

## **INTRODUCTION**

# **PROGRESS UNDER THREAT ACADEMIC FREEDOM IN ASIA**

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Perhaps the most profound discovery of the Enlightenment was that of the depth of our collective ignorance. Ever since, the academy has served as a unique community from which to probe that ignorance in the hope of arriving at parcels—even if they are only fleeting—of genuine knowledge. This is no humble aspiration. Knowledge generated within the academy has fundamentally transformed the way modern civilizations live and how they interact with their environment. The power of knowledge is the reason why nearly all parents, leaders, and dreamers hold scholarship in high esteem. It is also why governments around the world invest in the capacity and the prestige of their academies.

The academic pursuit, however, demands unrestricted inquiry and interrogation, even on topics that are unsettling and on truths that may seem self-evident. In the absence of such debate, scholarship ceases to be a pursuit of knowledge and risks devolving into run-of-the-mill dogma or, when wielded by the state, a tool for propaganda. In recognition of this danger, scholars and scholarly communities have long called and organized for a high bar of academic freedom.<sup>1</sup> Likewise, the international community recognizes the importance of academic freedom as it has been enshrined in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social, and Cultural Rights. Under these institutions, states are obligated to refrain from directly or indirectly threatening academic freedom, to protect higher education communities against such threats, and to promote cultures of free academic inquiry and expression.

Despite such affirmations, the ideal of unrestricted academic freedom has been under attack from its very inception. Religious groups, ideologues, and even well-meaning citizens routinely sacrifice academic freedom in exchange for convenient narratives, private agendas, or the simple comfort that comes with avoiding unsettling topics. Governments, for their part, have routinely tried to co-opt and exploit the academy in the service of political and national ambitions. In Germany, where academic freedom was first codified as a collective principle in the early nineteenth century, the Third Reich warped its academy to affirm racist political theories just over one hundred years later. Throughout the twentieth century, Marxist-Leninist states, though they espoused liberation through education, demanded scholarly consensus in support of national ambitions. Even in the United States, which gave birth to a tenure system that aims to empower teachers and scholars with academic freedom, these protective institutions have come under frequent stress and continue to be tested.<sup>2</sup>

Around the world, higher education communities are facing more frequent threats and attacks from state and nonstate actors, including armed groups, security forces, government litigators, politically active civil-society and student groups, and colleagues within their own institutions. In the most severe instances, these attacks involve killings, injuries, and arrests. In many others, they include harassment and costly litigation. In each instance, such attacks undermine not only the freedoms of those they directly impact but those of the entire intellectual ecosystem. Ultimately, attacks on academic freedom violate all of us by standing in the way of the academy's mission to question and inform the social, political, cultural, and economic base of knowledge from which we all benefit.

## **Asia at a Crossroads**

In few places is the tension between a desire for academic progress and the threat to academic freedom more pronounced than it is in Asia today. On the one hand, countries in Asia have been keen on growing their intellectual footprint, both as a way of contributing to national development and security strategies as well as a means of retaining their most talented young minds who are otherwise likely to seek education and employment abroad. This push has manifested in several ways, including increased spending on higher education as well as schemes for repatriating and attracting talent from abroad.

Thanks to these investments, universities in Singapore, Japan, and China have joined the ranks of the world's top schools. Asian researchers are also making their mark across disciplines in the sciences and the humanities, contributing an ever-growing share of global patents and publications.<sup>3</sup> Across the region, higher education is increasingly seen not only as a tool for development but also as an instrument for garnering international prestige and bolstering national soft power.<sup>4</sup>

In short, Asia's universities are contributing to and symbolizing the region's growing influence.

At the same time, threats to academic freedom in Asia remain prevalent and widespread. These threats run the gamut from state repression to informal societal pressure; they even include betrayal in the classroom. Some threats, like the risk of losing state funding or promotion, are common and familiar across the region. Others, like Pakistan's brutal anti-blasphemy laws,<sup>5</sup> are concentrated in parts of Asia where scholars already work under dire conditions. Across the region, new laws against spreading rumors and misinformation on the Internet are cropping up, offering authorities novel and often unchecked power to suppress and sanction critical perspectives.

In terms of size, scope, and depth, academic freedom has arguably suffered the greatest under China's authoritarian leaders. China's uncomfortable relationship with academic freedom is nothing new. The Great Firewall has long been a barrier for Chinese scholars and students seeking to access global knowledge sources, including academic search engines like Google Scholar. Yet, under the current Xi Jinping administration, the space for international collaboration and foreign scholarship has been greatly diminished,<sup>6</sup> authorities have issued blanket warnings against critical scholars,<sup>7</sup> and regime leaders have called for thorough campaigns and party building on university campuses.<sup>8</sup> Increasingly, Chinese censors have sought to assert their weight more globally, pressuring international publishers to edit content if they want access to the Chinese market while intimidating teachers and students, both in and outside the PRC, with laws that criminalize sensitive discussions on China.<sup>9</sup>

While foundations for academic freedom are considerably stronger in the world's largest democracy, the current leadership in India is widely seen as hostile to critical scholarship and free expression. More frequent use of India's Unlawful Activities (Prevention) Act, alongside limits on international collaboration, has substantially curtailed the space for scholarship that is critical of the regime and its policies inside India.<sup>10</sup> Indeed, the broad scope of these measures impacted the production of this volume as well, with an important chapter on India being withdrawn late into the review process due to a steadily worsening situation on the country's university campuses.

Across the region, academic freedom is also under threat from ultra-conservative elements within domestic society who have trained their sights on liberal and outspoken academics, often with active complicity or quiet acquiescence from university administrators. In Thailand, royalist groups openly harass students and academics they see as antimonarchy.<sup>11</sup> Japanese historians critical of the country's wartime experience have long been the target of conservative activists.<sup>12</sup> Meanwhile, a rising Hindu-nationalist movement has

pitted far-right groups against liberal intellectuals and students on campuses in India and abroad.<sup>13</sup> Conservative groups in Indonesia have become increasingly brazen in their attacks on liberal scholars across a wide range of issues, from religion and communism to those issues related to the LGBTQ community and climate change.

Across much of Asia, these societal forces operate with tacit support or coordination from political parties and government agencies. Hindu nationalists, for instance, emboldened by Bharatiya Janata Party (BJP) governors and their student-led branch, the Akhil Bharatiya Vidyarthi Parishad (ABVP), now have a presence across Indian universities and even some foreign campuses.<sup>14</sup> In Japan, conservative groups are intermeshed with elites in the ruling Liberal Democratic Party (LDP) as well as those holding the keys to research funding and major media outlets.<sup>15</sup> In mainland China, and even in classrooms abroad, student informants, loosely tied to Chinese Communist Party organizations like the United Front, are tasked with observing and reporting on their teachers and peers.

Increasingly, attacks on academic freedom are aided by the removal of legal protections. In the Philippines, former President Rodrigo Duterte's administration revoked a long-standing prohibition against security forces on university grounds.<sup>16</sup> Academic freedom is also being curtailed by new laws, such as online "fake news" restrictions, that give the state sweeping prosecutorial powers. As noted earlier, Hong Kong's National Security Law (NSL), adopted in June 2020, gives Chinese authorities a legal framework for encroaching on academic freedom in an extraterritorial manner that puts both scholars and students at risk, irrespective of their location or their citizenship.<sup>17</sup>

Despite these disturbing developments, Asia is also unique insofar as threats to academic freedom have been prosecuted in ways that help preserve academic prestige and institutional ranking in some areas, even as basic freedoms are denied in others. As such, the subversion of academic rights in Asia represents an existential test of whether academic freedom exists as an immutable concept for all or as a piecemeal offering granted to some disciplines and topics but not to others.

## **Asia as a Case Study**

Asia, as a region, has several other factors that make it a useful and diverse regional focus for studying academic freedom. Historically speaking, centers for higher learning in Asia are a relatively new institutional development, imported into the region over the last two centuries. In many cases, institutional legacies draw their lineage from systems used in Europe and North America. In Japan, for instance, the German approach to university structure and research was highly influential. By contrast, Thailand borrowed from French professional schools, while most of

the former British colonies adopted variations of the British system. For their part, communist block countries followed the Russian system, and it was only after the end of the Cold War that American standards for research, promotion, and tenure became widely understood and slowly incorporated.<sup>18</sup>

Asia is equally diverse in terms of its political institutions, with some of the world's most restrictive totalitarian regimes adjacent to its most robust democracies. Asia is also home to middling cases, whereby electoral democracy may serve as the process by which leaders come to power, but where single parties, dynasties, or individual personalities dominate the political and electoral landscape. As a region, Asia also contains substantial variation in terms of subnational structure, which, though highly centralized prior to the 1990s, now includes some highly decentralized federal states. Higher education institutions in Asia's more decentralized states, like Indonesia, are sometimes managed by different levels of the administrative hierarchy, resulting in unequal treatment and privilege. Likewise, state interference and violations of academic freedom can come from various levels.

The case of Hong Kong stands out as particularly complicated. As a British colony from 1898 to 1997, Hong Kong's universities operated under British norms and institutions. When Hong Kong was reabsorbed by China in 1997, Beijing promised to maintain those norms because it saw economic value in Hong Kong's prestigious academies. Even as Chinese authorities have diminished that legacy and exercised greater central control on Hong Kong's campuses, as with much of the rest of the city, the university governing structure has at times been a thorn in Beijing's efforts.<sup>19</sup> These unique histories make studying the state of academic freedom in the Asian region even more enriching.

Asia also hosts the world's fastest growing Internet population, and many of Asia's citizens, especially the young, are increasingly connected to social media and new media sources of information. All this has made it easier for scholars and students to access and express alternative views publicly, circumventing traditional obstacles to publication and, in some cases, even the censors. Digital platforms, however, as George et al. point out in chapter 4, can be "double-edged" insofar as they open access to information while at the same time enabling more surveillance of academic discourse and networking activity online. As Nugroho explains in chapter 6, social media also gives extremist groups a tool for sharing information and mobilizing against groups and individuals they find controversial or threatening. For scholars navigating Asia's digital landscape in the hope of sharing their views and fostering dialogue, the risk of being targeted for state surveillance or social harassment is difficult to avoid.

The tension between academic prestige and academic freedom is highly pronounced in many parts of Asia. Developing economies like China and Malaysia

are pumping substantial resources into their academies, with spending on higher education, as a share of GDP, on par with that of the wealthiest developed countries. These investments are complemented by widespread pressure and aggressive incentives for publishing and patenting within Asia's research centers. China, Japan, and South Korea respectively rank second, fifth, and eighth in Nature Index's table of leading countries for research output. At the same time, Asian countries also host an alarming number of academic repression incidents. As summarized in figure I.1, a plurality of reported academic freedom violations, as reported by the Scholars at Risk Network, occurred in Asia.

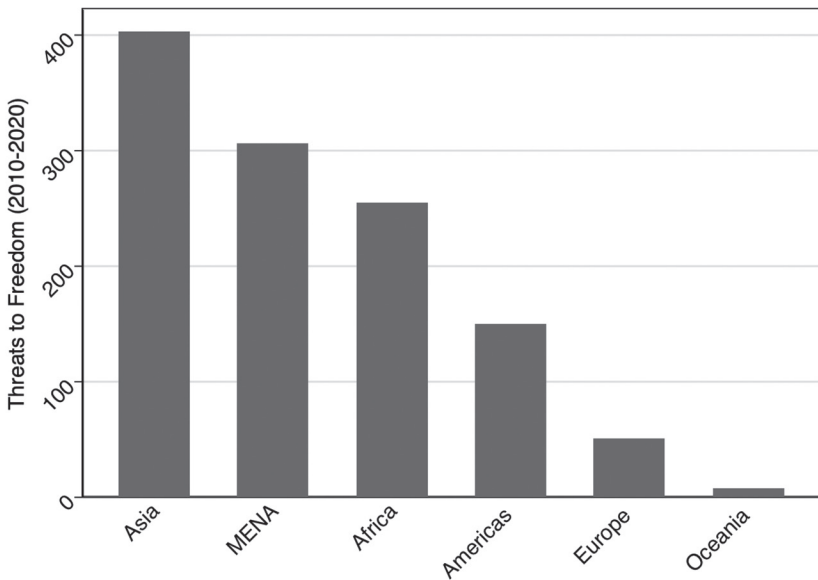


Fig. I.1. Regional threat to academic freedom. Data compiled based on aggregate case records reported by the Scholars at Risk Network between May 2013 and March 2020.

While the quantities are themselves disturbing, the details of these incidents reveal an even more upsetting trend. As figure I.2 summarizes, academic freedom violations in Asia range from extreme threats to physical integrity (killings, violence, disappearances) to more moderate constraints on activity (travel restrictions). Examining the frequency across categories suggests the more extreme of these violations have been increasing at a higher rate, indicating that the academic space is not only facing greater restrictions but that these restrictions are becoming more dangerous.

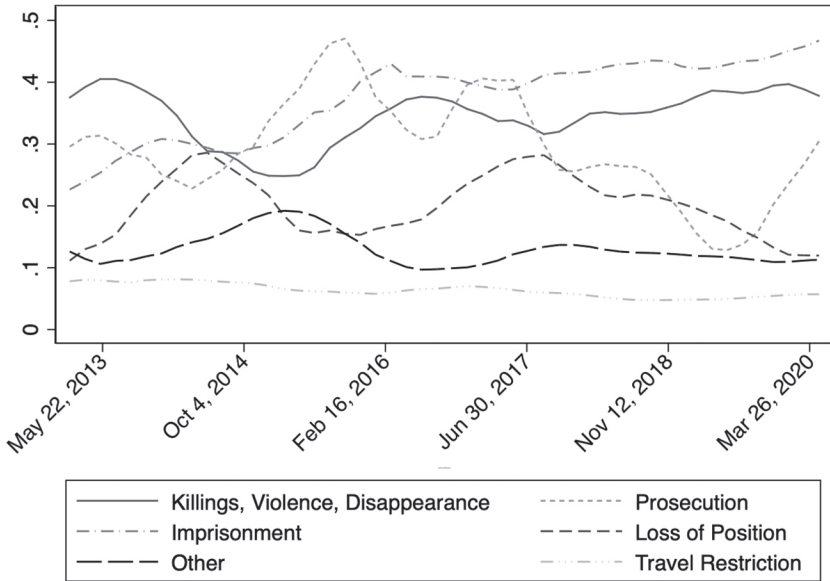


Fig. I.2. Trends in threats to academic freedom in Asia. Data compiled based on disaggregated case records reported by the Scholars at Risk Network between May of 2013 and March of 2020.

Consider countries like China, where authoritarian leaders are willing to engage in widespread academic censorship while at the same time funneling huge sums of money into research and development and higher education. China's research and development expenditures, for instance, saw a more than thirty-five-fold increase from 1991 to 2018—from \$13.1 billion to \$462.6 billion USD. Roughly 7.5 percent of that investment went directly to academic institutions for basic and applied research. This puts China second only to the United States in terms of sheer size, and there is growing evidence that China's investments are paying off.<sup>20</sup> At the same time, prominent scholars have been detained and imprisoned, liberal think tanks shut down, and college curricula changed to suit political purposes.

### Studying Threats to Academic Freedom

Even though academic freedom represents a universal principle, its operation and integrity are best understood when they are contextualized within specific relational and institutional settings. Consider, for example, the right to unconstrained speech, a hallmark and aspiration of academic freedom for scholars around the world but

also a tool for provocation in some of the most open of societies.<sup>21</sup> More generally, it is often the case that academic freedom and its limits will vary according to local political constraints, cultures, and state-university relations. In that regard, our approach in this volume emphasizes and draws insight from a collection of case studies that span regional and institutional diversity.

At the same time, it is important to remember that academic freedom, because it is universally understood and valued, must also be interpreted in a comparative sense and with metrics that are both commonly accepted and mutually intelligible across cases. To that end, the volume involves a diverse range of methodologies that allow readers to triangulate across qualitative and quantitative data points. Katrin Kinzelbach's chapter, for instance, relies on data from the Academic Freedom Index, the most comprehensive measure of academic freedom currently available with the widest coverage across both countries and time. These data points offer a bird's-eye view of the state of academic freedom. When coupled with interviews, survey responses, and case records deployed in the accompanying chapters, readers can zoom in to cross-examine the individual metrics and reassess their significance.

The volume also tries to deal with some of the practical yet pernicious challenges to studying academic freedom. As noted earlier, the agents of intimidation are many, and they operate in nuanced ways. Pressure is often indirect and applied in ways that allow for plausible deniability. Was someone denied employment based on the sensitive subject they research or based on the merit of their CV? Was funding restricted in response to outside pressure or due to fiscal priorities? While there are certainly instances of brazen attacks and obvious violations of academic freedom, as this volume documents, there are surely many more subtle intimidations that go unreported and thus unaccounted for.

Our ability to observe and assess threats to academic freedom has a knock-on environmental effect. More open climates, where the discussion of academic freedom is more common, may paradoxically result in more openly expressed concerns about academic freedom than in comparatively closed climates where such discussions go unraised. This phenomenon has been observed in other contexts, such as in efforts to measure corruption via survey whereby perceptions do not correlate with objective measures of corruption.<sup>22</sup> Empirically speaking, this means that attempts to measure threats are inherently limited by observational constraints. This is true, to different extents, for both event data, which may be incomplete, and expert data, which is itself vulnerable to perception bias.

The observational challenge is further complicated by how fear and intimidation manifest within and across the academy. The NSL, for instance, has only been invoked in a relatively small number of cases, mostly against student protestors and notably against Professor Benny Tai, a legal scholar at the



University of Hong Kong.<sup>23</sup> Nevertheless, the threat remains, looming over the heads of scholars and students inside and outside Hong Kong, many of whom are understandably inclined to self-censor in response. Measuring self-censorship, however, is incredibly hard, not least because few people feel comfortable admitting it. Instead, cultures of self-censorship fester and drain the academy in plain sight.

In recognition of these challenges, the research strategy deployed in this volume triangulates between in-depth case studies and interviews, open-source archival data, and cross-national metrics of academic freedom. Case selection was also intentional, as we sought to include countries where intimidation is pervasive, even if explicit state censorship is used sparingly. Singapore and China are notable in this regard because both states have highly capable and discriminatory repressive institutions, but both exercise these institutions sparingly and often in inconsistent ways that leave scholars and students guessing as to when or why they might be the next target. This “anaconda in the chandelier” effect, as the sinologist Perry Link calls it, contributes to self-censoring behavior that augments the power of the state even further.

Explicit repression and implicit intimidation impact scholars and scholarship in nuanced and often unequal ways. By and large, research and discourse conducted by marginalized groups on issues affecting minority portions of the population tend to suffer the most. In China, scholarship, and even basic discussion, on issues related to the minority Uyghur population in Xinjiang is tightly controlled and limited to themes that are consistent with Beijing’s assimilationist policy in the region. At the same time, research on everyday corruption falls within a generally acceptable strand of scholarship, leaving China-based scholars with some breathing room to publish rigorous and often critical studies. How does one compare the scholarly effect of these unequal environments? How does one quantify the costs of knowledge that never emerged because no one dared ask a question or publish its answer?

To better capture both the stark and subtle range of threats to academic freedom, this volume brings together scholars who work on and in the region. The aim is not to arrive at full coverage of the region but rather to get a broad sampling of the threats it faces. As noted earlier, these chapters rely on both quantitative and qualitative methods to gauge and shed light on threats to academic freedom. The chapters also represent scholars from a wide range of backgrounds and positionalities, including some who are themselves operating under various degrees of vulnerability. Each brings forth unique insights on the state of academic freedom in Asia, and they are not always in agreement. It is thus only when each of the chapters are considered in concert that we start to get a better feel for the overall climate.

## Chapter Summaries

In total, the volume is comprised of five contributing chapters. In chapter 2, Katrin Kinzelbach provides a cross-national and cross-regional overview of academic freedom in Asia over time using the Academic Freedom Index (AFI), compiled under the V-Dem project. Disaggregating across sub-indicators of the AFI, Kinzelbach examines regional and country trends to isolate the dimensions of academic freedom that are most at risk as well as those that have undergone mild progress. This is an important contribution insofar as academic freedom as an ideal is rarely, if ever, realized, so focusing only on deficiencies discounts some of the hard-won victories that scholars, activists, and lawmakers in the region have achieved.

To be sure, the AFI measures have their limitations. For one, they are based on the perceptions of country experts whose frame of reference may reflect areas of scholarship or individual positionalities that do not reflect the overall scholarly environment. Expert assessments are also not entirely free from the observational and perceptual biases that afflict alternative metrics, such as surveys and interviews. Yet, while the AFI measures miss out on some of the nuance and selectivity with which academic freedom is compromised for different scholars and subjects, they do capture some of the less obvious but still consequential outcomes of unequal protections. As Kinzelbach points out, “Japan, a liberal democracy, scores lower on the AFI than South Korea and Taiwan, lower than some electoral democracies, and even lower than the Philippines (an electoral autocracy).”

This observation is consistent with Jeff Kingston’s discussion of academic freedom in Japan in chapter 3. Japan is a regional leader in many regards but a laggard when it comes to academic freedom, which Kingston describes as compromised by intimidation, isolation, and harassment. As in many other cases, threats to academic freedom in Japan are deeply rooted in the way academic institutions and academic funding are dependent on the state. Recent administrations, however, have exploited these points of leverage and combined them with media influence to wage a soft war on critical scholars and inconvenient discourses. Unlike some of the other cases, Japan’s scholarly taboos are also more explicit, and many scholars have become accustomed to *sontaku* (literally meaning “reading a situation and responding appropriately”). Those willing to accommodate political boundaries and priorities are invited to sit on academic advisory boards, or *shingikai*, which seem consultative in principle but are really intended to confer academic legitimacy to government decisions and directions that have already been settled.

For Kingston, revisionist efforts aimed at whitewashing Japan’s wartime record and promoting nationalist talking points have gained little traction among Japanese scholars. The majority who oppose revisionist views are called out as “anti-Japanese,” which to Kingston is ironic given that the patriotic nationalism

promoted by Japan's ruling elite does not resonate with the wider public. Equally concerning are the risk-averse, group-think tendencies that prevail in the Japanese academy because of a lack of diversity and debate within university leadership circles. At times, these tendencies have placed Japan's reputation as a science-driven society in jeopardy, such as when officials sought to hide monitoring data indicative of a nuclear leak following the Fukushima disaster or when they try to pressure international bodies to sideline scholars who are critical of Japan's government. In both instances, the further erosion of academic freedom in Japan threatens its academic standing along with its democratic principles.

In chapter 4, Cherian George, Chong Ja Ian, and Shannon Ang highlight another case where high academic prestige rests on a compromised foundation for academic freedom. Singapore ranks at the top of numerous academic rankings, across a range of disciplines including the sciences, engineering, and management. The problem, as George et al. explain, is that "global rankings considering such factors as publication counts, citations, the internationalization of students and faculty, and endowment size systematically overlook issues of academic freedom and political control, much less self-censorship." Indeed, as the authors argue, the Singaporean state is remarkably effective at gaming the academic ranking system in ways that mask the anemic state of academic freedom on its university campuses.

George et al.'s chapter explains how Singapore has managed to excel in the rankings while restricting intellectual freedom on politically sensitive research and teaching and also placing limits on the role that universities play as spaces for public discourse. These barriers inhibit the work of some scholars, while still offering others relative freedom and great resources. The broader impact on the scholarly community, however, is unclear. Focusing on a sample of nearly two hundred social sciences faculty, commissioned under the AcademiaSG survey project, George et al. show that about one third of respondents do not feel free to explore sensitive research agendas while a similar proportion report having been instructed (or knowing someone who has) to modify or withdrawal research findings for so-called "administrative reasons."

Those who buck the rules and cross the boundaries erected by the Singaporean government are often sidelined and blacklisted during political vetting in higher education hiring, promotion, and retention. In most cases, censorship occurs under vague terms, leaving scholars uncertain as to why exactly they were blocked or sanctioned. Still, some patterns emerge. Scholarship that attracts public attention is particularly vulnerable, as is scholarship concerning Singapore itself. Such patterns, as George et al. argue, have "nudged Singaporean academics and universities away from public scholarship . . . leaving many internationally competitive departments lack[ing] commensurate capacity in the critical study of their own country."

The strategic censorship approach observed in the city-state of Singapore is magnified many times over in the case of China, where limits on sensitive topics, disincentives for public engagement, and political interventions into the university administration exist on a much broader and more aggressive scale. Scholars and teachers in China face surveillance and scrutiny over their work, limits on their ability to meet with and collaborate with colleagues abroad, and are routinely obliged to participate in political education campaigns intended to impart on them the “proper” way of thinking and talking about China.

Increasingly, scholars who speak out against the oppressive environment are silenced and sanctioned. While attention has focused on the arrest and dismissal of prominent and outspoken academics, like Tsinghua University’s Xu Zhangrun, the risks extend to nearly all Chinese scholars and teachers, including those operating in previously more open societies, such as those in Hong Kong and Macao. In many instances, investigations and punishments begin with student informants who report on their own teachers and advisors. As Peter Hessler writes when describing his own plight in an issue of the *New Yorker*, it is almost impossible to anticipate when or why you might be reported on, but the risk is always present.<sup>24</sup>

In chapter 5, Jiang Jue explores the historical roots and psychological costs of student informants, which though they are not a new mechanism, are rapidly gaining traction in mainland Chinese classrooms as well as those in Macao, Hong Kong, and perhaps further out. Relying on semi-structured interviews with Chinese-based university professors, Jue reveals how teachers prepare for and cope with the risk that one of their own students may use their words or materials against them. The interview records also shed light on the motives that faculty members perceive are driving students to engage in this kind of behavior, from opportunism to retribution. For those who are reported on, there are few options other than to admit guilt and plead for mercy. University administrators, for the most part, are uninterested or incapable of standing up for their faculty.

As in the case of Singapore, some of the Chinese faculty respondents indicate that they feel less compromised by the student informant system, either because they have individual standing that shields them from routine scrutiny or because they teach on subjects that are unlikely to touch on political sensitivities. Still, there are many more that choose instead to restructure their classes and rephrase their lectures in ways that preempt unwanted scrutiny, offering instead what one respondent describes as perfunctory *shuikē* (water classes) that keep them safe but leave them intellectually degraded. Indeed, Jue’s carefully organized interview records reveal a deep sense of loss and emptiness among respondents who now face the prospect of careers spent avoiding and even hiding the truths they worked so hard to uncover. It is difficult to imagine how such a dynamic does not end up undermining higher education in China in the long run.

In contrast to the previous cases, Indonesia arguably represents somewhat of a bright spot with respect to academic freedom. As Nugroho describes in chapter 6, Indonesia is a unique case in which formal limits on intellectual freedom have been removed and rights to free expression have to some extent been strengthened as a result of democratization and constitutional reform.<sup>25</sup> Nevertheless, the academic landscape in Indonesia remains vulnerable to threats from informal (often populist) organizations set on silencing certain conversations. Meanwhile, the Indonesian government and institutions of higher learning have proven unwilling to intervene in defense of academic freedom. Indeed, Nugroho's research suggests that the situation on the ground may be worse than our best measures indicate, and that cases of academic suppression and intimidation outnumber those that have been formally documented.

While academic freedom in today's Indonesia is categorically stronger than it was under the authoritarian period, Nugroho's inquiry into taboo topics, agents of repression, and tactics of suppression reveals some continuities. Indonesia is a large, diverse nation of over one hundred million people who are spread across thousands of islands and who speak hundreds of different languages. As such, nation-building has always stood in the backdrop of politics, and the academy has often been called upon as an authority for defining what that nation ought to look like. Under different authoritarian regimes, the nation vacillated, often violently, to and away from communism while also struggling with how to engage its majority Muslim identity. While elections have swept away the authoritarian state, these pressure points remain. Military forces no longer police communities or campuses, but militia groups espousing religious and nationalist agendas have, in many cases, replaced them.

These informal vigilante forces are often local, but they still wield broad influence. Thanks to social media, militant groups are easily alerted to undesirable writings or viewpoints, and when they set their mark on academics and students, there is little to stop them. As Nugroho documents, university leaders have, for the most part, proven unable or unwilling to push back against these groups, while law enforcement prefers not to intervene. For scholars working on sensitive topics, such as LGBTQ-related issues and human rights, the overall climate is hardly improving. Even worse, new legislation, such as a recently adopted and vaguely defined Science Law, which prohibits work on topics that could threaten "national security" or "social harmony," risks further eroding Indonesia's newfound but highly fragile pillars for academic freedoms.<sup>26</sup>

## **Asia's Academic Freedom Trajectory**

Taken together, the chapters included in this volume reveal a complex environment where formal and informal rules about academic rights and responsibilities

often stand in opposition to one another. Each of the country cases covered in the volume has constitutional provisions that purport to enshrine and protect academic freedom, yet in each case, we also see instances in which these provisions are either ignored or superseded by new laws and regulations aimed at promoting political and national priorities. This tension is reproduced throughout the region. Take, for instance, Malaysia's constitution guarantees freedom of speech and inquiry, but the Universities and University College Act gives the government control over student enrollments, staff appointments, educational programming, and financing, while also forbidding students and faculty from getting involved in political activities or trade unions.

Across cases, we see governments actively undercutting academic freedom and institutional autonomy, as in the case of China, Japan, and Singapore, but also passively not intervening when societal forces threaten and harass scholars who are working on unpopular topics, as in the case of Indonesia. These patterns are unfortunately replicated in neighboring states. In Myanmar, military authorities invoked security provisions to arrest and suspect thousands of students and teachers who took part in or expressed support for anti-coup protests in 2021.<sup>27</sup> In India, the BJP government has repeatedly opted not to investigate or prosecute right-wing groups, like the ABVP, for attacks on university campuses in broad daylight.<sup>28</sup>

In most cases, university administrators sit in between external pressures from the outside and internal pressures from their faculty and students. When universities are given the autonomy to stand up and defend their communities, academic freedom, as shown in Kinzelbach's cross-national study, is often advanced. Even so, administrators, whether it is due to political or financial interest, can themselves become a source of pressure and intimidation. In many parts of Asia, rising corporatization, alongside dependence on state funding, means that university administrators are poorly incentivized and often underpowered to stand up and defend academic freedom.

The broader academic community looks at instances of academic suppression and intimidation with concern and outrage. Yet, it is unclear how much is being done in response. At the very least, global rankings for institutions of higher learning ought to penalize those institutions that fail to provide an open scholarly environment, even if they are well endowed and they turn out top-notch graduates. This, however, is not the case. As George et al. argue, world university rankings are themselves embedded in a monetized system that affords blind spots for the academic freedom shortcomings of otherwise elite institutions. Until measures like the AFI are incorporated into ranking systems, censorship, intimidation, and harassment will continue to carry relatively few costs.

When academic freedom is violated, the scholarly community cannot and must not look away. Those fortunate to live in open societies with robust legal and institutional support for free speech and free academic inquiry must show solidarity with colleagues abroad who lack those protections. They should also monitor their own institutions and hold their administrators accountable for the academic freedom standards they are tasked with upholding. As with any principled position, commitments to academic freedom cannot and should not be compromised, nor should they be taken for granted.

## Notes

<sup>1</sup> Examples of this include the charter of the American Association of University Professors, the Chicago Principles on Free Expression, and statements from various academic associations.

<sup>2</sup> Historical stress points include McCarthy-era purges against left-wing faculty and post-9/11 lawsuits against outspoken war critics. More recently, in states such as Texas and Florida, tenure provisions are being litigated in the courts. In many other states, legislation restricting certain subjects and books, such as those on critical race theory, from school curriculums is becoming commonplace.

<sup>3</sup> Based on Nature's Index on Research Output: <https://www.natureindex.com/annual-tables/2021/country/all>.

<sup>4</sup> Cheung, Anthony B. L., "Higher Education in Asia: Challenges from and Contributions to Globalization," *International Journal of Chinese Education* 1, no. 2 (2012), 177–95, [https://doi.org/10.1163/22125868-12340003\\_1](https://doi.org/10.1163/22125868-12340003_1).

<sup>5</sup> Section 295-C of Pakistan's Penal Code carries the death sentence or life imprisonment for anyone who "by words, either spoken or written, or by visible representation or by any imputation, innuendo, or insinuation, directly or indirectly, defiles the sacred name of the Holy Prophet Muhammad (peace be upon him) shall be punished with death, or imprisonment for life, and shall also be liable to fine."

<sup>6</sup> For example, Document No. 9, an expansive Chinese Communist Party directive issued in early 2013, was one of the first signals of a clampdown on scholarly discourse, followed by new laws on foreign entities and partnerships, including new rules concerning foreign travel and invited speakers.

<sup>7</sup> "教育部印发《关于破除高校哲学社会科学研究评价中“唯论文”不良导向的若干意见》的通知," Ministry of Education, December 7, 2020, [http://www.gov.cn/zhengce/zhengceku/2020-12/15/content\\_5569588.htm](http://www.gov.cn/zhengce/zhengceku/2020-12/15/content_5569588.htm).

<sup>8</sup> "Xi Jinping on Enhancing Party Building in Higher Learning," *People's Daily*, December 29, 2014, <http://en.people.cn/n/2014/1230/c90785-8829349.html>; CCP Central Committee and State Council, "Opinions Concerning Further Strengthening and Improving Propaganda and Ideology Work in Higher Education Under New Circumstances," *Xinhuanet*, January 19, 2015, <https://chinacopyrightandmedia.wordpress.com/2015/01/19/opinions>.

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