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# Newly Emerging Frameworks of Reference and Conceptual References for Academic Freedom: Institutional, National, Regional, and Global



Liviu Matei and Giulia D'Aquila

**Abstract** Starting from 2015–2017, significant progress can be observed in Europe, possibly more than in other parts of the world, in developing new and better adapted frameworks of reference for safeguarding academic freedom. This includes the adoption for the first time of a European Higher Education Area (EHEA)-wide common conceptual reference for academic freedom in 2020, shared at least nominally by 49 countries. The present paper proposes a new analytic framework for studying and understanding these developments. When employing this new perspective, it becomes evident that similar developments regarding new conceptualizations, codification, monitoring, and practice of academic freedom are happening in other parts of the world and at other levels in higher education systems as well (i.e., institutional, national, and global). A specific question to be asked in this context is how European developments fit with and interact with global developments and trends in this area. In particular, the paper examines the possibility and desirability of a global conceptual reference for academic freedom, one that transcends national and regional frameworks, including that of the EHEA. Answers are sought through an analytical overview of the scholarship regarding the feasibility and desirability of a common global conceptual reference for academic freedom and by interrogating the results of a curated expert dialogue dedicated to this topic.

**Keywords** Frameworks of reference for academic freedom · Conceptual references for academic freedom · European Higher Education Area · Global · national · regional and institutional developments in academic freedom · Decolonization of academic freedom

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## 1 Introduction

Europe has made remarkable progress, possibly more than in other parts of the world, in developing new and better adapted frameworks of reference for safeguarding academic freedom and the other “fundamental values of higher education”. This includes the adoption for the first time of a European Higher Education Area (EHEA)<sup>1</sup>-wide common conceptual reference for academic freedom in 2020, shared at least nominally by 49 countries. The present paper proposes a new analytic framework for studying and understanding these developments.

Moreover, when employing this new analytical perspective, it becomes evident that similar developments—regarding new conceptualizations, codification, monitoring, and practice of academic freedom—are happening in other parts of the world as well, and at all levels in higher education (i.e., global, regional, national, and institutional).

An important question in this context is how the European developments fit with, influence, and are influenced by global developments and trends in this area. In particular, the paper examines the possibility and desirability of a global conceptual reference for academic freedom, thus one that transcends national and regional frameworks, including that of the EHEA. Answers are sought through an analytical overview of the scholarship regarding the feasibility and desirability of a common global conceptual reference for academic freedom and by interrogating the results of a curated expert dialogue dedicated to this topic.

The paper concludes that while several global conceptual references and even a few global frameworks of reference for academic freedom do exist, there is little research on this topic. In a way, scholarship is less advanced than the reality on the ground. The explanations for this situation can be important from the perspective of the efforts to safeguard academic freedom globally. Moreover, within the existing scholarship, there is a diversity of positions, and there are marked disagreements regarding both the desirability and possibility of a common global reference for academic freedom. This is significantly different from the approach of the experts invited to take part in a dedicated dialogue on this topic. Coming from higher education systems in different parts of the world on all continents, they clearly agreed both on the need for and possibility of such a reference.

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<sup>1</sup> See the official EHEA website: <https://www.ehea.info/page-members>, accessed on 9 April 2024. Formally, the European Higher Education Area (EHEA) was launched in 2010 as a common European space for dialogue and practice in higher education. EHEA is considered the result of the Bologna Process. This Process was launched in 1999 with the Bologna Declaration (Bologna Process 1999) and, from its very start, envisaged the creation of the EHEA. The “EHEA” phrase has been used since these early years, before 2010. The Bologna Process is ongoing as a voluntary intergovernmental initiative in higher education based on jointly agreed principles, objectives and standards, governance mechanisms, and the implementation of these within national education systems. As of 2023, 49 European states have agreed to implement the Bologna Process. They form the EHEA. Russia and Belarus were suspended following the invasion of Ukraine in 2022 (Matei, 2023a).

## 2 The Prominence of Academic Freedom Within and Beyond the EHEA. New Frameworks of Reference and Conceptual References for Academic Freedom

Academic freedom is currently a prominent matter of concern and subject of debate in the EHEA, within the academe itself, but also in policy circles, in politics, as well as in the media. This is a special, maybe unprecedented, period for academic freedom in Europe in this regard.

While specific and remarkable European dynamics with regard to academic freedom can be clearly identified and analyzed, in particular after 2015 (Matei, 2024), this period may well be a special one in the history of academic freedom globally, too (Popović et al., 2022). There are important new developments with regard to academic freedom in other parts of the world as well (Ignatieff & Roch, 2017; Popović et al., 2022). How should we study and understand them? What is the evidence for the exemplary nature of these developments within and beyond Europe?

By new developments here, we do not mean only a wave of momentous instances of challenges to academic freedom during this time, extensively documented elsewhere (Scholars at Risk, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022a, b, 2023), which vary in their exact morphology but have in common the experience of severe restrictions on the freedoms to engage in the production, transmission, dissemination, and use of knowledge in the university, which operationalize academic freedom. They happened in countries or higher education systems like Turkey, Hungary, Florida in the US, Hong Kong, Russia, Afghanistan, Myanmar, or Nicaragua, to mention only some of the most often discussed instances of this kind.

Significant as they are, not all of these are new types of challenges. In the past, we can document at least some similar restrictions, for example, during the Cold War, and which are now returning during some kind of “New Cold War” (Altbach et al., 2022, Matei, 2023b). On the other hand, many of the challenges to academic freedom during this period are indeed new, even unprecedented (Matei & Kapur, 2022).

We would like to posit that what is even more remarkable and makes this period of time special beyond just considerable empirical challenges is a different set of developments that comprises:

- the emergence of new conceptualizations and codifications for academic freedom (Popović et al., 2022) at the level of higher education institutions themselves (albeit not very frequently) and also nationally, regionally, and globally.
- the emergence of new attempts to monitor, even measure systematically, academic freedom regionally (see, for example, Maassen et al., 2023, Matei et al., 2023) and globally (e.g., Academic Freedom Index<sup>2</sup>).
- the adoption of new formal guidelines (different than legal regulations) for the practice and protection of academic freedom at the level of particular higher education institutions, such as the Model Code of Conduct developed by AFIWG-the

<sup>2</sup> <https://academic-freedom-index.net/>, accessed on 9 April 2024.

Academic Freedom and Internationalisation Working Group in the UK (Heathershaw et al., 2022); at the system level; regionally; or globally, such as the Principles for Implementing the Right of Academic Freedom (Scholars at Risk, 2022b) developed by a Working Group on Academic Freedom following the Report on academic freedom and the freedom of opinion and expression (United Nations, 2020) of the UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression.

We would like to further propose that a productive way to frame and analyze these developments is by employing the concepts of “frameworks of reference for academic freedom” and “conceptual references for academic freedom”.

During this period, we can identify various attempts, some successful, to develop new frameworks of reference for academic freedom and new conceptual references for academic freedom, also at various levels, from the institutional and inter-institutional level (emerging from and applicable inside higher education institutions or groups of institutions), to the national or higher education system, regional (such as the EHEA) and global levels.

## ***2.1 Definitions and Exemplifications: Developments in the European Higher Education Area***

Developments in the EHEA referred to in this paper are illustrations of both concepts at the regional level. A new framework of reference for academic freedom started to take shape, in particular after the 2020 Rome EHEA Ministerial Conference,<sup>3</sup> and this framework includes but is not limited to a new conceptual reference for academic freedom, presented in the Statement on Academic Freedom adopted on the same occasion (Bologna Process, 2020a).

There are other examples of both frameworks of reference and conceptual references for academic freedom, some of which will be mentioned only briefly in the present paper since they are not the main thrust of our analysis and argument.

“Conceptual reference” is understood to be not only a definition or a link to an existing definition but a sufficiently long conceptual elaboration available in a text format that serves as a common reference or go-to conceptual source (or “anchor”) for actors inside and outside the university, and which they use in sync for the understanding, codification, and practice of academic freedom (Matei, 2024). The Rome Statement on Academic Freedom mentioned above is a clear example of a document that puts forward a conceptual reference for academic freedom in the EHEA. It frames academic freedom as a value (not a right or governance principle), or a fundamental value of higher education, to be more precise, and as one in a cluster of values—six in total. It explicitly details what are considered to be the main dimensions of academic freedom. This Statement, adopted by 49 European countries and

<sup>3</sup> <https://ehea2020rome.it/>, accessed on 9 April 2024.

the European Commission with the support of eight European intergovernmental and non-governmental organizations, creates a first official “European reference” for use in the entire EHEA. It promotes a new and particular understanding of academic freedom, one that is meant to orient the work of the university and its internal constituencies (students, staff, leadership), of national/system-level authorities, and other organizations that are active in higher education.

The UN and UNESCO documents mentioned in this paper also put forward different conceptual references for academic freedom, meant to be shared by different groups of actors or stakeholders.

A “framework of reference for academic freedom”, on the other hand, includes a conceptual reference, but beyond that, it may also contain, variably, guidelines for the practice and, possibly, protection of academic freedom, elements of codification (such as legislative norms, regulations, codes of conduct, etc.), and provisions about institutions and institutional mechanisms that should or could be utilized to implement the respective understanding and codification of academic freedom. The 2020 Rome Communiqué contributed decisively to the creation of a framework of reference for academic freedom in the EHEA:

- It details a series of specific obligations vis-à-vis these fundamental values assumed voluntarily by all EHEA members (European governments and the EU Commission). In short, these obligations, or voluntary commitments, are to protect the fundamental values as jointly defined within EHEA through legislation and promote them through policies and other concrete initiatives. In the language of the Communiqué itself: “We reaffirm our commitment to promoting and protecting our shared fundamental values in the entire EHEA through intensified political dialogue and cooperation as the necessary basis for quality learning, teaching and research as well as for democratic societies” (Bologna Process, 2020b: 5).
- Lists five other fundamental values that should be “protected and promoted” together with academic freedom and details their interrelations.
- Gives a mandate to the executive structure supporting the Bologna Process in between the Ministerial Conferences, the Bologna Follow-Up Group, to create a permanent mechanism for monitoring all these values as jointly defined here and across the entire continent. This effort can also be understood as monitoring the implementation of the commitments assumed by the signatories.
- Identifies certain institutions, such as quality assurance agencies and the European Quality Assurance Register for Higher Education (EQAR), that should play a role in both building up and making this framework work.

## ***2.2 Other European Frameworks of Reference and Conceptual References for Academic Freedom***

The EHEA does not have the monopoly on frameworks of reference and conceptual references for academic freedom that can be identified during this period, whether

they are old, updated, or completely newly emerging. In Europe alone, there are several more such developments or initiatives in the European Union (EU),<sup>4</sup> in individual higher education systems as well as in given universities.

### 2.2.1 Regional Developments

In 2017, the European Commission sued Hungary for infringement of academic freedom in the case of Central European University (CEU).<sup>5</sup> During the proceedings, it became evident that there was no specific EU legislation that would allow the European Court of Justice to adjudicate this case without serious difficulties. The Court needed to make reference to commercial legislation. To remediate this situation and in order for the EU to be in a better position to protect academic freedom, the Panel for the Future of Science and Technology (STOA)<sup>6</sup> of the European Parliament later initiated a process aiming to develop not just a common conceptual reference for academic freedom in the EU but also binding legal references (EU legislation) for all member states. This is an ongoing process, not without difficulties.

The EU Commission, the executive branch of the EU, currently runs two separate projects that can also be described as attempts to create frameworks of reference for academic freedom. The first takes place in the institutional context of the European Research Area<sup>7</sup> and aims specifically to safeguard the freedom of scientific research (thus not all dimensions of academic freedom) by creating a monitoring mechanism that would show to what extent member states of the EU fulfill their obligations assumed in this area when they signed the Bonn Declaration on Freedom of Scientific Research in 2020 (European Union, 2020). This Declaration contains a specific European Union, “shared” conceptual reference for freedom of research. In a second project, this time run by the EU’s Directorate General for Education and Culture, a process is underway that somewhat mirrors the EHEA developments discussed above, with the declared goal to adopt guiding principles for a list of “fundamental

<sup>4</sup> As a common space of dialogue and practice in higher education, EHEA is different from the EU. The EU is a union of independent states, and it has its own strategies, policies, and processes in higher education and research, which only occasionally and partially overlap with the EHEA. The EU Commission is a member of the Bologna Process, and the EU often has an impact on higher education policy beyond its member states.

<sup>5</sup> See Judgement of the Court in this case at <https://curia.europa.eu/juris/document/document.jsf;jsessionid=8E4DA0A72A98E30145D3223D87BA630B?text=&docid=232082&pageIndex=0&doclang=EN&mode=lst&dir=&occ=first&part=1&cid=10718744>. Accessed on 9 April 2024.

<sup>6</sup> Panel for the Future of Science and Technology (STOA). European Parliament <https://www.europarl.europa.eu/stoa/en/home/highlights>; accessed on 9 April 2024.

<sup>7</sup> The European Research Area (ERA) is a European Union initiative launched in 2000. ERA is different from the EHEA. It has “the ambition to create a single, borderless market for research, innovation and technology across the EU”—cf. [https://research-and-innovation.ec.europa.eu/strategy/strategy-2020-2024/our-digital-future/european-research-area\\_en#:~:text=The%20European%20Research%20Area%20\(ERA\)%20is%20the%20ambition%20to%20create,anda%20technology%20across%20the%20EU.&text=ERA%20was%20launched%20in%202000,revitalise%20it%20began%20in%202018](https://research-and-innovation.ec.europa.eu/strategy/strategy-2020-2024/our-digital-future/european-research-area_en#:~:text=The%20European%20Research%20Area%20(ERA)%20is%20the%20ambition%20to%20create,anda%20technology%20across%20the%20EU.&text=ERA%20was%20launched%20in%202000,revitalise%20it%20began%20in%202018). Accessed on 9 April 2024.

academic values" (most probably academic freedom, academic integrity, and institutional autonomy). This process, which uses the language of fundamental *academic* values, as opposed to fundamental values of *higher education* in the EHEA, can be seen as another attempt to adopt a conceptual reference for academic freedom and put in place tools and mechanisms to promote it, albeit only in the EU, throughout its member states.

This series of EU efforts illustrates, on the one hand, once again the prominence of academic freedom in the European policy and political agendas and, on the other hand, a multiplicity of concrete attempts to safeguard it on the continent by developing sometimes overlapping and even competing conceptual references and frameworks of reference.

### 2.2.2 National Developments

The adoption of the law on Higher Education (Freedom of Speech) in the UK in 2023<sup>8</sup> is another example of the emergence of a framework of reference with both intellectual/conceptual elements (academic freedom is basically redefined as freedom of speech) and also legal/regulatory aspects, including the creation of new government structures for the implementation of this new codification.

In France, new understandings of academic freedom were put forward during and immediately after the Covid pandemic, but not through legislative means. Rather, a new political discourse, new policies and administrative practices in higher education have resulted in modifying the existing national framework of reference for academic freedom, and not always in ways that are supportive of academic freedom (Joly, 2023).

### 2.2.3 Institutional/Inter-Institutional Developments

There are very few institutional initiatives (i.e., initiatives coming from universities) attempting to create frameworks of reference for academic freedom and develop conceptual references for it. However, they do exist.

In 2022–2023, King's College London created a global platform for dialogue and organized a series of research-based debates addressing the question of whether there is a need to reimagine academic freedom at present and, if yes, how should this be realized.<sup>9</sup> The series did not propose a new conceptual reference for academic freedom, although it concluded that there was a need to reimagine academic freedom and that this was, in fact, already happening. Rather, it has put forward a set of

<sup>8</sup> <https://www.legislation.gov.uk/ukpga/2023/16/enacted>, accessed on 9 April 2024.

<sup>9</sup> <https://www.kcl.ac.uk/events/series/kings-presidential-series-on-academic-freedom>, accessed on 9 April 2024.

Principles for Reimagining Academic Freedom,<sup>10</sup> which address, among others, the need for universities and academics to take active part in this process rather than leaving it all to the public authorities.

One of the most remarkable examples of the engagement of the universities themselves in designing frameworks of reference for academic freedom is the Model Code of Conduct of AFIWG, mentioned above, an inter-university endeavor that has put forward both a university-generated conceptual reference (how universities in the UK should understand academic freedom at present) and also principles and guidelines for putting in place this understanding, in particular the context of international cooperation activities (Heathershaw et al., 2022).

### ***2.3 Efforts to Develop Global Frameworks of Reference and Conceptual References for Academic Freedom***

The United Nations has endeavored to create what can be considered a global framework of reference for academic freedom, including global conceptual references for academic freedom in the context of the global human rights instruments, such as the International Covenant on Economic, Social and Cultural Rights (United Nations, 1966). As mentioned above in this paper, more recently, the UN has supported work that resulted in the development of a set of guidelines for the implementation of the “right to academic freedom”.

UNESCO, the UN’s Educational, Scientific and Cultural Organization, has endeavored separately to work in this area. Its 1997 Recommendation concerning the Status of Higher Education Teaching Personnel (UNESCO, 1997), ratified by more than 100 countries, put forward one of the most frequently quoted conceptual references for academic freedom. It can be considered a global reference, although it is most often ignored in practice. Separately, UNESCO’s 2017 Recommendation on Science and Scientific Researchers (UNESCO, 2017) created a tentative global conceptual reference for freedom of science, which is but one dimension of academic freedom, along with a reference for the related concept of responsibility of researchers. Currently, UNESCO is engaged in a process of updating these references.

One of the most influential efforts to measure academic freedom is represented by the development of the Academic Freedom Index (AFI) since 2017.<sup>11</sup> Although AFI is intended to be only a measurement or monitoring tool, in reality it also puts forward, implicitly rather than explicitly, a particular global conceptual reference for academic freedom which is understood to be applicable globally.

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<sup>10</sup> <https://www.kcl.ac.uk/ecs/assets/draft-principles-for-reimagining-academic-freedom-27-nov.pdf>, accessed on 9 April 2024.

<sup>11</sup> <https://academic-freedom-index.net/>, accessed on 9 April 2024.

Another interesting and influential global experience in this context is Magna Charta Universitatum.<sup>12</sup> Adopted originally in 1988 (Magna Charta Universitatum, 1998) by almost 400 university rectors from Europe only and revised in 2020 (Magna Charta Universitatum, 2020), this document puts forward a conceptual reference for academic freedom, which is now defined as a universal (global) value in higher education. Magna Charta is an inter-university declaration currently signed by almost 1000 universities from all continents. Maybe this development could be better placed in the category of institutional/inter-institutional initiatives. The revised Magna Charta talks about the obligations of the universities to uphold the set of Principles, Values, and Responsibilities mentioned in this declaration, with academic freedom as one of them (Magna Charta Universitatum, 2020).

## 2.4 *National Developments Outside Europe*

In a development similar to some extent to the EHEA, albeit at the national level, the South African Council of Higher Education carried out a project that proposed national conceptual references for several higher education values (academic freedom, university autonomy, and public accountability) while also aiming at creating a regulatory national institutional system to enforce these conceptualizations (CHE, 2008).

As we can see from these examples, new conceptual references for academic freedom and frameworks of reference for academic freedom emerged or have been attempted not just in Europe or the EHEA in the past ten years or so. There is very little research about these developments, and even less when we move outside Europe. We believe it is important to signal that they are happening and study them for different reasons. One reason is that developments in Europe may appear at first look to be quite singular, when in reality they are not necessarily so. There certainly are European specificities; however, we can understand better what is really happening, where all is coming from and leading to in the EHEA itself, for example, which is one of the most remarkable individual cases, if we use the analytical approach proposed here and broaden the scope of the investigation. This analysis can also help to understand what is specific to Europe more broadly, noting that there are different meanings of “Europe”, and what we in Europe can learn from others in order to make more progress in safeguarding academic freedom, avoid the trap of a detrimental Eurocentric approach, and also contribute to the cause of decolonization of academic freedom.<sup>13</sup>

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<sup>12</sup> Magna Charta is maintained by a non-governmental organization, the Magna Charta Observatory (<https://www.magna-chara.org/magna-chara-universitatum/mcu2020>, accessed on 9 April 2024).

<sup>13</sup> The discussion about decolonizing academic freedom is very confusing in the academic literature and the higher education policy discourse. This is another area in need of more research and action, not detailed here.

In line with this concern to avoid Eurocentrism, it is important, we believe, to ask the question of whether global conceptual references and maybe also global frameworks of reference for academic freedom would be useful, effective, or even possible. As we will see in the analysis presented in the next section, some believe it is not possible to have common global references at all, while others insist that global references exist already and what is at stake is simply to “implement” them. Yet, others believe that what is needed is new global references for academic freedom and related frameworks of reference that would be up-to-date and effective and that it is possible to develop them.

### **3 Is a Global Conceptual Reference for Academic Freedom Possible? Is It Desirable?**

#### ***3.1 Answers from the Scholarship of Academic Freedom***

##### **3.1.1 Method**

This section of our study seeks answers to the questions about the possibility and desirability of a global reference (or references) by exploring the current status of the scholarship of academic freedom in this specific area.

The primary objectives are twofold: firstly, to determine whether there is a consensus regarding a singular global reference in existence already and where that would be located at present (possibly in the UN International Covenant on Economic, Social, and Cultural Rights, for example). Or, alternatively, if there is a variety of global references already, which ones are most commonly cited? Secondly, the study aims to ascertain whether the scholarly literature on academic freedom views the establishment of a global framework of reference as desirable, and, if so, what potential difficulties or challenges are associated with such an endeavor.

Our study primarily focuses on research literature (peer-reviewed articles, conference papers, and conference reports). It does not cover policy documents, statements, or reports from international organizations, public authority bodies, or professional organizations, some of which were referred to in the previous sections of this paper. The rationale for this methodological choice is rooted in the discussions at King’s College London mentioned above. During the Presidential Series on Academic Freedom, it was concluded that a process of reimagining academic freedom is underway. However, key stakeholders, namely universities and academics themselves, are largely absent from this process. We envisaged conducting this study to assess the current state of the scholarship on the possibility and desirability of reimagining academic freedom as a global concept as a step towards potentially rectifying this situation and involving academics more actively in the critical process of reimagining academic freedom.

The research materials were primarily gathered through electronic searches on electronic databases (Scopus, Google Scholar) and independent article searches. Various keyword combinations were employed, such as “global framework” and “academic freedom”, or “framework” and “academic freedom”, or “universal” and “academic freedom”, with the aim of identifying existing scholarship that specifically addresses academic freedom and discusses questions about its suitability as a global or universal concept, or emphasizes its significance as a global conceptual reference and/or framework of reference. After an initial screening and subsequent selection of studies aligning with the scope of this inquiry, a total of 29 papers were identified that met the criteria established for this research, later reduced to 25 after a selection of papers published after 2010 only.

This enquiry considers, more specifically:

- What legal or scientific references to academic freedom are used in scientific literature;
- To what extent academic freedom is understood as a global or universal concept;
- What themes and issues arise when conceptualizing academic freedom as a global or universal concept;
- The current scholarly discussion around the possibility of a global conceptual reference for academic freedom.

No study to date has carried out a systematic review of the state of the art in the academic scholarship in this area, with the specific aim of enquiring into the universality or globality of academic freedom. A somewhat similar study was carried out by Adu and Odame (2023), but only as a systematic review of content analysis studies that described academic freedom in Africa.

### 3.1.2 Findings; Main Themes

Our review identified several recurring themes, as follows:

- (i) **A tension between global/universal and local conceptions of academic freedom.** There was no consensus in the literature regarding the need for or even desirability of a global or universal value of academic freedom. Some studies arguing against this possibility insisted on the relativity of norms and values and how global norms concretely adapt differently to different political and cultural contexts (Ren & Li, 2013) or stated that any universal approach would indicate a ‘settler norm’ which should be better replaced by alternative, indigenous concepts which are to be preferred over ones externally imposed by anything that would be a universal reference (Derbesh, 2023; Laurila and Carey, 2022).

Advocates of a universal understanding of academic freedom, on the other hand, such as Blell et al. (2022), caution against current national or governmental<sup>14</sup>-level endeavors to reshape and reconceptualize academic freedom. They argue that these efforts actually represent a political strategy aimed at diminishing academic freedom. For instance, the government may label certain academic areas, such as critical race theory, as ‘dangerous’. Simultaneously, however, there is a co-opting by the government of the language of academic freedom, creating a narrative of a ‘crisis of academic freedom’. This narrative serves to divert the attention of broader audiences from structural threats to academic freedom. In this context, some argue that, despite historical and geographical variations, there is a universal idea of academic freedom, as there is a universal idea of infringements of it (Beaud, 2020; Hao, 2020; Tierney & Lanford, 2014). This is demonstrated, it is stated, by the existence of concepts relatable to academic freedom in many different traditions beyond the Western one, including China and Japan, for a long time, and its further universalization due to globalization (Hao, 2020). Finally, Börzel (2022) noted how, in the absence of a global understanding and definition of academic freedom, international institutions have so far been unable or largely limited in their capacity to play a significant role in shaping and spreading norms for academic freedom across the globe, thus highlighting the importance of a global understanding in order for international efforts to be effective.

(ii) **The epistemological status of the concept of academic freedom.** The scrutiny of recent studies on academic freedom reveals the existence of multiple, and often contradicting, epistemological values associated with academic freedom (that is, what kind of entity is academic freedom thought to be). These partially reflect the diversity in the existing conceptual references for academic freedom, which may be framed as a human right, fundamental right, professional right, value, governance principle, or philosophical/moral principle.

In tracing existing frameworks cited by recent studies on academic freedom, we note that some studies mentioned more than one framework and compare between different references. Among the most frequently cited references were:

- Universal Declaration of Human Rights (1948): in 7 papers.
- AAUP Statement (1915, 1940): in 12.
- UNESCO Recommendation concerning the Status of Higher-Education Teaching Personnel (1997): in 8.
- UNESCO Recommendation on Science and Scientific Researchers (2017): in 5.
- Magna Charta Universitatum (1988, 2020): in 6.
- EHEA Fundamental values (2020): in 3.
- International Covenant on Economic, Social and Cultural Rights (1966): in 10.

Perhaps surprisingly, the most often cited reference was the American Association of University Professors’ Statement of Principles on Academic Freedom and Tenure

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<sup>14</sup> A better term could be “public authorities”, or “public authorities-led endeavours”, as used in the EHEA.

(1915 and 1940), which, interestingly, did not have the aim or ambition to represent a global conceptual reference but was written as a professional declaration representing academics in the United States only.

Some papers contained references to local and indigenous sources of academic freedom, such as the Qur'an (Derbesh, 2023) and Confucianism (Ren & Li, 2013).

The predominant understanding of academic freedom is as a right. Most of these papers agree on the definition of academic freedom as a right, be that a constitutional right, a human right, or a professional right (Adu & Odame, 2023; Arowosegbe, 2021; Beaud, 2020; Beiter, 2019; Berggren & Bjørnskov, 2022; Blell et al., 2022; Börzel, 2022; Derbesh, 2023; Grimm & Saliba, 2017; Khamitovich et al., 2022; Kinzelbach et al., 2021; Marini & Oleksiyenko, 2022; O'Dwyer, 2023; Olsson, 2023; Prelec et al., 2022; Quinn & Levine, 2014; Ramanujam & Wijenayake, 2022; Silvernail et al., 2021; Spannagel, 2023; Spannagel & Kinzelbach, 2022). Some papers specifically emphasize a strong connection between academic freedom and human rights (Arowosegbe, 2021; Beiter, 2019; Blell et al., 2022; Derbesh, 2023; Kinzelbach et al. 2022; Marini & Oleksiyenko, 2022; Quinn & Levine, 2014; Ramanujam & Wijenayake, 2022; Spannagel & Kinzelbach, 2022).

Others call for a more restrictive definition of academic freedom, moving away from a generic understanding as a right. Beaud suggests the term "professional freedom", which he defines as "freedom granted to individuals because they belong to a group, in this case the university community" (Beaud, 2020: 613). Here, academic freedom is conceptualized as a special freedom reserved to those who profess as academics and thus should not be understood as a human right.

Other papers, instead, conceptualize academic freedom as a moral-philosophical principle (Beaud, 2020; Khamitovich et al., 2022; Ren & Li, 2013; Spannagel, 2023; Tierney & Lanford, 2014), and as a value/ideal (Berggren & Bjørnskov, 2022; Hao, 2020; Laurila and Carey, 2022; Prelec et al., 2022; Tierney & Lanford, 2014).

Finally, others conceptualized it as a governance principle (Laurila and Carey, 2022; Nurul Huda et al., 2020) or as a university practice (Prelec et al., 2022; Silvernail et al., 2021; Spannagel & Kinzelbach, 2022).

As can be observed, these epistemological categories are not mutually exclusive. Some papers conceptualized academic freedom as a right, human right, and university practice simultaneously (Spannagel & Kinzelbach, 2022), and others focused more on the human right value of academic freedom in one study and on a different aspect of academic freedom in another study (Spannagel, 2023).

**(iii) Academic freedom, freedom of speech, institutional autonomy, and related concepts.** Many studies point out the relation between academic freedom and related concepts, most often institutional autonomy and freedom of speech.

Some argue that institutional autonomy is a necessary condition for academic freedom, while others state that academic freedom can still exist, in its own form, in countries where institutional autonomy is not granted, strengthening the already noted tension between localized vis-à-vis global conceptions of academic freedom.

Autonomy is listed as a required element for the exercise of academic freedom in the 1997 UNESCO Recommendation on the Status of Higher Education Teaching

Personnel: “The proper enjoyment of academic freedom and compliance with the duties and responsibilities listed below require the autonomy of institutions of higher education” (UNESCO, 1997: V.A.17). Beaud (2020) quotes Collini (2012) in stating that autonomy is one of the key four conditions necessary to make a university<sup>15</sup>; Spannagel and Kinzelbach (2022) included ‘university autonomy’ as one of the factors for measuring de facto academic freedom as part of the Academic Freedom Index.

Ren and Li (2013) commented that the framework linking academic freedom to university autonomy is modeled on Western style democracy and cannot be applied literally to the context of contemporary Chinese universities. They point out that ‘Western’ notions of academic freedom and autonomy cannot be applied to China and that contemporary Chinese higher education, which developed under the influence of Confucian epistemology, tends to be hierarchical, adjacent to the government, and still responsible for their own survival. The concept they propose to describe this model is “self-mastery”, not “autonomy”.

Academic freedom and freedom of speech are also often discussed together. Several studies point out the difference between the two. Beiter (2019) noted a difference between them from a legal perspective. He points out that academic freedom, in the form of right to science, or “REBSPA” - The Right to Enjoy the Benefits of Scientific Progress and Its Applications, is protected by Article 15(1)(b) of the International Covenant on Economic, Social and Cultural Rights. This grants to the general public a right to enjoy the benefits of scientific progress and to scientists a “freedom of science as their own right” (Beiter, 2019: 237). Academic freedom is presented as an ‘enhanced’ version of the freedom of science, which is reserved to academics only and is based on the human right to pursue the truth. Freedom of expression, on the other hand, is a human right enjoyed by every individual in democratic societies, in respect for a multitude of coexisting views, and even covers the ‘right to tell lies’ (*ibid.*: 248). Beaud (2020), who vouches for a restrictive conception of academic freedom as a professional freedom and not a human right, conceptualizes freedom of expression as an integral part of academic freedom, together with freedom to research and freedom to teach.

English and American scholarship tends to equate freedom of speech with academic freedom (Blell et al., 2022).

On the contrary, Derbesh (2023) points out that drawing a rigid distinction between freedom of speech/expression and academic freedom, especially asserting the superiority of the latter, is only feasible within the framework of institutions operating within democratic political regimes. His rationale is grounded in the notion that such a distinction becomes meaningful only when individual freedom of expression is inherently acknowledged. Derbesh highlights a contrast with less democratic societies, such as the Arab world, where these two concepts are intricately linked. While

<sup>15</sup> The other three conditions are: (i) to provide post-secondary education, which cannot be reduced to professional training; (ii) to conduct research whose scope is not dictated by the need to solve immediate or practical problems, and (iii) that these activities are conducted in more than one discipline or cluster of disciplines. See Collini (2012) in Beaud (2020: 621).

not interchangeable, academic freedom, cantered on critical and rigorous research, to some extent equates to freedom of expression for academics in such regions. Here, the proximity between the two arises from the absence of a Western-style freedom of speech, which guarantees the right even to uninformed or subversive speech.

(iv) **A link between academic freedom and democracy.** Another common theme is a positive connection between academic freedom and democracy. Some linked the two concepts indirectly. For example, Adu and Odame (2023) linked the relative scarcity of scholarly studies on academic freedom in Africa to the chequered and deteriorating conditions of democracy in African countries. Similarly, Arowosegbe (2021) noted how non-developmental-oriented state action in African countries has hindered the development of academic freedom, which is seen as a crucial component in the process of building a democratic society.

Others more explicitly linked regime types with varying levels of academic freedom. Berggren and Bjørnskov (2022) carried out a study linking de facto levels of academic freedom with differing political systems and found communism to be particularly detrimental, as opposed to bi-cameral democracies being particularly favorable to the development of academic freedom.

(v) **Positive or negative freedom.** Debates about the epistemological status of academic freedom often focus on the difference between a negatively defined academic freedom (freedom *from*) vis-à-vis a positive definition of academic freedom (freedom *of*). The concept itself is understood to contain both elements. Positive freedom refers, for example, to guarantees that allow academics the space and liberty to carry out research, including employment security and tenure. Beaud (2020) defines this positive freedom as a 'freedom made of freedoms': "freedom to research and publish; freedom to teach; and freedom of expression" (*ibid.*: 618). Negative freedoms, on the other hand, refer to protection from interference, coercion, or threat. Beaud (2020) and Beiter (2019) mainly highlight the negative component of academic freedom, focusing on the importance of freedom from any restraints. Grimm and Saliba (2017) point out that the difference between the two dimensions is subtle but significant, as some scholars might be formally free from explicit coercion or interference, but they may be denied the resources they need for the free and unrestricted pursuit of their academic freedom.

A key element in the distinction between the two is tenure, which refers to employment security and stability guaranteed to academic staff. One of the main factors leading to the lack of tenure is the corporatization of the university and academic capitalism, which favors less stable and casualized forms of employment (Blell et al., 2022) and pressures academics to produce research output in indexed journals, with a devaluation of teaching (Hao, 2020). These factors are a direct reflection of the increasingly reduced role and influence played by academics in decisions concerning universities, which have the direct effect of eroding academic freedom for faculty. This is directly related to one of the key points raised by our paper, namely that

academics, being the key stakeholders of academic freedom, should have a more prominent role in key decisions concerning its application, which is one of the aims of the focus of this study.

(vi) **Prescriptive vis-à-vis descriptive conceptualizations of academic freedom.**

Our literature review revealed a tension between prescriptive and descriptive notions of academic freedom. This is especially evident in the light of certain qualities and external and collateral elements, which are nevertheless generally thought to be essential for the correct functioning of academic freedom as understood by the Western tradition, such as the inextricability of academic freedom, democracy, and institutional autonomy.

On the one hand, Western conceptualizations of academic freedom aspire to be universal, global references. On the other hand, in reality, many non-democratic countries do not have a clear separation between university and government or do not have democracy and freedom of speech in the first place (Derbesh, 2023; Ren & Li, 2013). However, they do have a tradition and interpretation of academic freedom and still claim it to be one of the leading principles of university. According to Hao, it can be concluded that academic freedom is a universal value, accompanied by a universal belief and differing sets of norms (Hao, 2020: 4–5). It is important to reflect on these issues because, we are told, on the one hand, not including voices beyond those traditionally found in debates and definitions of academic freedom standards would pose questions of cultural superiority and repeat patterns of colonial and settler practices in getting to define what a ‘genuine university’ is.<sup>16</sup> As Beaud hints: “In all countries with genuine universities, academic freedom is seen as a defense against the interventions of external powers capable of jeopardizing the freedom that is required by the universities to carry out their tasks” (Beaud, 2020: 615). On the other hand, even when it is thought to be universal, the value and belief of academic freedom are hardly everywhere and fully realized in practice. For this reason, it remains important not to ignore actual situations that threaten, and indeed harm, academic freedom across the globe.

In this regard, it is also important to bear in mind that threats to academic freedom are not limited to non-democratic countries, as exemplified by recent attacks on academic freedom in France or the United Kingdom (Joly, 2022), where critical race theory was labeled in a parliamentary discussion as a ‘dangerous trend in race relations’ (Blell et al., 2022: 1823), and corporatization of universities is threatening tenure and job security.

Decisions on who to include in the debate should not discriminate against the voices of academics working in different contexts, which may see reduced levels of academic freedom, as that would indeed be contrary to the value of academic freedom itself. Existing threats to academic freedom are indeed of both global and local scale and are often posed by those trying to re-define academic freedom in

<sup>16</sup> This is a serious issue—see our previous note about the state of the debate regarding the decolonization of higher education.

policy circles, including policies which are re-orienting academic institutions against research interests.

### **3.2 *Answers from a Curated Expert Dialogue***

For another set of answers to the questions of whether a global conceptual reference for academic freedom is possible and desirable, we draw in this section on a curated expert dialogue. This exercise was organized as part of the King's College London Presidential Series on Academic Freedom in 2023. All documents and the full recording of the final two debates are publicly available.<sup>17</sup> The experts involved were legal scholars, philosophers, social scientists, university administrators, and leaders of university organizations from all continents, including organizations dedicated to the promotion of academic freedom. It was a “curated” dialogue in the sense that prior to the two public debates in which the two questions were openly addressed, the experts attended preparatory meetings with the organizers in various formats and exchanged academic publications as a way to prepare for the debates.

Their answers were quite clear, unlike those extracted from the literature review: yes, it is certainly desirable to have a common global reference for academic freedom, and that should also be possible. The existing global conceptual references (also mentioned in the literature review above) are either outdated, inefficient, or largely ignored in practice. It is not enough to insist on the application of the existing global references; we need new, up-to-date, and effective ones. Individual arguments were debated, many of which also came up in our literature review. For example, there was consensus that while cultural variability exists and must be accounted for in order to avoid further colonial approaches in higher education and science, academic freedom is a matter of concern everywhere in the world, and it is a precondition for the production, transmission, and dissemination of knowledge in the university everywhere in the world. By way of consequence, it follows that academic freedom is a universal value, and it must be possible to have common global conceptual references for it. There was also agreement that new and more effective global conceptual references for academic freedom are also needed as part of the ongoing process of reimagining academic freedom. The success of some regional experiences, such as in the EHEA, gives hope that this could work.

There was not much discussion regarding how to go about the task of creating such (new) references while avoiding a number of significant traps. Most of the experts agreed to continue this dialogue, and they are currently preparing a collective volume, the title of which will be the two questions they addressed during the debate and which is due in 2024.

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<sup>17</sup> <https://www.kcl.ac.uk/events/is-A-global-reference-for-academic-freedom-desirable-is-it-possible>, accessed on 9 April 2024.

## 4 Conclusions

The present paper shows that an analytical framework using the notions of a conceptual reference for academic freedom and framework of reference for academic freedom can be effective in understanding the remarkable evolutions with regard to academic freedom at the institutional, national, regional, and global levels in the last decade, including the efforts to address some significant, even unprecedented challenges to academic freedom during this period.

This analysis is also helpful in understanding both the specificities of the European efforts to address the predicaments of academic freedom during this period, in particular within the European Higher Education Area, and elements of commonality with similar efforts and developments in other parts of the world.

Our study shows that the scholarly literature with regard to the possibility and desirability of a global common reference for academic freedom is neither extensive nor very consistent. These are controversial and difficult matters for research for reasons that have been discussed in the respective sections of the paper. At the same time, existing studies dedicated to this topic indicate that academic freedom is a matter of concern everywhere, certainly for academics and students, and that academic freedom is a universal value. More research and reflection are needed in order to figure out how to go about the task of putting forward new global conceptual references for academic freedom that would be fair and effective at the same time while also allowing to promote decolonization of academic freedom and higher education more generally.

Not everybody that matters in the equation of academic freedom is supportive, which adds practical (political, in particular) difficulties to the task. But there are significant intellectual challenges, too. The fact that global references exist already, as our study has also shown, is encouraging, as is the success in several attempts to develop new conceptual references and frameworks of reference for academic freedom, maybe most remarkably during these recent years in the European Higher Education Area.

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## References

Adu, K. K., & Odame, J. (2023). Academic freedom in Africa: A systematic review of content analysis studies. *International Journal of Educational Development*, 100(8)

Altbach, P. G., de Wit, H., & Salmi, J. (2022). In a new Cold War, academic engagement is still necessary. In *University world news*. 12 March 2022. Retrieved April 9, 2024, <https://www.universityworldnews.com/post.php?story=20220311091525691>

Arowosegbe, J. O. (2021). Academic freedom, decolonization and the state in Africa. *Inter-Asia Cultural Studies*, 22(3)

Beaud, O. (2020). Reflections on the concept of academic freedom. *European Review of History: Revue européenne d'histoire*, 27(5)

Beiter, K. D. (2019). Where have all the scientific and academic freedoms gone? And What is 'Adequate for Science'? The right to enjoy the benefits of scientific progress and its applications. *Israel Law Review*, 52(2)

Berggren, N., & Bjørnskov, C. (2022). Political institutions and academic freedom: evidence from across the world. *Public choice*, 190

Blell, M., Liu, S. J., & Verma, A. (2022). 'A one-sided view of the world': Women of colour at the intersections of academic freedom. *The International Journal of Human Rights*, 26(10)

Bologna Process. (1999). *The Bologna Declaration of 19 June 1999. Joint declaration of the European Ministers of Education*. Retrieved April 9, 2024, from [https://www.ehea.info/media.ehea.info/file/Ministerial\\_conferences/02/8/1999\\_Bologna\\_Declaration\\_English\\_553028.pdf](https://www.ehea.info/media.ehea.info/file/Ministerial_conferences/02/8/1999_Bologna_Declaration_English_553028.pdf)

Bologna Process. (2020a). *Rome Ministerial Communiqué*. Annex 1. *Statement on Academic freedom*. Retrieved April 9, 2024, from [https://www.ehea.info/Upload/Rome\\_Ministerial\\_Communiqué\\_Annex\\_I.pdf](https://www.ehea.info/Upload/Rome_Ministerial_Communiqué_Annex_I.pdf)

Bologna Process. (2020b). *Rome Ministerial Communiqué*. 19 November 2020. Retrieved April 9, 2024, from [https://www.ehea.info/Upload/Rome\\_Ministerial\\_Communique.pdf](https://www.ehea.info/Upload/Rome_Ministerial_Communique.pdf)

Börzel, T. A. (2022). The globalization of academic freedom. In *EUSA Conference Papers*. Retrieved April 9, 2024, from <https://www.eustudies.org/conference/papers/17?page=2>

CHE-Council on Higher Education. (2008). *Academic freedom, institutional autonomy and public accountability in South African Higher Education*. Pretoria, South Africa. Retrieved May 10, 2024, from <https://www.che.ac.za/file/5332/download?token=7LsSPrKQ>

Collini, S. (2012). *What are universities for?* Penguin.

Derbesh, M. (2023). Academic freedom and knowledge tradition of the Arab heritage. *On the Horizon*, 31(2).

European Union. (2020). *Bonn declaration on freedom of scientific research*. Adopted at the Ministerial Conference on the European Research Area on 20 October 2020 in Bonn. Retrieved April 9, 2024, from <https://www.che.ac.za/publications/research/task-team-higher-education-institutional-autonomy-and-academic-freedom-heiaaf>

Grimm, J., & Saliba, I. (2017). Free research in fearful times: conceptualizing an index to monitor academic freedom. *Interdisciplinary Political Studies*, 3(1).

Hao, Z. (2020). Academic freedom under siege: What, why, and what is to be done. In Z. Hao, S. Zabielskis (Eds.). *Academic freedom under siege: Higher education in East Asia, the U. S. and Australia*. Switzerland. Springer International Publishing.

Heathershaw, J., Chalcraft, J., Chubb, A., Fulda, A., Hughes, C., Kaczmarska, K., Karran, T., Lennox, C., Pils, E., Prelec, T., Rudolph, K., Woodman, S., & Yaprak Yıldız, Y. (2022). Model code of conduct: Protection of academic freedom and the academic community in the context of the internationalisation of the UK HE sector. *The International Journal of Human Rights*, 26(10), 1858–1865. <https://doi.org/10.1080/13642987.2022.2148977>

Ignatieff, M., & Roch, S. (Eds.). (2017). *Academic freedom. The global challenge*. CEU Press.

Joly, D. (2022). *Academic freedom under attack*. France and the UK. Global Observatory on Academic Freedom.

Khamitovich, V. D., Romashov, R. A., Lipinsky, D. A., & Rakova, E. G. (2022). The principle of academic freedom and its peculiarities in the context of globalization. *BiLD Law Journal*, 7(2s)

Kinzelbach, K., Saliba, I., & Spannagel, J. (2021). Global data on the freedom indispensable for scientific research: towards a reconciliation of academic reputation and academic freedom. *The International Journal of Human Rights*, 26

Laurila, K., & Carey, K. C. (2022). Rethinking freedom: A framework for the implementation of ethical space in the academy. *Educational Studies*, 58(2)

Maassen, P., Martinsen, D., Elken, M., Jungblut, J., & Lackner, E. (2023). *State of play of academic freedom in the EU Member States Overview of de facto trends and developments*.

European Parliamentary Research Service Scientific Foresight Unit (STOA). Retrieved April 9, 2024, from [https://www.europarl.europa.eu/RegData/etudes/STUD/2023/740231/EPRS\\_S\\_TU\(2023\)740231\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2023/740231/EPRS_S_TU(2023)740231_EN.pdf)

Magna Charta Universitatum. (1988). Retrieved April 9, 2024, from <https://www.magna-charta.org/magna-charta-universitatum/mcu-1988>

Magna Charta Universitatum. (2020). Retrieved April 9, 2024, from <https://www.magna-charta.org/magna-charta-universitatum/mcu2020>

Marini, G., & Oleksiyenko, A. (2022). Academic freedom in the re-imagined post-Humboldtian Europe. *Higher Education Quarterly*, 76

Matei, L. (2023a). Charting a course for academic freedom in Europe at the beginning of the 21st century: Situated epistemology, codification, practice. *Philosophy and Theory in Higher Education*, 5(2)

Matei, L. (2023b). The iron veil: Universities and democracy at the beginning of the 21st century. In S. Bergan, I. Harkavy, R. Munck (Eds.). *Higher education leadership for democracy, sustainability and social justice*. Strasbourg Council of Europe Publications Council of Europe Higher Education Series No. 26

Matei, L., Craciun, D., & Potapova, E. (2023). Progress towards the completion of a technical monitoring framework of indicators and piloting methodology for the fundamental value of higher education in the EHEA. Report submitted to the Working Group on the Fundamental Values of Higher Education in the EHEA. 9 Nov 2023

Matei, L. (2024). The crisis of academic freedom at the beginning of the 21st century: Europe in a plural world. In F. Mégret, N. Ramanujam, (Eds.). *Academic freedom in a plural world*. CEU Press.

Matei, L., Kapur, S. (2022). Academic freedom is not freedom of speech for academics. In *Times Higher Education*. 24 Nov 2022

Nurul Huda, S. A., Suyanto, S., Kartowagiran, B., Setiawan, C., & Putranta, H. (2020). Academic freedom: Understanding and experience of higher education lecturers in Indonesia. *Universal Journal of Educational Research*

O'Dwyer, S. (2023). On the duty of scholars to aid their Persecuted Peers. *Journal of Applied Philosophy*, 40.

Olsson, E. J. (2023). Academic freedom and the decolonisation of knowledge: curriculum transformation in South Africa from a UNESCO perspective. *Studies in Higher Education*, 48(8)

Popović, M., Matei, L., & Joly, D. (2022). *Changing understandings of academic freedom in the world at a time of pandemic*. Global Observatory on Academic Freedom.

Prelec, T., Furstenberg, S., Heathershaw, J., & Thomson, C. (2022). Is academic freedom at risk from internationalisation? Results from a 2020 survey of UK social scientists. *The International Journal of Human Rights*.

Quinn, R., Levine, J. (2014). Intellectual-HRDs and claims for academic freedom under human rights law. *The International Journal of Human Rights*, 18(7–8).

Ramanujam, N., Wijenayake, V. (2022). The bidirectional relationship between academic freedom and rule of law: Hungary, Poland and Russia. *Hague Journal on the Rule of Law*, 14.

Ren, K., Li, J. (2013). Academic freedom and university autonomy: A higher education policy perspective. *Higher Education Policy*, 26(4).

Scholars at Risk. (2015). *Free to think reports*. Retrieved April 9, 2024, from <https://www.scholarsatrisk.org/resources/free-to-think-2015/>

Scholars at Risk. (2016). *Free to think reports*. Retrieved April 9, 2024, from [https://www.scholarsatrisk.org/wp-content/uploads/2016/11/Free\\_to\\_Think\\_2016.pdf](https://www.scholarsatrisk.org/wp-content/uploads/2016/11/Free_to_Think_2016.pdf)

Scholars at Risk. (2017). *Free to think reports*. Retrieved April 9, 2024, from <https://www.scholarsatrisk.org/wp-content/uploads/2017/09/Free-to-Think-2017.pdf>

Scholars at Risk. (2018). *Free to think reports*. Retrieved April 9, 2024, from <https://www.scholarsatrisk.org/wp-content/uploads/2018/10/Free-to-Think-2018.pdf>

Scholars at Risk. (2019). *Free to think reports*. Retrieved April 9, 2024, from <https://www.scholarsatrisk.org/wp-content/uploads/2020/01/Scholars-at-Risk-Free-to-Think-2019.pdf>

Scholars at Risk. (2020). *Free to think reports*. Retrieved April 9, 2024, from <https://www.scholarsatrisk.org/wp-content/uploads/2020/11/Scholars-at-Risk-Free-to-Think-2020.pdf>

Scholars at Risk. (2021). *Free to think reports*. Retrieved April 9, 2024, from <https://www.scholarsatrisk.org/wp-content/uploads/2021/12/Scholars-at-Risk-Free-to-Think-2021.pdf>

Scholars at Risk. (2022a). *Free to think reports*. Retrieved April 9, 2024, from <https://www.scholarsatrisk.org/resources/free-to-think-2022/>

Scholars at Risk. (2020b). *Principles for implementing the right of academic freedom. Working draft*. Retrieved April 9, 2024, from <https://www.scholarsatrisk.org/wp-content/uploads/2023/03/Principles-for-Implementing-the-Right-of-Academic-Freedom-ENGLISH.pdf>

Scholars at Risk. (2023). *Free to think reports*. Retrieved April 9, 2024, from <https://www.scholarsatrisk.org/resources/free-to-think-2023/>

Silvernail, K. D., Graso, M., Salvador, R. O., & Miller, J. K. (2021). Perceived fairness of faculty governance: A study of 51 countries. *Higher Education*, 82.

Spannagel, J. (2023). Introducing academic freedom in constitutions: A new global dataset, 1789–2022. *European Political Science*.

Spannagel, J., Kinzelbach, K. (2022). The academic freedom index and its indicators: Introduction to new global time-series V-Dem data. *Quality & Quantity*, 57.

Tierney, W. G., Lanford, M. (2014). The question of academic freedom: Universal right or relative term. *Frontiers of Education in China*, 9

UNESCO. (1997). *Recommendation concerning the Status of Higher-Education Teaching Personnel*. Retrieved April 9, 2024, from <https://en.unesco.org/about-us/legal-affairs/recommendation-concerning-status-higher-education-teaching-personnel>

UNESCO. (2017). *Recommendation on science and scientific Researchers*. Retrieved April 9, 2024, from <https://unesdoc.unesco.org/ark:/48223/pf0000367439#:~:text=The%20Recommendation%20calls%20for%20inclusive,to%20employment%20in%20scientific%20research>

United Nations. (1966). *International covenant on economic, social and cultural rights*. Adopted 16 December 1966. Retrieved April 9, 2024, from <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-economic-social-and-cultural-rights>

United Nations. (2020). *Report on academic freedom and the freedom of opinion and expression*. Issued by the UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression. Published on 20 July 2020. Retrieved April 9, 2024, from <https://www.ohchr.org/en/calls-for-input/report-academic-freedom-and-freedom-opinion-and-expression>

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