THE EROSION OF ACADEMIC FREEDOM IN EUROPE

COUNCIL OF EUROPE
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Council of Europe

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Cover design: Publications and Visual Identity Division Council of Europe
Layout: Jouve, Paris

Cover illustration: Sergio Aquindo

Council of Europe Publishing
F-67075 Strasbourg Cedex
http://book.coe.int

ISBN 978-92-871-9606-4
978-92-871-9607-1 (PDF)

Printed at the Council of Europe

The cover illustration by Sergio Acquindo was originally published in *Le Monde*, "Academics would do well to speak out before it's too late" (2024).

This thematic report was prepared as part of the work of the Council of Europe Expert Working Group on the Democratic Mission of Higher Education, by Professor Peter Maassen, Department of Education, Faculty of Educational Sciences, University of Oslo, Norway; Professor Zoltán Rónay, Institute of Education, Faculty of Education and Psychology, Eötvös Loránd University, Budapest, Hungary (Chapter 2 – Legal restrictions on academic freedom); and Professor Gergely Kováts, Institute of Management, Corvinus University of Budapest, Hungary (Chapter 3 – Political interference in academic freedom).

Contents

TABLES AND FIGURES

Foreword

Academic freedom is a cornerstone of democratic society and a fundamental condition for higher education to fulfil its essential missions. It is crucial not only for the advancement of knowledge but also for enabling higher education institutions to fulfil, in particular, their public mission – a mission that includes preparing students for responsible citizenship, fostering critical thinking that enables progress through research that is a basis for advancement of our societies, while at the same time contributing to the development of a democratic culture.

The Council of Europe has long emphasised the democratic role of education and higher education. This is central to our Education Strategy 2024-2030, which places democratic resilience and civic responsibility at the heart of education policy. The Council of Europe Reykjavik Principles for Democracy reaffirm that academic freedom and institutional autonomy are among the essential foundations of democratic life. And in line with our New Democratic Pact for Europe, we have highlighted that freedom of enquiry – including the freedom to choose topics of research and to question dominant assumptions – is indispensable not only for the health of democracy but for the very capacity of our societies to evolve, respond to challenges and remain open and forward-looking.

This report, prepared by the experts from the Council of Europe Expert Working Group on the Democratic Mission of Higher Education, presents a clear and timely analysis of the multiple pressures affecting academic freedom in Europe today. These range from overt political interference to more indirect or systemic challenges, including pressures from within academia, civil society or the private sector. It also shows that academic freedom can be weakened unintentionally, through policy reforms or practices that compromise the autonomy and independence of academic institutions.

The findings highlight the need for renewed vigilance and for co-ordinated responses. These include stronger legal and policy frameworks, improved monitoring mechanisms, and clearer standards for partnerships and institutional governance. The proposals set out in this report offer an important contribution to the ongoing dialogue between governments, higher education institutions and civil society actors.

The defence of academic freedom cannot be left to the academic community alone. It concerns us all. Strengthening and promoting the conditions that allow free enquiry and open exchange are not only about supporting universities but about protecting the foundations of democratic life and ensuring that our societies remain capable of progress, critical reflection and resilience in the face of change.

Villano Qiriazi

Head of the Education Department

Council of Europe

Executive summary and proposals for action

The year 2024 marked the 75th anniversary of the Council of Europe. Throughout its existence the Democratic Mission of Higher Education project has been crucially important for the Council of Europe, since higher education plays a central role in addressing democratic problems and deficits, and in dealing with grand global challenges. Academic freedom is a fundamental right and a key component of higher education's democratic mission in that it provides essential checks and balances to any well-functioning democratic system. The Council of Europe has therefore actively promoted and protected academic freedom among its member countries and beyond. This report presents the findings of a study on the ongoing erosion of academic freedom in Europe advanced by the Expert Working Group on the Democratic Mission of Higher Education set up by the Education Department of the Council of Europe.

Recommandation CM/Rec(2012)7 of the Committee of Ministers to member States on the responsibility of public authorities for academic freedom and institutional autonomy is an important demonstration of its commitment to the Democratic Mission of Higher Education project. Since then, there has been a democratic backsliding in Europe, which has also affected the state of *de facto* academic freedom negatively. Consecutive measurements have shown that academic freedom in most Council of Europe member countries has been slowly eroded over the last 10 to 15 years, and has been structurally violated in four member states.

The 2012 recommendation focuses on the government's responsibility for protecting academic freedom and institutional autonomy. Political interference by governments and other political actors continues to be a key threat to academic freedom. In addition to political interference, non-political actors and forces are also increasingly exerting pressure on academic freedom in Europe. These include internal academic attacks on dissent, attacks on academia by society, private sector interference and growing security policy constraints.

This publication identifies multiple forms and levels of intensity of political interference affecting academic freedom across Europe. Although threats can vary considerably, they generally fall along a spectrum ranging from indirect consequences of policy decisions to structural violations.

The structural threats referred to in the report are characterised by deliberate political acts that systematically restrict academic freedom and institutional autonomy.

Because of the threat of legal prosecution and punishment, such acts severely limit the ability of the academic community to conduct independent research, work and study in open teaching and learning environments, and openly express expert opinions. Furthermore, certain political initiatives attempt to classify specific academic disciplines and fields as non-academic or to externalise the protection of academic freedom. This threatens to undermine the fundamental responsibility of the academic community to safeguard academic freedom.

Elsewhere, political interference occurs mainly in the form of indirect effects of government initiatives and not through targeted measures against academic freedom. Government reforms that affect institutional autonomy, governance structures, funding mechanisms and working conditions often lead to unintended pressure on academic freedom.

These diverse manifestations of political interference indicate that academic freedom is facing serious challenges across Europe. This underlines the importance of vigilance and proactive measures at all relevant levels to ensure that states consistently fulfil their obligation to refrain from undue interference in academic freedom and protect it against attacks by third parties.

The impacts of these intensifying cases of political interference in academic freedom in Europe are increasingly multiplied by both internal and external pressures on academic freedom from non-political sources.

Intra-academic disagreements, debates, tensions and conflicts have always been an essential part of academic culture. However, there is strong evidence that in recent years members of the academic community have increasingly attempted to stop or obstruct academic activity or to silence academic expressions by individual staff, students or groups that they consider unacceptable, or to exert pressure on members of the academic community to conform to certain ideas or positions. A frequent result of such internal attacks or pressures is academic self-censorship.

External attacks on academic freedom come from groups or individuals as well as from the private sector. Cases of external pressure, harassment and intimidation against members of the academic community have increased since the Covid-19 pandemic and are contributing to the erosion of academic freedom in Europe. The result may be that academics who face threats or are harassed or even violently attacked because of their research on or teaching of sensitive or politically charged topics refrain from engaging with such topics (self-censorship) or decide to discontinue their academic career. A more serious part of this trend consists of efforts by an "anti-science" coalition to undermine the position of the "science system" in society. In most of these cases social media play an important role. There is clearly a need to better understand the nature of these attacks and the specific means used to influence academia, whether these are aimed at silencing certain academic voices, hindering particular themes being researched and taught or even radically transforming public higher education.

Private sector interference in academic freedom has gradually become an issue of interest in Europe. While overall the growing involvement of the private sector in

academic activities is seen as positive, the growing dependence on private funding sources may give rise to pressures to conform to the interests of funders, which potentially compromise the independence and objectivity of academic activities. This can lead to private sector funders determining which research problems should be addressed or the results to be produced, the ownership and accessibility of research findings, and the academic and professional publications that should be allowed. Furthermore, legal and financial tools have been used by private companies to silence critical academics. All in all, there is a need to clarify and enhance the position of academic freedom in relationships between the academic and private sectors. To that end, more transparent framework conditions for private involvement in academia should be developed in the form of effective regulations and procedures at the European, national and institutional levels.

Since the early 2020s intensifying geopolitical tensions and conflicts have led to growing concerns about international security risks and about foreign interference in academia. It has been argued that the European and national security policies that were introduced to address these concerns incorporate potential threats to academic freedom. These relate to policies and regulations that contain new, and in some cases far-reaching, limitations imposed on academics and students, including restrictions on international scientific collaboration, security checks for publicly funded research and scientific publications, dual use of research and policies for knowledge export. This trend of securitising higher education and science policy highlights the importance of continual and inclusive discussion on the fundamental values of responsible international academic collaboration and its benefits, and the role of academic freedom in global science relationships.

The Council of Europe's intergovernmental work on the democratic mission of higher education has actively engaged with these trends and threats, notably through its Education Department and the Expert Working Group on the Democratic Mission of Higher Education and, as well as through discussions with member states on adopting relevant guidance instruments and recommendations.

In view of this study's findings, the Council of Europe, and its member states, should consider the following proposals:

- follow up Recommendation CM/Rec(2012)7 on the responsibility of public authorities for academic freedom and institutional autonomy with a new recommendation that incorporates the findings of this study;
- set up a European clearing house for information and data on academic freedom;
- strengthen existing legal provisions, and if necessary, introduce new provisions to protect academic freedom more effectively against attacks by society;
- develop clear regulations and transparent procedures for partnerships and other forms of involvement between the private sector and academia;
- the jurisprudence of the European Court of Human Rights on academic freedom, based on the European Convention on Human Rights, should be further developed and should be consistently integrated into national judicial and regulatory systems.

Chapter 1

Introduction

1.1. Background

The Council of Europe actively promotes the democratic mission of higher education with the aim of protecting, supporting and advancing academic principles, values and institutions that foster critical thinking, a culture of democracy, academic freedom, social responsibility and active citizenship. This is highly important since higher education plays a central role in not only addressing democratic problems and deficits, but also dealing with grand global challenges, such as climate change, sustainable development, mass migration, inequality, security, pandemics and extremism.

The democratic mission of higher education is at the heart of the Council of Europe's work, as demonstrated in a range of activities, including conferences and projects, and its Higher Education Series, launched in 2004.[1] This work expresses the Council of Europe's strong commitment to understanding and defining the key contribution of higher education to promoting a culture of democracy and strengthening democratic institutions.

Recommendation CM/Rec(2012)7 on the responsability of public authorities for academic freedom and institutional autonomy is an important marker in its commitment to the democratic mission of higher education, but at the same time, the recommendation contains no explicit reference to specific threats to academic freedom or institutional autonomy, other than the indication that they need to be protected against outside interference from public authorities or others. This reflects trends in higher education governance in Europe in the first decade of this century. General public governance reforms were affecting higher education governance, for example, by enhancing institutional competition for human and financial resources, stressing financial control and institutional performance, introducing performance contracts and making institutional governance less democratic and more executive (Paradeise et al. 2009). These higher education

1. See The Democratic Mission of Higher Education, www.coe.int/en/web/higher-education-and-research/democratic-mission-of-higher-education; and the Higher Education Series, www.coe.int/en/web/higher-education-and-research/publications, accessed 12 August 2025.

governance reforms raised concerns among many stakeholders about their possible impact on academic freedom, and Recommendation CM/Rec(2012)7 provided general guidelines for European countries to enhance the protection of academic freedom as well as institutional autonomy.

Since the early 2010s, democracy has gradually declined in Europe, which is evident in the significant fall in average voter turnout in elections, the erosion of trust in democratic institutions and growing political polarisation (International IDEA 2024; see also Liberties 2025). In the same period, trust in higher education as a key knowledge institution has also diminished (Maassen and Stensaker 2021). Consequently, higher education's pivotal role in promoting and strengthening democratic values, principles and institutions is under serious pressure. The Council of Europe's Education Strategy 2024-30, "Learners First", therefore emphasises the need for higher education to revitalise its democratic and civic mission so as to promote and support the active engagement of citizens in democracy and in addressing today's major challenges. A multiyear project, Democratic Mission of Higher Education (2024-27), was initiated to support and promote this. One of the sub-themes addressed in this project is "Academic freedom in action", which reflects the Council of Europe's support for the protection and promotion of academic freedom as a fundamental democratic value. The current report discusses the erosion of academic freedom in Europe and is based on a study by experts working within the Expert Working Group on the Democratic Mission of Higher Education set up by the Education Department of the Council of Europe.

1.2. The foundation of academic freedom

Current discussions about academic freedom in Europe reflect a broad recognition of its importance, even if there is no universally agreed definition of academic freedom. For instance, Article 13 of the Charter of Fundamental Rights of the European Union (EU) emphasises academic freedom as a fundamental right but does not explicitly define it. The European Parliament has similarly highlighted academic freedom's significance through recommendations in 2018 and 2024, and the establishment of the *EP Academic freedom monitor*. Additionally, ministerial statements from the Bologna Process, such as the Rome Communiqué (2020) and the Tirana Communiqué (2024), underline the commitment of key higher education stakeholders to academic freedom and other fundamental values. The Ministerial Conference on the European Research Area reinforced this through the Bonn Declaration. Various international statements and declarations by UNESCO, the Magna Charta Observatory and the World University Service further illustrate global recognition of the importance of academic freedom.

At the same time, these declarations and frames of reference also show that the state of *de facto* academic freedom is informed by context and has to be interpreted within dynamic political, economic and societal settings. Therefore, and in line with the current understanding (Shaheed 2024), this study does not use a

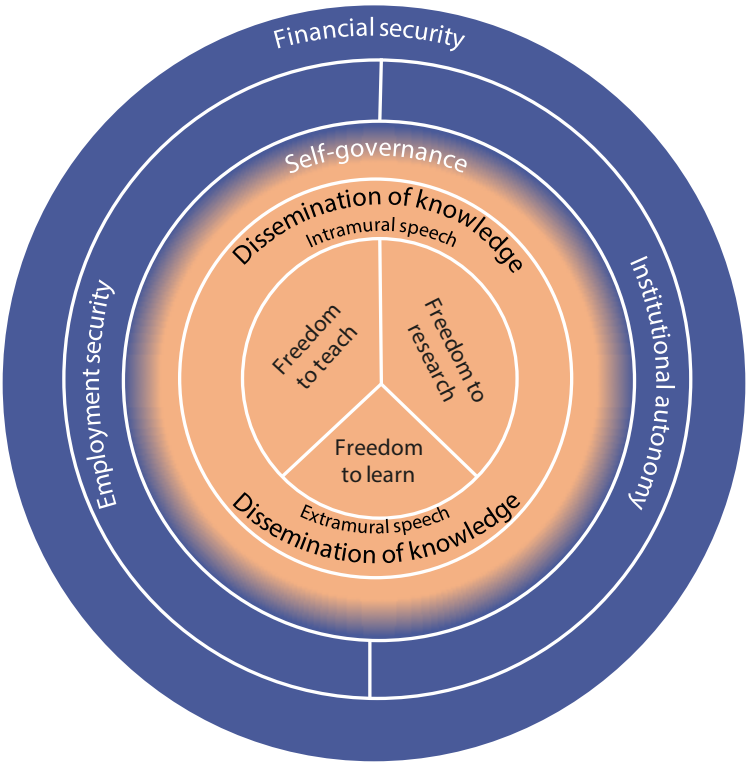
specific definition of academic freedom. Instead, we will start with a distinction between the core dimensions of academic freedom and the conditions required for exercising academic freedom optimally. The core dimensions, also referred to as "substantive elements" (Karran and Beiter 2020: 124-5; Kováts and Rónay 2023), include freedom to research, freedom to teach and learn and freedom of academic expression.

"Freedom to research" refers to the freedom of individual academic staff to develop and follow their own research agenda without any undue political, administrative, religious, economic, social, cultural or academic interference. "Freedom to teach and learn" refers to the freedom of individual academics to develop and design courses and teaching agendas, and the freedom of students to choose and pursue their studies without any undue internal or external interference.

"Freedom of academic expression" refers to the freedom of the members of the academic community to express themselves on the basis of their academic area of expertise or field of study within and outside their institution. This includes the freedom to disseminate and share research findings, the freedom to collaborate academically and travel for that purpose, and the freedom to criticise institutional leadership and national governments in one's area of academic expertise and with respect to general academic governance issues, without undue internal or external restrictions or the risk of being punished. Freedom of academic expression has to be distinguished from freedom of speech, which is a human right of every citizen. It is therefore important to make a distinction between academics expressing themselves publicly in their professional capacity, who are thereby protected by academic freedom, and academics expressing themselves as regular citizens outside their professional capacity. In the latter case they are not protected by academic freedom. These freedoms are not unconditional but have to be exercised within the accepted framework conditions for academic freedom, including academic integrity and the regular governance mechanisms for higher education and research within the higher education institutions and national science systems.

Crucial for the effective exercise of academic freedom are the conditions for academic freedom determined by the broader social, political and economic contexts in which higher education and scientific research are embedded. These conditions include institutional autonomy, self-governance by the academic community (staff and students), equitable access and adequate labour conditions and funding opportunities. Further attention should be paid to how these conditions, or "supportive elements" (Karran and Beiter 2020: 125) affect the core dimensions of academic freedom in different national and institutional settings and for different members of the academic community (tenured vs non-tenured staff, early career vs senior researchers, staff vs students).

Figure 1.1. The onion model: the essential (orange) and supportive (blue) elements of academic freedom



Source: Kováts and Rónay (2023: 12).

As argued by Kováts and Rónay (2023: 12) the core dimensions and conditions of academic freedom can be interpreted as forming various layers, comparable to an onion, as shown in Figure 1.1, with the core dimensions, or substantive elements, marked in orange and the conditions, or supportive elements, in blue. The core dimensions and conditions are sometimes intermingled in policy documents or academic studies as a consequence of the lack of agreement on the exact distinction between them. In this study we do not further discuss whether there is a correct distinction between core dimensions and conditions of academic freedom.

Making a distinction between the core dimensions of academic freedom and the essential conditions for exercising academic freedom assumes that the *de facto* state of academic freedom has to be studied by examining direct threats to and violations of the core dimensions of academic freedom and examining threats to and violations of the conditions under which academic freedom is to be exercised. This approach is all the more relevant because public debates, academic studies, international indexes and monitors, reports by Scholars at Risk (SAR) and practical experiences in the Council of Europe member states have shown that academic freedom is under pressure in Europe. If it is not adequately addressed, this pressure may lead to a further erosion of *de facto* academic freedom in Europe. From that perspective, this study

discusses the main sources of threats to *de facto* academic freedom in the Council of Europe's member states in order to contribute to a better understanding of how to enhance the promotion and protection of academic freedom. This approach reflects our view that the state of academic freedom is a key indicator of liberal democracy (Cole 2017), in other words, it is democracy's "canary in the coal mine".

1.3. Conceptualisation of academic freedom

In our contribution to discussions on the interpretations of academic freedom, we have identified various perspectives that are potentially relevant to the conceptualisation of academic freedom. We refer especially to the legal obligations of the state to protect academic freedom and to philosophical and social science work on the distinction between negative and positive academic freedom.

State obligations with respect to academic freedom can be differentiated into positive and negative obligations. From a legal perspective, negative obligations on the state refer to its duty to refrain from action that violates academic freedom, while positive obligations on the state refer to the active steps it needs to take to ensure that academic freedom can be exercised without undue interference from third parties (Stachowiak-Kudła et al. 2023: 179). In general, negative obligations mean that the state does not act, while positive obligations require the public authorities to act, that is, to take the necessary measures to safeguard academic freedom.

In general, legal academic freedom cases primarily concern negative obligations on states to refrain from violating the academic freedom of individual academics, even though it is now widely accepted that academic freedom also gives rise to positive obligations on the state to take active steps to ensure this basic principle. At the same time, the exact boundaries of these positive obligations are unclear and, it is argued, require further research and the development of case law, among other things, by the European Court of Human Rights and the Court of Justice of the European Union.

From the perspective of the close relationship between academic freedom and democracy, we should reflect on the meaning and importance of the concept of freedom as a key European value[2] and its relevance to the interpretation of academic freedom. In an exploration of the concept of freedom, Timothy Snyder, in his recent book *On freedom* (2024), argues that "Freedom is the value of values because it is the condition in which all other values may be exercised" (p. 53). He makes a distinction between negative and positive freedom, that is freedom *from* and freedom *to*, with positive freedom being true freedom (pp. 14-20). If we apply this distinction to academic freedom,[3] the connection between academic freedom as a principle and as a practice can be interpreted by applying Snyder's five forms of freedom: sovereignty, unpredictability, mobility, factuality and solidarity.

2. Freedom is one of the EU's key values laid out in Article 2 of the Lisbon Treaty and the EU Charter of Fundamental Rights. The others are human dignity, democracy, equality, the rule of law and human rights (European Union n.d.).
3. For discussions of the negative and positive dimensions of academic freedom, see Stachowiak-Kudła et al. (2023: 173-7).

The first form of freedom, "sovereignty", represents the learned capacity and freedom, that is individual autonomy, to make choices (p. 21). Applying this to academia, sovereignty would refer to the values that individual academics believe in and the power they have to realise them. This concerns what academics value most in their scientific activities and the academic freedom they need to realise these values in practice (p. 31). Snyder's second form of freedom, "unpredictability", arises from sovereignty and concerns the freedom individuals have to choose their values, without an external authority controlling these choices in such a way that they become predictable (p. 67). In the academic world, unpredictability refers to the freedom of academics to choose their theoretical and methodological preferences and the values or virtues (such as excellence, perseverance, curiosity, inclusion, beauty and benevolence) they have identified as being most relevant for their academic work without these choices being controlled by others. The third form of freedom, "mobility" refers to the capacity to move through space and time in following these values (pp. 114-16). Mobility in the academic world would mean having the freedom to choose one's own academic areas of interest, follow one's own career path, determine where one wants to study and do one's academic work and select one's collaboration partners, all of which are embedded in a unique, individual combination of values. Snyder's fourth form of freedom, "factuality" (pp. 175-76) refers to the facts of our existence that give us a grip on the world, which allows us to inhabit and to change it. This is a central form of freedom in the academic community, which allows academics to follow their curiosity sovereignly, in an unpredictable way, wherever and with whomever they prefer, to produce knowledge that will help all members of society. An important principle is that science has to be respected and that academics should have the freedom to address the research problems they choose, to freely select the topics for their teaching activities and to express themselves academically in the way they see fit. Each academic chooses the combination of values that allows them to use their freedom in an appropriate and meaningful way. The fifth form of freedom is "solidarity", which refers to the recognition that freedom is for everyone. An important starting point is that "none of the things we need to become free, including knowledge, can we produce by ourselves" (p. 195). With respect to the academic community, this freedom means acknowledging that academic freedom requires respect for, and the protection of, institutions such as universities and the law (Olsen 2007a). It also includes the acknowledgement that academia is a community and that claiming academic freedom for oneself must be accompanied by claiming academic freedom for the entire community (Snyder 2024: 301). Solidarity also brings with it social responsibility, that is, an obligation to use academic freedom in the interest not just of the academic community but of society as a whole, including the obligation to promote and protect equitable access. This responsibility is based on the principle that academia is not an isolated community but part of a larger society with one of the essential aims of academic freedom being to contribute to the maintenance and, where necessary, the strengthening of fundamental democratic principles and institutions.

These reflections on negative and positive obligations of the state and on various forms of freedom are intended to provide an insight into possible contributions to the further conceptualisation of academic freedom by the Council of Europe. This work will form an important component of the Council of Europe's project Democratic Mission of Higher Education in the coming years.

1.4. Academic freedom in Europe

All European countries have ratified the United Nations International Covenant on Economic, Social and Cultural Rights, which compels them to "respect the freedom indispensable for scientific research and creative activity" (Article 15).[4] Furthermore, the EU Charter of Fundamental Rights offers legal protections against infringements of academic freedom, while each European country has legal provisions in place to protect academic freedom. We can also refer to the case law on academic freedom from the European Court of Human Rights (Laffranque 2017: 42-5) and the European Court of Justice. As argued by Kovács (2025: 140), "academic freedom has seemingly had a somewhat precarious standing in European jurisprudence because the two European courts have only recently begun addressing academic freedom". This report will contribute to the understanding of the nature of the ongoing *de facto* erosion of academic freedom in Europe, which can be expected to support the further development of relevant case law on academic freedom in Europe.

The academic community in Europe has become deeply concerned about intensifying threats to academic freedom.[5] Specific cases indicate that the current legal protections of academic freedom are insufficient to maintain academic freedom in practice. This means that existing legal protections do not protect all aspects of academic freedom and all members of the academic community equally. A key example in Europe is the case of Central European University (CEU) brought before the European Court of Justice by the European Commission against Hungary in connection with the 2017 amendment to the Hungarian Higher Education Act. The European Court of Justice ruled that the new regulatory "conditions introduced by Hungary to enable foreign higher education institutions to carry out their activities in its territory are incompatible with EU law".[6] Specifically, Hungary failed to comply with the provisions in the General Agreement on Trade in Services (GATS) of the World Trade Organization (WTO) and the provisions of the EU Charter of Fundamental Rights on academic freedom, freedom to conduct a business, and freedoms of establishment and free movement of services. While the ruling was welcomed, the court's decision reinforced the understanding that Article 13 of the charter by itself does not provide sufficient legal protection for academic freedom.

The CEU case was in many respects an eye-opener for Europe. It showed that the protection of academic freedom could no longer be taken for granted even in democratic states. It also created awareness of the inadequacy of legal provisions protecting academic freedom at the European level. Since then, it has generally been acknowledged that the protection and promotion of academic freedom need

4. See the International Covenant on Economic, Social and Cultural Rights, which was opened for signature, ratification and accession in 1966 and entered into force in 1976. See in particular Article 13 of this covenant on the right of everyone to education.
5. See the 2019 joint statement of All European Academies (ALLEA), the European University Association (EUA) and Science Europe on academic freedom and institutional autonomy, https://allea.org/portfolio-item/academic-freedom-and-institutional-autonomy-commitments-must-be-followed-by-action-joint-statement-by-allea-eua-and-science-europe/, accessed 25 August 2025.
6. For the full judgment in *Commission v. Hungary (Higher Education)* (C-66/18), see https://curia.europa.eu/juris/liste.jsf?num=C-66/18.

to be strengthened, especially given the important role of scientific research and higher education in the advancement of public knowledge, innovation, economic competitiveness, well-being and democracy in Europe. This perspective has been highlighted in various European policy documents and reports. For instance, in 2022 the Council of the European Union launched a strategy aimed at empowering and supporting European higher education institutions "in all their missions because of their critical contribution to Europe's response to the challenges ahead" (Council of the European Union 2022). The promotion and protection of academic freedom and integrity is highlighted as an important condition for realising this strategy. Another example is the "Draghi report" on the future of European competitiveness, which argues that efforts to enhance the competitiveness of Europe should be guided by fundamental values, which include values of specific relevance to research and innovation, such as academic freedom (Draghi 2024: 246). A further example, a report by the independent expert group led by Manuel Heitor on maximising the impact of EU research and innovation programmes in the future, identifies as one of the guiding principles for Europe's competitiveness the need to rely on Europe's commitment to academic freedom (Commission Expert Group 2024).

Recent measurements and monitoring reports indicate not just threats to academic freedom but also differences in contextual understandings, in legal and non-legal protections of the principle and the practice of academic freedom in higher education and scientific research. Some of these differences have historical origins related to the political, social and academic development of the concept of academic freedom in different countries, including Council of Europe member states, whereby some dimensions of the concept have been given more weight than others. Yet, even though there is not a commonly agreed upon definition, there is widespread acceptance of the central elements of academic freedom (Beaud, 2022; Craciun et al. 2024).

There are several national and international organisations and networks aimed at promoting academic freedom. The most prominent globally oriented among these is Scholars at Risk, which began at the University of Chicago in 1999. Since then, many SAR sections and partner networks have been established around the world with the intention of supporting, protecting and helping individual scholars and promoting academic freedom. SAR has institutionalised various activities, including an annual report analysing attacks on academic freedom around the world. SAR's 2024 report covers 391 attacks against higher education across 51 countries and territories, including several Council of Europe member states (SAR 2024). While many of these attacks were related to student and staff protests at the Gaza–Israel conflict, the report also pointed to attacks on academic freedom in the form of restrictions on academics in their research collaboration, for example with Chinese scholars, surveillance of Muslim students and a crackdown on dissenting academics.

Concerns about the current state of play of academic freedom in Europe have also led to an increasing academic interest in the subject, as illustrated by various studies and the development of academic freedom monitors. In a study for the European Parliament Academic Freedom Forum, Kováts and Rónay (2023) present an extensive discussion of initiatives to assess academic freedom. The best-known global monitor is the Academic Freedom Index (AFI), which is co-developed by the Global Public Policy Institute (GPPi), the Friedrich-Alexander University of

Erlangen–Nuremberg (FAU), the V-Dem Institute and SAR. The AFI annually assesses the state of academic freedom in 179 countries and territories around the world based on the scores of more than 2 000 country experts. Five indicators are used by the AFI to provide a global comparison of how countries are faring in terms of academic freedom: freedom to research and teach, freedom of academic exchange and dissemination, institutional autonomy, campus integrity and freedom of academic and cultural expression. Each year an update of the AFI is presented. Table 1.1 presents the scores of the 42 of the 46 Council of Europe member countries included in the 2024 AFI update.

Table 1.1. General academic freedom score for Council of Europe member countries included in the Academic Freedom Index (update 2024 with 2023 scores)

Country	AFI general score (2024 update)	Country	AFI general score (2024 update)
Countries with Status A			
Czech Republic	0.98	Slovakia	0.88
Estonia	0.97	Malta	0.88
Belgium	0.97	Austria	0.87
Italy	0.95	Norway	0.87
Luxembourg	0.94	EU-Average	0.87
Sweden	0.94	Iceland	0.86
Slovenia	0.94	Switzerland	0.85
Germany	0.93	Bulgaria	0.84
Spain	0.93	Romania	0.83
Finland	0.93	Montenegro	0.82
Portugal	0.92	Lithuania	0.82
Cyprus	0.92	Moldova	0.81
Latvia	0.91	Georgia	0.80
France	0.90	Croatia	0.80
Ireland	0.89	Council of Europe average	0.80
Denmark	0.89		
Countries with Status B			
Netherlands	0.79	Poland	0.75
Bosnia and Herzegovina	0.76	Armenia	0.68
		Albania	0.68
Countries with Status C			

Country	AFI general score (2024 update)	Country	AFI general score (2024 update)
Ukraine	0.50		
Countries with Status D			
Hungary	0.30		
Countries with Status E			
Azerbaijan	0.13	Türkiye	0.09

According to the AFI scores presented in Table 1.1, academic freedom is well protected in 38 of the 42 Council of Europe member countries included in the AFI update and is restricted in four. This suggests a generally positive situation in Europe compared to much of the rest of the world. However, academic freedom has come under increasing pressure in Europe, particularly since the Covid-19 pandemic—a concern that is reflected in both recent studies and measurements and in ongoing public debates.

The apparent erosion of academic freedom in Europe requires a better understanding of current academic freedom trends, both *de jure* and *de facto*. It is crucial to relate the erosion of academic freedom in Europe to broader political and societal trends. Threats to academic freedom and restrictions on universities and academics often parallel and sometimes directly overlap with those faced by human rights defenders, lawyers and journalists. As part of its ongoing work, the Education Department of the Council of Europe examines the connection between academic freedom violations and the wider erosion of civic space. Research consistently shows that the restriction of academics, journalists and NGOs is often part of a larger pattern of suppressing dissent and weakening democratic accountability and institutional oversight.

Furthermore, as the work by the Council of Europe[7] shows, a clear trend in European countries is that the threats to academic freedom come from different sources at the same time. While taken separately, each of these threats may not represent a crisis, taken together they have a potentially far-reaching impact on the academic freedom of many scholars and students in Europe. Therefore, based on the available measurements of and debates on academic freedom, this report discusses key factors that influence the state of academic freedom in Council of Europe member states. These factors are introduced on the next page and addressed in separate chapters in this report.

7. See Bergan et al. (2020).

1.5. Structure of report

Recent international and national measurements of academic freedom show that a number of factors are responsible for the erosion of academic freedom in Europe.[8] This study has examined the following factors, which are generally regarded as contributing to the erosion of academic freedom in Europe.

a. **Legal restrictions**: In some countries, legislation has been introduced or existing laws have been enforced in ways that potentially limit academic freedom. These restrictions can include laws that criminalise certain types of research or expressions, limit the autonomy of academic institutions or impose constraints on the dissemination of research findings.

b. **Political interference**: Academic freedom can be threatened or violated through the undue interference of governments and/or members of parliament (or other politicians and their political parties). This interference can be direct, for example, in the form of restrictions on certain academic fields or topics, pressure to conform to specific ideological or political agendas, or efforts to silence critical academics or students. It can also be indirect, through the introduction of unduly restricting changes in the conditions under which academia operates.

c. **Attacks on dissenting voices in academia**: Academics who express unpopular or dissenting opinions, challenge prevailing narratives or engage in critical research on sensitive issues may face harassment, intimidation or retaliation. This can result in threats to job security, denial of promotion, defamation campaigns or even physical violence in extreme cases.

d. **Online harassment, attacks and defamation cases from society**: The advent of omnipresent social media communications has led to growing attacks on members of the academic community, especially female scholars. These attacks have a potentially chilling effect on academic freedom and are an important cause of growing cases of undue self-censorship.

e. **Private sector interference**: Economic factors can also pose threats to academic freedom, in the sense that a growing dependence on private funding sources may create pressures to conform to the interests of funders, potentially compromising the independence and objectivity of research, and leading to undue restrictions in access to research findings and data.

f. **Restrictions resulting from European and national security policies**: Security concerns, for example with respect to foreign interference, that have rapidly emerged in Europe as a result of growing geopolitical tensions and conflicts may have far-reaching effects on academic freedom. Among other things, policies and regulations have introduced new restrictions for academia, such as responsible internationalisation, dual use of research and knowledge export policies, as well as regulating the impact of foreign interference on research integrity.

8. For comparative international measurements of academic freedom, see Kinzelbach et al. (2024); Craciun et al. (2024); and SAR (2024). For national studies see, e.g., Graaf et al. (2023); Seeger et al. (2024); and Tovatt et al. (2024).

Recent European and national reports have argued that each of these factors directly or indirectly influences the state of academic freedom in Europe. It is therefore important to get a better understanding of the nature of these factors and how they influence academic freedom, so that appropriate measures, policies and support structures may be developed to counter their negative influence on academic freedom. This report should therefore be of relevance to various European and national stakeholders, including policy makers, university and college leaders and managers, academic staff and student unions, and other civil society organisations.

Each of these six factors is addressed in this report, with each chapter focusing on the factors underlying recent and emerging threats to and violations of academic freedom in Europe. Political interference in academic freedom will be discussed in two chapters. The first of these, Chapter 3, identifies four different types of political systems in a global perspective and discusses how political interference occurs in each system and how it potentially affects academic freedom. Chapter 4 focuses on political interference in Europe and discusses how political interference can affect both the core aspects of academic freedom and the conditions under which it should be exercised within European multilevel governance (MLG) arrangements. Several empirical examples are given of how political interference affects both the core aspects of, and the conditions for, academic freedom at the national level.

Chapter 2

Legal restrictions on academic freedom in Europe

2.1. Introduction

Legislation plays a specific role among the factors that have an essential impact on academic freedom, as described in this report, in that it can both support and reduce it. The legislative analysis is made even more complex by the fact that legislation can affect academic freedom not only actively but also passively. Legislative passivity – for example, the failure to establish guarantee rules – is as much a negative factor as a legal norm that explicitly states a restriction. The legislative environment must therefore always be considered in its full complexity.

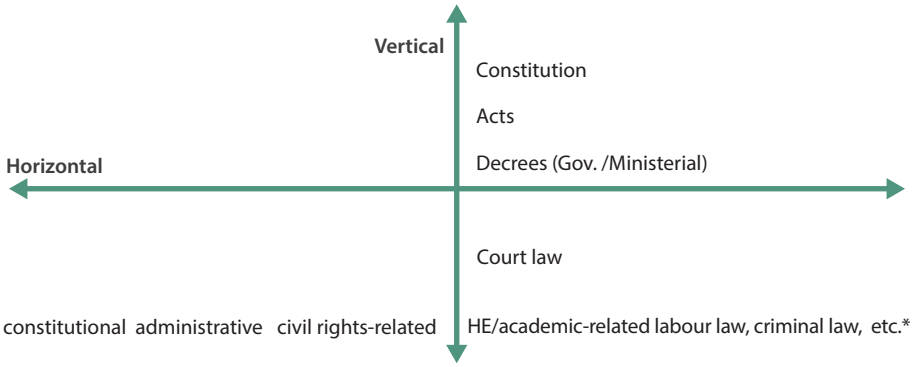
In examining how the legislation of a given country relates to academic freedom, it is helpful to use the onion model presented in Figure 1.1 (Kováts and Rónay 2023). The absence of any of the substantive elements of academic freedom identified in this model – freedom to teach, learn and research; freedom of dissemination of knowledge, including intramural and extramural expression; and self-governance of the academic community – constitutes a serious violation of academic freedom. The model suggests that academic freedom can exist without the supportive elements (institutional autonomy, employment security and financial security), but it then becomes extremely fragile. The absence of legal guarantees enables measures that infringe academic freedom, or even creates a climate in which the rights holders themselves renounce this freedom (i.e. self-censorship).

Legal norms that relate specifically to higher education (HE), science or academic freedom do not provide a complete picture of the regulatory environment of academic freedom in a country. Academic freedom must therefore always be examined in conjunction with the related fundamental and human rights (specifically, freedom of expression) legislation, and in sufficient detail both horizontally and vertically.

A horizontal examination would imply covering all the rules that may (even indirectly) restrict academic freedom (for example the cost of proceedings to defend academic freedom) or may have been adopted to protect other rights (for example human life and dignity, personal rights, children's and youth rights, national security). Special attention should be paid to potentially related areas of law: constitutional laws, administrative laws, laws related to civil rights, labour laws, criminal laws, and especially laws related to higher education or academia, science and research.

Vertical depth means that it is not enough to examine the constitutional regulations alone. It is also important to look at lower-level legislation, such as executive regulations of higher education and science, since the constitution or constitutional legislation alone provide little information. Of course, in the case of open and explicit

restrictions, the relationship of the legislation to academic freedom can be traced. However, the existence of legal guarantees does not in itself amount to effective legal protection of academic freedom. To the extent that detailed rules can be shaped by parliament according to the intentions of the governmental majority in power, they may provide an opportunity to restrict academic freedom. Particular attention should be paid to the tendency of parliament to legislate for the executive or to provide it with the means to restrict academic freedom.



*To protect other rights (e.g., human life and dignity, personal rights, children's and youth rights, national security).

Figure 2.1. The scope of analysing legislation (compiled by the author)

For example, the UK Higher Education (Freedom of Speech) Act states that "academic freedom" refers to the freedom of academic staff at registered institutions to question and test accepted wisdom and to put forward new ideas and controversial or unpopular opinions, without exposing themselves to the risk of being negatively affected in any of the following ways: losing their jobs or privileges or being likely to be promoted or having their other jobs. However, the bill has also been criticised, for example because it gives the government the power to restrict freedom of academic expression (Universities UK 2023; Freedom House 2024; SAR 2024).

It is important to emphasise that restrictions on academic freedom can come not only from the state or government. The absence of guarantees or even of direct regulation can create an environment in which other stakeholders (e.g. the owner, the maintainer or even the institution's management) can restrict academic freedom in accordance with the law. This is why many academics and reports also mention bills that restructure university governance by giving more space to external actors. Although a common argument in these cases is the desire to increase the distance from the state, many have warned of the detrimental impact of this trend on academic freedom.

This brings us to the question of whether we can even speak of illegitimate restrictions on academic freedom when they are implemented on the basis of democratically introduced legislation. In the case of most fundamental rights, the mature international legal framework provides the answer: national legislation must remain within the common minimum set by the international community. However, such a framework

is not available in the absence of international rules explicitly protecting academic freedom (not including the EU Charter of Fundamental Rights) and of a generally accepted concept of academic freedom in public policy terms. This is why, in the event of disputes, the decision-making bodies (courts) often turn to other rights, such as freedom of expression and opinion or the right to teach and learn. The possible individual protection of academic freedom at the level of international law seems necessary, even if the UN Special Rapporteur on the right to education has, on the basis of these approaches, proposed that academic freedom be considered an "autonomous human right grounded in several provisions of international law" (Shaheed 2024). In addition, the Special Rapporteur also considered it necessary to note that the approval and implementation of the principles derived from this are necessary for the global protection of academic freedom, which does, after all, underline the need for active intervention.

It should be stressed that the legal regulation of academic freedom should not only be considered in a complex way within the legal system. The significance of the regulation can be assessed only in the context of the historical and cultural traditions and the current political and social context of the country concerned. That a country does not have a detailed system of legal guarantees does not mean that academic freedom is in any way under threat, for example where a country is highly respected by society and the political and scientific community. Often the problem is that, while there may be safeguards in the legislation, the weaknesses of these safeguards or other influencing factors in the country result in serious infringements of academic freedom in practice. In 2017 a study found significant differences in this respect across the countries covered (Karran et al. 2017). There were national regulations (e.g. in Austria, Croatia, France, Latvia, Lithuania and Slovakia) where, in addition to constitutional guarantees, the legal norms governing higher education also define the content of academic freedom in detail. However, Estonia and Malta have no constitutional or legal protection. This is in place in other countries but is very weak (e.g. in Denmark, Greece, Hungary, Slovenia, Sweden and the United Kingdom). The legal situation does not indicate an absence of academic freedom in these countries, but it does indicate the absence of strong legal guarantees protecting academic freedom.

Finally, we should mention the non-written law. In most European countries, the jurisprudence of constitutional courts and, in some cases, of the (supreme) courts can have a significant influence on legislation or the implementation of legislation – and also on academic freedom. These decisions can enhance or even undermine the legal protection of academic freedom. For example, a German Constitutional Court decision of 1973 declared that, besides the university's freedom and autonomy, individual professors must also be legally protected and the same safeguards applied to their capacities as teachers and researchers (Krull and Brunotte 2023).

Therefore, if we want to understand the legal situation of academic freedom in a country, we should look at these decisions, particularly in relation to trends. For example, in litigation cases, is the decision made to strengthen the position of the weaker party (i.e. academics and students) or that of the state, and on what legal grounds? These decisions may not, however, be related to academic freedom but

to other fundamental rights (e.g. freedom of expression, personal rights, right to security or labour law). In such cases, the practice of the constitutional court or the courts may indirectly influence academic freedom.

In conclusion, even a sufficiently detailed exploration of the *de jure* situation does not in itself provide the necessary information. The extent of academic freedom in a country can be revealed only by a combined *de jure* and *de facto* (evidence-based) analysis. There is no doubt, however, that a key part of such an analysis is understanding the nature of the legal regime in place. The key features of this are set out below.

At the moment, we do not have a clear picture of the legal situation. Reports measuring academic freedom (e.g. Academic Freedom Index) or identifying cases of violation of academic freedom (e.g. Scholars at Risk) are essentially based on expert opinions or personal experiences, and approach the issue mainly from the perspective of the rights violated rather than that of the legislation that has caused the violation. Only a minority of cases presented in SAR reports are the explicit result of legislation.[9] In many cases where the police acting on behalf of public authorities, or other official actions, infringe academic freedom or even the physical integrity of academics or students, it can be assumed that the public authorities act according to the law of the country concerned. If so, the country's law contains at least an indirect restriction. Those cases where authorities breach the current national law when restricting academic freedom in practice can be indicators of the total or almost total lack of the rule of law, as it means that the state does not follow its own regulations.

The measurement approach from a regulatory perspective (Pruvot et al. 2023) focuses only on higher education regulation in the narrow sense, mainly in terms of autonomy and only tangentially in terms of academic freedom. The latter is also discussed in terms of the existing guarantee rules and therefore does not cover restrictions (ibid.: 83-9). The short extracts do not provide a complete picture of the legal background, which makes it difficult to judge whether the legislation cited is sufficient or whether the law contains passive or indirect restrictions.

A more precise picture can be obtained from two studies commissioned by the European Parliament (Craciun et al. 2024; Maassen et al. 2023). These also mostly describe the *de facto* situation, but sometimes they either explicitly mention legislation restricting academic freedom or provide a relatively good indication of indirect restrictions. A review of the studies' reports has made it possible to systematise the restrictions encountered (i.e. the legal provisions that potentially or actually infringe academic freedom). The systematisation in turn allowed a country matrix to be established for the Council of Europe member states: see Table 2.2. Table 2.2 shows the findings of the various monitoring tools for the countries concerned.

2.2. Is the restriction legitimate or illegitimate?

There is broad agreement that academic freedom is not unlimited. It is self-evident that the right to human life and dignity should not be violated for academic purposes.

9. See "Administrative actions, laws, and policymaking" in SAR (2024).

It is not illegitimate to allow scientific experiments on human beings only under strict limits and conditions. Likewise, in research involving human subjects, the protection of dignity and the right to privacy require that there be restrictions on academic freedom: participation in research is voluntary and can be interrupted at any time; the subject must be properly trained and informed; the subject must be warned of the potential consequences of participation in research; and personal data, images, etc. may be used and processed only with permission. However, certain restrictions for national emergency purposes may also be legitimate. This arose during the Covid-19 pandemic when governments allowed only vaccinated students to access the universities (see the example of Austria in Maassen et al. 2023). In February 2021 researchers in Poland were ordered to pay restitution because their historical work had accused someone of active involvement in the Holocaust on the basis of narratives. Here, the right of personality clashed with academic freedom, with the Court of Appeal ultimately upholding the latter (in contrast to the first instance judgment) (ibid.). However, when the restriction becomes disproportionate to the right to be protected, the regulation may become illegitimate.

A regulation that eliminates or severely restricts any element of academic freedom is illegitimate. This can happen when, for political or ideological reasons, the legislation prohibits the teaching or learning of certain theories, doctrines or subjects, or the participation in teaching or learning of persons with certain characteristics (e.g. gender, origin, religion, ideological or political beliefs, gender identity or sexual orientation). Ideology-based restriction can be detected, for example, in Türkiye (Aydin and Avincan 2021). It is also illegitimate to impose a restriction that unduly penalises certain fields of science for purely ideological reasons (e.g. allowing funding only for hard science research). In such cases, the illegitimacy of the restriction stems from there being no real legal argument or no legal subject matter to be protected that would be harmed if academic freedom were not restricted.

2.3. Is the regulation active or passive?

Active regulation is explicitly prescriptive. Within active regulation, a distinction can be made according to whether the restriction is direct or indirect. This distinction is between rules that apply explicitly and specifically to academic freedom and rules made for other reasons, typically a general protective rule or a general prohibition. The former legislation thus regulates higher education, science, research or scholarly activity, the academic community and so on, while the latter legislation is more general, applying for example to freedom of speech/expression, and affects academic freedom negatively. Both categories can include legitimate and illegitimate restrictions.

Sticking to the examples mentioned above, a rule that explicitly restricts teaching on the basis of either its subject (lecturer or student) or its object is a direct restriction. However, a rule requiring respect for human dignity in general is an indirect restriction on academic freedom. An indirect – illegitimate – restriction prohibits the employment of an individual with certain characteristics in any public institution because it indirectly infringes the academic freedom of this person. Where criticism of certain individuals or organisations is prohibited, this indirectly restricts the academic

communication of such content. For example, the Danish Higher Education Act of 2003 created a legal environment where:

> Departmental Heads could direct academic staff to perform specific research activities; thus, individual academics had the nominal freedom to conduct scientific research, but this liberty was circumscribed by the University Board's research strategic framework, as specified in the Achievement Contract drawn up with the Ministry. (Karran et al. 2023: 9)

Furthermore, the Danish parliament has drafted a motion on "excessive activism in certain research environments", in which it expresses its expectation that "university leaders continuously ensure that the self-regulation of scientific practice works", calls on universities to take care that "politics is not disguised as science" and states that parliament has the right to "express views on research results" (Craciun et al. 2024: 137), which is a clear example of illegitimate, active and direct restriction.

A typical indirect effect is to create a governance model within the state while seeming to step back and to give more autonomy to the higher education institutions. However, in the university governance structure introduced in Denmark in 2003, the board, with a majority of external members, has the power to infringe academic freedom. The same concerns arose in Hungary in relation to the "model change" (Craciun et al. 2024; Maassen et al. 2023), and in Armenia, with the government's right to appoint most members of the boards of trustees for three of the country's leading state universities (Freedom House 2024). There are also examples of legislation that may be legitimate in themselves but are illegitimate in terms of their content. In 2021 the Polish Government adopted a bibliometric assessment without peer review, in which publications supporting the government's ideology were given a higher score (Craciun et al. 2024). While it is not clear why the government regulates bibliometric assessment, as it is a purely scientific issue and should therefore be based on the consensus of the scientific community, the regulation is not in itself illegitimate, but its content makes it so, as it implements an active indirect restriction.

Sometimes regulation is legitimate and acceptable in itself but, without guarantees of academic freedom, it can lead to malfunction. This happened in Germany, where:

> Academic freedom includes the search for topics, rigorous methodical investigation, and professional norms to express findings and competent opinions, whereas the free speech is outside of these professional norms. Confusions became evident during the Corona pandemic where experts, researchers, and activists were often mixed up with each other by the public, by lawmakers, and the media. Freedom of opinion was misused to discredit professional research expertise. (Krull and Brunotte 2023: 4)

Consequently, even though freedom of opinion is a fundamental right, without strong safeguards it can lead to restriction of academic freedom, even if this was not the original intention of the lawmaker.

Passive restrictions are the most difficult to detect because the guarantees of academic freedom, or certain elements thereof, are absent in such cases. As described earlier, academic freedom is not necessarily violated. However, or perhaps because of this, the Austrian academic community worried about the Institute of Digital Sciences Austria (IDSA) Act, which was established by a short act and can give the state a stronger influence on the academic community's affairs (Craciun et al. 2024).

In Cyprus vague legislation offers only weak safeguards for academic freedom (ibid.). In such legal environments, the lack of guarantees may lead to self-censorship, especially in a legal context where illegitimate indirect restrictive rules are present.

Table 2.1. Reports of legislation impacting academic freedom in Council of Europe member states[10]

	Maassen et al. (2023)	Craciun et al. (2024)	Freedom House	SAR
Albania				
Andorra				
Armenia			X	
Austria	X			
Azerbaijan			X	
Belgium				
Bosnia and Herzegovina				
Bulgaria				
Croatia				
Cyprus	X	X		
Czech Republic	X			
Denmark	X	X		
Estonia				
Finland				
France				
Georgia				
Germany				
Greece				
Hungary	X	X	X	
Iceland				
Ireland	X			
Italy				
Latvia			X	
Liechtenstein				
Lithuania				
Luxembourg				

10. Note: In some cases the report clearly shows the impact of the legislation, but sometimes we can only infer it from the nature of the case presented in the report.

	Maassen et al. (2023)	Craciun et al. (2024)	Freedom House	SAR
Malta	X			
Republic of Moldova				
Monaco				
Montenegro			X	
Netherlands				
North Macedonia				
Norway				
Poland	X	X		
Portugal				
Romania	X			
San Marino				
Serbia			X	
Slovak Republic	X			
Slovenia				
Spain				
Sweden				
Switzerland				
Türkiye			X	
Ukraine				
United Kingdom			X	X

Table 2.2. The findings of the various monitoring tools for the countries concerned

	The source of the case(s)	
Armenia	Freedom House	The government is empowered to appoint most members of the boards of trustees for three of the country's leading state universities, which enables a degree of state control over their key decisions and senior leadership.
Austria	Maassen et al. (2023)	Only vaccinated students are allowed access (legitimate, active, direct). Changes of minimal required European Credit Transfer System (ECTS), rector's selection (legitimate/illegitimate, active, indirect).
	Craciun et al. (2024)	IDSA is established by a short act, which can give the state a stronger influence (passive).
Azerbaijan	Freedom House	The authorities have long curtailed academic freedom. Some educators have reported being dismissed for having links to opposition groups, and students have faced expulsion and other punishments for similar reasons. The Azerbaijani curriculum is known to include negative and discriminatory references to Armenians.
Cyprus	Maassen et al. (2023)	A consequence of partial compliance to academic freedom in the national higher education legislation and the institutional missions, strategies and regulations appears to be that the academic community in Cyprus lacks a clear and consistent legal and institutional frame of reference with respect to academic freedom (2023: 47) (passive, indirect).
	Craciun et al. (2024)	Vague legislation offers only weak safeguards for academic freedom (passive, indirect).
Czech Republic	Maassen et al. (2023)	President misused the ceremonial (formal) right to appoint professors and rectors (2023: 52) (active, direct).
Denmark	Maassen et al. (2023)	University governance regulations are possibly illegitimate (active, indirect). On 1 June 2021 parliament adopted a motion that was critical of academia's ability to self-regulate and that prevents certain academic areas from becoming "politics disguised as science" (2023: 58) (illegitimate, active, indirect).
	Craciun et al. (2024)	Parliament adopted a motion "on excessive activism in certain research environments" and expressed its expectation that "university leaders continuously

	The source of the case(s)	
Denmark	Craciun et al. (2024)	ensure that the self-regulation of scientific practice works". The motion states that "academic self-regulation is the basic principle of the free university" and calls on universities to make sure that "politics is not disguised as science". The motion acknowledges that lawmakers should not control what is researched but, at the same time, declares that parliament is within its rights to "express views on research results". While the motion does not mention any disciplines or fields, in the parliamentary debates around the motion, specific fields such as race, migration, gender and postcolonial studies were attacked and characterised as "pseudoscience". During the debates leading up to the motion, a professor from the University of Copenhagen, Jacob Skovgaard-Petersen, was mentioned by name and attacked in an official speech in parliament. This can be regarded as a direct political interference in academic freedom (2024: 137) (illegitimate, active, direct).
Hungary	Maassen et al. (2023)	Structural changes have reduced guarantees. Foggy legal regulation leads to a lack of guarantees (mixture of passive, illegitimate, active, indirect).
	Craciun et al. (2024)	Structural changes have resulted in privatisation and limitless power of newly established owner foundations' boards of trustees (passive/active, indirect).
	Freedom House	The government has revoked accreditation from all gender studies programmes.
	SAR	In Hungary, the government has transferred assets from public universities to foundations run by party loyalists, essentially privatising the universities. Academics at the foundations can draw on their pensions while still employed, enticing older and more established academics to work there. Those academics can be fired at will, which puts pressure on them to toe the party line.
Ireland	Maassen et al. (2023)	The Higher Education Authority Bill 2022 created an environment where external members can have a strong influence on universities (illegitimate, active, indirect).
Latvia	Freedom House	While academic freedom is largely upheld, lawmakers have placed some limitations on instruction in recent years.

	The source of the case(s)	
Malta	Maassen et al. (2023)	There are worries that the current legislation allows for government intervention in internal university affairs, while the protection of academic self-governance is relatively weak (2023: 127).
Montenegro	Freedom House	Academic freedom is guaranteed by law and is generally upheld. After decades of isolation from public life, Montenegro's state university has increasingly engaged with the public, including critical voices, through regular events.
Poland	Maassen et al. (2023)	In February 2021 a Warsaw district court ordered two Holocaust scholars to apologise to a woman who claimed they had defamed her uncle in their book on wartime Poland, which contained the testimony of a Holocaust survivor who accused the woman's uncle (the mayor of a small Polish town during the Second World War) of collaboration with the Nazis. The case triggered international concern over the use of the judicial system to restrict academic freedom. An appeals court overturned the ruling in August, citing the importance of freedom in scholarly research and condemning the use of litigation to interfere with academic work (2023: 135).
	Craciun et al. (2024)	In 2021, the Polish Government adopted bibliometric assessment without peer review, so that publications supporting government ideology score higher.
Romania	Maassen et al. (2023)	These freedoms are conditional and not absolute. The Ministry of Education, Research, Youth and Sports controls how universities exercise their autonomy in fulfilling their public responsibility through general and specific missions (Articles 121, 123). This implies that higher education institutions' determination of their missions, strategy, activities and operations are conditioned by the social, economic and political goals of the government in power (2023: 144).
Serbia	Freedom House	The Law on Higher Education, adopted by the national assembly in 2017, increased the presence of state-appointed members on the National Council for Higher Education and a national accreditation body.
Slovak Republic	Maassen et al. (2023)	The National Integrated Reform Plan (NIRP) allows the government direct influence on academia (active, indirect).

	The source of the case(s)	
Sweden	SAR	In Sweden, a decision by the Ministry of Education to reduce the length of the terms served by external members of university boards from three years to 17 months was viewed as a threat to university autonomy. Swedish universities are overseen by 15-member boards that include eight external members, who are often business leaders, senior civil service members or former heads of universities. The move was viewed as a way of speeding up the appointment of security experts to the boards, which the government justified by warning about foreign espionage in academic research. The decision was widely criticised by the academic community, with some academics warning that it was an example of how the current government is threatening the foundation of democracy and taking steps towards authoritarianism.
Türkiye	Freedom House	Academic freedom, never well respected in Türkiye, was further weakened by the Justice and Development Party (AKP)'s purge of government and civil society workers after the 2016 coup attempt. The government has since dismissed thousands of academics and educators for their perceived leftist, Gülenist or Kurdistan Workers' Party (PKK) sympathies. More than a thousand scholars have been investigated and hundreds prosecuted for declaring their support for peace between the government and the PKK. University students are routinely detained for holding peaceful demonstrations against government policies. The government and university administrations routinely intervene to prevent academics from researching sensitive topics, and this encourages self-censorship among scholars. President Erdoğan obtained the power to appoint rectors at public and private universities in 2018 and has used it to intervene in academic institutions' affairs.
United Kingdom	Freedom House	Academic freedom is generally respected, though the government has recently made political forays into the academic curriculum. The Higher Education (Freedom of Speech) Act, which received royal assent in May 2023, has been criticised by freedom of expression groups on the grounds that it may allow the government to define "acceptable speech" at universities.

	The source of the case(s)	
United Kingdom	SAR	New legislation in the United Kingdom on free speech provoked concerns that speakers who face protests against their talks on campus could sue universities or student unions for putting them at financial or physical risk.

Chapter 3

Political interference in academic freedom: a global perspective

3.1. Introduction

Political interference refers to the actions of parties and political movements that seek to limit the core rights of academic freedom – namely, the freedom to learn, teach, conduct research and communicate within and beyond the scholarly community, along with the principle of self-governance – and to weaken the conditions that uphold these rights, such as institutional autonomy, funding and employment security, in order to promote their agenda or interest. The objectives, methods and motivations of political actors vary widely; however, those actions that have the most profound and enduring impact on academic freedom are those that are enacted systematically and consistently. The nature and reach of these actions are shaped by the prevailing political system. Thus political interference can be interpreted in the context of political systems (regimes) that create the institutional and incentive environment of political actions, as the specific characteristics of each system largely typify how academic freedom may be interfered with politically.

3.2. Studies on political interference in different political systems

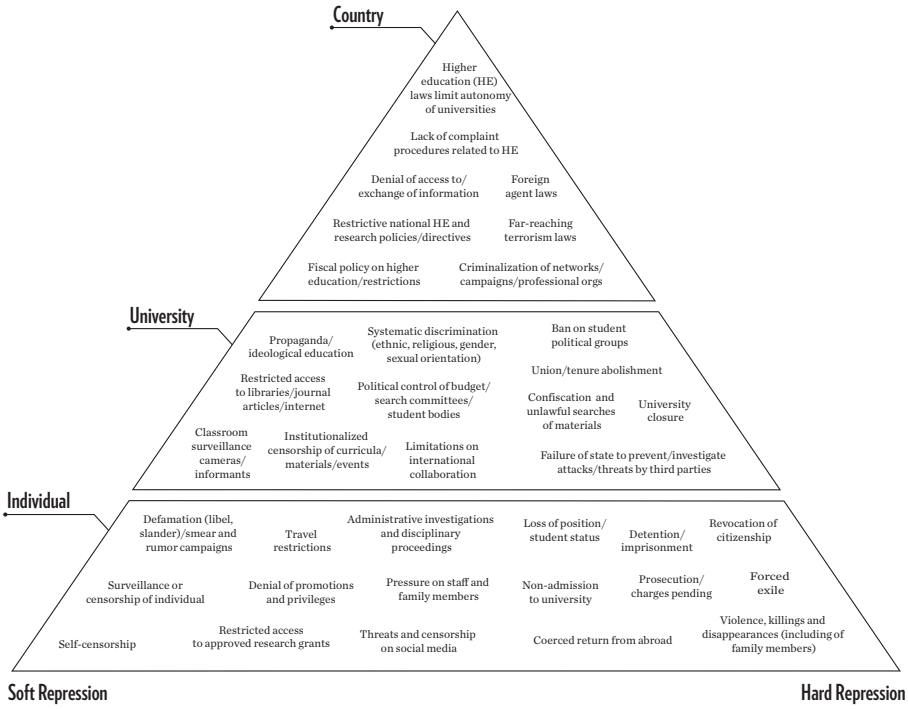
Many scholars have highlighted a strong link between the state of academic freedom and the types of political systems in place. Through an empirical analysis using the V-Dem database and qualitative case studies, Lyer et al. (2023) have demonstrated the correlation between a country's autocratisation and the decline of institutional autonomy and academic freedom. This essentially confirms John Douglass's (2021a) hypothesis that universities are like "canaries in the coal mine"; when academic freedom and university autonomy start to be eroded, this signals a weakening of democratic principles in a state (see also Cole 2017).

In recent years, numerous case studies have examined the conditions, enforcement and patterns of restriction on academic freedom in various countries (Craciun et al. 2024; Douglass 2021b; Kinzelbach 2020; Lyer et al. 2023; Maassen et al. 2023). These studies often reflect the political systems of the respective countries, situating academic freedom within this context. However, it is rare for case studies to

systematically analyse how specific patterns of academic freedom violations are tied to the characteristics of political systems.

Comparative studies also tend to overlook the detailed characteristics of political systems. For example, Hoffmann and Kinzelbach (2018) provided a general overview of common predominantly politically driven actions that limit academic freedom. In their model, they distinguish between "soft" and "hard" methods of influence: the former involves subtler tactics that encourage self-censorship and "smart" influence, while the latter relies on coercion, terror and brute force. These characteristics are, therefore, closely associated with how much a political system depends on overt violence and threats rather than more indirect forms of influence. However, the study did not directly discuss the relationship between soft and hard repression and political systems.

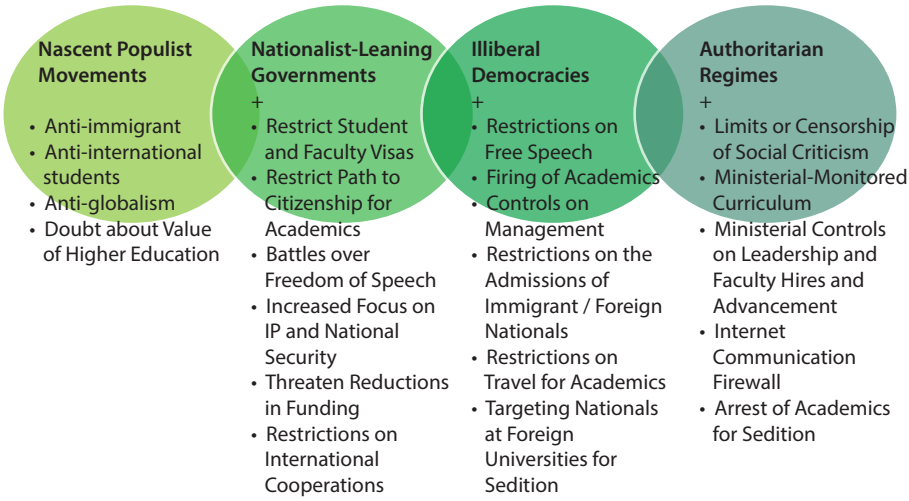
Figure 3.1. Soft and hard means of repression



Source: Hoffmann and Kinzelbach (2018: 10).

Douglass (2021a) summarised the higher education policies of "neo-nationalist" (i.e. illiberal, autocratising) political systems, drawing on various country case studies and addressing academic freedom in many instances. In his model, Douglass outlined the practices pursued by parties or movements, and the values and interventions that are typical of illiberal and authoritarian governance in higher education. This model, however, provides only generalisations of a specific political movement rather than of different political systems, and its focus is broader than academic freedom.

Figure 3.2. Typical higher education policies of different stages of neo-nationalism



Source: Douglass (2021a: 31).

Lyer and Suba (2019) reviewed state repressive practices. Their report included examples from over 60 countries, including five countries where they conducted interviews with academics. The authors categorised the typical forms of repression into four distinct groups, as seen in Table 3.1.

Table 3.1. Forms of state repression

Restrictions on institutions:

- undermining the stable legal environment of universities by changing the laws;
- excessive political interference in governance structures;
- interference in leadership;
- changes to financial conditions;
- challenging the job security of academics and staff.

Restrictions on academic engagement:

- restriction of freedom of expression;
- restrictions on particular research topics;
- excessive political interference in academic programmes, curriculum and teaching;
- mandatory training for academics;
- travel restrictions on academics;
- creation of an environment that fosters self-censorship.

Restrictions on students:

- politicisation of admissions, awarding of scholarships and grades, and dismissal;
- restriction of freedom of expression of students;
- disproportionate responses of the state.

Undermining university legitimacy:

- criminalisation of academics;
- using "foreign agent" and anti-terrorism laws to undermine the legitimacy of institutions and academics;
- militarisation and securitisation of campuses;
- negative public discourse by governments and government-affiliated actors;
- using national emergency situations to impose excessive restrictions on universities.

Source: Based on Lyer and Suba (2019).

Radó and Mikola's (2023) analysis of the Polish and Hungarian Governments' introduction of illiberal education and cultural policies is also worth mentioning. Focusing primarily on public education rather than on higher education or violations of academic freedom, this study examined the values and policies pursued by illiberal parties in Europe, and linked the characteristics of specific political movements and systems to educational policies.

These examples show that analyses often use the political context as a backdrop without attempting to connect the specific characteristics and incentive environment of political systems with practices and patterns of violation of academic freedom. Accordingly, our research question is: what are the typical patterns and forms of violation of academic freedom in different political systems?

The following is a brief review of the fundamental types of political systems and their inner logic, and their links to patterns of infringement of academic freedom found in case studies and comparative research. The aim is to establish and explain typical types of political interference in political systems, using case studies and academic literature.

3.3. Characterisation of political systems

Political system (regime) mapping has a long tradition and is supported by an extensive and complex body of literature in political science. Among the numerous classifications, I will use the Regimes of the World (RoW) framework from the Varieties of Democracy (V-Dem) project (Lührmann et al. 2018). Countries are categorised on the basis of their *de facto* practices, which are evaluated by experts using a large number of indicators (similar to the methodology for creating the Academic Freedom Index).

The typology is based on two main criteria. The first criterion pertains to whether the system is democratic. Democracy, as defined by Dahl (1982: 11), is not defined merely by the existence of *de jure* multiparty elections; rather, the freedoms that make these genuine *de facto* multiparty elections are also essential. Thus a system is considered a democracy if the following conditions are met: officials are elected; elections are free and fair; adults can vote (inclusive suffrage); adults have the right to run for office; freedom of expression exists; alternative information is accessible; and there is a right to form relatively independent organisations and associations (associational autonomy).

The second criterion is the adherence to liberal values such as individual liberty, human rights, equality before the law and respect for pluralism and diversity. Liberal values usually manifest themselves in the following rights and institutions:

- political freedoms: right of assembly, freedom of speech, and freedom of the press;
- civil rights: human rights, protection of minorities, protection against discrimination, freedom of religion and protection of private property;
- horizontal accountability: the separation of powers and a system of checks and balances;
- the rule of law: the state considers itself bound by the law and refrains from abusing its legislative power.

The rejection of liberal values, often referred to as illiberalism, exists to varying degrees in all political systems. In liberal democracies it is typically represented by certain parties – often considered extremist – while in other systems it plays a more central role by representing the ruling party. On the basis of analysis of current European illiberal parties, illiberal values include conservatism, nationalism and national sovereignty, religiosity, the primacy of the majority but with the rejection of pluralism, authoritarianism, paternalism (including welfare chauvinism), ethnocentrism and the rejection of globalism (Enyedi 2023; Radó and Mikola 2023).

Using the criteria of democracy and liberal values, V-Dem distinguishes four main types of political regimes (systems): closed autocracy, electoral autocracy, electoral democracy and liberal democracy. Table 3.2 outlines the key characteristics of each system and highlights specific features that, in our view, help explain the patterns of political interference in academic freedom.

Table 3.2. Key characteristics of political systems

	Liberal democracy	Electoral democracy	Electoral autocracy	Closed autocracy
Democracy criteria	▸ *De facto* multiparty, free and fair elections; ▸ Legal parliamentary opposition exists and is protected; ▸ Peaceful transfer of power is possible.	▸ *De facto* multiparty, free and fair elections; ▸ Legal parliamentary opposition exists; ▸ Peaceful transfer of power is possible.	▸ Only *de jure* multiparty, free and fair elections; ▸ Legal parliamentary opposition exists but is suppressed; ▸ Peaceful transfer of power is rare.	▸ No elections or only one party runs for elections; ▸ No legal parliamentary opposition; ▸ Peaceful transfer of power is rare.
Presence of terror (large-scale detention in forced labour camps and executions)	▸ No terror.	▸ No terror.	▸ No terror, but various means of coercion (imprisonment, political murder) are used against political adversaries.	▸ Terror is present widely.
Liberal values	▸ Liberal values are present and strong.	▸ Liberal values are weak.	▸ Liberal values are formally present but are ignored or suppressed.	▸ Liberal values are actively suppressed.
Rule of law / checks and balances	▸ Institutions of checks and balances are active and independent. ▸ Relatively few officials are appointed by the ruling political group.	▸ Institutions functioning as checks and balances are occasionally compromised and/or are non-independent. ▸ The ruling political group appoints its own cadres to some important offices.	▸ Institutions functioning as checks and balances are formal and non-independent. ▸ The ruling political group appoints its own cadres to virtually all important offices.	▸ No institutions have been created to act as checks and balances. ▸ The ruling political group appoints its own cadres to all important offices.

	Liberal democracy	Electoral democracy	Electoral autocracy	Closed autocracy
Participation in decision making / policy making	▶ Interested persons and their organisations take part in many forms of participation, and to relevant degrees in preparation, for decision making. ▶ Significant levels of participation. ▶ Policy making is usually slow and contested.	▶ There are legal frameworks for participation but they are rarely applied. ▶ Participation is weak. ▶ Policy making can be slow and contested.	▶ There are legal frameworks for participation but they are not applied in practical terms. ▶ Participation is manipulated. ▶ Policy making is fast and uncontested.	▶ Participation is not even formally prescribed.
Freedom of the press	▶ Freedom of the press is guaranteed by law and is enforced.	▶ Freedom of the press is guaranteed by law but is not always enforced.	▶ Freedom of the press is constrained by legal and economic means.	▶ There is no freedom of the press.
Civil society	▶ No legal constraints against civil protest. ▶ Strong civil society.	▶ No legal constraints against civil protest. ▶ Weak civil society.	▶ Some legal constraints against civil protest. ▶ Weak civil society.	▶ Civil protest against the government is prohibited by law.

Source: Adapted from Kornai (2016) and Lührmann et al. (2018).

In the following section, we provide a brief overview of the characteristics of each political system and the patterns of academic freedom violations, drawing on previously published country reports and summary analyses. The data indicate significant political system change between 2016 and 2024.

3.4. Political interference in liberal democracies

In liberal democracies, all of Dahl's (1982) criteria for democracy are met, and liberal values are actively upheld (Lührmann et al. 2018). In these systems, opposition parties and independent institutions hold the government accountable, maintaining a system of checks and balances that limits the concentration of power. The rule of law, enforced by independent judiciaries, strong legislative bodies and autonomous regulatory agencies, prevents any single entity or political figure from wielding excessive authority. These democracies protect fundamental freedoms such as a free press, civil rights and the right to protest, ensuring that alternative sources of information – a core democratic criterion identified by Dahl – are accessible. Civil society is active and diverse, contributes to policy discussions and represents a broad spectrum of interests.

While liberal democracies respect majority rule, they are equally committed to safeguarding minority rights and strive to balance popular sovereignty with the protection of all individuals. As a result, policy making is often characterised by formal and informal constraints, resulting in a more deliberate and slower decision-making process. Expert knowledge is valued, and policy objectives are typically outlined in white papers and governmental strategies, promoting transparency and consistency. Consequently, there is limited decoupling, that is, the gap between official (*de jure*) and actual (*de facto*) policies is generally minimal.

In liberal democracies, higher education is regarded as an independent institution that plays an important role in holding the government accountable by providing credible research-based insights into societal issues. As a result, universities' autonomy is seen as legitimate, and they are valued for both their instrumental and their critical roles. Not only are they expected to serve society by providing knowledge and skills (their instrumental role), but they are also accepted as spaces where established social and political norms can be critically examined (their critical role) (see also Douglass 2021a). This critical role is a crucial cultural foundation for academic freedom, allowing for open enquiry and challenging dominant ideologies.

In liberal democracies, three key challenges can lead to political interference and threaten academic freedom: 1. the unintended or indirect consequences of reforms that weaken the safeguards of academic freedom; 2. culture wars that undermine academic freedom; and 3. political or governmental inaction.

3.4.1. Unintended/indirect weakening of safeguards of academic freedom

Given the structure of the political system, political actors in liberal democracies have limited means to impose intentional, systemic restrictions on academic freedom.

Politically motivated interventions that explicitly aim to curtail academic freedom are rare. Instead, challenges to academic freedom often arise indirectly through policies that seek to achieve other goals, such as enhancing efficiency, effectiveness, accountability or, more recently, national security (see Chapter 8). Recently, these policies have often reflected neoliberal principles, leading to changes in university governance, funding and employment structures and increasing market dependency. While these reforms may pursue legitimate aims, they can inadvertently affect academic freedom by weakening key conditions that support academic freedom such as self-governance, institutional autonomy and employment security.

For instance, the growing precarity of academic employment – resulting from the erosion of tenure and the rise of temporary contracts – is a notable issue in countries with strong neoliberal reforms (Joly 2022). Similarly, policies rooted in securitisation (Wæver 2011) may unintentionally undermine academic freedom.

3.4.2. Culture wars

Ironically, the core values of liberal democracies can also pose challenges to academic freedom. On the one hand, the overzealous advocacy for diversity, equality and inclusion can lead to the extreme application of practices of political correctness, such as safe spaces, trigger warnings, no-platforming and cancel culture practices (Elford 2023; Lackey 2018). These can pressurise higher education institutions to restrict certain aspects of academic freedom (primarily freedom of dissemination and freedom of teaching and learning), dictating who can speak, what can be taught and which views are acceptable.

On the other hand, liberal democracies' commitment to pluralism can also create a safe haven for political movements that engage in culture wars on socially complex and controversial topics such as migration, race, gender, "wokism" and decolonisation. In these debates, anti-science and anti-academia rhetoric are often deployed, portraying higher education as ideologically biased and a tool of indoctrination. The academic freedom of scholars researching these topics – particularly those who blend scholarship with social activism ("scholactivism") – is frequently challenged and their legitimacy called into question. Politicians such as Donald Trump (Douglass 2021c) and J. D. Vance (American Moment 2021) have actively promoted such narratives, further undermining trust in academic institutions. Expert opinion on Brexit has also often been attacked by those in favour of it (O'Malley 2021a).

3.4.3. Governmental inaction

Finally, academic freedom can also be at risk due to political or governmental inaction. If regulatory frameworks are poorly designed or if existing protections for academic freedom are not enforced, external actors such as businesses or public opinion may exploit these gaps to limit academic freedom. For instance, strategic lawsuits against public participation (SLAPPs) by wealthy corporations (Maassen et al. 2023), or a flood of intimidating feedback from ordinary citizens on social media (e.g. Väliverronen and Saikkonen 2021), can have a chilling effect on researchers, potentially silencing them if adequate protections are not in place. As a result, academic freedom can be

threatened not only by active restrictions but also by a lack of proactive safeguarding measures within the legal and institutional landscape.

3.5. Political interference in electoral democracies

In an electoral democracy, the minimum criteria for democracy are met (e.g. elections are considered free and fair; multiple parties participate in elections), but liberal values are either not fully upheld or only partially realised (Lührmann et al. 2018). The weakness or absence of liberal values does not necessarily compromise the integrity of elections but can lead to other negative consequences, such as a higher level of corruption. However, it is possible that elections are compromised, for instance, if the decline in media pluralism restricts access to alternative information, potentially undermining the fairness of the electoral process.

Electoral democracies can be seen as liberal democracies with weakened immune systems that face a heightened risk of transitioning into electoral autocracies. Examples include Poland and Brazil, where politicians and political parties questioning liberal democracy (e.g. Jair Bolsonaro in Brazil and the Law and Justice Party (PiS) in Poland) came to power but could not maintain their control in the long term. These countries exist in a transitional state, characterised by a polarised and contested political environment. As a result, this political deadlock is also reflected in higher education policies and patterns of academic freedom infringements.

While liberal values are weaker in electoral democracies, resulting in more vulnerable institutions, these systems still retain the capacity to challenge illiberalisation and autocratisation effectively. This resilience is demonstrated by the notable resistance from opposition politicians and parties, courts and civil groups, as well as from universities and staff and student organisations, in Poland and Brazil, which have successfully countered illiberal tendencies (Bucholc 2022; Mendes 2020).

In electoral democracies, political interference in academic freedom has a dual nature. On the one hand, these systems face challenges that are typical of liberal democracies, such as culture wars and neoliberal higher education reforms. On the other hand, they also experience pressures typical of electoral autocracies, including attempts to increase governmental control over institutions and their academic output, and to weaken the rule of law. Unstable regulations and inconsistent funding often mark the higher education environment in electoral democracies. When they are in power, illiberal parties typically seek to strengthen governmental control over universities or to create alternative institutional networks that reflect their ideological stance.

3.5.1. Strengthening government control through governance changes and financial dependence

In Brazil, for example during the Bolsonaro era, attempts were made to restructure the governance of federal universities by exploiting their financial dependency through programmes such as the Future-se initiative (Mendes 2020). In Hungary, efforts to strengthen governmental control occurred throughout the 2010s, including

the appointment of chancellors (by the prime minister) who held equal authority as university rectors and oversaw institutional budgets (Antonowicz et al. 2022; Kováts and Rónay 2021).

In Poland in the early 2020s, the then government implemented a neoliberal higher education reform known as the Constitution for Science (Bucholc 2022), which increased the autonomy of Polish universities (Pruvot et al. 2023). However, the reform also strengthened university management's role and emphasised quantitative publication assessments in research funding, raising concerns about potential restrictions on academic freedom (Stachowiak-Kudła 2022; Szadkowski and Krzeski 2022).

3.5.2. Establishing parallel institutions to promote ideological agendas

To strengthen their ideological influence, illiberal governments in electoral democracies often establish well-funded, formally independent parallel or "mirror" academic institutions. These institutions research similar topics as existing ones but do so from a perspective that aligns with and legitimises government policies, thereby shaping public discourse in ways that reinforce official narratives. In Poland, examples include the Copernicus Academy (a counterpart of the Academy of Sciences), Collegium Intermarium (a higher education institution aligned with conservative values), Pilecki Institute (focusing on memory politics and Holocaust studies) and Roman Dmowski and Ignacy Jan Paderewski Institute of National Thought (Bucholc 2022). A similar approach was taken by the Hungarian Government in the 2010s, which established institutes such as the Veritas Research Institute for History, which aligns with the government's historical narrative; the Research Institute for National Policy; the Language Strategy Institute, focused on preserving linguistic heritage to strengthen national identity; the Research Institute of Hungarianness; and the Kopp Mária Institute for Demography and Families. In 2003, when Venezuela was in the grey zone between electoral democracy and autocracy according to the V-Dem Institute (2024) classification, a presidential decree established a non-autonomous system of higher education totally subordinated to the state. This parallel university system (consisting of 47 institutions by 2012) enabled the reduction of funding for autonomous institutions and their exclusion from certain higher education policy measures while also advancing ideological objectives (Lyer and Suba 2019).

Establishing new academic institutions, including those reflecting government-aligned values, is in itself a legitimate endeavour. However, when these institutions operate on the basis of political loyalty rather than the norms of the academic community, they constitute political interference in academic freedom. In such cases, their establishment serves a political purpose: to influence the academic landscape and scientific discourse in a way that is favourable to the government by challenging scholarly opinions, creating competing narratives and undermining universities' traditional role as the primary sources of expert, scientifically validated perspectives. The key question regarding these institutions is whether they possess genuine autonomy and whether their researchers enjoy the academic freedom to reach and disseminate conclusions that may contradict government positions.

The intense political struggle in these countries often deepens societal polarisation, particularly in sensitive research areas. Scholars working on contested topics can become targets of surveillance, criticism, political attacks or even physical threats. This heightened polarisation can also jeopardise the integrity of campuses, especially during election campaigns, as seen in Brazil, where politically active students and faculty became targets (Mendes 2020).

3.6. Political interference in electoral autocracies

In an electoral autocracy, multiparty elections exist only *de jure*, or other democratic criteria outlined by Dahl (1982) are not met (Lührmann et al. 2018). That liberal values are neither upheld nor respected and are often actively sidelined makes these systems inherently illiberal. Such regimes are also referred to as "competitive authoritarianism" (Levitsky and Way 2010) because their primary source of legitimacy is winning elections. While elections may be free, their fairness may be highly questionable. Political opposition exists but is systematically suppressed and placed at a severe disadvantage. Various coercive measures are employed against opposition forces, including smear campaigns, imprisonment on fabricated charges and, in extreme cases, politically motivated assassinations. However, these regimes do not rely on large-scale terror, such as mass detentions in forced labour camps or widespread executions, to maintain power.

Instead, electoral autocracies seek to control public discourse and to shape public preferences to their advantage through propaganda, agenda setting and other means of influence. As such, they function as "informational autocracies" (Guriev and Treisman 2019; 2020), where the government dominates public narratives and restricts access to alternative sources of information, one of Dahl's fundamental criteria for democracy. Key strategies for ensuring dominance over public discourse include media control and agenda-setting power.

- Media control: the media landscape is dominated by pro-government outlets, while independent journalism is restricted through economic and administrative measures.
- Agenda setting through polarisation and populist rhetoric: these regimes employ the classic divide-and-rule strategy, fostering societal divisions through identity politics, historical revisionism, culture wars and the creation of internal and external enemies. Polarisation is reinforced by a populist approach, which requires ideological flexibility and policy "bricolage" to adapt to shifting political narratives. Less emphasis is placed on long-term ideological coherence, leading to a growing decoupling of formal legal frameworks, policies and actual political practices (Bartha et al. 2020). Public policies are subordinated to maintaining power in what is known as political governance (Körösényi et al. 2020).

A second defining characteristic of electoral autocracies is the erosion of checks and balances, the very institutions designed to uphold government accountability and to prevent the uncontrolled concentration of power. While these institutions remain in place formally, their independence is undermined in the following ways.

- Political loyalty over expertise: the ruling party appoints loyalists to key positions, undermining institutional independence. Professional expertise and bureaucratic processes are devalued, as they are seen as obstacles to achieving political objectives, while political loyalty takes precedence (Hajnal and Boda 2021).
- Autocratic legalism (Scheppele 2025): with fewer checks from independent institutions, the rule of law can be increasingly replaced by "rule by law". This form of autocratic legalism manipulates legal norms strategically to suppress dissent, restrict civil liberties and consolidate power while appearing lawful.
- Power centralisation: electoral autocracies concentrate power in the hands of the ruling elite, extending government control over business and civil society. This fosters dependency, erodes autonomy and promotes a paternalistic governance model. By creating structures of dependence, the government can indirectly extend its influence across various sectors, further solidifying its authority.

This political environment enables multiple forms of political interference in academic freedom. While centralisation primarily restricts institutional autonomy and increases the dependence and vulnerability of academics, the dominance over public discourse aims to limit the freedom of disseminating research results.

3.6.1. Vague regulations that increase uncertainty

In many electoral autocracies, academic freedom enjoys legal and constitutional protection. However, these legal frameworks often include exceptions that provide a basis for restricting academic freedom. For instance, in Russia, limitations can be justified on grounds such as the security of the Russian Federation or the protection of the environment and public health (Kaczmarska 2020). Beyond these explicit exceptions, additional restrictive regulations – such as foreign agent or counter-terrorism laws – further constrain the freedom of teaching, research and dissemination indirectly. These laws frequently contain vague and ambiguously defined provisions, often deliberately so as to grant broad discretionary power to the authorities or to university administrators in their interpretation and enforcement (Kaczmarska 2020). As Scholars at Risk reported regarding Türkiye:

> Through a set of ill-defined disciplinary clauses that contain deliberately vague phrases such as "attitudes contrary to public morality" or "supporting activities that qualify as terror", the new legislation provides university administrators with an expanded toolbox for criminalizing dissent. (SAR 2020: 72)

Administrative measures can be used to justify excessive political interference in university operations. For example, sudden government-imposed closures of private universities have been documented in both Russia (Kaczmarska 2020; Lyer and Suba 2019) and Türkiye (Hünler 2023), while in Hungary, the Central European University (CEU) was forced to relocate to Austria after legal and political pressure rendered its operation in Budapest impossible (Kováts and Rónay 2021; Krull and Brunette 2021, PACE 2020). This legal ambiguity enables selective application of the rules, creating an environment of uncertainty for academics and encouraging their self-censorship.

3.6.2. Centralising governance and the erosion of university autonomy

In electoral autocracies, centralisation efforts aimed at curbing institutional independence also significantly undermine university autonomy. While this occurs frequently, specific circumstances, such as the declaration of a state of emergency, accelerate the dismantling of institutional autonomy and the suppression of dissent through force and the criminalisation of participants. Centralisation is evident in that key decisions concerning universities – including changing organisational structures, defining academic programmes and their curricula, and determining student enrolment numbers – are increasingly being made by various public authorities and actors.

A key element of the centralisation process is the selection of university leaders becoming a government-controlled process, which allows political considerations to play a decisive role in almost every country. Politically appointed leaders often select their subordinates on the basis of political considerations, creating chains of loyalty within institutions. Political appointments, along with political favouritism, nepotism and corruption, are not limited to the selection of university leaders but can also extend to the recruitment and promotion of academic staff in many systems. Centralisation is also applied internally within universities, where managerial authority expands while the academic community's capacity for self-governance and meaningful participation in institutional decision making is either merely symbolic or entirely absent. Strengthening the power of politically loyal or dependent university management enables political interventions to be disguised as administrative decisions. Dismissals or retaliations driven by political motives can be presented to the public as routine internal matters, administrative restructuring or disciplinary actions (Chirkov and Fedyukin 2021).

Neoliberal reforms are not uncommon in electoral autocracies. Rather than being at odds with authoritarian governance, these reforms serve to strengthen managerial control while increasing the vulnerability of academic staff. By shifting institutional priorities away from internal stakeholders (the academic community) towards external pressures, they create an environment in which management not (only) is expected to align institutional operations with market demands but must also conform to political directives. Modern management tools promoted by neoliberal reforms – such as performance evaluation systems and more flexible employment conditions – further increase academics' dependence (Dubrovskiy 2017), making them easier to control and discipline, and ultimately more susceptible to political influence. As Chirkov and Fedyukin observed of Russia, "some of the very same policies intended to modernize universities were employed to impose limits on political activism and dissent"; "more notable, however, are the ways in which administrative techniques and governance principles inspired by the 'New Public Management' paradigm are utilized to resurrect quasi-Soviet forms of political control" (Chirkov and Fedyukin 2021: 221, 237).

3.6.3. Freedom of teaching and learning: state guidance, surveillance and self-censorship

The question of curricular control is central to the freedom of teaching and learning. In electoral democracies there are either no regulations or only very general

guidelines regarding what must be taught. For example, in Russia, universities must provide "moral education" rooted in "traditional values", including patriotism, respect for the military and adherence to the law (ibid.: 230). More common than direct intervention, however, is the existence of formal or informal taboos, that is topics that must be avoided in the classroom. As Hünler observed of Türkiye: "Neither the [Council of Higher Education, a state-level body] nor university administrations have provided a clear list of prohibited topics, yet erratic and arbitrary sanctions have raised fears of persecution for academics and students" (2023: 157). In general, avoiding politically sensitive issues in the classroom is an unwritten rule in almost all electoral autocracies, which leads to self-censorship.

3.6.4. Freedom of research with limitations

In several electoral autocracies, research agendas are shaped by political priorities, with certain topics being actively promoted or suppressed. Academics' selection of research topics often encounters similar taboos as those found in teaching, which are rarely explicitly defined. Kaczmarska (2020) described these blurred red lines:

> While these laws do not refer to academia directly, they determine the scope of public debate and implicitly draw "red lines", indicating topics and issues that should not be discussed or challenged. The result is a vague, variable list of "undesirable" research topics. Rather than being compiled explicitly by the authorities, which would be a case of direct censorship, this list continues to be co-constructed by the state, university management, and researchers themselves, who attempt to read top-down signals and track the blurred red lines. (2020: 119)

While access to academic literature remains unrestricted, access to certain data is frequently limited, particularly when research focuses on politically sensitive areas such as state operations or public services (see, e.g., Kováts and Rónay 2021). Disseminating research results, however, is more challenging.

3.6.5. Freedom of dissemination: restricted freedom of expression and participation in public discourse

Governments' interest in controlling public discourse means that the freedom to disseminate academic knowledge faces numerous direct and indirect obstacles. Publishing in academic journals generally carries little risk when research appears in foreign-language journals, which are less likely to attract the attention of the authorities or the broader public. As Hünler (2023) noted:

> Turkish publications (or events) about controversial topics could attract the attention of pro-government media, which often leads to criminal investigations or job losses, as well as social media campaigns against the scholars. Publications and events in other languages generally stay under the radar. (2023: 160)

Similarly, presenting at international conferences tends to be lower risk. However, participation may be hindered by financial constraints and, in some cases, restrictions on travel, such as those imposed in Türkiye following the coup attempt.

Reaching a general audience is significantly more difficult. One key reason is that public communication is often mediated by institutions that are loyal to the government, allowing editors and journalists to shape coverage in a way that aligns with their preferred narratives (Kaczmarska 2020). In such cases, academics may lend legitimacy to a topic by their presence but have little control over how their statements are framed, edited or contextualised. In other instances, opposition voices are excluded altogether from pro-government media. Vaguely worded legal restrictions further discourage public commentary, as academics are left uncertain about what statements may lead to punitive consequences. In Singapore, for example, "fake news laws" have been used to curb academics' ability to speak freely (Penprase and Douglass 2021).

3.7. Political interference in closed autocracies

In closed autocracies, neither the head of government nor the legislature is selected through free and fair elections (Lührmann et al. 2018). Instead, elections are either entirely absent or purely symbolic, lacking genuine competition even when multiple parties participate in them. Political leaders are not accountable to the electorate, and their removal through an orderly or civil process is impossible, as the independent institutions required for such transitions simply do not exist. Liberal values are neither upheld nor safeguarded in these regimes; on the contrary, they are often actively suppressed. Instead, the emphasis is on stability, order and adherence to religious or ideological doctrines. Political power is highly centralised, with all sectors, including higher education, subordinated to the ruling elite. Independent institutions are virtually non-existent, and the dominant political force or government frequently exerts direct influence over institutional affairs, including those of universities.

The maintenance of power in such regimes typically relies on extensive surveillance and repression and strict media censorship. Hard forms of repression – including physical coercion, re-education camps and forced repatriations – are often reinforced by more subtle (softer) methods, such as travel restrictions and administrative measures.

China, Hong Kong and Egypt are examples of closed autocracies, according to the V-Dem classification. The operation of higher education in these regimes shares many similarities with electoral autocracies. However, political control over academia is enforced with even greater intensity. As a result, while soft repression tactics remain prevalent, hard repression methods are also more frequently deployed.

3.7.1. Forbidden topics and ideological indoctrination

For electoral autocracies, it is a priority to minimise the risk of higher education exerting an unfavourable influence on public discourse. To this end, they impose restrictions on academics' public engagement and designate certain topics as off-limits in both teaching and public commentary. Closed autocracies, in contrast, place far stronger demands on universities on what to teach, and expect them to play an active role in the ideological indoctrination and political education of students. For example, in China, alongside general directives against the illegal spread of harmful ideas and expressions, universities are explicitly forbidden to teach certain subjects. A 2013 party

communiqué introduced the "seven prohibitions", banning university teaching and research on constitutional democracy, civil society, economic liberalisation, freedom of the press, historical critiques of the Communist Party, challenges to socialism with Chinese characteristics and discussions of "universal values" (e.g. human rights and freedoms, including academic freedom) (Fitzgerald 2016).

3.7.2. Censorship in research

Restrictions on forbidden topics and political doctrines extend to academic research and funding. As in electoral autocracies, access to data about state operations is heavily restricted. However, unlike in electoral autocracies, where censorship is often subtler, in closed autocracies, even access to scholarly literature may be curtailed. In China, for instance, international publishers such as Cambridge University Press, Springer Nature and Brill have been pressurised to make certain content inaccessible to Chinese readers (Fischer 2021). International travel for researchers may also be subject to stricter controls. In Egypt, for example, travel abroad requires official authorisation from a ministry (Lyer and Suba 2019).

In closed autocracies, publishing research findings on sensitive or taboo subjects, speaking to the press and expressing dissenting opinions is possible but often carries the risk of harsh penalties. In addition, severe restrictions are imposed on freedom of expression and assembly within universities.

3.8. Conclusions and limitations

Two fundamental aspects of political systems are particularly significant in explaining the status of academic freedom. The first concerns the extent to which a given regime relies on terror, whether through physical violence, coercion or other forms of compulsion (such as the threat of job loss, imprisonment or criminalisation) to maintain its authority. Such methods are generally absent in democracies. In electoral autocracies, however, coercion is applied selectively against political opponents. If the political sphere begins to perceive the role of certain academics or students as inherently political – particularly when they publicly express views on issues of political relevance – they may become targets of repression, regardless of their right to freedom of expression or academic freedom. Whereas electoral democracies primarily exhibit the softer forms of repression outlined by Hoffmann and Kinzelbach (2018), closed autocracies incorporate hard repression as an integral part of their governance. Electoral autocracies, meanwhile, display a hybrid approach combining elements of both.

The second crucial factor is the degree of power centralisation. In liberal democracies, the presence of core liberal principles – such as the rule of law, checks and balances, the separation of powers and governmental accountability – creates space for autonomous institutions. This, in turn, safeguards institutional autonomy and the foundations of academic freedom. As we move towards closed autocracies, however, the state tends to monopolise power, rendering social spheres, including higher education, progressively more dependent on government control. This dependency erodes the conditions necessary for academic freedom to be exercised satisfyingly.

In light of these considerations, it is evident that liberal democracies provide the broadest scope for academic freedom, as they acknowledge both the critical and the instrumental roles of higher education. In such systems, the state generally maintains a hands-off approach to academic affairs, with institutional safeguards ensuring the independence of scientific and intellectual pursuits. By contrast, electoral democracies exhibit certain restrictive tendencies, particularly in relation to the critical function of higher education. In these contexts, both political movements and governmental actors may challenge universities' autonomy and, at times, attempt to exert ideological influence. Additionally, narratives undermining the legitimacy of universities and scientific enquiry tend to gain wider traction in the public sphere. However, there is also resistance to these efforts.

In electoral autocracies, political interference plays a more pronounced role in shaping academic freedom. Here, the deliberate separation of higher education from public political discourse serves as a strategic measure aimed at minimising the political (electoral) influence of the academic community. Restrictions on academic freedom typically manifest through the designation of forbidden topics, while institutional autonomy is systematically dismantled. A climate of self-censorship and intimidation ensures compliance, confining academic discourse on politically sensitive issues within tightly controlled boundaries.

In closed autocracies, political interference not only constrains but entirely subjugates universities to the ideological objectives of the regime. Higher education institutions are not only compelled to avoid proscribed topics but also required to actively participate in state-mandated ideological indoctrination. Within this context, universities cease to function as autonomous entities, becoming instead instruments of the political system and losing their original critical mandate.

Overall, academic freedom finds its strongest foothold in liberal democracies, while its scope narrows with increasing political interference. Electoral democracies occupy an intermediate position, where political forces periodically contest academic freedom, yet some degree of institutional resistance remains intact. In autocratic systems however, academic freedom is subject to structured violations. These are more subtle and indirect in electoral autocracies, whereas in closed autocracies they take an explicit and overt form. This dynamic process highlights that academic freedom is not a static condition but rather a phenomenon subject to ongoing political and societal influences. As political systems are constantly in flux, the conditions for academic freedom and forms of political interference continue to evolve accordingly.

This chapter is subject to two primary limitations. First, the four political models outlined here necessarily simplify a complex reality. While individual countries may be placed within a given category at a particular point in time, they may not exhibit all the characteristics associated with that model. Even within a political system category, variations in characteristics are possible, depending, for instance, on how closely a country's political system aligns with neighbouring categories. For example, the nature of political interference in academic freedom may differ in an electoral autocracy that leans towards an electoral democracy compared to one that is closer to a closed autocracy.

Second, the analysis of the relationship between political systems and academic freedom has been conducted on the basis of a limited number of case studies. For certain categories, such as electoral democracies and closed autocracies, only two or three national examples were available for examination, which highlights the need for further refinement and expanded empirical investigation.

Chapter 4

Political interference in academic freedom: a European perspective

4.1. Introduction

As part of the widespread democratisation of Europe and other parts of the world during the second half of the 20th century, academic freedom evolved from being a relatively abstract norm to becoming, in many societies, a legally recognised and protected right. This development is linked to the acknowledgement that academic freedom is not only a central academic right, but also an important prerequisite for well-functioning open and democratic societies that adhere to the rule of law. Therefore, the protection of academic freedom is of utmost importance in any democratic political system, and the responsibility for this protection lies primarily with the state. This responsibility includes, first, the negative obligation on the state to refrain from undue interference with academic freedom. This means that the state should respect the academic community's responsibility to safeguard academic freedom, and should not introduce any policies, measures or regulations that could threaten the core dimensions of academic freedom or the conditions for exercising academic freedom directly or indirectly. Second, the state's responsibility to protect academic freedom also contains positive obligations; this implies that the state should take the necessary measures to safeguard academic freedom against threats coming from any other source than the state itself. The state's obligations mean that it must refrain from acting in a way that could threaten academic freedom, while at the same time the state should take all necessary measures to protect academic freedom against undue interference from sources other than the state.

Against the background of general democratic backsliding in Europe (Sitter and Bakke 2019), recent studies, measurements and monitors show that academic freedom is under pressure in most European countries (Craciun et al. 2024; Kinzelbach et al. 2024). This pressure consists of both political interference and threats from non-political sources. Consequently, it can be argued that the state is not sufficiently fulfilling its obligations in the protection of academic freedom. Of relevance in this regard is that the two European courts, the European Court of Human Rights and the European Court of Justice, have only recently begun to address academic freedom, with the former hearing complaints from individuals and the latter institutional cases on academic freedom (Kovács 2025: 140). Legal cases on academic freedom that have been decided at the European level have so far primarily concerned negative obligations on states to refrain from violating academic freedom. At the same time, the exact boundaries of positive obligations are unclear, and arguably require further research and the further development of case law on academic

freedom (Kovács 2025). The remaining chapters of this report will contribute to a better understanding of threats to *de facto* academic freedom from sources other than the state. This will offer a relevant frame of reference for the work of the Council of Europe in the coming years to strengthen the protection and promotion of academic freedom. In this chapter the focus will be on political interference in academic freedom in Europe. The specific multilevel governance arrangements for higher education and research that have developed in Europe over the last few decades will be discussed, after which we shall look at specific empirical cases.

4.2. European multilevel governance arrangements

To understand the nature of political interference in academic freedom in a European context it is important to discuss the multilevel governance (MLG) arrangements for higher education and research in Europe. The starting point for this is the traditional gatekeeper role of the sovereign state, which included :

> control over the allocation of authority between central and sub-national levels of government, the enlistment of selected non-state interests and social groups in decision-making processes and guarding the gates to international governance involvement from both subnational governments and civil society organizations. (Piattoni 2009: 172-3)

The development of MLG arrangements challenges the sovereign state by involving sub-national actors and organisations in supranational policy making and decision making without channelling this engagement through national governments. Furthermore, by acquiring formal (and informal) competencies, the supranational level of governance has the potential of restricting the autonomy of the state in certain policy areas. Finally, MLG arrangements challenge the traditional distinction between state and society by involving public interest groups and public organisations such as higher education institutions directly in supranational policy formulation and implementation (Chou et al. 2017; Piattoni 2010: 173). One of the implications of MLG arrangements for European academia is that they have enabled the development of political and socio-economic expectations and demands for higher education and research that go beyond national governments' strategies and policies for this sector (Olsen 2007a). This concerns, for example, expectations about the contribution of higher education and research to enhancing European competitiveness, promoting a European identity and European basic values, and handling international security risks. In this MLG setting, there has until recently been little serious discussion about how the increasing expectations and demands for higher education and research at different levels of governance and by multiple governance actors can be reconciled with the protection and promotion of academic freedom (Olsen and Maassen 2007: 9).

A specific feature of the European MLG arrangements regarding higher education and research is that this policy area is characterised by a relative lack of clarity about the formal and informal distribution of authority across the different governance levels and actors. This raises questions about the nature of political interference in academic freedom. Does it still only come from national political actors and bodies or is there also political interference in academic freedom at

the supranational and sub-national levels? Given that studies, measurements and monitors of academic freedom report generally on national cases, there is currently a lack of empirical information on possible political interference in academic freedom by political actors other than central state actors. This is reflected in the cases discussed in this chapter, which all concern cases of political interference at the level of the central state. Furthermore, the limited case law in the European courts, especially in the area of the state's positive obligations, poses a challenge when it comes to identifying the kind of specific threat to academic freedom that can be addressed most effectively at various governance levels to enhance the protection of academic freedom (Kovács 2025).

4.3. Forms of political interference

Political interference in academic freedom refers to the variety of ways in which political actors, that is public authorities and their agencies, and individual politicians such as members of parliament and their parties, affect or want to affect the state of play of academic freedom in their country in such a way as to unduly limit the possibilities of academics and students exercising their academic freedom (Craciun et al. 2024). Political interference has traditionally been regarded as a key threat to academic freedom. From the establishment of the research university in Germany in the late 17th or early 18th century, there have been tensions between the freedom of academics to follow their own teaching and research interests and preferences, and the inclination of the state to see academia as an instrument for achieving politically or socio-economically desirable outcomes. The instrumental perspective on academia has been used by states throughout the recent history of higher education to interfere directly or indirectly in the academic affairs and responsibilities of higher education institutions, resulting in periods of academic freedom growth and decline (Lott 2024). We are currently in a period of decline in academic freedom characterised not only by structural violations by autocratic regimes but also by the erosion of academic freedom in liberal democracies (Craciun et al. 2024; Kinzelbach et al. 2024).

Political interference in academic freedom can take different forms. The American Association of University Professors (AAUP) has, for example, identified the following trends in political interference in US higher education, with negative effects on academic freedom (AAUP 2024):

- restricting academic freedom by limiting teaching about race, gender and sexuality ("divisive concepts" bills);
- requiring intellectual and viewpoint diversity statements and surveys;
- cutting funding for diversity, equity and inclusion (DEI) efforts;
- weakening faculty rights by eliminating tenure and placing restrictions on collective bargaining.

Table 4.1 shows the forms of political interference in academic freedom that can be identified in Europe. Interference can take the form of threats to or violations of the basic dimensions of academic freedom when governments place undue restrictions on what can be researched or taught in higher education, and censor, limit or even

criminalise academic expression on politically determined issues. In addition, political interference can take the form of threats to or violations of the conditions under which academic freedom is to be exercised. This concerns, for example, political proposals or actions to transfer responsibility for guarding academic freedom from the academic community to an external body, in order to undermine institutional autonomy, limit academic self-governance, weaken academic employment rights and weaken the conditions for the public funding of academic activities. Furthermore, political interference can take place through various policy tools, including legal restrictions, as discussed in Chapter 2.

Table 4.1. Forms of political interference in academic freedom in Europe

Academic freedom dimensions and conditions	
A. Core dimensions	**Forms of political interference**
1. Freedom to research 2. Freedom to teach and to study	Placing ideologically inspired restrictions on the academic topics, issues or areas that are allowed to be taught and/or researched in higher education.
3. Freedom of academic expression	Censoring, limiting and/or criminalising academic expression on politically determined issues, topics or areas so as to silence critical academics and students.
B. Conditions for exercising academic freedom	
4. Academic responsibility for guarding academic freedom	Shifting the responsibility for guarding academic freedom outside of academia.
5. Institutional autonomy	Placing restrictions on or undermining institutional autonomy.
6. Self-governance	Limiting, undermining or restricting academic self-governance.
7. Academic labour conditions	Weakening academic employment rights and/or placing restrictions on collective bargaining.
8. Financial conditions	Weakening public funding arrangements for higher education and research.

Source: Author's own.

Obviously not all political proposals and actions are a threat to academic freedom. The state has the right and obligation to make political decisions with respect to higher education and research, including its legal framework conditions, labour agreements and public funding arrangements and levels. Nonetheless, the current deterioration of the state of academic freedom in Europe is, among other things, a consequence of political decisions and actions by the state that do not respect academic freedom as a basic academic right but instead view it as a direct or indirect threat. The next section illustrates this with empirical cases of political interference from various European countries.

4.4. Political interference in academic freedom in Europe

The nature of political interference in academic freedom in Europe will be shown in this section by discussing specific cases. The general forms of political interference introduced in Table 4.1 are used to structure the discussion.

4.4.1. Direct political interference in the core dimensions of academic freedom

Direct political interference in the core dimensions of academic freedom (see Figure 1.1) is in Europe linked to democratic backsliding, which can be defined as "a gradual, deliberate, but open-ended process of de-democratization" (Sitter and Bakke 2019: 3). This process challenges the rule of law and is further characterised by the use of excessive political appointments and political interference in civil society, including higher education. Closing down higher education institutions or forcing them to move to another country is an extreme form of direct political interference in academic freedom. Direct attacks on academic freedom have recently taken place also in other European countries. This is done, for example, by governments censoring, prosecuting and convicting critical academics and students in order to silence them. Certain governments also control decisions about which research proposals are eligible for government funding. Furthermore, in certain countries, access to research data in government-controlled sectors, such as health care and prisons, is increasingly being made difficult.

Further illustration can be found in cases relating to academic freedom at the European Court of Justice and the European Court of Human Rights. Even though the case law on academic freedom in these European courts is still relatively limited, both courts have embraced the "liberal science script", used to advocate for the freedom of science, which encompasses both the general right to science and the right of members of the academic community to academic freedom (Kovács 2025: 141). On the basis of an analysis of the European Court of Human Rights case law on academic freedom, Kovács (ibid.: 146) concluded that, when it comes to freedom of expression, the Court has decided that academics have a unique professional freedom: to speak in the academic context, which ordinary citizens do not have. This means that the Court "acknowledges that the distinction between speech and academic speech lies in the rationale of academic freedom, which is to enhance our comprehension of the world and human affairs in a way that complies with professional norms and standards" (ibid.: 147). What is relevant in this is that the Court has made its decisions with respect to academic freedom on the basis of cases of individual academics against whom European governments (in Hungary, Poland and Türkiye) had taken legal action for publicly expressing their views outside of academia. These cases and the decisions of the Court show that various governments in Europe have politically interfered in higher education and have unduly restricted academic freedom of expression.

In addition to these restrictions on academic freedom of expression, other recent cases of direct political interference in academic freedom can be identified in various European countries. This concerns politically motivated efforts to close study programmes and research activities in areas such as gender studies, migration,

colonialism and race. These efforts were successful in Hungary, where in 2018 the government officially removed gender studies master's and PhD degrees from the list of accredited subjects in the country (Pető 2020) without providing an explanation for the decision. In Croatia, in 2024 the government refused to approve a new master's programme in gender studies at the University of Zagreb, ostensibly on procedural grounds, but the academic community saw it as a political decision (N1 2024; Informativna Katolička Agencija 2024).[11]

In Poland the then-government made various proposals in early the 2020s that could potentially restrict academic freedom. These proposals also attracted attention outside the country and led to a European Parliament fact-finding mission on academic freedom, which concluded that academic freedom was being "attacked" by the government in Poland (Magee 2023). These proposals' direct threats to academic freedom were not realised because, among other things, the Polish courts upheld the right to pursue academic research, and the government decided to reinstate the discontinued research funding of the Institute of Philosophy and Sociology.

Political interference may relate to the actions and proposals of political parties that are not part of the government attempting to stop academic activities in areas such as gender studies, or to shift control over academic freedom from within to outside academia. A central argument used in such challenges is that academia can no longer distinguish between "real science" and academic activism. For example, in Romania in 2020 a conservative political party proposed a ban on curricular and extracurricular activities based on gender-critical theories (Europa Liberă România 2020). The announced ban on gender studies was not implemented because it was considered unconstitutional by the Constitutional Court. In other countries, certain political parties' challenging of the academic responsibility for guarding academic freedom is inspired by a specific political agenda. For example, in Germany the political party Alternative für Deutschland (AfD), proposed cutting all funding for gender studies at German universities, while in Denmark parliament discussed and eventually rejected a proposal by some members of parliament to establish a national body to monitor "questionable" research, by shifting the responsibility for ensuring academic freedom from academia to the public authorities (Myklebust and Andersen 2022). Even though the threat was not realised, the politicians involved suggested that it may be necessary in future to shift the responsibility for safeguarding academic freedom away from the academic community.

To conclude, in a number of Council of Europe member countries, political interference in academic freedom takes the form of structured infringements (Kinzelbach et al. 2024). In contrast to the situation in these countries, in other Council of Europe member states that have seen direct political interference in basic aspects of academic freedom, concerns about the actual state of academic freedom have so far focused more on the growing threat of political interference than on structural political violations of academic freedom.

11. See also: Prager (n.d.): https://journals.law.harvard.edu/jlg/2019/01/the-hungarian-ban-on-gender-studies-and-its-implications-for-democratic-freedom/, accessed 17 August 2025.

4.4.2. Indirect political interference in the conditions for exercising academic freedom

4.4.2.1. Institutional autonomy

As discussed in Chapter 1, most statements on academic freedom draw a direct relationship between academic freedom and institutional autonomy. In these statements, institutional autonomy refers to the formal room for manoeuvre that higher education institutions need, among other things, to be able to make the decisions to create and maintain the conditions under which academic freedom can be exercised optimally. As the academic literature on higher education (Capano and Jarvis 2020) shows, there have been many reforms in European countries over the last few decades aimed at enhancing institutional autonomy. Nevertheless, the degree of institutional autonomy is contested in many European countries, as argued in the academic literature and in recent studies on the state of academic freedom in Europe (Craciun et al. 2024). This is the result, for example, of new sectoral laws that give the government the opportunity to interfere in institutional affairs, including through the political appointment of institutional leaders, the introduction of more executive governance structure or the weakening of academic employment conditions.

Overall, worries about the state of institutional autonomy as a consequence of undue political interference in institutional affairs have been identified in a large number of Council of Europe member (Craciun et al. 2024). In these countries, changes in the governance relations between government and higher education institutions increase the possibilities for political interference in institutional affairs. At the same time, in a number of cases, it has been argued by some of the stakeholders involved in the debates on proposed new higher education policies or legislation that one or more actors criticised the proposed legislation not because of its negative impact on institutional autonomy but to divert attention from another problem, for example allegations of corruption. These cases illustrate the complexity of the relationship between academic freedom and institutional autonomy.

The impact of structured political interference on institutional autonomy can be illustrated by the model change and transfer of ownership of the universities in Hungary from the government to public interest trusts, leading to intense debates within Hungary and in the wider European context about the effects of the model change on academic freedom and institutional autonomy. Overall, 21 universities have been transformed by the government from public entities into foundations governed by boards of trustees. These boards consist of appointees and close supporters of the government. Similar trusts have also been established in other parts of the science and education sector. In February 2023 active politicians resigned from the trusts and were replaced by non-politicians, many of whom are reported to have ties to the Fidesz political party, even if indirectly. Moreover, while active politicians resigned, former ministers, state secretaries, commissioners, mayors and other politicians stayed in their positions, as well as members of the economic elite. The European University Association (EUA) has urged the Hungarian government to take the necessary steps to address the state of academic freedom and institutional autonomy threatened by the model change (EUA 2023). In particular,

the EUA report points out that, while the model change is presented as a means to enhance institutional autonomy, it "only offers an appearance of greater autonomy but can be likened to a creative restructuring of higher education granting further and long-term control to the current government on the sector as a whole" (ibid.).

The complexity of the relationship between institutional autonomy and academic freedom is clearly visible in recent higher education governance trends in Denmark. A report by a national advisory council stated that how the government is governing the higher education sector could be detrimental to academic freedom and institutional autonomy (Danmarks Forsknings- og Innovationspolitiske Råd 2023a: 70-72; 2023b: 10-14, 16). It argued specifically that the frequency and nature of comprehensive sectoral reforms have been regarded by academic staff, institutional leadership and other interest groups as distracting and, at times, damaging to the sector (Danmarks Forsknings- og Innovationspolitiske Råd 2023a: 70-72; 2023b: 10-14, 16). For example, various reforms have been introduced in a major restructuring of master's programmes, predominantly within the humanities and social sciences. These reforms have met with mixed responses, with several professional associations criticising, among other things, the lack of involvement of the academic community in the development of the reforms (Myklebust 2022; 2023; 2024).

In France, the proposals to enhance the relatively low level of university autonomy (Pruvot et al. 2023) have not yet been implemented (Coulhon 2023). However, it is argued that the slow increase in institutional autonomy is caused not only by political factors but also by the concerns and at least passive resistance of academic staff. They fear that, in the specific French university context, the increase in institutional autonomy could pose a threat to their professional autonomy and academic freedom (Upton 2022).

Another country in which political interference has negatively impacted institutional autonomy is Bulgaria, where the government is attempting to impose uniform rules for academic promotion across all fields and disciplines in all higher education institutions. While the minister responsible has stated that differences between disciplines in determining academic promotion are unacceptable, other stakeholders have pointed to important differences between the humanities, social sciences, natural sciences, technical sciences and medicine that should be considered. This issue, it is argued, reflects how the government tries to impose its political position on the academic system instead of allowing higher education institutions to exercise their institutional autonomy in a way that accords with their institutional strategies, interests and characteristics. This is also addressed in the report by the Office of the United Nations High Commissioner for Human Rights (OHCHR) which argues that "in the modern period of the development of society there is a need to combine academic autonomy with mechanisms for institutional responsibility – to achieve transparency and connection with the interests of society", and "that is not entirely the case in Bulgarian practice" (OHCHR 2024).

Finally, while Germany has long been the country with the strongest *de facto* state of academic freedom in Europe, recent developments have led to pressures on academic freedom and institutional autonomy. Two trends are of importance in this: first, the growing concerns about the possible impact on academic freedom and

institutional autonomy of the growing influence of populist politicians in Germany (e.g. Dixon 2024) and second, the growing levels of political interference at the federal and state levels in relation to the Gaza–Israel conflict, which is affecting academic freedom and institutional autonomy. The latter issue can be seen in the critical response in November 2024 of the University Rectors' Conference (HRK) to the plan to pass a resolution in the German Parliament against antisemitism specifically for use in universities and schools (Forschung & Lehre 2024). According to the HRK, the definition of antisemitism is a subject of academic debate and should not be affected by political interference.

4.4.2.2. Self-governance

Self-governance in academia refers to institutional governance mechanisms and bodies in higher education institutions and the right of academic staff and students to be involved in these when it comes to decision making on academic affairs (see, e.g., Austin and Jones 2024: 150). When it comes to the state of self-governance in European academia, a study by Beiter et al. (2016) in EU member states showed that in the mid-2010s self-governance was weak in Belgium, Denmark, Estonia, Finland, France, Ireland, Lithuania, Luxembourg, Malta, the Netherlands, Sweden and the United Kingdom. It was argued that the weak state of self-governance in large parts of European higher education was a consequence of government reforms aimed at more managerial and professionally governed higher education institutions. While more recent major comparative studies on the state of academic self-governance in Europe are not available, there are strong indications that the state of academic self-governance has further deteriorated not only in the countries listed in the aforementioned study (ibid.), but also in Greece, Hungary and Slovakia, as well as in Azerbaijan and Türkiye.

Higher education reforms introduced by the Greek Government since the early 2020s addressed what were broadly considered to be legitimate concerns for funding, governance and security. However, the proposed draft reform laws were met with significant opposition from some of the academic community on the grounds of an argued weakening of conditions for academic freedom, institutional autonomy and academic self-governance. It was argued, for example, that the government's reform efforts had been rushed and offered limited opportunities for debate or input from academics and students. The government claimed that ineffective internal governance structures required drastic measures to achieve modernisation on a par with other European higher education systems. Some of the academic staff and student community opposed the proposed reforms, arguing that they would result in the erosion of academic self-governance at universities. Proposed changes to the executive boards of Greek universities, for example, were perceived to be overly centralising and resulting in weaker conditions for academic representation and self-governance, increased risk of nepotism through the new election system, and an unbalanced representation of internal and external interests (see, e.g., Choli-Papadopoulou and Chrysafis 2023; Seimenis and Litsardakis 2024). Key points of concern regarding the proposed changes to the executive boards of universities included challenges to adequate academic representation, the appointment of the university rector from among and by the board's members, the ability to dismiss the

rector by the board, and the risk of corruption and clientelism through an imbalance of power and accountability.

Where significant forms of democratic self-governance in institutional governance have existed since the 1960s in European countries, these practices have been gradually weakened over the last few decades by reforms in university governance.[12] In Sweden, for example, a report by Nordic academic trade unions (2024: 47), discussed the dismantling of academic self-governance (or collegial decision making) as a result of the autonomy reform of 2011. The report argued that Swedish higher education institutions have experienced a centralisation of decision making and a shift from decisions in collegial bodies to university management decisions. This has weakened self-governance overall.

4.4.2.3. Labour conditions

Governmental reforms have weakened academic labour conditions in several European countries, with potentially far-reaching consequences for *de facto* academic freedom. In Austria, for example, universities have a high percentage of academic staff with fixed-term contracts (around 80%), and 2021 changes to the Universities Act have further tightened employment conditions for these academics by introducing an eight-year limit on temporary contracts. The stricter new rules will put even more pressure on early-career academics, leading to worsening conditions of academic freedom for them. French universities are also characterised by unattractive academic labour conditions, especially for academic staff with temporary contracts. This situation led in 2021 to a petition signed by many academics demanding the resignation of the then Minister of Higher Education (see Université Ouverte 2021). The petition was triggered by the adoption of the law on research programming in December 2020. This law was criticised by many French academics because it allows higher education institutions to recruit academics on a contract basis, that is, it introduces junior tenure-track positions with a limit of 50% on each institution's annual academic recruitment. Other countries in Europe where academic labour conditions have weakened are Croatia, Italy, Lithuania and the Netherlands. In Croatia, a new collective labour agreement for academics was based on negotiations between the Ministry of Science and Education and the only representative union of academics recognised by the government (NSZVO). This agreement was criticised for failing to involve representatives from important groups within the academic community (Academic Union 2024). Deteriorating employment conditions, including uncompetitive salaries for staff and threats to job security, have made the academic profession in Italy less attractive compared to the profession in other European countries. This has led to a brain drain, as a large number of academics, especially young scientists, have left the country to continue their academic career elsewhere (Civera et al. 2023: 18). In the Netherlands, the Minister of Education and Science in 2023 responded to the European Parliament's *Academic freedom monitor* report, which argued that academic freedom in the Netherlands was under pressure, among other things,

12. For a discussion of developments in university governance structures in Austria, Belgium (Flanders), Denmark, the Netherlands, Norway and Switzerland, see Gornitzka et al. (2017) and Boer and Maassen (2020).

from the large number of temporary contracts for academic staff. He said that he wanted to reduce the number of "flex contracts" and to strengthen labour conditions at universities by increasing the level of public funding of higher education considerably (DUB 2023). However, the increased public funding for higher education was reversed by the new Dutch Government in July 2024 when it was sworn in. Instead of increasing the higher education budget, the government announced cuts of around €1 billion, which is expected to have a major impact on the prospects of early-career academics in particular (BNNVARA 2024).

4.4.2.4. Financial conditions

Weakening labour conditions in higher education are often linked to deteriorating public funding conditions for higher education. The European University Association's Public Funding Observatory produces a regular overview of funding trends in Europe's universities. The EUA's latest data show that, since 2008, the divide between European higher education systems that have increased public funding (such as Luxembourg, Denmark, Norway, Poland and Sweden) and those that have reduced public funding (including Ireland, Italy, Scotland and Spain) is getting wider (EUA 2019).

The government in the Netherlands, as mentioned earlier, has announced a far-reaching budget cut for higher education, which will affect not only employment conditions for academics but also opportunities for academics to follow their research agenda. A large part of the cuts relates to academic research, and the president of the Dutch Research Council (NWO) has acknowledged that the budget cuts mean that "knowledge and talent will ultimately be lost and that is truly worrying for the Dutch economy, our strategic autonomy and our broad prosperity" (NWO 2025). In Italy the government also has not prioritised higher education and academic research as much as the previous government. With overall investment in research and development in Italy lower in 2022 (about 1.5% of GDP) than the average for EU member states (around 2.2% of GDP), the previous government had announced a long-term investment plan for research. However, the current government has not adopted this plan, resulting in a difficult budgetary situation for Italian universities and serious challenges to upholding the institutional conditions for academic freedom. The consequences of low levels of public funding for academia can also be seen in Slovakia, where relatively low levels of public funding for higher education and academic research have resulted in limited career opportunities in academia and high levels of brain drain.[13]

All in all, the core governance conditions for academic freedom are under pressure in many European countries as a consequence of political interference. Governmental reforms have affected institutional autonomy and weakened self-governance practice throughout Europe, and these trends form one of the major causes for the concerns about the state of *de facto* academic freedom in Europe. A growing divide in the material conditions for academic freedom can be seen in Europe. The changing financial

13. About 20% of Slovakian university students are currently studying abroad, compared to about 4% in other EU member states (Nagy 2024). Many Slovakian doctoral degree holders move abroad after graduation.

and labour conditions for academic freedom may not have received the same attention as changes in governance, but the impact of these changes for European higher education should not be underestimated. One possible consequence of a growing divide between European countries in the conditions for academic freedom may be a growing concentration of highly talented academics in those European countries that have high and increasing levels of public investment in higher education and academic research, attractive labour and career conditions and opportunities, and strong *de facto* academic freedom.

Chapter 5

Attacks on dissenting voices in academia

5.1. Introduction

In the debates on the erosion of academic freedom in Europe, much attention has been paid to external threats and violations. Important and relevant though external interference is, academic freedom is also threatened in by growing intolerance and polarisation within academia. As argued by Willliams (2016):

> Rather than finding their words limited by external impositions, academics who want to say something that comes up against the norms of their departmental or disciplinary culture, or just goes against the grain of polite society, experience pressure to self-censor and conform. (Williams 2016: 5)

In this chapter we use the term "attacks" to refer to pressure on academics from within academia to conform. This pressure can take the form of harassment, intimidation, retaliation or, in exceptional cases, violence from within the academic community and is first and foremost aimed at academics expressing unpopular or dissenting opinions, challenging prevailing narratives in their teaching or engaging in critical research on sensitive issues.[14] It can result in job loss or reduced job security, denial of promotion, exclusion of external research grants, defamation campaigns, disrupted or cancelled lectures and seminars, or even stalking and physical violence in extreme cases. While we recognise that students can also be victims of harassment or intimidation for expressing certain opinions or ideas, we focus in this chapter on the nature and possible impact of these attacks on academic staff.

Within higher education institutions, academic staff can be pressurised by academic colleagues, students, administrative staff or institutional leaders. It is particularly important to note that the interpretation and coverage of such pressures may be unbalanced, and intensive coverage of intra-academic conflicts in some countries does not necessarily mean that intra-academic attacks are non-existent in countries with little or no coverage, nor that a heated debate over certain cases reflects a systemic violation of academic freedom. Not least, this is an area where there is no clear-cut boundary as to when academic disagreements, debates, tensions and conflicts may be part of the regular internal academic interaction and discourse, or may represent threats to or violations of academic freedom. While we identify relevant cases in this chapter, this is an issue where it would be helpful if, for example,

14. Data on the scale of this pressure are generally rare. Recent studies from the Nordic countries give some indications of the frequency of these internal threats (see, e.g., Nordic academic trade unions 2024; Tovatt et al. 2024).

the Council of Europe, Scholars at Risk and national higher education stakeholder organisations could establish more specific boundaries of academic freedom. A better understanding of the issue and of the development of measures to deal with it adequately, including more effective legal protection and institutional support, requires a more systematic knowledge basis and better empirical data.

Internal threats to academic freedom can be observed in many Western democracies and, arguably, attract most attention in the United States (Carroll 2023).[15] However, the attention to internal threats to academic freedom is also growing in Europe (Craciun et al. 2024; see also SAR 2024). While the empirical evidence for assessing whether cases of undue intra-academic pressure are isolated incidents or structural infringements of academic freedom is largely lacking,[16] the examples of European cases presented in this chapter should provide an insight into the nature of the internal pressure on dissenting voices in European higher education. Using these examples, a number of possible measures to counter this threat to academic freedom will be presented. The chapter begins by discussing self-censorship as an important outcome of internal pressures and identifies some of the factors that lie behind it.

5.2. Self-censorship

Intra-academic disagreements, debates, tensions and conflicts are in general an essential component of the academic culture in any higher education system, institution, unit and group, as well as in scientific disciplines and fields. It is therefore important not to assume that all internal attacks on dissenting voices in academia constitute a threat to or violation of academic freedom, let alone to the individual being pressurised. However, determining when internal pressures are or are not a threat to academic freedom is challenging because there is a lack of agreement on when conflicts around specific strands of research, teaching or expression constitute threats to, or even violations of, academic freedom and when they are part of regular academic interactions.

The term "cancel culture" has been used by some scholars to address internal interactions in academia that go beyond what is acceptable (Norris 2023a; Teixeira da Silva 2021). In the academic space, cancel culture refers to a climate in a higher education institution, or part of it, where members of the academic community try to stop or prevent academic activities or silence the academic expressions of individual staff or certain groups they deem to be unacceptable. The intention to silence academics with whom one disagrees is seen as justified in cases where the value of academic freedom is regarded as less important than other primary values and principles. It is feared that the tendency in academia to want to silence one's opponents will have a negative effect on scholarship by persuading some academics to refrain from addressing, discussing, teaching or investigating potentially controversial issues. A key argument of why these internal attacks threaten academic freedom is that

15. For a discussion of the purpose of US higher education and its link to democracy see, e.g., Harkavy et al. (2020).

16. For comparative international measurements of academic freedom see: Kinzelbach et al. (2024); Craciun et al. (2024); and SAR (2024).

such acts of academic censorship will have an impact on a much larger group of academics than the ones directly involved, by leading to self-censorship. It is generally acknowledged that this form of self-censorship threatens the heart of the academic enterprise by "diminishing the values of constructive disagreement, independent thinking, viewpoint diversity, and intellectual pluralism" (Norris 2024: 3).

To gain an adequate understanding of the extent to which self-censorship in academia is a threat to academic freedom, it is important to acknowledge that there are several kinds of self-censorship. The form of self-censorship most commonly linked to academic freedom is the one that results from undue pressure, for example through repression and intimidation, where academics refrain from addressing certain research problems, teaching certain topics or expressing certain ideas or viewpoints because they are afraid of being harassed or punished for doing so. This represents a situation where there is a lack of academic space for academic ideas, opinions and interests that diverge from the dominant one(s), even if they are equally rigorous. This form of self-censorship has to be distinguished from self-censorship where academics decide for reasons other than undue pressure to avoid engaging with particular research problems, teaching certain themes or expressing certain ideas. This includes self-censorship relating to a lack of social space and encompasses academics refraining from following their academic interests or expressing themselves academically so as to remain popular or be polite, on the basis that other academics may be less inclined to socialise with them if they know their views. This is an example of the potential impact of a lack of social space for individual academics with different social or political views from the dominant views in their academic environment. A lack of social space in academia is not the same as a lack of academic space. While a lack of academic space may influence academic freedom negatively, a lack of social space does not necessarily imply a lack of academic space and therefore does not usually have an influence on academic freedom per se.[17] Other forms of self-censorship can occur when academics refrain from following certain research problems, teaching certain themes or expressing themselves academically for academic or financial reasons.

There are other relevant aspects, for example the kind of research problems addressed, and the values and beliefs held by certain academics, that are contrary to the consensus in their institution, academic unit or group. Furthermore, academic power structures can silence academics holding insecure positions such as early-career academics and non-tenured lecturers.

Since the early 2010s, and especially in the United States, attempts have been made to reinterpret academic freedom as a matter of justice. An article by a Harvard student attracted a lot of attention by arguing that, rather than relying on the principle of academic freedom to guide decisions about what kinds of academic expression should be permissible, we should rely instead on principles of academic justice (Korn 2014). This view implies that scientifically accurate scholarship must be censored, and its authors silenced, if the research can be misused to "promote or justify oppression" (Hooven 2023). Korn's view that academic freedom is not always compatible with other values, such as fairness, equality, respect or sensitivity, and that it has no

17. I want to thank Robert Quinn for making me aware of this form of self-censorship, and the important distinction between lack of academic space and lack of social space.

superior claim on scholarship, is shared by other scholars, especially in the United States and the United Kingdom (ibid.; Williams 2016).

Korn's article and the efforts to replace academic freedom with academic justice have been heavily criticised from the perspective that seeking to promote academic justice over academic freedom encourages self-censorship, silences academic debates and creates a culture of conformity (ibid.). It is further argued that this justice approach will encourage academics to use political instead of academic arguments for determining whether or not a research or teaching topic or certain expressions are acceptable. In Europe the call for academic justice as a basic value to guide academic institutions on their strategic decisions and developments has emerged. Overall, European university leaders have not followed this call, but have emphasised the key role of academic freedom as a basic academic value for determining university strategies and in relation to their response to geopolitical conflicts.

5.3. Factors influencing internal attacks in academia

Factors that are responsible for the increase in internal threats to academic freedom include formal regulations, institutional regulations, organised actions and informal pressures (Norris 2024).

Formal regulations are the policies and legal frameworks, for which European and national public authorities are responsible, that support or limit the responsibility of the academic community for guarding, that is protecting and promoting, academic freedom. These regulations affect the autonomy of higher education institutions and the activities of academic and administrative groups and of individual scholars, students, administrators and leaders in academic communities (ibid.: 16). There are indications that the more detailed formal regulations are, the greater the chance that they will lead to informal self-censorship. This is related to the extent to which academics who address research questions, teach themes or express opinions that differ significantly from the predominant themes and opinions, run the risk of being punished. Such punishment can result from formal regulations that are very detailed and explicit, as well as those that are general and not very specific. Public authorities should aim to find an effective balance between having appropriate legal provisions for protecting academic freedom and leaving the academic community sufficient room to manoeuvre in guarding academic freedom itself.

Institutional regulations are the rules and guidelines introduced by higher education institutions to protect and promote academic freedom. These regulations range from the detailed and supportive to the abstract and prescriptive. New public management reforms in higher education in many countries in Europe have strengthened the executive dimensions in institutional governance structures and practices. As a consequence, institutional leaders in many countries are now expected to turn their institutions into strategic organisational actors (Krücken and Meier 2006), for which a greater control over the primary academic processes of research and teaching is deemed to be necessary. This development arguably runs the danger, among other things, of the institutional leadership potentially becoming a threat to academic freedom through adaptations of institutional regulations with the intention of directly steering academic activities.

Organised actions within higher education institutions and systems refer to activities aimed at silencing academics who address topics in their research and/or teaching, or express opinions, that are deemed unacceptable. These activities can include boycotting or disturbing lectures or seminars, launching campaigns on social media, introducing formal speech codes or organising campus protests.

Informal social pressures in academia take various forms and are often driven by dominant group norms that seek to suppress other academics' engagement with or addressing of research questions, themes or views that lie outside what is deemed acceptable by the dominant group. Informal social pressures in academia seek to promote certain values and "groupthink" instead of the critical and open assessment of all knowledge processes. In practice this peer-group pressure often aims to silence "outlying academics" by bringing them into line with the peergroup's own dominant themes, perspectives and opinions (Williams 2016), pressurising them to refrain from following their own research and teaching agenda or to quit their academic careers. At the same time, collective peer pressure can also have the positive aim of promoting academic rigour by bringing academic pressure to bear on scholars whose work is considered of insufficient rigour and/or quality, according to the standards of the discipline.

5.4. Attacks on dissenting voices in Europe

While there are indications that internal attacks on academics are growing in Europe, with the most important consequence being a rise in cases of self-censorship, most of the empirical evidence has been gathered in the United States.[18] What do we know about this threat to academic freedom in Europe? Among the sources of information on self-censorship that are available, we can refer to some national studies. For example, a study undertaken by the Danish Council for Research and Innovation Policy suggests that the culture of university democracy in Denmark is under threat, with 50% of the surveyed researchers fearing, having been threatened with or having been subjected to, one or more reprisals for commenting on their leaders' decisions (Danmarks Forsknings-og Innovationspolitiske Råd 2023a: 25). Furthermore, the study concludes that the freedom of research is under pressure in Denmark, as illustrated by the findings of the study which claim that 3% of the researchers have within the last two years refrained from researching controversial topics of fear of reprisals. In addition, of the 24% of Danish researchers dealing with or considering dealing with controversial subjects, 71% fear for, or have been threatened with or exposed to, reprisals. Furthermore, 18% of the researchers do not think that their departmental leadership unequivocally supports research on academically controversial topics (Danmarks Forsknings-og Innovationspolitiske Råd 2023a: 55). The study presents several recommendations for enhancing the freedom of research in Denmark, including the evaluation and monitoring by university leadership of the freedom of research at Danish universities (Danmarks Forsknings-og Innovationspolitiske Råd 2023a: 61). While the main findings of the study have received a lot of attention in Denmark, these recommendations have been criticised by some for being rather "toothless" (Løkeland-Stai 2023).

18. See, e.g., the work by the Foundation for Individual Rights and Expression (FIRE) on US faculty, available at www.thefire.org/faculty, accessed 17 August 2025. For an example of a recent study, see Clark et al. (2024).

Another example is the study undertaken for the Dutch Ministry of Education and Science in response to a motion accepted by the Dutch Parliament (Graaf et al. 2023). The aim of this study was to investigate the role of self-censorship and possible limitation of diversity of perspectives in Dutch science and higher education. Self-censorship was defined in the study as adapting behaviour and expressions in education and research in response to (expected or experienced) undue pressures. The study found that minority groups of researchers, teachers and students practise self-censorship by adjusting their behaviour in certain research and teaching activities for fear of negative consequences. Substantial groups of researchers, teachers and students see self-censorship as a threat to the quality of research and higher education (ibid.). At the same time, the study was criticised for not addressing self-censorship as a result of a lack of diversity of perspectives and beliefs, and for not presenting possible measures to counter self-censorship (Docenten 2024). Furthermore, the study did not make a distinction between internal and external pressures on academics. Despite the criticism, it was generally agreed that the study produced worrying indications about the state of self-censorship in Dutch higher education. Until now there has not been a formal response to the study from Dutch politicians in the form of new measures for countering self-censorship and strengthening academic freedom.

In 2024 the Swedish academic staff union SULF conducted a survey of its active members with regard to threats, hatred and improper influence, which had a 16% response rate (Nordic academic trade unions 2024: 48). The results of the survey have to be interpreted carefully, given that the respondents are all active union members and the response rate was relatively low. Nearly half of the respondents indicated that they had been subjected to threats, hatred or improper influence, and in more than half of the cases these came from within the academic community. Among the respondents who reported having been victimised by an academic colleague, the most common forms were "inappropriate or distressing appeals for empathy or loyalty" (61%) and "other forms of undue pressure" (59%). A small number of respondents indicated that they had been subjected to physical violence by colleagues or students (10 respondents) or stalking by colleagues, students or persons from other higher education institutions (68 respondents).

In addition to national studies such as the Dutch and Swedish ones, surveys on the state of specific disciplines are another potential source for gaining a better understanding of self-censorship in academia. The World of Political Science survey 2023 (Norris 2023b), for example, has been used by Norris (2023a; 2024) to study the prevalence of self-censorship in academia. Norris (2024: 17) summarised the main findings of her study as follows. First, a majority of academics favour liberal social values, especially in Western societies.[19] Second, in Western societies, scholars who feel that their research and teaching themes, ideas and/or opinions differ significantly from the predominant themes, ideas and opinions in their academic environment,

19. In the survey (Norris 2023b), Western societies included respondents from Australia, Austria, Belgium, Canada, Cyprus, Denmark, Finland, France, Germany, Greece, Iceland, Ireland, Italy, Malta, the Netherlands, New Zealand, Norway, Portugal, Spain, Sweden, Switzerland, the United Kingdom and the United States.

are most likely to practise self-censorship. Third, in non-Western low-income countries, "self-identified social conservatives and those with subjective heterodox status were not significantly more likely to self-censor" (Norris 2024: 17). Fourth, other factors influencing self-censorship practices included academics' attitudes towards free speech, their age and gender, and their national context. With reference to national context, academics working in countries that restrict academic freedom, such as Russia and Türkiye, were obviously more hesitant to express controversial opinions or views, such as criticism of their government. Overall, these national and survey-based studies provide convincing arguments for the need to further investigate the process of self-censorship in academia in Europe (see also Clark et al. 2024). In addressing the multitude of reasons that give rise to self-censorship, it would make sense also to include the psychological mechanisms involved in self-censorship (Norris 2024: 17).

Another source is Scholars at Risk's annual report, which in 2024 described internal attacks on academics in various European countries (SAR 2024). A number of these attacks were observed in relation to the protests of students and staff. Severe individual cases in Europe presented in the SAR 2024 report include the dismissal of a professor in relation to the exercise of their right to academic freedom in the classroom;[20] the disruption of a joint panel discussion by academic activists;[21] the withdrawal of an academic position in retaliation for the peaceful exercise of freedom of expression;[22] violent and destructive attacks on a university campus;[23] undue disciplinary actions brought against faculty members in retaliation for the peaceful exercise of their rights to freedom of expression;[24] and an attempt by university leadership to limit the right to freedom of expression on campus by indefinitely postponing an event that had previously been approved.[25]

Further European examples of internal attacks on dissenting voices can be found in the studies undertaken for the European Parliament's Academic Freedom Forum. Here we can refer, for example, to several countries where lectures and seminars have been interrupted or forbidden.[26] Another case concerns academics resigning from their university positions in response to pressure from their colleagues or dismissal for criticising their leadership or expressing controversial views.[27] Furthermore, in various countries academics have also been harassed by other academics and students for addressing particular themes or issues in their academic work or expressing views on their academic environment, for example in France.[28]

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20. See www.scholarsatrisk.org/report/2023-10-24-corvinus-university-of-budapest/, accessed 17 August 2026.
21. See www.scholarsatrisk.org/report/2024-02-08-humboldt-university/, accessed 17 August 2026.
22. See www.scholarsatrisk.org/report/2024-04-05-university-of-cologne-the-new-school/, accessed 17 August 2026.
23. See www.scholarsatrisk.org/report/2024-01-15-national-technical-university-of-athens/, accessed 17 August 2026.
24. See www.scholarsatrisk.org/report/2023-09-01/, accessed 17 August 2026.
25. See www.scholarsatrisk.org/report/2023-10-20-liverpool-hope-university/, accessed 17 August 2026.
26. See Maassen et al. 2023, p. 21; p. 108; and Craciun et al. 2024, pp. 131, 156, 163 and 177-178.
27. See Maassen et al. 2023, p. 34; and Craciun et al. 2024, pp. 163-164, 168-169 and 182.
28. See Craciun et al. 2024, pp. 156, 163 and 170.

5.5. Countering the negative impact of internal pressure on academic freedom

The cases presented in the previous section suggest that internal attacks on dissenting voices in academia are a growing trend in Europe. As for how to counter this trend, a number of issues emerged from the studies and monitors. First, there is a lack of comparative studies on internal pressures on academic freedom in academia. While the monitors on academic freedom provide valuable insights into the state of academic freedom in specific countries, the academic freedom scores in these monitors do not allow for valid comparisons between countries in terms of understanding the factors underlying changes in the state of academic freedom, for example political and economic conditions (Lott 2024: 1015). Second, and related to the first issue, it is not always easy to make a distinction between internal and external attacks, which are often interrelated. Often pressures that are internal, such as a university cancelling an academic event on campus, are fuelled by political pressure and/or civic groups. The studies and monitors referred to in this section are more focused on identifying possible threats to and violations of academic freedom than on analysing the factors and mechanisms that give rise to these threats and violations. It would be helpful for future studies on academia, and existing and new academic freedom monitors, to focus more explicitly on the factors underlying the erosion of academic freedom in Europe rather than on mapping the possible effects of this erosion of academic freedom per se. A better understanding of the impact of these factors is important for developing appropriate policies and measures at the European, national and institutional levels to protect academic freedom against internal attacks. Third, it is becoming clearer that university and college leaders at all relevant levels have an important role to play in creating and maintaining an academic environment where academic freedom is not only protected and defended but also actively promoted. Arguing that the academic community should be responsible for guarding academic freedom can only convince academia's stakeholders, including policy makers, if the institutional leadership is effectively and convincingly taking care of its own role.

Chapter 6

Cases of online harassment, attacks and defamation by society

6.1. Introduction

The right to follow one's own teaching and research agenda and to freely express one's opinions, even if they are controversial or unpopular, in one's own academic area of expertise, and about the functioning of the academic system, are core components of academic freedom. However, a growing number of instances of external pressure, harassment and intimidation against academics in Europe are eroding this freedom. Academics, particularly those conducting sensitive or politically charged research, face threats that can lead to self-censorship. Academic freedom is compromised when academics cannot address the research topics they want to investigate, teach the topics they want to and express themselves academically without fear of retaliation, harassment and attack.

6.2. Background

The pact between higher education and society that emerged in Europe after 1945 provided stability, was based on mutual trust and encompassed relatively clear roles for both society and higher education. Within this pact there was broad agreement about the centrality of academic freedom as a fundamental value in higher education, incorporating the right to question received wisdom without fear, and to publish and teach the results, even if they were controversial and could harm political, economic, religious, military and other power groups in society. As Olsen (2007b) argued, this pact has lost its vigour. Higher education is looking for a new pact and a legitimate position in the political and societal order at the same time as Europe in general tries to develop a new order. The two sets of processes are related, so that higher education's search for a new pact is part of more general transformations in the European order. Core questions with respect to higher education's position in society therefore include: What kind of higher education institution do we need and for what kind of society? What do higher education and society expect from each other? How do we assume higher education fits into a democratic polity and society? (Gornitzka et al. 2007).

In the meantime, the role of higher education and science in society is no longer uncontested, as was previously the case. Academic expertise is no longer automatically legitimate, and academics are pressured, harassed, victimised and attacked by civil groups and individuals, especially through social media, for their academic knowledge, the work they are disseminating or the role they play as academic

experts in public policy processes. This role includes their participation in public debates; their presentations of scientific perspectives, for example on topics such as climate change, social issues and vaccinations; their representation of certain political, social or cultural perspectives, for example in relation to identity issues; and their involvement in providing scientific knowledge to be used in political decision making. The Covid-19 pandemic provided many examples of academics involved in the introduction of Covid-19 measures being attacked on social media, so much so that many withdrew from their expert roles or even from Covid-19-related academic work.

Attacks on individual academics or academic groups by social groups or individual actors have grown in Europe, as elsewhere. The advent of omnipresent social media, on whose platforms attacks on scholars take place, can have potentially chilling effects on academic freedom. In addition to internal attacks (see Chapter 5) social media are an important factor behind the growing number of cases of self-censorship in European academia, especially among early-career academics. Often these attacks are not contained within a single source but take place across traditional segments, involving, for example, civil society, students, private sector actors and policy makers. The effects of such attacks can be significant and can seriously affect *de facto* academic freedom in certain academic disciplines and fields. For example, academics may observe the public debate around certain topics in their area of academic expertise and opt out rather than engage in research on, or teach, those themes. Such developments represent undesired forms of self-censorship, resulting in certain research questions no longer being addressed, certain themes no longer being investigated and certain study programmes or modules being discontinued or not developed.

6.3. Social media and academic freedom

Traditionally, communication about academic activities was confined to rather closed arenas, where study programmes could be followed only physically by registered students and research findings were shared only with members of the academic community in peer-reviewed, printed scientific publications. Through various channels, society has now gained access to and has become exposed to the scientific activities, publications and expressions of academics, as well as to a mixture of evidence-based science, pseudoscience and opinions. Many academic ideas, research findings and expressions, which were previously accessible only through academic publications, are now increasingly transmitted through podcasts, blogs and social media. However, this digital transmission intersperses academic principles and ideas, and peer-reviewed knowledge, with misinformation, pseudoscience, manipulated ideologies and radicalised ideas that are not based on scientific knowledge. The result is a mixture of information vetted by peers, information that is not peer reviewed, and information that is claimed to have been but is not actually peer reviewed. The lack of borders between these three sources of information leads to a clash between the values of academia and of society, and to misunderstandings between them, such that theoretical debates among academics may be misinterpreted by members of society or politicised action groups as threats to civil rights or to their own social niches. Empowered by generalised freedom of expression and amplified by social

media, some academic debates then become challenged, threatened or attacked by civil groups or individuals (Teixeira da Silva 2021).

6.3.1. Censoring of science by social media

Of specific relevance is the "censoring" of scientific research by social media. This trend suggests that, in addition to the political censorship of social media by authoritarian regimes (Al-Zaman 2024), social media increasingly censor the results of valid academic research by excluding certain types of research reports and results. This trend is a consequence of social media's assumption that research should not hurt, even if it tells the truth. For example, in October 2024 *Forskning.no*, the largest online newspaper about research in the Nordic countries, reported an apparently dramatic change in Facebook's censoring practice. Without any announcement, Facebook had suddenly marked a growing number of articles from *Forskning.no* as spam, while readers of *Forskning.no* who wanted to share their articles were increasingly finding that these were being flagged as spam by Facebook. In addition, Norwegian research centres such as the Norwegian Center for Holocaust and Minority Studies (HL-Senteret) had found in 2024 that their Facebook channel was blocked for no obvious reason (Vidnes 2024).

6.4. Attacks by society on academic freedom in Europe

A government-initiated study on academic freedom in Sweden (Tovatt et al. 2024) revealed that many academics regard pressure from actors outside academia as challenging academic freedom.[29] These pressures were generally mediated through social media. In the open-question responses several respondents described how these pressures turned into hatred and threats or into the harassment of individuals. These open-question responses included:

- "Academic freedom is primarily threatened by a heightened tone towards academics who act in public in various ways, for example, when they talk about their expertise or propose political measures based on their research. When threats and hatred affect academics, academic freedom is threatened. Partly directly, in that the threatened academic is restricted in conducting research and the communication surrounding it, but also indirectly, in that academics generally avoid topics that lead to threats and hatred. My view is that the threat primarily comes from an alternative right." (ibid.: 66)
- "There are more and more views from various actors in society on what should or should not be researched and what type of teaching we should conduct – which subjects we should be allowed to work with." (ibid.)
- "Threats and threats against researchers in certain disciplines (for example, gender studies) both in social media and from established politicians." (ibid.)

29. Respondents could indicate more than one external threat to academic freedom in the survey, and the report presents the results for each identified category, e.g. "Right-wing extremism, right-wing extremist forces" (3% of respondents) and "Pressure from actors active outside academia" (3% of respondents) (Tovatt et al. 2024: 61-2). It is not possible to determine the percentage of respondents who regarded external pressure as a threat to academic freedom.

- "Persecutions and threats from extremists". (ibid.)
- "Threats to researchers in an increasingly polarized societal context". (ibid.)

The backlash against expertise and scientific input in debates around public safety precautions connected to Covid-19 was raised in the 2021 annual report of the Austrian Rectors' Conference as an example of undue pressure by society against individual academics and academic research. This case related to academics being attacked for their provision of scientific expertise, which might have had a negative effect on *de facto* academic freedom if academics did not feel that they received enough institutional protection. Several Austrian researchers reported in a study conducted in 2022 that they had experienced negative and partly hostile feedback from society following their engagement in debates about Covid-19 measures (*Tiroler Tageszeitung* 2022).

External threats to academic freedom have come from civil groups such as Les Vaxxeuses in France,[30] among others, who focused on both specific academic debates and the involvement of leading academics in national policy groups, especially during the Covid-19 pandemic (Laurence 2021).

The Scholars at Risk Academic Freedom Monitoring Project reported a violent attack against a student group at the Cyprus University of Technology.[31] According to the report, hooded individuals attacked students at a meeting on sexual orientation that was held by the students' union on the university campus. The Scholars at Risk Network reported that the incident represents a threat to academic freedom because violence against student groups on campus creates an environment where students feel unsafe to "engage on campus."

6.5. Countering the negative impact of external attacks on academic freedom

The cases presented above are an indication of the nature of external attacks on academia in Europe. While comprehensive comparative data on society's various forms of attacks on academics are lacking, national studies indicate that these attacks have become a serious threat to academic freedom in Europe. As highlighted in a report by Nordic academic trade unions (2024), these attacks range from inappropriate appeals for empathy and loyalty to threatening messages through social media and direct confrontations, which in extreme cases can be violent or take the form of stalking. These attacks can be individual and relatively random or more structured and organised attacks. This is clearly visible in the emerging "anti-science" coalition, which is most prominent in the United States. The coalition, which constitutes an unprecedented threat to academic freedom, consists of structured collaborations between politicians, media, wealthy private sector actors and civil groups. The aim is to undermine the position of the science system in society (Hotez 2025). An

30. France is arguably one of the most vaccine-sceptical countries in the world (see, e.g., *BBC News* 2021), with this scepticism also leading to severe attacks on scientists involved in the development of governmental measures.

31. See https://www.scholarsatrisk.org/report/2023-02-22-cyprus-university-of-technology/, accessed 19 August 2025.

anti-science coalition is also emerging in Europe, which seeks to replace existing public higher education systems with new institutions aimed at "transforming the mindsets of a new illiberal, nationalist generation" (Dillabough and Pető 2024). This coalition is most active in Hungary, with efforts to connect the anti-science agenda of the Hungarian Government to like-minded politicians and other stakeholders in other European countries.

External attacks on academics by society have increased since the Covid-19 pandemic, when academic experts such as vaccine researchers involved in the development of national measures to contain the pandemic were attacked and threatened. A concern that emerged on the basis of the experiences gained during the pandemic is that the use of science in governmental policy making is not always rational or linear, and definitely not apolitical (Bozeman 2022). The pandemic showed clearly that science-based knowledge competes with the political self-interests of elected leaders, the demonstrably false but highly influential claims of so-called influencers and other popular media actors, and the misinformation spread on social media. The latter became so commonplace during and after the pandemic that the problem has acquired its own descriptive term: "infodemic" (Mheidly and Fares 2020; Tuccori et al. 2020; Zarocostas 2020). As Bozeman (2022: 807) argued, the Covid-19 experience has shown us just how science can be weaponised to serve political and group interests not only through communication and propaganda but also through lying.

How can we counter these orchestrated, well-organised external attacks on academia from coalitions that pose a more structured and serious threat to academic freedom than the random attacks by individual extremists in society? Given that traditional legal and other provisions cannot respond adequately to these structured external attacks on academic freedom, we need new approaches and measures to tackle them more effectively. To develop adequate approaches and measures, it is crucial to identify which specific threats to and violations of academic freedom are best addressed at which level, that is the European, national or institutional level. It is therefore important to gain a better understanding of the nature of these attacks and the specific means used to influence academia, whether these are aimed at silencing particular academic voices, preventing certain themes from being researched and taught, or even radically transforming public higher education. These attacks can first be countered by strengthening existing, and where required introducing new, legal provisions for protecting academic freedom. For example, Hotez (2025) called for harsher punishment for those who target researchers with threats or assault, suggesting that such actions could be classified as a hate crime. Second, new structures and institutions can be introduced, which may include establishing a European clearing house for academic freedom, setting up European and national platforms where threats to and violations of academic freedom can be reported and analysed, and introducing new and more effective structures to support academic freedom at the institutional level.

Chapter 7

Private sector interference in academic freedom in Europe

7.1. Introduction

The impact of private sector actors on academic freedom has gradually become an issue of interest in Europe. Economic factors can pose a threat to academic freedom in that a growing dependence on private funding sources may create pressures to conform to the interests of funders, potentially compromising the independence and objectivity of academic activities. Stagnant or even falling levels of public funding for higher education and research, combined in many European countries with government policies aimed at making academia more responsive to the interests of the private sector, have made it increasingly necessary for academia to seek funding from private sources to maintain the quality and relevance of its activities. While this generally leads to positive collaborations between academia and the private sector that are beneficial to both, there have been worrying cases of undue interference from private funders, for example in decisions about the research problems to be addressed, the results to be produced, the ownership and accessibility of research findings and the academic publications that are permitted.

The impact of private sector influence on academic freedom has changed, among other things, because of the growing integration of the academic sector into society and the economy, and the growing importance of academic knowledge for economic productivity and innovation in the private sector. As public funding of higher education and research has come under pressure for various reasons, private sector interest in academic knowledge has grown and, with it, the private sector's willingness to fund academic activities and to enter into partnerships with academia. Most emerging relationships and partnerships between the private sector and academia flourish and are seen as positive, but there have been problems in a number of cases. For example, as Bonnell (2021: 24) argued, recent developments show that large multinational companies have sometimes used their funding of research to maximise their commercial advantage, even at the cost of research integrity. Some private foundations have also been criticised for attempting to influence European universities' academic responsibilities and decisions (Feldwisch-Drentrup 2016; Vestergaard and Andersen 2021). These problems were mainly a result of misunderstandings and the absence of appropriate regulations and procedures to define the foundations' role in the funding of academic activities. Furthermore, some private companies have used legal and financial tools to silence critical academics, and (as discussed in Chapter 6) some private sector actors have even become involved in an emerging anti-science coalition, which constitutes a serious threat to academic freedom (Hotez 2025).

7.2. Background

Academic systems play a critical role in society in the handling of knowledge and the development of academically founded expertise for a multitude of purposes. The tasks and activities traditionally attached to this role are multifaceted and have in the last few decades become increasingly affected by trends, demands and expectations from outside academia. An important element is the global emergence of the knowledge-based economy, which has made universities and colleges more visible as key knowledge institutions (Powell and Snellman 2004). At the same time, the political importance of the notion of a knowledge-based economy also challenges both the traditional internal control that higher education institutions have over their primary processes of education and research and their role as the prime guardians of academic freedom. A successful knowledge economy arguably requires more externally oriented, that is use-, user- and needs-oriented academic systems, that take the needs of the economy more directly into account in their academic activities. This shift has led to a growing belief in the benefits of partnerships between academia and the private sector, which include higher education institutions' contribution to innovation, the commercial application of promising research outcomes, job creation, economic growth and enhanced competitiveness of the private sector and national economies (Kosta 2020). In the slipstream of academia's ever closer relationship with the private sector, we can also see the emergence in higher education institutions' mission and academic activities new components such as entrepreneurialism and innovation contribution, impact and impact measurement, and expressions of academic capitalism.

To understand the potential impact on academic freedom of a closer relationship between academia and the private sector, we should acknowledge that higher education institutions are complex organisations. With its unique and long history, higher education is part of a specific, partly self-regulating, scientific sphere that has institutionalised its understanding of its own place in society in a unique way (Olsen 2007a). It represents specific values and norms, logics and appropriate ways of behaving. The specific characteristics of higher education as an institution and the nature of its primary processes mean that changes in academic activities within universities and colleges cannot be easily dictated by external actors from the private sector. This also implies a relatively strong position with regard to academic freedom. While the scope for direct external influence from the private sector is limited under normal circumstances, it can be expected to play a more important role under special circumstances, such as during economic crises or external emergencies. Current geopolitical tensions and growing pressure on the public funding of higher education and research, combined with the private sector's growing interest in academically produced knowledge, clearly represent special circumstances. Therefore, the potential for the private sector to directly influence academic activities is currently significant, and with that come threats to academic freedom. At the same time, the influence of the private sector on academic freedom is, in practice, also affected by the working of institutional filters that are shaped by tradition, internal culture and institutionally defined expectations, ideas and practices. These institutional filters counterbalance the growing opportunities for the private sector to influence the academic community's decisions about academic activities more directly. As such,

they form an important buffer for academic freedom in new and existing partnerships between academia and the private sector. Nonetheless, as the examples in the next section illustrate, there are clear cases of threats to academic freedom from the private sector. The intensifying partnerships between academia and the private sector require close monitoring in order to develop regulations and procedures to protect academic freedom more comprehensively in these partnerships.

7.3. Private sector interference in academic freedom in Europe

A key element of academic-private sector relationships is funding, especially of research, by private actors. This is becoming increasingly relevant, as many European countries have relatively low and stagnating levels of public funding for higher education and research. To maintain their research activities, researchers thus need to obtain funding from private sources. Collaboration with the private sector, supported by private funding, may both be a source for new ideas and research results and provide much needed additional research funding. However, a growing dependence on private funding may come with several constraints, for example on the research problems to be addressed, the results to be agreed on, the publications to be produced and the ownership of research outcomes, and may threaten the balance between curiosity-driven research and research where the problems are determined by external actors. It may also set boundaries on the kind of results that the private funder considers acceptable to publish and where such results are to be published. Specific concerns about academic freedom have emerged where the dependence ou private funding is relatively high as, for example, in Austria, Denmark, Germany, Hungary, the Netherlands and Sweden (Maassen et al. 2023).

The European Parliament's studies (Craciun et al. 2024) highlight the private sector's other possible impacts on academic freedom, for example, through legal cases that aim to prevent "unwanted research results" or critical scientifically based opinions presented publicly by researchers. The private sector has increasingly filed lawsuits against critical academics, journalists and other public watchdogs, including strategic lawsuits against public participation (SLAPPs), which are used to intimidate and silence critical voices, including those coming from academia. The 2024 report from the Coalition against SLAPPs in Europe (CASE) shows that, in the vast majority of SLAPP cases registered between 2010 and 2023, including cases against individual academics instead of universities, the target has been an individual (CASE 2024). Attempts to create European-level regulation to fight the effects of SLAPPs have resulted in the provisional political agreement between the European Parliament and the Council of the European Union on 30 November 2023 on new EU rules to protect those targeted with SLAPPs. In France measures have also been recommended to reduce the threat from lawsuits that have not yet been brought to court.

The threat from the private sector comes, for example, from the involvement of private sector actors in setting universities' research agendas. For example, since the establishment of the new Technical University in Linz, not covered by the University Act, there has been concern about the involvement of private sector actors in the university. The Austrian University Conference was worried about the impact of this establishment and wrote to the parliamentary science committee that "the

present concept shows … a threatening restriction of the freedom of research and teaching". However, the then education minister argued that business influence is normal in universities because it is commonplace for universities to have privately contracted research.[32] That this new university has been established under different legal provisions demonstrates the need to monitor the role of private sector actors in the establishment and operation of universities in order to ensure that it does not pose a threat to the academic freedom of those working at the university. The debate following the election of the founding rector also highlighted the need to clarify the autonomy of the university vis-à-vis regional private sector interests.

There is continual worry in Denmark about threats to academic freedom from private sector actors, for example through their potential influence on research proposals and research results. Two relevant cases are presented here. The first case concerns a research project on the impact of beef production on the climate compared to other food products, conducted by Aarhus University in collaboration with the Technical University of Denmark (DTU), funded by the Cattle Tax Fund (Kvægafgiftsfonden), with representatives from Landbrug & Fødevarer (a business organisation for agriculture and the food industry), among others, on the board of the project. The controversies around the project's findings and report have been referred to as the "beef report" scandal in Denmark. At its core, the scandal concerns the involvement of interested organisations from the agricultural sector, which was originally denied, in the development and production of a research report, among other things, on the impact of meat production on the climate. For example, representatives from the private sector provided data and calculations for inclusion in the report and decided how the results should be formulated.

The second case concerns a conflict around an article in *Nature* produced by two researchers from the Department of Physics and Astronomy at Aarhus University. The conflict attracted a lot of attention in Denmark and beyond. In the article, the two researchers concluded, among other things, that humans perform better than a computer algorithm in a computer game that simulates a complex quantum physics problem. It caused a great stir but was also criticised by, among others, three researchers from the same department. The article was later withdrawn on the basis of the criticism and a check of the conclusion, where an error was detected in the article's data basis, which meant that the conclusion no longer held. However, the criticism from the authors' academic colleagues was deemed unacceptable by the then chair of the Carlsberg Foundation, which had supported one of the article's authors with a grant of 1 million Danish kroner (DKK) after the article's publication. In an e-mail correspondence between the foundation's chair and the two researchers, which he forwarded to Aarhus University's rector, the foundation chair called for a gag order on the critical researchers. Strikingly, the dean of the faculty interfered in the debate by writing to the foundation chair that he was indeed inclined to impose a gag order on them until they changed their mind. While both the foundation chair and the dean have since apologised for their statements, the case shows that private sector funders can put pressure on academics to refrain from expressing criticism, which is a violation of the academic freedom of expression.

32. See: www.wienerzeitung.at/h/kunftige-tu-linz-kampft-mit-gegenwind.

Another private foundation case concerns a €100 million funding agreement between the Boehringer Foundation, a research funding body sponsored by the pharmaceutical company Boehringer, and the University of Mainz in 2016 (Bonnell 2021). The then president of the University of Mainz, who had signed the co-operation agreement with the foundation, acknowledged that the agreement contained "errors" (Feldwisch-Drentrup 2016). Critics from German academia regarded the contract between the University of Mainz and the Boehringer Foundation as illegal because it breached university autonomy, and even the constitution, because of its limitation of the freedom of publication of scientific findings (ibid.).

The power of political and economic elites is playing a role in the impact of the private sector on academic freedom in Hungary, among other things, through the elites' position on the board of trustees of the 21 "privatised" public universities. An example of the impact of these actors on academic freedom is the dismissal of an associate professor at Corvinus University Budapest, who refused to examine a student who allegedly failed to meet essential requirements. The student's family put pressure on the university to allow the student to take the exam, which the academic in question refused. In response to the irregular exam arrangements, which still enabled the student to pass the exam, the academic alerted the university's ethics committee. In the first instance, the committee condemned three university leaders, and the rector later resigned. However, the committee's ruling was later overruled by the university's board of trustees. Following a subsequent dispute with university leaders, the academic in question was dismissed.

A report by the Dutch Academy of Sciences (KNAW 2021: 40-42) presents three cases arising from the collaboration between academia and the private sector, which show the different potential impacts on academic freedom from the growing involvement of the private sector in research conducted at universities. The report refers to the threats resulting from collaboration with high-tech firms not only to research but also to academic freedom. The way to decrease these threats to academic freedom from public-private collaboration lies, for example, in developing transparent and balanced partnerships and contracts, which make sure that external funders or clients are always acknowledged in publications arising from such projects and ensure that there is an appropriate balance between fundamental research and contract research. For example, an appropriate balance means that if the volume of contracted research increases, the public authorities and universities should ensure that the volume of fundamental curiosity-driven research also grows. Another reason for concern in the academic sector in the Netherlands about the increasing involvement of private sector actors in the funding of academic research was outlined by Jerak-Zuiderent et al. (2021: 5), who identified three main overall problems for "good science" resulting from this trend in the Netherlands:

- the pressure to produce externally defined relevance in short research projects;
- serious threats to the position of fundamental curiosity-driven research;
- deteriorating labour conditions at universities, with a lack of diversity of voices and a small range of subjects, methods and theories.

7.4. Countering the potentially negative influences of private sector interference

The overall picture of private sector interference in academia and its impact on academic freedom is mixed. Most of the academic-private sector relationships are positive and productive, but there are specific cases of concern about the possible negative influences on academic freedom. These range from non-intentional misunderstandings about the ownership and publication of research results, through deliberate efforts to control and/or own academic activities and outcomes, to attempts to silence critical voices and even initiatives to transform the traditional science system. What these cases have in common is that academic-private sector relationships have generally intensified in Europe without adequate and transparent regulations and procedures for developing and maintaining these relationships. Strengthening, promoting and protecting academic freedom in academic-private sector relationships therefore require the development of new, well-designed framework conditions in the form of specific regulations and procedures at the European, national and institutional levels.

Chapter 8

Restrictions from European and national security policies

8.1. Introduction

In Europe, mainly as a consequence of growing geopolitical tensions and conflicts, concerns about international security risks, including worries about foreign interference in academia, have emerged rapidly since the early 2020s. Surprisingly, the European and national security policies that were introduced to address these security risks incorporate potential threats to academic freedom. For example, these policies and regulations contain new and, in some cases, far-reaching restrictions, including limitations on international scientific collaboration for academics, the introduction of security checks for publicly funded research and scientific publications, dual use of research and policies for knowledge export.

That there are serious concerns in academia about the possible consequences of the increasing focus on security in Europe is illustrated by the joint statement from the 27 national science academies of all EU member states urging incoming members of the European Parliament to ensure Europe's global leadership in science by not raising barriers to open scientific co-operation.[33] This statement represents the first time that all EU national academies have reached a common position on EU science policy.

The trends towards increased securitisation (Wæver 2011), greater uncertainty in global science collaboration, concerns about foreign interference and associated challenges highlight the importance of continuous and inclusive discussion on the fundamental values of responsible international academic collaboration and its benefits, and on the role of academic freedom in global science relationships.

8.2. Background

In her 2023 State of the Union address, the European Commission president, Ursula von der Leyen, argued that the European Union had matured into a geopolitical union. This is a significant change in the global orientations and operations of the European Union, in which it has traditionally been "a weak foreign policy player but a strong economic actor" (Balfour and Ülgen 2024: 2). This implies a major shift in which the European Union "has gradually moved toward a new economic statecraft that is more infused with geopolitical aims and considerations" (ibid.: 2). This shift is also visible in the efforts of the European Union to strengthen Europe's global economic

33. See https://sciencebusiness.net/news/open-science/call-incoming-parliament-not-raise-barriers-open-scientific-cooperation.

competitiveness. Recent reports (Draghi 2024; European Commission: Directorate-General for Research and Innovation 2024) provide the EU Commission with analyses and recommendations, including the need to make major investments in scientific research and innovation. In addition, the reports emphasise the importance of fundamental values for European higher education and research. Nonetheless, there are growing concerns in academia that this shift in the European Union's geopolitical positioning from being driven primarily by economic interests to increasingly emphasising foreign policy goals and ambitions may affect academic freedom in Europe. This situation has further deteriorated as a consequence of specific measures introduced by the new US Government since its inauguration in January 2025. For example, nearly 900 scholars in Finland signed a petition demanding that action be taken to defend academic freedom in Finland from interference by the US Administration (Myklebust 2025a). Such foreign interference may take the form, for example, of European scientists who collaborate with American colleagues being questioned by the American agency that funds the research collaboration. The questionnaire used for this purpose includes questions about the European researchers' political history and preferences and the extent to which their collaborative project takes "appropriate measures" to "protect against gender ideology" (Burgh 2025), with the aim of determining whether the collaborative research project fulfils new demands from the US Government.

From Wæver's (2011) securitisation theory we can identify three geopolitical dimensions that influence the security policies of the EU Commission and also, increasingly, European countries. In terms of their impact on academic freedom, conflict between different policy goals can be identified.

The three geopolitical dimensions are:

- superpower rivalry;
- planetary threats (grand challenges);
- postcolonial assertiveness of the Global South.

The first dimension concerns the competition between the major global superpowers, first and foremost the United States and China. President von der Leyen's statements about the European Union as a geopolitical union refer especially to this rivalry. While the European Union has strengthened its foreign policy interests, it can be questioned whether Europe currently has the ambition to become a political global superpower and a true competitor of China and the United States in the global political arena, even though various actions of the US Administration since January 2025 have stimulated the emergence of new ambitions in Europe's global strategies and defence and foreign affairs policies (Rankin 2025). This development has led to an increased emphasis on security issues in higher education and research policy and funding in Europe, while concerns are also growing about foreign interference in European higher education and science. Fundamental values are regarded as an important driver and potential advantage for Europe, but prioritising values such as academic freedom in international relations is at the same time threatened by linking science to security policies through securitisation. "Securitisation" can be described as the process of public authorities transforming subjects from regular political issues into matters of "security", thereby enabling them to employ extraordinary means in the name of security (Buzan et al. 1998; Wæver 2011). For European

higher education and research systems, institutions and actors, this suggests that national and European public authorities are aiming to transform higher education and research policy issues and goals into security matters by introducing new policy goals and tools, such as responsible internationalisation, dual use of research and knowledge expert regulations, while also developing new science diplomacy strategies. This has consequences for academia, where the new security concerns lead to limitations, for example, on scientific collaboration with academics and their institutions in countries that are regarded as representing significant security risks. Overall, this dimension contains measures that potentially impact academic freedom negatively for security or political reasons.

The second dimension concerns worries about "planetary threats" (or "grand challenges") such as climate change, environmental pollution and the sustainability of energy, pandemics such as Covid-19, demographic developments and mass migration, and food shortages. This dimension is an important driver for global academic collaboration, but the growing political emphasis on international security risks (the first dimension) is introducing restrictions on global academic collaboration. Taking the first dimension restrictions as a frame of reference, the second dimension stimulates academic collaboration within Europe in relation to emerging national strategic research funding programmes that address global challenges. A relevant question with respect to this dimension is what role fundamental values such as academic freedom should play in international collaboration to address planetary threats (see, e.g., Draghi 2024). Also with respect to this dimension, the changing global geopolitical landscape influences academic collaboration patterns, for example in the area of climate change research. While the United States has withdrawn from the global climate agreements, China is increasingly promoting climate policy as an export area that includes relevant products from a green transition industry (Luttikhuis 2025). This development may lead to growing pressure on scientific US–European climate change collaboration and an increase in European–Chinese collaboration.

The third dimension concerns the growing assertiveness of the Global South and demographic developments in Europe, which lead to new drivers for academic collaboration between Europe and the Global South. Europe needs to deal with the tensions related to its former colonial relationships with many countries in the Global South, while it also has to take the two other dimensions into account in its efforts to reconfigure its relationship with the Global South. An important starting point emphasised by the EU president, von der Leyen, is that the foundation for the relationship of Europe with the Global South has to shift from being embedded in development aid to consisting of multilateral equal partnerships. The question of how academic freedom can be protected and promoted in these partnerships is addressed in the new science diplomacy strategies currently being developed by the European Union and European countries.

8.3. The potential impact of restrictions on academic freedom

As indicated, securitisation draws higher education and research into the security area and applies the logics used with respect to international security risks to higher

education and research.[34] Few would argue with the need to maximise national and European security and minimise security risks, but this logic of security policies and concerns is not necessarily the main logic that should be applied to higher education and research. However, according to the current assessment of the international risk situation, higher education and research's own logics are assumed by many political actors as being less relevant than the logics of the security policy area. For example, centralising security policy in global science relationships creates situations where two different logics meet: the logic of the defence policy area, consisting of closed spaces and lack of openness, counter-arguments, scepticism and discussion; and the logic of the science area, which is characterised by open spaces and argumentation, peer review, discussion and contestation. The more the logic of defence policy dominates in the emerging integrated policy arenas, the more academic freedom will come under pressure.

8.4. The impact of security policies on academic freedom

The possibility of threats to academic freedom emerging from security policies and concerns can be illustrated by two developments in Germany (Maassen et al. (forthcoming)). The first relates to the efforts of the federal government to engage higher education more actively in defence research. Many German higher education institutions have committed themselves to engage only in research that does not have direct military applicability (the *Zivilklausel*, or civil clause). However, in 2024 the German Federal Government started to encourage closer co-operation between higher education institutions, the federal army and the arms industry by demanding that the separation between civilian and military research in Germany be "reassessed" (Gardner 2024). There have also been developments in line with the federal government's strategic reorientation at the level of the *Länder*. For example, Bavaria is forbidding its universities from committing themselves to the civil clause. The worries expressed by various stakeholders in Germany, including the Education and Science Workers' Union, about the possible impact of the abolition of the *Zivilklause* on academic freedom are based on the fear that this development is just one step in the gradual subordination of academic freedom to security policies and concerns (ibid.).

The second development in Germany concerns the role of fundamental values such as academic freedom in scientific collaboration with countries outside the European Union, which entail potential security risks. The scientific relationship with China is under particular pressure for this reason. Following universities in other EU member states, including Denmark, the Netherlands and Sweden, the Friedrich-Alexander University of Erlangen–Nuremberg is the first university in Germany to no longer accept students funded by the China Scholarship Council "to reduce the risk of industrial espionage" (Sharma 2023). In April 2024 three people were arrested in Germany under suspicion of espionage for China, two of whom were working for a company affiliated to a German university. They are accused of setting up research

34. See the statement in the Norwegian higher education and research newspaper *Khrono*, where the managing director of the National Defence Research Institute argued that the security law stands above academic freedom (Bjørgan 2024).

projects that could be useful for the Chinese military under a knowledge transfer agreement. The head of Germany's domestic intelligence service stated that this case could be "just the tip of the iceberg" of the espionage networks operating in Germany, with universities seen as a weak point in German authorities' efforts to tackle Chinese industrial espionage in Germany (Connolly 2024). These cases in Germany illustrate the complexity of the link between security concerns and academia. As indicated earlier, while growing concerns about planetary threats, such as climate change, require strategic global scientific collaboration, with China as a potential key partner, the global shift to the European Union as a geopolitical union emphasises European political and economic interests, and introduces restrictions on scientific relations with China (Sharma 2025).

As discussed in a report by the Dutch Advisory Council for Science, Technology and Innovation (AWTI 2023), there is also a broad recognition in the Netherlands that, because of geopolitical, technological and societal developments, international collaboration between higher education institutions is becoming increasingly complex. The AWTI's report refers to national policies on knowledge security that aim to address three specific risks associated with international relations and co-operation:

- the undesirable transfer of knowledge and technology, with negative consequences for national security or innovative power;
- unwanted influence and interference activities in higher education and science;
- problematic ethical issues (ibid.: 20).

With respect to the second risk, the report indicates that knowledge security is focused on covert interference in higher education and research by other states, which, it is argued, endangers academic freedom and social security. The report presents a number of recommendations and argues that the stakeholders and organisations involved should all contribute to further developing the conceptualisation of knowledge security. The report also recommends a sector-wide approach to the professionalisation of knowledge security and a level of the knowledge security capacity at the higher education institutions. There is a need to enhance the protection of academic freedom in international academic collaborations.

In Italy there is growing worry about the possible impacts of foreign interference on Italian universities and the science system, with the government announcing that it is preparing a plan to shield its universities and research from foreign influence (NRI Nation 2024). In its announcement the government denied targeting a specific nation or nations. A few days after this announcement, it was announced at a China–Italy University Rectors Dialogue that China will offer over 100 exchange opportunities to Italian universities, with the aim of deepening higher education exchanges between the two countries. The dialogue meeting was attended by representatives from about 50 universities in both countries, as well as by the Chinese minister of education and the Italian Ministry of University and Research.

In Sweden a government-initiated study on academic freedom addressed several aspects of the possible impact of the recent security concerns of the Swedish public authorities. The study's report states, for example, that:

> Several reports highlight that there are real [security] risks with certain types of research. There is also a risk that academic freedom is questioned when researchers give the

> impression that they are not handling these risks in a responsible way or refrain from informing about these risks. (Tovatt et al. 2024: 138)

The study emphasises that the individual researcher is responsible for keeping track of what applies. "This can seem inhibiting on academic freedom if the researcher does not know what applies and therefore perhaps refrains from researching a particular research problem or theme" (Tovatt et al. 2024: 128).

In December 2024 the Swedish Higher Education Authority, the Swedish Research Council and the Swedish Innovation Agency Vinnova jointly published a report titled "National support function for responsible internationalisation", proposing the establishment of a national support structure for ensuring that the international activities of higher education institutions are conducted without any threat to national security (Myklebust 2025b). The report follows a government mandate in July 2023 to produce a proposal on how "responsible internationalisation" in higher education, research and innovation may be supported in universities and research agencies. Even though the report is seen by some as a step towards greater clarity and national cohesion in international research collaboration, various Swedish academics have expressed concerns about the proposed centralisation of the handling of security risks in the Swedish science system, which, they argue, consists of "very few clear guidelines" and may lead, for example, to enhanced bureaucracy and a "surveillance culture" (Myklebust 2025b).

8.5. Counteracting the potentially negative influence of security policy

An important starting point is how to create an appropriate balance between academic freedom and European or national security policy. This question makes clear that the point is not to reduce debates about the possible impact of security concerns on academic freedom to simply pitting the two against each other. Rather, the need for an appropriate balance can be illustrated, for example, by the role academic freedom can play in international scientific relations at a time of increased geopolitical tension and conflict, when we face the greatest international security risks since 1945. The issue emerged in discussions in Europe in relation to the academic sanctions against Russia and Belarus following the Russian invasion of Ukraine. There are two fundamentally different approaches to this issue. The first is to use compliance with academic freedom and other fundamental values as a condition for scientific relations. The second approach is to emphasise the importance of academic freedom and other fundamental values in scientific relations and to make clear why these values are important for European politics and academia, without making compliance with academic freedom a precondition for scientific relations.

To create an appropriate balance between academic freedom and security policy, it is necessary that, in all European countries and in the supranational European institutions, justice is done to the basic institutional features of academia and its fundamental values (Olsen 2007a) when developing security policy, rather than treating higher education and research as an instrumental policy area to be integrated into security policy. This means taking into account that scientific progress depends on academic freedom, which requires openness, argumentation, discussion, peer

review, collaboration and contestation, when developing policies, measures and structures to balance the interests of the academic sector and the central position of academic freedom with national/European security concerns. Such a balance can also help ensure that other fundamental European values, such as democracy, inclusiveness and human rights, receive sufficient attention in Europe's rapidly developing geopolitical ambitions. In practice, this means that academia and public authorities must work together to create effective support structures for the protection and promotion of academic freedom in today's turbulent times. In this regard, both political centralisation and control over such structures and academic isolationism must be avoided. This calls for hybrid structures that account for the complexity and institutional features of academia and national/European security interests.

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ISBN 978-92-871-9607-1
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