

THE CHRONICLE of Higher Education

THE CHRONICLE REVIEW

The Criminalization of Knowledge

Why the struggle for academic freedom is the struggle for democracy



Erhan Arik, NarPhotos, Redux

Hundreds of people gathered in an Istanbul park last year to protest government actions, including the oppression of academics.

By *Judith Butler* | MAY 27, 2018

So many scholars find themselves subject to censorship, imprisonment, and exile. They have lost their positions and worry whether they will ever again be able to carry on their research and their teaching.

They have been deprived of their academic position because of their politics, or sometimes on the basis of conjectured or attributed viewpoints and affiliations they do not have.

They have also lost their vocation. An academic position can be lost for many reasons, but those who are forced to leave their country and their position of employment also lose their communities of belonging.

A vocation names the accumulated history of a life of research, its direction, and its commitment: One thinks and studies a certain way, one is dedicated to a form of inquiry and a community of interlocutors and collaborators. A faculty position makes it possible to pursue a vocation; it provides the crucial support for writing, teaching, and research; it pays the salary that frees up one's life to pursue dedicated work in one's field. Scholars in exile lose their ability to work in their own language in their own country; they lose the power and freedom to pursue their passion, their commitment, the trajectory of their lives.

An academic career can be destroyed by universities or governments on the grounds that the content of the work, real or imagined, is determined to be a threat to existing powers. Perhaps it was the syllabus for a course or the topic of a supervised dissertation that

brought down the wrath of the state; or perhaps it was the political positions one has taken within the university or outside its walls — unionization, demilitarization, opposition to nationalism. Those positions are distorted by the censors and by those with the power to destroy a career and expel a citizen. One's real positions are exaggerated, demonized, and sensationalized. A call for democracy is interpreted as sedition; a call for peace mutates into an alliance with terrorism; a call for freedom is taken to be a call to violence.

As we know, the actual political viewpoints for which scholars are punished can be directed toward a government or its policies or toward a university and its unfair practices, its modes of exploitation, its use of the security police and surveillance to quell open inquiry and public discussion, or its ties to corporate or state interests that lead it to police its faculty. And we know that censorship and dismissal can come from the university, or the regional government, or the state, or a complicitous alliance among these authorities.

The punishments take many forms: incessant harassment, threats of violence or actual violence, blacklisting, surveillance, overt or covert censorship of publications, internal hearings or public trials with no due process, open threats, dismissal from the university, expulsion from the country. Take the two decades of legal persecution against Pinar Selek, faulted not only with teaching and advising on the Kurdish question in Turkey, but falsely associated with an explosion in a market for which no evidence established her guilt. At the Federal University of Bahia, in Brazil, at least three faculty members in gender studies were threatened with their lives for working on the controversial topic of the gendered division of labor in the workplace. Or consider Mohamed Habibi, in Iran, whose support of teacher unionization landed him in prison. We must affirm a commitment to those individuals who suffer in all these ways.

Let us consider the difference between academic freedom and rights of political expression — for, as Joan Scott has made clear, they are not the same. Academic freedom belongs to faculty members within universities who have been appointed for the purpose of teaching and pursuing knowledge. Political expression is the right of citizens to expound upon political viewpoints as they please. They converge

when academics who speak "extramurally" suffer retaliation or punishment within the university or are threatened with the loss of their positions. Thus the rights of academic freedom and extramural political expression require institutional structures and support within the university, and they require an explicit and enduring commitment from universities. Indeed, the task of the university is undermined when either of those freedoms is imperiled. And though each case of a scholar at risk is distinct, all are bound together by the failure of universities to safeguard those two freedoms. Universities have an obligation to resist forms of external intervention that seek either to control the course of academic inquiry or to punish extramural speech.

The International Association of Universities has argued that it is a central obligation of universities to protect academic freedom and to protect and promote those forms of inquiry, however agonistic, that allow for knowledge about the world in its many vicissitudes. Let us add to that a second principle: that scholars ought not to be subject to censorship or retaliation on the basis of their political expression within the public sphere.

If and when the government or any other external power intervenes with political interests in the university to mandate or censor its curriculum, its direction, its standards, then the autonomous judgment of the faculty is undermined, and knowledge is restricted and distorted. The exercise of the freedom to think becomes punishable under such conditions. And when administrators ally with those external powers, they participate in the destruction of their own institutions — for they are restricting the open-ended inquiry that defines the very specific form of freedom we call "academic," and withdrawing the infrastructural support it requires.

Further, academic freedom presumes and fosters contesting intellectual views because only through open and engaged contestation does thinking become more nuanced, more grounded, more persuasive, more closely allied with the pursuit of truth. When, through censorship, that vital contest of viewpoints is cut short, so, too, is the critical potential of thought that the university is obligated to keep alive.

Academic freedom and freedom of expression are not the same. The professional activities pertaining to one's academic position should be protected by academic freedom. The extramural utterances any of us make about the world we inhabit, the institutions in which we work, or any matter of public concern should be protected by rights of free expression. This does not mean that academic freedom permits any kind of expression in the classroom, nor does it mean that all political utterances are equally protected as legitimate political expression. But however internally complex these rights are, and no matter how open-ended the debate about their limits and meanings, they constitute principles that must be defended.

Indeed, the open debate about their meaning and limits should be one way that we both enact and defend those principles, for an open-ended contest of ideas is precisely one of their aims. Here we are concerned with those forms of expression that are considered so threatening to an existing power they result in detention, threat, termination of employment, and forced exile. Such punishments are meant to strike terror into the hearts of those who might consider taking a public and critical stance against established authorities in the future. The wall between academic freedom and political expression is porous; it is punctuated by windows and doors. The exterior light casts its shadow within, and the work inside often spills into the halls and into the streets outside. Those vital forms of passage characterize a good academic seminar.

A consideration of these two freedoms elucidates the global obligations of universities to oppose censorship, the criminalization of knowledge, and the destruction of the vocational life of those who come under attack for their real or imagined viewpoints. Universities have obligations to many publics; not only to their local, regional, and national communities, but also to the broader global community, in part because research now depends on exchange, translation, and international publication. We need a global commitment to international norms of academic freedom, which means strengthening the powers of public responsibility, including the power to censure, among organizations such as the International Association of Universities and the European University Association.

Only an expansive and vigilant global solidarity among institutions of higher education can illuminate and defend these two interlocking freedoms, resist the persecution of scholars, and stem the tide of growing anti-intellectualism and censorship, the shameless contempt for those who tell the histories of the subjugated. By insisting on the freedom of thought, we support those who would question the legitimacy of unjust political forms — including the political structure of the university itself when it offers its fate to corporate interests or state powers. We support those who contest established beliefs in racism, misogyny, and the exploitation of workers; those who think critically about authority, power, and violence; those who struggle for the unionization of academic work; those who refuse to ratify state ideologies.

Academic freedom is a right, a power, within the university only to the extent that its exercise is institutionally supported and guaranteed. It is not precisely an individual right — it is not a personal liberty — but emerges from the compact made between institution and faculty member. In fact, it is a compact among the academic researcher, the university, and the state, for the state must accept the academic freedom of institutions and agree to restrain itself from intervention into matters that only those appointed within the university are entitled to decide. Conversely, when scholars speak out on matters of public concern, they are exercising extramural rights of expression that ought not to bear upon matters of academic review.

Since scholars are also citizens, academic freedom includes the provision that academics are entitled, like all citizens, to engage in political expression. When extramural expression takes the form of political dissent against authoritarian regimes, the university has an obligation not to let the state inside the door of the university to quell that speech. The resistance of the university to external political interference demonstrates the relationship between academic freedom and the idea of the university as a sanctuary. Sanctuary is a vanishing ideal within the new security state, one worth reanimating not only for scholars at risk but also for the undocumented and those who engage in political dissent — in other words, for all those who have reason to fear the state by virtue of their precarious position.

Censorship has of course silenced critical voices and destroyed careers. And yet censorship as a form of power shows its weakness. Indirectly it admits the deep fear that censoring authorities have of the power of speech, of critique, of open-ended inquiry. We can see that overtly authoritarian regimes — and they seem to be on the rise — permit open critique of the government only when they are sure that critical thought has no political power. Censorship is always an indirect confession of fear. The censor exposes himself as a fearful being. He fears speech and seeks to contain it. His fear attributes to his opponent's speech a power that it may or may not have. Fearful, he seeks to produce fear in others. And when the censors start to come after the seminar, unionization, heterodox views, or new forms of study that call into question economic and social domination, then we are getting the message: They fear the political power of thought in speech. They fear that critical inquiry sustained by academic freedom can embolden and refine the contestation of political authority. Are they right?

In a sense, yes. Authoritarians have grounds to fear both academic freedom and the freedom of political expression. These freedoms can flourish only when the state is restrained from punishing academic work regardless of how it represents the state, and only when the state refuses to take retaliatory action against political dissidents. So a regime that opposes freedom has every reason to fear those who claim both sorts of freedom.

Although academic freedom and freedom of political expression are not the same, punishing academics for their real or imagined political power tells us something about the role of universities within democratic life. Universities produce ideas that have a life of their own; the free circulation of those ideas is part of democratic political culture, and the protection of that circulation is an obligation of democratic societies. Perhaps the structured form of conflict that defines academic freedom implies a broader conception of how to approach conflict resolution in other domains. Scholars invariably disagree, and their disagreement is crucial to the growth of new fields and new knowledge. Cultivating productive forms of conflict is what we seek to do both within the walls of the university as we pursue knowledge and outside those walls as we engage in furthering democratic practices of debate and contestation within the public sphere.

When 1,128 of our Turkish colleagues signed their Petition for Peace, in 2016, they sought to reanimate a diplomatic negotiation between the Turkish government and the Kurdish political movement. They called for more speaking between the two sides. They opposed violent conflict. They asked for a dialogue that would be open, difficult, and oriented toward making violence a thing of the past. But for the Erdogan regime, the call for peace could only be construed as an alliance with Kurdish militants. The signatories were accused of making terrorist propaganda. The Turkish regime insisted that the effort to break out of a framework consisting of two violent positions and nothing more — the effort to imagine peace — was itself part of the logic of war. More than 69,000 students are now behind bars; more than 5,000 academics have been purged from their positions. Fifteen universities have been shut down.

And when Palestinian and Israeli scholars call for the end to the occupation, or when they affirm the Palestinian right to political self-determination, even the right to return, or call for a boycott as a nonviolent means to bring Israel into compliance with international norms, why are they not regarded as searching for a peaceful resolution to a continuing form of colonial rule? Instead they are accused of treason, of seeking a violent overthrow of the state. For those who are at war, for those who cannot think outside the framework of war, the critique of war can be heard only as a war cry.

And what about the Iranian scholars who have been jailed or expelled? Or the threat to higher education in India, where support for the rights of the Dalit can land a scholar in jail? What we call open debate or freedom of speech is cynically misconstrued as an excuse, a ruse, an instrument for an opposition party to destroy the state. Authoritarianism is fueled by the desperate passion to amass power and to silence politically oppositional speech before it has a chance to be heard.

Academic freedom relies on democratic public institutions committed to the principle of nonintervention by states, religious authorities, and corporate powers in the production and dissemination of knowledge. Thus the struggle for academic freedom belongs to the struggle for democracy. Academic freedom belongs to the university, and yet universities belong to their locations and polities. The walls are more porous than legal distinctions sometimes allow.

What the authoritarian fears is that open discussion in a university seminar will move outside those walls. They are right to fear the circulation of ideas, which are unpredictable and uncontrollable. And they are right to fear those ideas that contest the legitimacy of authoritarian rule, or fascism, or racist regimes, since once the unjust character of those regimes is openly demonstrated and discussed, once public life is given to those forms of intellectual critique, people may well identify and oppose unjust rule and rise up to demand the end to injustice.

This leads me to a final question: What obligations do governments and institutions have toward those who have been forced to leave their scholarly careers, their homes, their networks of kinship and their friends, their countries, for fear of persecution or arrest on the basis of their real or imagined political views? The task is, in part, to fortify national organizations dedicated to defending academic freedom, which includes the right to extramural political expression. Another task is to build transnational ties, new modes of cooperation that share wealth, workspace, community, and which give scholars at risk a new way to imagine and pursue their vocational future. We should create the widest possible network of solidarity dedicated to the right to think and speak.

Together we must think further about the financial and institutional support to be offered to scholars who have lost the guarantee and the conditions upon which freedom — both academic freedom and freedom of political expression — relies. A multilingual and multiregional alliance is called for, one that provides sanctuary when universities or governments become persecutory, that supports freedom of expression in the face of its criminalization. Against the persecution of the free mind, which ruins a vocation and exposes a life to destitution, we must form a vital solidarity. We must work together with scholars at risk to make public our judgment of injustice and persecution, one with the power to unleash freedom as a contagious ideal that deserves a vigilant safeguard.

Judith Butler is a professor of comparative literature and critical theory at the University of California at Berkeley. This essay is adapted from her keynote address at the 2018 Scholars at Risk Global Congress, which was held on April 26, in Berlin.

Copyright © 2018 The Chronicle of Higher Education