

Academic freedom

Space for exploration, dialogue, debate and confrontation

Background

The closing session of the Directors of Education Training Course 2019 focused on the theme of academic freedom and related issues, such as safe spaces and de-platforming. Following a Skype conversation with John Ellison (Dean of Students, University of Chicago) about his university's point of view, laid down in [The Chicago Principles](#) and in a [letter](#) Ellison sent to students, there was a lively discussion, which led to a broad consensus regarding the value and importance of academic freedom and what it means for Utrecht University (as far as education is concerned).

Core concept

The result was the following statement:

Utrecht University is a community of lecturers and students on a joint quest for knowledge, insight and critical reflection, where no subject is taboo. The university promotes and encourages this freedom of thought, expression, dialogue and debate. The prerequisites for this quest are the following:*

- *Respect for equality, diversity and inclusion*
- *Room for debate, dialogue, discussion and confrontation*
- *A sense of responsibility, both towards each other and towards society*
- *Unity in the quest for knowledge and insight*

These prerequisites can be shaped as follows:

1. *Teaching ensures a learning environment based on trust, including:*
 - a. *respect for each other as a person;*
 - b. *respect for each other's points of view;*
 - c. *respect for (well-founded) criticism.*
2. *This safe learning environment facilitates open academic debate, dialogue and discussion that leaves room for meaningful confrontation that contributes to the shaping of thought. (Our small-scale, intensive and active teaching methods enable such an environment.)*
3. *There is no place for intimidation, discrimination, libel or slander.*
4. *De-platforming is not permitted, nor is platforming with no opportunity for counterpoint or debate.*
5. *The university offers no 'safe spaces' in which opposing views or debate are obstructed or not allowed.*
6. *The above applies equally to all study societies, symposia, conferences and other academic events tied to the university.*

* In this context, 'lecturers' refers to academic staff.

Legal framework and explanation

While the university is a safe haven for thinkers and researchers, it also has a duty to society. Both thoughts are expressed in Article 1.3 of the Higher Education and Research Act:

Paragraph 1. The main responsibilities of universities are to provide academic teaching and to carry out academic research [and they transfer] knowledge for the benefit of society.

Paragraph 5. Higher education institutions also have a duty to pay attention to their students' personal development and to improve their sense of responsibility towards society. [...]

The freedom of thought, opinion and expression, whether in meetings or demonstrations, whether held commonly or individually and whether conveyed in speech, images or writing, is a prized asset of the open society and is safeguarded constitutionally, as laid down in [Articles 7, 8 and 9 of the Dutch Constitution](#).

This core value also forms the basis for academic freedom and academic debate, in which everything is (and should be) a subject for exploration, motivated by curiosity. The caveat though, as expressed in Article 7 of the Dutch Constitution, is that this freedom comes with 'responsibilities for every one of us'. Those responsibilities are partly legal, such as the ban on group defamation and inciting hatred ([Articles 137c and d of the Dutch Penal Code](#)), and partly dictated by basic standards of behaviour and how these are implemented at the university. These standards pertain to *what* is expressed publicly and *how* the debate is conducted.

This means that the university has a duty to ensure that academic freedom can be expressed meaningfully in both teaching and research. The prerequisites mentioned above form the points of departure. This also means that the university *as an institution* can make strategic choices that have a normative character. The current strategic research themes are an example of this. Institutions for Open Societies and Pathways to Sustainability, to name but two, are strategic choices with a normative aspect that imply a responsibility towards society: the importance of preserving an open and sustainable society based on the principles of democracy and the rule of law.

The core concept as described above echoes the words of the Rector Magnificus in his [column](#) in DUB. The essence of this concept is as follows:

Our undertaking to contribute to an open society finds expression in openness and inclusivity. [...] The university is a place where you can research, teach and put up for discussion anything that an intelligent brain might imagine, and put this up for discussion again. There is no censorship here, and the few limits that we impose are pursuant to criminal law. This means that a genuinely 'open' university always has room for tension.

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Directors of Education Training Course 2019

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