

Exploring Difference: Supporting Academic Freedom in International Cooperation and at Home

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Conference Summary

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Hosted by the Embassy of Canada, the 2019 International Dialogue on Education (ID-E) Conference on “Supporting Academic Freedom in Cooperation and at Home” overall further defined what academic freedom means and defended its necessity in higher education.

Representing Canada, Germany, the United Kingdom, and the United States of America, several higher education professionals engaged in a robust discussion about the state of academic freedom and its future in their home countries. Additionally, conference participants addressed contemporary issues facing the important educational liberty on both national and international fronts and possible solutions to counter such challenges. Each panelist shared both historical and contemporary contexts in addition to citing specific and general cases.

Science and education journalist Jan-Martin Wiarda led the discussion asking panelists to consider what academic freedom means on campuses, how it’s affected in international partnerships, and if outside funding poses risks to free research.

As an introduction to the conference, Deputy Secretary General of the German Academic Exchange Service (DAAD) Christian Müller played a video from his program for both panelists and the audience. One student featured said, “Without freedom, you cannot do real science.”

Why academic freedom?

Earlier this year, Germany celebrated the 70th anniversary of the German Basic Law, or *Grundgesetz*, a constitutional outline of key fundamental rights and democratic principles that helped propel post-war Germany into its democratic present. Very early in the document, academic freedom is addressed as one of the “Basic Rights.”

“Arts and sciences, research and teaching shall be free,” states the Grundgesetz in Article 5. “The freedom of teaching shall not release any person from allegiance to the constitution.” Its inclusion so early in the document is significant to note. In the 20th century, academic freedom in Germany was not a constant. Just a few years before the Grundgesetz, academic freedom was non-existent under the Third Reich.

At the beginning of the conference, Ambassador of Canada to Germany and Special Envoy of the Prime Minister to the European Union and Europe Stéphane Dion lauded this year’s conference for tackling the complex and often controversial subject of academic freedom. Dion pointed to another anniversary, a birthday, as to why

ID-E's decision to tackle academic freedom was additionally a welcomed subject to discuss this year. This year, Germany also celebrated the 250th birthday of Alexander von Humboldt. Dion said, "[Humboldt] believed that students should be taught in an atmosphere of independence in order to grow into healthy and autonomous individuals." He added Humboldt's 19th century model of higher education "enshrined the twin concepts of *Lehrfreiheit* (freedom to teach) and *Lernfreiheit* (freedom to learn) under the rubric of *Akademische Freiheit* (academic freedom)."

The world, however, is indeed a different place than it was the 19th century and in 1949 when the Grundgesetz was signed. Along with changes in global politics and technological advancements, universities — and expectations of them — have changed. To start, places of higher education today are larger in both student populations and in physical sizes, with many universities expanding to other countries or partnering with foreign universities. Universities also often work with corporations, government entities, think tanks, and other third parties for research and funding. Controversial individuals, often in politics, are also invited by groups to speak at universities and are protested by members of the university community.

The 2019 ID-E conference was a celebration of the important anniversary of the Grundgesetz, but also an important — even necessary — acknowledgement of these changes and accompanying challenges in not just any one country, but almost all countries. The conference indicated that it's not just enough to mandate freedom in the arts and sciences, it's important to continue the dialogue to clearly define and defend freedom in the arts and sciences.

What is academic freedom?

At the outset of the conference, James Turk, Director of the Centre for Free Expression at Ryerson University in Canada, introduced the one international standard on academic freedom: The 1997 UNESCO Recommendation Concerning the Status of Higher-Education Teaching Personnel.

Turk said the 1997 UNESCO Recommendation essentially breaks down academic freedom into four principles: 1) the freedom of faculty to teach, 2) the freedom of faculty to research, 3) the freedom of faculty to comment on their own institution, and 4) the freedom of faculty to participate in society. Turk described the latter two points as "intramural" and "extramural" academic freedoms.

For more detail, Section 27 of the UNESCO document reads:

"Higher-education teaching personnel are entitled to the maintaining of 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 fulfill their functions without discrimination of any kind and without fear of repression by the state or any other source. Higher-education teaching personnel can effectively do justice to this principle if the environment in which they operate is conducive, which requires a democratic atmosphere; hence the challenge for all of developing a democratic society."

On the surface, the phrase academic freedom seems to define itself as the ability to teach and learn freely without interference. But, as the UNESCO Recommendation shows, it's much more layered. Additionally, while many accept academic freedom as a concept, individual countries have different ways of understanding and incorporating it.

In **Canada**, Turk said, there is no legal protection or Grundgesetz-like constitutional document safeguarding academic freedom, though it is widely accepted as outlined by 1997 UNESCO Recommendation. Therefore, many higher education professionals turn to collective bargaining and unionize as a means of protection.

In the **United Kingdom**, Fiona Beveridge, Executive Pro-Vice-Chancellor for the Faculty of Humanities and Social Sciences at the University of Liverpool, said academic freedom is understood in both narrow and wider senses. The narrow sense, Beveridge explained, tends to focus on academic staff and their protection. The wider sense is that academics have a say in the running of the university.

In the **United States of America**, Molly O'Neal, Adjunct Assistant Professor and Professional Lecturer of Political Science at Baylor University and the University of Texas at Austin, said the American understanding of academic freedom is rooted in the 1940 Association of American Colleges and Universities' Statement of Principles of Academic Freedom and Tenure. O'Neal summarized that the document states that professors have the right to discuss their subject freely in their classrooms and express their own views but note they are distinct from their institutions.

In Germany, **Günter Ziegler**, President of the Freie Universität Berlin said Germany largely shares many of the same understandings as the other countries and faces many of the same challenges.

What is academic freedom *not*?

Academic freedom is *not* the freedom of expression. Though closely linked, they are different. This point was emphasized throughout the conference to avert confusion.

Ziegler viewed the difference between the two as follows: Freedom of expression is related to opinions and academic freedom is related to teaching what's been discovered. The issue of freedom of expression vs. academic freedom is primarily seen in invitations to controversial individuals to speak on campus or divisive faculty appointments.

Just before the conference, Ziegler noted, protests occurred at the University of Hamburg where Alternative für Deutschland (AfD) co-founder Bernd Lücke returned to teaching after five years in the political sphere. He was set to teach a course on economics as he had done years prior. Although Lücke left the party he founded after two years because he reportedly disapproved of its quick shift to the right, his return to academia from populist politics is proving to be contentious. If Lücke were to indoctrinate students with political views in the classroom, that would be a big problem, Turk added. All the panelists acknowledged appointments like Lücke's are difficult to address.

Turk acknowledged that academic freedom can, surprisingly, have limiting effects on freedom of expression. Turk said, for example, an academic may behave differently on a stage debating versus in the classroom teaching. If an academic were on a stage for a debate, s/he may express different views for persuasive purposes and, perhaps, mock the other debater's views. Yet, if the academic were in a classroom, s/he has pedagogical obligations and would withhold from making fun of certain topics.

O'Neal described that freedom of expression is each citizens' constitutional right in the United States, but in academia there is a boundary between research and activism. She also stressed that that boundary can be ambiguous, particularly in non-technological fields.

Beveridge also said that freedom of expression was rising to the forefront on UK campuses largely due to the prominence of social media. She also noted that more academics are playing the role of public intellectual or, even, "shock jocks," and that could pose challenges.

What are additional challenges to academic freedom?

International partnerships

Many universities in the countries represented at this year's ID-E conference have research relationships with foreign universities. Take Freie Universität Berlin, which, Ziegler noted, has had an international outlook since its beginnings. FU-Berlin has a network of strategic partnerships in places like Sao Paulo, Beijing, and Cairo to promote scientific exchange and lay the groundwork for future collaboration. Sometimes, however, the governments where partner universities are located have different standards of academic freedom. That then begs the question: Are there ever red lines?

Ziegler elaborated that, for example, FU-Berlin does not have any ties to Russia, but rather a longstanding relationship with St. Petersburg State University. He emphasized FU-Berlin does not collaborate with governments, but that it does with other individual universities. When the partner university is under the grip of its government, it is difficult to separate that.

O'Neal observed that greater inter-state power rivalries, like trade wars, can be a case where countries' positions could harden on academic freedom in international partnerships, which, in turn, can create problematic barriers for the flow of scientific research and thought.

Beveridge said sometimes you have to negotiate with international partners, but universities should always share their values of academic freedom. It's also important, she said, to educate governments that the quality of science suffers when we don't promote academic freedom. Beveridge also said, in principle, there are red lines in establishing or maintaining international partnerships. She briefly suggested looking at mission capacity, health care, and certain ethics, but said "the going has to get really bad" before terminating a partnership.

Ziegler said international partner institutions should share the same values of academic freedom, but added those values are often connected to other additional values. He pointed to animal testing as an example, where research institutions have to have the same stances on it in order to pursue joint research. "It's all connected," he said.

Turk said the discussion of red lines should continue, but red lines are hard to announce. He suggested physical safety and changes in government as possible red lines, but again, not easy. He asked, “Lots of Turkish academics are in jail, but no universities have pulled out. How do you help your fellow academics? Do you stay or leave?”

External funding

It was widely acknowledged that universities need better funding to better pursue academic freedom. Simply said, more money allocated for research can help create more research opportunities. But accepting money from third parties is not an invitation for the third parties to direct academic decisions.

Turk said third party partners are welcomed as long as the funding partner does not intrude. However, it isn't always clear cut as some partnerships are secretive, which obviously poses a threat to transparency in academic freedom.

While universities accept various types of funding, be it from governments or private corporations, O'Neal pointed to the American tradition of philanthropy as one particular source of third party funding in the United States.

Short term teaching contracts

Turk noted, the higher education professionals are often granted short term teaching contracts without the possibility of tenure. At first glance, that seems unlikely to endanger academic freedom. But how can one know if contracts aren't renewed because of the university's disapproval of an academic's teaching methods, research practices, or areas of interest?

In North America, it was argued, tenure protects academic freedom. Universities need “just cause” to terminate tenured faculty and academics teaching on short-term contracts aren't protected in that way. It was estimated that around 70% of academics in the US are on short term contracts. While Ziegler said he had not observed the debate between tenure vs. short term contracts in Germany, he said limited term teaching agreements are present in German higher education.

Beveridge said that the last time academic freedom was hotly debated in the UK was when then-Prime Minister Margaret Thatcher's government removed academic tenure.

Trigger warnings

The first question from the audience was about so-called “trigger warnings”, the warnings ahead of controversial topics. O'Neal observed that they tend to be more prevalent in the humanities as opposed to the social sciences, her area of research.

Ziegler suggested that trigger warnings are in themselves a certain type of censorship that could destroy a topic or subject. Labeling ahead, Ziegler said, could destroy the reading experience and could eventually pose a larger danger in installing censorship someday.

Turk said trigger warnings are largely a “US phenomenon” and pointed to a statement by the American Association of University Professors (AAUP) on the matter which describes them as a “current threat to academic freedom in the classroom.” Turk asked, “Where’s the limit on a trigger? Anything could be a trigger” and that trigger warnings could get in the way of an education.

Beveridge said there has not been much discussion about these warnings in the UK as there have been elsewhere. She mentioned a possible boundary between elementary and university education, where everything should be acceptable at an adult level.

Status check and conclusions

During the conference, there were suggestions that academic freedom is in danger. Academic freedom “is absolutely not” in danger now among the countries represented, Turk said pointing to historical incidents in the early 20th century when it was. The suggestions were rooted in campus protests that receive media attention. When a few cases become news, they become news because violations in academic freedom and freedom of expression are rare. The news does not indicate violations are widespread. But because it isn’t in danger, does not mean academic freedom is safe. It still faces — and will continue to face — threats and challenges. Academic freedom can always be somewhat threatened by those who provide valuable resources, like partnerships and funding.

The group consensus was what essentially exhibited on stage — there are no clear answers, but dialogue is necessary. Turk argued that academic freedom can only be protected when universities are engaged in these issues. He encouraged more opportunities for students and faculty to engage with these complexities. Ziegler noted that the discussion would have likely been very different had, for example, a representative from Hungary been present. O’Neal encouraged broader inquiries that are not limited to academics — and more of them. Beveridge said the questions asked and issues raised have “a long history and a long future.” The answers to them are only temporary as they pertain to the specific time and case.

This year’s panelists included:

Jan-Martin Wiarda, *Chair*, Science and Education Journalist

Fiona Beveridge (UK), Executive Pro-Vice-Chancellor for the Faculty of Humanities and Social Sciences, University of Liverpool

Molly O’Neal (USA), Adjunct Assistant Professor and Professional Lecturer of Political Science, Baylor University and the University of Texas at Austin

James Turk (Canada), Director of the Centre for Free Expression & Distinguished Visiting Professor, Ryerson University

Günter Ziegler (Germany), President, Freie Universität Berlin

