

ACADEMIC FREEDOM: CHALLENGES, THREATS, EMERGING ISSUES

ROBERTA D'ALESSANDRO

There is no single definition of academic freedom, just as there is no single definition of freedom. In a 1997 document regarding higher education teaching personnel¹, UNESCO defines academic freedom as follows: “academic freedom, that is to say, the right, without constriction by prescribed doctrine, to freedom of teaching and discussion, freedom in carrying out research and disseminating and publishing the results thereof, freedom to express freely their opinion about the institution or system in which they work, freedom from institutional censorship and freedom to participate in professional

or representative academic bodies. All higher-education teaching personnel should have the right to fulfil their functions without discrimination of any kind and without fear of repression by the state or any other source.” Furthermore, according to the Principle of the Universality of Science as formulated by the ICSU Committee for Freedom and Responsibility in 2014, freedom includes freedom of movement: “Academic freedom also requires mobility, freedom to interact with colleagues and travel to any destination related to research and academic work”².

Thus, academic freedom is about carrying out research and disseminating research freely; expressing one’s opinion freely; it is being free to move around without restrictions, and so on. In what follows, I will try to demonstrate that there is no place on Earth where academic freedom is completely granted. Not in institutions where academics have to work under political regimes that force them to comply with religious/secular norms. Not in institutions where academics are free to work on whatever they want, but are unable to access sufficient information because of political restrictions or simply because of poor infrastructures and resources. Not even in institutions in the so-called First World, where academics are, in principle, free to work

¹ http://portal.unesco.org/en/ev.php-URL_ID=13144&URL_DO=DO_TOPIC&URL_SECTION=201.html.

² https://www.icsu.org/cms/2017/04/Academic_freedom_ICSU_CFRS_principle_document.pdf.

on whatever they want, except that they don't receive funding if what they want is not part of a scientific agenda which is defined according to criteria that often have little to do with science.

BREACH OF ACADEMIC FREEDOM IN AUTHORITARIAN REGIMES

Academic freedom is often at risk in authoritarian regimes: scientists who wish to perform research in areas that are believed to be against the law, or on topics that are prohibited because they go against the political beliefs of the government, often risk their freedom.

Iran. One interesting anecdotal case is that of Omid Kokabee, a young Iranian PhD student studying physics at Austin, Texas. During a visit to his family in Tehran in 2011, Omid was accused of “gathering and colluding against national security” and incarcerated. After being acquitted of this accusation, he was charged again with “communicating with a hostile government” and “illegitimate/illegal earnings”, and sentenced to 10 years in prison. In an open letter, Omid Kokabee stated

that the true reason for his imprisonment was that he refused to cooperate with the Iranian military.

Kokabee's incarceration triggered protests across the globe. Nobel Prize winners, human rights associations, associations for civil rights, and academics from all over the world wrote several letters to the president of Iran, without success. After 3 years of detention, in which Omid was granted very little contact with the outside world, and which he spent working on his research in jail, his health started seriously deteriorating. He was finally diagnosed with kidney cancer. After that, he was released on parole, with the obligation to check in every 2 weeks³. His main fault was refusing to collaborate with his own government, refusing to work for the military.

UAE. Other countries have similar stories: Nasser Bin Ghaith, an economist from the United Arab Emirates, was arrested in August 2015 accused of “publicly insulting the UAE”.

³ More details on Omid Kokabee's story can be found here: <https://www.aps.org/programs/international/rights/omidkokabee.cfm>; <https://www.iranhumanrights.org/2016/04/omid-kokabee-cancer/>; <http://freeomid.org/>; and on many other sites.

According to Scholars at Risk, “Bin Ghaith is also accused of violating article 29 of the UAE's 2012 cyber-crime law, which provides for a maximum of 15 years in prison for publishing material online with ‘sarcastic intent’ or to ‘damage the reputation’ of the state or its leaders⁴.” In Dr Bin Ghaith's case, too, there have been international calls asking for his release and for a just trial. Since the date of his arrest, Bin Ghaith has been held in incommunicado detention and not been allowed to see his lawyer. On the date of his first trial, he declared that he had been tortured in prison. International observers have also been denied entrance to court during his trials. At the moment, no further information is available regarding Bin Ghaith.

North Korea. Last year, a North Korean scientist, Dr Lee, defected to Finland. He declared that he could no longer bear being forced to carry out chemical experiments on human subjects. We have a very limited picture of atrocities in North Korea;

⁴ <https://www.scholarsatrisk.org/2016/10/uae-speech-charges-violate-academics-rights-nasser-bin-ghaith-held-incommunicado-9-months/>.

the country is so closed to the outside world that most information about research in that area is hearsay. Dr Lee declared that, among other things, human beings, particularly those affected by some serious impairment and health issue, are often used as subjects for trying out chemical and biological weapons. He could not work in such an environment any longer.

These are only three examples, possibly the best known among human rights activists, exemplifying the restrictions on freedom in authoritarian regimes. Detention, inability to communicate with lawyers or with the outside world, no access to a just trial, torture, and even death are unfortunately much more common than we might expect.

This is the most extreme kind of infringement of the basic freedom of researchers, but there are other very dubious activities that are being carried out by several governments, which are just as alarming as the cases discussed above, and which are much less easy to pinpoint.

BREACH OF ACADEMIC FREEDOM IN COMPLEX POLITICAL SITUATIONS

Turkey. It is no secret that the political situation in Turkey is currently very complex. The president, Recep Tayyip Erdoğan, has established a number of measures to fight terrorism and ensure internal stability. Turkey faces many threats, and this has had serious repercussions on research in the country. Last year, some scientists started a petition against the Turkish ban on scientists from Turkish Kurdistan. This call was followed by some very restrictive measures, trials, and firing of the signatories. The Turkish government maintains that this was an act of justice and of safeguarding public security. Following the coup, because of the state of emergency, President Erdoğan ordered the closure of 1,043 schools, 1,229 foundations and associations, 35 medical institutions, and 19 unions, as well as 15 universities⁵. While students have been relocated and have not suffered

⁵ <https://www.theguardian.com/world/2016/jul/23/turkey-erdogan-closure-of-1000-private-schools-gulen>; <http://www.universityworldnews.com/article.php?story=20160722211654519>.

too much as a result of these closures, researchers have seen their academic freedom very heavily impacted.

Palestine. The conflict between Palestine and Israel has created monsters; among them, the heavy restriction on the import of chemicals into Al-Quds university. According to some direct reports, all chemicals that could potentially be employed for manufacturing weapons are blocked at the Palestinian border and cannot reach the university. Chemists lack infrastructures and raw material; hence the quality of their research has been impacted, and their research freedom heavily restricted. Furthermore, visiting scholars cannot get a permit to stay for longer than 3 months, and the faculty is forbidden to go to the other part of the university, which is in Jerusalem.

The European Convention of Human Rights, Chapter 10, states that freedom of expression, of religion, of conscience, and of thought must be subject to those restrictions that are necessary to safeguard public safety⁶. The question is: where do you draw the line?

⁶ http://www.echr.coe.int/Documents/Convention_ENG.pdf.

BREACH OF ACADEMIC FREEDOM ON IDEOLOGICAL GROUNDS

Freedom of research can also be breached on ideological grounds.

Uzbekistan. In 2015, the then Uzbek president Islam Karimov decided to close all political science departments, with the subject described as “Western pseudo-science”⁷. After the president’s death, no change has been made to ensure the reinstatement of political science researchers in the country.

Venezuela. It is well known that the situation in Venezuela is particularly serious. With regard to research, an education law was enforced in Venezuela in 2009, allowing the government to take full control of universities; the government even decides which subjects are offered at which university, and in which university a student should enroll. In February 2016 it was established that university programs should comply

with government guidelines; parallel government-friendly associations were created in addition to the traditional university ones (such as the Association of Rectors). Parallel universities were created too, like the one for the armed forces, which has about 250,000 students. Old universities do not receive any subsidies⁸. Chemistry, physics, and biology have been abolished from secondary schools.

RISKS AND OPPORTUNITIES

Compared to the situations mentioned above, the research environment in so-called “Western” countries looks like heaven. To quote Noam Chomsky, though, “the system is optimal, but not perfect”⁹; that is, the system is optimally designed given the economic situation, and the limited amount of funds. But it is not perfect.

In recent years, many governments have decided to assign the bulk of

research finances to external agencies, which are in charge of shaping research plans in the countries involved (in agreement with governments) and allocate funds based on merit. This is also the approach adopted by the EU, with the Horizon2020 program being based on the two pillars of innovation and excellence. These systems aim at ensuring a transparent distribution of resources, a distribution that is made according to measurable and comparable parameters.

There are, however, many risks in the system, which I would like to mention briefly.

EXCELLENCE

This is not the right venue to discuss criteria for establishing excellence. Suffice it to say that excellence is a relative concept. It is relative to the research plan (or research agenda) of the country, it is relative to the fashion of the time, and it is relative within the field of study.

The Netherlands. As an example, take the Netherlands, which features one of the best research funding agencies in the world, the NWO (Nether-

⁷ <https://www.theguardian.com/world/2015/sep/05/uzbekistan-islam-karimov-bans-political-science>; the original law (in Russian) can be found here: <http://www.ozodlik.org/a/27220389.html>.

⁸ <http://lat.wsj.com/articles/SB11086101672415843360004581516863881609144?tesla=y> (in Spanish).

⁹ Chomsky, Noam. 1995. *The Minimalist Program*. Cambridge, Ma: MIT Press.

lands Organisation for Scientific Research). As in many other European countries, the EU2020 target of 3% GDP for research has not been met¹⁰ in the Netherlands. Governments are forced to come up with strategies for allocating funds; some years ago, the government of the Netherlands identified nine “top sectors” in which to invest¹¹; a National Research Agenda (NRA) was established in 2016, identifying research areas and topics in which to invest¹². The NRA is built around 140 key questions, to which scientists are invited to provide answers.

Researchers outside these key sectors, or not working on the topics identified by the NRA, are left with very little research funding. This means that even if they are excellent in their own field, they risk not having enough funding for research. Researchers working on the topics identified by the NRA are also encouraged to work in cooperation with industry or in clusters, in order

to improve their impact. This means that their freedom is also somewhat limited: it is limited by the existence or otherwise of industries that want to invest in their research; it is limited by potential profits.

Research is thus steered by the government, according to criteria that are not always the same as those adopted by researchers when identifying research questions. Of course, there is no infringement of personal freedom in the Netherlands and everybody is free to work on the topic they wish. But the question I wish to raise is: how do we ensure that the research questions identified by the government are the same as those identified by researchers?

SOCIETAL IMPACT

To complicate things, the NRA’s 140 questions, rearranged and merged, were asked by all sectors of society: citizens, schools, researchers. Everyone was invited to pose a question, which researchers were then invited to answer through their research. Societal impact is very important in all funding frameworks. It is perhaps worth reiterating the question asked above: who should decide what

question researchers should answer? Who should identify the issues that are worth investigating? Researchers, or laymen?

Japan. Societal impact has also informed the reformation of the higher education system in Japan. Last year, the Japanese government announced that all Humanities faculties needed to restructure themselves and their research objectives so that they would conform to the needs of society. After many protests, the Humanities have been reinstated as disciplines in many universities¹³. The pressure to conform to governmental guidelines regarding societal relevance is still very high.

INNOVATION

The other potentially dangerous concept informing all Western research agencies is “innovation”. Research must be innovative, it must create progress. It shouldn’t be something that one has already worked on.

If the search for innovation is one of the main criteria for obtaining funds, this means that no researcher is free

¹⁰ http://www.vsnu.nl/en_GB/f_c_onderzoeksfinanciering.html.

¹¹ <https://www.topsectoren.nl/>.

¹² <http://www.wetenschapsagenda.nl/national-science-agenda/?lang=en>.

¹³ <http://www.mext.go.jp/en/index.htm>.

to continue his or her research topic after the end of a project. A problem that one has already explored once becomes an old problem; it is not innovative research. Expertise on a particular topic risks getting scattered, fragmented, interrupted. Once again, there is a discrepancy between the concept of research that researchers work with, and the one adopted by governments.

So, what is the path to true academic freedom? Well, first: recognize the symptoms; acknowledge that there are several ways in which freedom is impaired, and work to overcome them. Then, appeal to international peer-pressure; when working under a regime, ask for help and support from the world research community. As a researcher, try to be heard. Never stop explaining, and never give up the fight. The road to freedom is very long: we all have a responsibility to follow it, until the very end.

ROBERTA D'ALESSANDRO

Current Position

- Professor of Syntax and Language Variation, Utrecht University

Expertise

- Linguistics
- Language variation and language contact
- Freedom in the scientific conduct

Qualifications

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| 2004 | PhD in Linguistics, University of Stuttgart |
| 2000 | Laurea (MA) in Foreign Languages and Literatures, University of L'Aquila |
| 2009 | Diploma in Management and Administration, De Galan en Voigt, Leiden University |

Career

- | | |
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| Since 2017 | Professor of Syntax and Language Variation, Utrecht University |
| Since 2015 | International Council for Science (ICSU): member of the Committee on Freedom and Responsibility in the Conduct of Science |
| Since 2014 | Member of the Global Young Academy |
| 2007–2016 | Professor and Chair of Italian language and culture, Leiden University |
| 2014–2016 | National coordinator of the MasterLanguage Italian |
| 2011–2016 | Member of the Young Academy (De Jonge Akademie) of the Royal Netherlands Academy of Arts and Sciences (KNAW) |
| 2012–2015 | Chair of the Leiden University Centre for Linguistics (LUCL) Institute Council |
| 2007 | Research Associate, Université du Québec à Montréal, LAD Interface Asymmetries Research Lab (April–July 2007) |

More information about the Author:
<https://www.robortadalessandro.it/>