

INTERNATIONAL HUMAN RIGHTS ACADEMY OF THE AEGEAN

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“Academic Freedom”

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Academic Freedom Under Threat from Commodification, Privatisation and Authoritarian Populism

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I bring you greetings from the European Lawyers for Democracy and Human Rights (ELDH), of which I am the President, and from the Haldane Society of Socialist Lawyers in England. I am the Joint International Secretary. I am very grateful to Fatma Demirer and Deman Guler for their invitation for me to participate in this important conference in such a beautiful venue. We are very proud that our Turkish members are CHD, a founder member of ELDH, and OHP, who have recently joined. We are in solidarity with all our Turkish colleagues who have been persecuted and prosecuted.

This is my first time in Izmir, but not my first time in Turkey. I began to take cases against Turkey on behalf of Kurdish applicants in 1992, and for the next 10 years helped to win many cases, especially *Özgur Gündem v Turkey*, on the right to freedom of expression. I appeared as an advocate twice in fact-finding hearings in which the European Court of Human Rights sat for a week in the Supreme Court in Ankara. I have been many times in Istanbul and Ankara.

Commodification

A few days ago we celebrated 150 years since the first publication of *Capital: A Critique of Political Economy*, by Karl Marx. Last week there was a large two day conference in London, with leading scholars from Britain, Germany, Italy, Portugal, Spain and the US, and over 100 participants.

The ideas of Karl Marx are very much alive, as is the principle on which with his collaborator Friedrich Engels he insisted: “Communism is for us not a state of affairs which is to be established, an ideal to which reality [will] have to adjust itself. We call communism the real

movement which abolishes the present state of things. The conditions of this movement result from the premises now in existence.”

Capital has an unceasing drive and imperative, not only to grow faster and faster whatever the human consequences, but also to turn every human activity into commodities for sale. This is because capital cannot live and expand without the realisation of value through the sale of commodities. This is how the Law of Value works itself out, in the process of valorisation. Capitalists are not necessarily motivated by greed or malice: in order to continue for one single day as capitalists, they will whether they like it or not be subject to the Law of Value, which is just as impossible to avoid or ignore as the Law of Gravity.

There is no field of human activity exempt from commodification. A recent book is entitled “Everything is for sale”.

Privatisation

Kishore Singh is the United Nations Special Rapporteur on the Right to Education. He has published two very important reports. The first, in 2014, focused on the protection of education from privatisation; and the second, in 2015 concerned protection of education from commercialisation. He is particularly critical of the UK.

In the UK we have the highest proportion of privately run, for profit, prisons in the world, and my own field of Higher Education has been completely privatised. English Universities receive practically no money from the Government, and instead all of our students pay or borrow £9000 a year. This is the most expensive higher education in Europe. In Germany and Scotland, higher education is free of charge.

In the recent General Election in the UK, the Conservative Party of Theresa May lost its overall majority in Parliament, largely because, contrary to their expectations, so many young people came out and voted Labour, which promised to cancel fees for the future. The Labour Party under Jeremy Corbyn is now the largest political party in Europe, with over 600,000 members, many of them in their 20s. Whereas the Conservative Party has less than 100,000 members, and their average age is – 72!

The privatised higher education system in England is shamed by casualisation. 54% of academic staff and 49% of teaching staff are employed on casual contracts, for a particular course, with no guaranteed hours, no sick or holiday pay, and no security. Even academics on “permanent” contracts have no job security (unlike tenure in the US) and can be dismissed at any time. Recently, the Dean of my own law school, my friend and colleague since the mid-

1980s, the only black woman head of a law school in England, was summarily dismissed without notice for alleged “gross misconduct”. She was trying to help students.

A few days ago academics at Leeds University published a letter in *The Guardian* complaining that they are liable to dismissal if their research or writing upsets commercial or government funders.

The privatisation of higher education and the enormous fees paid or borrowed by students have led directly to the obscene spectacle of Vice-Chancellors (Rectors), earning 5 to 6 times as much as professors, as much as £300,000 a year or more.

Most worrying is the fact that the Government’s anti-extremism policy, named “Prevent”, imposes a legal duty on academics to spy on their students and to report their students to the authorities for any behaviour which might be considered to be “extremist” - whatever that means. My colleagues have organised a campaign, and on my office door there is now a poster proclaiming that we are “Educators not Informers”.

Authoritarian Populism

My own country is now divided as never before, with the country split in two over the issue of Brexit, leaving the EU. Most of those who voted to leave were told lies by the Brexit campaign, had no idea what the EU was, and in fact voted against migrants. As Home Secretary (Minister of the Interior) Theresa May was obsessed by the issue of migrants. In reality the Brexit campaign was a right-wing populist movement, whose ideology was xenophobia.

Similar right-wing populist movements are disrupting the politics of France, Germany, Hungary, Poland, and Austria.

I do a great deal of work in relation to Russia, and since 2000 have represented many Chechens at the European Court of Human Rights, as well as taking environmental cases and cases on freedom of expression and the right to organise in civil society, and to demonstrate. Russia, like Turkey, is suffering under a conservative authoritarian regime, with practically no opposition mass media, no opposition political party with any hope of election, and severe repression of civil society especially human rights activists. In recent days Russia is now effusing to implement judgments of the Strasbourg Court, and there is a real threat – as with the UK – that Russia will leave the Council of Europe and the European Convention.

Academics are being dismissed for opposing the regime in Russia, the European University in St Petersburg is under threat; and the Central European University in Budapest has recently been saved after a vicious and anti-semitic campaign against it by the government.

And here we are in Turkey, with the arrest and detention of hundreds of academics, many of whom are dismissed, arrests and detention of lawyers, prosecutors and judges, the elimination of free mass media, and severe action taken against the HDP – and Amnesty International.

All of us here have a duty to take a stand and to organise to the best of our ability against these dangerous phenomena.