

Forbidden Knowledge

Academic Freedom and Political Repression in the University Sector Can Be Measured. This is How.

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REPORT
April 2018

An index on academic freedom can change the way scholars interact across borders, strengthen a global community that is committed to academic freedom, and protect universities from being coopted for the purpose of political repression. This report presents the findings of an expert consultation that took place in Cologne, Germany between November 5 and 7, 2017. Based on a three-tiered definition of academic freedom, it discusses different methodological approaches to measuring academic freedom and political repression in the university sector. Following a critical review of different options, the report presents recommendations on how to conceptualize a new index on academic freedom and outlines practical steps towards its implementation on a global scale.

We want to thank all of the experts who participated in the consultation in Cologne for graciously sharing their invaluable insights and knowledge. A list of participants is attached in the Annex (see page 34 of this report). All participants deserve credit for the results presented here. We also want to thank Ilyas Saliba and Robert Quinn for their detailed discussion of an earlier draft, and Eva Pils for helpful comments on the legal analysis section. In addition, our thanks are due to Stephanie Le Lievre and Pierre Ortlieb for their edits, and to Katharina Nachbar for the layout. The opinions expressed in this report and any errors therein are those of the authors.

We gratefully acknowledge financial support from the Fritz Thyssen Foundation, which hosted the expert consultation and enabled the printing of this report. Katrin Kinzelbach is indebted to the Volkswagen Foundation for a multi-year Schumpeter Fellowship without which her research on political repression would not be possible.

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1. Introduction

A new instrument to measure academic freedom and political repression in the university sector would fill an important knowledge gap. Existing indices on democracy or political freedoms only touch on the subject, if at all. University rankings focus on academic excellence and reputation, but they ignore the varying levels of academic freedom around the world. Academic freedom is a value in itself that should be considered as one component of a university's reputation. Moreover, academic freedom likely contributes to academic excellence. However, so far, little research exists on the determinants of academic freedom and it is not clear how exactly academic freedom and excellence are related.

To study these questions, we need data on academic freedom that is comparable across time and space. The fact that such data does not yet exist is both a blind spot in research on this topic and an obstacle to promoting academic freedom around the world. Without a doubt, measuring academic freedom and political repression in the university sector is a challenging endeavor. To discuss options for how to develop a feasible and academically sound new measurement tool, an international group of experts convened in Cologne, Germany, between November 5 and 7, 2017. The results of our interdisciplinary consultation are documented in this report.

Current attempts to gather data on infringements of academic freedom focus primarily on hard forms of repression, such as when scholars are the victims of killings, violence, and disappearances, or suffer imprisonment and persecution.¹ Softer forms of repression, such as the institutionalization of classroom surveillance and the promotion of self-censorship, are much more difficult to capture but are just as relevant. The index we envisage would capture both soft and hard forms of repression.

There are a number of indices that already aim to measure academic excellence and reputation, such as the Times Higher Education (THE) World University Rankings,² the Academic Ranking of World Universities (the so-called "Shanghai Ranking"),³ and U-Multirank, which does not publish aggregated scores but instead compares a range of different aspects of universities.⁴ None of these tools measure academic freedom. At a regional level, some initiatives exist to compare the autonomy of universities, such as the European University Association's University Autonomy Tool.⁵ However, no comparable assessment of university autonomy exists at the global

1 Scholars at Risk, "Academic Freedom Monitor" (2018), accessed February 5, 2018, <http://monitoring.academicfreedom.info/incident-index>.

2 Times Higher Education, "THE World University Rankings" (2018), accessed February 9, 2018, <https://www.timeshighereducation.com/world-university-rankings>.

3 Shanghai Ranking Consultancy, "Academic Ranking of World Universities" (2017), accessed February 9, 2018, <http://www.shanghairanking.com/ARWU2017.html>.

4 CHE Center for Higher Education, "U-Multirank" (2017), accessed February 9, 2018, <https://www.umultirank.org/#!/home?trackType=home&sightMode=undefined§ion=undefined>.

5 European University Association, "University Autonomy in Europe" (2016), accessed February 5, 2018, <http://www.university-autonomy.eu/>.

level. The global union federation Education International (EI) publishes an online Barometer of Human and Trade Union Rights.⁶ This is a web-based collection of available information on education rights that relies on reports published by the United Nations and select non-governmental organizations. The EI country profiles include a brief narrative on aspects of academic freedom, but they do not provide in-depth, up-to-date and systematic information on infringements. Some broader measures of democracy, such as the V-Dem dataset, also touch upon academic freedom. Yet V-Dem addresses academic freedom in a single, unspecific question: “Is there academic freedom and freedom of cultural expression related to political issues?”⁷ This question does not do justice to the different dimensions of academic freedom, which are detailed below. Furthermore, it is unclear whether answers to this question relate to academic freedom specifically, rather than to “cultural expression related to political issues.” It is also unclear how exactly V-Dem experts arrive at their judgements and how they ensure comparability of assessments across their different experts, across time, and across countries.

Other instruments such as the annual Political Terror Scale⁸ or the Freedom in the World Index⁹ measure political repression more broadly: they do not provide specific data on the university sector. While these broader measures are certainly important for research on political repression, they are insufficient to fully understand the specific infringements of academic freedom in a given country and how such infringements change over time. To summarize, there exists little reliable, comparable data on academic freedom world-wide that would allow for cross-country comparisons of repression in the university sector. What is more, there is even less data on threats to academic freedom at the sub-national or university level.

Establishing a new index on academic freedom would make a valuable contribution to our current understanding only if it moves beyond existing measures, providing more detailed and more rigorous evidence than those which are currently available. At the same time, a global measure necessarily involves simplification because the systematic collection of empirical data must be feasible across a large sample of countries. To capture changes across time, it must also be realistic to regularly repeat the data collection. This report presents a proposal on how this can be achieved. It argues that a qualitative expert assessment is required. Country experts will assess infringements of academic freedom on the basis of a detailed codebook, contextualize relevant laws and regulations, and interpret available event or survey data as well as media reports on repression in the university sector. To ensure that all aspects of academic freedom are covered by the measure, experts will need to analyze not only *de jure* but also the *de facto* infringements of academic freedom. Numerical scores will be assigned on the basis of the experts’ assessment. In line with the highest academic standards, the assessments

6 Education International, “Barometer of Human and Trade Rights in Education” (2015), accessed April 4, 2018, <https://www.ei-ie.org/barometer/en/home>.

7 Michael Coppedge et al., “V-Dem Codebook v6,” in *Varieties of Democracy (V-Dem) Project* (2016), accessed April 4, 2018, https://www.v-dem.net/media/filer_public/d1/24/d124efd5-7ff5-4175-a1ed-f294984084d0/v-dem_codebook_v6.pdf, 209.

8 Mark Gibney et al., “The Political Terror Scale” (2016), accessed February 9, 2018, <http://www.politicalterroryscale.org/>.

9 Freedom House, “Freedom in the World 2018” (2018), accessed February 9, 2018, <https://freedomhouse.org/report/freedom-world/freedom-world-2018>.

will be peer reviewed and published together with the numerical scores, ensuring full transparency of the assessment and inviting scholarly scrutiny of results.

The potential impact of a new index on academic freedom is fivefold:

- First, the index will foster a community of scholars committed to studying academic freedom and political repression in the university sector.
- Second, the index will make new empirical data available. This data will facilitate further research on infringements of academic freedom around the world and allow for comparative analysis on the differences and commonalities that exist between country contexts. As such, the data will help to close a gap in empirical knowledge and could facilitate research on the determinants that explain different levels of academic freedom and excellence, thereby also advancing theoretical knowledge.
- Third, the index will complement and challenge existing university indices on academic excellence and academic reputation, none of which reflect respect for academic freedom. This must change, because universities that censor knowledge and inquiry do not satisfy one of the fundamental criteria of academia. By making data on academic freedom available, the index will complement and challenge existing rankings on academic reputation.
- Fourth, empirical information on academic freedom will be of use to universities that develop international research partnerships, and to funders of academic work who want to promote research that is both outstanding and free from censorship. These institutions will be able to use systematic and empirical information on the extent and nature of political repression in the university sector to inform their decision-making, as well as to fine-tune the management of transnational research collaborations with a view to respecting the do-no-harm principle of international cooperation.
- Fifth and finally, the index will serve as a valuable tool for the promotion of academic freedom. It can support the formation of interest groups and provide them with a useful tool to exert pressure against intentionally repressive structures, and it can further capacity development as well as constructive debate with actors who unintentionally fail to respect, protect, and fulfill academic freedom.

2. Aspects of Academic Freedom

Academic freedom is a multifaceted phenomenon.¹⁰ We conceive of academic freedom as consisting of the following three components: academic freedom as professional freedom, socially-engaged academic freedom, and the human rights of academics.¹¹

Academic Freedom as Professional Freedom

This is the core of the definition. According to the UNESCO *Recommendation Concerning the Status of Higher-Education Teaching Personnel*, scholars' professional freedom encompasses the "right, without constriction by prescribed doctrine, to freedom of teaching and discussion, freedom in carrying out research and disseminating and publishing the results thereof, freedom to express freely their opinion about the institution or system in which they work, freedom from institutional censorship and freedom to participate in professional or representative academic bodies."¹²

Elaborating on the definition of academic freedom as a professional freedom, Terence Karran and Lucy Mallinson introduced the useful distinction between substantive and supportive elements. In their analysis, the freedom to teach and freedom to research, including what and how to teach or research, are the two substantive elements of academic freedom. In addition, there are two supportive elements, namely self-governance and tenure, which allow academics to safeguard their freedoms to teach and research.¹³

Socially-Engaged Academic Freedom

The notion of "socially-engaged academic freedom" promotes an understanding that academics should not only enjoy freedom on campus, but also outside of it. It

10 Muhammad M. M. Abdel Latif, "Academic Freedom: Problems in Conceptualization and Research," *Higher Education Research & Development* 33, no. 2 (2014): 399.

11 This approach follows the one promoted by the organization Scholars at Risk. We gratefully acknowledge substantial input to this section by Robert Quinn.

12 UNESCO, *Recommendation Concerning the Status of Higher-Education Teaching Personnel*, November 11, 1997. Para. 27.

13 Terence Karran and Lucy Mallinson, "Academic Freedom in the U.K.: Legal and Normative Protection in a Comparative Context," in *Report for the University and College Union* (2017), accessed March 15, 2018, https://www.ucu.org.uk/media/8614/Academic-Freedom-in-the-UK-Legal-and-Normative-Protection-in-a-Comparative-Context-Report-for-UCU-Terence-Karran-and-Lucy-Mallinson-May-17/pdf/ucu_academicfreedomstudy_report_may17.pdf, 7.

understands scholars as societal actors with a responsibility to interact with society. This broader notion thus incorporates democratic ideals and takes higher education's values into account, including equitable access, accountability, autonomy, and social responsibility. This understanding of scholars as societal actors requires, for example, the freedom to engage in the distribution of knowledge outside of university campuses, which might not be covered by the narrower "professional freedom" definition.

Human Rights of Academics

The extent to which internationally accepted human rights are upheld in the university sector makes up the third tier of the definition. In other words, where human rights violations have a particular impact on scholars, other education professionals or students in their capacity as members of higher education communities, we consider it an infringement of academic freedom. This human rights-based understanding is backed by the UNESCO Recommendation: Paragraph 26 recommends that scholars and other members of higher education communities should "enjoy those internationally recognized civil, political, social and cultural rights applicable to all citizens."¹⁴

By grounding academic freedom within the framework of internationally recognized human rights, we make an assumption of universality that allows for the application of a common standard across all countries, and identify the state as the duty bearer for academic freedom.

It should be noted that academic freedom is not an absolute right.¹⁵ This means that there are circumstances under which a government can legitimately and legally limit academic freedom, as long as the limitations are proportionate to the situation. One example for legitimate interference with academic freedom is the temporary closure of universities after a natural disaster; also, laws that govern and limit scientific research on the basis of ethical concerns can be legitimate, for example in relation to animal testing.

Although the three-tiered definition is broad, it excludes a number of aspects that are sometimes raised in discussions about academic freedom. For instance, the impact of economic development on university life, as well as general insecurity due to conditions of limited statehood, are outside the scope of the definition even though these factors undoubtedly impact the feasibility of conducting academic research. The definition also excludes questions related to public and private funding models for university education which, in our view, are more suitably analyzed in relation to the right to education and not in relation to academic freedom.

14 While "academic freedom" is not a term expressly used in international human rights instruments, most (but not all) of its components are protected by international human rights instruments. Examples include the freedom of opinion, expression and belief (ICCPR Art. 19); the right to education (ICESCR Art. 26); the right to freedom from discrimination based on age, gender, religion, race, or other grounds (UNESCO, *Convention against Discrimination in Education*, 1960).

15 "Absolute" refers to the legal concept of "absolute rights" which identifies rights that cannot be limited for any reason, such as freedom from torture and other cruel, inhuman or degrading treatment or punishment. See United Nations General Assembly, Resolution 2200A (XXI), *International Covenant on Civil and Political Rights*, December 16, 1966.

Common Infringements of Academic Freedom

With the three-tiered definition, we consciously chose a broad approach. This definition is not, however, specific enough to guide measurement. Prior to discussing methodological options, we need to identify the most relevant aspects that should be captured. In line with existing indices on repression, we propose not to measure the extent of protection of academic freedom, but rather to measure infringements of academic freedom.

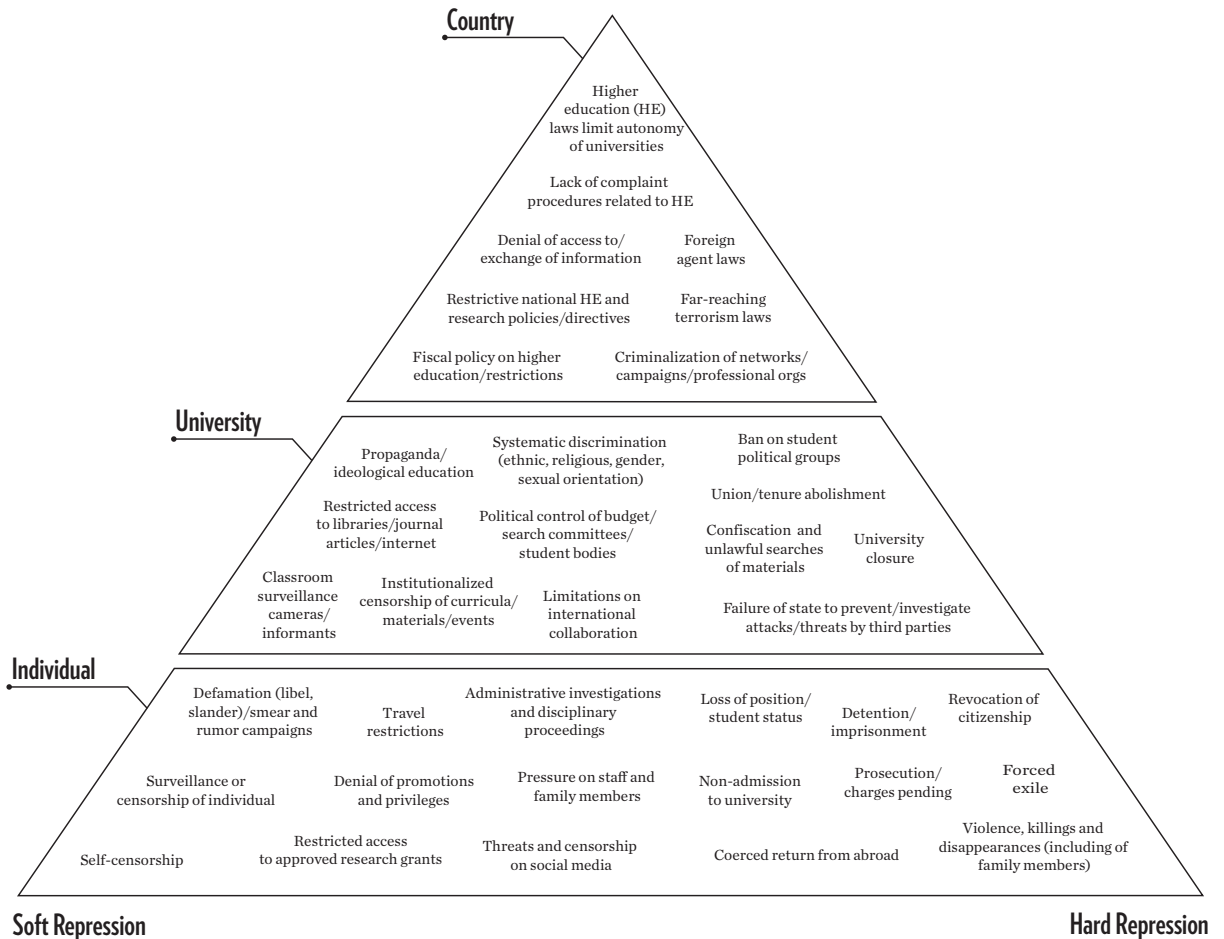


Figure 1: Visualization of Political Repression in the University Sector.

During the expert consultation in Cologne, we began by identifying common infringements of academic freedom on the basis of existing literature and by discussing select case studies. These were chosen with a view to covering the full continuum from limited to systematic repression in the university sector. In alphabetical order, the case study countries that we discussed were: China, Hungary, Ghana, India, Iraq, Syria, the

United Kingdom, and the United States. We then organized the identified infringements on a continuum from soft repression to hard repression as well as on three analytical levels: individual, university, and country level.

Soft forms of repression include policies or practices that inhibit academic freedom by focusing on restrictions of political rights such as freedom of assembly or freedom of expression. Hard forms of repression impose severe constrictions on physical integrity or involve the deprivation of liberty.¹⁶ The transition between the two is fluid, which is why we conceptualized them as a continuum rather than a strict dichotomy. This is visualized in a pyramid on page 10, which also depicts the three analytical levels.

On the *individual level* (*scholar, student, or university employee*), relevant forms of repression include (from softest to hardest): self-censorship; surveillance or censorship of individual; restrictions on travel or movement; loss of position or student status; detention or imprisonment; prosecution or charges pending; and violence, killings and disappearances (including of family members).

On the *university level* (*institute, college, or university*), relevant forms of repression include (from softest to hardest): propaganda or ideological education; classroom surveillance using cameras or informants; limitations on international collaborations; political control of budget allocation, search committees, and student bodies; abolishment of higher education unions or tenure; and university closure.

On the *country level*, relevant forms of repression include (from softest to hardest): restrictive national higher education and research policies or directives; denial of access to or exchange of information; higher education laws that limit autonomy of universities; far-reaching terrorism laws; and criminalization of professional organizations.

16 Compare: Wolfgang Merkel and Johannes Gerschewski, "Autokratien am Scheideweg. Ein Modell zur Erforschung diktatorischer Regime," *WZB Mitteilungen*, no. 133 (2011): 21-24, accessed April 5, 2018, <https://bibliothek.wzb.eu/artikel/2011/f-16679.pdf>. For a translated version of this article see Merkel and Gerschewski, "Autocracies at Critical Junctures. A Model for the Study of Dictatorial Regimes," *Schlossplatz* 3, no. 11 (2011): 14-17, accessed April 5, 2018, https://www.ssoar.info/ssoar/bitstream/handle/document/30871/ssoar-2011-11-merkel_et_al-autocracies_at_critical_junctures.pdf?sequence=1.

3. Methodological Considerations

As visualized in the pyramid on page 10, common infringements include not only a lack of legal protection for academic freedom (understood both as professional freedom as well as in the more extensive understanding of socially-engaged scholarship), but also restrictive university governance structures and human rights violations that affect individual members of the higher education community.

In and of themselves, human rights violations constitute repression suffered by academics, not limits to academic freedom strictly speaking. We consider individual-level data relevant not only when academics are specifically targeted because of their research, but also when academics are targeted for their participation in public life outside the university campus, notably when such individual targeting creates a chilling effect on the higher education space.

Given that the state is the duty bearer for human rights, we need to understand how state action impedes the exercise of academic freedom, whether or not that is the intended impact of state action. Indeed, evidence of intent is not always available and, where it is available, may be incomplete or unreliable. In practice, therefore, it can be complicated to understand whether or not a particular event is best understood as an instance of repression. For example, employment, tenure, and promotion schemes can be used as repressive tools, notably by setting incentives for self-censorship and by individually punishing non-compliant academics. But they are also regular management tools used to promote academic excellence and to prioritize specific areas of research. We maintain that intentionality should not be considered during the initial data collection phase when gathering empirical data on infringements of academic freedom. Instead, the question of intent should be considered in the interpretation of said data, including through reasonable inferences.

The following sections discuss the pros and cons of different types of data for the measurement of academic freedom.

Legal Analysis

Since all higher education institutions act within some sort of legal framework, it is imperative to analyze constitutional provisions as well as national and, where relevant, sub-national legislation regarding both the safeguards to protect, and the infringements of academic freedom.¹⁷ Compared to alternative methods for measurement, legal

¹⁷ Terence Karran, "Academic Freedom in Europe: A Preliminary Comparative Analysis," *Higher Education Policy* 20, no. 3 (2007): 293.

analysis has a number of advantages. Analyzing legislation and constitutional law can enhance comparability as long as the different legal frameworks are compared to a common standard. The framework for analysis should draw on both the UNESCO *Recommendation Concerning the Status of Higher-Education Teaching Personnel* and on international human rights law.¹⁸ As discussed in the previous chapter, grounding the analysis in internationally recognized human rights law establishes an assumption of universality that allows comparison to a common standard and thus enhances comparability across geography and time. Legal analysis establishes the baseline of academic freedom in a given country context.

There are also pragmatic advantages. For example, access to information is comparatively easy and the data collection involves little risk. In highly repressive contexts, legal analysis can still be useful, since limits to academic freedom are sometimes explicitly legalized.

Legal Analysis

+	<ul style="list-style-type: none"> • Laws can be assessed based on international standards. • Framework for analysis can draw on the <i>UNESCO Recommendation Concerning the Status of Higher-Education Teaching Personnel</i> (1997) and on international human rights law. • Access to information comparatively easy and involves little risk.
-	<ul style="list-style-type: none"> • Difference between <i>de jure</i> and <i>de facto</i> situation: legislation often more liberal than reality (sometimes vice versa). • Distinction between <i>de jure</i> and <i>de facto</i> infringements of academic freedom can be blurred when rules at the sub-national level violate state-level law, but are followed in practice. • Insufficient to look at national legislation; there is a need to look at regulations (including at sub-national and even university level) that are not always publicly available. • In some situations, for example during armed conflict, there are repressive agents other than or in addition to the state; <i>de jure</i> analysis cannot capture these. • <i>De jure</i> analysis is not very granular or time-sensitive; improvements or deteriorations will not be immediately traceable in law.
?	<ul style="list-style-type: none"> • What to do with information gaps, e.g. when relevant laws and regulations are not publicly available.

Table 1: Pros and Cons of Legal Analysis for the Measurement of Academic Freedom.

Nevertheless, legal analysis has limitations, firstly because it can only cover the *de jure* protection of academic freedom, as opposed to *de facto* protection, and secondly because the line between *de jure* and *de facto* can be blurred. Especially in countries where rule of law is weak, it is not uncommon to find rules that are not, strictly speaking, state law, for example because state organs lacking in legal authority have issued them, or because higher ranking state law overrides them. A *de jure* analysis of restrictions on academic freedom can and should cover all relevant rules that are obeyed in practice, even if they are, upon proper legal analysis, illegal rules. At times there are significant differences at the sub-national level. It is thus not sufficient to look at national

¹⁸ See for example Kwadwo Appiagyei-Atua, Klaus Beiter, and Terence Karran, "A Review of Academic Freedom in Africa through the Prism of the UNESCO's 1997 Recommendation," *Journal of Higher Education in Africa / Revue de l'enseignement supérieur en Afrique* 14, no. 1 (2016): 85-117.

legislation alone. Regulations at the sub-national level and even at the university level should be considered.¹⁹ This can pose a challenge where the relevant regulations are not publicly available.

Another challenge occurs during armed conflict or conditions of limited statehood, where there might be other repressive actors whose actions have an important impact on the state of academic freedom, the effects of which would not be captured by analyzing national legislation. A further complication is that there can be significant differences between the *de jure* and the *de facto* situation. Legislation may be more liberal than the reality (or sometimes vice versa). That is, *de facto* restrictions of academic freedom would have to be assessed through alternative methods.

There are some open questions that remain. For example: when relevant information such as laws or regulations is not publicly available, how should this information gap be addressed? Also, clear rules should be established regarding situations in which there is a large discrepancy between *de jure* and *de facto* situations. One option would be to follow the methodology of Reporters Without Borders: calculating two scores, one for each category, and taking into account only the lower, so as to avoid a distortion of the final results where there is a high discrepancy between the *de facto* and the *de jure* situation.²⁰ However, the overall analysis should not be distorted by legislation that is implemented rarely or not at all. To minimize such distortion, it is indispensable that an expert interprets and contextualizes the *de jure* situation.

Self-Reporting

Self-reporting is one available and tested method of collecting data on the governance of a university, its regulations and actual practice. Depending on the country context, data will need to be gathered at the university or the national level (especially in education ministries) as well as at the regional level in federally structured countries.²¹

However, self-reporting relies on *bona fide* co-operation by national level bodies or universities. This would be especially problematic when institutions form part of repressive structures. Serious reflection upon any implicit or explicit tradeoffs that might be involved in such co-operations is needed, as well as consideration of what impact these might have on the credibility of an index on academic freedom. Setting up such co-operations on a large scale also constitutes a serious logistical challenge, as it requires dealing with vastly different country contexts and bureaucratic structures. If cases are to be compared across different country contexts, with structures and institutions that have often evolved on diverging paths for centuries, there might be a need for simplification to the detriment of analytical depth.

19 Jannis Grimm and Ilyas Saliba, "Free Research in Fearful Times: Conceptualizing an Index to Monitor Academic Freedom," *Inter-disciplinary Political Studies* 3, no. 1 (2017): 58.

20 Reporters Without Borders, "Detailed Methodology" (2017), accessed February 6, 2018, <https://rsf.org/en/detailed-methodology>.

21 See for example European University Association, "University Autonomy in Europe" (2016), accessed February 5, 2018, <http://www.university-autonomy.eu/>.

Self-Reporting



- Possibility of collecting university-level data.
 - Detailed data on university governance.
-



- Need for acceptance by and cooperation with existing institutions, requires incentives to report.
 - Self-reporting will be biased where institutions have an agenda that downplays academic freedom (for example, where universities are part of repressive structures or when they favor a managerial approach that places tight limits on the freedom to research).
 - Works better or only in democracies.
 - Need for great simplification if country cases are to be compared.
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- How to ensure quality control.
 - How to verify self-reported data.
 - What to do about missing data (lack of response).
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Table 2: Pros and Cons of Self-Reporting for the Measurement of Academic Freedom.

Universities or ministries on the national or federal levels may not collect data on academic freedom. This may leave them unable to answer important questions. Where information is available, questions may still be answered selectively or in a biased manner. Self-reporting is an approach that appears appropriate only in democratic contexts where a culture of transparency is well-established and few limits on academic freedom exist. Data gathered through self-reporting cannot form the basis of a global index on academic freedom. However, where such data is available, it can and should inform the measurement, but only after being analyzed by a country expert who reviews and contextualizes the data.

Surveys

Using surveys to capture the experiences of academics and students is another possible approach to measuring academic freedom. One of the key advantages is that surveys ensure ownership of the process among those questioned. This can increase the index's legitimacy. In addition, this might also allow for a didactic component: survey respondents who are not up to speed on issues of academic freedom could be provided with foundational information as part of the research.

Surveys generate data on the lived experiences of academics, uncovering the concrete impact of repressive laws and policies on academic freedom. Another important advantage of this approach is the opportunity it provides to gather data on soft forms of repression, such as self-censorship, that are difficult or impossible to capture with other methods. In the age of digital communication, there are a number of ways to implement surveys effectively and without great financial cost.

However, a decision to conduct survey research brings a range of methodological issues and practical challenges. To start with, it is important to ensure a sufficiently high

response rate. This is a basic but crucial question.²² Experience shows that scholars are often unaware of issues of academic freedom.²³ While surveys might have the positive side-effect of educating affected communities, this poses a serious problem. Even where there is awareness, understandings of academic freedom might differ widely in different contexts. This will lead to assessments that are not directly comparable. Furthermore, it is possible that a wide range of experiences exists within the same context, especially where not all academics are equally affected by restrictions, for example due to systematic discrimination.

Surveys



- Affected population has a voice.
- Possibility of gathering data on wide range of restrictions, including self-censorship.
- Opportunity to educate academics about academic freedom.



- Subjectivity: different understanding of academic freedom in different contexts, but also different experiences in the same context, notably where not all academics are equally affected by restrictions (a distinguishable group faces restrictions/ discrimination).
- Data collection in fragile or repressive contexts is very difficult and can be illegal.
- Ethical concerns: data collection can involve risks for respondents.
- Data collection can be manipulated, notably when surveys are administered by universities themselves.
- Problem of self-selection: where random sampling of respondents is impossible, the gathered data will likely be explorative rather than representative.
- Perception data as soft data: easily dismissed as unreliable because representativeness of the data is unclear.



- How to distribute the questionnaire when random sampling is not an option (due to lack of data on/ limited access to the relevant population).
 - How to ensure a sufficiently high response rate.
 - What to do about responses that appear to be the result of manipulation.
 - How to gauge representativeness of respondents.
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Table 3: Pros and Cons of Surveys for the Measurement of Academic Freedom.

Furthermore, in practice it is a real challenge to conduct surveys in fragile or repressive contexts. Participation in surveys administered by foreign institutions might be illegal and could pose a significant risk to participants, especially where digital communication channels are monitored by authorities. While there exist technical remedies for this issue, implementing them would aggravate the problem of selection biases. Especially in contexts where participation is connected with risk and effort, there will be a self-selection bias. We need to ask ourselves: who participates in a survey on academic

²² Appiagyei-Atua et al., “A Review of Academic Freedom in Africa Through the Prism of the UNESCO’s 1997 Recommendation,” *Journal of Higher Education in Africa / Revue de l’enseignement supérieur en Afrique* 14, no. 1 (2016): 92.

²³ Larry Gerber, “‘Inextricably Linked’: Shared Governance and Academic Freedom,” *Academe* 87, no. 3 (2001): 23.

freedom, and for what reasons? We must assume that those with serious grievances are much more likely to participate. Furthermore, surveys might be hijacked by state agents with the aim of manipulating results. In environments where there is an incentive to do so, and especially where surveys are administered by universities themselves (as practiced, for example, by CHE University Ranking and U-Multirank), this will be difficult to prevent. What is more, there is no way of knowing under what circumstances respondents participate in surveys: they might be actively coerced into giving specific answers, or more subtle forms of pressure might be applied. Where responses appear to be the result of manipulation, there is a need for clear rules on identifying and handling such cases. Overall, this raises concerns over data validity.

In order to interpret and contextualize survey results in a meaningful way, researchers need to be able to gauge the representativeness of the sample. Where random sampling of respondents is impossible, the gathered data will be explorative rather than representative. Explorative studies are valuable in their own right, but are not suitable for an index that must ensure comparability across space and time. Perception data can also be easily dismissed in public discourse and, therefore, should ideally always be complemented by and triangulated with other data.

Focus Groups

Focus group discussions can help us gain a better understanding of what people think, how they think, and for what reasons they think the way they do. A well-designed focus group setting avoids applying pressure on the individual; importantly, there is no need for a group to reach consensus.²⁴ It is considered a useful tool for letting participants tell their own stories, share their experiences, opinions and beliefs and discuss their needs and concerns.²⁵ In comparison to other methods, such as surveys or interviews, focus group discussions enable researchers to examine participants' views within the social network of groups. This makes focus group discussions advantageous in two ways, namely by offering insight into a wide range of views on a particular subject and by exploring how participants interact and discuss a particular subject.²⁶ Individuals that are uncomfortable with discussing certain issues one-on-one might be more at ease with the multiple communication channels that are accessible in the framework of group dynamics.²⁷

24 Pranee Liamputtong, "Focus Group Methodology: Introduction and History," in *Focus Group Methodology: Principles and Practices*, ed. Pranee Liamputtong (London: Sage, 2011), 5.

25 Jenny Kitzinger, "Focus Group Research: Using Group Dynamics to Explore Perceptions, Experiences and Understandings," in *Qualitative Research in Health Care*, ed. Immy Holloway (New York: Open University Press, 2005), 57.

26 David Conradson, "Focus Groups," in *Methods in Human Geography: A Guide for Students Doing a Research Project*, ed. Robin Flowerdew and David Martin (Harlow: Pearson Education Limited, 2005), 128.

27 Liamputtong, "Focus Group Methodology: Introduction and History," 6.

Focus Groups

- Enable research on attitudes, opinions, needs and concerns of participants.
 - Group setting can minimize pressure on individual.
 - Allow researcher to observe and analyze how the subject is discussed in a group setting.
 - Data on soft forms of repression can be collected.
-
- Participants may not actively participate.
 - Some participants may be perceived as hostile or aggressive, preventing others from expressing their views.
 - Exclusionary and repressive structures might be reproduced in group dynamics.
 - Focus groups cannot produce sufficient data for an index on academic freedom.
-
- How to ensure safety of participants, especially in repressive contexts.
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Table 4: Pros and Cons of Focus Groups for the Measurement of Academic Freedom.

As with the other methods, there are methodological challenges. Participants may not actively take part and thus reduce the insight gained. In institutional contexts, especially where repressive structures persist, individuals can be scared to express their opinions. This negative effect is exacerbated when some participants are perceived as threatening or aggressive by others. While the familiar social context can be an advantage of focus group discussions, it can also contain exclusionary or repressive dynamics that can lead to participants withholding their views or experiences.²⁸ Focus group discussions can generate useful data on softer forms of repression like self-censorship and surveillance, but the data gathered via this method can only serve as complementary information, not as sufficient information for an index on academic freedom.

Events Data

Events-based records of political repression experienced by academics and students constitute promising data sources for assessing the human rights pillar of the three-tiered definition introduced above. Such data is based on verifiable events, thus lending credibility to any measure building on it. Grimm and Saliba have recently proposed an index on academic freedom that relies primarily on events data, combined with perception data from questionnaires and surveys.²⁹ Events data, accepted as objective and factual, is typically perceived as compelling evidence. What is more, events data is easily quantifiable and thus, in principle, comparable across both geographical areas and time. Considering the aspiration of a global index of academic freedom, this comparability constitutes an important advantage.

On a practical level, however, there remain important reservations regarding the representativeness of available events data on the repression of academics. The

²⁸ Liamputtong, "Focus Group Methodology: Introduction and History," 8-9.

²⁹ Grimm, Jannis and Ilyas Saliba, "Free Research in Fearful Times: Conceptualizing an Index to Monitor Academic Freedom," *Inter-disciplinary Political Studies* 3, no. 1 (2017): 53.

Academic Freedom Monitor project by the New York-based Scholars at Risk Network is the most extensive database on relevant incidents to date, and it should be used as a starting point.³⁰ However, this data set is a non-random, statistically biased sample. The problem is that such descriptive statistics can lead to wrong conclusions about the actual state of academic freedom in the world. At a national level, and even more so on a global scale, it remains impossible to record every repressive event that relates to academic freedom, partly due to capacity constraints among watchdog organizations and partly due to efforts by authorities to prevent the spread of information. We cannot know the number and nature of unreported data, and the specific effect that capacity, networks, access, and expertise of those doing the monitoring will have on both the quality and quantity of recorded data. In the words of human rights data expert Patrick Ball, “in human rights data collection, we usually do not know what we do not know.”³¹ Therefore, rigorous analysis would be needed before translating available events data into a score for the index.

Another, even more basic challenge is to specify which events should and should not be counted. Unfortunately, it is rather complex to establish what constitutes an event of repression in the university sector. Detention or dismissal cases can be the result of political repression or the result of legitimate criminal procedures or breaches of codes of conduct. To make sure that there is a consistent approach across all countries, and across data reported by different watchdog organizations, it is advisable to separate data gathering and data analysis. This approach can help limit the biases introduced by information politics, or different levels of monitoring capacity among reporting actors. A separation of data gathering and data interpretation also allows for the involvement of trained student assistants or volunteers, as the coding of data is comparatively easy to learn, as opposed to the interpretation of data, which requires more expertise.

Nevertheless, the risk of false positives and negatives remains significant. For this reason, Grimm and Saliba caution that the use of a single source, especially in circumstances involving armed conflict, is problematic.³² A better option, then, would be to record only events that are reported by more than one source. This proposal assumes that the biases of different reporting actors correct each other, but this is not a guaranteed outcome. Descriptive statistics on the basis of multiple sources might still give us a biased picture of repression in the university sector. Rigorous statistical analysis would therefore be required, such as multiple systems estimation, which allows for a reasonable estimation of the unknown population.³³

It is likely that available events data on scholars at risk is biased towards instances of hard repression. Little effort or experience exist regarding the collection of events data on soft repression, and the method might be ill-suited for capturing repression against academics below a certain threat level.

30 Scholars at Risk, “Academic Freedom Monitor” (2018), accessed February 5, 2018, <http://monitoring.academicfreedom.info/incident-index>.

31 Patrick Ball, “The Bigness of Big Data,” in *The Transformation of Human Rights Fact-Finding*, ed. Philip Alston and Sarah Knuckey (Oxford and New York: Oxford University Press, 2016), 429.

32 Grimm and Saliba, “Free Research in Fearful Times,” 53.

33 Todd Landman and Edzia Carvalho, *Measuring Human Rights* (London and New York: Routledge, 2010), 53-57.

Events Data

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 - Objective facts, easily quantifiable, and compelling data that speaks to people.
 - Easy to train volunteers to code the data.

 - - Unknown number and nature of unreported data; capacity, networks, access, and expertise of monitoring organization drive available data; therefore, data is never representative of the real distribution.
 - Events data measures the scope of acts of repression but do not capture systemic limits to academic freedom.
 - Focused on hard repression; tends to miss out on gradual developments.
 - Cannot directly measure the level of repression: the higher the level of repression, the less events tend to occur due to preemptive obedience.
 - Little knowledge exists about how to collect events data on soft repression including the promotion of self-censorship; the method does not seem appropriate for measuring repression against academics below a certain threat level.
 - Problem of false positives: it can be unclear whether or not an event is repressive in nature or not (for example, whether or not the lack of an academic's promotion is a political act designed to intimidate).

 - ?**
 - How best to enhance comparability across countries and time when monitoring capacity and access to data differs.
 - How to account for likely biases in the data.
 - Informed consent: should events data that concerns an individual be recorded if there is no formal agreement by those affected?
 - In how much detail can the data be published without risking repercussions for the victims?
 - Who decides whether or not a particular event is a false positive?
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Table 5: Pros and Cons of Events Data for the Measurement of Academic Freedom.

There are several additional reasons why events data can be misleading if it is not accompanied by rigorous interpretation. The index proposed by Grimm and Saliba envisions an approach that gives countries a lower score if there are more cases of infringement of the personal rights of academics.³⁴ Yet the absolute number of incidents can be much higher in a larger country, even though the situation of academic freedom might not be as problematic as in a country with a smaller population and thus proportionally fewer incidents. Alternative options are available, such as using the number of incidents in proportion to the population of a given country, or the proportion of academics that were affected by such incidents as opposed to the overall number of academics. Yet, in highly repressive contexts, there might actually be fewer observable events of repression due to preemptive obedience and self-censorship. That is, the situation can become worse, not better, when the number of incidents declines.

For the sake of transparency, all events data considered in the analysis should be made publicly available, though care must be taken that its publication does not lead to repercussions for victims of repression or their families. Here, it is not only necessary to prevent the publication of data that is too detailed; it is also pertinent to

³⁴ Grimm and Saliba, "Free Research in Fearful Times," 62.

ensure informed consent by the individuals concerned or by representatives that are authorized to speak on their behalf.

Overall, events data measures the scope of acts of hard repression but cannot measure systemic limits to academic freedom or the overall level of repression. In addition to individual cases, it is of course possible to record the passage of new restrictive laws and policies, or the closure of universities as events. In that case, however, restrictions introduced before data is recorded will not be reflected in a measure that is based on events data. Events data is thus not without pitfalls, but its advantages are plentiful, especially once the data is rigorously interpreted.

Social Media Analysis

While the amount of data available is the biggest advantage of social media analysis, it is also its core problem. The main challenges for recording events data on the basis of social media are: (1) verification, noise, and errors; (2) the safety and security of those who submit information; (3) the scale and quality of data. More research is needed “to understand how closely sources of big data and social media match up with what is actually happening on the ground – in terms of accuracy and representativeness of individual reports and the data set as a whole.”³⁵ For now it appears impossible to meaningfully gather data on academic freedom through an automated social media analysis. A feasible and useful first step would be to qualitatively assess access to the internet and social media at higher education institutions, as well as possible restrictions on particular content. The possible temporal correlation between restrictions on internet access and repressive political events is of special interest.

Social Media Analysis



- People post a lot of information on social media that is otherwise not recorded.
- View of affected population can be taken into account.
- Social media data can be used for quantitative as well as for qualitative analysis.



- Social media is culturally specific: choice of preferred platform and way in which it is used has impact on data collection.
- Research team must be multilingual; global coverage is a challenge.
- Underreporting in areas with censorship or limited internet access.
- Relevant discussions in encrypted forums that cannot be accessed easily.
- When using hashtags to collect data, the method can be misused.
- Need for verification of data and interpretation of data before feeding results into an index.



- How to automate the analysis without collecting large amounts of irrelevant data.
 - How to avoid putting individuals at risk when using information they posted online.
 - When using hashtags to collect information, how can misuse be prevented?
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Table 6: Pros and Cons of Social Media Analysis for the Measurement of Academic Freedom.

35 Jay D. Aronson, “Mobile Phones, Social Media and Big Data in Human Rights Fact-Finding,” in *The Transformation of Human Rights Fact Finding*, ed. Philip Alston and Sarah Knuckey (Oxford and New York: Oxford University Press, 2016), 456.

A further option to utilize social media data is via qualitative content analysis. However, this approach would not easily generate comparable data for a number of reasons. First of all, social media is culturally specific both in terms of which platforms are used and the way in which they are used. Potential biases include a possible focus on more spectacular cases of infringement of academic freedom, as well as the self-selection of those contributing on social media. In repressive contexts, those academics that are most likely to report on issues of academic freedom on social media are precisely the ones who are most likely to be stopped from doing so. In such situations, there will most likely be significant underreporting of repressive events. Where social media is monitored by authorities, discussions about sensitive topics might migrate to encrypted forums, and move along once these platforms are also targeted by surveillance. This raises a number of technical challenges, most importantly about access but also security.

Media Analysis

Automated media analysis, aimed at monitoring relevant events and identifying articles on the topic of academic freedom, can be a powerful tool to both supplement events-based data collection and enrich expert assessments. The identification of reliable, high quality and independent media outlets remedies a central challenge of social media analysis, because journalists are expected to have already verified reported claims and events. Verification and contextualization are therefore less of a problem. Automated translation of sources can minimize effort and cost as well as the bias that is likely to occur if only English-language media outlets were monitored. Collaboration with companies that provide automated, 24-hour monitoring of news outlets, including in local languages, appears feasible. In this way, a large pool of relevant data could be accessed.

Media Analysis




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 - Amount of data that can be covered is high; can potentially complement manual events monitoring and overcome some of its constraints.
 - Some media analysis organizations offer automated monitoring of newspapers at the local level, including in local languages.
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 - Important challenges with data: verification, noise, and errors/false positives; scale, quality and control; security of those providing data.
 - Threats against academics are likely to be very serious if reported in media, this means soft repression will not be covered adequately.
 - Underreporting in areas where censorship applies.
 - Spelling mistakes are common when the name is rendered in an orthographic transcription.
 - Verification of data should be done manually to ensure quality control; this can prove to be very labor-intensive.
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 - How best to tailor the automated search so as to avoid large amounts of false positives.
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Table 7: Pros and Cons of Media Analysis for the Measurement of Academic Freedom.

Automated media analysis may help to overcome some of the constraints of events-based data discussed above. However, the challenges of filtering relevant data remain, and further, media data will typically disproportionately report instances of hard repression. Soft repression is likely to be underreported, if reported at all, in media outlets. Thus, there is a need for country experts who can systematically interpret and contextualize all data gathered through media analysis.

Expert Assessments

Assessments by country experts offer the most promising approach to systematically comparing infringements of academic freedom across a wide spectrum of countries. Country experts do not only generate original data by contributing their own appraisal, they can also ensure that all existing data – from laws and regulations, self-reporting, surveys, focus group discussions, events-based records, and (social) media – is carefully interpreted and contextualized before being translated into a numerical score. This approach has the important advantage that a score can still be allocated even when there are gaps in available legal, survey or events data. This flexibility is of utmost importance when developing an index on a global scale, because the index’s empirical data basis is likely to vary substantially between country contexts. A one-size-fits all approach, in contrast, would likely lead to significant data gaps due.

However, expert assessments also have some important methodological shortcomings. Among the most important challenges is a strong dependence on both the knowledge and integrity of the experts involved. The motivation, expertise, and availability of relevant experts must be critically and regularly reviewed. The cooptation of experts is a possibility and would impede an objective and high-quality analysis. Political context can also play a role; in repressive settings, local experts are not free to write openly. Another issue is the legitimacy of using experts. The experts consulted for an index on academic freedom should mostly be academics; nevertheless, this approach limits ownership of the process by those who are affected by repressive measures in the academic sector, notably in comparison to surveys. A good but expensive practice for preventing expert cooptation (while also ensuring some involvement of primary stakeholders) is the use of two country experts, one international and one local.

Another challenge is the comparability of expert assessments. When experts interpret measurement standards differently, this limits the comparability of data. It is possible to minimize such problems with a detailed codebook that clearly defines all criteria and provides detailed instructions for conducting and structuring the analysis. Additionally, there should be a review and calibration process that compares country reports at a regional and then at a global scale. The Bertelsmann Transformation Index³⁶ is a best practice example that makes its methodology as well as the data considered and the qualitative assessment behind its numerical scores transparently available. When data is collected and contextualized in a transparent way by knowledgeable country experts, the findings are reliable and defensible in public discourse.

36 Bertelsmann Foundation, “Bertelsmann Transformation Index” (2017), accessed April 4, 2018, <http://www.bti-project.org/en/home/>.

Expert Assessments

- Experts are able to implement complex and deep analysis; they can contextualize *de jure* protections of academic freedom with *de facto* situation.
 - Can include multiple methods (such as legal or policy analysis, review of available survey data, results of focus group discussions, media analysis).
 - Cross-country and cross-regional calibration of results is a challenge with all measurements; the advantage of expert assessments is that results can be discussed and adjusted following a standard procedure.
 - Clear guidelines (e.g. detailed codebook) and transparent processes (e.g. multiple reviews, publication of qualitative assessment behind the score) can limit subjectivity of final assessment.
 - Method is not strictly objective but its validity and rigor can be defended in public discourse.
-
- Very dependent on expertise and integrity of experts; possible cooptation of experts.
 - In repressive contexts, experts might be unable to write openly.
 - Costly and lengthy process, reviews necessary to ensure comparability across countries and regions.
 - Affected community does not have a direct voice, except where surveys exist; data collection relies on an unelected individual.
 - Danger of overcrowding indicators if experts consider aspects important that are not covered in the codebook.
 - Hard to capture self-censorship via this method, except where it is already very widespread.
-
- Who is interested and available to do the analysis, and why?
 - How to identify suitable experts with sufficient knowledge who strive for academic rigor and objectivity (to the extent that is possible) rather than using the index primarily as an opportunity for activism.
 - Are there enough academics who work on academic freedom issues or would this community first have to be built and nurtured?
 - Ethical principles when collecting data; how to ensure safety of country experts.
 - How can experts understand the extent of self-censorship where it is not widespread and where no survey data exists?
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Table 8: Pros and Cons of Expert Assessments for the Measurement of Academic Freedom.

Logistical problems that must be considered include the cost of paying for high-quality analysis by multiple country experts and the length of the process, which might lead to the publication of outdated reports. It remains to be seen whether suitable and reliable experts can be identified in all relevant country contexts for a new index on academic freedom. Training might be required for those experts specialized in one aspect only, such as human rights violations, so that the country experts do not overlook the other facets of protecting academic freedom. Some might see their task in terms of advocacy rather than rigorous analysis. Building up a network of dedicated academics with sufficient knowledge on both the different country contexts and the three dimensions of academic freedom is thus a necessary condition for success.

4. How to Build an Index on Academic Freedom

Based on the methodological considerations summarized above and with an eye on the overall aim of developing an index that produces meaningful results for both research and advocacy while also being feasible to implement, the expert consultation in Cologne concluded with a number of recommendations. The overall approach is illustrated in the extended visualization on page 26.

As discussed in chapter three, it is challenging to collect comparable and representative data for a global index on academic freedom and political repression in the university sector. Having carefully considered the challenges, however, we have come up with a reasonable and achievable multistep process. We view interpretation and contextualization of the collected data as an indispensable step prior to ranking countries' or universities' performance on academic freedom. Numerical scores should never be based merely on quantitative comparisons but on a careful assessment of data and on qualitative judgement. This is why we recommend expert assessments as the central measurement approach for the proposed index.

The advantages and challenges of expert assessments were discussed in the previous chapter and need not be revisited here. Suffice to say that the methodology allows for both *de jure* and *de facto* analysis, and it ensures that available empirical data is appropriately contextualized prior to being translated into a numerical score.

When compiling assessments, country experts should follow a detailed codebook that identifies relevant aspects of academic freedom in the form of focused questions on infringements of academic freedom and assigns numerical scores to ideal-type descriptions of different grades of infringement. The experts would not only submit the numerical scores but reports that analyze the state of academic freedom in a given country, providing detailed evidence for each assigned score. The produced country report should be peer reviewed.

Building upon the methodological discussion in chapter three of this report, the expert assessments will be informed by available empirical data. Legal analysis will be conducted in all country contexts and this data will be supplemented, wherever available, with a rigorous analysis of events-based data. Where sufficient resources exist, and political as well as security situations are conducive, country experts can also conduct surveys or focus group discussions to generate additional data on the experiences and perceptions of academics themselves and on soft forms of repression that are not adequately captured by available events data. Events data gathered through media analysis, as well as relevant journalistic reports may also inform experts' assessments. Unverified or tendentious data is excluded from the analysis.

It is important to keep in mind that the index can and will be politicized; since it is an instrument that is intended as a tool for both research and advocacy, it will not be value neutral. It is therefore imperative to be open about what it seeks to achieve

and how it seeks to do so. Transparency about its methodological aspects and the data collection itself will strengthen the index's credibility and legitimacy. Transparency will also allow scholars and advocacy groups to make well-informed decisions about when and how to use this instrument. Since the proposed index relies heavily on the assessments of individual experts, the project's success hinges on their expertise and scholarly integrity. Accordingly, the highest academic standards of peer review and methodological transparency must be met. Numerical scores will have to be published together with the underlying assessment so as to facilitate scholarly scrutiny.

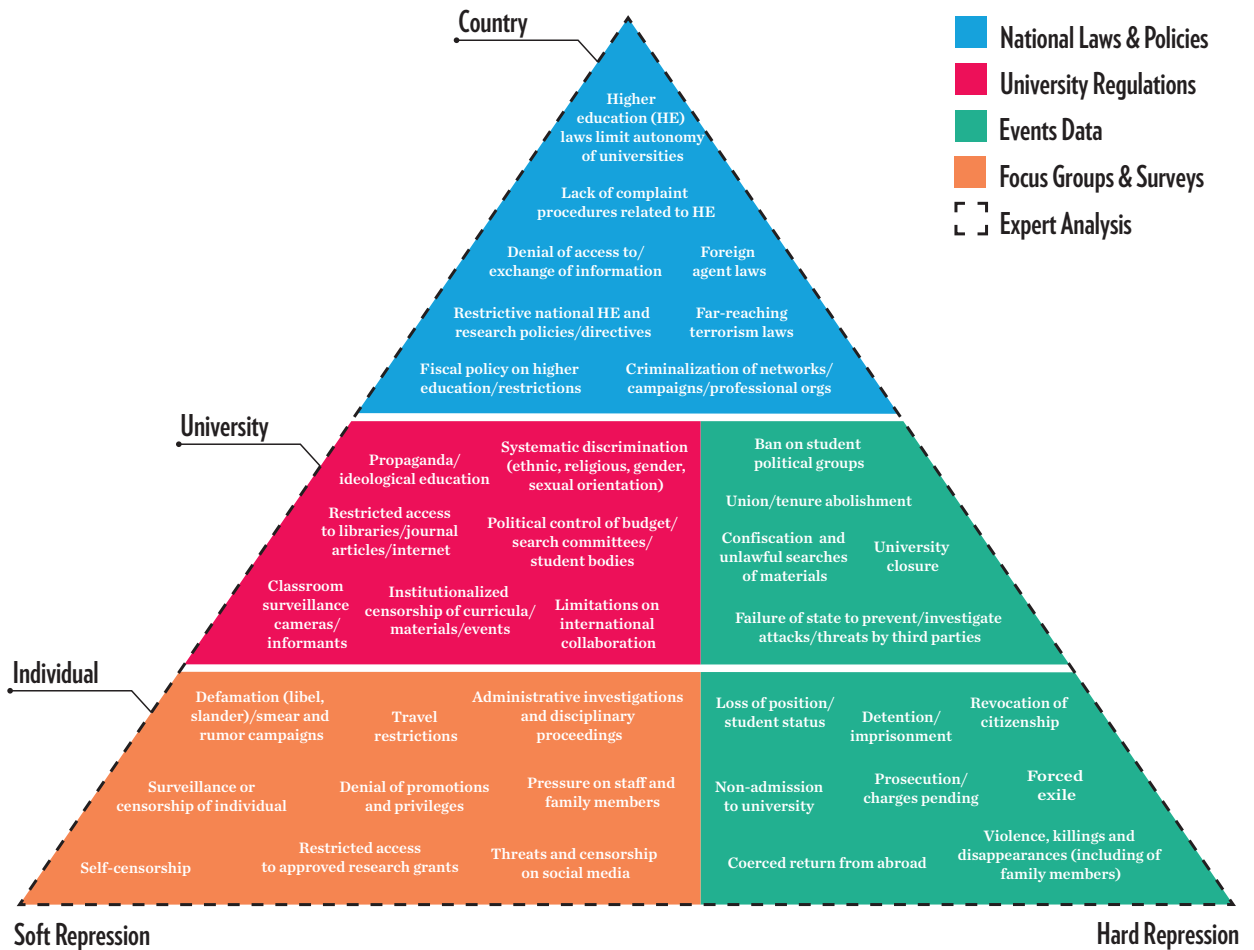


Figure 2: Data Sources on Political Repression in the University Sector.
Schematic Image, Overlap of Data Sources not Visualized.

The proposed methodology, resting on expert assessments, could build in a comment period allowing for the submission of clarifications, missing data, or rebuttals by the responsible government, typically by the ministry of education. The incentives to correct a less than flattering assessment can make this feasible, and advertising the attempt to gain feedback from the responsible government would add to the credibility of assessments.

The final ranking will be based on aggregated scores. These scores typically spread much wider and faster than written content that explains and contextualizes the underlying data. While there is a risk in publishing aggregated scores, there are also important advantages, especially in terms of communication and accessibility of the results. To counterbalance the shortcomings of aggregated scores, all component scores should be published so that any numerical score can be reviewed and scrutinized.

The next major step towards a new index will consist in developing a codebook that operationalizes all three dimensions of academic freedom. A detailed and practical codebook is highly important because it provides direction for all involved country experts. As such, it strengthens the comparability of expert assessments and, by extension, numerical scores.

Prior to a global assessment, a draft codebook should be tested in a small number of pilot studies. The results of the pilot phase should undergo an expert validation phase. This approach will ensure methodological coherence and clarity, as well as feasibility in terms of implementation. To assess the codebook's practicability across the full range of countries, pilot cases should be selected with a view to maximizing variance between the assessed country contexts.

5. How to Build an Incentive Structure

Developing a global index on academic freedom and repression in the university sector is an ambitious goal without a doubt. As argued above, we maintain that the methodological challenges can be resolved. The main challenge, then, is to develop the right incentive structure for academics to participate in the data collection.

Salaries or stipends for paid researchers would be a strong incentive, but not without serious problems. These include quality and bias risks with researchers motivated by economic gain rather than the academic merit of the project, although these could be mitigated with proper screening and oversight. More difficult would be the problem of cost: adding substantial salaries or stipends for researchers would undermine the feasibility of a global measure that can capture a large sample of countries and be repeated regularly.

While some costs for researchers might be necessary – for example for researchers in under-resourced higher education communities – these cannot provide the primary incentive. Incentives for voluntary participation are essential. It can be assumed that all academics have an intrinsic interest in upholding academic freedom. This interest, while important, might not be sufficient to spur voluntary and sustained commitment to meticulous data gathering and interpretation, as these tasks are labor-intensive and time-consuming tasks.

Non-monetary incentives for volunteers could take various forms. Since most volunteers will be academics, one promising avenue to pursue would be the setting up of a publication structure in collaboration with renowned universities and affiliated publishing houses. A rigorous peer-review process should be put in place that will ensure the quality of the country assessments submitted by experts. This would not only ensure that the highest academic standards are met, but will also provide scholars from around the world with an opportunity to publish peer-reviewed analyses. This incentive could be further enhanced by collaborating with established journals that might be able to publish special issues or a regular co-authored article whenever new index results are available. A collaboration with a peer review recognition initiative such as Publons would allow those scholars who support the index in the review process to turn their contribution into a measureable output, thereby enhancing their academic careers.

To widen the base for volunteer support and engage another affected population, namely students, teaching curricula could be developed with the aim of providing students with the capacity to undertake empirical research on academic freedom. The teaching curricula would foresee hands-on skills-building exercises through which students would learn about empirical social science research and about academic freedom. Further, they would, ideally, contribute valuable data that could be reviewed by experts who write the country assessments. To this end, detailed teaching materials can

be developed that explain methodological issues. Students would gain academic credit points and teaching personnel would receive tested teaching materials. The incentive for students could be further strengthened by utilizing the institutional cooperation mentioned above, notably if students could gain credit points from renowned partner universities for conducting research and gathering data.

We believe that such measures would help advance the necessary condition for success: the development of an academic community that is aware of academic freedom issues and committed to repeated rounds of data collection and indexing.

6. Outlook: Impact on Academic Freedom

The creation of an index on academic freedom and political repression in the university sector, the repeated data gathering, and the publication of results will bring together and engage scholars from around the world. A new community will be formed and nurtured, as the index will help set the topic of academic freedom on the agenda of international, national, and university politics.³⁷ Wherever the state of academic freedom is unclear and therefore not a matter of academic and public discussion, the index will help shed light on repressive structures and their underlying dynamics.

It will do so by introducing a nuanced and multidimensional understanding of academic freedom and repression as well as by helping to explain how repression functions in practice and how it is used by political actors. It will highlight the countries in which academic freedom is particularly under threat. The country reports will identify specific infringements and lines of responsibility, thereby calling on decision-makers to better protect academic freedom.

A more nuanced empirical understanding of academic freedom and political repression in the university sector will allow scholars to advance research on important topics, such as the determinants of academic freedom as well as academic excellence.

One of the central functions of the index will be facilitating a global debate on academic principles. The index will redefine academic reputation as a combination of academic excellence and academic freedom, rather than as excellence alone. Current university rankings will be challenged to feature academic freedom more prominently in their analyses. Where this does not happen, the index will give advocates a useful tool to point to this shortcoming.

By changing the reputational criteria of what makes a great university, the index can influence the recruitment of scholars to universities in repressive contexts, introducing reputational risks for individual scholars that disregard academic freedom in a given context (either consciously or unconsciously) when being offered lucrative positions. The reputational aspect will likely also impact transnational academic cooperation and the establishment of external campuses.

The index will support funders of academic research in making decisions on how to minimize any unintended negative impact of international research collaboration. One possible outcome could be the use of essential element clauses in transnational academic collaboration, which require partner institutions to respect, protect, and fulfill academic freedom. Importantly, the index will serve to raise awareness about issues around academic freedom among academics. This will enable scholars to be

³⁷ On the emerging politics of international rankings, see Alexander Cooley and Jack Snyder, *Ranking the World. Grading States as a Tool of Global Governance* (Cambridge: Cambridge University Press, 2015).

better prepared when working or interacting with scholars from other countries. Even where academic freedom can be considered unrestricted, the index will reassure both the public and academics and serve as an early warning system should circumstances change. Where a negative trend is emerging, the index will spotlight such developments and serve to initiate public debate and enable scholars and civil society to respond in a timely fashion.

Where repression is widespread due to a lack of capacity in realizing academic freedom, the index and the resulting research will be an important tool for targeted capacity development. Recommendations for remedying a negative situation will also create demand from inside the system to initiate transformative dynamics in practice.

In contexts where repression in the university sector is a deliberate policy choice, the index will increase the political cost by introducing a new reputational risk and by empowering actors that resist infringements of academic freedom. In these situations, the index will also help to tailor pressure on the basis of empirical data and to prevent the emergence of new, more covered forms of repression by indicating negative developments.

An index on academic freedom will change the way scholars interact across borders, strengthen a global community that is committed to academic freedom, and protect universities from being coopted for the purpose of political repression.

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8. Annex

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