1 Introduction

1.1 BACKGROUND

Understandings of what academic freedom pertains to and the purposes it serves are contested within the academy, by policymakers and also amongst the general public. There is a dominant discourse that maintains that the principles of academic freedom sit in tension with and are not reconcilable with principles of diversity and inclusion. This leads to the polarised 'either/or' position that either 'freedom' is prioritised or 'diversity'/'inclusion' is prioritised. Traditional libertarian approaches typically place primacy on unfettered academic freedom and free speech, in contrast to approaches emphasising notions of 'responsible' knowledge production and speech, contextualising academic freedom sociopolitically and historically, thereby recognising power dynamics inherent in the production of knowledge. These debates are reflected in the media; for example, in the UK, there are frequent polemical media reports relating to the banning of controversial speakers; the notion of 'safe spaces', 'trigger warnings', and 'wokeness' of those engaged in social justice work relating to racism, sexism, and other forms of difference, heightened particularly in the post-Brexit and Trump/post-Trump contexts; and the rise of right-wing politics in Europe.

Discourses of academic freedom under threat globally are dominant in the media and in policy. The outgoing Vice-Chancellor of the University of Oxford in October 2022 identified academic freedom and freedom of speech as one of 'four key challenges' for the future, stating that she has 'been shaken by the level of threat and harassment experienced in recent years by some of our academics, especially female academics, and especially via social media'

(Christian Institute, 2022). In addition, various UK reports have been published claiming the decline of academic freedom (Policy Exchange, 2019; University and College Union (UCU), 2022). A study conducted in 2020 based on a survey of 1,500 academics reports that two-thirds (67 percent) of UK social scientists state that they perceive their academic freedom to be under threat (Prelec et al., 2022) – although it should be noted that the response rate was only 6 percent. In the United States, it has been reported that academic freedom has declined by 60 percent over the last decade (University Business, 2022). Declines in academic freedom have also been reported in the Middle East, most notably after the initial promise of the 'Arab Spring' that started in 2011, followed by increased crackdowns on campuses since 2013 (Saliba, 2018). Restrictions of academic freedom can range from self-censorship to institutional measures (e.g. ethics committees), denial of work permits or visas for academic visits (Hanafi, 2022), loss of employment, prison sentences, and even death sentences (Saliba, 2018).

The COVID-19 pandemic has had a significant effect globally on the higher education sector in a number of ways, including the closing of universities, delivery of programmes shifting predominantly online, restrictions on mobility, surveillance of academics and students, and constraints over what knowledge could actually be produced and published about the pandemic itself in the context of a global emergency. For example, intellectual rights become an issue with online teaching on Zoom, which is a private company, and issues of regulation of social media, dissemination, and copyright arise (Popovic et al., 2022). The mass shift to online teaching has led to 'enhanced surveillance of academic labour', increased performance management, and widespread loss of academics' jobs (Nehring, 2021). Furthermore, in emergency contexts, dissent is less tolerated, leading to the 'monopolisation of scientific debate' as evidenced during the COVID-19 pandemic (Aperio Bella, 2021).

In this context of a heightened global awareness of academic freedom, there have been various initiatives, ranging from calls to appoint 'free speech champions' in the UK university context (Times Higher Education, 2022) to US scholars launching an 'Academic Freedom Alliance' emerging from scholars at Princeton across the political spectrum (The Guardian, 2022), as well as the grassroots Boycott, Divestment, Sanctions movement, which has increasingly gained support and endorsement from various academic subject associations (Middle East Studies Association (MSEA), 2022), non-governmental organisations (NGOs), student associations, human rights groups, and trade unions. Moreover, the Academic Freedom and Internationalisation Working

Group brings together UK academics and the All-Party Parliamentary Group on Human Rights to strengthen academic freedom in the context of the internationalisation of higher education.

In contrast, however, there is empirical evidence taking a longitudinal historical perspective that tempers discourses of severe declines in academic freedom. A large-scale global study led by the Varieties of Democracy (V-Dem) project systematically operationalised the measure of academic freedom into five quantifiable indicators[1], which were coded by in-country experts from over 180 countries from 1900 to 2019 (Spannagel et al., 2020). The V-Dem project provides a holistic approach to the study of democratisation, based in Sweden, using an innovative methodology collaborating with over 3,500 country experts globally, aggregating judgements on a range of indicators over time; for example, the Academic Freedom Index is a collaborative effort working with 2,000 country experts from around the world (Varieties of Democracy (V-Dem), 2022). They found that globally there was a small decline in academic freedom during the First World War, whilst there was a significant drop during the Second World War. There were some declines in the 1960s and 1970s, associated with restrictions in the Soviet Union, military dictatorships in Latin America, and wider Cold War pressures on academia globally. The 1980s and 1990s showed improvements and stayed at higher levels, associated with democratisation waves until 2013. They have noted slight drops in some variables since 2013, mainly relating to the academic and cultural expression variable, whilst the other four indicators (freedom to research and teach, the freedom of academic exchange and dissemination, the institutional autonomy of universities, and campus integrity) did not show a significant change. These empirical findings support arguments that sensationalist discourses of academic freedom in decline are ahistorical, failing to recognise political and cultural contexts of academic freedom over the last century.

As has been previously noted, there is confusion and misunderstanding about what 'academic freedom' pertains to, how this is distinguished from 'free speech', and what purposes academic freedom might serve, both within the academy and with the general public. As such, it is critically important to understand the difference in these conceptions and for these to be contextualised both historically and geographically. Debates have tended to focus on

[1] The five indicators include the freedom to research and teach, the freedom of academic exchange and dissemination, the institutional autonomy of universities, campus integrity, and the freedom of academic and cultural expression.

issues pertaining to free speech, rather than examining academic freedom in relation to the production of knowledge. In the United Kingdom, 'free speech' is defined in the 1998 Human Rights Act as 'freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers', whilst in the United States, freedom of speech is derived from the First Amendment, which states, 'Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances' (Bacevic, 2022). With regard to academic freedom, Bacevic (2022) notes that this was a negative freedom in its original form, in order to stop the Church or government from interfering in teaching and research. Subsequently, in the UK context, academic freedom after the 1988 Education Reform Act came to be constructed in terms of protecting academics from discrimination, given the changes in law removed 'tenure'; in contrast, in the United States, tenure provides that protection to academics. In the Middle East context, academic freedom is defined negatively in terms of 'absence of legal, physical, or structural interference by state or non-state actors in a researcher's personal autonomy, independence and integrity' (Grimm and Saliba, 2017, 47).

The internationalisation of universities poses new challenges to academic freedom and the production of knowledge beyond traditional frameworks of national borders. Internationalisation impacts curricula not only in branch universities but also on 'home' campuses in the context of large numbers of international students; on what can be researched and where; and the different levels of restrictions that can come into play ranging from self-censorship and institutional restrictions to national and transnational mechanisms – including market forces, labour practices, and national and international laws. Beyond the United States and Europe, in post-colonial and post-conflict societies, the role of the university has typically been framed politically in terms of post-colonial independence. Historically, universities have had an important role in shaping a new national identity and the education of local elites. Academics in these societies grapple with their relationship to the academy, their sociopolitical positionality within their societies, and the nature of their contributions to its key debates and challenges, as well as their position in relation to and contesting 'Western knowledge'. Globally, there has been little substantive attention to the changing contexts of internationalisation, massification, and social diversification of higher education

in conceptualising and operationalising academic freedom in an increasingly international and transnational higher education context.

This book aims to address this gap and examines three theoretical and interrelated challenges: (i) the presumed dichotomy between freedom and diversity/inclusion, (ii) the relative lack of attention to the role of academic freedom in knowledge production, and (iii) the lack of recognition of the transnational nature of academic freedom. In addressing these challenges, I take an interdisciplinary approach, bringing together theoretical and original empirical work, which often operate in silos in the work on academic freedom. The understanding of academic freedom in a globalised world will be informed by exploring internal (institutional), external (state), and international restrictions imposed on curriculum content, pedagogic practices, and research knowledge production in Western, post-colonial, and branch university contexts.

1.2 METHODOLOGICAL APPROACH

This book draws on research conducted in 2019, which aimed to examine the understudied relationship between academic freedom and the production of knowledge. This project is situated within the context that there is a dearth of integrated theoretical and empirical research on academic freedom and a dearth of scholarship on academic freedom outside the US and UK contexts. Epistemological and methodological issues relating to the politics of disciplinary knowledge and the relationship between inclusivity and academic freedom are also explored. The rationale for the choice of the four countries, namely Lebanon, the UAE, the United Kingdom, and the United States is to explore academic freedom and the transnational production of knowledge in country contexts of varying levels of academic freedom and in contexts outside the usual Global North focus. With original empirical evidence consisting of interviews with academics, supplemented by analyses of relevant institutional, national, and international policy documentation, the book develops a transnational theory of academic freedom, focusing on its role in knowledge production and the ensuing academic and public implications in increasingly internationalised and socially diverse contexts.

A total of thirty-seven Skype interviews were conducted in English with academics or researchers based at or affiliated to higher education institutions in the four countries – Lebanon, the UAE, the United Kingdom, and the United States. Sampling was theoretically driven, with individuals

identified through internet searches and networks indicating an interest or engagement with issues pertaining to academic freedom and/or the production of knowledge or first-hand experiences relating to academic freedom challenges. Fields of study spanned the sciences, social sciences, and humanities, including a wide range of disciplines, fields, and topics: bioethics, genetics, psychology, American studies, anthropology, education, gender studies, critical race theory, geography, history, Islamic studies, journalism, law, medical humanities, Middle East studies, philosophy, politics, security studies, sociology, and theology. A number of participants had experiences across different country contexts, either in terms of having worked at various institutions in different countries or in terms of being based at an institution in one country, whilst conducting their research in one or more of the other country contexts. Interview participants were contacted by email, with a letter outlining the project and a request for interview. On reply, the consent form was sent, and a Skype interview was arranged at a date and time of mutual convenience. Signed consent forms were returned by email, and semi-structured interviews typically lasting around forty-five minutes were conducted and, with participants' consent, recorded. Recordings were transcribed, and all data held securely on a password-protected computer. With regard to attribution of the data, participants were offered the choice of one of three levels of anonymity: firstly, the attribution could be partially anonymised, secondly, fully anonymised, or thirdly, with no anonymisation. I have not taken a blanket approach to cite by name those choosing no anonymity for every quote, but rather I have taken the approach of only citing by name if it is relevant, for example, if discussing the individual's work and if they have given such approval.

Participants were asked about their personal experiences, interspersed with questions about their own normative judgements relating to, for example, whether there is some research that should not be conducted. Details of disciplinary background and career history were taken, followed by a discussion about how interviewees understood the notion of 'academic freedom'. Participants were also asked about their own experiences in transnational knowledge partnerships and the politics of knowledge production in transnational perspective.

The data was analysed drawing on constructivist grounded theory (Bryant and Charmaz, 2007), which recognises multiple perspectives and forms of knowledge, and research positionality (Charmaz, 2011). Codes and sub-codes were applied to the data, in part determined by key concepts within the semi-structured interview schedule, and also in terms of emergent codes arising

from the interviewees' personal experiences. These codes have informed the structure and chapter contents of the book, which will be outlined in the following section.

This research is located within an 'interpretivist' paradigm (Guba and Lincoln, 1998; Mertens, 1998), where reality is understood in terms of having multiple perspectives and being subjective (Mertens, 1998; Pring, 2000). This ontological stance is reflected by epistemological assumptions underpinning the research and necessarily has implications for the relationship between the researcher and the research participants. Kvale's (1996) metaphor of 'interviewer as traveller' (as opposed to 'interviewer as miner') is apt here, where the interview is construed as a journey taken by two people, rather than as knowledge to be 'discovered'. As such, the interview data enables the interviewer to understand the research participants' contextualised thoughts, feelings, and values.

The value-laden and potentially controversial nature of the topic of academic freedom had implications for research participants' attitudes to confidentiality and anonymity. Perhaps paradoxically, the majority of participants wanted 'partial' or 'full' anonymity, which corresponded to either not making some parts of the interview public or using a level of attribution where they could not be identified (e.g. 'a Lecturer from the United Kingdom').

Given that the sample of research participants came from a range of different national contexts, with different levels of job security, different positionalities with respect to gender and race, or having a high profile within academia, a standard approach of automatically conferring anonymity and confidentiality was not deemed fit for purpose, and therefore anonymity and confidentiality were discussed individually with each participant. This was considered most appropriate, given the potential sensitivity of the interview data and the researchers' ethical responsibility to participants with respect to potential consequences of the interview on participants (Punch, 1994). Two-thirds of participants stated a wish for partial or full anonymity; 20 percent of participants who requested 'full anonymity' were all non-White participants (except one). The majority of those who signed for 'no anonymity' were White males in the United Kingdom and the United States. A small minority of participants asked if they could approve quotations and interpretation of any interview data used. Whilst the researcher has an ethical duty to respect the views of the participants, there is, on the other hand, a danger that data is censored or interpreted by the participants. I took the position that whilst participants have rights with regard to the ethical treatment of the interview data, they do not extend to the interpretation of the data itself (Cookson,

1994). Therefore, I took the approach to always anonymise at the participants' stated level and avoid using any 'off-the-record' comments; however, I did not seek approval from each participant for the use of quotes and my interpretation of this data.

This project aims to integrate theoretical and empirical research in transnational and comparative perspective and the use of qualitative methods to explore contextually rich accounts to complement quantitative approaches to 'measuring' academic freedom. For example, according to the V-Dem index for academic freedom, countries are categorised into five levels based on scores on the various dimensions used to produce quantified measures of academic freedom. According to this approach, the United Kingdom and the United States are in the top level (0.8–1.0), with Lebanon in the second level (0.6–0.8) and the UAE in the bottom level (0.0–0.2) (Education International, 2020). This project enables a rich ethnographic understanding of how varying sociopolitical contexts in global perspective impact constructions and practices of academic freedom and also problematises discourses of academic freedom deficits/lower 'levels' of academic freedom in the Global South as compared to the Global North.

By critically examining academic freedom and its role in knowledge production in four different contexts – Lebanon, the UAE, the United Kingdom, and the United States – this book builds the case for and articulates a transnational theory of academic freedom contesting the predominantly nationally framed literatures on academic freedom and the role of the university in promoting (national) 'citizenship'.

1.3 OUTLINE OF THE BOOK

The book is structured thematically, utilising empirical material from across different contexts, rather than having separate chapters addressing the different national contexts as case examples. This structure reflects the methodological approach, highlighting the transnational nature of knowledge production and the need to interrogate existing models of academic freedom beyond the methodologically nationalist frame.

Chapter 2 addresses a fundamental debate in the field – the presumed irreconcilability of the principles of academic freedom on the one hand and diversity and inclusion on the other. It examines contested conceptions of academic freedom through academics' experiences in Lebanon, the UAE, the United Kingdom, and the United States. This can be understood

philosophically in that traditional libertarian approaches typically place primacy on protecting free speech. From this perspective, there is a perceived 'oversensitivity' of those engaged in the disparagingly labelled 'identity politics' and social justice work relating to racism, sexism, and other forms of difference, particularly relevant in the post-Brexit and post-Trump contexts. In contrast, those working in Western democratic societies from marginalised communities have raised concerns that unfettered free speech can be utilised by those traditionally holding power in ways that harm traditionally marginalised communities. In response to such polemical and polarised debates, it has been theorised that the principles of justice and inclusion and the principles of academic freedom are complementary rather than contradictory, in that inclusivity should be conceived as a threshold condition for academic freedom (Ben-Porath, 2017; Callan, 2016). The emphasis on 'dignity safety' (as distinct from 'intellectual safety') is thus presented as a prerequisite for inclusion in the university context and for the practice of academic freedom (Callan, 2016). However, this potential complementarity has not been examined to date in relation to the production of knowledge. This chapter makes the proposition that this complementarity between inclusion and academic freedom is also a requisite in the production of 'inclusive knowledge'.

The relationship between academic freedom and knowledge production is examined in Chapter 3. Various contested constructions of knowledge within and across the different geographical contexts and by discipline are critically interrogated, and the implications of these constructions are considered for pedagogy, research, and understanding of academic freedom. There are different ways of conceiving knowledge. On the one hand, it can be seen as something separate from those who produce it – as something that can be accumulated and that describes reality. On the other hand, it can be conceived in more subjective terms as something that is constructed, negotiated, and embedded in geographical and historical contexts and in relationships of power. The first model would conceive of teaching predominantly in a transmission model, whereas the second model would conceive of a more interrelational and interpretative model. The Humboldtian model of higher education in the early nineteenth century saw teaching as embedded in research. As such, conceptions of knowledge invoke particular conceptions of the value of education and its aims. This is examined in relation to neoliberal discourses of skills, impact and marketability, positionality, and decolonisation of knowledge initiatives. The temporal and geographical positionality of knowledge is critically interrogated, recognising the Western

hegemony of knowledge and its production, calling for the need to situate knowledge sociopolitically and historically, and invoking Fricker's (2009) concept of 'testimonial injustice' – a form of 'epistemic injustice' whereby injustice is committed when there is a lack of recognition or credibility as a producer of knowledge. This necessitates the recognition that academic freedom is similarly situated in space and time, with discussions of examples across the four national contexts, as well as the transnational relativity of academic freedom within and between contexts. Debates surrounding the organisation and gatekeeping of knowledge through the disciplines and the rise of interdisciplinarity are also addressed in Chapter 3.

Chapter 4 develops the arguments of Chapter 3, examining discourses of the perceived role of the university and how this relates to constructions of knowledge and its implications for pedagogy, research, and academic freedom. There is an intellectual history of higher education that has typically constructed the university's mission within a national frame, developing informed, critical citizens and promoting democratic societies (Dewey, 1916; Wright Mills, 1959), in the context of the emergence of the modern nation state. The literature on the role of the university in producing critical citizens informs the intellectual history of academic freedom and its contemporary and contested constructions. Yet, it is important to recognise that this theoretical framing assumes a democratic and national context.

Chapter 4 examines the role of the university transnationally going beyond the familiar democratic contexts, taking account of increased globalisation and its sociopolitical implications for academic freedom and the production of knowledge. Internationalisation and massification are trends in higher education globally, where global averages participating in higher education have risen from 19 percent in 2000 and projected to rise to 40 percent by 2030 (Altbach et al., 2009). These populations are more diversified and more mobile. Yet, despite policies aimed at widening participation, there are increasing social and economic inequalities globally, which can also be attributed to the rapid expansion of private higher education. This shift also illustrates shifts in the conception of higher education as a public good to a neoliberal conception of education as a private good. The mission of the university has implications for the nature of the curriculum. University missions illustrate a range of framings in terms of the conceptions of 'truth', 'public good', and 'knowledge economy', and how these conceptions are translated into curricula objectives is explored in Chapter 4.

Many universities in the Arab region developed as public universities, predominantly after the Second World War, when the national university