

ISPP Scholars Under Threat
Report of the ISPP International Observation Team, February 2019

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Over the past three years, there has been an ongoing threat to Academic Freedom in Turkey, as the government has forced the dismissal of thousands of scholars at all levels of their careers in retaliation for perceived challenges to the ruling party and president. In particular, more than one thousand academicians signed a January 2016 Peace Petition, calling for an end to war in the Kurdish region, and a negotiated settlement. Following an attempted coup in July 2016, the government has aggressively moved to charge many of the signatories with crimes, and has been holding trials for more than a year. The International Society of Political Psychology (ISPP) has worked on behalf of scholars under threat in Turkey for the past three years, including supporting visits of three observation teams, and raising funds to support those who have lost their positions and need emergency funds.

There remains an urgent need for international financial support for the persecuted academics in Turkey. The ISPP has an information and donation site at: https://www.ispp.org/about/scholars_turkey. Funds received are used directly to support scholars in Turkey who, through actions of the government, have great financial need.

Our International Observation Team¹ arrived in Istanbul to observe a hearing scheduled for February 7, 2019 in the continuing trial of one of ISPP's members, whom we will call Zehra (a pseudonym) in this report. Zehra has been charged with supporting terrorists as a result of signing the Academics for Peace petition (<https://afp.hypotheses.org/documentation/the-peace-declaration>) in January 2016. She is only one of hundreds of academics who have been dismissed from their positions, denied the ability to work or travel, and put on trial in an effort by the government of Turkey to silence its critics.

Our Visit

Upon our arrival in Istanbul we learned that Zehra's trial had been postponed as the government reconsiders the charges it has filed. Apparently they are now considering charges under a different section of Turkish law, Article 301, which

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¹In addition to the ISPP team named above, a former ISPP member, Dr. Denise Powers, joined the team in Istanbul.

makes it illegal to “insult” Turkey, Turkishness, the Turkish nation, and Turkish government institutions (details of Article 301 can be found here: <https://www.refworld.org/pdfid/44c611504.pdf>).

Zehra was given little notice, and her attorney had not even been informed when she received a notice via an SMS message that the trial has been stopped. She learned the judges and prosecutor had an 'interlocutory hearing' without her or her lawyer. An interim decision was made to consolidate all the cases of other peace academics being tried in that court under Article 301. When she was originally charged, Zehra's passport was cancelled like many others who have been dismissed from their positions by a government decree. They have no chance to work in Turkey due to their dismissals, nor they can find a way to go abroad to pursue their careers.

It is unknown at this time what the implications are of this new approach to charging academics. The Article 301 charge may be in addition to existing charges, putting our colleagues into even greater jeopardy. But at this point, we simply do not know.

As a result, we were unable to observe our ISPP colleague's trial. Instead, we had the opportunity to attend two other trials and a press conference held before the trials by supporters of one of the persecuted academics. We also met and spoke with a number of scholars who have been impacted by the government's move against academic freedom. This included senior scholars, including two of the four academics who were jailed in the early days of the government crackdown, and several younger colleagues who are still working on their Ph.D's but now have no means to continue to do so.

The sense of solidarity we felt is inspiring. Dozens of supporters were present at the trials and at the press conference held in the morning. Both courtrooms were overflowing with people who had come on behalf of the scholars who were being tried. In fact, one of the trials was moved to the afternoon and a much larger courtroom to accommodate all of the people wishing to be present. Even so, all seats were filled and people stood in the aisle. The solidarity among those who were there was palpable. Even in the worst of circumstances, they continue to support each other.

Of course, we only spent one day together and as outsiders we are probably seeing the best side of things on days like this. Yet, their identities as scholars seem to be strong and despite the situation they are in, they are thinking about new research projects. They are not the silenced or cowed academics that the government would like them to be. The spirits of those at the Palace of Justice were high, despite the all but certain convictions those who are charge face, and the disruption to their lives, and their families, that the government's purge has caused. This is all the more interesting to us, given that everyone we asked about signing the petition said they did not expect serious repercussions since the text of the petition was so neutrally formulated and they were simply expressing their thoughts about the need for peace.

Trial 1

The first trial we attended was of a medical school professor for whom this was the final defense before the court passed judgement.

Our observations in the courtroom mirror many of those made by our colleagues a few months earlier (<https://medium.com/@PolPsyISPP/report-of-the-international-observers-in-turkey-2d8c73a04652>) in

the sense that the panel of judges did not seem to be very attentive to the case in front of them, but instead were playing with their mobile phones and working on their laptops. At least no one seemed to be sleeping. Nonetheless, we had the distinct – and we suspect accurate – impression that these public hearings are mainly for show. Judges appear to read from scripts, and it does not really seem to matter what the defense has to say. In fact, at one point during this case, the defense attorney directly accused the judges of not listening, and in fact, beginning to look at the next case.

We were told that the defense attorney in this case is a well-known, highly respected attorney, who herself has been targeted by the court. Following denial of her request for an audio recording to be made, she began to make the case for her client, arguing (as we understood it) that (1) the course was not unbiased, and that a fair hearing could not be held under these judges, and (2) that the call for peace and the defense of human rights, as expressed in the petition, is not “terrorist propaganda” and in fact is a statement of truth, with is an absolute defense under the European Court of Human Rights. At one point during her argument, the chief judge interrupted and told the attorney to finish. She responded, “I have only just started” to which the judge replied, “you have told us all of this before, we’ve read it before.” Nevertheless, she persisted and gave a powerful, passionate defense.

Once the defense statement was completed, the judges cleared the courtroom to confer before making their judgement. They deliberated for fewer than five minutes before we re-entered to find them laughing among themselves. The chief judge then pronounced the defendant guilty, and sentenced her to 15 months in jail, deferred for five years. He smirked, smiled, and outright laughed as he did so, teasing that the court had made a different decision before imposing the same penalty others have received.

Afterwards, the group gathered in the hallway for a picture, with the defendant and her supporters smiling and laughing for pictures. Why? Because, it was said, the judge may laugh at us, so we will laugh right back at him.

Trial 2

The second trial was of a well-known scientist and signatory of the Peace Petition, Bülent Şık. Unlike others, he was being tried for stealing state secrets. This came about when the Ministry of Health suppressed his research findings about cancerous agents in the food and water supply, and he published them anyway, as he sees it as part of his responsibility as a scientist towards society. More information on the case can be found at <https://m.bianet.org/english/media/204102-lawsuit-against-bulent-sik-due-to-his-article-series-on-cancer-research-results>. This was his first hearing, which was taking place in criminal court.

There is a great deal of interest in this case, and when the court room opened, people rushed through the doors in order to get a seat. In contrast to the trial we observed in the morning, there was only one judge and no prosecutor. Prof. Şık was accompanied by about 20 lawyers; one whom appeared to be his primary defense lawyer. We understand the others were representatives of the bar from the various regions in which Prof. Şık had carried out his research. As the trial proceeded, each one made a statement about the importance of the work and the need to protect public health, calling on the Court to dismiss the charges. In sum, they all said, instead of committing a crime, Prof. Şık fulfilled his duty to society as a scientist in protection of public health. What about the rights of those who were poisoned, who get cancer, they asked?

Prof. Şık's defense statement was an elaborate presentation of the research projects in which he was involved, including a discussion of the scope, methods, and findings, even illustrated with graphs. But the core defense argument was quite simple in many ways: the data Prof. Şık had gathered was true, and that in reporting the truth there can be no criminality. Moreover, no government secrets had been stolen; the data were collected by Prof. Şık and thus never a government secret to begin with. We were particularly struck

by this part of his statement: "As a scientist, it is my responsibility to struggle to protect our country's livability, with its soil, water, and flora." An English language summary of the hearing can be found at: <https://medyavehukuk.org/en/bulent-sik-not-acquitted-during-his-first-hearing>.

As Prof. Şık made his defense, the judge seemed rather bored about the whole thing. Our sense is she was not happy about needing to listen to the lengthy defense when it would really make little difference to the outcome.

Following the defense, the judge ordered the courtroom cleared while she deliberated over the demands for immediate acquittal. About five minutes later, she had the doors reopened and gave her decision: no acquittal and the case is continued until May 30.

Other findings

Denigration of the Social Sciences

Above and beyond the exclusion of academics from their jobs, we learned of another troubling trend taking place in Turkey. A number of universities have been split in two with the medical and science faculties remaining in the existing universities, while the social sciences are becoming part of new universities that have no past credentials or prestige. This endeavour is presumably designed to further denigrate the value of social sciences.

Institutionalized Efforts to Report Government Critics

We also learned of a website where people can report others when they are critical of the government (and other issues), which is often followed by an investigation. Anyone can make such a report, even anonymously, with no real opportunity for the person reported to respond. A colleague in Turkey provided more detail, telling us:

The government has demanded the Interior Ministry and Higher Education Council collaborate to build a system of espionage and snitching. It is called CİMER, which apparently used to be used by the government to provide a kind of 'consumer feedback about the government institutions.' President Erdogan made a call to citizens to report those 'acting against government' and the system of Presidency Communication Center turned into a mechanism for snitching. Both media and academia is under censure through this system. See the following link that provide some 'ironic' information about this: <https://www.ft.com/content/6af8aaea-0906-11e7-97d1-5e720a26771b>.

As an example, one academic from Istanbul Bilgi University was sacked from the university with a charge of insulting the president and it was revealed that she has been 'reported' to CİMER by a student who claimed that she used rude expressions toward the president:

<https://bianet.org/english/freedom-of-expression/175905-bilgi-university-lays-off-academic-over-insulting-president> and <https://www.independent.co.uk/news/world/europe/turkey-erdogan-president-academic-sacked-dismissed-insulting-leader-academic-freedom-a7093146.html>

These two recent trends are cause for great concern, over and above what was already happening.

An update from Zehra on the Article 301 charges. She writes:

We still do not know whether the other courts would have the same tendency and change the charge from terror propaganda to 301. Some academics are still sentenced to 15 months with accusation of terror propaganda. Today, there was a shocking additional decision in one of the trails of a Peace Academic, which in addition to the 15-month deferred sentence, the judge also declared the liability to the verdict to “make a visit to the family of a martyr - a police officer who has been killed in the Kurdish region in 2015.” This decision is an indicator of a tendency to make a hierarchy between the deaths of Kurdish civilians and Turkish soldiers/officers. It seems that Judith Butler's well-known question of “whose lives are grievable” is grounded in terms of government's policies; to purge its opponents!

Reflections From the Observation Team

As mentioned above, we felt a strong sense of solidarity among the academics and their supporters. But there is, of course, a very dark side to this. We met with a number of academics, but not with anyone whose spirit has been broken, whose family had abandoned them, and who have decided to stay out of the public eye. And we are convinced there are many of these. The Peace Academics group, we were told, does its best to stay in contact with all of the 1,128 signatories to the petition, but this can be difficult or even impossible in some cases. We were told that at least one signatory has committed suicide.

These trials have been going on for over a year, and most individual trials get delayed and continued, requiring multiple appearances in a courtroom in Istanbul, which can be a burden since most do not live in the city. The government appears to be doing this purposely, to make the burden higher, to continue the uncertainty as long as possible. It may also be that delay is useful to limit the chances that the accused can go to the European Court of Human Rights (ECHR). Turkey ratified the European Convention on Human Rights in 1954 and as such is under the jurisdiction of the ECHR. Those convicted in Turkey may have the right to appeal to that Court. However, appeals that have been made to the ECHR have so far been denied because the legal processes within Turkey itself have not been exhausted. The longer the trials are continued within Turkey, the longer the accused have to wait until they have recourse to the ECHR.

One thing that surprised us for both trials that we attended was that the court made some accommodations for the audience to attend the trial. Bülent Şık's hearing was moved to the afternoon, when a bigger room would be available. Also at the first trial we expected authorities would tell those for whom there were no seats to wait outside. Instead, they were allowed to stand in the aisle. With this, as well as the other "procedural correctness" we observed (i.e. there is a possibility to appeal, the

defendant's lawyer can make an argument, ...) the trials seem to be correct, open and transparent maybe -- until one listens to what is being said (the judge urging the defense lawyer to hurry up and summarize her statement when she just started), or look at the non-verbal behavior (being occupied with their phone/laptops and otherwise not paying attention). It is clear that the government has some concern for process, and the very fact that the trials are open and we, as international observers, can attend, shows this. But we must not confuse process with outcomes, which are clearly pre-ordained.

Responses to our visit from colleagues in Turkey

Visits by international observers are important to those in Turkey who have been caught up in the government's purge. Everyone we met thanked us for being there, and while we understand that our presence did not change the outcome of any trial, it was made clear that the Turkish government recognizes that the eyes of the world are upon them when international observers are there. Some of the comments we received include these two:

It is very valuable that you came all the way from the US and the UK (I believe) to be with us at Caglayan and help us in making this incredible witch hunt and crash on oppositional academia more visible and public.

I should also add that the presence of the observers in the court day means a lot to us.

And one very telling comment, not so much about our being there, but about the situation overall, sums things up better than we can. This comes from a young academic whose Ph.D. studies have been stopped, and who now has to rely on family support for day-to-day living:

“We may lose our jobs, our families, our connections, but we have to stand for human rights. If we don't, there is no *us*.”

Next Steps

ISPP continues to monitor the situation in Turkey and provide both moral and financial support as much as possible to our colleagues there who have been dismissed and left with no options. We anticipate continuing to send international observation teams when possible, to ensure that what happens in Turkey is visible to the rest of the world. At the 2019 ISPP Conference in Lisbon, President David Redlawsk will highlight the attacks on Academic Freedom in Turkey and elsewhere, through his Presidential Address. We have also invited a panel on Scholars Under Threat as part of the ISPP program.

There remains an urgent need for international financial support for the persecuted academics in Turkey. The ISPP has an information and donation site at: https://www.ispp.org/about/scholars_turkey. Funds received are used directly to support scholars in Turkey who, through actions of the government, have great financial need.

Additional Background information

Prior to our visit, we received information about the current status of Academics for Peace cases. This can be found at the following web pages:

<https://afp.hypotheses.org/>
<https://bianet.org/konu/trial-of-academics>
<https://internationalsolidarity4academic.tumblr.com/>

We reviewed two recent evaluations about one specific case and one statement from the Council of Europe, about the situation in Turkey:

<https://verfassungsblog.de/academics-for-peace-and-their-freedom-of-expression/>
<https://m.bianet.org/english/human-rights/203273-life-in-turkey-becomes-impossible-for-some-people>

The “Bill of Indictment” which has been virtually identical across all of those charged for signing the Peace Petition, may be found at <https://afp.hypotheses.org/documentation/bill-of-indictment>. It is important to note, however, that each of the academics has been charged individually.

Following our visit, we received additional information from one of the original four academics who were arrested and jailed for 40 days in March 2016. Their story is available at the end of this report and in part at <https://afp.hypotheses.org/documentation/the-case-against-four-academics>.

The Academics for Peace website details outcomes for many trials, and gives a fairly complete picture of the crackdown by the government against academics:
<https://www.barisicinakademisyenler.net/English>.

Updated numbers on human rights violations since the "we will not be a party to this crime" petition release in Jan 11, 2016 are recorded at: <https://barisicinakademisyenler.net/node/314>

The first case against signatories of the petition for Peace

"A brief synopsis of how we ended up in prison and ended 'out of prison'" from June 2016

Details about our case:

On the 11th of January 2016, a big group of academics held a press conference to declare their concerns about state acts in the Kurdish regions (see <https://barisicinakademisyenler.net/node/63>).



This petition was signed 1128 academics from 89 different universities all over Turkey. The next day both Erdogan and a mafia leader cursed us, the latter threatened to bath in our blood, and the entire pro-government media together with a side institution of the Council of Higher Education launched a witch hunt against us. Meanwhile, an additional 1000 academics signed the petition so that we ended up with 2212 signatories.

Since January 11, signatories have been going through 400+ disciplinary investigations, many legal investigations (for details see table & visual below), were threatened both within their university by some students and outside by locals.

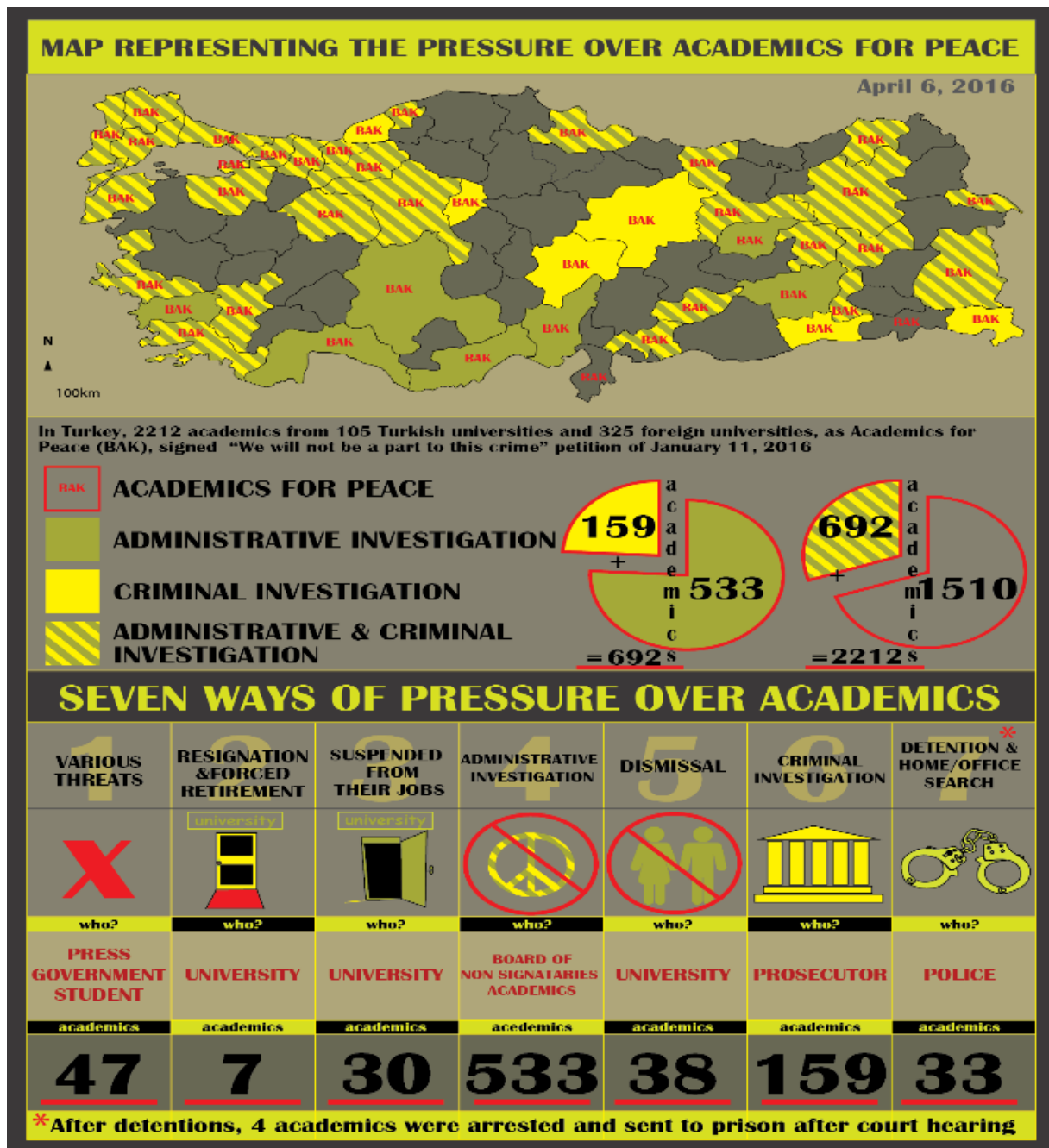
Rights violations against "Academics for Peace"

	Public	Private	Total
Dismissal*	108	34	142
Resignation	9	7	16
Forced Retirement	0	1	1
Disciplinary Investigation	421	63	484
Disciplinary investigations. Decision of the Investigation Committee: Dismissal from public service. Pending CoHE (YÖK) approval.	45	5	50
Preventive suspension	66	11	77
Suspension from administrative duty	3	4	7
Police custody	41	3	44
Pre-trial detention**	2	2	4

* Among Peace Petition signatories, 83 academics are removed and banned from public service. Also, at least 63 PhD students within the Faculty Training Program suffer from rights violations due to changes in the program by government decrees.

** 3 academics had to stay in pre-trial detention for 40 days and 1 for 22 days until they were released after the first court hearing.

Info-graphics (Numbers are from June 04, 2016, unfortunately we do not have an updated version of it):



(A beautiful article on this can be found here, but it is in French; <https://csu.hypotheses.org/115> ; it has been written by one of our signatories)

On March 10, 2016, we signatories decided to inform the Turkish public about the witch hunt with all the numbers, about the fact that in contrast to what the pro-government media was saying (i.e., they tried to give the impression as if with the threats hundreds of signatories retracted their signatures whereas in reality only very few did so, while +1000 signatories got added) the number of signatories had increased meanwhile from 1128 to 2212, and that we still stood behind what we signed (for the entire text, see attached petition of March 10, 2016). A second press conference was held this time by the Academics4Peace Istanbul group. Myself, Meral Camci (professor of translational studies, dismissed

from her university, Yeni Yuzyil University since February 2016), Muzaffer Kaya (professor of social services, likewise dismissed from his university Nisantasi University, since February 2016), and Kivanc Ersoy (professor of mathematics at Mimar Sinan University) volunteered to read the press release.



March 14, Monday, I went to teach my class only to hear that the police came to my house to arrest me. A prosecutor, apparently, had written an order that we be arrested. That very day our lawyers immediately contacted the Police department to inform them that the three of us (Meral Camci was in Paris at the time) would come to give their statements to the prosecutor. The prosecutor did not show up so we were kept in custody at the Police dept. on March 13. The next morning we were taken to court and around noon we testified only to hear that the prosecutor decided us to be sent to a tribunal. The tribunal decided that we should be arrested because we might escape (!), ridiculous that we remained in the country despite the witch hunt since Jan 12, and hide evidence (which is also ridiculous because our “evidence” is public, both press releases, nothing more). See: <http://www.nature.com/news/turkish-academics-jailed-for-making-terrorism-propaganda-1.19586>

So this way our 40-day detention started. I was immediately put into solitary confinement, the same was later practiced on my two male colleagues who were sent to a different prison for men. But incredible acts of solidarity started immediately after the arrest. My university with all its 450 academics wrote a statement in support of me and my arrested colleagues urgently calling for the protection of free thought and speech, particularly regarding academia (see photo below).



Our students filled my classroom which I was to teach on March 16 to protest the detentions.



And beginning March 17, the entire faculty of Bogazici University started to hold vigils day by day, each group reporting the events of the day. Likewise, Academics4Peace joined the vigils which grew ever larger with each day. People "from the street" as well as unions, political groups, women groups, LGBTI groups, all came in support for us and my colleagues in the men's prison.



(this is one of the vigils in front of the men's prison.)

March 30, our colleague who was in Paris returned, knowing that she would also be arrested. She went to court the next day and once more the prosecutor sent her to the tribunal who decided to detain her too, given that she, too could escape (now even more ridiculous and argument given that she came back on her own will!) and hide evidence (see comment above).

Meanwhile public pressure and pressure through members of parliament pushed the prison to end both my and my male colleagues' solitary confinement so that after 12 days I could transfer to a ward of women who belonged to various political organizations (called "illegal" by the state). My colleague Meral joined us so we spent the remaining days there up until our trial on April 22 where we got released.







Academics Kivanc Ersoy and Muzaffer Kaya, fresh out of the Silivri Prison (for men)

Our next hearing will be September 27, of course, anything can happen. :)