *Mülkiye* brought about the establishment and institutionalization of human rights studies in the academia beginning with 1975. In the 1976-77 program, a PhD course titled “International Protection of Human Rights” was offered while an undergraduate course titled “Human Rights in the International Area” was introduced in the

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<sup>29</sup> T. N. Martial Law No. 1402, hence the term, led to the dismissal of 71 academics, including eminent scholars like Rona Aybay, Bülent Tanör, Baskın Oran et al. See Haldun Özen, *Entelektüelin Dramı: 12 Eylül’ün Cadı Kazanı*. İmge, Ankara, 2002.

<sup>30</sup> A recent instance has been Korkut Boratav’s column in the daily *Birgün* (19.02.2017) on purges in universities published in the aftermath of the failed coup attempt of 15 July 2016. See Korkut Boratav, “Üniversite Tasfiyeleri: Geçmişten Bugüne,” <https://www.birgun.net/haber-detay/universite-tasfiyeleri-gecmisten-bugune-147393.html> Another important state of ignorance in question can be found in Taner Timur’s work on social transformation and universities that included a chapter on Turkey. Timur, op. cit.

<sup>31</sup> See Barış Ünlü, *Türklük Sözleşmesi*, Dipnot Yayınevi, Ankara, 2018.

<sup>32</sup> See Ozan Değer, “İsmail Beşikçi ve Hakikat,” *Diyalog*, Issue 8, 2011, pp. 77-80.

<sup>33</sup> Server Tanilli was prosecuted for years by State Security Courts on the grounds of the content of his much appreciated courses having been charged with communist propaganda. Professor Tanilli was the target of an assassination attempt in 1978 and was paralyzed for the rest of his life after the attempt.

<sup>34</sup> See Tuncer Karamustafaoğlu, *Seçme Hakkının Demokratik İlkeleri*, Sevinç Matbaası, Ankara, 1970; Niyazi Öktem, *Özgürlük Sorunu ve Hukuk*, Sulhi Garan Matbaası, İstanbul, 1978; Deniz Baykal, *Siyasal Katılma: Bir Davranış İncelemesi*, AÜSBF Yayınları, Ankara, 1970; Ayferi Göze, *Sosyal Devlet Sistemi*, Fakülteler Matbaası, İstanbul, 1970; Bülent Tanör, *Anayasa Hukukunda Sosyal Haklar*, May Yayınları, İstanbul, 1978.

1977-78 curriculum. In other words, one can say that the subject was embraced to the degree that the international dimension of human rights required a separate class. Such interest in the international dimensions of human rights was not limited to education and the studies in the field also brought along an active participation in international activities. For instance, Prof. Dr. Feyyaz Gölcüklü and Prof. Dr. Bülent Daver, both of whom were at *Mülkiye*, served in human rights bodies within the Council of Europe during the dates in question. Professor Gölcüklü served as a judge for the European Court of Human Rights, while Professor Daver was a member of the Human Rights Committee of the Council of Europe.<sup>35</sup>

Ultimately an institution, which has been functional for about forty years in contrast to the previously established human rights bodies or centers, was formed at Faculty of Political Science at Ankara University (*Mülkiye*). This was the Human Rights Center founded on 18 December 1978 led by Prof. Dr. Bahri Savcı. The first comprehensive event of the center was to organize an international meeting on human rights in parallel with the international dimension adopted by human rights education at *Mülkiye* and also as a result of the contact maintained with UNESCO. Indeed, the “İstanbul International Human Rights Meeting” was held in 1979 with a large participant population and had quite a positive impact both at home and abroad. The “Center for Human Rights Research and Collection” at the Public Administration Institute for Turkey and the Middle East also started to undertake significant studies during the same dates and published exceptionally significant studies. Amnesty International’s Turkey branch was established in 1978 led by important academic figures: Prof. Dr. Mümtaz Soysal, Prof. Dr. Rona Aybay, and Prof. Dr. Münci Kapani.<sup>36</sup>

All these developments and many other unrecorded activities present significant information and ideas about the nature of the developing relationship between human rights and the academia. What followed, however, is a history of the roller coaster relationship between human rights and the academia when human rights was virtually trampled on with the coup d’état of 1980, yet the persistent struggle to protect human rights persevered.

#### **4. The Human Rights Record of the Academia during the Post-1980 State of Emergency and Non-Emergency Periods**

##### **4.1. Rights, Liberties, and the Academia during and after the September 12 Regime**

The consequences of the September 12, 1980 coup d’état in Turkey have been extremely gross and long-term. Although both the coup d’état of 27 May 1960 and the military memorandum of 12 March 1971 had also posed very grave problems for human rights first hand, their impact was not as hard, bitter, destructive, and long-term<sup>37</sup> because the social-political effects

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<sup>35</sup> Eroğul, *op. cit.*, p. 50.

<sup>36</sup> Helvacı, *op. cit.*, p. 150 et al.

<sup>37</sup> Hamit Bozarslan, *Türkiye Tarihi: İmparatorluktan Günümüze*, İletişim Yayınları, İstanbul, 2013, p. 315. For a discussion of the human rights regime created by the constitutions of 1961 and 1982 along with the differences in

of previous interventions had not been this gross and the democratization steps following coup d'états had been taken more swiftly, thus, social trauma was faced more rapidly to some extent. The impact of the coup d'état of 1980 on human rights in the general sense, however, has been quite drastic. Academic life had long been subjected to all kinds of human rights violations and physical assaults. Universities had been “disciplined by the Council of Higher Education” and with the victims of [Martial] Law No. 1402 the academic field went through a desertification during which defending and/or teaching human rights at universities was rendered impossible for years because the perpetrators of the coup d'état put forth the “social liberties, workers’ rights and university autonomy”<sup>38</sup> as grounds, therefore, they directed their efforts towards these three areas. The consequences were extremely alarming and it was rather hard to observe any kind of progress whatsoever until the “democratization” period.

Efforts to sever academia’s ties with human rights have succeeded for a long time; both faculty conducting studies in the human rights field have been dismissed from universities and carrying out studies on human rights has been rendered virtually impossible due to restrictions on academic freedom and freedom of expression. One can even argue that after academic studies published on human rights in 1980-81<sup>39</sup>, no noteworthy studies on human rights had been drafted for about 8-9 years in universities (although a pro forma transition to democracy happened in 1983), particularly those that analyzed the very social-political problems themselves. In spite of the fact that one can see technical studies in law or noncontroversial theoretical ones in the least, it is not quite possible to come across serious and competent human rights studies since both press prosecutor’s offices and the overall political atmosphere kept a firm grip on studies related to the country’s actual problems. A similar argument can be put forth about courses as well: Both the purge of academics and all sorts of control and censorship mechanisms made the incorporation of human rights in academia rather challenging. The Public Administration Institute for Turkey and the Middle East’s *Turkish Yearbook of Human Rights* published since 1979 can be regarded as one of the exceptions of this field as a non-university “academy.” Human rights studies, which were qualitatively substantial and quantitatively more in number at a level unprecedented in university journals, were published in this annual journal particularly through the contributions of academic faculty interested in the field of human rights. Yet the Public Administration Institute for Turkey and the Middle East was closed down on 9 July 2018 via decree law no. 703; this was the end of an era.

This alarming state of affairs went on after the transition to “democracy” in 1983 when the military regime was replaced by the civilian one. Even though there emerged some relative flexibility in comparison to the martial rule period, the repression of the civilian regime over the academia did not fall short of the military one. Indeed, Martial Law No. 1402 and its

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their approach to fundamental rights see Bülent Tanör, *İki Anayasa 1961-1982*, XII Levha Yayınları, İstanbul, 2013.

<sup>38</sup> *Ibid.*

<sup>39</sup> See Bahri Savcı, *Yaşam Hakkı ve Boyutları*, AÜSBF Yayınları, Ankara, 1980; Ömer Madra, *Avrupa İnsan Hakları Sözleşmesi ve Bireysel Başvuru Hakkı*, AÜSBF Yayınları, Ankara, 1981; Server Tanilli, *Devlet ve Demokrasi*, Say Yayınları, İstanbul, 1981.

successive practices were implemented in parallel with these dates and the blow sustained by academic freedom became one that was maintained by the civilian regime. Notably the attitude towards the left brought along the purge of the main academic cadre interested in human rights as well. Thus human rights in the academia were made part of a didactic education in the form of descriptions of the status of fundamental rights and freedoms in the constitution and the developments in the international field. Human rights centers became dysfunctional; the number of studies on human rights in university journals went down to a rather limited level. There was little, if any, study on human rights other than those published in the journals of law and political sciences departments.<sup>40</sup> Further there was virtually no faculty conducting studies, publishing original works and books on this subject in universities. Human rights and the struggle for human rights moved out from the universities over to civil society organizations (CSOs). The most significant example is the Human Rights Association (İnsan Hakları Derneği-İHD) established in 1986, under the umbrella of which many academics also contributed to initiatives. Human rights studies were usually conducted outside the academia, notably by academics who had been dismissed or forced to resignation or retirement and had to leave for democratic countries.

This course of events took a turn towards the end of the 1980s. There was unstable and bilateral governance in the country: Democratic steps in the West; policies of security and violence against the Kurdish issue in the East –a harbinger of state of emergency periods in the 1990s. This dichotomy surely affected and conditioned the approach of the “West” both directly towards the Kurdish issue and the discussion of human rights over the Kurdish issue. So much so that the academia kept silent about the most major issue in Turkey for a very long time by maintaining an attitude pretending that the Kurdish issue did not exist. However the following can be stated in the most general sense: The end of the 1980s were the years that witnessed a leap forward with an alleviation in the repressive policies by the military regime and its successor civilian one during which the human rights struggle gained momentum simultaneously, when liberalization emerged therefore bringing about an improvement in relations with the European Union, and the right to lodge individual applications before the European Court of Human Rights was recognized which was one of the most significant reasons why human rights in Turkey gained great speed and prominence in the social-political field, the judiciary, the civil society, and of course in the academia. The period when the reinstatement of the 1402 victims was paved for,<sup>41</sup> when faculty and students started writing articles, dissertations, books on human rights in universities, thus, a virtual sensitivity on human rights emerged coincided with the end of the 1980s.<sup>42</sup>

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<sup>40</sup> See Oğuz Dönmez, “İnsan Haklarının Milletlerarası Alanda Korunması,” *Dicle Üniversitesi Hukuk Fakültesi Dergisi*, 3(3), 1985, pp. 223-285. (A rather limited number of articles was found in many other reviewed journals.)

<sup>41</sup> Council of State Ruling to Merge Case Law dated 14.4.1988 with merits no E: 1987/2417, ruling no. K: 1988/1286.

<sup>42</sup> See Tekin Akıllıoğlu, “Avrupa İnsan Hakları Sözleşmesi”, *AÜSBF Dergisi*, 44(3), 1989, s. 155-173; Mehmet Turhan, “Düşünce Özgürlüğü ve 1982 Anayasası”, *Dicle Üniversitesi Hukuk Fakültesi Dergisi*, 4(4), 1988, s. 77-117; Sezer Akarcalı, “Basının Görevleri ve Basın Özgürlüğü”, *AÜSBF Dergisi*, 44(1), 1989, pp. 266-287. E.g.; Tekin Budak, *İnsan Hakları ve Tutuklama*, İstanbul University, Social Sciences Institute, Master’s Thesis, 1988;

The 1990s was a decade during which the civil society expanded, associations and foundations were established in a geometrically increasing manner, therefore, human rights awareness also got highly developed in western Turkey. It was the 1990s when a scientific cannon on the subject started to take shape. The Faculty started to conduct studies on almost all forms of rights and protective mechanisms with some exceptions and other than “sensitive” subjects. Courses, dissertations, articles, books, journals dedicated specifically to human rights began to appear<sup>43</sup> also during the 1990s. In contrast to the limited and wide-scoped studies of the 1980s, the ones in the following decade covered issues ranging from freedom of religion and conscience to women’s rights, from environmental rights to minority rights, from the right to strike to the right to die, from freedom of expression to the prohibition of torture, from workers’ rights and social rights to third generation environmental rights when human rights theories came into play with the introduction of a theoretical field flourishing as a school on its own, when new human rights centers were established, therefore, bringing about a boom in the field. Indeed the Research Center for Human Rights and Philosophy at Hacettepe University, founded by Ioanna Kuçuradi on 19.02.1997, is one of the most important examples of such centers.<sup>44</sup> In addition, a colossal literature began to emerge on the European human rights system and a highly developed accumulation that covered both the institutional features of the system and individual studies on each enshrined right was formed. The Faculty and students began to contribute to the development of the field by studying at universities and institutes conducting studies on human rights abroad and participating in international conferences. In brief, this period should be qualified as one that human rights awareness and consciousness went through a genuine leap forward in Turkey.

Yet the 1990s were a decade that also witnessed intensive conflicts in Eastern and Southeastern Turkey during which numerous gross human rights violations were committed. The Kurdish issue was rendered down to a security problem relegated to mere violent methods during this period and was systematized leaning on to an understanding of *raison d’état* that made such human rights violations a part of the problem of the survival of the state. Thus any kind of opinion statement, media work and/or academic study on this issue was left to deal with a threat of punishment in return. The policy of state violence against the Kurdish issue brought along silence, discretion and abstention in universities despite the boom in question in the human rights field. Indeed one can argue that all studies were conducted outside the academia by independent scholars, CSOs and translated studies except for a limited number of

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Yakup Akoğuz, *İnsan Hakları ve Birleşmiş Milletler Çerçevesinde Korunması*, Gazi University, Social Sciences Institute, Master’s Thesis, 1987; Tayfun Aksoyak, *Avrupa İnsan Hakları Komisyonuna Ferdi Müracaat Hakkı*, Selçuk University, Social Sciences Institute, Master’s Thesis, 1987; Cengiz Derdiman, *Temel Hak ve Hürriyetlerin Yakalama ve Tutuklama Yoluyla Sınırlandırılması*, Gazi University, Social Sciences Institute, Master’s Thesis, 1987.

<sup>43</sup> This decade was one that stood for a culture of human rights studies that expanded to research centers within city halls. See. Niyazi Öktem, "Temel Hak ve Özgürlüklerden Düşünce ve İnanç Özgürlüğünün Özü," *İnsan Hakları*, İstanbul, İstanbul Greater Municipality Office of the Legal Counselor and Legal Studies Association İstanbul Branch, 1995, pp. 137-153.

<sup>44</sup> The center has been offering a master’s program in human rights without thesis since 1999-2000, while the human rights doctoral program was initiated in 2004-2005. <http://www.ihuam.hacettepe.edu.tr/english/>

studies.<sup>45</sup> It should also be noted that another “sensitive” issue, the Armenian question, was also shunned during this period.<sup>46</sup> It can also be stated that rights of the child was the subject of a limited number of studies<sup>47</sup> while such categories as prisoners’ rights, the right to self-determination, LGBTI+ rights, collective or group rights, the right to peace, refugee rights and international crimes qualifying as gross human rights violations (genocide, crimes against humanity, war crimes and crime of aggression) were investigated in a highly limited number of studies in comparison to the others within the whole catalogue of rights.

#### **4.2. The Fate of the Relationship between Human Rights and Academia during the AKP Rule**

The 2000s were an era during which ceasefire in the Kurdish issue was declared, channels of civilian politics were enforced and AKP came into power in 2002 propounding a conservative democracy “discourse.” AKP claimed power alleging that it would reckon with military tutelage and the 1982 Constitution, resolve the Kurdish issue, democratize militant laicist practices within the framework of freedom of religion and conscience, handle issues like freedom of expression, violation of prohibition of torture, group rights, minority rights, and facing the past but produced politics based on a specific interpretation of Sunni Islam depending on a conservative framework and alleviated the state’s traditional repression on liberties “in comparison to the past” with “initiative” and “resolution” processes to tackle the Kurdish issue by implementing relatively daring policies toward the overall democratization of Turkey. The government, which declared that the “Copenhagen Criteria” was already inherent to AKP dubbing them as the “Ankara Criteria,” announced its goals to the public saying that they would lead democratization under the guarantorship of these principles in question.

Moreover, important international human rights conventions were ratified during the first AKP period and an amendment was introduced to Article 90 of the Constitution in 2004 prescribing “In the case of a conflict between international agreements, duly put into effect, concerning fundamental rights and freedoms and the laws due to differences in provisions on the same matter, the provisions of international agreements shall prevail.” Such conventions embraced as the symbol of universality of human rights had been recognized as such by AKP as well. The most significant steps taken in this direction were the ratification in 2003 of the UN “twin” conventions signed in 2000; ratification in the same year of Additional Protocol No. 6

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<sup>45</sup> Some of the significant examples of this were İsmail Beşikçi’s “non-academic” works and the academic works of Martin van Brunessen translated into Turkish. Another exception was Mesut Yeğen’s works that he started to publish at the end of the 1990s. See Mesut Yeğen, *Devlet Söyleminde Kürt Sorunu*, İletişim Yayınları, İstanbul, 1999.

<sup>46</sup> Most of the studies on this issue were drafted in support of the official thesis and were quite hard to be evaluated within scientific criteria. A great deal of the qualified works other than these was the ones written by Taner Akçam abroad in English. See Taner Akçam, *İnsan Hakları ve Ermeni Sorunu: İttihat ve Terakki’den Kurtuluş Savaşına*, 2<sup>nd</sup> Ed. İmge Yayınevi, 1999, pp. 21-22.

<sup>47</sup> For two of these limited number of studies see Bilgin Tiryakioğlu, *Çocukların Korunmasına İlişkin Milletlerarası Sözleşmeler ve Türk Hukuku*, Office of the Prime Minister Family Research Institution Publications, Ankara, 1991; Tekin Akıllıoğlu, *Çocuk Haklarına Dair Sözleşme*, AÜSBF Human Rights Center Publications, 1995. (No graduate dissertations in this field from the 1990s could be found.)

to the European Convention on Human Rights which prescribed that “a State may make provision in its law for the death penalty in respect of acts committed in time of war or imminent threat of war” and death penalty could not be imposed for acts committed in time of peace; ratification in 2006 of Additional Protocol No. 13 to the European Convention on Human Rights which removed the exception prescribed by the former Protocol No. 6 and abolished death penalty in all circumstances; ratification in 2006 of the Second Optional Protocol to the International Covenant on Civil and Political Rights on the abolition of death penalty.<sup>48</sup>

This era, therefore, permitted more open dialogue and debate on many an issue formerly assumed to be “sensitive” along with studies and publication on these subjects -within the bounds set by the AKP-type conservative democracy- compared to the past of history of Turkey. When one takes into account the fact that the steps taken claiming to resolve the Kurdish issue also unburdened freedom of expression and academic freedom fields in the general sense, it can be argued that many social-political problems and taboos were also opened up for discussion.<sup>49</sup> The 2000s, within this context, were an era during which the path to academic studies were opened up in many fields the free discussion of which had been prevented arising from the Kurdish issue. Studies not only on what the Kurdish issue was but many subjects on a large scale ranging from the right to education in mother tongue<sup>50</sup> to Kurdish women’s rights,<sup>51</sup> from the right to a fair trial (including Öcalan) or the right to political participation<sup>52</sup> to representation of Kurds in movies,<sup>53</sup> from Kurdish literature<sup>54</sup> to Kurdish music,<sup>55</sup> from freedom of expression specific to the Kurdish issue<sup>56</sup> to Kurdish children,<sup>57</sup> to the class analyses of the relationship between the Kurdish issue and

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<sup>48</sup> *Ibid.*, p. 12.

<sup>49</sup> For instance, numerous academic studies were conducted on Alevis and/or discrimination against the Alevis in Turkey after 2000. Dissertation search at the Board of Higher Education’s Dissertation Center with the keyword “Alevi” reveals seven, 46 and 81 dissertations in 1990-2000, 2000-2010 and 2010-2018 respectively. There was however only one study between 1980 and 1990 which was drafted in the sociology discipline not directly human rights. Nüket Esen, “The Changing Power of Dedes in Alevi Society in South Western Anatolia”, Boğaziçi University Sociology Department / Social Sciences Institute, M.A. Thesis, 1983.

<sup>50</sup> Çağla Kubilay, “Türkiye’de Anadillere Yönelik Düzenlemeler ve Kamusal Alan: Anadil ve Resmi Dil Eşitlenmesinin Kırılması,” *İletişim Araştırmaları Dergisi*, 2(2), 2004, pp. 55-85.

<sup>51</sup> Handan Çağlayan, “Feminist Perspektiften Kürt Kadın Kimliği Üzerine Niteliksel Bir Araştırma”, PhD. Dissertation, Ankara University, Social Sciences Institute, 2006.

<sup>52</sup> Mehmet Turhan, “Avrupa İnsan Hakları Sözleşmesi ve Siyasi Parti Kapatma Davaları,” *AÜSBF Dergisi*, 57(3), 2002, pp. 129-150.

<sup>53</sup> Devran Çakmak, “2000’li Yıllarda Türk Sinemasında Etnik Kimlik Söylemi: Kürt Kimliğinin Temsilleri”, M.A. Thesis, Mimar Sinan Fine Arts University Social Sciences Institute / Sociology Department, 2008.

<sup>54</sup> Ekin Bodur, “Modern Kürt Romanında Bir Kurucu Yazar: Mehmet Uzun”, M.A. Thesis, İstanbul Bilgi University, Social Sciences Institute, Comparative Literature Department, 2009.

<sup>55</sup> Talat Balca Arda, “Politics and Art: The Transformation of Kurdish Oppositional Music in Turkey,” M.A. Thesis, Boğaziçi University, Social Sciences Institute, Political Science Department, 2010.

<sup>56</sup> Ozan Değer, “AİHS’nin 10. Maddesi Çerçevesinde Şiddet Unsuru İçeren İfade: Güneydoğu Davalarından Örnekler,” *AÜSBF Dergisi*, 62(1), 2007, p. 44-64.

<sup>57</sup> Haydar Darıcı, “Violence and Freedom: The Politics of Kurdish Children and Youth in Urban Space,” M.A. Thesis, Sabancı University, Social Sciences Institute, Sociology Department, Anthropology Sub-department, 2009.

discrimination<sup>58</sup> started to be more freely studied under the umbrella of the academy. Courses entitled the Kurdish issue were opened up, a Kurdish language and literature department was founded,<sup>59</sup> Kurdish courses were offered<sup>60</sup> and faculty began to organize conferences on the subject. For instance, Baskin Oran has offered courses like “Nationalism and Minorities,” “Nationalism, Globalization and Minorities” since the 1990s, an undergraduate senior course “Contemporary International Problems” since 2001, and another course entitled the “Kurdish Issue” in graduate programs in the Faculty of Political Science at Ankara University, the European Research Center at Ankara University and (on and off) at the Ministry of Foreign Affairs until the end of the 2000s. A PhD. course taught by Faruk Alpaya, “Race, Nation, Class: The Kurdish Issue,” has also been offered until his dismissal in 2017 through the emergency decree law no. 679. These courses had been offered for years with no restraints from the administrators of departments, faculty boards and the university senate. Thus, almost all of the human rights issues arising from the Kurdish issue became a part of the interests of the academia with no significant rupture.

Since this issue proved to be the most significant problem hindering Turkey’s democratization, the liberalization in question also paved the way to the study of issues that were/could not be studied before or those about which researchers had a low level of awareness within an academic framework. Following the human rights centers in Ankara, more human rights centers have been established since the end of the 1990s in some metropolitan universities and remarkable studies have since then been undertaken: i. The Center for Research and Practice in Human Rights and Law at İstanbul University, the Human Rights Research and Practice Center at Maltepe University, the Human Rights Law Research Center at İstanbul Bilgi University, the Human Rights Research Center at Marmara University, Center for Global Public Law at Koç University (İstanbul); ii. the Human Rights Research Center at Selçuk University (Konya).<sup>61</sup> Studies and conferences, courses and dissertations conducted at these centers are notable instances of efforts to render human rights studies and culture take root in the academia and the period during which the number of studies increased corresponds to the above-mentioned liberalization period. Although a limited number of centers are mentioned, this period can be regarded to have been one during which human rights was recognized as a specific and autonomous field of study that constituted the major stages of its very own establishment. It can also be argued that such centers assumed key missions both with an effort to know and comprehend the truth and fields to provide solutions to practical problems when one considers the fact that they not only did contribute to theoretical accumulation but also conducted studies especially on fundamental human rights problems in Turkey. Particularly the Human Rights Center at Ankara University, the Center

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<sup>58</sup> Cenk Saraçoğlu, *Şehir, Orta Sınıf ve Kürtler: İnkâr’dan “Tanıyarak Dışlama”ya*, İletişim Yayınları, İstanbul, 2014.

<sup>59</sup> The Kurdish Language and Literature Department at Mardin Artuklu University. <http://www.artuklu.edu.tr/kurt-dili-ve-edebiyati>

<sup>60</sup> For a news report on “Introduction to Kurdish” at Bilkent University see. <https://www.ntv.com.tr/egitim/bilkentte-kurtce-dersi,GAGrHK2sX0eIuugDdRc-tQ>

<sup>61</sup> A similar initiative to this end at Ege University came to a close following the dismissal of academics specialized in the field during the purge following the failed coup attempt of 15 July 2016.



for Human Rights and Philosophy at Hacettepe University, the Human Rights Law Research Center at İstanbul Bilgi University have been such leading centers. The websites of these centers (if they are accessible and/or not censored) offer information about their institutional history, members, studies conducted, national/international conferences etc. However, for instance, both the Research and Application Center at Marmara University and the Human Rights Research and Application Center at Selçuk University have been rendered dysfunctional, including their websites, through the state of emergency. (Hacettepe University's graduate Peace and Conflict Program conducting similar studies has also been closed down during the state of emergency.)<sup>62</sup>

Ironically a quite important date for human rights studies was 19 January 2007, the day when Hrant Dink was assassinated. The assassination of Hrant Dink can be regarded as the major reason for academic interest focusing on issues of discrimination, hate speech and hate crimes in Turkey. Awareness on the issue reached an extremely developed level following Dink's assassination and courses on discrimination started to be introduced to the curricula of many departments while studies on the issue began to get more attention. Many events were organized; brochures and/or manuals, reports, articles and books were published as a result of cooperation with CSOs. Such cooperation, led particularly by the Hrant Dink Foundation, also pioneered impetus to such studies.<sup>63</sup> The ASULİS Discourse, Dialogue, Democracy Laboratory established within the Hrant Dink Foundation was established as the first social sciences laboratory of Turkey, supported by the İstanbul Policy Center at Sabancı University, to fight discrimination, conduct studies on discourse, and support studies in the field. The first course on discrimination was offered at the Faculty of Communication at Ankara University, entitled "Lectures against Discrimination," while the reason why such a course was introduced can be stated as to inform the students and direct their attention to the role of media in Hrant Dink's assassination. Thus issues like the Armenian issue, group rights, minority rights, LGBTI+ rights, rights of the child and international crimes that the academia had been avoiding became a part of the academic agenda during this period.

Gender became a field of study on its own and a school was formed within Turkish academia through the establishment of research centers, introduction of courses, and drafting of graduate dissertations on the subject. Gender and/or women studies centers were established in many

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<sup>62</sup> [www.ihm.politics.org](http://www.ihm.politics.org), [www.ihuam.hacettepe.edu.tr](http://www.ihuam.hacettepe.edu.tr) and [www.humanrightscenter.bilgi.edu.tr](http://www.humanrightscenter.bilgi.edu.tr). Also see [www.insanhaklari.maltepe.edu.tr](http://www.insanhaklari.maltepe.edu.tr), [www.insanhaklari.istanbul.edu.tr](http://www.insanhaklari.istanbul.edu.tr), [www.kuremer.ku.edu.tr](http://www.kuremer.ku.edu.tr). The Human Rights Research and Application Center at Selçuk University that had conducted studies on peace and discrimination until the state of emergency had also organized conferences on the "right to peace" and/or "discrimination" from the "perspective of religion and human rights" and published works including multilingual ones (Turkish, Kurdish, English). See Nezir Akyeşilmen (ed.), *Barışı Konuşmak: Teori ve Pratikte Çatışma Yönetimi*. 2<sup>nd</sup> Ed. ODTÜ Press, Ankara, 2014.; Nezir Akyeşilmen and Bilal Samur (ed.), *Din ve İnsan Hakları Perspektifinden Barış Hakkı, Mafé Aştıye, Right to Peace*, Selçuk University Human Rights Center Publications, Konya, 2015. Nezir Akyeşilmen, Özgün Özger Bölükbaş and Murat Buğan (ed.), *Ayrımcılık: Din ve İnsan Hakları Perspektifinden*, Orion Press, Konya, 2016.

<sup>63</sup> For a work published as a result of a similar cooperation see. Eser Köker and Ülkü Doğanay, *İrkçi Değilim Ama...*, İHOP (Human Rights Joint Platform) Publications, Ankara, 2010. Further reports issued by the Hakikat Adalet Hafıza Merkezi are other examples of the cooperation in question: "Hakikat Komisyonları," "Konuşulmayan Gerçekler: Zorla Kaybetmeler," "Cezasızlık Sorunu," "Türkiye'nin Cezasızlık Mevzuatı," "Zorla Kaybetmeler Hakkında Amicus Curiae Raporu," "Zorla Kaybetmeler ve Yargının Tutumu."

universities: The Women's Studies Center at Ankara University, the Women's Studies Center at İstanbul University, the Women's Studies Center at Marmara University, the Gender and Women's Studies Center at Kadir Has University, the Gender and Women's Studies Center at Çığ University, the Women's Studies Center at Dicle University. Both themes added to the curricula of departments and weekly programs covering undergraduate and graduate programs and courses opened up directly on the subject were started to get restructured in a way so as to incorporate many social sciences disciplines ranging from masculinity studies to queer cinema.<sup>64</sup>

Scholars started to write about previously little studied crime types that constitute gross human rights violations (crimes against humanity) not only as the apparent forms of crime but from within/via the Kurdish issue, the Armenian issue, gender, child soldiers, such rights as the right to environment and the city and conducted multilayered analyses of violations. Turkey's record within the context of the right to truth and facing the past was brought to the table in comparison to examples from other countries.<sup>65</sup> When it comes to the right to education, all kinds of discriminatory statements in elementary and middle school textbooks were scrutinized and made the subject of academic studies and reports.<sup>66</sup> Colossal human rights problems brought about by such issues as immigration, refuge and asylum arising from globalization also came to be analyzed by the academia from an interdisciplinary perspective: among the leading institutions are the Center for Migration Research at İstanbul Bilgi University, the Migration Research Center at Koç University (MiReKoc), the Research Center for Migration and Politics at Hacettepe University (HÜGO), the Center for Migration and Urban Studies at Bahçeşehir University. In brief, this period during which those who undertook academic studies were as free as possible to designate their subjects according to their interests lasted until the beginning of the 2010s and gained speed that almost doubled the 1990s. This period was also one during which a specific literature in the religion and human rights and/or Islam and human rights field began to emerge. This perspective that based human rights on the Constitution of Medina questioning the Western roots of human rights constituted a notable field of research. Yet its bearing in the academia cannot be qualified as strong. The essential debate was in political thought.<sup>67</sup>

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<sup>64</sup> Some significant examples include the undergraduate "Gender Sub-department" and "Women's Studies" M.A. program opened at the Social Sciences Faculty of Ankara University and the graduate course "Cinema and Masculinity" offered by Nejat Ulusoy and Eren Yüksel at the Communications Faculty of Ankara University.

<sup>65</sup> For a detailed account on the subject see Özkan Ağa and Bişeng Özdiç (ed.) *Hakikat ve İnsan Hakları*. Dipnot Yayınları, Ankara, 2011.

<sup>66</sup> İbrahim Gökburun. *Türkiye'de İnsan Hakları Düşüncesinin Tarihsel Gelişimi ve İlköğretim Ders Kitaplarına Yansımaları*. M. A. Thesis. Afyon Kocatepe University Social Sciences Institute, 2007.

<sup>67</sup> See İsmail Onarlı, "Toplum Tasarımında Bir Alevilik Belgesi: Medine Vesikası", *Hacı Bektaş Veli Araştırma Dergisi*, 2001.; Mustafa Özkan, *Medine Vesikası*, M.A. Thesis, Ankara University Social Sciences Institute, 2002. One can even give chapters and articles in the special issue on human rights of the *Yeni Türkiye Dergisi*, published for the 50<sup>th</sup> anniversary of the Universal Declaration of Human Rights, as an example for the debates that can be regarded as pioneering in this period: *Yeni Türkiye Dergisi*, Vol. I, "İnsan Hakları ve İslâm", İnsan Hakları Özel Sayısı, 4(21), May-June 1998, pps. 223-310. (This collection made up of two volumes, 200 articles and 1,536 pages was a quite comprehensive one covering three generations of rights.)

This relatively free yet gradually becoming anti-democratic climate due to the axial shift of the government lasted until the period that witnessed the termination of the “resolution process” and the government’s step by step suspension of democracy and rule of law, and the academic development in question was reversed through extremely oppressive practices. The return in the Kurdish issue to security-based traditional approaches brought the previous period’s climate of freedom of expression and academic freedom into an unmitigated halt. The involvement of a comprehensive “survival” and “terrorism” discourse and practices reduced the Kurdish issue to a mere violence problem (once again) criminalizing it just like the 1990s and any critical stand on this issue began to be exposed to criminal threats within all social-political fields. Not only that but after the 7 June 2015 elections the government, which had set off claiming that it was an “inviting sociality” and had presented the “discourse of participatory democracy, culture of reconciliation and co-existence”<sup>68</sup> as one of the most significant parts of its political strategy, left this strategy in question in its entirety. The political line that it started to mount with a staunch and arbitrary Sunni Islam discourse subjected virtually all kinds of demands, politics and studies of rights and freedoms to criteria that it itself designated and began placing them on a legitimacy scale. People, thus, faced an extremely fast anti-democratization and authoritarianism while academic freedoms became one of the most primary targets of this climate.

Academics for Peace,<sup>69</sup> who criticized the “anti-terror campaigns” launched by the government during this period (2015-2016) and the human rights violations committed within the scope of such campaigns through a declaration called “We Will Not be a Party to This Crime!” on 10 January 2016, were directly threatened by the president himself, the government and organized crime groups. This *moment* should be assessed as *the turning point in the total suspension* of academic freedom. “Academic Freedoms” reports,<sup>70</sup> drafted by the Science Academy within Academics for Peace covering the years 2015, 2016, 2017, 2018 and 2019 and identifying rights violations in the academia, are documents that record the destructiveness of this process in a crystal clear manner. The pressures that had already begun immediately before the announcement of the declaration peaked with the declaration. The Science Academy that categorized the violations committed under three headings in its 2015 report revealed the footsteps of the destruction which would become even more violent through examples: i. Instances of Academics Subjected to Criminal Trials, ii. Instances of Academics Subjected to Smear Campaigns by the Press, iii. Instances of Oppressive Methods Utilized in Universities against Academics. This state of affairs that portrays the recent past of the Peace Petition and the declaration of SoE can be qualified as virtually the *groundwork* or *preliminary stage* of the ways in which the pressure over the academia has become systematic. Indeed these violations committed in 2015 would amount to academicide, so to speak, with the

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<sup>68</sup> Ülkü Doğanay, “AKP’nin Demokrasi Söylemi ve Muhafazakârlık: Muhafazakâr Demokrasiye Eleştirel Bir Bakış,” *AÜSBF Dergisi*, 62(1), 2007, pp. 65-88.

<sup>69</sup> [www.barisicinakademisyenler.net/](http://www.barisicinakademisyenler.net/) For a valuable study on this subject see Kerem Altıparmak and Yaman Akdeniz, *Barış İçin Akademisyenler: Olağanüstü Zamanlarda Akademiyi Savunmak*, İletişim Yayınları, İstanbul, 2017.

<sup>70</sup> <https://en.bilimakademisi.org/the-science-academy-report-on-academic-freedoms-2018-2019/>

coup attempt of July 2016 and the subsequent decree laws while the universities would each be transformed into a “depressed space.”

“We Will Not Be a Party to This Crime!” by Academic for Peace created a thundering effect in Turkey and the world, and became one of the most important items on the agenda for the national and international public. The criminal atmosphere and the tremendous pressure that was conceived at the hands of the highest ranking state officials and even organized crime itself following the announcement of the declaration was the primary reason for the terrorization of academia and the delirium brought about by such an atmosphere gave way to direct interventions into the academia while it became the basis for an anti-intellectual offensive as well. The 2016-2017 reports by the Science Academy that offered a detailed analysis of the period accompanied by statistical data based on cases and legal processes are documents that reveal numerous rights violations and, therefore, virtually a total destruction ranging from “Attacks against and Efforts to Discredit METU,” to “Amendments to the Regulation on Foundation Higher Education Institutions,” from the “Motion to Amend Provisions on Rector Elections within the Law on Higher Education,” to the “Bill on Amendments to Provisions on Disciplinary Action within the Law on Higher Education,” from “‘We Will Not Be a Party to This Crime!’ Declaration and the Subsequent Rights Violations,” to “Universities Closed through the State of Emergency Decree Laws and Academics Suspended from Universities,” from “Individuals Employed at Universities in Contradiction to the Principle of Merit,” to “Institutional and Permanent Interventions to the Autonomy of University,” from the “Gradual Digression of the Scientific and Technological Research Council of Turkey from Objectivity as a Scientific Institution,” to the “Denial of Access to the *Wikipedia* Website.”<sup>71</sup>

Each critical academic stand following this turning point was targeted by the state and civilian agents as was also indicated in the reports. The coup attempt and the subsequent SoE was the sharpest *moment* that led to a process during which academic freedom as a human right was eradicated; academics were suspended, their employment terminated and dismissed from public service through decree laws; the centers they worked for were closed down; investigations, criminal proceedings were initiated against academics some of whom were detained; their freedom of movement was taken away; informants, threats and torture were at stake let alone studying human rights in the academia.

For instance, the Human Rights Center at the Faculty of Political Science at Ankara University, the establishment process of which was previously offered in the study, was closed down with a senate decision (along with many other centers in the university) and was incorporated into the rector’s office in defiance of academic freedoms and institutional autonomy, and the director of the center Kerem Altıparmak was removed from office. The center conducted exceptionally qualified and pioneering studies when all human rights centers all around the world are taken into consideration. Abdurrahman Saygılı, an associate professor

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<sup>71</sup> For another qualified report see: İsmet Akça, Süreyya Algül et al., *Olağanlaşan OHAL: KHK’ların Yasal Mevzuat Üzerindeki Etkileri*, [https://tr.boell.org/sites/default/files/ohal\\_rapor\\_web.pdf](https://tr.boell.org/sites/default/files/ohal_rapor_web.pdf) This report was also awarded “Jury Special Prize” at the 2018 Halit Çelenk Awards.

from the law school of the same university, was *assigned* as the director of the “new” center now working under the auspices of the rector’s office. Further, the activity scope of the human rights centers at Bilgi University, Hacettepe University, İstanbul University, Selçuk University, Koç University was rendered quite limited or impossible while Ege University’s planned human rights center could not be opened up because of the dismissal of faculty to teach at the center.

The striking statistics of the declaration, which was presented to the GNAT on 21 January 2016, reveals the alarming state of affairs in terms of this issue as well. Within about 6 months from 21 January 2016, the presentation of the declaration before the GNAT to 15 July 2016, the coup attempt, pressures against Academics for Peace were sustained in various ways. While open threats and targeting attacks decreased gradually and relatively, disciplinary action and criminal investigations, inter-institutional pressure and mobbing, suspensions, layoffs and “civil death” practices systematically went up.

Data between 21 January and 30 May are significant as they demonstrate the initial rhythm of the process: 31 academics were suspended, disciplinary investigations were initiated into 513, 11 resigned, 1 was forced to retirement, 37 were laid off, 421 were subjected to judicial investigations, 38 were taken under custody and 4 were *detained*. These detentions, one of the most bitter consequences of this process, were about four academics who had announced the declaration: Assist. Prof. Esra Mungan from Boğaziçi University, Assoc. Prof. Kıvanç Ersoy from Mimar Sinan University of Fine Arts, Dr. Meral Camcı who was then dismissed from Yeni Yüzyıl University and Dr. Muzaffer Kaya who was then dismissed from Nişantaşı University. The first hearing of the lawsuit launched against these four academics charged with “making propaganda for a terrorist organization” under Article 7 § 2 of the Anti-Terror Code (ATC) was held on 22 April 2016. The prosecutor changed their argument and stated that the lawsuit should have been initiated under Article 301 of the Turkish Penal Code (TPC - degrading the Turkish Nation, State of the Turkish Republic, the Organs and Institutions of the State) and the court ruled for the release of the detained academics due to the requirement that the permission of the Ministry of Justice should be provided for trial under the said article of the TPC. During the 6-month period between 11 January and 15 July 2016 signatory academics had to face “blacklists” and “civil death” practices taking shape in various media as well. Academic papers of some academics were removed from the program of scientific congresses although they had been accepted before, appointments and promotions of some were disregarded, the projects of some before the Scientific and Technological Research Council of Turkey were cancelled and the participation of some to international scientific meetings was prevented by the administrators of their respective universities. The employment of academics, who signed the declaration as Ph.D. students and obtained their degrees within this process, in Turkish universities was practically rendered impossible. Some of the academics, particularly those laid off, were forced to resign or suspended, had to leave Turkey within the first six months.

Dr. Mehmet Fatih Traş was a signatory of the declaration while serving as a research assistant at the Econometrics Department in the Faculty of Economics and Administrative Sciences at Çukurova University. He committed suicide on 25 February 2017. Dr. Traş is one of the

greatest losses of this process. A personal letter and an international fellowship application written by Dr. Traş posthumously published by the media detailed the process leading to his suicide and the ways in which the “civil death” and “blacklisting” practices that played a role within this process operated. The faculty administrative board had unanimously voted to terminate Dr. Traş’s employment on 15 December 2015 “at its convenience,” then he applied first to Mardin Artuklu University, then to İstanbul Aydın University but although from the latter he received a positive response and was offered a 2.5-year contract, the offer was retracted at the last minute. Dr. Traş concluded his application letter: “I cannot foresee an ordinary academic future (based on objective criteria like teaching and research performance) unless I renounce the humanitarian values integrated into my personality.”

SoE was declared on 20 July 2016 following the failed coup d’état attempt of 15 July 2016, it lasted for a total of two years with extensions every three months. During this process **406 signatory academics** were dismissed from their universities through decree laws, their passports were cancelled, and they were banned from public service and performing their professions as academics for good. Dismissal of Academics for Peace were undertaken in a total of 64 institutions including 56 public universities (391 dismissals), 4 private universities (8 dismissals) and 4 ministries (7 dismissals).<sup>72</sup> As of 17 July 2018 about 40% of signatories of the peace declaration were dismissed from public universities. Yet the “purge in the academia” did not remain limited to dismissals but continued with criminal proceedings at heavy penal courts.<sup>73</sup>

Mass criminal proceedings began on 5 December 2017 and the academics were charged with “making propaganda for a terrorist organization” by signing the declaration “We Will Not Be a Party to This Crime!” under Article 7 § 2 of the Anti-Terror Code within the scope of the indictment presented by İstanbul Chief Public Prosecutor’s Office. Although the criminal charges were based on the identical declaration text, individual lawsuits were initiated against the signatories at different heavy penal courts. The first stage in the proceedings began with the trial of 150 academics who signed the declaration from various universities in İstanbul and new ones covering other cities were added to these. The academics who were found “guilty” in all the finalized cases mostly asked for a “suspension of the pronouncement of the judgment.” Prof. Dr. Füsün Üstel who did not ask for such a suspension was jailed at Eskişehir Closed Women’s Prison on 8 May 2019 to “serve her sentence” of 1 year and 3 months after the court’s judgment was upheld on 25 February 2019. Professor Üstel was released from prison on 22 July 2019 after appeals to the Court of Cassation were made available for finalized sentences before the Court of Appeals within the scope of the government’s “judicial reform.”

Rights violations suffered by Academics for Peace need to be handled in a multidimensional manner. The Human Rights Foundation of Turkey’s (HRFT) comprehensive report entitled

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<sup>72</sup> Dismissed academics were not even allowed to pack their personal belongings at some universities, anti-terror teams searched their offices, their books and computers were confiscated.

<sup>73</sup> HRFT Academy, “Academics for Peace: A Brief History.” <http://www.tihvakademi.org/wp-content/uploads/2019/03/AcademicsforPeace-ABriefHistory.pdf>

“Academic Purge in Turkey: Human Rights Violations, Losses, and Empowerment” incorporated very important data and experiences in terms of revealing particularly the *traumatic* dimensions of rights violations. Violations within the scope of this were categorized as such: i. Violation of the right to life, liberty and security of person, presumption of innocence, right to private life ii. Violation of the right to work and the right to equal pay, iii. Violation of the right to social security, iv. Violation of the right to property, v. Violation of the right to education, vi. Violation of the right to assembly and association, vii. Detention: conditions of custody and imprisonment, viii. Violation or loss of rights involving relatives and family members.<sup>74</sup> Academics who were subjected to a wide range of violations in these categories were, in turn, left to face physical, economic, social, psychological, domestic, scientific, and even existential losses and traumas. Although the SoE was officially lifted, it should be underlined that the process and its impacts have still been ongoing.<sup>75</sup> Finally on September 19, 2019 the Constitutional Court held that the Peace Petition was within “freedom of expression” in its judgment in the case of *Zübeyde Füsün Üstel and Others* which was followed by “acquittal” rulings based on this judgment. Freedom of expression judgment of the Constitutional Court is also an indicator that the highest domestic court itself upheld the injustice created by the consequences of rights violations the reparation, compensation or relief of which are impossible when the dimensions of the violations are taken into account.

It is, however, not possible to argue that the dismissed academics were unresponsive to these challenges. Along with the ongoing legal struggle, solidarity academies established in many cities (like Ankara, İzmir, Kocaeli), European Union projects to research human rights violations specifically during the SoE, human rights schools conducting both online and face-to-face workshops (Ankara School of Human Rights, Ege International School of Human Rights, the Eskişehir School), *informal* gatherings, participation in conferences as often as possible and studies like articles, books etc. that kept on being produced individually and/or collectively are instances of the response in question. These wide solidarity networks, which can *also* be considered to be a part of the coping process with losses and traumas, can be regarded as instruments to cope with the SoE and endure it and at the same time to fight it. This argument can be confirmed by this report itself and its results.

The situation in the universities, on the other hand, is quite alarming. Conducting critical studies in human rights has virtually become impossible after the SoE except for those that are technical, theoretical or affirmative of government’s politics. In other words, carrying out an academic study on human rights violations committed during the SoE, publishing such studies, teaching or presenting a paper on this subject etc. since the declaration of the SoE has become *risky* to say the least. Universities, stroke off as the autonomous spaces for scientific activity and transformed into “depressed spaces,” have now been under perpetual surveillance. Critical thinking has been uprooted from the universities under “surveillance” by the police,

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<sup>74</sup> HRFT Academy, “Academic Purge in Turkey: Human Rights Violations, Losses, and Empowerment.” [https://tihvakademi.org/wp-content/uploads/2020/02/Academic\\_Purge\\_in\\_Turkey\\_Executive\\_Summary.pdf](https://tihvakademi.org/wp-content/uploads/2020/02/Academic_Purge_in_Turkey_Executive_Summary.pdf)

<sup>75</sup> [https://drive.google.com/file/d/1GuKnPQExzn\\_8CAqa7KTsBRXcBkT5-4bR/view](https://drive.google.com/file/d/1GuKnPQExzn_8CAqa7KTsBRXcBkT5-4bR/view)

intelligence, judiciary, media, politics and informant faculty members and/or students.<sup>76</sup> The bonds of those, who had to work in these depressed spaces, with critical thinking and the human rights discipline are attempted to be loosened or severed. What is happening is the suspension of all the critical schools and/or disciplines that had been built or has been in the process of being built. Each subject criminalized and terrorized, labeled as morally degenerate, closed for discussion after being rendered a taboo (theology) by the state has become quite challenging for the academia to tackle, open to interventions, fragile and vulnerable. The fate of the academia, within which academic freedom as a human right and human rights as a discipline vanished, is a sheer wasteland.

## II. FIELD RESEARCH ON HUMAN RIGHTS STUDIES IN TURKEY

### *Method*

This two-stage study was designed so as to cover faculty and graduate students conducting studies in the field of human rights at universities with human rights centers in Ankara, İstanbul, İzmir, Konya, and Diyarbakır. Within the scope of the first stage, a 181-person list was formed incorporating academics working for the human rights centers of universities in these five cities along with other faculty who had taught or has been teaching human rights-related courses (covering women, children, LGBTI+, refugee rights, freedom of expression, prohibition of discrimination). The scholars working in various departments notably at law schools, who had conducted or have been conducting studies and research on human rights, and who resided in Turkey during the SoE were included in the list.<sup>77</sup> Although this list, without doubt, was non-exhaustive to cover all academics studying in the field, it gave us an idea about whom we could refer to while carrying out the field study and the sample of the study was designated through contacting the academics in the list individually by e-mail or telephone. One of the most important problems faced during the research process was the fact that about half of the academics we had contacted did not respond to our e-mails and messages, some refused to be interviewed or changed their minds in the last minute.<sup>78</sup> The

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<sup>76</sup> See Tanıl Bora, “İhbar Celbi,” *Birikim Haftalık*, 20 January 2017; Ahmet Murat Aytaç, “Barış Ünlü Vakası veya Akademisyenin Bir ‘Sanık’ Olarak Portresi”, *Birikim Güncel*, 2 February 2016.

<sup>77</sup> While forming the list specific attention was paid to include academics at different stages in their careers (research assistants, doctors; assistant, associate and full professors), those who actively worked at a university and those who did not (those purged from public service or whose contracts had not been renewed, forced to retirement, Academics for Peace involved in the human rights field). Due to the limited number of human rights academics in Konya and Diyarbakır, all those known to have been studying in the field in these cities were included in the sample.

<sup>78</sup> The reluctance of human rights academics to take part in this study that investigated the impact of the SoE on studies in the human rights field can be explained by different reasons. Although one can cite the presence of reasons like disinterestedness or unwillingness to spare time for the study, the fact that the research coordinator and team were made up of academics dismissed by decree laws might have been perceived by these academics still working at universities as a restlessness/risk-creating situation. Indeed some of the academics who agreed to participate in the study preferred to have the interviews at cafés and other spaces rather than their university offices. Although the participants were informed that their identities would be kept anonymous, some participants preferred not to disclose which school or department they worked at having been concerned about their identities



academics who participated in the survey, on the other hand, mediated for us to contact new names and conduct new interviews. Students who filled in the questionnaires were mostly contacted through the interviewed academics via their own students or the names they recommended. At the study design stage it was planned that a total of 100 persons would be interviewed in five cities and %30 of these would be students. The number of contacted faculty, however, was lower than planned due to the above-mentioned reasons and consequently a total of 103 persons were surveyed including 59 faculty and 44 students. Questionnaire forms were filled in by academics and students themselves; researchers in the research team of the study who had received training about how the questionnaire should be filled in accompanied the participants while they were filling in the forms to answer their questions when needed and they also checked whether the questions were answered fully or not. The researchers did not insist that interviewees answer all when they did not want to answer specific questions.

The questionnaire form<sup>79</sup> comprised a total of 43 questions. The total number of questions expected to be answered was 238 including the subheadings. The initial questions were about the demographic data of the participants. Then whether the participants were still working at a university, if not, the reason why; their positions at the university, for how long they worked at that institution, their primary academic fields, and for how long they conducted studies in the human rights field were asked while questions aiming to determine the focal subjects of their studies were addressed. Some of these questions were planned in a way to allow multicoding and the questions for which responders could give more than one answer were identified on the questionnaire form. The second group of questions on the questionnaire form was formed by using 5-point Likert scale<sup>80</sup> and this group was designed to measure the participants' opinions and feelings about a specific situation during the SoE. The aim of the questions in the third group, on the other hand, was to identify the pressures and restraints human rights academics faced before and during the SoE because of their fields. This category aimed to ascertain the participants' associational status, social media use and whether there was a change in their administrative duties along with whether they were subjected to repression, mobbing, threats, censorship or self-censorship because of their field of study and whether they changed the content of their courses. Further, the academics were asked if they knew about at least one human rights academic who has faced such repression to find out whether they witnessed repression and rights violations even if they themselves did not experience them. In another group of questions addressed to students, the degree to which the SoE affected human rights graduate students' was targeted. In addition, an open-ended question concluded the questionnaire which asked the participants to write about their views, experiences and the subjects that they specifically wanted to mention in terms of the impact of the SoE on the human rights field.

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might have been deduced. All these clearly revealed the degree to which human rights academics, who either accepted or refused to participate in the study conducted during or immediately after the SoE, felt under pressure.

<sup>79</sup> See Appendix 1 for the questionnaire form.

<sup>80</sup> At the evaluation stage, however, the answers were translated into the 3-point scale because the answers to these questions accumulated on the 3-point scale axis and no statistically significant difference was found in comparison to the 5-point scale.

Another technique used within the scope of the study was a semi-structured interview adopting a hermeneutic methodical perspective that would support the results of the survey and enable participants to relay their views and experiences about SoE's impact on the field. Face-to-face interviews were carried out with 19 faculty members with varying academic titles and one Ph.D. student at this stage. The aim of these interviews was to proceed with semi-structured questions that both enabled the interviewees to form their own narratives and obtain specific information targeted by the researcher. These questions intended to facilitate the interviewees to convey their observations and ideas about the ways in which the developments before and after the declaration of the SoE in Turkey affected the human rights field generally and specifically academic studies in the field. Within this scope, the academics were asked whether they faced any kind of direct or indirect pressure during the SoE due to their field of study, whether they exercised self-censorship along with the degree to which educational activities were affected by the repressive policies of the SoE and the impacts of academic purge during the SoE on research, debates, and knowledge. The information and assessments derived from the face-to-face interviews were utilized in the following part to overcome the limitations of the survey technique during the interpretation and discussion of questionnaire results and to bring about a detailed description of the problems faced.

## **HOW DID THE STATE OF EMERGENCY AFFECT ACADEMIC STUDIES IN THE FIELD OF HUMAN RIGHTS?**

### **1. Descriptive Statistics**

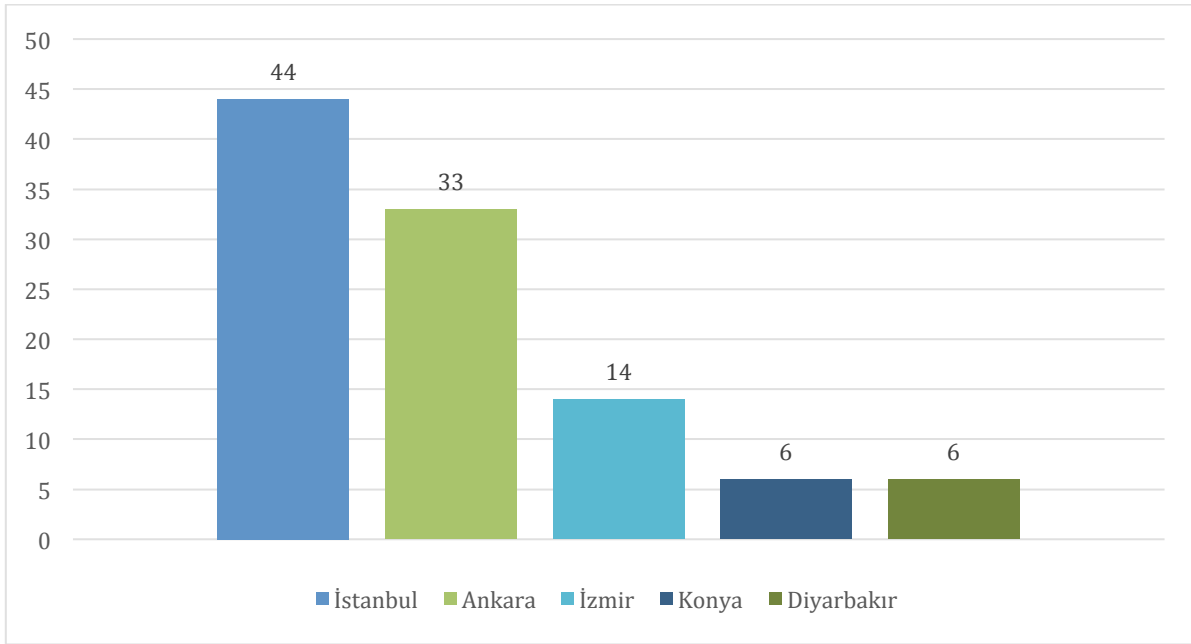
#### **1.1. Academics surveyed**

Of the 103 questionnaires conducted within the scope of the study, 44 were conducted in İstanbul while 33, 14, 6 and 6 were conducted in Ankara, İzmir, Konya and Diyarbakır respectively at the offices, schools or other places that the surveyed academics<sup>81</sup> saw fit. It took about an average of 30 to 45 minutes to fill out the questionnaire conducted with researchers acting as observers.

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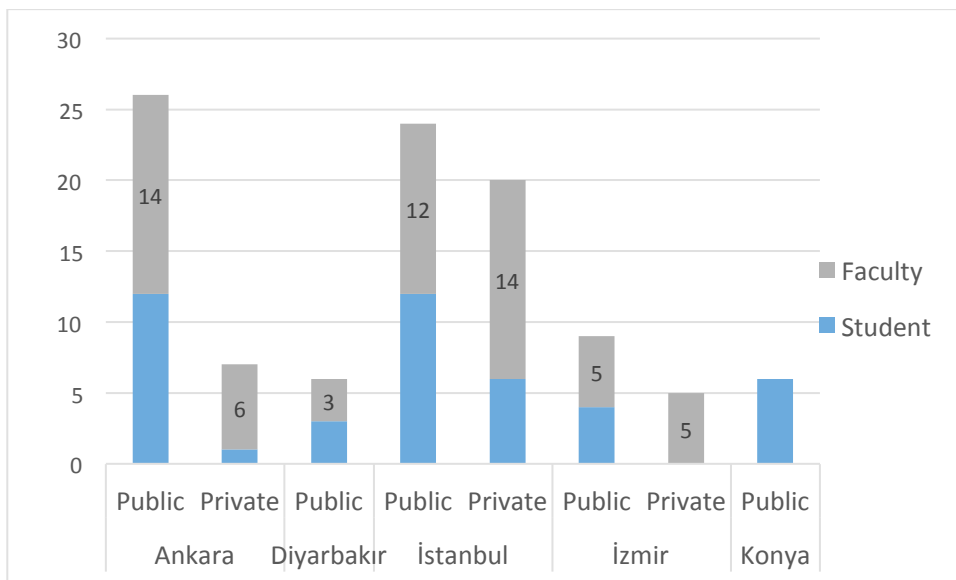
<sup>81</sup> The term "academic" used in the research and report was used so as to cover both faculty members and graduate students. Faculty, in turn, signified current or former academics (dismissed, laid off, etc.) who had served at university positions.

**Figure 1. Provincial distribution**



Of the 103 academics surveyed, 59 were faculty while 44 were graduate students. Further, the questionnaires were conducted at 71 public and 32 private universities. The following figure presents the distribution of surveyed academics as per public and private universities:

**Figure 2. Distribution of graduate students and faculty as per public and private universities, and cities**



As is seen in Figure 2, of the 33 surveyed academics in Ankara, 20 were faculty while 13 were graduate students. 12 faculty and 7 graduate students were from public universities. These

included Ankara University and Hacettepe University, which had human rights centers, along with academics conducting human rights-related studies at other public and private universities.

A total of 44 academics were surveyed in İstanbul. 26 of these were faculty, 18 were graduate students. 12 of the faculty and 12 of the students participated in the study from public universities, while 12 faculty and 6 students did so from private universities. It was observed that the number of faculty who accepted to take part in the study from private universities was higher than that of those in Ankara. This result was based on the fact that the number of private universities in İstanbul was higher along with the fact that among the universities that had human rights centers other than public universities, like İstanbul and Marmara, there were also private ones like İstanbul Bilgi University and Maltepe University with Koç University's Center for Global Public Law.

A total of 14 academics were surveyed in İzmir. While 5 of these were faculty from private universities, 4 faculty and 5 graduate students from public universities were surveyed as well.

Of the 6 academics surveyed in Diyarbakır, 3 were faculty and 3 were graduate students, while all 6 academics from Selçuk University, which had a Human Rights Research Center, in Konya were all faculty. Consequently a total of 37 graduate students from public universities and 7 from private universities were surveyed, while 34 faculty from public universities and 25 faculty from private universities were surveyed. Table 1 presents the distribution of faculty according to their academic titles.

**Table 1. Academic titles**

Full Professor	13
Associate Professor	15
Dr. Faculty Member (Assistant Professor)	28
Dr. Research Assistant	7
Instructor	1
Lecturer	1

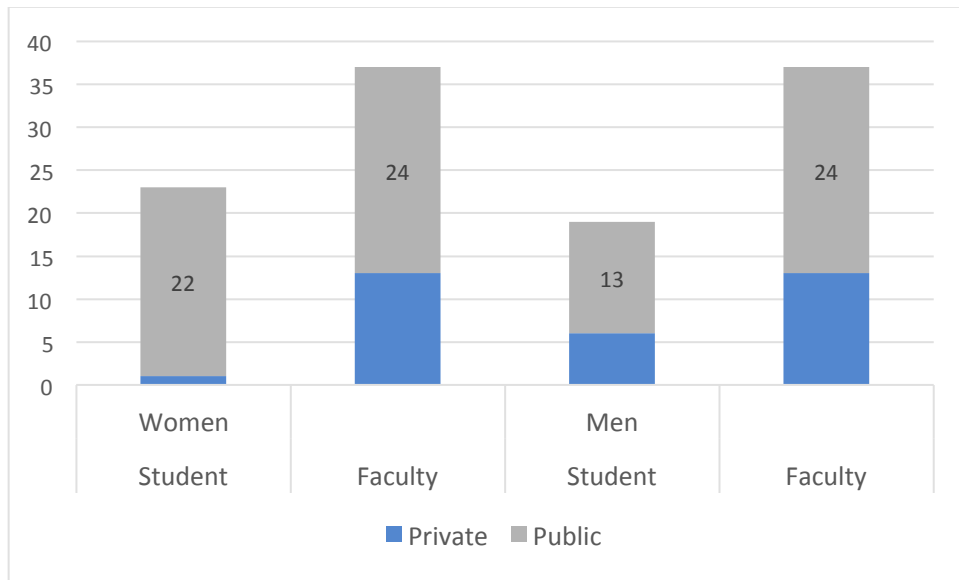
When the gender distribution of the surveyed academics was assessed, it was seen that 61 were women while 42 were men.<sup>82</sup> 46 of the women academics were from public universities and 14 were from private ones, while 23 of the male academics were from public universities and 18 were from private universities. Of the women academics who took part in the study from public universities, 22 were graduate students, while 1 female graduate student was from

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<sup>82</sup> It should be noted that this distribution of the demographic data of the academics covered solely those academics who had agreed to take part in this study, which was conducted in the field of human rights, and did not contain any kind of information whatsoever about the overall academics who had been conducting human rights studies in cities covered by the study.

a private university. On the other hand, 12 male graduate students were surveyed from public universities and 6 from private universities.

*Figure 3. Distribution of graduate students and faculty surveyed from public and private universities as per gender*



When the provincial distribution of female and male academics covered by the study was assessed, it was observed that the number of women in public universities was higher while the number of men in private universities was higher, except for Diyarbakır where only one women academic was interviewed and Konya where 3 women and 3 male academics were surveyed.

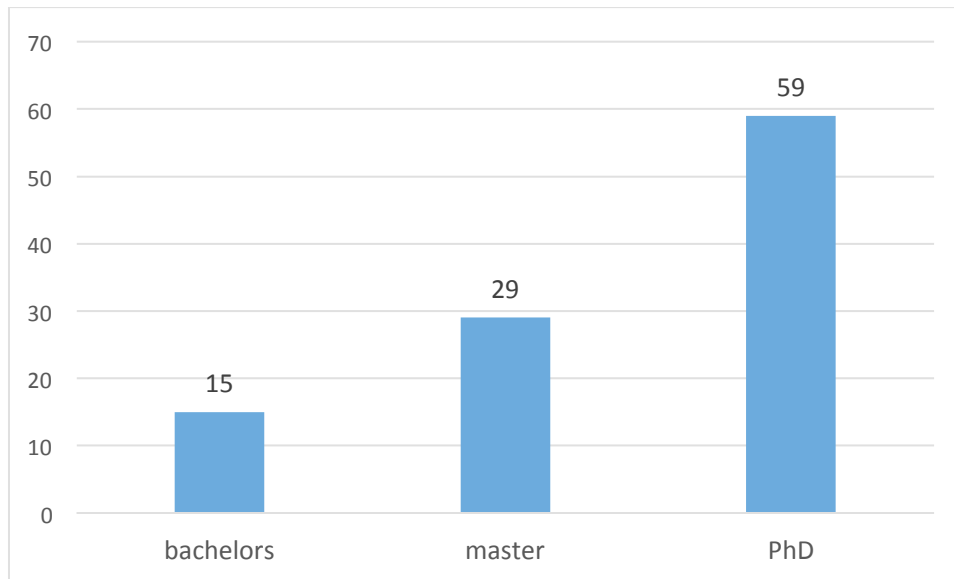
The mean age of the participants was 40. It was seen that the age range was between 23 and 68 years of age. While the academics' mean period of study within the human rights field was 10 years, this period went as high as 40 years. While the mean period of study among the graduate students was 5 years, this figure went up to 14 years for faculty. Further, when the academics were asked about the period they spent at the latest school they worked/were working for the mean figure was found to be 3 and this period went as high as 7.

**Table 2. Surveyed academics' data on age and time period spent at university, in the field**

	Min	Max	Mean	SD
Age	23	68	39.71	10.141
Time period spent at the latest school worked or studied	1	7	3.04	1.449
Number of years in the human rights field	1	40	10.30	7.876

When the latest educational program that the participants completed was investigated, it was seen that 15 individuals only had undergraduate degrees, in other words, they were graduate students in a subject or field in the human rights field. Further 29 participants had masters degrees (currently Ph.D. students), while 59 had Ph.D. degrees.

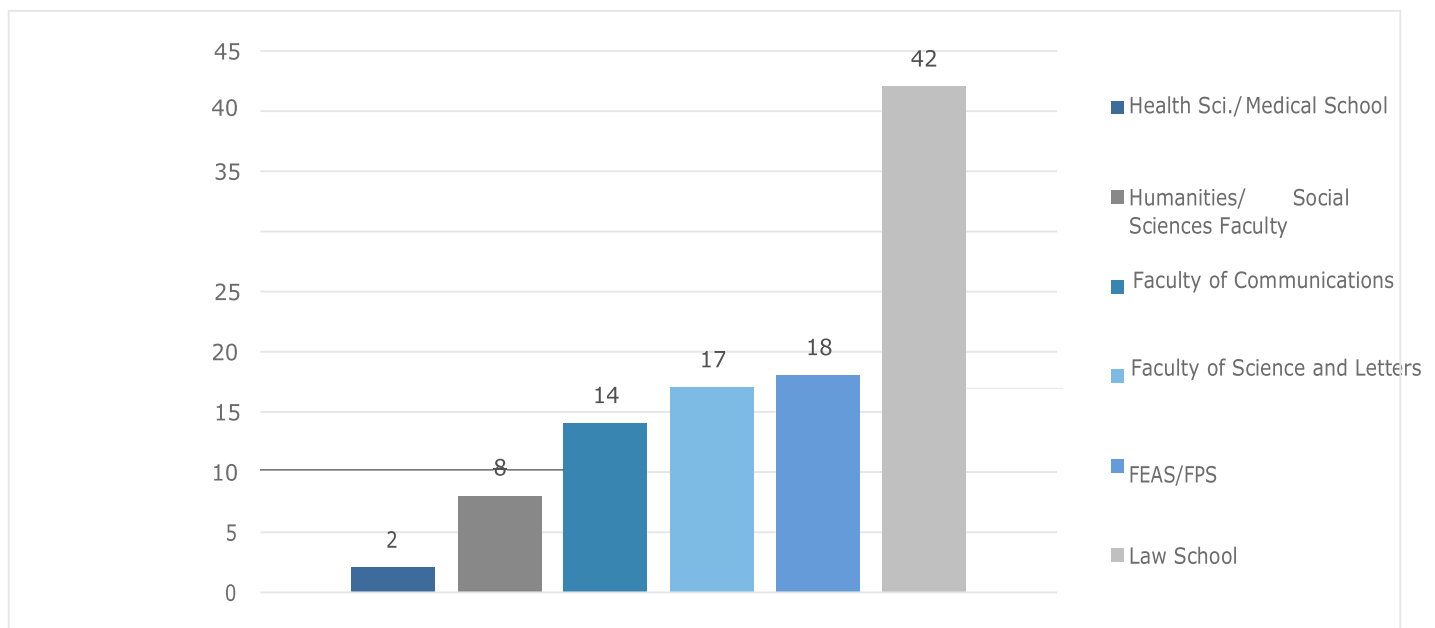
**Figure 4. Latest educational program completed**



It was observed that mainly academics from law schools were surveyed when the distribution of the questionnaires as per school was taken into account. This result revealed that human rights in Turkey was a field studied mostly at law schools. Indeed when the academic fields of the surveyed academics were investigated, it was seen that fields like human rights law, public law and international law stood out. Among the participants those worked at the faculties of economics and administrative sciences and faculties of social sciences were predominant as

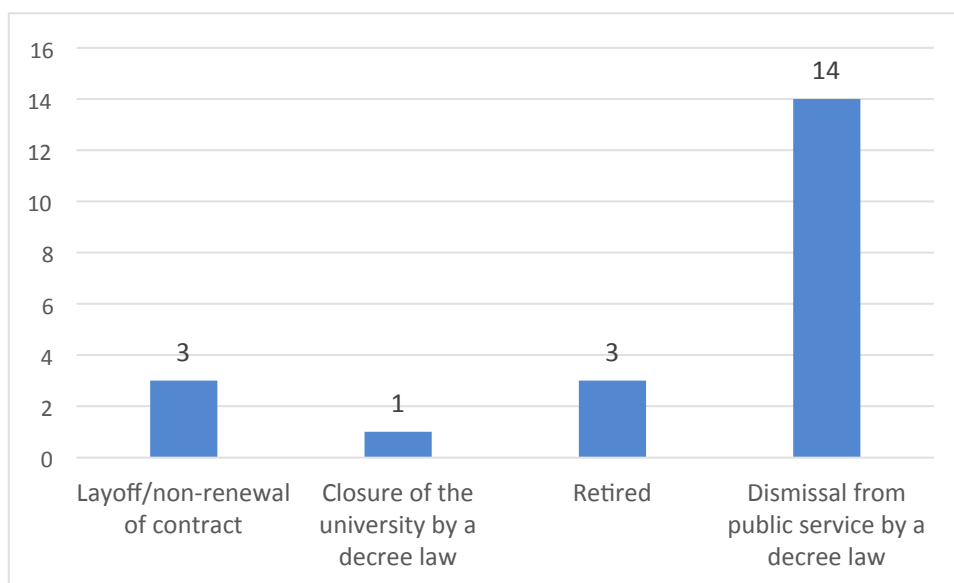
well. At these schools, political science and international relations fields proved to be the ones where academics conducted human rights studies. Moreover sociology departments, organized under faculties of science and letters or faculties of social sciences/humanities, were also among the programs human rights academics were affiliated with. One could also indicate that faculties of communication, too, allocated space to academics associated with human rights over courses like freedom of expression and discrimination. Other than these one of the two academics surveyed within the scope of the study was working at a medical school in the public health field, while the other in the social services field at a faculty of health sciences.

*Figure 5. Distribution as per school*



60% of the participants were actively working at a university. The number of persons who left their active positions at the university was 21. 14 of these individuals were academics who were dismissed through decree laws on the grounds that they had signed the declaration by Academics for Peace. Moreover 1 participant was not on active duty in the university because it was also closed through a decree law, while 3 academics were in the same situation because either their contracts were not renewed or laid off by their universities. It was observed that 3 academics retired before or during the SoE due to the pressures they had to face as well.

*Figure 6. Reasons for leaving active positions at the university*



17 of the graduate students were, at the same time, working as research assistants at a university. Further, 5 students who had worked as research assistants but subsequently laid off due to various reasons were also included in the sample.

The surveyed academics were asked to name five of their subjects that they studied the most in order to identify which rights fields their current human rights studies focused on.<sup>83</sup> As the following hierarchy graph presents, the most commonly studied subjects among the academics proved to be freedom of expression and freedom of press (44). It was observed that the majority of the participants who were conducting studies on freedom of expression were from law schools (14) and faculties of communication (7). The runner up in academic studies was women's rights and gender equality (43). This result can be explained by the impact of the feminist movement, which has gained momentum since the second half of the 1980s in Turkey, and LGBTI+ movement on studies tackling women's rights and the right to gender equality as fundamental human rights along with the fact that the right to gender equality was studied within a more unconstrained climate under the umbrella of universities with the organization of women's studies departments and opening of centers for women's studies. Those who marked women's rights and the right to gender equality among their study subjects were all women, except for one. Similarly, it was observed that 13 out of 16 academics who stated that they conducted studies on the LGBTI+ rights were women.

The third rights category marked by the academics was the prohibition of discrimination (30). The academics also conducted studies on the right to freedom of opinion, conscience and religion (24), civil rights (23) and the right to political participation (21). The least studied rights by the participants included the right to marry (1), the right to freedom of movement (2),

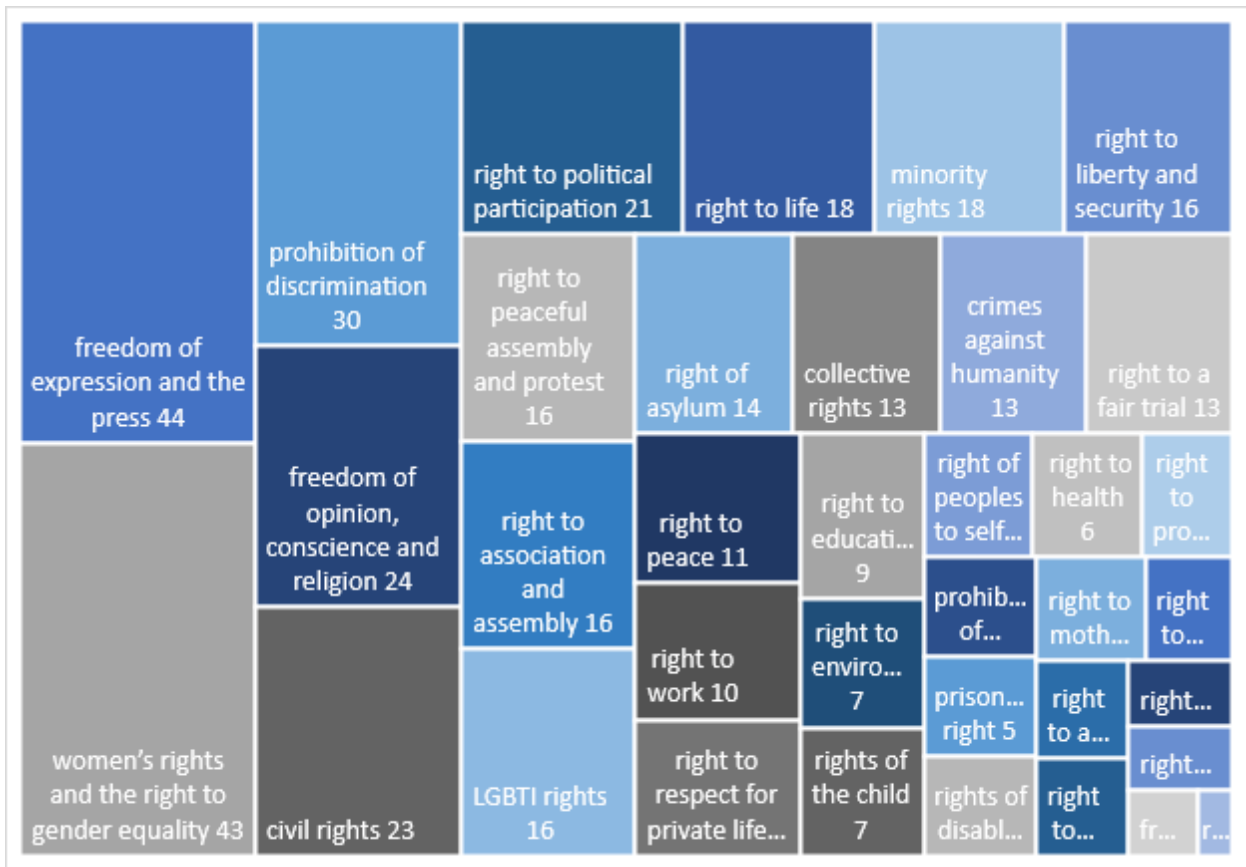
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<sup>83</sup> The options for this question enabling multi-coding incorporated 40 fundamental rights identified by the human rights literature which also allowed academics to write their subjects by filling in the "other" option.



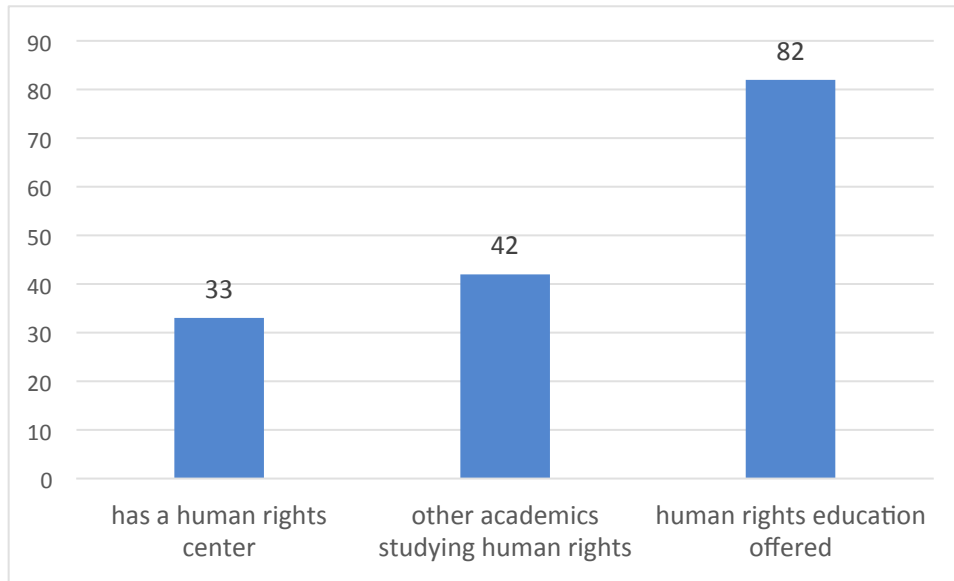
the rights to strike and collective bargaining (3), the right to information (3) and the right to truth (4). Further the number of academics who stated that they conducted studies on the rights of the child was 7, on the rights of the disabled was 5, on the right to mother tongue was 5, on prisoners' rights was 5. Figure 7 demonstrates that human rights academics were relatively less interested in social and economic rights like the right to social security, the right to work, union rights (total 17).

**Figure 7. Most commonly studied rights categories**



4 of the participants acted as deans during the SoE. Further, 3 served or had been serving as associate deans, 2 as directors of a center or institute, 4 as department chairs and 11 as sub-department chairs. It was observed that 31 faculty had served at an administrative post before the declaration of the SoE as well. 8 of these individuals resigned from one or more of these administrative posts during the SoE, while 3 were forced to do so.

*Figure 8. The state of affairs of human rights studies at universities*



33 of the academics covered by the study worked or studied at universities with human rights centers. 82 academics stated that human rights education was offered at their universities, while 42 indicated that there were other academics who had been conducting human rights studies although there was no such center at their universities.

## **1.2. Face-to-face interviewees**

19 of the face-to-face interviewees were faculty, while 1 was a research assistant and a Ph. D. student. 2 of the interviews were conducted in Diyarbakır and Konya, 3 in İzmir, 7 in Ankara and 8 in İstanbul. 10 of the interviewed academics were full professors, 2 were associate professors and 5 had Ph. D. degrees. 8 of the interviewed academics had worked or were working at private universities, while 12 worked at public ones. Of these academics the number of those on active duty was 11, while the number of dismissed academics was 4.

No information about the academics' universities was provided so as to protect their anonymity. Moreover, to keep the identities of the participants confidential in interviews conducted in Diyarbakır and Konya due to the quite limited number of human rights academics in these cities, information on academic title, gender, and others was not provided either. No references were used in quotes or paraphrases from face-to-face interviews in order to keep the identities of the academics confidential, while the institution titles mentioned during the interviews were left blank when seen fit in order to maintain anonymity.

*Table 3. Academics interviewed face-to-face*

	City	Title	University	Status	Sex
1	İstanbul	Prof. Dr.	Private	Active	Male
2	İstanbul	Prof. Dr.	Public	Retired	Female
3	İstanbul	Assoc. Dr.	Public	Active	Female
4	İstanbul	Prof. Dr.	Private	Active	Male
5	İstanbul	Prof. Dr.	Public	Active	Male
6	İstanbul	Prof. Dr.	Private	Active	Male
7	İstanbul	Prof. Dr.	Private	Active	Female
8	İstanbul	Dr. Faculty	Private	Active	Male
9	Ankara	Ph.D. student	Private	Active	Female
10	Ankara	Dr.	Private	Resigned	Male
11	Ankara	Dr.	Public	Resigned	Male
12	Ankara	Dr.	Public	Dismissed	Female
13	Ankara	Prof. Dr.	Public	Active	Female
14	Ankara	Dr. Faculty	Private	Active	Female
15	Ankara	Assoc. Dr.	Public	Active	Male
16	İzmir	Prof. Dr.	Public	Dismissed	Female
17	İzmir	Prof. Dr.	Public	Dismissed	Female
18	İzmir	Prof. Dr.	Public	Dismissed	Female
19	Diyarbakır	-	-	-	-
20	Konya	-	-	-	-

## **2. Studying Human Rights during the State of Emergency**

Assessments by the academics in face-to-face interviews that the pressures and restrictions over the field had already started before the SoE occupied a central place in their evaluations of the ways in which academic studies on the human rights field were affected by the SoE. Those interviewed indicated that the pressures over students and faculty by both the university administrations and the institutions like the Board of Higher Education, the police etc. had begun long before the declaration of the SoE immediately after the Gezi resistance or following the end of the resolution process after the 7 June 2015 general elections simultaneously. The announcement of the Academics for Peace Petition, too, stood out as a turning point in terms of repression, investigations and intimidation.

When one looks at the pre-SoE period, you see a looming authoritarianization and human rights violations. Pressures over freedom of opinion, freedom of expression and the press have gradually

increased. The covered up pressures have been uncovered after July 15. The violations have come to qualify as mass violations. The judiciary has been keeping up with this by utilizing the loopholes in laws.

Almost all the interviewees were of the consensus that the human rights field sustained an overt destruction following the declaration of the SoE. Particularly dismissals through decree laws, repression against the signatories of the “Peace Petition,” investigations into students, ban on human rights CSOs to enter universities and finally the fact that studies on the SoE and the rights violations committed during the SoE were rendered impossible to carry out in universities were singled out as the visible face of the destruction because of the SoE. This process brought along de facto or psychological barriers before the study of some subjects assumed to be “objectionable,” anxiety about being informed against both by students and colleagues and generally the dominance of a climate of fear in universities.

A young academic indicated during the course of their face-to-face interview that the purge of academics during the SoE was an attack against the institutionalism of universities and summarized the destruction as: “What makes it the academia is conflict, opposition, extending one’s limits, hearing all, censorshiplessness.” Another academic associated the pressure over the universities with the authoritarianism of the regime:

A free university is threatening for authoritarian regimes. They not only do attempt to stop the emergence of critical thought but also tell you and impose what to think.

Face-to-face interviews revealed that the level of impact that the SoE exerted varied according to both the academics’ fields of study and the universities they worked for. On the one hand, such impact brought about direr consequences at universities which led to the dismissal of academics while conducting academic studies was almost made impossible for those who were left behind. At some central universities, on the other hand, these consequences were more “insubstantial” for a limited number of academics who wrote about such subjects as human rights jurisprudence, international human rights bodies or cultural studies that could establish a more roundabout relationship with the political agenda or for those who succeeded in maintaining their relationships with the current political power through placing themselves into a more passive status. Some of these academics began their words saying “the SoE did not affect me much, it did not affect my studies that much” in response to a related question and indicated that they were now more careful while lecturing about some specific subjects in their courses or mentioned challenges they faced in making others accept dissertation topics of their students and in publishing their articles. These academics, too, generally agreed that the SoE and the purge in the academia brought about a significant destruction in the field. The following part is an investigation into the dimensions of the SoE’s destructive impact on universities, restrictions on academics’ rights to freedom of association and participation through tackling the ways in which dismissals and the purge affected studies in the human rights field and rights violations in the field of academic freedoms.

## 2.1. The Impact of the State of Emergency on Academics' Rights to Freedom of Association and Participation

### 2.1.1. Relations with CSOs

It was observed that the number of academics who stated that they had cooperated with one or more CSOs as a non-member before the SoE did not significantly change after the SoE, when whether the SoE had an impact on academics' relations with such CSOs was scrutinized. The number of academics who were members of one or more human rights organizations, however, sustained a significant decrease (about a quarter) with the SoE.. The following figure demonstrates that half of the surveyed academics conducting studies in the human rights field did not have experience to work with human rights organizations before the SoE either, while the rate of those who were members of human rights organizations corresponded to barely one third of academics even before the SoE. Such rates reveal the fact that a significant portion of academics remained aloof from being active rights defenders despite the fact that they were conducting academic studies on human rights.

*Figure 9. The relationship of academics with human rights organizations*



Face-to-face interviews revealed that academics who had no active relationship with human rights organizations before the SoE as well maintained such attitude. Some of the academics indicated that they had relations with bar associations because they handled human rights from

a judicial perspective. On the other hand, interviewed academics agreed that the SoE had an extremely negative impact on CSOs working in the human rights and related fields. They also indicated that these organizations were kept under pressure through the state's inspections, investigations, etc.

Since the closure of many organizations during the SoE left other organizations under such a threat, the academics mentioned that some had to restrict their activities and the academics they were involved with. One can argue that this impact was more predominant particularly in small cities. According to the interviewed academics, even the human rights organizations that could still continue reporting had challenges in informing a larger public about these reports and making them a subject for public debate. One of the problems that the academics witnessed was the fact that some organizations opted for fields regarded to be less risky and began avoiding critical human rights issues thinking that these would not accomplish a result even from international funding organizations or due to pressures. The academics stated, within this context, that CSOs' opportunity to work on such issues as "liability arising from operations against terrorist organizations through decree laws," "prohibition of torture," "the right to liberty and security of person," "the right to a fair trial," and "LGBTI+ rights" was restricted to a great extent. Moreover the academics indicated that CSOs undertaking works related to the Kurdish issue were much more negatively affected by this process. Yet there were some among the academics who were trying to maintain their ties with such organizations despite all pressures:

I am a person who still have ties specifically with Kurdish CSOs. But the activities there were diminished so much. I now go to Diyarbakır and such much less. But some of the Kurdish CSOs are tenaciously undertaking some activities despite what is going on. I try to be among them.

Another problem faced by CSOs, in the words of an academic, was "the challenges faced by CSOs in articulating to one another in the face of such draconian authoritarianism," and their failure to form a web by acting together. The interviewed academic argued that not only did fear but also the understanding that "don't let others do it" along with the competition among organizations played a role in this failure to come together.

It was also observed that the relationships of academics, who had been involved with CSOs, invited to their meetings and trainings, taken part in their projects before the SoE, with such organizations witnessed both positive and negative changes. At this point some academics stated that their relations with CSOs got stronger and they put in more effort to respond to calls by these organizations after the SoE:

It got even more intensified after the SoE; I attend their events more, try to write, look for subjects, try to hear and make it heard by others about which of our rights got scythed behind closed doors by reviewing the legislation. Even if I cannot work on this, I tell their related staff that "look, there is something going on here."

Further, academics argued that CSOs began to show more interest in the human rights field upon the increase in pressures and rights violations during the SoE, an awareness emerged,

and LGTI+, women's movement and students were able to partner up under the SoE conditions despite their own concepts and rights demands. Some of the interviewed academics were of the opinion that the SoE process consolidated the relationship between academics and the CSOs:

We established more frequent relations with NGOs. I already feel like I am there. This was a process during which I was more involved with rights-based organizations. ... Numerous reports are being issued during this process due to the SoE which is the very reason why. These are non-academic institutions and they are persistent. I think that now the civil society got stronger. They may not be able to accomplish anything under the institutional umbrella of the academy. People who had no ties whatsoever with human rights have now become activists.

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Many people who had no interest in human rights also got involved with human rights, they got entangled in this field. Some of these have become permanent staff. The number of projects increased for instance.

Conversely, signing the "Peace Petition" was a turning point for some of the academics, while some thought that CSOs' interest in academics decreased due to the fact that the human rights field started to get perceived by CSOs as a "dangerous" field with the declaration of the SoE as well or human rights organizations' restriction of themselves to relatively less threatening problems. Particularly those academics who had signed the "Peace Petition" stated that they were no longer invited by some secondary organizations although no such position was taken by the prominent human rights organizations following the announcement of the declaration; one academic indicated that they warned the inviting institutions that they were a signatory to the Peace Petition so as not to harm them. Another academic stated that they faced a reaction because of their signature from only one organization they had worked with, saying: "They told me this was unbecoming of me and I answered them in the way that was becoming of them. They showed up at my door and told me. I asked them 'Where do you get off?'"

For academics dismissed from their jobs at universities through decree laws, relationships with CSOs with the SoE were both positively and negatively affected. One of the interviewed academics observed the following:

When my ties with the academia were institutionally severed, some other concerns emerged. I now work with NGOs. I, as an outsider, think that they are too vigilant about the events they want to hold and present to us in projects, they do restrict themselves as well.

Dismissed academics also indicated that some CSOs that had regularly been inviting them to meetings and events put an end to such invitations after the dismissals. One of the academics who had established strong ties with CSOs before the dismissals hereby summarizes the damage that these ties sustained during this process:

For example, we were conducting research on migration in ... before we were fired. I was the academic consultant of the study. ... After we were fired they told me they were regretful to inform me that they would no longer be able to work with me because of an instruction they received. In addition I felt this: Let me not name the institution but I heard through the grapevine that the state ordered them not to employ those dismissed by decree laws in projects. They invited me less and less. I know that the field was affected since I was affected as well. Can't I find a place to work? No, I can but I also see that it is limited. I have varied the places I work for. I started to work more for initiatives that were less officially

involved in the city I live in. I also know that the state has been exerting serious pressure on NGOs.

There were, however, other academics who stated that their ties with CSOs got stronger to a great extent after the dismissals. One of these academics pointed out a significant raise in her collaboration with NGOs following her dismissal but also stated that since her works on the philosophical background of human rights and theoretical studies were not among those requested by NGOs her studies within the scope of her specialty were inhibited. The academic referred to the challenges about maintaining one's existence with their own academic identity within the field of civil society: "Yes, the field needs activists but we still should find ways to be in this field as academics." These statements by the interviewee revealed the fact that the academics who were excluded from the universities following their dismissals collaborated with CSOs in order to continue with their work and to live on. This state of affairs bore the potential to both feed the field of rights advocacy and to incorporate the academics into the civil society more. Yet, at the same time, the fact that the needs of the civil society did not always match the priorities of academic research and production of knowledge gave way to the withdrawal of these academics from academic works feeding the field without leading to practical consequences.

### **2.1.2. Unionization**

The results of the survey revealed that about a three quarters of the faculty were trade union members. This rate is slightly higher than the unionization rate of public employees in education and science in Turkey. It is, however, noteworthy that one fourth of academics, expected to have close relations with rights advocacy activities because of their study fields, were not unionized. Overall the SoE did not have a negative impact on academics unionization. While 44 academics stated that they were members of a union before the SoE, merely 43 indicated that they were union members after the SoE. 7 of these worked for private universities. It was also ascertained that 3 academics were subjected to suggestions and pressure to terminate their trade union membership before the SoE, while 5 after the SoE. Further, 2 academics stated that they resigned from their trade unions after the declaration of the SoE because of pressure, while 1 did so before the SoE. One academic, on the other hand, changed their trade union.



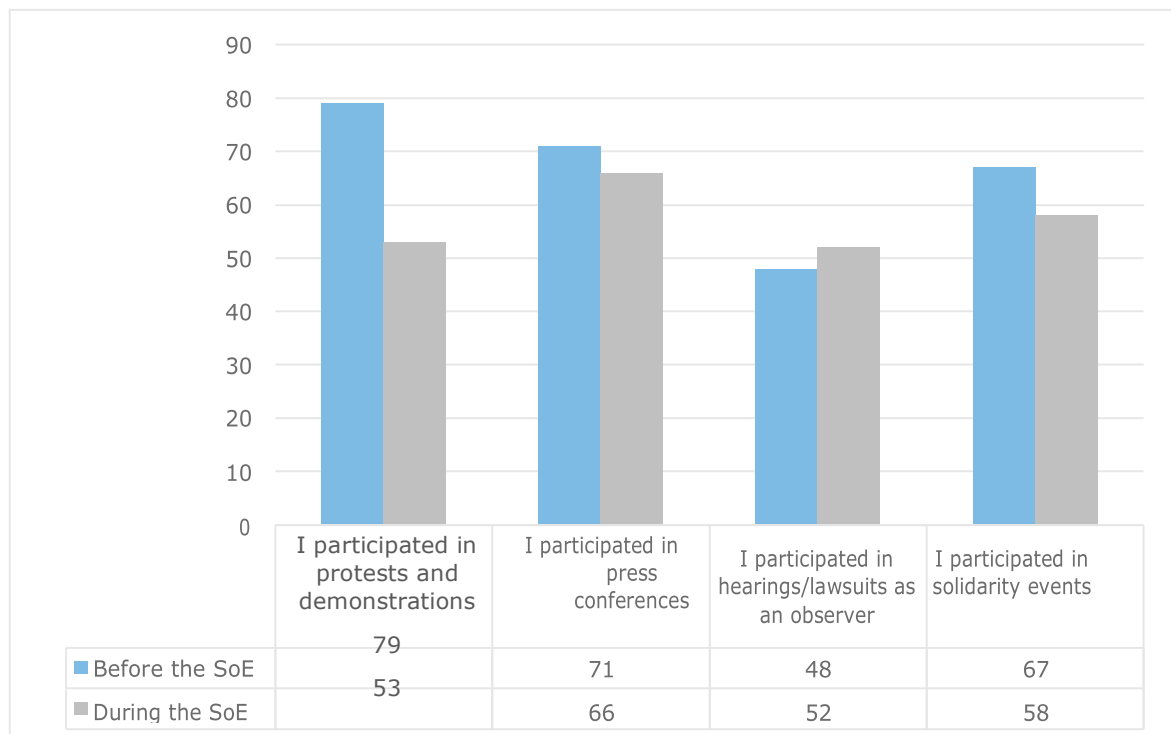
**Table 4. Unionization and Faculty**

	Before the SoE	During the SoE
I am a trade union member.	44	43
I faced suggestions/pressure to end my union membership.	3	5
I thought of ending my union membership because of suggestions/pressure.	1	2
I resigned from my union because of suggestions/pressure.	1	2
I changed my union because of suggestions/pressure.	-	1

### 2.1.1. Exercise of the Right to Participation

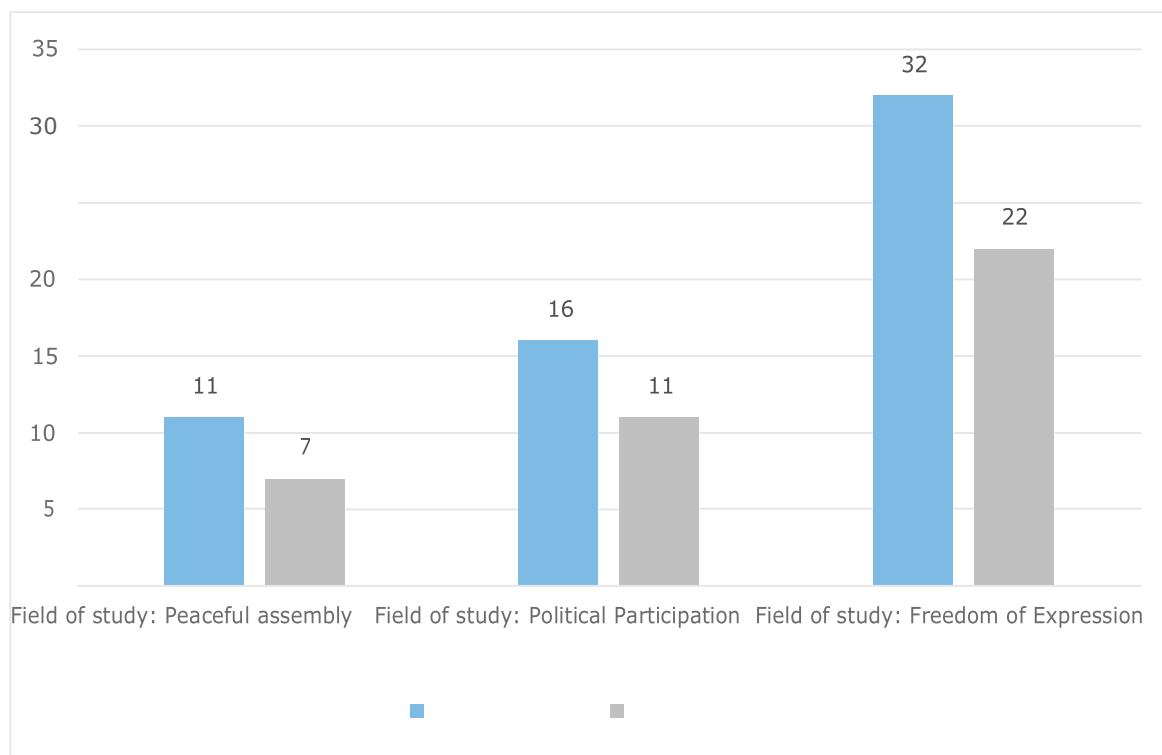
It was observed that the SoE had a negative impact on the surveyed academics' participation to solidarity events and protests that can both be regarded as major instruments of political participation other than participating in elections and within the scope of the right to freedom of expression in democratic societies. While the rate of those who stated that they had participated in protests before the SoE was 77%, this rate went down to 51% during and after the SoE. Similarly a decrease was also seen in the academics' participation to press conferences and solidarity events.

**Figure 10. The impact of the state of emergency on the exercise of the right to participation**



The decline in the exercise of the right to peaceful assembly and protest with the SoE is also valid for those academics who stated that their primary field of study was the right to political participation, right to peaceful assembly and protest, and freedom of expression.

**Figure 11. Exercise of the right to peaceful assembly and protest as per field of study**



The results of the survey demonstrated that the single increase that occurred during the SoE in terms of the exercise of the right to participation was in the number of lawsuits that the academics participated as observers. This increase was related to the hike in criminal proceedings both against academics and human rights defenders because of the SoE, particularly to the initiation of lawsuits against Academics for Peace.<sup>84</sup>

The obstacles erected before the exercise of the right to peaceful assembly and protest, which can be regarded as one of the common tools for citizens in democracies to check the government and voice their criticism, as a legitimate political instrument for participation rendered the exercise of this right almost impossible during the SoE due to the bans, police interventions, custodies and use of force. A young academic indicated during her face-to-face interview that she felt uneasy while participating in students' events, meetings, rallies, and demonstrations during the SoE, was anxious about the risk of police attack, and some of her friends were taken under custody by the police. A dismissed academic further stated that she could not judge academics' "silence in the face of overt and violent repression" under the SoE conditions, that it was usual for people to experience fear vis-à-vis repression but it was not

<sup>84</sup> According to a report drafted by Academics for Peace's Proceedings Coordination Volunteers, a total of 1,332 hearings were held between 22 April 2016 and 17 January 2019 within the scope of criminal proceedings against the academics who had signed the Peace Petition most of which were held in İstanbul.

possible to explain the silence of academics, who did not lose their jobs, in the presence of sheer injustice their colleagues had to face with fear:

No one wants to get fired, get in trouble but there are [lines]: you might want to avoid issuing a declaration against the Board of Higher Education or stage an open protest. I mean, some people can get scared. But this started to happen too: Something happens to a close friend. One of our professors retired, it was somewhat forced as well. There was an investigation into him. He filed his retirement letter but people got into his office and vacated it even before the finalization of his retirement procedure. One expects some others to react here. I cannot explain such failure by fear. I am not talking about a political struggle here; I assume a kind of ethics based merely on being in the academia itself exists and I think that this is gradually getting lost.

Silence was at the center of almost all the academics' assessments about the SoE period. The academics said that the academic purge also had a significant effect on their colleagues on active duty and many avoided voicing their concerns because of such reasons as the fear of losing their jobs and anxiety about the future. One can also state that they might have acted with expectations that voicing one's concern would not change anything in a state of learned helplessness: "Because I do not have any hope whatsoever; perception has changed so much, I mean, why has the state of emergency met with such profound silence and been accepted? Acceptance is seriously high too."

## **2.2. The Impact of the SoE on Academic Freedoms**

Whether academics could express their views freely on the media and social media along with in their academic studies like conferences, publications and courses also bear significance as an indicator of the degree to which academic freedoms were affected by the SoE. In this regard, the ways in which processes like mobbing, informant complaints, investigations, criminal proceedings and dismissals were experienced by academics and their consequences should be dealt with. This part first presents academics' experiences in media and social media use along with the degree to which they resorted to self-censorship in their courses and other academic activities. Then the pressures, rights violations and their responses to these during and after the SoE will be scrutinized. Further the impact of purges from public service on the human rights field will be evaluated based on their responses to questions addressed to them during the face-to-face interviews and the academics' experiences about employment security and personal rights.

### **2.2.1. Freedom of expression and self-censorship**

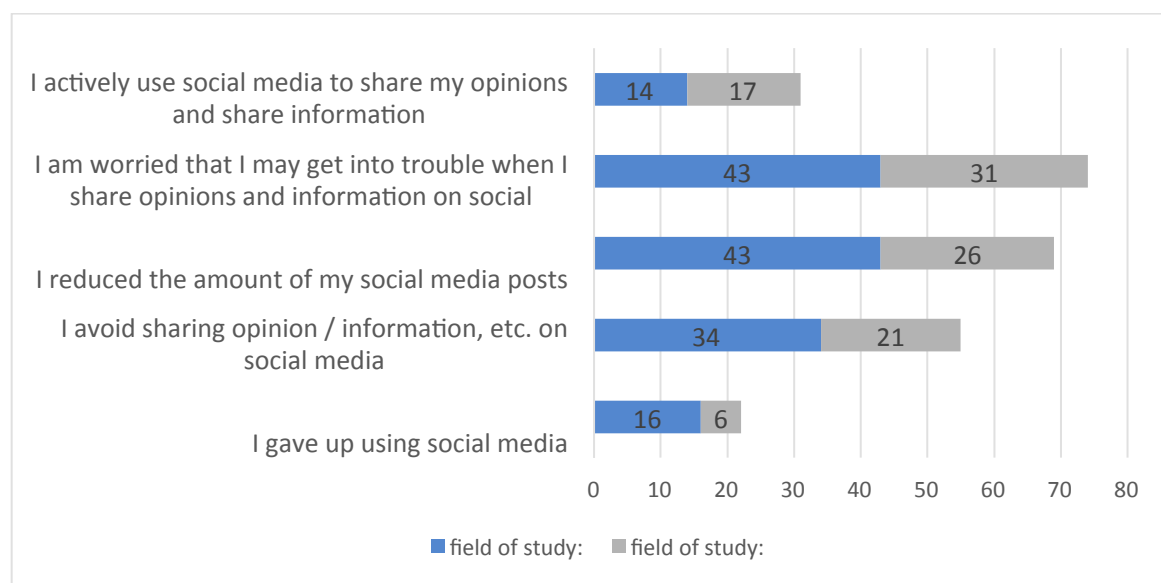
Considering how and to what extent the academics participating in the survey used social media can be assumed as an indicator for the exercise of the right to freedom of expression. The study reveals that the percentage of those who used the social media to share their views and information was limited to 27%. While 62% of those who answered the question stated that they were worried they could get into trouble when they posted something, 59% said they reduced the amount of social media posts, 45% avoided sharing opinions and information on social media and 17% said they stopped using social media.

**Table 5. Social Media Usage**

	<i>Yes</i>	<i>No</i>
<b>I actively use social media to share my views and share information</b>	31	57
<b>I am worried that I may get into trouble when I share opinions and information on social media</b>	74	11
<b>I share fewer things on social media</b>	69	17
<b>I avoid sharing opinion/information, etc. on social media</b>	55	27
<b>I gave up using social media</b>	22	57

Table 5 shows that academics working in the field of human rights are concerned about the problems that may arise from sharing posts on social media; therefore they have changed the amount and quality of their social media posts or completely abandoned using social media. On the other hand, it is seen that those who marked freedom of expression as an area of study among these academics have an important place, in other words, academics who work on freedom of expression also felt the need to limit their use of social media under SoE.

**Figure 12. Social media use among academics working in the field of freedom of expression**



Face-to-face interviews show that academics agree on the fact that there is a price to pay in bringing up certain issues in academic studies or social media in Turkey. One of the participants summarized this situation as follows: "You know that you are on the black list when you say something against the established order, or the belief of the majority - I mean both religious, ideological and political belief." The interviews underline the fact that the price to pay has become rather dear with the SoE: investigations, lawsuits and arrests on charges of

insulting the president, insulting the state, separatism, terrorist propaganda, etc. have also led academics, who continue to use social media, to change the style/manner they use to share their views. Academics say that even if they do not change the content, they practice a kind of self-censorship, by means of which they state what they say in a style that will attract less attention or reaction:

I am still active in social media, but now I express my ideas in 10 words though five words would do. The content is the same, but instead of a more sarcastic, cynical style, I write and speak in a more bookish style. ... And naturally we cannot share some cartoons.

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So I practiced self-censorship. The clearest statement of this can be seen in my posts on social media. We can criticize social media, but I saw social media as a medium in which I could express myself politically and academically. I have always thought it is a good thing. When there is any news about human rights, especially on social media, I can share them but I need to think ten times while writing something about them... Especially after the investigation has been filed. So it had such an effect.

On the other hand, self-censorship is not limited to social media. Face-to-face interviews reveal that as a result of repressive practices during and after the SoE, some academics feel under threat and therefore have to resort to self-censorship. While this threat finds its expression with the words “Working in human rights in authoritarian regimes is a troublesome and dangerous business”, it seems that uncertainty and the feeling that “something can happen to anyone, anytime, anywhere” is dominant.

Everyone practices self-censorship; even if you know the subject, you have to practice it. When the screws are tightened so much, you feel it more, you pay more attention; but always the question of whether to act like this is always there.

\* \* \*

Human rights in Turkey, and free thought... Being able to write anything you like with confidence... it is over. I have been writing regularly since 2002. For the last two years I have been thinking twice when I write something. I used to think twice in the past too but I didn't mince my words then.

It was observed that academics experienced this pressure more, especially in their publications, and are worried about being punished for their past publications. In one of the open-ended responses in the survey, one academic stated that she asked the editor of the journal to remove the article from open access, considering that during the SoE she may get into trouble due to an article she had previously published. A similar concern was experienced by the academics who signed the "Peace Petition" in the days following the publication of the petition; an academic explained this concern by saying, "I thought in the future they may look back and peruse the things we wrote these days and I practiced self-censorship." On the other hand, there were some who stated that they no longer supported signature campaigns and that they acted more cautiously about some issues in order not to become a target in newspapers and lose their jobs.

Although there were among interviewees those who stated that they did not practice self-censorship in their classes, there were also those who stated that “working and teaching in the

field of human rights” made self-censorship mandatory in the SoE period:

In terms of academic freedoms, I presume, nobody seems to be teaching anymore. What I hear from the ones who continue their duties at universities when they go to class, they go with a lot of stomachache, thinking "How am I to spend these two or three hours?" The concepts had already begun to lose their meaning. We used to think, "What is the point of explaining the rule of law?" But now with the SoE we start a sentence and begin to think how pointless to continue it. I know because I also taught in the SoE. Now we think, "How can I spend that time without talking about it?"

\*\*\*

Well, I heard about lecturer who requested his students not to ask any questions about Turkey. So I also warned my students, saying, "What we are talking about here has nothing to do with Turkey; it has nothing to do with reality."

The reason why academics take recourse to self-censorship in their classes turns out to be their worry that the students may file complaints about them to such institutions as BİMER and CİMER<sup>85</sup> or the fact that their classes may be inspected by inspectors and intelligence staff. This situation afflicts all the classes since it leads to a tension, damaging the bond of trust between the academic and the student:

I strictly practice self-control. I had to do this: When I came into class I said, "It is forbidden to make a sound recording in the class," which was something I did not do. I said, if I catch someone doing it, I am going to exercise all my legal rights. I felt at risk. This was something that shook all my motivation and it brought about a huge distance between the students and me. The class became terribly tense.

Although there are many testimonies of the interviewed academics that they had to practice self-censorship during the SoE period, one of the points that they agreed on was that before the SoE they did not feel compelled to resort to self-censorship or that they somehow resisted it at events they had in their classes or on the campuses despite some warnings from the administration.

Although there were very direct interventions a few times we said we will do it and did it. They wanted to stop us from screening the movies we wanted, and I said we will do it; you may file an investigation if you like. They did not. We did not get permission from the Dean's Office or the Rector's Office for the meetings we held within the Faculty. We had a summer school based on the theme of resistance in 2015 and it included a program where we discussed the Gezi events. It had an autonomous nature. Nobody called and made a suggestion. On the contrary, they feared that I would turn it into something public, make it visible.

\*\*\*

Once, when I wanted to open an intercultural psychology course, the head of my department asked, for example, "Are you going to discuss the Kurdish issue?" But these do not prevent me from opening that lesson. I had no hegemonic pressure. "Did we simply not attempt to do the kind of things we could not manage to do?" Did we practice some kind of self-censorship? I think I am relatively comfortable. Being academically good also makes you politically strong. I always trusted this. When they tried to do something to me -- there was law anyways-- we thought the courts would stop it. I thought, they could not discharge me out of academic inadequacy.

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<sup>85</sup> BİMER: Prime Ministry Communication Center; CİMER: Presidential Communication Center.

On the other hand, among the academics who participated in face-to-face meetings, there were those who stated that they continued their work in the field of human rights without making any changes in their style and content of their studies, aware of the fact that they could get into trouble in the SoE.

If you are working on human rights, you have to focus on a certain thematic issue, look for a certain kind of inequality and problem in society, and pursue an injustice. Maybe I had the opportunity to see these problems with the naked eye during the SoE, but on the other hand, I always felt uneasy in my mind, thinking, "what if something happens to me?" But I'm sure, it did not make me step back. I was more afraid of the results, but I was not to speak and write less because I was afraid. Now, while thinking about a certain problem, I analyzed such risks as, "I may get into trouble, I can get a warning, and they may bring a lawsuit against me." I did this simply to foresee what could happen to me. This increases your hesitation, your anxiety, of course; you can be reported, a word you say can be connected with terrorism, but there is nothing to do, if human rights are "our honor in the era of crisis", you cannot perform it in cool and clean waters. You have to get into turbid waters, dirty waters, sometimes wading in mud.

Some of the academics who stated that the SoE did not have a direct effect on their work and they did not have to practice self-censorship; they explained this situation with the attitude of the university where they work, which respects academic freedoms. These academics, who experienced the SoE in a relatively protected area, state that the SoE did not affect their courses and they did not have to make any changes in their course contents or style.

First of all, I did not have to avoid teaching in class or writing things that I used to. I still discuss the Armenian genocide in classes. I have been talking about the Kurdish issue for three weeks; I'm talking about minorities, I didn't experience anything at that level.

Some academics on the other hand stated that since their fields of study were relatively "sterile" they did not feel any pressure during the SoE, and their lessons and research were not affected.

Well, it didn't affect my courses. It may have affected them in terms of topic. I may have thought that more emphasis should be placed on the SoE. But because we were in the SoE, subjectively it did not require me to limit myself more. Because the things I am talking about are decisions. No matter which decisions the ECHR made about who. We give examples from Turkey. We also give examples from England. We also refer to the Constitutional Court decisions. Because the Constitutional Court also has decisions about killing. These are from Turkey.

\*\*\*

I am not very interested at the national level. I am more interested in the international dimension of it. In its more institutional aspects. Probably due to the scope that I am working on I did encounter obstacles. Because there are differences between working at the national level and working at the international level legally. If I worked on the national aspect, I would have faced obstacles.

Among the interviewed academics, there were also those who were not directly affected by the SoE, which they accounted for the fact that "they acted possibly very carefully", "they did not do anything that could be misunderstood" or "they have no political identity":

The SoE did not affect my work, but I am very careful. I try not to do anything that could be misunderstood or misinterpreted. I'm very careful. When I am asked for a report, I write it as it is, but I do not go out shouting. But I write those reports, even if they are contrary to what they expect.

However, academics who state that they do not practice self-censorship in their classes generally pay more attention to the language they use in social media or conferences. The interviewees assert that they prefer to express things more indirectly, saying, “I try to use a language that will not give me away”. They also state that they do not go to places which they think will put them in a difficult situation, do not reveal their opinions on everything, instead pay attention to the terminology used in writing or conferences, thus having to practice some kind of self-censorship:

In the classroom, you can use your freedom of expression to the fullest. But when I write articles or talk in a television program or at a conference, I use the words I used to use more by cautiously. ... We use the concepts more carefully. Then you cannot explain what you really mean.

### **2.2.2. Rights Violations against Academics**

All of the participants think that not only did human rights violations in the field of human rights increase with the SoE but also academic freedoms have been restricted, which accounts for the price one has to pay for working for human rights in authoritarian, oppressive regimes.

Human rights decline as democracy disappears. Not only do violations increase, but studies also become more difficult. This is what is happening today. Working in the field of human rights is a troublesome job in authoritarian regimes; it is dangerous.

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People all over the world mostly pay a price for it. Although we human rights workers pay a big price, we don't give up on it most of the time.

It is seen that the pressure faced by academics has an important effect on both their academic publications and activities and the courses given, and that academics do not feel free in their publications, meetings they attend and classes. At this point, one of the consequences of the restriction of academic freedoms was the violation of rights faced by academics for using these freedoms. Investigations, threats and targeting, blacklisting, lawsuits and layoffs, dismissals are violations of rights that are constantly on the agenda, both factually and possibly during and after the SoE period, and thus have been an obstacle to the exercise of academic freedoms. Among the respondents, 87 academics declared that their academic freedoms have been violated while 2 partially agreed with this claim. The number of academics who think they have not experienced any violation of rights in terms of academic freedoms is only 4.

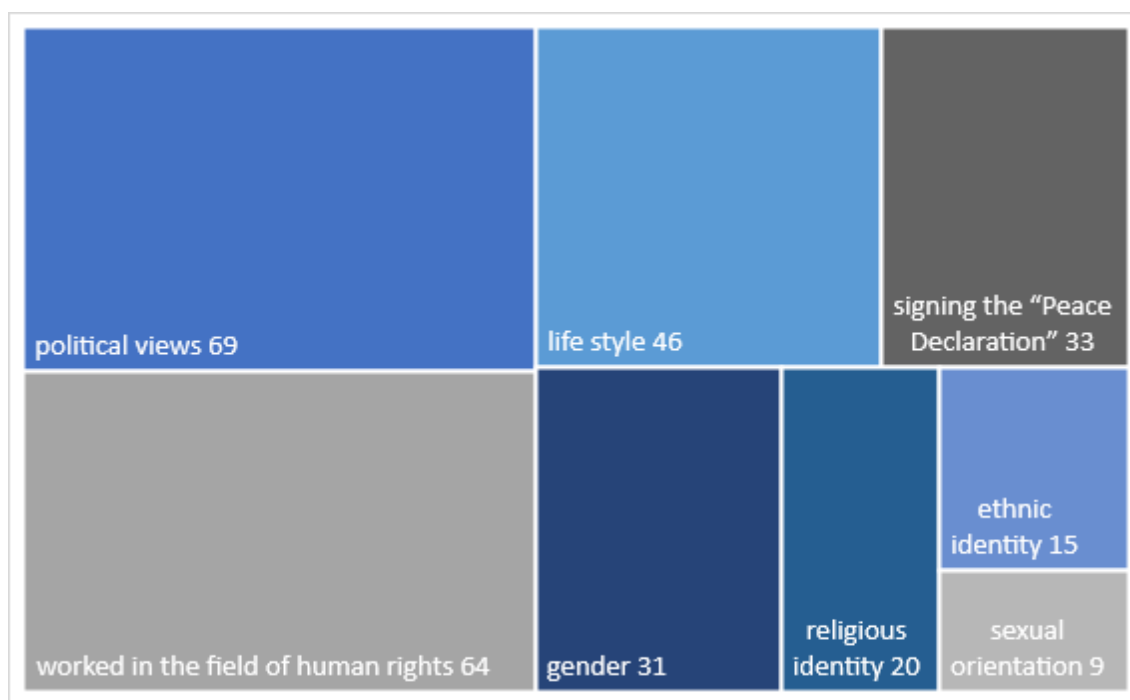


**Figure 13. Rights violations against academic freedoms**

	Disagree	Partly agree/disagree	Agree
I think academics' academic freedoms have been restricted	1%	3%	99%
I think violations have increased in the field of human rights		3%	97%
I think academic freedoms have been violated	4%	12%	84%

When asked about what they think about the cause of this violation, 69 academics stated that they had a violation of rights because of their political views and 64 academics said they were experiencing rights violations because they worked in the field of human rights. In addition, 33 academics stated that they had a violation of rights because they signed “Peace Petition”. Apart from these, academics also counted lifestyle (46), gender (31), sexual orientation (9), ethnic identity (15) and religious identity (20) as reasons for violations of rights in academic freedoms.

**Figure 14. Reasons for rights violations against academic freedoms**



### 2.2.2.1. Threats, targeting and informants

Of the academics who participated in the survey, 13 stated that they received threats before the announcement of the SoE and 17 in the SoE. The total number of academics answering this question is 81. Thus, it is seen that there is a 4% increase in the rate of academics who receive threats after the SoE. The number of academics targeted in local, national press or social

media increased by 7% from 16 before SoE to 21 after SoE. While 7 academics stated complaints against them were filed to police, workplace management or prime minister or presidential communication centers in the SoE, 9 academics stated the same took place before the SoE. The proportion of academics concerned about life safety rose from 11% to 15% in the SoE.

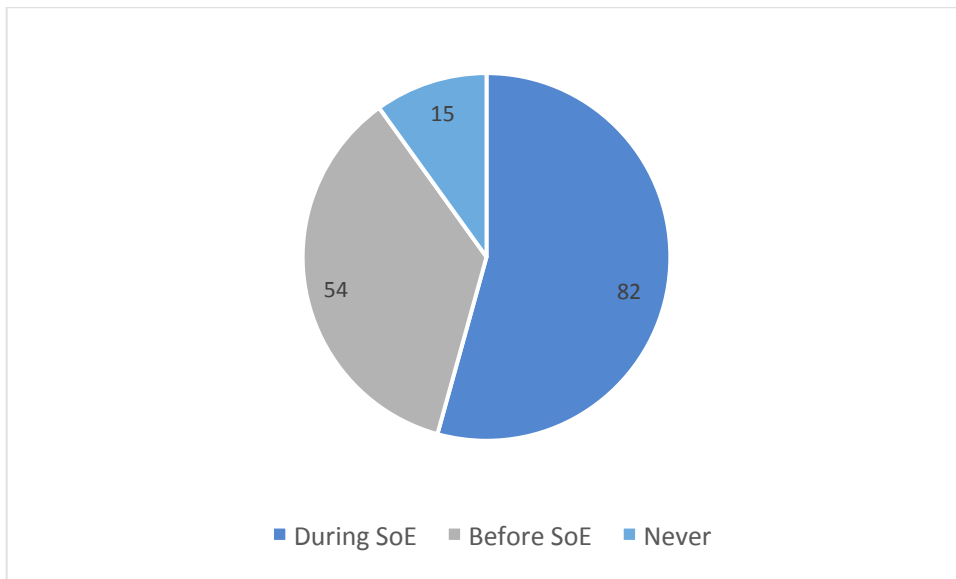
The number of people who stated that at least one academic who they knew and worked in the field of human rights was threatened increased from 34 before the SoE to 58 during the SoE period. While 43 academics stated that at least one academic who worked in the field of human rights was targeted before the SoE and 70 academics stated the same thing took place in the SoE. These high figures show that academics working in the field of human rights witness their colleagues facing such a threat even when they themselves are not exposed to an open threat.

**Table 6. Threat, targeting, informants**

	Before SoE	During SoE
<b>I am/was threatened in general.</b>	13	17
<b>At least one academic who I know working in the field of human rights was/is being threatened.</b>	34	58
<b>I am being/was targeted (in the local, national press, social media, etc.)</b>	16	21
<b>At least one academic who I know working in the field of human rights has been / is being targeted.</b>	43	70
<b>Complaints have been filed to BIMER / CIMER or the police, workplace management targeting me.</b>	9	7
<b>I am /was worried about my life safety.</b>	9	12

83% of the academics participating in the research stated that they felt threatened during the SoE due to their work in the field of human rights or expressing their opinions. The rate of those who stated that they felt a similar threat before the SoE is 55%. 51 of the academics answering this question felt a similar threat both before and during the SoE. These figures show that with SoE there is an increase by 25% in the rate of academics feeling threatened due to their work in the field of human rights. The rate of academics who stated that they did not face any threat due to their field of study was limited to 15%.

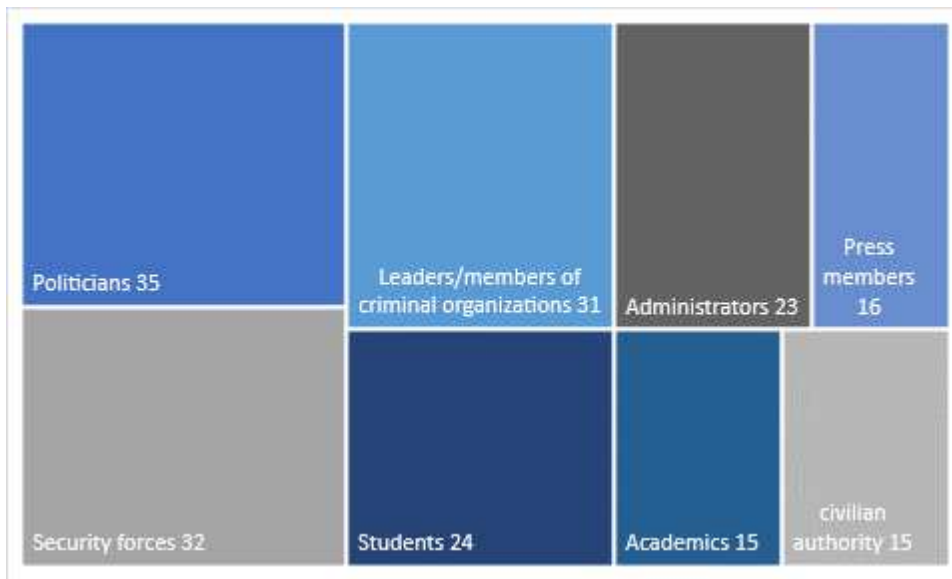
**Figure 15. Receiving threats or feeling threatened owing to their work**



Participants who answered the question stated that this threat originated from students (30%), institution managers (29%) and other academics (15%). One of the remarkable findings of the study is that 44% of academics point to politicians and 39% of them show leaders of the criminal organization as the source of the threat. The reason why these figures are so high is probably the fact that the academics were targeted by the President in his speech and threatened by a leader of a criminal organization immediately after their "Peace Petition" was covered in the press.

20% of academics also believed that the press was the source of the threat. The commentaries and news stories in the press targeting academics who signed the "Peace Petition" as well as the media-based smear campaigns against human rights defenders played a role in this. On the other hand, 40% of academics cited security forces and 19% cited their local superiors as the source of the threat. A remarkable finding here is that 4 of the 6 academics interviewed in Diyarbakır stated that they were threatened or felt threatened by the security forces and local authorities.

Figure 16. The Source of threat



When the academics participating in the research were asked whether another academic they knew who worked in the field of human rights in the SoE period felt threatened, 89% of them answered "yes". In other words, there are those who do not face a threat or felt threatened but know academics who felt threatened because they work in the field of human rights.

From the face-to-face interviews, it is understood that academics encountered situations that could be perceived as threats before the SoE due to their field of study. An academic who had to retire during the SoE said that because of his work on the Armenian issue he was previously warned by Ministry of Foreign Affairs, which said, "let us know if you are going abroad, we will tell you the Turkish policy on this issue, we will also tell you how you should behave in this regard", that she was given briefings in every a few years. The same academic stated that one of her student's parent visited her by saying "I work at the prime ministry" and "warned" her saying, "we will support all your work, but do not deal with ethnic matters". Another academic stated that he had an investigation and that the pressure he faced at the university increased and he was threatened by the supporters of a political party for saying "Armenian genocide" in a panel.

It is seen that the security forces are among the sources of threats encountered both before and during the SoE. Academics report that undercover police officers and inspectors attend their classes.

Plain-clothes policemen attended the class. One of them also posed a very obvious threat. In the introduction to sociology, I quoted something from a novel as an example of sociological imagination: "Every war kills a god." He was very uncomfortable with it, he approached me at the exit and said, "These are hard times, be careful." I said something like, "Are you asking me not to teach my course?" But we were having such tensions so frequently, especially before the June 7 (2015) elections. Maybe we weren't so aware, but now when you think calmly, you realize how much oppression we faced then.

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We noticed that lessons were under surveillance during the next semester. After you enter the class, the door opens and closes, people coming in ... Later we realized that the lecturers were controlled in each

lesson. Specifically, for my lesson, it was something I was not certain, something I couldn't be sure of: I was told that an inspector entered the lesson. He cannot be an official inspector. He was not someone who met me or declared that he would attend classes. It did not attract my attention either. Some students said something like this, but I could not be certain.

Academics remarked that the risk of detention and arrest was also a form of threat. An academic who signed the Peace Petition stated that they faced a very harsh reaction after the dismissals in their province, that their rooms in the faculty were raided, their houses were nearly attacked, they always felt at risk and they lived by taking precautions.

An academic, who explained that an investigation file was launched against him due to the articles he wrote and the television programs he participated in and he was called to give a statement in police office, found out that this was due to a notification made to the university administration, BĪMER, CĪMER and MĪT<sup>86</sup>

A complaint was made to BĪMER because of my lessons. It was made by a student. The university started an investigation against me. I was fined. It is a terrible thing for me to be punished for lecturing. In our university, we do not usually do lecturing. They conducted the investigation on the grounds that the lecture was given by someone who had a decree.

\* \* \*

Or you are teaching a lesson, a notification goes to BĪMER, --you are teaching administrative law-- or they go to the dean, saying, "She is constantly criticizing the state". ... A complaint has gone to BĪMER about me, but the worst part of it is that in fact it can be abused: The notification was sent after the final exams, that means it was probably made by one of the students who failed the course.

Academics, who mostly show students as the source of the complaint, may also hold some of their colleagues responsible for this situation:

If we ask what did the SoE do to the academia, I can say that the SoE revealed the hypocrisy of the academia. We saw colleagues who reported Peace Academics, those who spoke behind them, who turned into informants, those who shamelessly occupied at the posts the dismissed academics vacated, those who took advantage of the whole thing ... Therefore, for me, the academia is not something that the state established; so it is not something that the state has taken away.

The fact that the mechanism of informing others becomes an "ordinary" behavior, especially with the SoE, damages the bond of trust between the student and the teacher, as well as between colleagues. Most of the academics interviewed stated that they no longer allow students to record audio.

I see that they also make sound recording, that is, in classes. They may do such things out of their love for this country. They also do it to hear the encouraging words of some people --"well done son". For this reason, I do not say things that can be direct evidence. I do not name names. I was pretty worried after July.

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<sup>86</sup> MĪT: National Intelligence Service.

“Warnings” that may cause academics to feel threatened may also come from their colleagues. In some cases, these warnings have been evaluated by academics as "a step towards protection", "an expression of goodwill":

Sometimes you can't hold yourself. It's risky. You keep thinking when they will come to the door. A student complained to BIMER, to CIMER, the police, prosecutor. The friend I see comes from outside. ... The head of the department says that anything can happen to anyone, be careful.

In some cases, "warnings" from those who are in a higher position in the academic hierarchy or from the administrators made the interviewer feel threatened. For example, one of the academics interviewed was warned that his name was on an arrest list created by a colleague after the coup attempt; when he later found out that there was no such list, he stated he doubted the intention behind that warning. Another academic stated that he was warned by a colleague who said, “You can be taken into custody” and he said that he suspected the person who conveyed the message to him.

A young academic interviewed stated that a faculty member insulted and accused her simply because she asked a question and that she felt under risk, thinking faculty member could give her a hard time, blocking her studies. Indeed, there are some young academics who were warned “in good faith” that they might encounter obstacles in academic upgrades due to their study subjects.

Social media was the medium where academics faced open threats. The academics interviewed faced insults and threats such as “we will find your home” on social media due to their work, expressions they used in their speeches or simply because they were “Peace Signatories”; campaigns were organized against them, and they were clearly targeted. Similarly, they stated that they received threats via e-mail. Students also used social media to target academics.

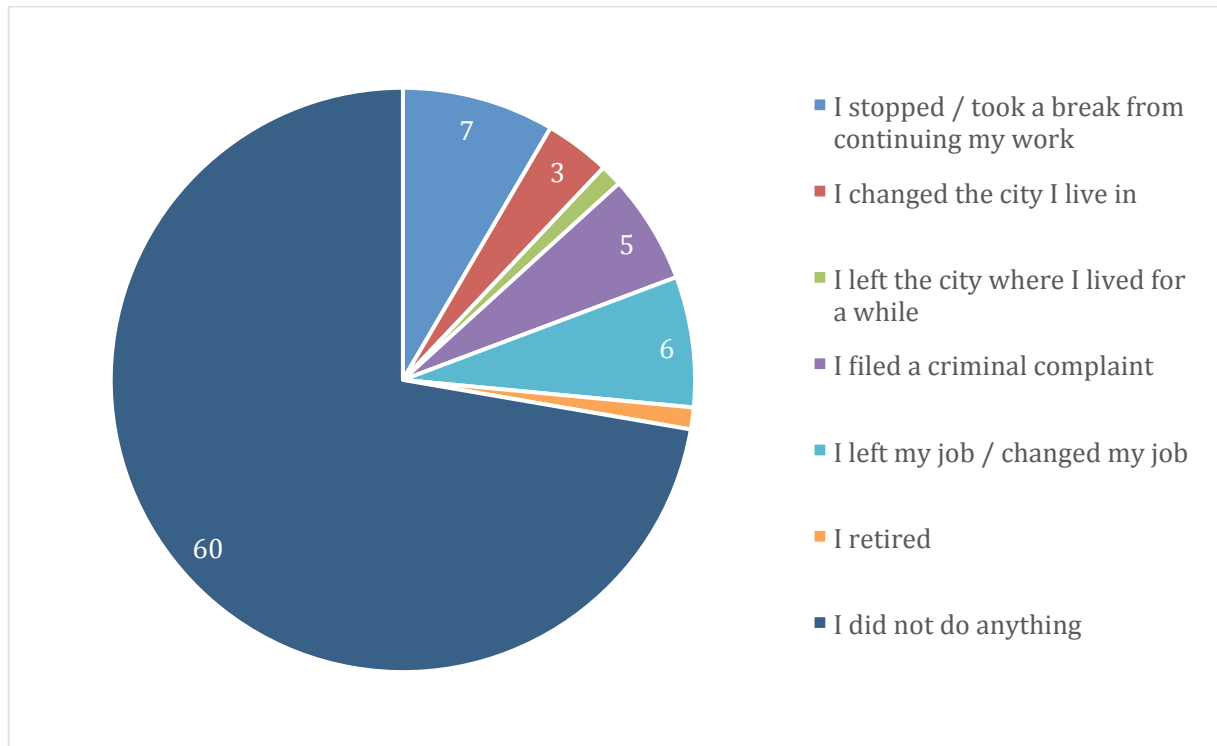
I learned that the syllabus of a course which I gave was shared on twitter by a student who took the course as registered. I am not a twitter user, but when I entered and looked, I saw this: He took the photo of Syllabus and added the words "a generation is poisoned in... by them. When will our state interfere in?" And he calls on the state to the task. It was not an anonymous account. It was a message that said that the curriculum of the course was not legitimate, that I poisoned the students, and therefore called on the government for duty. This happened shortly after the dismissals. This is very disturbing and defiant. However, they may be open in the lesson.

The observations of the interviewees that those who make such posts do not bother to hide their own identity is also noteworthy in terms of showing how the spirit of time normalized the practice of informing people. One of the academics who received threats on social media expresses his astonishment with this statement: “This happens on Twitter a lot. And they all share these messages using their own names. These are the normal citizens.”

In the questionnaires, the academics, who were asked what they did in the face of the threats they faced, gave a variety of answers ranging from leaving their jobs and leaving the city where they lived to doing nothing. 3 of the academics who answered the question stated that they had to leave the city they lived in due to this threat; 1 academic left the city where she

lived for a while, 6 academics left /changed their jobs. 7 academics stated that they gave up their work or gave a break to their studies and 1 academic stated that he retired. In addition, 5 academics filed a criminal complaint against these threats. In addition to these, academics gave up opening certain courses, practiced self-censorship in their work, opted for not publishing some of their work, not publicizing their work in the media and social media, or not giving examples from Turkey in their courses.

**Figure 17. Attitude to Threat**



The answers given in face-to-face interviews show a distribution similar to the diversity in the figure above. It can be mentioned that the interviewees took measures such as not dwelling on some subjects much or not using certain words that are objectionable and not allowing the recording of sound. On the other hand, there were some academics who stated that they did nothing and continued their classes and studies.

### **2.2.3. Judicial and Administrative Harassment**

Of those who responded to the questionnaire 4 academics stated that they had a judicial investigation before the SoE and 13 academics in the SoE on account of their field of work. In addition, 1 academic received a criminal sentence. It is observed that academics working in the field of human rights faced administrative investigations both before and after the SoE. Of the academics who responded to this question 11% have undergone administrative investigations for activities related to their field of study; 4 of them received penalties before

and 5 after the SoE. On the other hand, during the SoE period, there was a dramatic increase in the number of academics who were warned verbally or in writing. While the proportion of academics who faced this kind of warning before the SoE corresponded to 13% of those who answered this question, it increased to 22% in the period of SoE. A similar increase was observed in the number of academics who said that they had been subjected to mobbing and the proportion of academics who stated that they had been mobbed increased from 16% to 23% in the SoE. Apart from this, among academics there were some who stated that they faced pressures before and after the SoE such as changing their place of duty, their office and reducing their academic duties. One academic stated that he had been subjected to harassment before the SoE and 2 academics during the SoE.

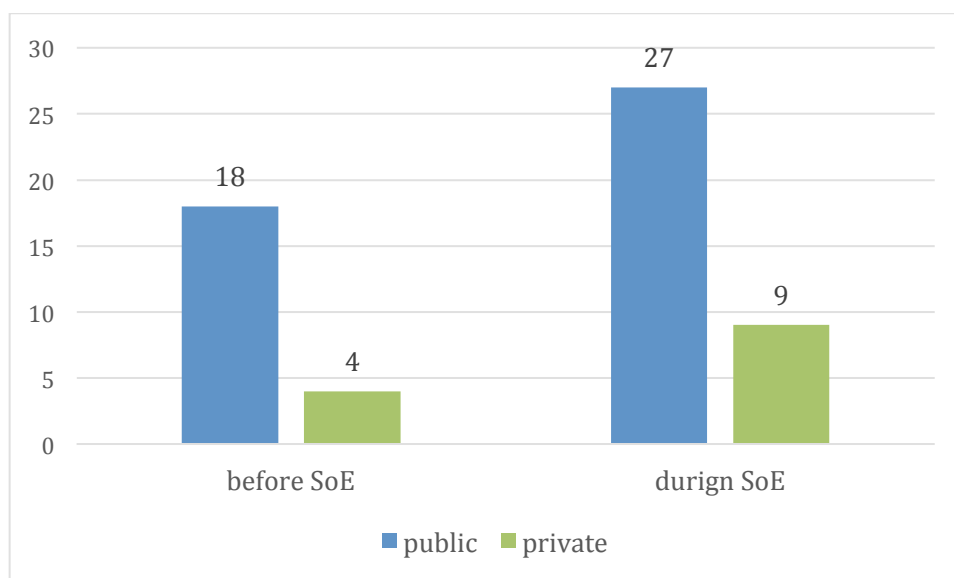
**Table 7. Judicial and administrative harassment**

	<b>Before the SoE</b>	<b>During the SoE</b>
<b>I have / had a judicial investigation.</b>	4	13
<b>I received a criminal sentence.</b>	-	1
<b>I have / had an administrative investigation.</b>	9	9
<b>I received an administrative penalty.</b>	4	5
<b>I was warned verbally / in writing by my administrators.</b>	10	17
<b>I was mobbed.</b>	13	18
<b>My position has been changed (I have been assigned to another department, faculty, etc.)</b>	1	1
<b>My office / office friend has been changed.</b>	2	3
<b>My academic duties have been reduced.</b>	2	4
<b>I had to withdraw from a board / jury of which I was a member.</b>	2	2
<b>I was harassed.</b>	1	2

The number of faculty members who stated that they were exposed to at least one of these kinds of pressures before and after the SoE is 37 in total (28 in state and 9 in private universities). When compared to 66 academics who answered these questions, those who stated that they experienced judicial or administrative pressures exceeded 56% in total. While the number of academics who stated that they faced such pressures before the SoE was 22, it reached 36 with an increase of 20% in the SoE. In the event of facing judicial and administrative pressures, no proportionally significant difference was found between academics from public and private universities.



**Figure 18. Facing judicial and administrative harassment**



On the other hand, most of the academics participating in the research stated that another academic who they know working in the field of human rights was subjected to judicial and administrative pressures due to his/her academic opinions and studies.

**Table 8. Witnessing judicial and administrative harassment**

	Before the SoE	During the SoE
<b>Had /is having a judicial investigation</b>	35	62
<b>Received a criminal sentence</b>	19	39
<b>Is having / had an administrative investigation</b>	40	60
<b>Received administrative punishment</b>	31	51
<b>Was warned verbally / in writing by my managers</b>	36	57
<b>Was mobbed.</b>	39	60
<b>Task position changed (assigned to another department, faculty etc.)</b>	15	27
<b>Office / office mate has been changed.</b>	6	15
<b>Academic duties have been reduced.</b>	21	44
<b>Was harassed.</b>	18	29

Academics are concerned about confronting pressures or investigations or even being detained due to their work or expressing their views on issues related to their field. 101 academics answered the first question in Figure 19 and 103 academics answered the other two questions.

Of these academics, 83% think that they may face pressures, 60% of them think they may be investigated or prosecuted, and 54% of them think they may be detained. Considering this together with the proportion of those who state that they have a partial concern in this regard, the anxiety of facing pressure is 97%, an anxiety of being subjected to an investigation or lawsuit is 92%, and the anxiety of being detained or arrested is 71%.

**Figure 19. Concerns about facing judicial and administrative harassment**

	Disagree	Partly agree/disagree	Agree
During the SoE, I am concerned that I might face pressures while expressing an opinion on a subject related to my field.	3%	14%	83%
During the SoE, I am concerned that I may be subjected to an investigation or lawsuit owing to my work in the field of human rights.	8%	32%	60%
During the SoE, I am concerned about being detained or arrested due to my work in the field of human rights.	18%	27%	54%

Face-to-face interviews show that judicial and administrative pressures against academics had started before the SoE, but reached a dimension, causing academics to feel themselves under an open threat, including the loss of their personal rights.

It must be said that the faculty had a number of difficulties before the SoE. The school had been a place visited by people doing radical, progressive work for a while. So it was walking hand in hand with social criticism. It was a point of attraction in many areas. It had become a target to such an extent, which I could not predict right now. The faculty members' twitter accounts were followed, at the same time, the lectures and questions asked in the courses were quickly served to the hands of the manipulative press. The meetings were criminalized. I do not know when and for which reason this became an issue on the agenda of a government agency. In this respect, we have overcome some thresholds. Lawsuits, investigations, headlines about the lessons. Some very critical lessons were manipulated and criminalized. We were trying to devise strategies to tackle them, but with SoE, all the doors were opened. So much destructive pressure rushed in, a huge number of people were dismissed.

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I think this is the biggest damage to the academy that comes with the SoE. The principles at simplest level that a professional group has agreed on. These are the kind of principles over which there would be no dispute: Launching unfair investigations, an excessive increase in their workload, overload of administrative tasks to prevent academic activities, matters of personal rights.

During the interviews, the academics stated that they witnessed the judicial and administrative pressures faced by their colleagues or students, as well as the judicial and administrative investigations they themselves faced. Many of the interviewed academics were notified to institutions such as BİMER and CİMER, and administrative inquiries were launched against academics in both public and private universities due to the sentences they uttered or the topics they discussed in their classes. Academics also witness that their colleagues had to retire due to these investigations. There were also academics who were investigated and

requested to give evidence by the police due to complaints. In addition, academics have been worried whether the complaint will lead to judicial investigation even if they do not receive a penalty from the administrative investigations filed against them:

What frightens me is the messages from BIMER. Even if BIMER investigation is not concluded, will the prosecution issue a bill of complaint five months after? In the meantime, since I am working at a private university, I am worried thinking whether my employment contract will be terminated.

Similarly, academics may be subject to investigations as they come into conflict with university administrations. With such investigations opened in a row, it is seen that they are trying to intimidate academics and expose them to mobbing.

I have two administrative investigations. They are launched assumedly on the grounds of the things I have written and shared, but... they are probably related to them. I think that the conflict I had with the rector has an effect; well, why do I have a conflict with the rector? Because after all, I criticized what he did in the SoE.

#### **2.2.4. Pressures and restraints on academic activities**

In the SoE, significant restrictions emerged in terms of the exercise of freedoms related to academic activities. Rights violations in this area constitute a broad spectrum ranging from academic publications to projects, participation in domestic and international conferences. Research projects by academic among the respondents were canceled or discontinued before the announcement of the SoE (1 project) and in the SoE period (7 projects), since the content or subject was "objectionable." For the same reason, academics stated the following pressures and inhibitions: conference report was rejected before SoE (1 academic) and in the SoE (2), academic articles were not evaluated or rejected by the journal applied before the SoE (3) and in the SoE (5); suggestions were made that some parts of the academic article be removed or changed before the SoE (2) and in the SoE (4); their book was not published by the publishing house during the SoE period (1 academic). In addition, it was observed that academics encountered obstacles in accessing archives and libraries and these obstacles increased during the SoE. These results reveal that the pressures and obstacles to academic studies conducted in the field of human rights increased during the SoE, though they started before the SoE. When the data were analyzed, it was observed that 8 academics in total before SoE and 19 academics after SoE faced one or more of such violations related to academic research and publications. These figures show that the rate of those whose academic publications and research were blocked in various ways among the academics participating in the questionnaire (on average 80 people) in the SoE period increased from 10% to 24%.

**Table 9. Pressures and restraints on academic activities**

	Before the SoE	During the SoE
<b>My research project has been canceled / stopped.</b>	1	7
<b>The conference notification was rejected by the conference organization.</b>	1	2
<b>My article was not evaluated / rejected by the journal I applied for.</b>	3	5
<b>I was asked to remove / change parts of my academic publication (articles, books, etc.).</b>	2	4
<b>My book was not published by the publishing house.</b>	-	1
<b>My access to various archives / libraries / information is blocked / I am having/ I had difficulty in having access to these</b>	1	4

On the other hand, when the respondents were asked whether at least one academic they knew working in the field of human rights had any pressure and obstacles regarding their academic activities, the rates increased remarkably with the SoE.

**Table 10. Witnessing pressures and obstacles concerning academic activities**

	OHAL'den Önce	OHAL Döneminde
<b>The research project has been canceled / stopped / rejected.</b>	21	42
<b>The conference paper was rejected by the conference organization.</b>	17	44
<b>The article was not evaluated / rejected by the journal where it was sent.</b>	16	37
<b>S/he was asked to remove / change parts of her academic publications (articles, books, etc.).</b>	12	35
<b>Her/His book was not published by the publishing house.</b>	4	15
<b>S/he has been denied access to/ S/he had difficulties in accessing various archives / libraries / information.</b>	11	28

It has been observed that the pressures faced by academics regarding their academic activities are not only limited to publications and research; it has likewise been seen that the obstacles encountered before the SoE regarding the permission and /or support to participate in domestic and international academic activities continued in SoE. There has been a remarkable increase

in the number of academics who have been prevented from participating in events abroad due to the passport ban imposed on dismissed academics.

**Table 11. Preventing participation in academic activities**

	Before the SoE	During the SoE
<b>I am not/was not allowed to participate in domestic academic events by the institution I work for</b>	2	3
<b>I am not/was not allowed to participate in academic activities abroad by the institution I work for</b>	2	6
<b>The institution where I work does not/did not provide support for participation in domestic or foreign academic events</b>	6	10
<b>I was prevented from attending international events was by the police / ministry of the interior</b>	3	13

The detailed analysis of the data shows that the number of academics stating that they were exposed to rights violations in one or more areas concerning academic publications, research and other activities increased from 13 to 29 during the SoE period. These figures show that with the SoE there is a 20% increase in the proportion of interviewee academics who have been subjected to rights violations in terms of academic publications and activities.

**Table 12. Witnessing prevention of participation in academic activities**

	Before the SoE	During the SoE
<b>S/he is/was not allowed to participate in domestic academic events by the institution he works for</b>	19	39
<b>S/he is/was not allowed to participate in academic activities abroad by the institution he / she works for.</b>	24	47
<b>The institution where he works does not/did not provide support for participation in domestic or foreign academic events</b>	24	43
<b>S/he was prevented from attending international events was by the police / ministry of the interior (e.g. her passport was canceled).</b>	12	56

In face-to-face meetings, academics remark that they are not invited to events and meetings held by public institutions. An academic, who was involved in some cases at the European Court of Human Rights against Turkey, said he was deliberately ignored by public institutions

in Turkey while being frequently invited to international organizations and this situation has continued since 2009. He states that his impression was "as if I did not exist in Turkey!"

It is established that with the declaration of SoE there is a significant decrease in the number of conferences and panels attended by academics working in the field of human rights.

I was one of the instructors of the trainings organized by the Constitutional Court on individual application. .... and everybody except me continued, I couldn't. My failure to go there also affects others. They know that since I am prevented from entering, they can also be prevented from entering after a certain point.

\* \* \*

I was a publicly visible man. I wrote in the press, I was also a person called invited to academic conferences. There is no more writing articles in the press, no invitations to TV channels; it is all over. Conferences are not held or the ones I am interested in are almost nonexistent now. Those places, which used to invite me in the past, such as universities, prefer not to invite me now.

\* \* \*

Now and then there were invitations from the civil society. Such invitations are no more. The Human Rights and Equality Institution is holding a conference these days, and among the invitees there are nobody who has any idea about human rights. They used to invite me too. Unfortunately, civil society does not exist anymore. They are also afraid of certain things. Therefore, they do not invite me.

Academics state that it is considered objectionable to speak of human rights in SoE. One of the academics interviewed expressed this situation saying, "conference topics are more sterile now". An academic, who stated that he had moved away from the subjects that were "objectionable" during the SoE and started to work on cyber rights, explains the shrinkage in the field, remarking "I am not even invited to conferences". Another academic said that civil society organizations are now afraid to invite him to conferences:

They did not like my ideas before but now they are afraid. It's not a personal attitude. Or, for example, there are people with whom I have a relationship from "the opposite camp"; .... in fact, they are fanatics too. I would go to their conferences. Now those people can't call me. They are afraid of their own shadows, and they are afraid of being criticized for inviting me.

It is observed that civil society organizations now invite dismissed academics less and less, and universities and other public institutions do not invite these academics at all to almost any meetings and events and even their participation in such activities is prevented. An interviewee from a private university in Istanbul, which a human rights center, said they could not invite dismissed academics to their scientific events, saying that the administration would turn them down.

Similarly, it has been observed that the dismissed academics faced obstacles in publishing their articles. Academics, who continue their duties at universities, addressed the difficulty of publishing with a dismissed colleague:

Something happened yes. ... We wrote an article with a young friend from ... University. It was going to be published in the journal but this boy was also dismissed with a decree. They expelled him out of the university because of his social media posts. Then he was dismissed with a decree. The editors of the book were good boys too. For example, they did not include that article in the book. This is the situation.

Such obstacles to publications also stop academics from working together, and contribute to the isolation of dismissed academics, pushing them out of academic production.

Let me give a very clear example: If you came up to me and said let's write an article together... Does the fact that you have been dismissed with a decree constitute a hesitation in my mind? It definitely does. But I would still write that article with you, I would. Would it lead to hesitations? It would. Would I ask the dean, maybe I would. If the rector heard, would he say "oh no"? He probably would. That's why I would rather not ask. I do it because I love that challenge; but saying, "no dear, it doesn't matter to me at all" is a lie.

The fact that they cannot participate in events abroad due to the passport barrier causes the dismissed academics to be completely excluded from the conditions that make academic production possible.

I have carried out my academic studies mostly abroad ever since. My relationships have been well built as a result of enormous efforts. In the SoE, there was a problem of getting permission, and in that way problems of being able to travel. We were in the first group of dismissed people; therefore I have not been able to go abroad since June 2017. We were dismissed on June 28. At the beginning of July there was a political science congress in France, I had to connect to it by Skype. After that, I stopped applying altogether. There were already a number of conferences and lectures; I could not attend them. For instance a lecture in Oslo, Switzerland ... I lagged behind all these activities since I could not go abroad for about two years. ... Or it happens like this: I am invited, and I say my passport problem is not solved. My colleagues frequently message me asking, how is it going on with your passport problem. They would like to propose courses or invite me, but they cannot.

Approximately half of the academics who participated in the survey stated that they felt under pressure in terms of their academic publications. Including those who are undecided or partly agree, the rate goes up as high as 62% for publications and 81% for academic events such as conferences, etc. 6 academics stated that they intend to change their academic study subjects. When evaluated with the academics who partly agree with this trend, it is seen that approximately 30% of the respondents think, more or less about, of changing their academic study subjects.

**Figure 20. Feeling under pressure**

	Disagree	Partly agree/disagree	Agree
I am thinking of changing my academic study subjects	54%	17%	8%
I feel under pressure in my academic publications, I try not to deal with some sensitive issues, not to mention certain things	22%	27%	29%
I feel under pressure in academic events (conference, symposium, panel, etc.)	15%	26%	38%

On the other hand, the proportion of academics who state that they feel free while sharing their opinions and information in their academic publications and activities is only 13%. The rate of the respondents who state that they can carry out academic studies on the subject they want is

30%. Likewise 30% (23 people) of the academic staff who participated in the research stated that they have to get permission from the administrators or superiors of the institution to give a statement to the media about their field or to share their opinions on a topic with the public.

**Figure 21. Feeling free**

	Disagree	Partly agree/disagree	Agree
	Disagree	Partly agree/disagree	Agree
I can make a statement and transfer information to the press without permission from the administrators or superiors of the institution.	23%	26%	29%
I can carry out academic studies on the subject I want.	26%	28%	23%
I feel free when sharing opinions and information in my academic publications and activities	46%	21%	11%

It is understood that the faculty members feel a similar pressure while teaching and preparing the course contents. Investigated to what extent SoE affects the courses taught by the faculties, 46% of the 67 faculties who answered this question were seen to have felt threatened and were under pressure while creating or teaching course content. 38% of the faculties stated that they are trying to avoid some subjects that are considered objectionable while preparing course content or teaching. The proportion of those who stated that they can teach and carry on their lessons as they wish corresponds to about a quarter of those who answered this question.

**Figure 22. The effect of State of Emergency on courses**

	Disagree	Partly agree/disagree	Agree
I feel / felt threatened / oppressed while creating or teaching the course content.	13%	22%	30%
I was trying / try to avoid some of the issues that were considered sensitive and objectionable when creating the course content or when teaching.	18%	21%	24%
I was able to play / conduct my lessons as I wish.	20%	27%	16%

These results reveal that faculty members working in the field of human rights felt considerably under pressure both in terms of publications, academic activities and during their lessons before and in the SoE period, while a significant portion of them needed to apply self-censorship in their lessons and publications. In addition, 4 faculties were inspected by their inspectors or superiors before the declaration of the SoE and 4 faculties during the SoE; 3 faculties state that their courses were closed before SoE, 2 faculties stated that their courses were closed during the SoE period. These courses were called "Political Structure and Problems of Turkey" and "The Media and Politics."



Face-to-face interviews also support the survey results. During the interviews, it has been observed that since the knowledge and know-how created in this field within the university became inaccessible with the closure of the Human Rights Centers or Departments within the atmosphere of pressure created during and before the SoE, the dismissal of the faculty members in these centers and departments has rendered the existing programs inoperative.

For example, the Human Rights Center was closed, the Department was rendered inoperable due to so many dismissals, I was removed from my position as the Head of the Department. Each year we were a center of attraction for the most motivated students who wanted to work in this field in Turkey. It had a projection for the future. Most of the academics in the department were expelled; we could not get students. The center has become inoperative. Therefore, it affected all our academic activities.

It is also mentioned that studies in the Human Rights Centers, which continue their activities, are also interrupted and that they do not organize research or meetings on some critical matters, including the state of emergency.

I do not remember any meetings or organizations that touch on the sore spot in the last two years. There are four faculties here and no meetings concerning human rights have been held. Speakers do not say anything about it; they discuss it technically.

### **2.2.5. Shrinking research fields**

Academics have always mentioned that there are risky issues in the field of human rights in face-to-face meetings. Issues such as the Kurdish issue, the Armenian issue, and LGBTI + rights are among them, making academics feel vulnerable to oppression and threat; young academics are worried about not being able to find a job, being unsuccessful in the juries, or being "blacklisted" because they had studied such issues:

You know that bringing up some issues in Turkey has a cost. You know that you are blacklisted when you say something against the established order, the power or the belief of the majority. The Ministry of Justice does not invite you to take part in work on law enforcement, the Ministry of Foreign Affairs is afraid, stops inviting the press, you experience fear when you are having a jury meeting, wondering if some teachers automatically vote against me. You receive warnings from here and there, saying, do not do it, why bother?

Nevertheless, it was mentioned that the studies carried out in the relatively autonomous environment of universities before the state of emergency, especially around human rights centers and human rights departments could cover many topics:

I always thought I was in an atmosphere where many studies could be done. I thought it was a point of attraction that resisted in general, though problematic in itself, but opposed, and that was the basis for the production of some schools and even the creation of some of them. This was the case until the SoE. This was the place where you could work on many subjects that could not normally be discussed in many parts of the country. Many typical courses such as women's studies, queer studies, the Kurdish question, human rights violations, and the Armenian issue were taught in an atypical manner. With the declaration of state of emergency, I have seen that the positions that have been gained with great efforts for many years in the field of human rights have been blown away. Even overnight.

The interviewees also stated that, along with the state of emergency, the “objectionable” issues are diversified. For example, state of emergency, decree laws and rights violations that emerged during the SoE became one of the “unspoken” issues at universities. On the other hand, it is frequently mentioned that the studies on the Kurdish problem, the resolution process, the Armenian issue or the politically sensitive issues could not be dwelt upon and the LGBTI + activities, which were previously available on campuses, were no longer possible.

Academic publications are also affected by this situation; academics refrained from publishing on issues considered “objectionable” assuming that publishing houses would not publish them, the journal referees would not accept them.

Such books do not come out of ... University Press. New people have been appointed to the editorial board. Books on issues such as Kurdish issue, Armenians, immigration, etc. on are no longer wanted. I heard that the topics of the thesis were also changed.

\* \* \*

Nobody writes anything about it. If you write in academic journals, it will go to the referee ... he will not publish it anyway, saying that even if it is published, no one will read it ... This is the effect of speaking, apart from writing. Come to think of it, the Constitutional Court decides that someone who has become a presidential candidate [court decision on Demirtaş, ÜD] “cannot be released” and you do not see this being discussed anywhere. This is an extraordinary thing.

The fact that many issues become “unspeakable” in the state of emergency should also be considered as a problem of academic freedom, and it was one of the issues on which the respondents agreed:

The other day, I made a presentation on why academics for peace is a matter of academic freedom. When you render something unspeakable at the academy, it turns into a problem of academic freedom. Moreover, this is a problem of institutional freedom. Concerning the issue of individual freedom, it has this aspect: When someone from the outside dictates things such as, “You can write about this subject in the following way, but otherwise you cannot write it”, it becomes a problem of judgment, execution, etc., and a problem of academic freedom. Currently the university's problem is to get the approval of "somebody" in deciding what and how to discuss implicitly or explicitly. Therefore, I think the effect of the SoE in Turkey is more powerful than is supposed. If people start asking questions like "I wonder if this would cause a problem?" even in the most irrelevant issue or "I will say this but will they publish it?" then there is no academic freedom at all. .... If the academic issues are decided externally or interfered then this means that there is a problem of academic freedom.

The fact that research and publications on “objectionable” issues cannot be made, theses cannot be written, and many issues cannot be discussed in universities have led some of the academics to work on subjects that seem less risky:

It had the following effect on the academics who remained in the university: Stay away from these issues. No one makes any efforts, nobody takes risks lest they are expelled from the university. This will continue like this until the political climate changes. This means a serious transformation. These are designed to this end.

\* \* \*

After the coup, we started to focus on non-political issues. For example, we gave a conference on environmental rights. We did another one on the issue of global poverty. We tried to display a non-political attitude that presents a positive image of ourselves.

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I also see this around me. Those who work seriously often work on personal rights, privacy, honor and dignity, and offense of libel. They work in areas which they think are more safe, in areas such as individual insults.

This narrowing in the fields of study also leads to an increase in a mentality that prioritizes the state in relation to human, which one of the respondents calls “human rights under state supervision”:

A human rights industry has emerged that protects and uses bulky structures as a means of human rights dynamism. State funded funds are abundant, so are money sources and rentier relationship. These groups became well known and visible, especially with the scything of the academy along in the state of emergency.

### **2.2.6. Impact of Dismissals and Purges on Human Rights Studies**

One of the common points of the discussions about the effect of State of Emergency on academic studies in the field of human rights is that the destruction caused by dismissals and layoffs on the field is not limited to the accumulation of years of knowledge and experience outside universities. The dismissals also led academics who continue their duties at universities to feel themselves under serious threat regarding employment security and personal rights. One of the direct consequences of dismissals and layoffs is the reduction in the number of people working in the field; the absence of academics to teach courses in some special areas; The fact that there is not enough time to do academic work due to the increase in the workload (number of courses taught and theses supervised).

It turned out that these programs were actually closed. The courses in Master's and PhD programs are different. This type of courses is specific to the lecturer, not everyone can teach them. This actually showed that dismissals did not only affect certain individuals, but the whole university education, accumulation, tradition. Programs got very poor. We still have very dear friends who are left behind, but how can they begin to tackle all those loose ends? In general, this has undermined academic production and creativity.

\* \* \*

There was a huge discharge from the academia. This has a lot of impact. The first and most basic one is in the context of workload, which can be managed. But on the other hand, it has a big impact on morale. So everyone is afraid of academic work. Time is also hard to find, everyone is stuck. Dismissals did not only affect course load only. After all, there were so many courses and thesis supervisions to be taken care of, and those who remained at the university assumed these workload, of course doing academic work, writing, etc. on top of that ... no one is such a mood. There was no such mood left after the coup attempt. We do not have the state of mind to do academic work.

The academics who participated in the interviews stated that the dismissals also led to the destruction of the generation that would train future colleagues and the destruction of the young generation that is growing, and that the students writing their dissertations have been deprived of their supervisors.

The resources of certain subjects have been exhausted. The master-apprentice relationship was really impoverished, but especially with the dismissals of certain people some departments disappeared. They have been deprived of certain forms of information. These are the kind of people that cannot be replaced. ... The dismissal targeted a young generation. People in their 30's and 40's... It was the time when they would work together and train colleagues, but they were expelled. They exist in relation to their fields of research, they teach; they write books; they have been eliminated, but who will replace them? It doesn't have to be the subject, but at least it has to be something equivalent. It was very bad for the students. These people were the outcome of years of work. You can't say if he doesn't, somebody else will write it. What you call experience has been devastated ...

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Students whose supervisors were dismissed, who could not work with the remaining academics, whose thesis subjects did not overlap with those of the remaining academics... The rest also feel guilty and incomplete.

As a matter of fact, the interviewees remark that they have changed their study topics or supervisors after the dismissals and because of the pressures they experienced, they received suggestions to change their topics or simply left their education because they could not find a supervisor they could work with on any subject they wanted

Brain drain is also considered as one of the results of the dismissals from the universities and the pressure atmosphere experienced. The interviewees talk about the consequences of the emergence of going abroad as a preferred option, both among dismissed or laid-off academics and among those who continue their duties at universities.

Some of those who had the opportunity went abroad. Brain drain. And those who remained here are silent. There is no employment security. I'm here now, but it is not clear whether I will be tomorrow. The second is the worry that you may be sued. Everything is political if you are a social scientist, rather than an engineer or a medical professional.

For academics who continue their duties at universities, dismissals mean not only the increase in workload but also the "isolation". It should not be overlooked that this loneliness can have important effects especially for academic studies in risky areas and may trigger a kind of spiral of silence for some critical issues that are considered "objectionable" in the field of human rights.

There is a physical void created by the withdrawal of those who suffered from the state of emergency. There is also those who have withdrawn owing to the atmosphere it creates, who cannot be as productive as before, who cannot produce even if they wanted to because they cannot find the environment they seek, people like me, for example ... so, the university today is not the university we had before State of Emergency in Turkey. There is a distance between those who left and those who remained.

For the isolated academic, as well as for students, it is difficult to continue to stay at the university. Among the interviewed academics, there are those who remark that they intend to resign since working under current conditions does not comply with academic ethics or if they encounter an intervention in terms of academic freedom:

I thought very much about leaving. I still think about it. I cannot find the motivation to be able to continue this way. I think that this profession cannot be done in an atmosphere where this university regime is consolidated. I think that it cannot be done in line with the academic ethics I have acquired. It

is always on my agenda. Sometimes I find myself very close, sometimes too far. Actually it's routinely on my agenda.

There is nothing to do; "come whatever may", you say. I have my own opinions, my own field of work, foundations and associations I work with. I have no luxury. I cannot teach lifeless, stale courses, I'd rather resign.

It appears that resignation or retirement is on the agenda of academics who continue to work in universities. On the other hand, different approaches on this issue also emerged in the interviews. An academic, who has assumed the duty of chairperson of department after the dismissal of his colleagues, justifies his act through his responsibility to his colleagues, institution and students:

Or should we all resign? But there is more to it than meets the eye there. It is easy for people like me, who has qualified for retirement. I can leave today, right now. But I feel responsible. I think we should not leave this place in such an unrecognizable condition for both the institution and the students and the dismissed friends who go return some day and when they return; they should not find this place in such a bad state. I think it is my responsibility to protect the basic features of my institution. We must maintain things. We have two kinds of responsibilities. Moral for those who are gone and for the institution.

For those expelled from their duties at universities, the damage is multidimensional. First of all, the physical conditions of continuing their academic studies and maintaining their international connections have been eliminated. Although national and international solidarity networks continue to exist to a certain extent even long after the dismissals, loneliness is one of the problems faced by academics excluded from universities. In addition to their efforts to cope with livelihoods, academics are not allowed to enter universities, are not invited to conferences and meetings, are removed from the editorial boards of which they are members, are not sent refereeing invitations; they try to maintain their academic studies only partly:

We do not meet with some people, colleagues, circles. We cannot meet with colleagues who are still in institutions, in many universities.

On the other hand, among the expelled academics are those who feel that they are left alone and their colleagues broke off their relations with them.

My colleagues, who consoled me saying that I would get my job back when I was suspended, completely stopped communicating with me when I was dismissed. They dared not. A lot of positions are opening up in their favor. There are also those who are satisfied with the situation. We have friends who have to go to the "palace". .... Some were very happy with it. They came to positions they could never imagine. For some, they were able to have opportunities abroad that they would never have. Because the possibilities increased, they applied for them.

However, the extent of the rights violations occurring with decree laws is interpreted by academics as the construction of a system that goes far beyond being expelled from universities and leads to denial of human rights.

There were those who were left stateless in their homeland in the state of emergency. “If you are a citizen of a republic, your right to work is your primary right. When this right is revoked, you are discharged from citizenship to periphery. This means becoming stateless. I find the term "civilian death" light. I think it is a condition of being stateless for all dismissed academics. ... This is no longer a regime of rights, it did not exist before anyway, but it is hard to talk about any rights now.

\* \* \*

There is no blow that human rights receive with decrees. There is a complete destruction of culture. It also eliminated a cultural opportunity for the recognition of human rights. The struggle for human rights had fostered a culture.... More importantly than eliminating individual rights, I think that a culture has been established which denies human rights ownership. It's the abolition of being a citizen. This is not something easy to handle.

Another shared point among those interviewees who have been dismissed is that the silence and unresponsiveness of colleagues who continue their duties at universities worsen the impact of the state of emergency on the field.

“It's not academia anymore, it's not where we want to be. So there is no need to raise our voices and bother ourselves too much, ” they think. This is nothing other than acceptance. The biggest damage to the academia is the pressure that came with the state of emergency. The simplest principles that a professional group has agreed upon. These are the principles on which there would be hardly any controversy. The problem of unfair investigation, excessive workload, problems concerning personal rights... these are things that require a say. I think we have lost it.

Such testimonies also reflect the concern of the dismissed academics that the damage that will occur with the destruction of the universal principles, which make universities what they are, will go beyond dismissals. A similar concern is shared by academics who continue their duties, as noted above. In contrast, some of the academics also stated that they were not willing to return to their positions under the current circumstances. One of the academics who gained the right to retirement after being expelled emphasized that those who continue to work should not leave the universities saying, “there must be somebody there when this period comes to an end”; on the other hand, she expressed her concern by saying “I cannot imagine the horror of being at the university at the moment, it gives me the creeps.”

One of the indirect consequences of dismissals and pressures in the SoE is that academics are concerned about their employment security. It was found that 2 of the academics who participated in the questionnaire were dismissed before the state of emergency, and 14 persons were dismissed through a decree law, and that labor contract of 3 academics was not renewed during the SoE. These figures show that among the 59 faculty members interviewed within the scope of the study, the rate of those who lost their job before or after the state of emergency reached one third. On the other hand, 46 academics stated that there were dismissed academics among those working in the field of human rights at the university where they worked or studied. 21 of the academics stated that they know at least one academic working in the field of human rights, whose labor contract was not renewed or who was dismissed before the SoE, while 67 academics stated they knew at least one colleague working in the field of human rights, whose contract was not renewed or who was dismissed in the SoE. These figures

correspond to 29% and 84% of the academics who answered the question, respectively. In other words, a significant number of the academics participating in the research know at least one academic who knows someone that he worked in the field of human rights, who faced this situation during the SoE period, even if they themselves were not dismissed or lost their jobs. In addition, 5 of the academics stated that they were threatened with dismissal before the SoE and 10 of them during the SoE period.

When the titles of academics who faced this threat before the state of emergency were examined, it was seen there were 2 professors, 1 associate professor, 1 instructor and 2 research assistants among them. In the state of emergency, those who were threatened with dismissal were 2 professors, 1 associate professor, 1 instructor, 2 doctor research assistants (assistant professor) and 4 research assistants. This distribution shows that academic title does not cause a change in the academics' perception of employment security, while research assistants have a more fragile position in terms of facing such threats in the SoE.

The number of academics who stated that at least one academic they know was threatened with dismissal was 21 before the SoE and 41 during the SoE.

**Table 13. Employment security**

	Before the SoE	During the SoE
I was expelled with a decree law	-	14
My labor contract was not renewed	2	3
At least one academics I know working in the field of human rights was dismissed	-	46
The labor contract of at least one academic I know working in the field of human rights / expelled / dismissed/ could not renew her employment contract	21	67
I was threatened with dismissal	5	10
At least one academic I know working in the field of human rights has been threatened with dismissal	21	41

Among the interviewees, half of 76 people currently in an academic staff stated that they were worried about being dismissed because of their work in the field of human rights, and 20% of them were partly concerned. It was observed that among the interviewees the concern of losing one's job was highest among associate professors (11 people), and doctor research assistants (9 academic). Among the interviewees, 2 professors stated that they had a similar concern, while 6 professors stated that they partially experienced this concern. For academics working at public and private universities, there is no proportionate difference in terms of concern about losing their job.

**Figure 23. Concerns about employment security**

	Disagree	Partly agree/disagree	Agree
I think that my employment security has decreased	15%	11%	50%
I am worried that I might be dismissed because of my work in the field of human rights	16%	15%	46%
I am having /had problems in renewing my employment contract	46%	9%	17%
I feel vulnerable to my superiors	32%	20%	23%

On the other hand, 78% of academics think that their employment security is reduced. When those who partly agree with this judgment are added, this rate is over 80%. About a third of the academics stated that they felt vulnerable to their superiors. In addition, approximately one fourth of the academics who answered the question were found to have problems in renewal of the employment contract.

Face-to-face interviews also show that academics experienced concerns about employment security.

In two senses. First, you have no employment security. Okay, I'm sitting here now, but it is not clear whether I will sit tomorrow. Two: Worrying if you will be judged. if you are a social scientist, rather than a politically qualified engineer or medical professional, everything is political.

\* \* \*

Let me say this once: I looked at each list of decree law with anxiety for myself, looking for my name. Or I looked for the names of the people I know. They even started to dismiss people from private universities. At least one cannot help feeling the following anxiety: is there an acquaintance of mine among the dismissed. There is also the following concern: Will they come to private universities too? Or will the board of trustees send a list to HEC (Higher Education Council-YÖK) Of course, all these affected...

In the interviews, it was stated that the effect of the dismissals continued after the SoE was over, and one of the outcomes of the SoE was that dismissal was always kept as a possibility to keep the academics under control.

SoE has had critical effects on the academic field. We feel it also when it is said that the SoE is over. After the dismissals, it was understood that the purges were no longer limited to the dismissals, and that dismissals were a kind of warning, setting an example for others.

On the other hand, obstacles that may be encountered in appointments and promotions also caused academics to feel under pressure. For example, one of the interviewees is worried that she may not be appointed by the HEC because of her associate professorship thesis, even though she has passed the associate professorship exam. For this reason, she stated having also encountered suggestions to change the subject of her study, but did not make any changes.



"Will the HEC grant me the title of associate professor?" Because even the HEC gives a temporary associate professor certificate after granting associate professorship; in addition, there is a document that people abbreviate as "decree law certificate" a permanent certificate of associate professorship given after the security investigation.

Another interviewee stated that she intentionally delayed his application for associate professorship. The reason for this delay was the fact that the HEC stopped the associate professorship applications of signatories of "Peace Petition" about who the HEC launched an investigation and created a kind of black list:

For example, I delay my application for associate professorship for political reasons. I know I'm on the black list, I'm aware. My associate professorship thesis is on the military juntas, a study in which I defend the responsibility of the top person about regime guilt.

### **2.3. Being a Human Rights Student: Repressions, Suggestions, and Self-censorship**

The research revealed that SoE negatively affected also postgraduate and doctoral students studying on human rights issues. When we look at the responses of 44 students who participated in the questionnaire about their courses and thesis, it is observed that they faced difficulties while choosing courses related to their study subjects or writing a thesis, but the pressure they faced during the SoE increased significantly. First of all, almost half of the students who participated in the survey stated that at least one of their lecturers was purged from public service with a decree, and about a quarter stated that the courses of these lecturers were closed. 6 students had difficulty in choosing courses in the SoE period and 2 students before the SoE because there were courses closed in their departments. In addition, 3 students had to change their supervisor due to the purge of the faculty or the contract not renewed, and the thesis monitoring committee or jury members of 3 students changed. 3 students stated that they faced incentives and pressures to change their thesis supervisors because they were seen "objectionable" (due to being a Peace Petition signatory) and 2 students stated that they changed their supervisor as a result of these pressures. Students (2 before SoE and 8 in the SoE) stated that they knew students who complained about their lecturers to institutions such as BİMER / CİMER or superiors.

**Table 14. The Effect of State of Emergency on Education**

	<b>Before the SoE</b>	<b>During the SoE</b>
We had lecturer(s) purged from public service with decree laws.	-	20
The courses of our lecturers who were purged from public service with decrees were closed.		10
I have /had difficulty in choosing courses because there were lessons closed in our department.	2	6
I had to change my supervisor because his contract of employment was not renewed / he was purged from public service with a decree.		3
One or more of the members of the thesis monitoring committee or the thesis jury changed because their employment contract was not renewed / they were purged from public service with a decree.	1	2
I encountered /am encountering suggestions / pressures to change my thesis supervisor because their political views are seen “objectionable”	2	1
I changed my thesis supervisor because of his political views are considered “objectionable”.	1	1
I know student(s) who complain about their lecturers to institution managers or CIMER due to the content of their academic activities (, lectures, exams, publications, etc.).	2	8

It was seen that one fourth of the students who participated in the questionnaire were careful not to choose the subjects that were considered sensitive and objectionable in their assignments and thesis subjects. 4 students stated that they encountered suggestions and pressures to avoid dealing with “objectionable” issues such as the Kurdish issue and the Armenian issue in their assignment and research before the SoE and 11 students remarked that they acted with this concern. 3 students before the SoE and 5 students during the SoE have completely or partially changed their thesis subject due to the concerns in question.

**Table 15. Effects of SoE on Students' Research and Dissertations**

	<b>Before the SoE</b>	<b>During the SoE</b>
In my assignments / research, I was/am careful not to choose the subjects that are considered "sensitive" / "objectionable".	3	11
While determining the thesis topic, I have come across some pressures / suggestions implying that I should not deal with topics considered sensitive / objectionable.	4	11
I changed my thesis topic completely or partially, as it addresses the issues considered "sensitive" / "objectionable".	3	5

One of the students who answered the open-ended question in the questionnaire explained the situation she faced saying, “We have to be constantly on the alert against the institutions we are affiliated with”. The student also remarked that the dismissal of academics in the field she wanted to work affects the quality of the studies and had difficulty in obtaining the necessary permissions to carry out her research.

The number of students who stated that they could choose the course they want without feeling any pressure was 19 before the SoE and 21 during the SoE. These results show that more than half of the students surveyed do not feel free to choose their courses before and during the SoE. It was observed that there was a dramatic decrease in the number of students who thought that they could write a thesis and do research without feeling any pressure with the arrival of the SoE. While more than a quarter of the students stated that they did not feel under pressure on this issue before the SoE, the number of students who stated that they did not experience such pressure during the SoE was only 5.

**Table 16. Students' perception of academic freedom**

	<b>Before the SoE</b>	<b>During the SoE</b>
I can choose the course I want.	19	21
I think that I can write a thesis on the subject I want to without feeling any pressure.	12	5
I can express myself freely without feeling any pressure or reservations in the courses.	11	6

Academics who participated in face-to-face meetings also testify to the pressure their students face. The pressure environment created by the SoE on universities is reflected in both the courses and the theses of the students. During the interviews, academics stated that the students were worried about attending classes, asking questions or commenting in the classes, and did not want to speak. Similarly, thesis topics were also affected by the process, and

students had to change their supervisors, thesis topics or thesis titles. Interviews show that, in most cases, the impact of the SoE on students is more intense because they are more vulnerable than academics. For example, an academic who stated that the SoE did not directly affect her and that she did not have to practice any self-censorship in her courses and studies, admitted that she had practiced a kind of censorship by saying that she had changed her student's thesis title because it contained the word Kurdistan.

Also, I know there have been people saying things such as, "Let's drop that subject; it is difficult; let's change the title". It is not like suggesting, but we say that the Institute may create problems. So we are practicing censorship.

Academics also witness that students have changed their thesis on LGBTI+, Kurds, Armenians, and Alevis because they fear that they will not be able to write it with anyone, or because they are afraid that something might happen to them.

Theses on these issues are not written as much as before, and the juries are no longer there. Thesis titles are being changed. When a student came and said he would like to write about the Kurdish issue, I warned him, saying "I'm ready, are you ready? There may be consequences of this."

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They say, "I would like to write this, but under these circumstances I cannot write it with anyone." They cannot find a supervisor, who they assume will be jeopardized. This has undermined people's academic work, performances and creativity.

Similarly, it is mentioned that academics have been suggesting to students that the subjects they want to work with may be objectionable, or they are afraid to supervise such theses:

One student was doing a master's degree in Human Rights Department, wanted to do something related to the Kurdish issue in his thesis, but then gave up. "I can't do it in these days," she said, changing the subject. Another, for example, wanted to study the position of 'fighter' in humanitarian law and whether it would be applied to PKK members; I said, "Are you crazy?" I said they would take us both. Another student works in a government agency and is a student in the field of human rights and she says, "I want to do something more technical." She did not want to discuss these issues. In other words, students who want to stay away from risky issues...

\* \* \*

People don't want to get into issues which they think will get them in trouble. Every topic that a student proposed was rejected by the supervisor, who said "this will get us into trouble." Even an assignment to be written by the graduate student is thought to be a source of problem.

Respondents stated that dismissals significantly affected postgraduate and doctorate programs especially in the field. In addition to this, it is stated that certain types of courses require the expertise of the lecturer, and the fact that students whose supervisors have been expelled cannot find academics to work on their thesis topics. Students whose thesis supervisors were dismissed had to find new supervisors and often change their thesis topics.

The testimonies of academics in face-to-face interviews show that students are also faced with heavy investigative pressure.

Its reflection on other students finds its expression in the form of an investigation into the common demonstrations. The meetings and banners used to be ignored. But now if it is an issue that has a political connection regardless of its content, which is always the case, an investigation is opened.

Dismissed academics are also concerned about their students working with them or writing a thesis. They feel responsible for the likelihood that these students may face new investigations or fail a security investigation even if they pass the assistantship exam.

I had a problem recently. It also shows the point which can be reached. I had five scholarship students working on the project. I had two very hardworking students there. They also took a lot of photos. They had closed their social media accounts due to their employment process, but they had accounts on Instagram. There was also someone who had been hired, had undergone a security investigation, but he had been fired from harassment just before being hired ... they gave his lessons to this student of mine. He examined her account and compiled photos with political content, printed it out and made a complaint to the police. This way he gets the revenge he wants to get from the university. Here, the photos he uses are the photos taken within the scope of the project. Someone was taken in Diyarbakır Newroz and it was part of the project Upon this, she went to testify on the police. In a sense it is your choice, but it has an effect on your environment. These students were called to the police due to their fieldwork. Some of them were hired, some of them couldn't make it. You start thinking if I have a role here. So, I started to focus on individual studies. You want to continue only in this way.

## CONCLUSION

This study aimed to reveal the kind of impact that the state of emergency (SoE), which was in effect between 21 July 2016 and 19 June 2018, had on academic studies in the human rights field in Turkey and the kinds of consequences that the pressures on the field, which had emerged before the SoE but became overt with the SoE practices, in terms of academic studies and educational activities, The main conclusion drawn from the field research is that academic freedoms suffered significant damages during and after the SoE. Although it may be claimed that academics experienced the SoE in different ways depending on the university and their subject of study, the atmosphere of fear created through dismissals, investigations, detentions and arrests and lynching campaigns, affected negatively both the human rights academia working on subjects which the government naturally "dislikes", as well as lecturers and students, making them unable to do their jobs for different reasons.

Academics who carried out studies in the field of human rights or related to this field were also affected by the dismissals during the SoE; therefore, many courses requiring specialist knowledge were deprived of lecturers, and many theses went without supervisors.

Another effect of the dismissals was the "isolation" of academics who were expelled from the university and of those who continued work at universities, and their loss of belief in their work.

In this process, the worries about the academics' employment security and the protection of their personal rights have become stronger than usual, the anxiety of being notified by students and colleagues, the concern that the lessons might be watched secretly by the inspectors or intelligence staff, on the one hand, damaged the bond of trust between academics and students, on the other hand, it forced academics to practice partially or completely in self-censorship in their courses, studies, theses and publications. In addition, owing to these restrictions academic fields of study narrowed down and many topics related to human rights were left out of the academic agenda due to the issues that are considered objectionable.

# APPENDIX I

## Questionnaire Form for the Human Rights Field

Questionnaire Number:			
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<p>This research is carried out within the scope of the project “Bringing Human Rights Academy to Civil Society”, supported by the European Union and run by the Human Rights Joint Platform. The aim of the research is to reveal the effects of the SoE on academics and students working in the field of human rights.</p> <p>It is very important for you to answer the following questions in full and follow the instructions completely for the study to achieve its purpose. Our interviewers will answer your questions about the research and questions included in the survey whenever you want.</p> <p>Completing the survey is thought to take 25 minutes at most.</p> <p>It is very important that you answer the questions in the questionnaire in full and follow the instructions completely so that our study achieves its purpose.</p> <p>During and after the survey, your personal information will not be recorded in any way and will not be used for any other purpose.</p> <p>Thank you for your support in our work.</p> <p>If you want to be informed about the results of the research, please write your e-mail address: .....</p>
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**Questionnaire for the Human Rights Field**

<b>1) Your University:</b> .....		
<b>2) Your faculty/institute:</b> .....		
<b>3) Your department:</b> .....		
<b>4) Gender</b>	1) Female	2) Male
3) Other (.....)		
<b>5) Year of Birth:</b> .....		

<b>6) Last graduated program</b>		
1) Undergraduate	2) Master Degree	3) PHD
<b>7) Occupation:</b>		
1) Academic	2) Student	2) Other .....

<b>8) Are you currently employed at a university? (If you have been dismissed, tick No.)</b>	
1) Yes (Continue with Question 10)	2) No

<b>9) If you have left your position at the university, explain the reason</b>		
1) Retired	2) Resigned	3) Fired/ Job contract not renewed
4) Suspended	5) Dismissal with decree law	6) Institution where I worked closed down with decree law

<b>10) If you are a faculty member, what is your academic title (or last title before leaving university)? (If you are not a faculty member, continue with Question 11)</b>		
1) Professor	2) Associate Professor	3) Dr. Faculty Member (assist. Prof.)
4) Lecturer	5) Specialist	6) Instructor
7) Dr. Res. Assist.	8) Research Assistant (MA student)	9) Research Assistant (PhD student)
10) Contracted (part time)	11) Retired Faculty Member	

<b>11) If you are a student who is not in academic staff, which one is your position? (If you are a faculty member, go to Question 12)</b>	
1) MA student	2) PhD student

<b>12) If you are the last student or student, what is the time you spent in the institution you studied? (excluding your undergraduate education)</b>			
1) Less than a year	2) 1-5	3) 6-10	4) 11-15
5) 16-20	6) 21-25	7) 26 and over	

<b>13) What are your main academic fields of study? (You can specify more than one)</b>
.....
.....

<b>14) How many years have you been working in the field of human rights?</b>	.....
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<b>15) Have you known any academics dismissed among those who worked in the field of human rights during the SoE at your university? (or if you are no longer working at university because of dismissal, resignation, etc., at your last university)</b>		
1) Yes	2) No	3) I don't know

<b>16) Which of the following topics is your work in the field of human rights related to? (you can mark multiple responses).</b>			
1) Right to Life	2) Torture Ban	3) Slavery and Forced Labor Ban	4) Crimes Against Humanity
5) Right to Freedom and Security	6) Right to Fair Trial	7) Right to Protection of Private and Family Life	8) Right to Freedom of Expression, Conscience and Religion
9) Right to Freedom of Expression	10) Freedom of Association and Meeting	11) Right to Marry	12) Effective Right to Apply
13) Prohibition of Discrimination	14) Freedom of Travel	15) Right to Asylum	16) Right to Citizenship
17) Property Right	18) Right to Political Participation	19) Right to Social Security	20) Right to Work
21) Right to Education	22) Peoples' Self-Determination	23) Right to Gender Equality	24) Right to Health
25) Prisoner Rights	26) Right to Strike and Collective Bargaining	27) Children's Rights	28) Women's Rights
29) Right to Peace	30) Right to Environment	31) LGBTI+ Rights	32) Right to Truth
33) Right to Information	34) Right to Citizenship	35) Disabled Rights	36) Minority Rights
37) Right to Mother Tongue	38) Right to Press Freedom	39) Right to Demonstration and Protest	40) Collective Rights
41) Other (Indicate)	.....		

<b>17) Are there any training (courses, seminars, programs etc.) related to human rights at your university? (at your previous university which you left because of dismissal, resignation, etc.)</b>		
1) Yes	2) No	3) I don't know

<b>18) Please mark each of the lines in the table below, taking into account your own situation.</b>				
	During SoE		Before SoE	
I participated in protests and demonstrations	Yes	No	Yes	No
I attended press releases	Yes	No	Yes	No
I attended the hearings / cases as an audience	Yes	No	Yes	No
I participated in solidarity activities (justice watch, etc.)	Yes	No	Yes	No

<b>19) Please mark each of the lines in the table below, considering your situation before and after the announcement of SoE.</b>				
	During SoE		Before SoE	
I worked with / contributed to one or more human rights organizations without being a member of them.	<b>Yes</b>	<b>No</b>	<b>Yes</b>	<b>No</b>
	Specify:.....		Specify:.....	
	.....		.....	
	.....		.....	
I have been a member of one or more human rights organizations.	<b>Yes</b>	<b>No</b>	<b>Yes</b>	<b>No</b>
	Specify:.....		Specify:.....	
	.....		.....	
	.....		.....	

<b>20) Please mark each of the lines in the table below, considering your situation in SoE.</b>					
I think the academic freedoms of academics working in the field of human rights have been limited.	I totally disagree	I disagree	Not sure	I agree	I totally agree
I think rights violations in the field of human rights have increased.	I totally disagree	I disagree	Not sure	I agree	I totally agree
I think my academic freedoms have been violated.	I totally disagree	I disagree	Not sure	I agree	I totally agree

<b>21) Have you ever received threats or felt under threat for working in the field of human rights or expressing your opinions? (You can mark more than one option)</b>		
1) Yes, in the SoE <b>(go to Questions 22 &amp; 23)</b>	2) Yes, before the SoE <b>(go to Questions 24)</b>	3) No, never. <b>(go to Questions 24)</b>

<b>22) If you were threatened or felt under threat in the SoE, what or who was the source of this threat? (You can choose more than one option)</b>		
1) Institution administrators	2) Students	3) Academics
4) Rector	5) Department chairperson	6) Press members
7) Civilian authority (governor, district governor)	8) Security forces	9) People I know ( like neighbors etc.)
10) People I do not know	11) Politicians	12) Leader/members of criminal organizations
13) Other.....		

<b>23) If you were threatened or felt under threat in the SoE period, what did you do in the face of this threat? (You can choose more than one option)</b>		
1) I stopped continuing my studies/I had a break with studies	2) I changed the city I live in	3) I left the city I lived in for a while
4) I filed a criminal complaint	5) I left/changed my job	6) I did not do anything
7) Other: .....		

<b>24) Did an academic you know working in the field of human rights receive threats or feel under threat in the SoE?</b>	
1) Yes	2) No

<b>25) Please mark each of the lines in the table below, considering your situation (If you have never used social media, skip this question) in the SoE</b>					
I use social media to share opinion and information	I totally disagree	I disagree	Not sure	I agree	I totally agree
I stopped using it	I totally disagree	I disagree	Not sure	I agree	I totally agree
I avoid using social media to share opinions and information	I totally disagree	I disagree	Not sure	I agree	I totally agree
I have decreased the number of my social media posts	I totally disagree	I disagree	Not sure	I agree	I totally agree
I am worried that I may get into trouble when I share something on social media	I totally disagree	I disagree	Not sure	I agree	I totally agree

26) Please mark each of the lines in the table below, considering your situation in the SoE,					
I am worried that I may face pressures when I express my views in my field to the public.	I totally disagree	I disagree	Not sure	I agree	I totally agree
I am worried that I may be subjected to an investigation or a lawsuit because of my studies in the field of human rights.	I totally disagree	I disagree	Not sure	I agree	I totally agree
I am worried that I may be taken into custody or arrested because of my studies in the field of human rights.	I totally disagree	I disagree	Not sure	I agree	I totally agree

27) Please mark each of the lines in the table below, considering your situation. If you think your academic freedoms were violated in the SoE, where do you think it originates from? <b>If you do not think you haven't experienced any rights violations skip this question.</b>					
Because I work in the field of human rights	I totally disagree	I disagree	Not sure	I agree	I totally agree
Because of my political views	I totally disagree	I disagree	Not sure	I agree	I totally agree
Because I am a signatory of the Peace Petition	I totally disagree	I disagree	Not sure	I agree	I totally agree
Because of my gender	I totally disagree	I disagree	Not sure	I agree	I totally agree
Because of my sexual orientation	I totally disagree	I disagree	Not sure	I agree	I totally agree
Because of my ethnic identify	I totally disagree	I disagree	Not sure	I agree	I totally agree
Because of my lifestyle	I totally disagree	I disagree	Not sure	I agree	I totally agree
Because of my religious identity	I totally disagree	I disagree	Not sure	I agree	I totally agree
Because of my physical disability	I totally disagree	I disagree	Not sure	I agree	I totally agree

**28) Please mark each of the lines in the table below, considering your situation.  
(If you don't work at university anymore, answer the question referring to the period when you were employed at the university)**

**In the SoE period,**

I am/was worried that I could be dismissed because of my studies in the field of human rights.	I totally disagree	I disagree	Not sure	I agree	I totally agree
I can/could make a statement/ give information to the press without getting permission from my superiors in the institution concerned	I totally disagree	I disagree	Not sure	I agree	I totally agree
I am/was appreciated for the studies I a-carried out in the field of human rights by my superiors in my institution or my professors	I totally disagree	I disagree	Not sure	I agree	I totally agree

**If you are just a student please do not answer the questions between 29-39 and continue with Question 40.**

**29) In your (present or previous, if you are not employed because of dismissal or resignations, etc.) university**

1) there was no academic in the field of human rights other than you.	2) there is no human rights center/institute or department but there are other academics working in this field.	3) there is a human rights center/institute/department.
3) there is none.	4) I have no idea.	

**30) Please mark each of the lines in the table below, considering your situation before and after the announcement of SoE.**

	In the SoE		Before the SoE	
	Yes	No	Yes	No
I am a member of a labor union	Yes	No	Yes	No
I encountered suggestions and pressures that I should be a member of a labor union.	Yes	No	Yes	No
I had suggestions and pressures that I should end my membership to a labor union.	Yes	No	Yes	No
I thought of ending my membership to the labor union because of suggestions and pressures.	Yes	No	Yes	No
I ended my membership to the labor union because of suggestions and pressures.	Yes	No	Yes	No
I changed my labor union because of suggestions and pressures.	Yes	No	Yes	No

<b>31) Please mark each of the lines in the table below, considering your situation.          (If you don't work at university anymore, answer the question referring to the period when you were employed at the university)</b>		
Did you have courses about the field of human rights?	Yes (Indicate).....	No
Is/Was there a course about the field of human rights that you opened in the SoE?	Yes (Indicate).....	No
Is/Was there a course about the field of human rights which you closed/ gave up teaching in the SoE?	Yes (Indicate).....	No

<b>32) Did you have any administrative position before the declaration of the SoE (management, department chairperson, etc.)?</b>	
1) Yes	2) No

<b>33) Were you appointed to any of those administrative positions in the SoE period?</b>		
1) Yes (mark the relevant options).		2 No ( <b>Pass on to question 36.</b> )
1) Dean	2) Vice dean	
3) Center/institute manager	4) Center/institute vice director	
5) department chairperson	6) department vice chairperson	
7) Division chairperson	8) Other	

<b>34) Did you resign from one or some of these administrative positions of your own accord in the SoE period?</b>	
1) Yes	2) No

<b>35) Were you forced to resign from one or some of these administrative positions?</b>	
1) Yes	2) No

36) Please mark <b>each</b> of the lines in the table below, considering your situation before and after the SoE.				
<b>Due to the fact that the content or subject of my academic views and/or activities (publications, course content, in-class talks/discussions, exam questions, conferences and seminars, research projects, etc.) were found to be objectionable</b>				
	In the SoE		Before the SoE	
	Yes	No	Yes	No
I had/ am having judicial investigation.				
I had/ am having administrative investigation.				
I received judicial punishment.				
I received administrative punishment				
I was warned verbally or in writing by my administrators.				
My courses were closed/cancelled.				
There were notifications filed against me (to my workplace, BIMER, the police, etc.).				
My courses were inspected by inspectors and my superiors.				

I am/was threatened with dismissal.	Yes	No	Yes	No
I am/was threatened in general.	Yes	No	Yes	No
I am worried about my life safety.	Yes	No	Yes	No
I am/was targeted (in the local, national press and social media, etc.)	Yes	No	Yes	No
My research project was cancelled/suspended/turned down.	Yes	No	Yes	No
My presentation was turned down by the conference organization.	Yes	No	Yes	No
My article was not take into evaluation/ was refused by the journal I applied.	Yes	No	Yes	No
My book was not published by the publishing house.	Yes	No	Yes	No
I was asked to remove /change parts of my publication (article, book, etc.).	Yes	No	Yes	No
The institution where I work did/does not allow me to attend domestic academic events.	Yes	No	Yes	No
The institution where I work did/does not allow me to attend academic events abroad.	Yes	No	Yes	No
The institution where I work did/does not provide me with support for academic events abroad at home or abroad.	Yes	No	Yes	No
I was prevented from attending academic events abroad by the ministry of internal affairs/police (for instance, my passport was cancelled).	Yes	No	Yes	No
I was forced to resign from a committee/jury of which I was a member. (If you do not have any membership of this sort, skip this line)	Yes	No	Yes	No
My employment contract was not renewed/ I was laid off.	Yes	No	Yes	No



I encountered/am encountering obstacles in accessing various archives/libraries/sources of information.	Yes	No	Yes	No
I was mobbed.	Yes	No	Yes	No
I was harassed.	Yes	No	Yes	No
My place of job work changed (I was assigned to another department, faculty, etc.).	Yes	No	Yes	No
My academic duties have been decreased.	Yes	No	Yes	No
My office/ office friend was changed.	Yes	No	Yes	No

<b>37) Please mark each of the lines in the table below, considering the situation before and after the SoE.</b>				
Another academic who I know works in the field of human rights, <b>due to the fact that the content or subject of their academic views and/or activities (publications, course content, in-class talks/discussions, exam questions, conferences and seminars, research projects, etc.) were found to be objectionable</b>				
	In the SoE		Before the SoE	
had/ is having judicial investigation.	Yes	No	Yes	No
had/ is having administrative investigation.	Yes	No	Yes	No
received judicial punishment.	Yes	No	Yes	No

	Yes	No	Yes	No
Received administrative punishment.				
Was warned verbally and in writing by her administrators.	Yes	No	Yes	No
Her courses were closed/removed.	Yes	No	Yes	No
Notifications were filed against her (to her workplace, BİMER, the police, etc.).	Yes	No	Yes	No
Her courses were inspected by inspectors or her superiors.	Yes	No	Yes	No
Was threatened with dismissal.	Yes	No	Yes	No
Was threatened in general.	Yes	No	Yes	No
Is/was targeted (in the local, national press, social media, etc.).	Yes	No	Yes	No
Her research project was cancelled/suspended/turned down.	Yes	No	Yes	No
Her conference presentation was turned down by the conference organization.	Yes	No	Yes	No
Her article was not evaluated/ was turned down by the journal she applied to.	Yes	No	Yes	No
Her book was not published by the publishing house.	Yes	No	Yes	No
She was asked to change/remove parts of her publication (article, book, etc.).	Yes	No	Yes	No
The institution where she works did/does not allow her to attend domestic academic events.	Yes	No	Yes	No
The institution where she works did/does not allow her to attend academic events abroad.	Yes	No	Yes	No
The institution where she works did/does not provide her with support for academic events abroad at home or abroad.	Yes	No	Yes	No

was prevented from attending academic events abroad by the ministry of internal affairs/police (for instance, her passport was cancelled).	Yes	No	Yes	No
I was forced to resign from a committee/jury of which she was a member.	Yes	No	Yes	No
Her employment contract was not renewed/ she was laid off.	Yes	No	Yes	No
encountered/is encountering obstacles in accessing various archives/libraries/sources of information.	Yes	No	Yes	No
Was mobbed.	Yes	No	Yes	No
Was harassed.	Yes	No	Yes	No
Her place of job work changed (She was assigned to another department, faculty, etc.).	Yes	No	Yes	No
Her academic duties have been decreased.	Yes	No	Yes	No
Her office/ office friend was changed.	Yes	No	Yes	No

<b>38) Please mark each of the lines in the table below, considering your own situation.</b>					
<b>Because I am working in the field of human rights in the SoE period (courses, publications, research, thesis, etc.):</b>					
I have been thinking of changing my study topics	I totally disagree	I disagree	Not sure	I agree	I totally agree
I feel under pressure in my publications; I try not to discuss certain issues that are considered delicate, try not to mention certain things	I totally disagree	I disagree	Not sure	I agree	I totally agree

In academic events (conference, symposium, panel, etc.) I feel under pressure	I totally disagree	I disagree	Not sure	I agree	I totally agree
In academic events (conference, symposium, panel, etc.) I try not to discuss certain issues that are considered to be delicate, try not to mention certain things .	I totally disagree	I disagree	Not sure	I agree	I totally agree
I am able to carry out a study on the subject I want	I totally disagree	I disagree	Not sure	I agree	I totally agree
I feel free while sharing my views and knowledge in my academic publications and events	I totally disagree	I disagree	Not sure	I agree	I totally agree

39) Please mark **each** of the lines in the table below, considering **your own situation**.

**If you are not working at the university, answer the question by referring to the period when you worked at the university.**

**Because I am working in the field of human rights in the SoE period (courses, publications, research, thesis, etc.):**

I felt under pressure/threat while preparing course content or teaching	I totally disagree	I disagree	Not sure	I agree	I totally agree
I tried/try not to go into the issues that are considered objectionable while preparing course content or teaching	I totally disagree	I disagree	Not sure	I agree	I totally agree
I could/can carry out my courses in the way I wished	I totally disagree	I disagree	Not sure	I agree	I totally agree
I have/had difficulty in the issues of staff/ academic promotion	I totally disagree	I disagree	Not sure	I agree	I totally agree
I feel /felt defenseless against my superiors	I totally disagree	I disagree	Not sure	I agree	I totally agree
(I think) my employment security has decreased	I totally disagree	I disagree	Not sure	I agree	I totally agree
I am /was afraid of losing my job.	I totally disagree	I disagree	Not sure	I agree	I totally agree
I am having/ had problems with the renewal of my employment contract.	I totally disagree	I disagree	Not sure	I agree	I totally agree

**40) Please mark each of the lines in the table below, considering your own situation.**

	In the SoE		Before the SoE	
	Yes	No	Yes	No
There were pressures and suggestions that I should not choose the courses that deal with issues considered to be objectionable or delicate.				
I tried/try not to choose the courses that deal with issues considered to be objectionable or delicate.				
There were courses closed since the academic views or course content of the lecturer was considered to be “objectionable.”				
We had a lecturer/lecturers who were dismissed with decree laws.				
The courses taught by the lecturers who were dismissed with decree laws were closed.				
I had / have difficulty in choosing courses since there were courses that were closed.				
I try/tried not to choose topics that are considered to be “delicate”/“objectionable” in my assignments or research.				
I think I got low grades in one or more assignment since I dealt with issues that are considered delicate/objectionable.				
While determining my thesis topic I had suggestions/pressures that I should not deal with issues that are considered delicate/objectionable.				
I changed my thesis topic completely or partly since it deals with “delicate”/“objectionable” issues.				
I had suggestions/pressures that I should change my thesis supervisor since his political views/ethnic identity/religious belief/sexual orientation/gender was considered to be objectionable.				
I changed my thesis supervisor since his political views/ethnic identity/religious belief/sexual orientation/gender was considered to be objectionable.				

**41) What are the topics related to the field of human rights that you have been focusing, writing on in the last two years**

**42) In what way do you think the SoE affected academic studies in the field of human rights?**

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