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A symbiotic relationship between academic freedom and liberal democracy: The case of higher education in Turkey

Ayla Göl¹

Abstract

This chapter argues that academic freedom has a *symbiotic relationship* with democracy in Turkey. In other words, academic freedom is necessary for democracy while simultaneously being conditioned by it. This argument is based on three assumptions: First, the existence of academic freedom is crucial for liberal democracy because it is part of civil liberties and individual rights within the Higher Education (HE) sector. Second, academic institutions play a major role in educating citizens and creating public spaces for democratic debates in any given society. Third, the freedom of academics and universities is an essential condition for democratisation. After briefly defining what academic freedom is, the first section traces the origins of Turkish HE in the context of the Ottoman Empire's Westernisation and foreign relations that academic freedom was introduced as part of modernisation process. The second section unpacks the paradoxical association between university reforms and military coups in Turkey. In order to reveal the symbiotic relationship, the third section analyses the relationship between the attacks on academic freedom and the rise of illiberal democracy under the Justice and Development Party (*Adalet ve Kalkınma Partisi* - AKP) rule within the neo-liberal order. The article concludes by arguing that the attacks on academic freedom reflect Turkey's deepening democratic backsliding in the twenty-first century.

Key Words

Academic freedom, illiberal democracy, higher education, the AKP, Turkey

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Introduction

Academic freedom was in all but name in the history of modern Turkey, but never as irremediable during the Justice and Development Party (*Adalet ve Kalkınma Partisi* - AKP) rule. Throughout the twentieth century general progress in the protection of civil liberties and individual rights actively supported academic freedom as an integral part of democracy and human rights globally. A century later both academic freedom and civil liberties are increasingly under attack worldwide. Historically, academics that took part in reform and democracy movements in different parts of the world, including Europe, South America, Asia, and the Middle East have been consistently silenced and jailed by the governments. While authoritarian regimes silence critical academics, dissident intellectuals and clamp down on civil liberties the corner stone of any democracy is the pursuit of truth and, hence, public debates and transparency. Universities promote research and learning that attempts to expand the collective knowledge for human progress and social change. In this context, universities not only produce knowledge and research but also educate students, who shape the future of countries and next generations by learning how to be governed and the rules of governing democratically.

This chapter argues that academic freedom has a *symbiotic relationship* with democracy in Turkey. In other words, academic freedom is necessary for democracy while simultaneously being conditioned by it. By applying a Saidian lens, I advocate that academic freedom depends on the autonomy and accountability of the Higher Education (HE) institutions, within which universities have crucial roles as platforms of objective knowledge, pursuit of truth and public debates that reflect a society's 'democratic, secular and open character' (Said 2004, 22). This argument is based on three assumptions: First, the existence of academic freedom is crucial for liberal democracy because it is part of civil liberties and individual rights within the HE sector. Second, academic institutions play a major role in educating citizens and creating public spaces for democratic debates in any given society. In Turkey, university reforms were paradoxically introduced under the tutelage of military. Third, the freedom of academics and universities is an essential condition for democratisation. The universities should not be influenced or pressurised by any group – governments, funding bodies or individuals – who are usually convinced of the rightness of their positions in the name of either national, religious, political, patriotic, philosophical or scientific and moral grounds. On the contrary, there is plenty of evidence to show the various forms of pressures and restrictions have been imposed on the academy across the world, as extensively examined in the literature (Kassimier 2009; Hudson 2016; Bilgrami and Cole 2016; Lackey 2018). Turkey is one of the worst-cases in the erosion of academic freedom, as analysed in this chapter.

After briefly examining the preconditions of academic freedom, the first section traces the origins of Turkish HE in the context of the Ottoman Empire's Westernisation and foreign relations that academic freedom was introduced as part of modernisation process. The second section then unpacks the paradoxical association between university reforms and military coups in Turkey. In order to reveal the symbiotic relationship, the third section analyses the relationship between the attacks on academic freedoms and the rise of illiberal democracy under the AKP rule within the neo-liberal order. The article concludes by arguing that the attacks on academic freedom reflect Turkey's deepening democratic backsliding in the twenty-first century.

1. The Origins of Academic Freedom

The idea of ‘academic freedom’ is commonly perceived as a threat by the governments in weak democracies. Despite the United Nations (UN) initiatives, there is no internationally agreed definition. Academic freedom sounds like a straightforward idea in essence but proves to be difficult to reach a globally agreed definition. As a concept, it is modern and Western that originated from the ‘research-oriented’ Humboldt University of Germany in the nineteenth century. Initially, academic freedom was embedded within the notions of *Lehrfreiheit* - freedom to teach – and *Lernfreiheit* – freedom to learn (UNESCO-IAU 1998, 5). From the beginning of its inception, therefore, the idea of academic freedom was related to the HE, within which the university – academe – was given a special place in the construction of knowledge and pursuit of ‘the truth’ (UNESCO-IAU 1998). Hence, whether state or church, the authorities were assumed to guarantee universities a special degree of autonomy ‘to fulfil their functions without discrimination of any kind and without fear of interference or repression from the State or any other source’ (The Lima Declaration – LD – 1988, 2). Historically, the object of the German university system was based on an idea of the determined, methodological and independent search for ‘truth’. German professors were more than pedagogues and disciplinarians to value the freedom of teaching and research as the essential condition of a university (Stone 2015, 4).

1.1 Preconditions of Academic freedom

At international level, a generally accepted definition has not existed until the end of twentieth century when the Lima Declaration and then UNESCO took the lead to frame the borders of academic freedom. In 1988, the Lima Declaration identified academic freedom as a ‘human right of special importance to the higher education sector’ (LD 1988, 1). In 1997, the UNESCO Recommendation defined the autonomy of university as the institutional form of academic freedom in HE. Consequently, ‘the university autonomy’ is set as a necessary precondition of academic freedom (UNESCO 1997). In this context, academic freedom refers not only to the freedom of faculty members but also to the freedom of all members of the ‘academic community’, which ‘covers all those persons teaching, studying, researching and working at an institution of higher education’ (LD 1988, 2).

In this chapter, the UNESCO’s generally agreed simple definition is accepted: ‘academic freedom refers to the freedom of members of the academic community, which includes scholars, teachers, and students, who pursue their scholarly activities within a framework determined by that particular from the outside’ (UNESCO-IAU 1998). Within this broad definition, academic freedom is a more compressive term to cover the followings: the freedom of expression, learning, teaching, and research; the autonomy of university and its associated individual rights and freedoms; job security and economic freedom; and the right for equal participation in decision-making processes (Seggie and Gökbel 2014, 10). It has become clear over the years that the lack of an agreed definition makes academics vulnerable and universities to be manipulated by socio-economic and political agendas in many countries. The absence of legal framework puts the academics even at a great risk in authoritarian regimes. Although scholars cannot agree how to define the borders of academic freedom in the literature, they have a consensus that academic freedom is a requirement of liberal democracy and *symbiotically* linked to its progress (Summak 1998; Karran 2009). On the one hand, academic freedom may be exercised and implemented fully only in socio-political milieu that have internalized the rules of democracy. On the other hand, academic freedom mirrors the freedom of civil, political and individual rights onto the university; its existence is necessary for the critical progress of democracy in any given society. When academic research and ideas are considered as the search

for new perspectives on controversial topics and as contributions to the quest for ‘the truth’ it becomes the hallmark of strong democracies.

Hence, the main goals of universities are the pursuit of truth, the pedagogical practices of conveying the truth and the role of setting students on the path of discovering further truths in their own future (Bilgrami 2015, 11). In democratic societies, the freedoms of individual rights are exercised as an integral part of human rights that the level of academic freedom increases concurrently. On the contrary, in weak democracies the ideas and critical voices of academics are usually perceived as a threat to the regime and the system in general (Seggie and Gökbel 2014, 12). When academic freedom is violated in a weak democracy it becomes even more difficult to reach a consensus over a common definition. Unsurprisingly, in Turkey, there is neither a clear definition nor a strong awareness of academic freedom that reflects the poverty of Turkish democracy. In Turkish language, the terms ‘university autonomy’, ‘scientific self-governance’ and ‘academic freedom’ is used interchangeable. The next section traces the origins of Turkish HE back to the era of Ottoman reformations as part of its westernisation in international relations.

1.2 The Impact of Ottoman Empire’s Modernisation on the HE

The Islamic Ottoman Empire was the most unusual place to be influenced by the German university system in the nineteenth century. Retrospectively, the period after the Royal *Tanzimat* – reformation – Decree of 1839 sowed the first seed for the idea of higher education. Although the Ottoman Empire’s decision to catch up with European powers was initially limited to the army’s modernisation it had an indirect impact on the higher education by opening schools to train the imperial and army officers (Weiker 1962, 280). Therefore, I argue that the empire’s initial HE institutions were influenced by the Western model as part of its modernisation policies during the second half of the nineteenth century. The earliest initiatives were in the fields of military and medical schools that offered nominally modern curricula.

The best example was the establishment of *Galatasaray Lisesi* on French *Lyceé* model in 1868 after the Franco-Ottoman diplomatic agreement. A year later, ‘the General Education Regulation of 1869 (*Maarif-i Umumiye Nizamnamesi*) announced that primary education would be compulsory and free for all citizens.’ This never actualised but remained as an aspiration of modernisation ‘to accept the responsibility of educating its citizens’ (Gök 2002, 247). When the Ottoman reformers gained power they opened the following high schools: a school of public administration for training civil servants (*Mülkiye* was established in 1859), with further expansions to the areas of finance (1878), law (1878), fine arts (1879), commerce (1882), customs (1892) and an improved new medical school (1898) (Weiker 1962, 280). In 1900, the first prototype of a university (*Dar-ül-Fünûn*) was established in Istanbul, after previously failed initiatives in 1846, 1870 and 1879 as part of the Ottoman reforms. These attempts were direct consequences of the empire’s need to modernise its military and educate soldiers inspired by the Western model. This necessity remained as one of the major goals of the Turkish nationalists during the twentieth century.

With the collapse of the Ottoman Empire at the end of World War I the founding father of modern Turkey, Mustafa Kemal Atatürk, identified the crucial role of education for the country’s future. One of Atatürk’s decisions was to invite Professor Albert Malche from Switzerland to review the Ottoman education system and make recommendations for the establishment of Turkish HE. Based on Malche’s suggestions, Turkish nationalists initiated a

model developed by Humboldt University, which had implications for early concerns of resembling to academic freedom in the early Republican era (Seggie and Gökbel 2014, 18).

1.3 The establishment of HE and the early Turkish Republic

When the Turkish Republic was declared in April 1923 education was at the centre of nationalism and modernisation policies. The Ministry of Education issued a circular in December 1923, which tasked schools ‘to indoctrinate loyalty to the Republican principles’ during the nation-building process (Akyüz 1993, 286). In 1924, the Law on Unification of Education was a critical step to modernize and nationalize the education system, inspired by the Western ‘secular’ model. The change was extended to the HE and the universities enjoyed a relative degree of autonomy for the first decade of the Republic. However, university reforms were inadequate and academic freedom was infantile during the new Republic’s single party era (1923-1945).

Following Malche’s earlier recommendations, a university reform was introduced in accordance with Law 2252. In 1933, the Turkish government undertook a thorough overhaul of HE, and began to exercise close control over the universities. First, the modern Istanbul University replaced the Ottoman *Dar-ül-Fünûn* (Weiker 1962, 280). The next step of modernizing the HE was hiring a large contingent of German professors who had escaped from the Hitler regime. In the 1930s, Turkey’s engagement with the Humboldtian model introduced the idea of academic freedom as part of the fundamental principles of learning, teaching and research. When Atatürk died in 1938, reforming the HE system remained crucial for educating secular citizens as part of Turkish modernisation and nation-building process. When Turkey welcomed many German academics in exile during the Second World War (1939-45) there was a brief awareness of academic freedom in newly established universities. However, following decades showed that Turkish governments reluctantly engaged with academic freedom and implemented legal regulations to control it under the name of ‘university reforms’ in 1946, 1960, 1973, 1981 and 2013, as will be explained further.

Within this historical background, it is clear that Turkish HE’s evolution was linked to its modernisation and shaped by two competing models of Germany and US. To begin with, the German system is based on the assumption that academic freedom defines the true university. While this understanding was the German model’s main contribution to the American system there were stark differences between the two traditions (Stone 2015, 5): First, the German system allowed scholars to share their own views and wisdom with students; the American system propagated the academic neutrality on controversial issues. Second, while ‘the German conception of academic freedom distinguished sharply between freedom within and freedom outside the university’ American professors rejected this separation. Inspired by the promotion of liberties and freedom of speech, many American scholars insisted on participating in social and political activities, especially on controversial subjects outside the university walls. This approach implied the expectations that the academics should be immune not only what they say within the walls of classrooms and in their research but also what they contribute to public debates. These contradictions continued until World War II though interrupted between the two world wars.

After World War II, Turkey accepted a multi-party system in 1946. The Universities Law was introduced in line with the aspirations of democratisation. For the first time, the academic institutions were allowed to elect the University Senates and an Inter-University Board

independently, with the exclusive right to judge for their actions or views (Weiker 1962, 281). The new law organized the Turkish universities on the German model that set up chairs in separate subjects, with a cadre of junior academics to supplement the professors, who held the chair. During this period, while the numbers of HEIs and academics increased another problem occurred: Turkish university system did not have a mandatory retirement provision, and therefore, the possibilities of promotion were severely limited, except either the professor who held the chair died or rarely new chairs created. The initial HE reforms in 1933 and 1946 were historically embedded and twined with Turkey's social and political crises during the Republican era: the HE reforms of 1933 was part of the single party era; the 1946 reform was an integral part of the transition to the multi-party system that reflected Turkey's engagement in democratisation.

At international level, the post-war issues and concerns on academic freedom resurfaced in Germany and US, but with divergence: the anti-Semitic attacks were the Nazi Germany's trademark while the violations of academic freedoms took an American twist with a vengeance during McCarthyism in the late 1940s. Under the influence of the Cold War politics, some faculty members were accused of Communist sympathies and actively excluded from participation in academic community at many prominent American universities. As extensively covered in the literature on the era of McCarthyism, some were actively complicit in the campaign to purge by their institutions of alleged subversions of academic freedom (Giroux 2006). This brief comparison of German and American systems is relevant to Turkey for two reasons: to understand why the pendulum of modernising Turkey's HE system swung in-between the two opposing models and to explain how the vulnerability of academic freedom in both contexts mirrored the progress of academic freedom in Turkey. The next section demonstrates how university reforms were paradoxically introduced under the tutelage of military during the Cold War.

2. A Paradoxical Relationship between military coups and university reforms

Throughout the twentieth century, the pendulum of academic freedom swung from one end to the other by the motion of democratic backsliding when the military coups intervened in Turkish politics almost every decade in 1960, 1973 and 1980. Despite the transition to a multi-party system in 1946, Turkish democracy was founded on shaky grounds and shadowed under the Cold War politics.

2.1 The impact of Turkish-American relations on the HE

The US promotion of democracy and higher education connection can be traced in Turkish-American relations during the Cold War. As part of American foreign policy under the Democratic President H. S Truman, Turkey and Greece were included in the Truman Doctrine of 1948 to contain Soviet geopolitical expansion and communist threat. Afterwards, Turkey became a member of the Council of Europe (1949) and that of NATO (1952). Turkey then applied as an associate member of European Economic Community (EEC) in 1959.² When the Democrat Party under the leadership of Adnan Menderes was elected it was a period of relaxation from the one-party rule of Atatürk's Republican People's Party (RPP) and pressure of Turkish secularization. Initially, academics supported the first-democratically elected

² The original foundations of the EEC would be incorporated into a wider framework under its current name EU in 1993.

Menderes government (Weiker 1962, 283). Menderes government's pro-American policies had direct impacts on the Turkish HE system.

In particular, the Turkish-American Robert College, which was opened in 1860 during the Ottoman *Tanzimat* era, became part of a larger HE institution with the opening of the Bosphorus University – *Bogazici Universitesi* – in Istanbul; and the Middle East Technical University (METU – *Ortadogu Teknik Universitesi*) in Ankara in 1956. Unsurprisingly, METU received financial support mostly from the US foundations and based its university structure to the American model. It was the first modern Turkish university in the new capital (Weiker 1962, 280). All teaching was in English language and its curriculum concentrated on the social sciences, humanities, sociology, and public administration. It is important to note that both *Bogazici* and METU are state universities and still in service, as two leading Turkish academic institutions in 2022.

When METU was established it was expected to become a centre for the American model of HE for the entire Middle East. It was not a coincidence that it had its own Board of Trustees; independent of direct government control unlike other Turkish universities. The members of teaching staff were mostly American and European. METU's modern teaching practices and administrative structure were presented as an aspiring model to reform other education systems in the region. METU was an example not only for reforming HE institutions and also promoting the American values and political ideals in the Middle East (Weiker 1962, 293). The rule of liberal democracy was one of the key values to promote via education, which complemented Washington's policies of including Turkey within the American-led international political and military institutions. Hence, the symbiotic relationship between democracy and higher education reforms has its origins in Turkish-American relations.

Following Turkey's participation to the NATO and increasing the US interests in keeping Ankara within the anti-communist bloc religion was also put back on the political agenda. In the second half of the 1950s, the Menderes government was heavily criticised for easing off the censure of religion. The government's worsening relations with the opposition and the press followed by three new HE laws that restricted universities' autonomy over their budgets, compulsory retirement age and the dismissal with no right of appeal. Consequently, academics joined the critics of the government that the new laws restricted the academic freedom. The Menderes government's reaction was a policy of repression of all criticisms and putting many journalists in jails. Such political turmoil led to Turkey's first military coup in 1960 that interrupted its fledging democracy.

2.2 The military coups of 1960 and 1971

In April 1960, the government opened an investigation of the opposition and suspended political activities. In response, the university students took to the streets for the first time in Turkish history. Many university professors made open public statements that the government's actions were unconstitutional and they unconditionally supported the student protests. It turned out to be one of the worst events in Turkish history. The government accused the universities in Ankara and Istanbul of becoming the virtual fortresses of the RPP and centres of disseminating dangerous information. A month later, the Army overthrew the Democrat Party government on 27 May 1960 and executed Prime Minister Menderes by hanging along with two further cabinet members Fatin Rustu Zorlu and Hasan Polatkan in 17 September 1961 (Doğantekin 2019). It was the darkest moment of Turkish democracy. When civilian cabinet was reformed it, ironically, relied on the faculties of Ankara and Istanbul Universities for

personal to act as political advisers. The new cabinet included several professors from among those not closely identified with any political party. Another group of Law professors were selected to write Turkey's new Constitution and organize a State Planning Board, etc. During this process, interestingly, the army acted as the nation's saviours while university professors as the champions of democratisation.

The 1961 constitution introduced liberal and civil rights, which granted unlimited authority to universities and accepted new academic reforms. For the first time, the article 120 of Constitution secured the academic and administrative autonomy of universities. I argue that, if interpreted retrospectively, this was the first indirect referral to 'academic freedom' in a preliminary way. Nevertheless, any debate on academic freedom was still related to autonomy. The 1961 HE Law equated academic freedom with 'institutional autonomy', i.e. the universities' right to self-governance, independent of political pressures and manipulations particularly from the government. While the universities' self-governance was a pre-condition for academic freedom this had a negative impact on academics because individual rights were compromised at the expense of institutional autonomy. This process further harmed the HE by making universities vulnerable to the political agendas of those in power.

A period of direct assaults on academic freedom continued between 1960 and 1971. Many academics were dismissed on the assumed political links and, therefore, on illegitimate and unfair grounds. Under the restrictions of 1961 HE Law, universities struggled to be independent of government control and academics to be free from political pressures. After the second military coup in 1971, Turkey's next constitution was penned in 1973 that introduced the further university reforms. In 1973, Law 1750 was also passed to establish Turkey's first Higher Education Council (HEC) (Resmi Gazete 1973). However, Turkey's higher legal authority, the Constitutional Court annulled the constitutional amendment related to the HEC's creation. In short, the so-called university reforms were always reluctant because their real intention was how to establish central control over the HE system.

In the 1970s and the 1980s, the relationship between democracy and academic freedom progressed paradoxically under the tutelage of military in Turkey. When the United Nations (UN) documents defined the borders of academic freedom Turkish universities drifted away from international academic standards as a result of military coups. In 1976, the UN approved the *International Covenant on Civil and Political Rights*, which particularly endorsed freedom of expression, assembly, religion, and life; suffrage and running for office; and expression of the civilian and political rights of individuals as well as putting an indirect but strong emphasis on academic freedom. Two other major international documents were the *Lima Declaration on Academic Freedom and Autonomy of Higher Education Institutions*, which was adopted by the 68th General Assembly of the World University Service (WUS) in 1988 and the *UNESCO Recommendation concerning the Status of Higher-Education Teaching Personnel* in 1997 (see LD 1988; Seggie and Gökbel 2014, 15). Article 26 of the Universal Declaration of Human Rights asserts the right to education and the UNESCO Declaration of 1997 pronounced academic freedom essential to education, teaching and research (UNESCO 1997).

These documents were influenced by the extensive progress of international legal instruments in the context of human rights. They rightly emphasised the lack of a legal protection in the HE sector to promote academic freedom as part of individual and human rights (Lakrisi 1989, 49). On the contrary to progress at the international level, the third military coup intercepted the desired democratic conditions necessary for academic freedom in Turkey. The 1980 military coup d'état was the worst that pushed Turkey into democratic backsliding and violated

academic freedoms (Toprak 2014, 180). The international debates had no impact on Turkish governments' responsibilities in internal affairs to safeguard academic freedoms: academic and students were dismissed from universities, faced investigations and even in many cases were imprisoned for their 'ideological' inclinations and studying certain subjects that were perceived as a threat to 'national security'. Consequently, Turkish governments reluctantly engaged with academic freedoms while military intervened in university reforms; and, hence, the HE institutions had never reached the level of international standards throughout the twentieth century. The impact of democratic backsliding on academic freedom was evident in the period after the 1980 military coup d'état.

2.3 The military coup of 1980 and the Higher Education Council

Following the military coup of 1980, a new Constitution was penned in 1982. The military junta criticised the 1960 Constitution for allowing university autonomy and liberties, and leading to ideological conflicts between right and left wing university students and academics. The 1982 Constitution introduced a new set of restrictions on academic freedom and university autonomy. While Article 25 accepted the freedom of thought for all citizens Article 26 stated the following: Universities, members of the teaching staff, and their assistants may 'freely engage in all kinds of scientific research and publication. However, this shall not include the liberty to engage in activities against the existence and independence of the State and against the integrity and indivisibility of the nation and the country.'

Furthermore, Article 26 guaranteed freedom of expression as part of academic freedom, which stated:

Everyone has the right to freedom of thought and opinion. No one shall be compelled to reveal his thoughts and opinions for any reason or purpose, nor shall anyone be blamed or accuse on account of his thoughts and opinions... Everyone has the right to express and disseminate his thoughts and opinion by speech, in writing or in picture or through other media, individually or collectively (T. C. Resmi Gazete 1982, 7).

The 1982 military regime reversed the civil liberties of 1960 Constitution, which set the stage for Turkey's 'democratic backsliding' as promissory (Bermeo 2016, See Supplementary material, 1-2). Furthermore, the 1982 Constitution imposed an extremely central structure on the HE institutions and reinforced the notion that university autonomy is by default equal to academic freedom.

The Higher Education Council (HEC – YÖK) was established in 1982 according to Law 2547, which is still in force and the most recent amendments were made in 2013 (Seggie and Gökbel 2014, 20). In fact, the Council's structure has been the main obstacle in front of academic freedom for following reasons: it had increased control of universities with new responsibilities, including the coordination and planning of universities; and selecting the presidents and deans of universities by 'appointment' instead of 'election' criteria as opposed to the past practices. The HEC Law defined that universities were public institutions in service of HE, teaching, learning, researching, publishing and consultation. For the planners of the HEC, appointing university administrators in a 'hierarchical order' was prioritised over 'free and scientific thinking', which was at the bottom of HE objectives. Within this hierarchy, first faculty deans are appointed by the HEC selecting from candidates nominated by university rectors, and then the President of Turkey appointed university rectors among four candidates nominated by the Council itself. Consequently, the Turkish HE system was put under extreme centralization and

hierarchical control during the 1980s. In short, universities and academics were disciplined by military tutelage. Both Turkish democracy and academic freedom suffered from the military's arbitrary interventions in politics. It was in 1992, a new Higher Education Law 3826 reinstated the election system and, thus returning the universities' partial autonomy to select their own administrators (T. C. Resmi Gazete 1992, 2).

During the early 1990s, academic freedom was part of broader debates on individual and human rights, university self-governance, and coordination of authority between governments and universities (Gür and Çelik, 2011). When Turkey experienced a 'post-modern' coup on 28 February 1997 the mind-set of 1980 military coup extended the state control to the HE (Toprak 2014, 183).³ In specific, the HEC had implemented two rules that severely harmed academic freedoms: First, the headscarf ban in universities was imposed, which severely violated pious female students' rights to education; and second, the 'weighting assignment to applicants' to the HE institutions was put into effect, which made university education more difficult for vocational high school graduates, in particular from those who train religious instructors (*Imam Hatip Liseleri*). A few university presidents were forced to resign and many faculty members were either subject to disciplinary punishment or fired (Özoğlu 2011). While the democracy and academic freedom were again hammered by the military's interference in politics it had an unprecedented consequence for increasing the public acceptance of religion in Turkey. The rise of Islam in national and international politics at the turn of a new century contributed towards to the success of AKP that won the general elections with landslide victory in 2002 (Toprak 2014, 184). The struggle for academic freedom was already a lost cause when the AKP came to power in the post-9/11 era.

3. Neo-liberalism and academic freedom under the AKP rule

The terrorist attacks of 9/11 changed the world in 2001, as we knew in the twentieth century. In Turkey, the AKP's populist leader, Recep Tayyip Erdoğan, had become not only the longest serving Prime Minister, who carried his party to victory four times (2002-7; 2007-11; 2011-15; and 2015-19), but also the first 'elected' President (Göl 2017). During the AKP's tenure in power, they promised 'democratisation' of the old regime and transformation of the old education system (Kızılcıkelik 2015, 156). Initially, the AKP regime improved individual rights, including lifting the headscarf ban, and addressing the cultural, political, economic, and social injustices that gave the impressions of a true 'Muslim democracy' at home and abroad. They promised to carry the 'New' Turkey, as one of the AKP's popular slogans, into the twenty-first century by incorporating into the neo-liberal order. As 'conservative democrats', they acted as the agents of change to win a political war against the old regime – the establishment: the military and secular intellectuals – in Turkish politics. Furthermore, they promised to provide educational equality and inclusive democracy. Based on the Western model, democracy meant liberal democracy and characterised not only by 'free and fairs' elections, but also 'the rule of law, a separation of powers and the protection of basic liberties', including academic freedom (Zakaria 1997, 22). According to Zakaria, liberalism as a political doctrine or economic policy has never coincided with the progress of democracy in practice (1997, 23). A similar trend experienced in Turkey that the AKP government was continued with the previous governments' neo-liberal economic policies, but they have never progressed on a par with democracy. More

³ The military's intervention into politics is defined as 'post-modern' or 'soft' coup because the National Security Council issued an e-memorandum on its web site to warn the government about their religious activities, which were seen as threat to secularism.

critically, Turkey's reluctant engagement with democracy and academic freedom had a deeper downward spiralling with detrimental impacts on the HE under the AKP rule.

3.1 The neo-liberal international order and the HE

In the post-Cold War politics, the structural adjustment plans of the international financial institutions – World Bank and the IMF – was internalised by Ankara governments within with the neo-liberal world order 'The welfare state was declared *passé*' and governments encouraged privatisation of the economy and public services (Gök 2002, 97). This had the worst effects on the Turkish HE that followed the American model. First, 'the number of foundation universities has increased steadily, reaching 3 in 1995, 17 in 1997, 23 in 2003, and 28 in 2006' (Gök 2002, 97; YÖK). In 2022, there are 203 universities of which 74 are privately funded (*vakıf üniversitesi*) (YÖK 2022).

Second, knowledge production was commercialized and no longer a free public service. For instance, the logic of 'university-industry cooperation' under the name of 'Science Park, 'techno-park' or 'technopole' has become integral part of university campuses, as it has been taking place in US since 1950s. The main function of these co-operations was to transform the production of knowledge from public space into private sphere. The Istanbul Technical University hosted Turkey's first techno-park in the 1980s and then the largest one opened in METU campus in 1991 (Aslan 2014, 269).

Third, the universities were turned into incorporations and had to learn how to adapt to neo-liberal policies (Miyoshi 2000, 692). Washington has become a champion of 'the idea that democracies needs less critical thought and more citizens whose only role is to consume', as Lapham explains:

The quickening construction of Santa's workshops outside the walls of government and the academy resulted in the increased production of pamphlets, histories, monographs, and background briefings intended to bring about the ruin of the liberal idea in all its institutionalised forms – the demonization of the liberal press, the disparagement of liberal sentiment, the destruction of liberal education – and by the time Ronald Regan arrive in triumph at the White House in 1980 the assembly lines were operated at full capacity (Lapham 2004, 38 in Giroux 2006, 7)

The machinery of neo-liberal order – capitalist industry, media, and propaganda tools – created a new mentality that increased the conservative right wing attacks on American HE and pedagogical structure. The US as one of the 'democratic' countries experienced the violations of academic freedom mixed with political agendas and controlled by various governments. For instance, under the H. W. Bush administration (1989-1993), Washington was a pioneer for 'restricting research into certain "sensitive" areas; implementing restrictive visa policies for prospective researchers, students and speakers; prohibiting the use of federal funds for embryonic stem cell research based on religious grounds; and manipulating the nation's peer review system for political ends' (Giroux 2006, 6-7). In this sense, those are afraid of academic freedom usually are the ones who want to 'impose a pall of orthodoxy that would broadly silence all dissent' voices. These policies usually carried out in the disguise of protecting national security and interests, which reached to its highest level after 9/11 terrorist attacks.

When the atrocities of 9/11 terrorist attacks send shock waves to the world academics and other individuals, who opposed to the G. W. Bush administration's (2001-2009) domestic and foreign policies, especially criticised the government's involvement in the Middle East. Following the

rhetoric of McCarthyism, they were labelled as traitors and/or anti-American by the traditional media and the American universities were under fire as the hotbeds of left-wing radicalism. The goal of neo-conservatives was clear to replace all dissident voices from campuses all across the country with ‘an increasingly privatised sphere of reproducing the interests of the corporations and the national security state – while assuming the front-line positions in the war against terror’ (Giroux 2006, 7). The conservative groups posted McCarthy-like black lists on the Internet, such as Campus Watch, Target of Opportunity and Discover the Networks.⁴ As Doumani and Giroux argue, the post-9/11 attacks on American academe differed from the original McCarthyism era. The ‘new McCarthyism’ was more comprehensive than the original era because it targeted at disciplining the university as part of neo-liberal order and shifting public opinion in support of neo-conservatives agendas (Giroux 2006, 5). In short, the American academe was under attack by not only the forces of neo-liberalism and also the ‘post-9/11 McCarthyism’. Further analysis of this process will show how the American model has provided a perfect imprint for similar attacks on Turkish the HE institutions.

Inspired by the neo-liberal order and US model, the AKP under Erdoğan’s Presidency has followed a very similar path to gaining the total control of power and all institutions that serve to the public good, including the universities. In pre-9/11 period, there were already strong concerns in Turkey that the HE was too secular and elitist in its engagement with European modernity, and many universities were hotbeds of left-wing radical views. The US-led (dis)order in the post-9/11 Middle Eastern politics gave the AKP governments a similar pretext to discipline the HE system that demonstrates the symbiotic relationship between academic freedom and democratic backsliding in Turkey.

3.2 The impacts of democratic backsliding on the Turkish HE

When AKP came to power they defined themselves as ‘conservative democrats’ and promised to democratise Turkey’s old regime and education. Traditionally Turkish universities were perceived as mostly the bastions of radical and secular intellectuals, who were against religious fundamentalists. In the past, the old regime’s imprisonments and attacks on university professors, such as famous critical intellectuals Şerif Mardin and Aydın Yalçın, were in the name of protecting the national security. Since 1982, it was possible to control universities and academics under the centralised HEC. The AKP was committed to the neo-liberal order, within which universities commonly seen as liberal public spaces with the pursuit and dissemination of knowledge for public good. Initially, the government gave the impression to ‘liberalise’ Turkish HE. However, there was only a cosmetic change that the HEC was called the Turkish Council of Higher Education (CoHE). The AKP feared strong reactions from the ‘secular’ academe and its discontent intellectuals that could pose a threat to the government and its pious leaders. The dismissal of academics continued in the name of protecting the ‘sensitive’ areas of Turkish national and security interests.

Following the US neo-liberalism and neo-conservative assaults on universities, the AKP has orchestrated similar attacks on academic freedom in Turkey. They cleverly established an alternative intellectual coalition of conservative democrats, right-wing nationalists, religious fundamentalists, newly emerged Muslim bourgeoisie (MUSIAD), and advocates of neo-liberal economic order. After blurring the line between religion and the state – *din ve devlet* - the AKP regime under Erdoğan’s leadership took full control of the legislative, executive and judicial

⁴ See www.targetofopportunity.com; www.DiscovertheNetworks.org

branches of government, the top ranks of the Turkish Army, the key economic institution (the Central Bank, *Merkez Bankası*) and most of the intelligence services to weaken the strongholds of a secular state. The next crucial step of implementing the AKP's political project focused on disciplining the HE system to control the power-knowledge nexus. After securing power, the AKP has put into place an ultra-conservative re-education machinery – an apparatus for producing and disseminating a religiously inspired pedagogy in which everything tainted with the stamp of secular origin would be contested and replaced. Unsurprisingly, just like the US they banned the teaching of *Darwinian evolution theory* (Haber Turk 2017) and then moved to the most controversial issue: the headscarf ban.

Since the establishment of the secular republic, the headscarf issue has always been a double-edge sword in Turkish society and politics. Indeed, the headscarf ban was imposed as a result of Turkey's 'authoritarian secularism', which was criticised by all walks of life for being unjust and unequal (Göl 2009, 789). I argue that the headscarf issue exposed the paradox of Turkish secularism by restricting freedom of learning in two ways: first, there was the question of gender inequality that took away only female students', who wanted to keep their headscarves as part of their cultural identity, right of HE; and second, the freedom of expression as one of the fundamental rights of those female students, who uncovered their heads in order to have access to HE, was severely violated in the name of secular life style (Seggie and Gökbel 2014, 26). Many female students felt under pressure to choose to wear or not wear a headscarf as a key decision for their future and long-term career. For decades, Turkish universities failed to provide an equal environment in which female students with headscarves could participate in academic life and improve educational skills. Despite this stark reality the AKP government did not identify the headscarf issue as a priority when they came to power in 2002. The government included the ban in the political agenda when a female student wearing a headscarf petitioned the CoHE because she was forced to leave a classroom in a state university. The headscarf ban was virtually lifted in 2010 as part of the government's initiatives to reform universities, which indicated the AKP's tactful move to the next stage of controlling the HE and deepening democratic backsliding .

3.3 Turkey's illiberal democracy and attacks on academic freedom

In international affairs, the unfolding events after the turn of the Arab Spring of 2011, the Syrian crisis of 2012 and the rise of Islamic State in Iraq and Syria made a stable Turkey under the 'democratically' elected AKP government a prerequisite for the pursuit of Western interests in the Middle East. The government's initial achievements in economic liberalisation and façade democratisation as part of Turkey's EU candidacy requirements gave the impressions for progressive change within the HE sector. In strong democracies, the liberalization of laws concerning the freedom to learn and teach is not only essential but also precondition for progress. The government's promises to democratise education meant to achieve international standards in the HE and improve academic freedom. In 2013, Gökhan Çetinsaya as the President of the CoHE then heralded the 'Academic Freedom Declaration', which was part the AKP government's liberalisation policies (Seggie and Gökbel 2014, 29). This was the most comprehensive expression on academic freedom made by any government to this day. It highlighted the fact that CoHE was established by the military regime, which exercised anti-democratic policies between 1981 military and 1997 soft coups. Within this draft, debate was sparked both how to change the CoHE regulation and the article that denied faculty members

the right to issue statements on official matters other than their scientific research. These suggested changes were in line with the so-called ‘AKP’s 2023 vision’, of which one of the main goals was to become an information society and one of the world’s most significant economies of the 21st century (Seggie and Gökbel 2014, 8).

By contrast to these progressive expectations, three key events heralded the downward spiral of Turkish democracy and its symbiotic relationship with academic freedom: First, the Gezi Park resistance took place in 2013, which were peaceful anti-government protests.⁵ The government allowed the excessive use of violence by police forces. Such disproportionate response to peaceful protesters damaged the AKP’s ‘democratic’ image at international level. Second, in January 2016, more than 2000 academics had signed ‘Academics for Peace’ petition, which condemned the Turkish state’s security operations in the Kurdish southeast and called the AKP government to seek a peaceful resolution of the decades-long Kurdish question. The AKP government’s response was once again a crackdown on the scholars and charged more than 700 of them for making propaganda for the Kurdish terrorist organization (PKK). As President Erdoğan himself declared in a speech that the academics were guilty of making ‘terror propaganda.’ Third, the failed coup attempt in July 2016 cast the darkest clouds of Turkey’s democratic backsliding the worst attacks on academic freedoms. This time around 6,000 of Turkey’s 150,000 academics had been dismissed from public universities under emergency decrees, which was declared as part of a general crackdown on public employees with alleged ties to illegal ‘Fethullah Gülen Terrorist Organisation’ (FETO)⁶. Around 50,000 people had been arrested and more than 140,000 had been fired from state offices, including the civil service, the judiciary, the military, the media, and universities due to their assumed connections to the Gülen movement and/or their support for terrorist activities

Consequently, the prisoning, firing and blacklisting of many dissident academics, journalists and intellectuals both in and outside Turkey resulted in a purge that has never seen in its history. The purge resulted with a government witch-hunt in a similar logic to American McCarthyism. The tensions in Turkey’s state-society relations were no longer about the old secular establishment against the Islamic society, but about the type of ‘democracy’. The AKP policies in the name of national security continued with the previous governments’ authoritarian tradition with increased violation of freedom of expression and human rights. Since the Gezi protests, the government’s increasing trend for prosecuting academics, journalists and anti-government voices indicated the backsliding of civil liberties. These processes have proved that Western liberal democracy was not the final destination on Turkey’s path, ‘but just one of many possible exists’ (Zakaria 1997, 24). The AKP government’s crackdown on universities and academics has confirmed the increasing features of illiberal democracy.

Concluding remarks

This chapter argued that academic freedom has a *symbiotic relationship* with democratisation in Turkey. Historically, two competing models of universities in Germany and the US contributed towards the evolution of academic freedom as part of Turkish HE system. The findings of this research show that there is political trend of introducing ‘university reforms’ to discipline the HE and control academics by various governments in 1946, 1960, 1973, 1981 and 2013. On the one hand, these reforms mostly were imposed by the military coups during

⁵ Gezi protests began in reaction to the planned destruction of a park in Istanbul but spread to Ankara and other big cities that around 2.5 million (according to the office figures) took to the streets and public squares in 2013.

⁶ Fethullah Gülen is an Islamic clergy who has been living in exile in the USA since 1999 as the number one enemy of the Turkish state and regarded as the mastermind behind the failed coup of 2016 by the AKP regime.

the Cold War that demonstrated the weakness of democracy; and on other hand, the HE and academic freedoms have never reached to the level of international standards

When the AKP came to power in 2002, academic freedom was already a lost cause as a result of previous governments reluctant engagement with democracy, the HE and university reforms. Fashioned by the American model, the AKP regime has committed to neo-liberal order while the symbiotic relationship between academic freedom and democracy took an illiberal turn. Turkey's 'democratic backsliding' gained a new momentum since the Gezi Park resistance of 2013 and failed coup attempt of 2016 (Tansel 2018). Despite the AKP governments' promises of democratisation of the old regime and education system the university system has lost its independence and become part of the central state apparatus. In short, the AKP government's violations of academic freedom reflect Turkey's deepening democratic backsliding to an unprecedented level its history. Such complex symbiotic relationship has important implications that will shape the future of Turkish politics and higher education in the twenty-first century.

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