5 Challenging Knowledge

Internal and External Restrictions

So when we defend academic freedom, we defend the complex institutional conditions that make its exercise possible, and we understand those conditions and its exercise as bound up with one another; if the conditions fall away, the exercise becomes impossible.

(Butler, 2015, p. 293)

5.1 INTRODUCTION

The previous chapter critically examined the role of the university in contextualising practices of academic freedom through a consideration of rationales for the mission of the university and in the context of the internationalisation of higher education globally. The interrogation of governance and funding practices illustrates mechanisms that constrain academic freedom, which is further examined in this chapter, in addition to constraints on academic freedom at the level of the university and at the level of the individual. The contextualisation of such constraints is examined through the lens of geographical and sociopolitical positionalities, as well as the positionality of individuals. The constraints of the nature of topics researched, taught, and publicly debated are also examined intersectionally in relation to the situated geo-sociopolitical contexts.

Through an examination of internal and external restrictions (individual, institutional, national, and international) on the production of knowledge, this chapter first explores Butler's (2015) arguments for the conditions for

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academic freedom, in order to situate various discourses affecting the practice of academic freedom, including 'neoliberalism', 'civility', 'quality', and procedural processes. Second, restrictions imposed by the university are examined, for example, the role of institutional practices, such as the practices of research ethics committees (Hammersley, 2009). The ethical regulation of research in universities globally has increasingly become institutionalised. As such, this regulation gives the university legitimacy in controlling the production of knowledge. The role of students, the university environment with respect to employment security, and diversity are also examined.

Third, the interrelationship between university and state-imposed constraints is critically explored through a focus on the UK Research Excellence Framework (REF) and Impact agenda and the practices of research funding councils for international research with Global North–South partnerships. Examples of critical analysis include examining tensions between contributing to local issues versus gaining international recognition – international collaborations where researchers in the Global South typically contribute data rather than setting the theoretical/research agendas (Connell, 2014) – and blurring of public/private with the establishment of 'offshore' or branch campuses.

This chapter sets the scene for examining what knowledge is considered 'forbidden', the focus of the following chapter, Chapter 6, which will examine restrictions on topics that vary by place, such as Palestine, gender and sexuality, race, government agendas (e.g. anti-extremism initiatives such as the UK Prevent Strategy), and also self-censorship in relation to these topics.

5.2 THE CONDITIONS OF ACADEMIC FREEDOM

Butler (2015, p. 293) argues that academic freedom cannot be separated – logically or in practice – from the 'conditions of its exercise'. This means that any defence of academic freedom is simultaneously a defence of the context that enables its practice. Conversely, if these enabling conditions or context are no longer present, then the practice of academic freedom is no longer possible. Butler (2015) develops this argument using the case of scholars in Palestine working under conditions of underfunding, frequent university closures, checkpoints, and student and faculty detentions arising from their political viewpoints. She argues that these conditions undermine the right to education itself, which is both a precondition and a part of definition of academic freedom. She further argues that the institutional conditions are

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integral to the definition of academic freedom. The rationale for this argument is not to make a judgement on the legitimacy of the Boycott, Divestment, Sanctions (BDS) movement, but rather to highlight how the aim of the BDS directs attention to 'unacceptable debilitation of the infrastructure of Palestinian universities, inaccessibility by roads controlled by moving and stationary checkpoints, and the regulation of speech that has culminated in the detention and imprisonment of hundreds of students and faculty every year' (p. 296).

This argument highlights that the rights of academic freedom are not abstract rights held only at the level of the individual, but rather must take account of functioning academic institutions, in conditions of safety, mobility, and intellectual exchange: 'We ask how it is that any educational institution can preserve open inquiry under conditions of institutional, legal, and economic constraint' (p. 299).

There is also debate about the hierarchy of rights, with some claiming that academic freedom is not at the top of the hierarchy of public good, but rather that principles of equality and justice may come higher. Commenting on extreme right-wing speakers invited to speak on campuses in the United States, Alex Lubin, Professor of American Studies reflects: 'And so in that regard I think that the academic freedom of the group that brought the speaker is perhaps less important than the basic rights of the students not to be arrested or not to be de-humanised by a sponsored university event' (p. 5).

Lubin also applies a similar logic to the Palestinian context and the rationale for BDS:

> I guess one other example that I think about is in the BDS, my advocacy for the academic boycott, I recognise that the academic boycott, if it were enacted, may abrogate the academic freedom of some Israeli scholars. But I also recognise that Palestinian existence is at stake and the rights of a scholar to do research in a university that might be on illegally occupied land in the West Bank such as scholars at Ariel University, are less important to me. I place those below the rights of Palestinians to their homeland. (Professor of American Studies, USA, p. 6)

Butler (2015) argues that the right to education cannot be separated from the context of academic freedom, and as such the logic of BDS is to effect institutional and structural change in conditions, rather than restrict individual rights. Butler argues that academic freedom is necessarily predicated on and constituted by the necessary conditions to uphold academic freedom; this can also be applied to understanding how hostile university

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environments constrain the practice of academic freedom. This will be elaborated further in this chapter in the discussion on university restrictions, with reference to institutional racism, sexism, and cases of harassment.

5.3 NEOLIBERALISM AS A FRAMING DISCOURSE

'Neoliberalism' is an increasingly dominant discourse globally that can be understood to correspond to a set of practices, framed in terms of the market, which Ball (2012, p. 18) describes as 'a business dynamic which seeks profit from the buying and selling of education "services"', and where the state ensures the market through deregulation and privatisation (Phipps, 2017). The marketisation of higher education results in competition, where marketing and communication of the university brand take precedence over individual academic autonomy in teaching and research:

> With the marketisation of Higher Education, the corporate interest of the university is much more extensive and so the ways in which you can damage the corporate rep-, or damage the brand, as it's put, have become much more, but I think they were always there and they were always mobilised but now it's much more of a serious issue. (Professor of Sociology, University of Nottingham, UK, p. 8)

A UK professor describes the experience of joining a university department that was closed as a result of the REF, a system for assessing the quality of research in higher education institutions. The rationale for closure is based on a business model for higher education:

> So I went to . . . which was a very hierarchical model, it was very clear within a year that there was, you know, that we had something like a £500,000 deficit. I wished to have a plan for dealing with that deficit, that would have been in sort of roundabout 2006, you know, they did not wish to have a . . . no they kept saying 'oh there's no need, there's no need' and I thought well it's not right that there's no need to deal with a deficit and of course in a sense they were waiting for the 2008 Research Assessment Exercise. There was no way we were going to do well in that because we'd only been set up in 2005 and so in a way what they were doing was choosing to close the Department after the Research Assessment Exercise, when that was announced. So I experienced that as a completely sort of hierarchical in effect I was offered, well, you know, 'we can make things OK for you so long as you cooperate with the closure of the Department', so that was not something

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> I was in, so I decided there not to cooperate with the closure of the Department, but it was a difficult and conflictual time. (pp. 3–4)

One UK Sociology Professor commented on how often research foci at the level of the department are determined at a higher institutional level, and as such controlling knowledge production: 'I think most universities are now thoroughly hierarchically managerially organised' (p. 4).

Yet, neoliberalism is also a way of being. According to Ball (2012, p. 18): 'it gets into our minds and souls, into the ways in which we think about what we do, and into our social relations with others. It is about how we relate to our students and our colleagues and our participation in new courses and forms of pedagogy and our "knowledge production"'.

The UK initiative of the Campaign for the Public University was established as a challenge to the dominating neoliberal discourse and practice with its stated aim: 'to defend and promote the idea of the university as a public good. We believe that the public university is essential both for cultivating democratic public life and creating the means for individuals to find fulfilment in creative and intellectual pursuits regardless of whether or not they pursue a degree programme' (Campaign for the Public University, 2019). Similarly, according to a Professor of Sociology, University of Nottingham, United Kingdom: 'the Government was conceptualising Higher Education as a private benefit, either contribution to the economy and economic growth or it was understood as a private investment in human capital. And so that was the focus of the campaign' (p. 10). 'Performativity' becomes the guiding rationale where productivity is the new moral framework for the contemporary academic way of being, illustrated in the pressure to publish, secure grants, and recruit more students, for the benefit of the university's ranking and economic prospects (Ball, 2012).

5.4 UNIVERSITY RESTRICTIONS

5.4.1 Ethics Committees

The history of university ethics committees is embedded in the principles of 'harm' and 'consent' where the researcher undertakes to not *harm* human participants and that participants have *informed consent*:

> Well I mean any research that violates ethical codes in terms of how to treat human subjects I think is you know, I mean I think we do now have some kind of

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> guard against that because of codes of ethics. But there's a lot of research historically that I think was deeply disturbing and should not have been conducted. (Professor of Philosophy of Education, UK, p. 6)

Yet, there is ongoing debate in the literature about the role of university ethics committees in relation to knowledge production and academic freedom (e.g. Hammersley, 2009; Holmswood, 2010). Concerns about the role of ethics committees have been voiced particularly from those in the fields of social sciences as an infringement of academic freedom (Hedgecoe, 2016).

This raises the question of legitimacy – on what grounds do university research ethics committees justifiably restrict the freedom of researchers? According to a UK Lecturer in Medical Sociology and Bioethics:

> I do not think it's wrong to go through research ethics committees. Biological research can be physically harmful; social science, I do not know, it's much harder to say. However, the well-known Humphrey's Tea Room Trade study, for example, where he spied on people and went to their homes – there are limits of being 'covert'. I am personally uncomfortable with it – it was an invasion of privacy, and beyond acceptable. But I do not think there are topics that should not be researched.

Humphrey's *Tearoom Trade: Impersonal Sex in Public Places* study was published as a book in 1970 based on his Ph.D. dissertation done at Washington University in the United States on homosexual encounters in public places. The term 'tearoom' refers to public toilets, and the research was conducted in an American city in the mid- to late 1960s. Its findings showed that many of the men lived traditional lives within their communities, with a range of motives and different sexual identities. It entailed Humphrey acting as a 'lookout' in male public toilets whilst men engaged in sex with other men, warning them if anyone was approaching, and they had no knowledge that he was a researcher. In addition, he recorded their license plates and tracked down their home addresses, where he visited them posing as a market researcher, further invading their privacy. It is a well-cited example in the social sciences of controversial research ethics, using deceptive methods and not obtaining consent from the research participants. Yet, some scholars have argued in support of the work, making the case that from the ethical pillars of beneficence and social justice, Humphreys made important positive contributions to the population that he studied, challenging the myth that men engaging in such encounters were deviant or criminal or non-consensual; his work also challenged binary constructions of sexual identity and policies of punitive imprisonment (Lenza, 2004).

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The aims of university research ethics committees have been disputed, where it has been argued that the university is primarily concerned with the protection of its brand, rather than the protection of the human participants involved in the research. Through an analysis of university research ethics committees in the United Kingdom and the United States (referred to as the Institutional Review Board – IRB), Hedgecoe (2016) identifies that 'risk' has broadened beyond the remit of risk to human participants to risk to the institution's brand or reputation. Whilst accepting that academic freedom is not absolute, Hedgecoe expresses concern with the rationale and aims of the restriction which he deems as illegitimate.

The dynamics of ethics research committees in evaluating 'risk' in relation to conducting research internationally is highlighted in the following account of a UK-based anthropologist conducting research in Lebanon:

> You can talk about the bureaucracy in the modern university which is not exactly conducive for intellectual freedom. So what I mean by this is as you are probably aware, the kind of hoops you need to jump through to get ethical clearance, you know, if you are doing some research in somewhere like Lebanon which is kind of perfectly, it's not necessarily a more dangerous place than many other places where we have done research, there's sort of an assumption that it's going to be dangerous and should you be going to these places. (p. 2)

Similarly, for a UK Lecturer conducting research in the UAE:

> It was obviously passed through the ethics committee here and I cannot remember actually whether it was considered as being high or low risk. I would imagine high risk, just because of geography and how the UK is in particular very worried about certain parts of the world. But it was somehow made easy because I had an association with a local university in Dubai where I also taught. (p. 2)

The workings of university research ethics committees in Lebanon at the American University of Beirut (AUB) have also grappled with the conceptualisation of 'risk', as well as the scope of what should be evaluated for ethical review. A Professor of Psychology describes the challenges he faced with AUB's IRB (ethics board) with his research on inter-sectarian relations in the Lebanese context:

> My research can be a bit sensitive because it involves inter-sectarian relations, it can involve conflict with vulnerable populations and so on. When I started doing my research, that was like ten to fifteen years ago, the IRB at AUB was quite limited and then eventually it became a full-fledged office that has control over the research programmes that were happening on campus whereby every single

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> research project had to go through the IRB. I was doing collaborative research with colleagues of mine from New York and we were doing a study on values and we wanted to collect a sample from the Lebanese population and assess specific value profiles within the community. So I sent the project to the IRB and the project had received approval from New York – IRB approval from the university there, and I had contributed to the questionnaire. I sent it to the IRB and the IRB, at that time again was still immature; instead of looking at the well-being of participants and the protection of their rights and so on and so forth, they went into the content of my questionnaire, they were like 'hm, this is a question that you are asking that might be sensitive, what if the data results show that Christians are more x than the Muslims, Sunnis or the Shias or whatever and that can create a problem?' And it continued back and forth and back and forth for literally months on end and then eventually I was summoned for a full IRB defence. So I was summoned to the IRB, the whole IRB was there, like there were twenty people around the table, and for about the entire afternoon I was grilled about the research. And then at the end of the day then it was like 'you know what, you need to remove this and do that' and what about changing this question and what about changing that question and I was like 'you are dealing with content here' and that was it, that was done. They had rejected to give me approval and I had appealed and then appealed and so on and eventually the whole project died. (pp. 3–4)

The IRB's decision illustrates a concern with the political and cultural sensitivity of the topic and the institutional reputation, rather than the ethics of conducting the research itself:

> I was telling them 'you are interfering in things that are none of your business' and they were like 'OK, from an IRB point of view, so protection of participants, protection blah blah blah you are not doing any harm, etc., we agree, but now there is another layer that has been created, it's called institution approval which is beyond ethical approval, which is will the institution accept to have its name associated with your research and this requires Provost clearance'. So that was like an extra layer that did not exist before and I was like 'what?!' (pp. 5–6)

5.4.2 The Valorisation of Procedure

In 2015, Steven Salaita was offered a one-year position at AUB in Lebanon as the Edward Said Chair at the Center for American Studies and Research (CASAR), subsequent to the withdrawal of his offer from the University of Illinois, following his tweets that were critical of Israel's bombing of Gaza in

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2014. As mentioned in Chapter 3, his subsequent application for a more permanent position as the Director of CASAR was surrounded by controversy. The university-appointed search committee recommended Salaita's appointment; however, the administration blocked the appointment citing 'significant procedural violations'. A student petition in support of Salaita likened AUB's response to that of the University of Illinois, stating concern that the blocking of Salaita's appointment was politically motivated. According to a faculty member at AUB:

> So the Salaita issue, I'm quite aware of what happened there. So I know that there was . . . so the administration is citing procedural irregularities . . . Ha ha! But we also know that [there were] calls from Senators or US politicians expressing their unhappiness with Salaita being offered a job at AUB because of his assumedly or supposedly anti-Israel tweets. And when we asked about this and we challenged it in the Senate, they said there was an internal audit investigation into the process of the selection. The internal auditor was summoned, we summoned him to the Senate, he gave us a presentation and he highlighted that there were about seventeen or eighteen procedural violations that were around that particular kind of hiring situation, which is not unusual by the way, because if you go into the detail of these violations, you can find a lot of those similar situations across campus. (p. 14)

The current political environment at AUB was contrasted with that of the preceding administration:

> Well, at that time, the Provost and the Dean of the Faculty of Arts and Sciences had a very different understanding of the role of AUB and the role of, you know – I do not know – more leaning to the left, pro-Palestinian attitudes. And they did not care about . . . and at that time this was also Obama, right. So I'm not really sure what was happening at the US level and what kind of pressure they might or might not have received from the US side in terms of the decision-making, in terms of hiring or offering Salaita a one-year position, but from a Dean's perspective and Provost perspective, this seemed to be something like they were very comfortable with and that a lot of Faculty members were very happy to see happen. The change happened with the change of administration. The new administration was not one that was favourable to that kind of argument or sentiment or that kind of vision for AUB. For them, this new administration, the way it's dealing with compliance and the way it's reacting to American dictats is not honourable to AUB in general. Now, I do put some exceptions here . . . AUB on a couple of occasions made statements that were excellent and unusual, so the

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> first one was when Trump recognised occupied Jerusalem as the capital of Israel and the President issued a statement rejecting that. (p. 15)

5.4.3 Students

With the marketisation of higher education and the introduction of fees, the construction of the student has changed significantly to a marketised understanding of the student as a 'client' or 'customer', where the 'customer is always right'. The construction of student as 'client/customer', therefore, impacts the academic freedom of the professor/instructor, reflected in students' power to potentially censor and control the curriculum. This experience is reflected in the example of a Senior Lecturer in Education in the United Kingdom, who experienced student confrontation on assigning them an essay to critically reflect on the interrelationship between education and extremism:

> Even now, with the module that I have here, for undergraduates, the essay that the students have to write – and they are not given a choice, it's just one essay question. And when I took the module over, because it's a very interesting topic, it's not something that you necessarily study when you study education studies, it tends to be very kind of race, gender, disability focused. And I thought it's very cutting edge, it's very kind of in the now. It might be interesting to write about the role of education and extremism or counter-extremism policy for example. And I had not quite expected the level of fuss that I would get from some students who felt very strongly that they should not be made to write about this issue – why is it that they have to write about this issue? And my own suspicion is that some of them felt a bit uneasy that they might have to write in a way that could be seen to be defensive actually of Muslim communities, who are being singled out. And I've had quite confrontational, sometimes angry emails from students who have kind of put that point to me. (p. 4)

The ensuing emotional and practical work can lead to self-censorship:

> So it's come to the point now where last year I thought do you know what, is this even worth the headache? I'm just going to change the essay question. I brought this up to the Undergraduate Programmes Director who encouraged me to keep it because he could also see the value and benefit of it as I could. So I sort of revamped it slightly, made it a bit more vague, a bit more broad and ran it again this year. It did run better this year but I've had quite a few issues, in fact one, I had a student just before you in my office in tears because it was related to that assignment, and there was some anger around why do we have to write about this?

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> This is just not – and it's absolutely shocking to me Dina, completely. It annoys me a lot, yeah. (Senior Lecturer in Education, p. 5)

Similarly, a Professor of Journalism at New York University (NYU) reflects on his experience where some students challenged his reading lists as anti-Israeli. Whilst he had support from colleagues and did not replace his readings:

> it just took . . . it did take a little bit of time, it took maybe about half the semester, I mean, there was nothing official, there is no grievance or investigation or anything like that. They were basically conversations within, between myself and the chair and myself and students. (p. 2). He further commented on his sense of vulnerability: 'I think yes at some point, I felt that this could all . . . this could become something bigger' (p. 2).

Procedure or pedagogical protocol is weaponised in some instances to mask attempted censorship:

> And there was one issue in particular where one student emailed me with – I mean I will not go into the details but it was a very problematic accusation that effectively, the materials provided did not enable him to answer the essay question. And at that point I got another colleague who was in a position of leadership in that context, I got that person involved and said 'You know what, I think this is . . .' well I did not say it like that but I basically said 'I think this accusation is absolutely ridiculous and' you know 'I'm quite happy for all of it to be reviewed'. And it was just, I mean, it was clear that the whole thing was meant as a way to just agitate and to be difficult, because that accusation that an academic at this university would have designed something to disable the students from answering the question, an easy question, is horrendous. And it's purely because of the topic, I mean I'm absolutely certain of it. (Senior Lecturer in Education, UK)

Concerns relating to curriculum are also evident in branch universities in the UAE, although the restriction primarily operates from the main campus in the Western context. The example of the Australian university, Curtin University, illustrates an approach of avoiding any material perceived to be controversial:

> But the course material was basically coming from, you could say the main campus of Curtin here in Perth. Anyway, she basically received a document two weeks before she was supposed to release these materials to be taught in Dubai and it was called Tips for Teaching. And in this document it said that all content, the content needed to be avoided entirely in that course and one of the areas was

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> gender and sexuality, specifically transgender and same-sex relations. She is a queer academic. She was pretty much traumatised by the whole thing because she, it was her first six months here at Curtin University and she was the Unit Coordinator for this thing and she was given the responsibility of making these materials available in Dubai. And the thing was that the whole unit, all the way through – it's a contemporary unit on digital everyday life – the whole thing is full of gender and sexuality issues. (p. 8)

However, the actual practice of teaching in campus university contexts can be contrasted as more fluid, in terms of both curriculum context and pedagogical practice:

> So sometimes, I mean they left me quite surprised because things that I was teaching was the sort of foundations of political philosophy, stuff around gender, race, ethnicity, right? So the sort of curriculum is very much Eurocentric because unfortunately there is not organic literature from the Gulf as yet, or as much. But obviously brings a degree of self-censorship because obviously if you are talking about gender, you are not going to talk about the category of third gender and whether that's a useful category and so on and so forth. (Lecturer in Migration Studies, UK and former Lecturer in Dubai, p. 8)

5.4.4 Hostile Environment and Self-Censorship

Bullying and harassment in UK higher education has been shown to be widespread (UCU, 2012). Mirza (2015) reflects that:

> In my 30 years in academia, as a student but also as faculty I have witnessed and been subjected to endemic and sustained sexual harassment in higher education. There's not an institution or time when I have not seen it. It oozes out of every lecture hall, lab, classroom, tutorial, eatery and office. It has different forms in different times, but I think the more times change the more they stay the same.

She critically reflects personally on the damaging and misplaced effects of shame, which are internalised and, in effect, nurture a patriarchal regime. Almost predicting the #MeToo movement, Mirza calls for a collective 'sharing' of the shame with institutions, that they feel shame, and victims reclaim their honour.

A Professor of Gender Studies in the United States comments on the problem of sexual assault on US campuses, where the 'honour' or reputation of the neoliberal university and the protection of victims sit in tension:

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> I mean it's a sticky problem right because it's true, but here as well the problem is rife. Sexual assault is outrageously prevalent on campuses over here and it's true that frequently students have tried to make this known and it's been covered up. So I understand the feeling that we have to do something. So I guess it returns to the idea of faculty governance and who runs the University, right, these policies were created by Lawyers and University administrators eager to protect the institution and its reputation, not necessarily created by faculty and students who are interested in protecting the lives of survivors. (p. 11)

Phipps' (2015) writing about sexism and violence in the neoliberal university context draws out parallels between 'lad culture' and practices of evaluation in higher educational institutions. Phipps (2015) notes that 'to offend with impunity is a function and exercise of privilege'. That language entails violence is dismissed as 'banter' and as such has been invisible in higher education institutions between staff, staff and students, and between students. Phipps (2015) further argues that such acts can be described as 'strategic misogyny' which functions to 'preserve masculine power and space'.

A UK Professor reflects on her experience as a Ph.D. student and the sexual harassment experienced throughout her Ph.D. supervision:

> He developed a complete obsession with me, a sexual obsession. And so for the whole of my academic career there – it was persistent and consistent over years and years, and I do not know how I survived it but I did. And it was an endemic problem. I can send you the papers I've written on it because you know, young women were fresh meat every term you know. And it was openly done. And he would write all sorts of things on my manuscripts you know. And remember we are typing in these days. He'd write things like 'I'll squeeze your tits if you spell this wrong'. I have dyslexia and my spelling was always bad with a typewriter, there wasn't a spell check. And he would make overt sexual comments. He would put condoms on the table when I would go in the room. I mean it was really difficult. But I had two choices – to leave or to stay. (pp. 2–3)

The hostility of the environment also takes the form of job insecurity, tenure processes, and self-censorship. The following reflections on self-censorship raised the issue of precarity in work from short-term contracts or being an early career academic; as a result of such precarity, self-censorship is a form of self-preservation:

> I have felt it in relation to the things that I say outside of the classroom and I find myself without having planned to be affected by it, I find myself increasingly cautious as, you know, I'm still a very early career academic but, as the years go by,

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> I'm finding myself more and more cautious, as I suppose I have more to lose than I did when I was a PhD student or before I was in a job I felt I'd like to keep long term – if that makes sense? (Lecturer in Medical Ethics, UK, p. 4)

The following excerpt makes a direct link between job precarity in the form of short-term contracts and academic freedom in the UK context:

> [The] increasing precarity in academic work which I think also relates to the issues that you are working on which is academic freedom, right? How we navigate or how we define academic freedom is going to be inevitably shaped by the global trend on precarious academic work. So if you do not have anything to eat with, if you do not have any money, you are going to reconsider certain things, how you frame academic freedom or how much you are willing to give away from your academic freedom. And what is happening especially in the UK and to a lesser degree in Europe is shaping what is happening in the Gulf. So I think that's really important to consider. So I mean I work on six months contracts. I do not think anyone should be exposed to working conditions as such. So that is why I think academic freedom relates a lot to what is happening here. (UK Lecturer and former Lecturer, Dubai, p. 9)

Self-censorship is also most evident around topics of controversiality, where academics are aware of the 'red lines' and the potential implications and nature of those implications in different contexts:

> I mean the sort of topics are quite actually critical that we teach there. To be honest, I'd never had the need to censor my class. But there are no goes on such as like the sectarian you know, divide and stuff like that, and gender is also, yeah. And everyone that is working there knows this. I mean it's not written code but everyone who operates in these campuses do know where the boundaries are, or should know. (former Lecturer, Dubai, p. 8)

Reflecting on his academic life in various institutions in the United States and AUB, Lebanon, Professor McGreevy, former Dean of the Faculty of Arts and Sciences at AUB, Lebanon, comments on the subtle, implicit forms of self-censorship that are, for the many academics, common practice:

> In generally I think it has not bothered me. But you never know, because it's sort of a low-level pressure that's on everybody their entire career. And you know how difficult the academic careers are these days. People are often moving and scrambling and trying to keep them together. So even subtle pressures at the edges definitely have an effect on us and might change what we decide to work on, among other things. (p. 3)

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In a similar comment on the UK context, the subtle incremental micro-messages that lead to self-censure are noted, especially in the almost complete absence of academics' critique of their own institutions:

> It's those sorts of things, the e-mailing, the quiet comments and the conversations as much as anything, they do not give a thought to anything, but make the difference, but create that environment and you only need one person to be criticised and then it becomes more symbolic for what anybody else then ceases to make comments about things. I mean one of the issues that I've raised recently, currently because of HR here is, in the 1997 UNESCO recommendation on higher education teaching has a clause which is very good actually. I know it's only soft law, but it says that academic freedom must apply to give academics the right to criticise their own institution and every HR department and most University managers would see that academic freedom only applies within the classroom. (Dennis Hayes, Professor of Education, University of Derby, UK, p. 8)

This widespread lack of critique of one's own institutions is a function of the neoliberal construct of the university as a corporate employer, in contrast to constructions of the university as a collaborative venture led by its academics, as discussed in Chapter 4. Furthermore, the concern of the unpleasantness of public pressure and the question whether a university is prepared to stand behind 'unwelcomed' knowledge are raised:

> But some people do get tremendous troll on social media and I have actually raised it as an issue at University or 'what's going to happen if somebody starts sending', you get a Twitter storm and they say 'Dina Kiwan should be sacked for researching academic freedom' and if the Vice Chancellor gets 20,000 people saying this, what's going to be the position of the University? They'll cave in, I'm absolutely sure they'll just cave in. But I've not personally had, I sort of keep off Twitter to some extent because life's too short. (Dennis Hayes, Professor of Education, University of Derby, UK, p. 7)

However, these various forms of self-censorship become internalised as a norm, with many commenting that they had to reflect on the extent of their awareness of their self-censorship. This gradual fixity of boundaries is summed up by the comment: 'You bend and you bend and you bend and then it becomes your natural posture!' (former Professor, AUB, Lebanon, p. 10)

I propose that the hostility of the higher education environment is an infringement on academic freedom as, to draw on Butler's (2015) argument, an environment free of hostility, harassment, and violence is a precondition

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of and a necessary constituent of academic freedom. The production of knowledge is necessarily restricted in racist and sexist contexts and contexts of other forms of exclusion and violence.

5.4.5 Scholars' 'Responsibility'

It has been argued that, in contrast to 'freedom', there should be self-imposed limits on academics' freedom, in particular in relation to extramural speech. But rather than constructing this as self-censorship, this should be understood in terms of academic responsibility and speaking within one's own area of expertise. Shahvisi (2018) extends this argument proposing that academics in fact have a 'responsibility', given their respected position in society, to not abuse this position by publicly commenting outside their areas of expertise. Given that academics are privileged in potentially being able to access a wider audience and having (perceived) authority, this carries greater risks.

5.5 NATIONAL AND INTERNATIONAL RESTRICTIONS

As stated in the introduction of the chapter, constraints on academic freedom are a nexus of state and international policies and practices, university processes, and those at the level of the individual. A UK study conducted in 2017 examined both the *de jure* protection, via examination of legal instruments, and the *de factor* protection, by means of a survey which was completed by +2,500 University and College Union members (Karran and Mallinson, 2017). Regarding de jure protection, the United Kingdom does not have a constitutional protection for the freedom of speech nor elements of academic freedom. With regard to national legislation, the freedom to speech and research is protected. With regard to UK's relationship with UNESCO's, 1997 statement on academic freedom, the United Kingdom is not compliant in terms of academic freedom being protected in law nor in terms of academic staff electing the majority of representatives to decision-making bodies. Karran and Mallinson (2017) produced a 'scorecard' for countries in Europe for academic freedom constituting protection in the following areas: freedom to teach and research, institutional autonomy, university governance, institutional governance, and international agreements, where the United Kingdom was ranked twenty-eighth out of twenty-nine countries. In addition, at the individual academic level, the level of knowledge regarding academic freedom was significantly lower than their European counterparts,

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when comparing survey data collected by the European Union. Respondents also perceived a decline in their individual academic freedom and the autonomy of their institutions (Karran and Mallinson, 2017).

In this section, a series of cases are drawn upon to explore the nature of national and international constraints and lack of protections, including the UK REF, the requirement for US Compliance at AUB, Lebanon, and mobility restrictions into the United States and the UAE.

5.5.1 UK REF and Impact Agenda

The 'Impact' agenda and concerns relating to the UK REF provide an illustration of the state's marketisation of higher education, where knowledge equates to capital, and individual academics are conceptualised as 'units of resources' (Ball, 2012) as 'cogs in a machine of mass production' (Stanonis, 2016, p. 133). Measures of performativity and productivity are the means enabling such evaluation. The four higher education funding bodies, namely Research England, the Scottish Funding Council, the Higher Education Funding Council for Wales, and the Department for the Economy, Northern Ireland, carry out this evaluation, with the stated aims emphasising accountability for public investment in research and an appropriate allocation of resources. As a consequence, universities are ranked for their 'research power' (Stanonis, 2016).

As a consequence, this agenda determines what research is considered important and has the temporal bias towards measurable short-term impact. It also encourages a faster rate of publication, and it has been argued that the system results in mediocre research. Another effect has been to affect the nature of disciplines, themselves. For example, commenting on the shifts in emphasis within the discipline of Sociology:

> When I argued that people were quite sceptical but Les Back who's at Goldsmiths and, you know, I'd had an exchange with him and he did a study of the impact cases for the last REF in sociology and said not one impact case study in sociology addressed what conventional sociologists would regard as a critical or social justice topic. So I think students will move towards behavioural disciplines rather than critical social science disciplines so, in that sense, sociology will be affected. (Professor of Sociology, University of Nottingham, UK, p. 5)

Debates pertaining to REF also relate to what constitutes 'excellence' and 'world leading', with critics noting that relatively few panel members evaluating research are from outside the United Kingdom (Stanonis, 2016).

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In addition, higher-ranking faculty members tend to dominate submissions, which Stanonis (2016) argues constrains academic freedom by reinforcing disciplines and suppressing intellectuals' creativity and openness to new ideas, citing Kuhn (1970, p. 152): 'particularly the older and more experienced ones may resist indefinitely' the work of younger scholars. In a similar vein, Sayer (2014) argues that 'REF panels give extraordinary gatekeeping power to a disproportionately older, male, white – and overwhelmingly Russell Group and former 1994 Group – academic elite'.

There is a tension between certain forms of perceived 'lower' status locally embedded work and 'higher' status international collaboration. Beyond the context of the UK REF, this tension can be illustrated, for example, where universities contributing to the local community are also simultaneously concerned to accrue status for international relevance. This tension can be particularly acute in the Global South, where pressures to publish 'internationally relevant' as opposed to 'locally relevant' work result in what Hanafi (2011, p. 291) refers to as 'Publish globally and perish locally vs. publish locally and perish globally'. Typically, contemporary universities take the model where the three mission areas of teaching, research, and civic engagement are separate, and, subsequently, civic engagement becomes sidelined in a competitive system, where rankings focus predominantly on research and global networking. This separation into the three streams results in a fragmentation of work illustrated, where some academics writing for non-academic audiences are requested to add a disclaimer that their work does not represent the institution and sometimes academics find themselves separating their public and professional identities for professional reasons (Hanafi, 2011).

5.5.2 Compliance with US Regulations

The role of the United States is significant for academic freedom at AUB in Lebanon:

> I do not think there is any threat to academic freedom at AUB as large and as looming and as threatening as the issue of compliance with US regulations. But in this situation, we have an institutional ban on research topics, research interactions, talks and academic freedom that infringes upon freedom, rights, basic rights. (Professor of Psychology, AUB, Lebanon, p. 19)

Whilst in law, the local law takes precedent, there is an international political dimension:

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> I know that the university and the administration and the board of trustees have enough power and clout to resist infringement from the state onto the campus, we are really an island in that regard, although the current administration is trying to reach out with sectarian kind of undertones at least. But to get back to the original question of academic freedom – and this is the issue that I want to be the centre of our conversation. And this is the issue of compliance. (p. 11)

Compliance affects who the university can engage with and what populations academic researchers can research. A Professor of Psychology at AUB, Lebanon, describes the case of the university hosting a United States Agency for International Development–funded event as background 'engaging in work that involved members of Hezbollah' and being sued because Hezbollah was on a US sanctions list. This is based on funder clauses that work cannot be undertaken by organisations perceived to be terrorist by the US administration.

He goes on to describe how the issue of compliance has expanded from conditions of funding to all forms of interaction, as it is being interpreted and applied by the university administration:

> So Trump decides that Iran is a terrorist state and that means that anyone dealing with Iran is . . . we cannot do that. The same applies, they have Syria as a regime, so if you are working with anyone who happens to be a Government employee, like for example if you are at the University of Aleppo or you are at the University of Damascus, these universities are public government funded and then that means that you are dealing with the Government and that's a problem, you cannot pay them money. And now, they are asking Faculty members on campus that anyone who's coming to AUB, so originally the assumption was AUB cannot pay or give expertise to groups that are perceived, that are on the terrorist list, so we cannot go and say to Hezbollah, 'here is some money, come to our university', or 'hey, Iran University professors, come to AUB, we are flying you over, you cannot do that. So originally it was really very much the money transactions and so on and so forth, but the last one, the last interpretation of compliance by the censor, or whatever you want to call him, is that anyone coming into AUB to give a talk, right, so I'm inviting somebody, I know a colleague of mine is coming, he happens to be dropping . . . you are coming to AUB from the UK, you are happening to visit your family and I tell you 'hey, why do not you drop by into my lecture and give me a small talk about what you are doing' or whatever. This has to be vetted. (pp. 11–12)

He elaborates on the increasing extent of transnational infringement on his academic freedom, showing how this severely undermines the ability to conduct research in his field and context:

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> For me, it's something that is outrageous. It's a violation of my mission. But many people, they are like 'well, you know, because of the US's situation, we need to follow US law' and I'm like 'no, if the law is unfair, it should not be followed', I mean, it's one of our roles, one of our functions is to challenge unjust rules and bigotry that is out there. But even if we are not talking about this, even if you are talking about research, so let us say I'm doing research that involves Syrian refugees or I want to go and do research in Syria, I cannot do it anymore as an AUB Faculty. And the number of organisations that are put on the terrorist list by the US who happen to be in our region is tremendous – they have Palestinian organisations on the terrorist list, they have Syria's government on the terrorist list, they have Iran, they have Hezbollah and half the Lebanese population – what am I supposed to do, stop doing research? (p. 13)

5.5.3 Mobility Restrictions

A Professor from NYU and visiting Professor at NYU Abu Dhabi comments on the issue of accessibility of movement in comparative perspective, noting that denial into the United States for some scholars is understood differently than the denial of entry into the UAE, for example:

> Is it accessibility of movement of people across borders and academic freedom . . . or is it academic freedom when someone does not get into one of the countries in the global network or is it a question of the sovereign independence of the country in question, which controls its borders? So we speak to people here when there's an outcry about someone not getting into say the Emirates, then people here will really say 'well', they like to remind people that people do not get into the United States quite often, for example [X] was recently barred from entering to the United States and so, you know, there's equivalent, there is a kind of equivalent about the border question, it's never satisfying, it does not make people happy about the fact that a colleague can be denied entry to this or that branch campus but did not we remember that access to the United States can be equally problematic especially in these times. (p. 2)

5.6 CONCLUSION

This chapter has examined a range internal and external restrictions on academic freedom and the production of knowledge, across and between

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the four contexts of Lebanon, the UAE, the United Kingdom, and the United States. Consideration of the conditions of academic freedom provides a challenge to decontextualised constructs of academic freedom, whereby the case is made that certain conditions are a prerequisite for and also a constituent part of academic freedom (Butler, 2015). Discourses of neoliberalism frame the examination of institutional, national, and international, as well as individual-level restrictions. Forms of restrictions relating to topics such as Palestine/Israel, gender and sexuality, race, security, and extremism will be examined in the following chapter examining the idea of 'forbidden knowledge'.

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