

SOCIAL SCIENCES AND ACADEMIC FREEDOM

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Academic rights and freedoms, as a distinct variety of human rights and freedoms, seem to follow a similar pathway both in their origins and in their further study. They appear to have emerged in conjunction with the establishment of science as a special form of interaction with the world, which separated from theology in the Middle Ages. The newly created distinctive community of scholars, and later teachers, began to reflect not only on the properties and qualities of the world around them, but also on the properties and qualities of their own corporation, defending intellectual freedom from any encroachments, first by the church, then by the state, and in the modern world by capitalist corporations. It is thus possible to explore the rise of ideas regarding academic freedom as “a freedom stemming from its infringement,” and academic freedom studies as a practical application of advocacy, which develops arguments for academic freedom’s defense, affirms its basic principles, and analyses major threats to it. One can argue that the history of the emergence and development of both academic rights and freedoms and their study is highly amenable to Alan Dershowitz’s hypothesis that the idea of human rights is paradoxically grounded in the history of their violation.

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By my faith! For more than forty years I have been speaking prose without knowing anything about it, and I am much obliged to you for having taught me that.
—Molière, *The Middle Class Gentleman*

It is generally accepted that academic freedom is an indispensable condition for the very existence of scholarship and higher education. Every scholar, professor, and student enjoys this freedom in one way or another, but quite often they, like the simple-minded hero of Molière’s comedy, remain unaware of this. Academics in particular seem to realize this only when they are suddenly forbidden, to use Monsieur Jourdain’s metaphor, to “speak in prose,” that is, to act in a way to which they are accustomed and which they understand. This typically triggers reflection that forces researchers to take a closer look at something that has never been studied before. The situation with academic rights and freedoms seems to be in line with how American lawyer and legal scholar Alan Dershowitz describes the history of the rise of ideas about human rights.

Human rights, according to Dershowitz (2004), arise when certain previously quite ordinary actions against fellow humans are suddenly perceived as unjust, and thus the idea of human rights emerges as a way of responding to injustice: “Rights

arise from wrongs.” Dershowitz believes, therefore, that human rights were not innate, but are created by reaching a consensus on what constituted a violation of human rights and then enshrining that consensus in law.

The notions of a special academic freedom and special academic rights for scholars and educators seem to have come about along with the development of universities and later academic scholarship, as a reaction to numerous instances of censorship, restrictions, bans, and repressions both from outside and from within the academy. Akin to what Dershowitz says regarding human rights in general, academic rights and freedoms came to be as a result of various actors encroaching on a very distinct domain of science and university teaching. They appear to stem from the need to reach a consensus on the meaning and extent of academic rights and freedoms among scholars and teachers. This consensus seems to emerge precisely in times of crisis, when the “natural course of events” is disrupted. Karl Jaspers defines this as the importance of “defiance of anyone inside or outside the institution which wishes to curtail truth” (Wyatt 1982:23). Ultimately, academic freedom has been gradually enshrined both in international and in national law, thus repeating the path of human rights: from violations to general recognition and legalization.

ACADEMIC FREEDOM: A VERY CONCISE OVERVIEW

The advent of universities, created in the Middle Ages by the church or monarchies, on the one hand, led to the establishment of a kind of special privileged guild with a certain autonomy. Like other medieval guilds, universities had the right to self-government and elected their leadership: deans and rectors. This gave them certain independence from secular and ecclesiastical authorities, as reflected, in particular, in the immunity of academic guild members from prosecution by civil authorities; instead, their fate was decided by a special university court. In addition, universities were often exempt from taxes and duties, which enabled them to invest not only in real estate but also in supporting students. On the other hand, the content of teaching was heavily controlled by the church, which severely limited both teaching and research. In addition, early universities were seen more as educational facilities for training state bureaucracy than as research institutions (Hofstadter 2017). Nevertheless, the important legacy of this time, apart from the formation of an autonomous community of scholars itself and the establishment of university as an institution of a special type, included also the notion of scholastic freedom, which dates back to Pope Honorius III (Hermanowicz 2021).

The struggle for new universities took place primarily through fighting to set them free from the church—an aspiration often reflected in the names of newly established institutions, such as the Free University of Brussels (Finnegan 2011). Even then, it was already noticeable that freedom was understood primarily as a “freedom from” censorship, and thus academic freedom was from the outset protected by the autonomy of an academic institution.

Following the scientific revolution of the seventeenth and eighteenth centuries, there arose a need for a new type of institution, the principles of which were formu-

lated by Wilhelm von Humboldt (Nybom 2003). In the model of the university he proposed, the key concepts were *Lehrfreiheit* and *Lehrenfreiheit*—the right to teach and the right to learn. Humboldt himself described academic freedom as the right of a university professor to free research and free teaching, the right to study and report their findings in an atmosphere of agreement (1903). *Lehrfreiheit*—the freedom to teach—according to Humboldt, consisted in the professor enjoying the freedom to choose their own topics for research and teaching. At the same time, this freedom was understood primarily as negative, in other words, as freedom from external and internal factors (such as the state or university administration). The main emphasis was that the professor was free not only in conducting research, but also in imparting knowledge and skills to students without censorship or outside interference. *Lehrenfreiheit* is a freedom to learn. As Humboldt saw it, students should be free to choose the courses and disciplines for their education: Their curriculum must not be rigidly defined; they themselves should determine their areas of study and research topics. Altogether, this approach aimed at developing independent thinking, critical analysis, and creativity in scholarship. The autonomy of science and its new role were reinforced by the establishment of academies of sciences, which became an important agent in strengthening scientific autonomy and creating an academic habitus.

Humboldt's approach to universities was never fully implemented in Europe, although the history of the University of Berlin (later renamed the Humboldt University in honor of Wilhelm and his bother Alexander) and generally of German science and higher education before the advent of Nazism showed that academic freedom was not only a moral category but also an important component of the successful development of science and higher education in general. In this classical model of academic freedom, it was the university that constituted the core and the focal point of its application, and members of the academic community were its bearers. "Politics," as in the goings-on in a particular country, was excluded from university practice and discussion.

This model was adopted in the United States, where the flourishing of universities was to a high degree due to an exceptional political situation. A distinctive feature of this situation was, above all, the fundamentally different way in which the autonomy of American universities was structured, combined with the particularities of constitutional free speech protection (the First Amendment). It is no coincidence that the first document to formulate the idea of academic freedom was the Declaration of Principles of Academic Freedom of 1915 (amended in 1940), which proclaimed the new goals of the university and articulated the basic concepts of academic freedom and academic rights. The university, according to the Declaration, was to foster and advance the knowledge of humankind, educate students, and train specialists for various branches of public service. In working toward these goals, the university was to adhere strictly to the three basic principles of academic freedom: the freedom to research, the freedom to teach, and the freedom of intramural speech and extramural utterance, which meant the freedom to criticize both the state government and the university administration (Wilson 2016). Thus, the definition in its final form reads as follows,

- (1) Teachers are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of their other academic duties. . . .
- (2) Teachers are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter which has no relation to their subject. . . .
- (3) College and university teachers are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. (AAUP 2006)

Thus, freedom can be violated both from outside and from within the academic institution.

In terms of external challenges, from the outset American colleges depended mostly on religious organizations, rather than the state, as manifested, for example, in the fierce battle over the right to teach theories of evolution (Tyler and Cheyney 1938). This dependence soon began to erode: Whereas in 1860, 39 percent of trustees of private colleges were clergy, in 1900 clerics constituted only 23 percent, and by 1930 their number went down to 7 percent (Stone 2015). Thus, after 1930, neither the state nor the church influenced the independence of American colleges.

In Europe, the situation was different—especially in England. Here, John Henry Newman was the most important author, theologian, and educator. His work *The Idea of a University* argues for the principal autonomy of the scholar, whom he calls a “liberal gentleman,” and the autonomy of the student within a special corporation, the university. Published in 1852, Newman’s series of lectures on the subject and essence of university education proposed that the *raison d’être* of university education lay precisely in its non-pragmatic goals, namely, freedom (Newman called it intellectual freedom) and independence of an individual scholar and student (Newman 1992). This independence, in the author’s opinion, was an absolute and unique feature of the university, wherein university was the ideal model of social structure, and its graduates were natural drivers of social life. This autonomy, nevertheless, shifted the main focus on the scholar or student themselves, to the exclusion of policies of the state outside the university. This ideal model implied autonomy, which meant not just the university’s independence from the state, but also the noninterference of academics in the affairs of the state and their withdrawal from the world into an ideal “ivory tower.” This seems to have been typical of Europe more than the US due to the nature of this autonomy: In Europe, it meant independence from the nation-state, whereas in the United States it was initially independence from the church and later from the donors. In the US, by virtue of the structure of higher education itself, the state seldom intervened directly in university affairs.

Given the national origins of the academies of sciences, the classical model of scholars’ noninterference in politics in Europe was severely undermined already during World War I, when many academics picked military patriotism over academic

solidarity. For example, Bertrand Russell, who protested against the anti-German statements of British academics, was fired from the university (Wallace 1988).¹

The logic of intellectual freedom—above all, from external influence—has been studied and discussed in Europe not by lawyers and historians, as in the US, but by philosophers, primarily in relation to the role of universities and the role of academic knowledge in society. Max Weber's essay "Science as a Vocation" ([1917] 1958) was fundamental to the study of education and science. From the point of view of academic freedom, in this and other works Weber highlighted freedom from political and ideological pressures, while asserting the importance of "value neutrality" of scholarly knowledge. The latter meant that science should not answer moral questions or in any way participate in the formulation and dissemination of ideology. Simultaneously, Weber pointed out that freedom to choose one's research topic was important, and in this connection he identified a key threat to this freedom—the bureaucratization of university administration. Also important for Weber was the criticism of faculty themselves in relation to their disciplinary power. He believed that professors should not use their position to impose their personal or moral views on students. University, he argued, was a space for a free exchange of ideas where everyone, from student to professor, had the right to express their opinion. All of these points, particularly the notion of student academic freedom as freedom from indoctrination, would later become part of a general understanding of academic freedom.

It was political upheavals, such as authoritarian regimes and world wars, that were largely responsible for discussions on the importance of academic freedom and university autonomy. Karl Jaspers in his 1923 paper argued for the significant role of the university as a place of free pursuit of truth, with the right to discuss and investigate without external pressure, and called for complete academic autonomy. He saw the very purpose of the university in the pursuit of truth, with academic freedom guaranteeing the possibility of this endeavor (Jaspers and Rossmann 1961). Similar ideas were later voiced by Michael Polanyi, Karl Mannheim, José Ortega y Gasset, and Karl Popper.

Unfortunately, all these works, written explicitly as the scholarly community's reaction to the shock of World War I, failed to shield scholars from an even more severe shock of the interwar era, when totalitarian regimes—Communism, Fascism, and Nazism—spread across Europe. All of these had a serious impact on academic freedom, most notably by threatening the lives and freedom of many scholars.

Most dramatic, however, was the situation of scholars in Germany and Nazi-occupied countries, where universities became an ideological complement to the Nazi regime and, in addition to expelling Jews from the teaching profession and burning "non-Aryan books," in adherence with the logic of a totalitarian state, placed more value on a professor's "ideological profile" than on their contribution to science. As a result, German scientists were excluded from international scientific exchange, many emigrated, and German science would not recover from this blow for a long time to come (Mason 1940).

¹ However, World War I did not have the best effect on American colleges either; for example, in 1917 the chancellor of Columbia University simply abolished academic freedom on campus, claiming it was being done to protect democracy in wartime (Kirstein 2009).

The postwar reaction to the events of World War II shows, on the one hand, the crucial role of academic freedom and, on the other, the development of a perception of a threat to academic freedom from the state, primarily from an ideological perspective. It is no coincidence that the application of the logic of the First Amendment to the Constitution in the United States led to the consolidation of the idea that professors have the right to adhere to any ideology so long as it does not affect the content of their teaching (e.g., the 1957 US Supreme Court case *Sweezy v. New Hampshire*). Meanwhile, in a much less free part of the world, the USSR, a realization was emerging that academic freedom required not only special protection but also special study. Soviet physicist and human rights activist Andrei Sakharov, in his essay "Thoughts on Progress, Peaceful Coexistence and Intellectual Freedom," was the first to identify freedom of academic creativity (he calls it intellectual freedom) as key to the development of the world (Sakharov 1968). Nevertheless, it was precisely the pressure of authoritarian regimes, together with their constant desire to exploit the results of scientific and technological progress, that led to understanding the importance of academic autonomy and academic freedom for the growth of scientific knowledge and, at the same time, as a driver of democratic transformation, or at least mitigation, of authoritarian regimes.

The era of scientific and technological progress has boosted the role of universities as engines of scientific and technological development, resulting not only in the growing role of higher education but also in its increasing costs. This has raised the issue of funding both for higher education and research, which in turn has tested academic autonomy and academic freedom, as both the state and nongovernmental agents have quite often tried and are still trying to influence scholarship and higher education. This is done by using funding as a lever and by actively transferring the management practices of industrial enterprises onto higher education and science. All this creates a lot of pressure both on the principles of academic autonomy and on the academic rights and freedoms (Marginson 2009). This seems to have triggered a series of publications, continuing to this day, that discuss and investigate the practices of managerialism and their impact on academic freedom.

Lastly, it is obvious that the most recent global challenge to academic freedom was the globalization of academic science and higher education, which immediately raised a host of new research and practical questions due to the impact of globalization on the state of academic freedom, wherein economic pressures have gained even more importance than political (Zezeza 2003). Simultaneously, in response to serious human rights violations the global community began to seek ways to establish a common academic ethic by discussing the compatibility of academic boycotts with academic freedom, from the boycott of universities in South Africa (Nyamnjoh and Luescher 2022) to that of institutions of higher education in Israel (Nelson 2022).

Thus, it seems that the advancement of science and higher education necessitates a constant reformulation of the meaning of academic freedom and a reflection on where the boundaries of academic autonomy lie. Since academics are both the bearers of academic freedom and its researchers, this provides a wide scope for research and discussion.

SOCIAL SCIENCES AND ACADEMIC FREEDOM

Science and higher education, with their high autonomy and specific rules for the production and distribution of the final product—knowledge—have eventually become aware of the principles of academic freedom, and scholars engaged not only in discussing academic freedom and academic autonomy as a necessary condition for knowledge production, but also in researching this condition (Scott 2019). It seems that one of the most significant motivations for studying academic freedom in the first place was to develop arguments for its protection, primarily of legal nature, and to rethink the challenges that regularly arose in relation to the production and transmission of scientific knowledge. Unlike other rights and freedoms, academic freedom seems to have been such a natural prerequisite for teaching and research that for quite some time it has not been studied but rather discussed primarily in relation to legal and ethical issues—for example, in terms of the First Amendment guaranteeing the freedom of speech (Tyler and Cheyney 1938) and as one of specific civil rights (Cole 1949).

Historians joined the discussion of the development of academic freedom soon after legal scholars. In the mid-1950s, interest in academic freedom and its principles was clearly revitalized. This seems to have been prompted by the reaction of the American academic community to the McCarthy era, when persecution of professors accused of communist sympathies in colleges and universities began to be understood and perceived not only as a particular form of violation of the First Amendment, but also violation of academic autonomy (Campbell 1996). Among the earliest studies were two concurrently published works by American historian Richard Hofstadter. The first of them is *The Development of Academic Freedom in the United States* (Hofstadter and Metzger 1955), in which the authors describe the origins of academic freedom as the product of colleges transitioning from ecclesiastical to secular governance. Various agents besides the church attempted to influence this freedom: politicians, the public, and private sponsors, all in a bid to limit the freedom of faculty members. In this situation, the creation of the American Association of University Professors (AAUP) in 1915 turns out to be significant not only in terms of protecting but also promoting the values of academic freedom, its study and discussion. Overall, the book shows that academic freedom in the United States has developed through conflicts between faculty members, university administrations, sponsors, and government agencies, especially during the McCarthy period, and that maintaining it always intertwines with protecting scholarly work from external attacks on its independence. In another work from the same year, *Academic Freedom in the Age of the College* ([1955] 2017), Hofstadter traces the line of development of academic freedom starting from medieval universities and focusing on how exactly the university was formed through confrontations with secular and religious authorities. Intellectual freedom thus becomes the meaning and content of academic autonomy, which has experienced different kinds of pressures in different periods.

A little later another notable American author, legal scholar Ralph Fuchs, articulated how academic freedom in the United States was historically linked to the antiquity and Europe. He pointed out that academic freedom in the US rests on three main foundations, namely,

- (1) the philosophy of intellectual freedom, which originated in Greece, arose again in Europe, especially under the impact of the Renaissance, and came to maturity in the Age of Reason;
- (2) the idea of autonomy for communities of scholars, which arose in the universities of Europe; and
- (3) the freedoms guaranteed by the Bill of Rights of the federal constitution as elaborated by the courts. (Fuchs 1963:431)

The rise of the specifically sociological approach to the study of academic freedom was associated with the study of higher education and science as a form of professional activity. One of the most important works linking the sociology of education to academic rights and freedom and continuing the Weberian tradition of investigating “science as a vocation” is a 1966 paper by Joseph Ben-David and Randall Collins that appears to be the first to ask questions about how academic freedom can be investigated from the perspective of the sociology of education. The authors claim that “difficulties concerning academic freedom are usually considered as interference in the teaching and research functions of a university, to be resolved by recourse to formal authority or brute force,” and that such a turn of events is mostly due to “the ascent to power of autocratic regimes.” This, however, does not “teach us anything about the sociology of universities or intellectual life in general.” For this reason, the authors propose treating “academic freedom as a set of institutional arrangements designed to facilitate teaching and research on the most advanced level,” comparable to “the freedom or autonomy of doctors, lawyers or other professionals” (Ben-David and Collins 1966:220). Thus, the focus of investigation has come to include not only the study of external practices of ideological or political pressure on universities but also the internal logic of the functioning of the university as a place of academic freedom, primarily from an institutional point of view.

Later, the Weberian tradition of academic research was continued in Europe by the studies of Philip Altbach, who investigated higher education primarily through the lens of its institutional development and the study of faculty (Altbach 2007). In contrast to American authors, focused primarily on domestic issues, Altbach’s work explores issues of academic freedom and autonomy outside of Europe, especially in developing countries, where, according to the researcher, academic freedom suffers not only from state interference but also from a lack of resources. At the same time, he viewed the development of private initiative and the massification of education as a problem that was also more prevalent in developing countries (Altbach 2001).

In the United States, on the other hand, major works on academic freedom have focused primarily on the rich and varied but exclusively American university life and have discussed the relationship between the First Amendment and the academic freedom of speech, and, simultaneously, the limits of academic autonomy. Within this debate has emerged the notion of different models of academic freedom, which draw differently the boundaries of university autonomy and academic rights in general. As a result, the debate revolves around which model of academic freedom best suits the goals and objectives of science and higher education.

The professional model. First of all, based on the premise that “academic freedom is the freedom of academic researchers and instructors,” Stanley Fish suggests that professors should “do their own thing” and not politicize academic life, the danger of which he sees in academics going beyond strictly professional activities. He also suggests that this can be summarized in just three succinct principles: “do your job, don’t try to do someone else’s job, and don’t let anyone else do your job” (Fish 2014:16). According to the author, academics should not go beyond the boundaries of professional activity, and academic freedom should also not go beyond the boundaries of professional expertise and leave the confines of the academy. This model of academic freedom in a sense affirms the premise of the ivory tower, which is protected from external interferences but also confines itself to its own boundaries without meddling in what is going on around it. For Fish, the latter constitutes the politicization of professional work. He is particularly opposed to scholarly involvement in political activism and believes that academia must remain neutral and that professors should concentrate solely on professional work and keep their neutrality. He even goes so far as to suggest that academics should give up their civil freedom of speech, arguing that by speaking out publicly, academics forfeit their professional standpoint and lose their neutrality.

The classical liberal model. This version is based on the premise of individual autonomy in the pursuit of knowledge, free from external interferences and, unlike Fish’s version, unfettered by the boundaries of the academy. This version is discussed and developed broadly on the basis of Isaiah Berlin’s famous dichotomy between negative and positive liberty, in which the basis of intellectual freedom is noninterference in the affairs of the academy, with academics being able and expected to speak freely on matters of public interest. Among the authors who have recently published monographs on academic freedom, Henry Reichman’s (2019, 2021) and Joan Scott’s (2019) works stand out. Therein, the authors reiterate the principles common to the tradition of advocacy for academic freedom and autonomy (and in Reichman’s case, his work is also a reflection of his years of experience in the AAUP). For Scott and for Reichman, the issues of representation of underrepresented minority voices in the academy, discussions of gender, social justice, and the like, that is, what Fish calls “politicization,” are of utmost importance.

The third, and last, model is that of **the common good**. Although the classical liberal model also draws attention to the importance of the social mission of the university, in this version it is given the primary role. To proponents of the common good approach, autonomy and academic freedom exist not for the pursuit of truth, as in the classical model, but expressly for the betterment of society and its knowledge base. In this perspective, advocated, for example, by Robert Post and Matthew Finkin (2009), academic freedom is essential to achieving the university’s core mission of serving society by producing knowledge and fostering independence of opinion.

It is indicative that all of these versions, for all their apparent universality, are discussed mostly within the framework of American higher education. Even so, the research perspective has led to the formulation of different models of academic freedom, primarily as a result of different research focuses and reliance on different

philosophical traditions in higher education. These variants seem to have been shaped by researchers' encounters with various constraints on scholarship and teaching, which have given rise to a multiplicity of research reflections on the meaning and content of academic rights and freedoms.

Nevertheless, social sciences continue to critically examine practices of academic freedom and their violations by using arguments from different models. For example, Bruce Macfarlane (2007) puts forward the idea of academic citizenship founded precisely on the peculiarities of professional and yet specifically intellectual leadership and intellectual autonomy of the university. The idea of "academic citizenship" focuses on the internal life of an educational and/or research institution. The author draws special attention to the fact that faculty's external engagement is often underestimated or not at all recognized in the academy, which results in a decrease in civic engagement of faculty and students. The latter, at the same time, are considered by the author to be an important but hitherto under-included part of the academic community enjoying the full range of academic freedoms (Macfarlane 2012). His latest work on this topic is fully devoted to the academic rights of students, which raises the question of whether they, too, are bearers of academic freedom, along with professors and researchers (Macfarlane 2016).

In Europe, principal studies of academic freedom practices are mostly related to legal and political science research. These works explore and discuss how academic freedom can be incorporated into international human rights law (Beiter, Karran, and Appiagyei-Atua 2016) and how global human rights can even now protect academic rights and freedoms (Quinn and Levine 2014).

With the expansion of the European Union and the emergence of academic freedom in a pan-European context, there is an interest in how academic freedom is observed in practice; Terence Karran has devoted a number of works to what exactly academic rights and freedoms and academic autonomy look like in the EU countries (Karran 2007, 2009). Large databases are being created showing the spread of academic freedom in the law of various states around the world (Spannagel 2023). Finally, incorporation of a number of indices on academic freedom into the V-DEM project allows one to see trends in the changing situation in different countries and regions (Spannagel and Kinzelbach 2023).

The debate on academic rights and freedoms outside of Europe and the United States was undoubtedly linked to the successes of the third wave of democratization. Since the late 1980s, studies evaluating the trends in and the state of academic freedom in former authoritarian countries have been published. Studies on academic freedom in Latin America (Romo de la Rosa 2007) and South Asia (Lee 2007) have appeared, which also draw attention to the development of higher education in non-democratic contexts (Altbach 2015). At the same time, discussions of academic rights and freedoms within the framework of postcolonial criticism are being initiated; for example, as early as the 1970s, Ali Mazrui (1975) described the situation in African universities as the pressure by authoritarian political elites, on the one hand, and by Eurocentrism, on the other. In later studies, the radical critique of Eurocentrism in African universities was replaced by an appreciation of the complex context

in which African higher education institutions emerged and developed, as well as the importance of eliminating the colonial legacy in this sphere (Appiagyei-Atua, Beiter, and Karran 2015).

It should be noted, however, that application of different kinds of contextualization—that is, the experience of considering the function of higher education and science in a particular sociopolitical context (Marginson 2014)—not only helps to better understand academic freedom, but in a sense often challenges its universal nature. In fact, recently Chinese scholars have been actively developing the argument that universal principles of academic freedom cannot be applied to China because of the different cultural tradition underlying Chinese universities and the different balance between individual freedom and social responsibility, which, according to these researchers, is peculiar to China. At the same time, “principles of socialist values” and academic freedom coexist perfectly in their works (Chen and Wei 2020). However, other researchers referring to China’s experience draw attention to the fact that it is more about the real tension between the globalization of higher education and science and the strict control of the Chinese Communist Party, which is far from the ideal picture of “special social responsibility” as presented by the first set of authors. Notably, some European researchers have followed a similar path, suggesting that, in general, academic freedom should be seen in the context of the specific sociopolitical and cultural situation in different countries. Although they do not link academic freedom to socialism, their approach also explores the relationship between localized conceptions of the public good and issues of academic freedom.

Similar work has been done by Polish researchers who have suggested “deuniversaliz[ing] academic freedom, instead of pursuing its elusive nature” (Szadkowski and Krzeski 2022:550). For this purpose, they undertook an analysis of how exactly academic freedom was understood in Poland in different historical periods and attempted to demonstrate a different understanding of the common good and, consequently, the different nature of academic freedom, which, in their opinion, hinges on this understanding. French researchers (Carpentier and Courtois 2022) have also proposed applying the logic of the common good to the analysis of academic freedom, this time in France. Based on the results of a survey of faculty members, the researchers conclude that the situation in France is exceptional in that the common good is understood to be the primary mission of faculty members. At the same time, the common good is viewed through the lens of the French Republic’s core values of liberty, equality, and fraternity, and the main problems survey participants identified were the marketization of higher education and the problems of economic inequality that undermine these core values. It seems worth distinguishing between the contextualization of academic freedom, that is, consideration of its functioning in specific sociocultural and political contexts, and its universalization as an ideal and the norm, which cannot be observed in the actual practice of the academy.

Russian researchers seem to be mainly guided by the European understanding of academic freedom. In the earliest works introducing academic freedom in Russia as

a topic of reflection and research, it was seen as part of professional ethics (Smolentseva 2003). The same line of thought was later continued by Yaroslav Kuzminov and Maria Yudkevich (2022) when they examined academic freedom as an element of an “academic convention” and assigned the leading role to the professional community and its regulations. A different viewpoint is adopted by those Russian researchers who view academic freedom through the lens of protection it requires from external threats, such as the massification and marketization of higher education (Kislov and Shmurygina 2013). Few studies of this kind have, however, been published so far. It seems that here, too, only the sharply deteriorating situation in terms of both university autonomy and academic freedom has forced researchers, primarily in the social sciences, to pay attention to the history and peculiarities of the perception of academic freedom in Russia (Dubrovskiy 2017; Dubrovsky and Meyer 2022; Oleksiyenko 2021; Potapova 2022; Sokolov 2022). This issue has, of course, become particularly poignant since the outbreak of a full-scale war against Ukraine in February 2022 and the dramatic erosion of academic freedom in Russia, especially for social sciences (Dubrovskiy 2022; Zavadskaya and Gerber 2023).

One can, therefore, argue that the relationship between the social sciences and academic freedom is twofold. On the one hand, academic freedom itself is one of the basic prerequisites for the work of a social scientist, and this makes the need for academic freedom self-evident to the majority of researchers and faculty members; on the other, restrictions imposed on routine practices of a scholar or faculty member are interpreted as violations of academic freedom and are reflected upon in the same research categories. To paraphrase Alan Dershowitz, one could say that the roots of academic freedom grow out of its violations, and social research is particularly sensitive to precisely those challenges that are now most relevant to the freedom of research and teaching.

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ОБЩЕСТВЕННЫЕ НАУКИ И АКАДЕМИЧЕСКАЯ СВОБОДА

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Академические права и свободы как особая разновидность прав и свобод человека, по-видимому, развиваются по схожему пути и в своем возникновении, и в причинах, по которым они изучаются. Академические права и свободы, кажется, появились одновременно с формированием науки как особой формы взаимодействия с миром, которая отделилась от теологии в Средние века. Созданное специфическое сообщество ученых, а позже и преподавателей, начало осмыслять не только свойства и качества окружающего мира, но и свойства и качества собственной корпорации, защищая интеллектуальную свободу от посягательств – сначала со стороны церкви, затем – государства, а в современном мире – со стороны капиталистических корпораций.

Таким образом, можно рассматривать возникновение идей об академической свободе как о «свободе, проистекающей из ее нарушения», а исследования академической свободы – как практическую адвокатию, которая разрабатывает аргументы в защиту академической свободы, а также утверждает ее основные принципы и анализирует угрозы. Можно утверждать, что история появления и развития как самих академических прав и свобод, так и их изучения во многом подтверждает гипотезу Алана Дершовица, согласно которой идея прав человека парадоксальным образом укоренена в истории их нарушения.

Ключевые слова: академическая свобода; общественные науки; история академической свободы; исследования академической свободы