

# SCHOLARS AT RISK

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N E T W O R K

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The Honorable Dato' Sri Mohd Najib bin Tun Abdul Razak  
Prime Minister of Malaysia  
Office of the Prime Minister of Malaysia  
Main Block, Perdana Putra Building  
Federal Government Administrative Centre  
62502 Putrajaya, Malaysia

October 28, 2011

## **Re: Professor Aziz Bari**

Your Excellency:

On behalf of the Scholars at Risk Network I write to express grave concern over reports that Professor Aziz Bari, a scholar of constitutional law, is under investigation for exercising his right to free expression.

Scholars at Risk (SAR) is an international network of over 260 universities and colleges in 33 countries dedicated to promoting academic freedom and its constituent freedoms of thought, opinion, expression, association and travel. In cases like that of Professor Aziz involving alleged infringement of these freedoms Scholars at Risk intervenes hoping to clarify and resolve matters favorably.

Professor Aziz is a professor of law at International Islamic University of Malaysia and an expert on Malaysian constitutional law. According to reports we have received, on October 12, 2011 Professor Aziz published a comment on a public website regarding a decree issued by the Sultan of Selangor. (Although it is not relevant to the issue of a professor's right to make public comments, the comment in question essentially stated that the Sedition Act of 1948 does not criminalize an individual for comments made against a sultan.) Following the publication, Professor Aziz was suspended from the university on October 20 and a police investigation was launched. Although media reports suggest that Professor Aziz's suspension was lifted on October 25, we understand that he remains under investigation. We would of course welcome any additional or contrary information you might share which will help us to understand the situation more fully. Absent this, the facts as described suggest a clear violation of academic freedom and free expression, in the form of an obvious retaliation against a scholar for nonviolent, professional expression which is guaranteed in the Universal Declaration of Human Rights and numerous subsequent international instruments.

Accordingly we are concerned that the suspension and investigation of Professor Aziz in apparent retaliation for critical commentary suggest an attempt to chill intellectual inquiry and debate; specifically to deter scholars and others from commenting on public and social issues in Malaysia. We find this suggestion deeply troubling.

Free and safe exchange of information and ideas is recognized as an essential component of higher education and scholarship. We fear for Professor Aziz and other individual scholars who may suffer similar harassment or intimidation. We fear also that the quality and reputation of Malaysian higher education could be seriously undermined by incidents such as this which suggest that academic freedom and free expression are not vigorously protected in Malaysia.

We therefore join with other national and international academic associations, scholarly societies, human rights organizations and individuals in respectfully urging your intervention in support of Professor Aziz. We urge you to direct appropriate authorities to investigate the apparent abuse of Professor Aziz's rights. We also urge you to direct that a full, public report on the incident be made available as speedily as practical, both to put this unfortunate incident in the past and as a firm and clear demonstration of Malaysia's commitment to academic freedom, free inquiry and expression as fundamental to quality higher education and as essential elements of free, stable and prosperous societies.

We appreciate your attention to this important matter and look forward to your reply.

Sincerely,



Robert V. Quinn  
Executive Director

CC:

The Honorable Dr. Hou Kok Chung Saifuddin Abdullah  
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