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[This bulletin is available online at www.scholarsatrisk.org]

Foreword by Scholars at Risk

On the occasion of Professor John Akker's retirement as Executive Secretary of the Council for Assisting Refugee Academics (CARA) and Executive Director of the Network for Education and Academic Rights (NEAR), we take the opportunity to thank John for his lifelong dedication to advancing issues of higher education, refugees and human rights in the UK and around the world. At Scholars at Risk we are proud to have partnered with John for many years in our organizations' combined efforts to protect scholars, prevent attacks on higher education communities and promote respect for education and academic rights. We are particularly grateful to John for his vision in working with SAR in establishing the CARA-SAR UK Universities Network, SAR's first partner network which has not only increased activity within UK institutions but has since been replicated in the Netherlands, Norway, Ireland, Spain, Israel and beyond. We are equally grateful to John for his leadership of NEAR and close collaboration with SAR on international academic freedom workshops and the production of this bulletin, which aims to promote greater discussion and understanding of higher education values. We know that John will be missed by all who have had the pleasure of working with him over the years, and we wish him the very best in this new chapter of his life.

A Tribute to John Akker

By Anne Lonsdale

Chair, Council for Assisting Refugee Academics (CARA), United Kingdom

John Akker who retired at the end of April as Executive Secretary of CARA (The Council for Assisting Refugee Academics) had served the organization for the last 13 years since 1999. Indeed, CARA was very much his own creation, as the name only came into being in 1998. The institution is much older, however, having been established in 1933 by Lord (then Sir) William Beveridge, Lord Rutherford, A V Hill and others, in response to the closure of German

universities to the Jews in that year. The dual need to preserve the talents and knowledge of these scholars and to save their lives was at the heart of the new institution then and now.

John has always been involved in further and higher education. His own university was York, but through the Association of University Teachers (AUT) and the National Association of Teachers in Further and Higher Education (NATFHE) now combined in UCU, he has served both the Higher and Further Education sectors. When he joined CARA, it was a small organization mostly funded by a generous legacy from its first Secretary, Esther Simpson, and it continued its traditional role of advice and support to academics and their families who had come to Britain to seek refuge. All that was to change in the next ten years, as John worked closely with a succession of innovative Chairs and Presidents to extend CARA's range.

The Iraq War, and the targeted assassinations of doctors, academics and professionals which followed, precipitated the need for change. Many refugees wanted to go home at the first opportunity and so sought refuge nearby; they needed help on the ground in Jordan. From that programme, led by Kate Robertson, came schemes to rebuild their academic roles and preserve their talents through assistance to the Higher Education system in Iraq, working with international agencies such as UNESCO and UNICEF, and generous funders, above all the Open Society Institute (OSI) and the Sigrid Rausing Trust. Amidst growing overseas activity, CARA celebrated its 75th Anniversary in 2008 with a learned and impressive 2 day seminar held at the British Academy, and the publication of a masterly survey of those 75 years by Jeremy Seabrook, *The Refuge and the Fortress*.

Prevention being better than cure, John then led CARA to explore the possibilities of helping universities before a political breakdown. He encouraged Laura Broadhurst to begin working with other organizations to help academics in Zimbabwe, well aware that many were fleeing to the UK as well as South Africa, and also took CARA into the Global Coalition to Prevent Education from Attack with our long-time partner the Scholars at Risk Network (SAR), and an alliance with the Association of Commonwealth Universities. But John has remained equally active in building up the core of CARA's work for scholars and their families who arrive in the UK needing help. The establishment with SAR of a formal UK University Network has been an important step towards securing that support for the future. We look forward to working with CARA's new Executive Director, Mr Stephen Wordsworth, CMG LVO, to continue this important work.

I know that all of us who have worked with John will greatly miss his presence at CARA. We thank him for his tireless passion and dedication to improving the lives of refugee academics in the UK and around the world and we wish him the very best in this new and exciting stage in his life. CARA's press release on the occasion of John's retirement can be viewed [here](http://www.academic-refugees.org/downloads/Akker%20to%20Retire%20Press%20Release%20-%20April%202012.pdf) or at <http://www.academic-refugees.org/downloads/Akker%20to%20Retire%20Press%20Release%20-%20April%202012.pdf>

The Doctrinal Place of the Right to Academic Freedom Under the UN Covenants on Human Rights—A Rejoinder

By Antoon De Baets

University of Groningen, the Netherlands

In "The Doctrinal Place of the Right to Academic Freedom Under the UN Covenants on Human Rights" (University Values, July 2011), Klaus Dieter Beiter defends two claims. The first is that, as academic freedom cannot be found explicitly in the United Nations Covenants on Human Rights, it has to be derived from a combination of human rights stipulated in these Covenants. The second claim is that this complex situation can be simplified by deriving academic freedom from one single human right, namely the right to education. I will show that the first claim is justified, while the second is not.

The right to academic freedom is the result of a combination of various rights taken from the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR). The question is whether we can agree on what human rights to combine. Beiter's list differs from the one I gave in my "How Free Expression and Academic Freedom Differ" (University Values, January 2011). His list is as follows: ICCPR Article 9 on liberty and security of the person, ICCPR Article 12 on liberty of movement, ICCPR Articles 18-19 on freedom of thought and expression, ICCPR Articles 21-22 on the rights to assembly and association and ICESCR Article 15(3) on freedom of scientific research and creative activity. My list is the following: ICCPR Articles 18-19 on freedom of thought and expression, ICCPR Article 20 with its prohibition of hate speech, ICCPR Articles 21-22 on the rights to assembly and association, ICESCR Articles 13-14 on the right to education, and the complete ICESCR Article 15 on freedom of scientific research and creative activity and on the right to benefit from scientific progress and from copyright.

There is much overlap between these two lists but there are also discrepancies. These discrepancies can be dissolved fairly easily by introducing two types of rights for our purposes: those directly contributing to academic freedom (like freedom of thought) and those indirectly contributing to it. For example, the right not to be held in slavery (ICCPR Article 8) is obviously a precondition to academic freedom but it does not directly contribute to it. In my view, most of the Covenant rights are preconditions for academic freedom, but only ICCPR articles 18-22 and ICESCR articles 13-15 contribute to it directly. This means that, on the one hand, security of the person and liberty of movement on Beiter's list are preconditions only, while on the other rights directly contributing to academic freedom are omitted from his list.

Thus far Beiter and I follow the same logic although important details differ. Then, however, Beiter defends a second claim: "[A] single and complete locus for the right to academic freedom exists within the UN Covenants: Article 13 of the ICESCR on the right to education." This second claim contradicts the first one in two respects. A multilayered roof for academic freedom is irreconcilable with a single roof. And, strikingly, the right to education is absent in Beiter's first claim while it is central to his second. He justifies this second claim by invoking the position of the Committee on Economic, Social and Cultural Rights (the body supervising ICESCR implementation), which perceives academic freedom as an absolute requirement for the enjoyment of the right to education. This position, accurate in itself, is not a good justification here: that academic freedom is a precondition for the right to education does not mean that the right to education is the sole precondition for academic freedom.

Indeed, Article 13 ICESCR alone is too weak a basis to support academic freedom because the latter has many aspects which are not education-related. Look at the UNESCO definition of academic freedom—the most authoritative and the one used in both our essays: "[T]he 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." This definition encompasses three domains: teaching, research and academic self-governance. The first domain corresponds, of course, to the right to education. The second, research, is sometimes education-related but often it is not or only remotely so. Likewise, many aspects of the third domain, academic self-governance, deal with teaching-related aspects but many others do not. Therefore, Beiter's second claim is untenable. The right to education alone can never sufficiently justify nor explain academic freedom. Academic freedom is the result of a complex interplay of human rights.

The language of the police batons - New report on violence against teachers and students in Zimbabwe

By Sindre Olav Edland-Gryt

Norwegian Students' and Academics' International Assistance Fund (SAIH), Norway

...they have been arrested and beaten. They have reported the abuse, to no avail. The police hold the batons.

The language of the police batons is the name of a chapter in the Norwegian journalist Tomm Kristiansen's book *Africa: One Day Soon*. In this chapter Kristiansen narrates his encounter with two organizations in Zimbabwe, the national students' union ZINASU and the teachers' union PTUZ (The Progressive Teachers' Union of Zimbabwe). Both associations in Zimbabwe have experienced the language of the batons: violence from the state oppressor. Both organizations are key to the future development of Zimbabwe.

The chapter appears in a new report with the same title published by the Norwegian Students' and Academics' International Assistance Fund (SAIH). The report can be downloaded [here](http://www.saih.no/noop/file.php?id=9755): (or at <http://www.saih.no/noop/file.php?id=9755>). The report details how in Zimbabwe, teachers and students are under attack in a very direct and dire way. Students and teachers are being beaten, they are arrested and tortured. This happens simply because they are students and teachers, simply because they are trying to build a better Zimbabwe for all. The victims are not only the persons directly affected, but also the people of Zimbabwe. Zimbabwe is losing student leaders who might one day have become leading politicians. They are losing the nurses that never finished school and the teachers that never came back to class for fear of their lives. Robert Mugabe and his political party, ZANU-PF, have ruled the country since 1980. They are responsible for the massive attacks on students and teachers.

Included in [SAIH's report](#) are results of the monitoring of human rights abuses in the education sector undertaken by PTUZ and SST (Student Solidarity Trust, an organization started on the initiative of ZINASU). Some of these findings are:

In the period 2006 - 2010, SST reports that there were:

- 187 students expelled
- 1,021 student arrests
- 211 cases of torture/abduction of students

The PTUZ' 2011 survey among 1000 teachers report that:

- 51 % of teachers had experienced political violence
- 77 % had received threats
- 79 % were forced to attend political meetings
- 71 % of the attacks were carried out by war veterans, ZANU-PF supporters and youth militia
- The number of attacks peaked during elections, and especially in the 2008-election
- Rape and indecent assault towards women teachers is becoming a political tool in Zimbabwe

Of course the problem of attacks on education is not limited to Zimbabwe; it is a problem of global character. Therefore SAIH's report includes chapters on academic freedom and recommendations for addressing the challenges presented by attacks on education. One of SAIH's main motivations in preparing the report is to shed light on these problems and the need to prevent future attacks on students, lecturers and teachers. Although [UNESCO](#) has collected information and documented human rights violations in the education sector in over thirty countries, they have also found that to a large extent violations are underreported or reports are flawed (UNESCO, *Education Under Attack* 2010). There is a need to get a more accurate and clear picture of what is happening so that politicians and the media are aware

and may act to protect education. Just like the international media brought to our attention the destiny of the white farmers in Zimbabwe who were beaten and forced out of their homes and away from their land, so must the media bring forward the stories of the students and teachers of Zimbabwe, who are risking their lives and future to develop their country and people. Already ZANU-PF with the help of the police, war veterans and youth militias are preparing their batons for the run up to the presidential elections in 2012 and 2013. Students and teachers will again be targeted and beaten for their fight for democracy and quality education. There is no time to waste. Protecting academic freedom is important not just in times of crisis and conflict, but also in times of peace. If there is not a strong notion of the principles of independent, critical and non-violent educational spaces in peaceful times, these principles tend to collapse in times of crisis. The very importance of education is proved by the number of attacks on it, and the ferocity of these attacks.

In the report SAIH puts forward some recommendations on how to support the victims of attacks, and how to prevent further attacks from happening so that academic freedom can be a reality everywhere. This is a shared responsibility.

[Download report \(4MB PDF\)](#)

Sindre Olav Edland-Gryt (Editor)

This report was issued by SAIH - Norwegian Students' and Academics' International Assistance Fund. SAIH is a solidarity organization of students and academics in Norway. SAIH focuses on education in development cooperation, as well as North/South information and political advocacy in Norway.

Special thanks to: PTUZ (The Progressive Teachers' Union of Zimbabwe, SST (Student Solidarity Trust) and Norad.

Launching a Canada Section of Scholars at Risk

By Michael Lynk

University of Western Ontario, Canada

"When I published my first book, they withdrew my passport. They banned me from leaving... Then they put secret police under the building where I lived."

These were the words of a well-known Syrian scholar of human rights and democracy, describing the events that eventually led to his forced exile from his home country, where he had co-founded a human rights center and had published extensively and often critically on the situation in Syria.

Inspired by stories like this scholar's, an event will be held on June 22nd at the University of Toronto's Massey College to launch a Canadian section of the Scholars at Risk network. The event—organized by representatives at the University of Toronto's Massey College, the University of Western Ontario and Centennial College—will feature a keynote by a prominent advocate of human rights, a former Canadian Minister of Foreign Affairs, and now President of the University of Winnipeg, The Honourable Dr. Lloyd Axworthy.

With 7 member institutions in Canada (and over 280 worldwide), Scholars at Risk is an international network of higher education institutions dedicated to promoting academic freedom and defending the human rights of scholars worldwide. The network seeks to bridge the gap between the human rights and higher education communities by building local, regional and global capacity to defend the intellectual space. The network provides direct assistance to gravely threatened intellectuals; builds capacity in the form of a global support network of and for intellectuals and higher education institutions; and conducts education and advocacy to target causes of intellectual repression and to promote systemic change.

Canadian higher education institutions have long been active in this important work, raising awareness about issues of academic freedom, offering temporary academic opportunities to at-risk scholars and participating in advocacy on behalf of scholars and academic communities. Massey College at the University of Toronto was a founding member of Scholars at Risk. Other Canadian members now also include Centennial College, Concordia University, McGill University, The University of Western Ontario, University of Winnipeg, and York University. This past year, scholars from Iran, China, Zimbabwe and Rwanda found temporary academic refuge at Canadian higher education institutions, and faculty and staff at universities and colleges across Canada contributed to advocacy efforts on behalf of scholars in prison in Syria, Sudan and Iran.

The formation of the Canada Section of Scholars at Risk will enable these existing activities to have greater impact, will allow for Section members to organize joint activities and pool resources, and will help identify national concerns and priorities in terms of activities. SAR national sections are a means of engaging national institutions in the wider effort, and of enhancing organization and coordination of local activities in support of academic freedom, university autonomy and related values. The Canada Section will join existing sections in the Netherlands, Ireland, Norway, the United Kingdom and elsewhere, and intends to build upon the experience of these other sections in their efforts to defend the human rights of scholars. The Section will partner with Scholars at Risk to identify opportunities for joint activities, to share advice and to work together to identify and address Section-wide priorities. Most importantly, the existence of the Section demonstrates Canadian higher education institutions' unequivocal commitment to the principle that scholars should be free to work without fear or intimidation.

The June launch in Toronto will bring together higher education and human rights leaders to build solidarity in support of these values. Representatives of all Canadian higher education institutions and others interested in the topic are invited to attend. Attendees will have the opportunity to contribute to discussions about the activities of the Canada Section and to hear directly from scholars assisted by the network, from Canadian universities and colleges active in this work already, and from Scholars at Risk staff. Following his keynote address, Dr. Axworthy will formally launch the new Canada Section.

On behalf of the organizers, I hope you will join us in Toronto to celebrate this event and to learn more about Scholars at Risk and how your institution might get involved.

For further information, please visit: www.scholarsatrisk.nyu.edu/The-Network/Canada-Section.php. If your institution is not yet a member of Scholars at Risk, please contact scholarsatrisk@nyu.edu to enquire about joining. To learn more about a Canadian institution's experience with Scholars at Risk, please contact me at mslynk@uwo.ca.

On Small and Closed Academic Environments

By Pavel Gregoric

University of Zagreb, Croatia

There are various criteria for classifying academic environments, but I would like to focus on two: size and openness. Small academic environments can be described as those in which one, after a decade in that environment, is likely to know most of the people working in one's area and related fields of research. Closed academic environments are those which do not foster, or which even positively discourage, cooperation with other academic environments, especially more progressive and successful ones.

What is the inherent problem of small academic environments? Like in every academic community, it is the members of that community - through various boards and committees - that decide how the resources of the community will be allocated. The problem with small academic communities is that peer review in such communities cannot function. Even if

research project proposals or journal manuscripts are made anonymous, the referees will be able to infer who the authors are, given their previous knowledge of who does what, where and how in that community. On the other hand, the referees are as easy to guess on the same basis, or indeed their names are public. Consequently, academics who make decisions more or less directly know the academics who will be affected by these decisions, and those who are affected more or less directly know who made the decisions. In such a situation it is extremely difficult to allocate resources on the basis of academic merit. Fairness in this situation tends to be understood as equal distribution of resources, such as to minimize the possibility of individual resentment and possible retribution. However, equal distribution of resources just is not good for science.

What is the inherent problem of closed academic environments? Apart from their inability to keep pace with global trends in teaching and research, closed academic environments tend to rely on their own resources in decision-making processes. This makes closed academic environments highly susceptible to inbreeding, cronyism and other forms of corruption. In such circumstances the decision-making process is blind, or even openly inimical, to academic achievements outside the closed academic environment, which inevitably leads to parochialization of research.

Now the two criteria I have chosen are not necessarily correlated: there are small but open academic environments, like in Denmark or the Netherlands, where the perils of smallness are positively mitigated by the advantages of openness. Or you can have a large and closed academic community, like in Italy or Spain, where the advantages of largeness are to some extent mitigated by the perils of closedness; of course, some institutions and research teams in these countries, especially in biomedicine and natural sciences, pose counter-examples to my claim, but that does not suffice to disprove it.

However, there are academic environments which are both small and closed, in which these two features – smallness and closedness – reinforce one another. The small size helps keep a community closed, and the closedness prevents it from growing larger. In other words, the small size of a closed academic community protects its parochialism and susceptibility to all forms of corruption. It is the small size of an academic community that makes the corrupt setup easily manageable.

I am afraid that Croatia, where I have been working since obtaining a PhD at Oxford a decade ago, is an example of such a small and closed academic environment. This is evident from the poor performance of Croatian institutions in international rankings and low quality of research measured by the average number of citations or impact factor of the journals in which Croatian academics tend to publish, but also in high tolerance of corruption. The scope of the latter was seen in 2008, when 95 faculty members, students and staff of the University of Zagreb were detained by the police under charges of corruption. Of 43 persons processed to date, 39 were convicted, among them 18 faculty members, including a professor at the Faculty of Economics who chaired the Committee for the Suppression of Conflicts of Interest, appointed by the Parliament.

I see only one comprehensive way out of this situation: universities and research institutes ought to adopt and implement effective strategies of internationalization, which would include opening our academic market to foreigners, introducing international standards of academic performance, and involving unbiased foreign experts in decision-making processes. I hope that Croatia's joining the EU in 2013 will be instrumental to that effort, and I am pleased that the University of Zagreb is currently drafting an institutional policy paper called "Strategy of Internationalization" which will, I hope, address and resolve many of these important issues.

Intimidation of *Interface* researchers harms Egyptians too

By Elizabeth Humphrys

Editor (Oceania and South-East Asia)

Interface: A journal for and about social movements

<http://www.interfacejournal.net/>

On 11 February 2012, independent journalist Mr. Austin Mackell (Australian), and his long time translator Ms. Ailya Alwi (Egyptian), were arrested as they arrived in Mahalla al-Kubra, Egypt. Mr. Mackell and Ms. Alwi were there to interview respected labour organiser Mr. Kamal Elfayoumi in relation to an article for a May 2012 issue of the academic journal *Interface*.

Interface is a journal with an international editorial board, and publishes academic and theoretical work related to social movements and political protest. The May 2012 edition includes a section on the theme of the Arab Spring.

Mr. Mackell and Ms. Aliwa were travelling with a postgraduate student Derek Ludovici (American), who was also arrested. The three have been charged with inciting people to vandalise public property and governmental buildings. Specifically it is alleged they promised children money if they threw rocks at the Qism El-Tani police station in Mahalla. They are advised that if convicted they face imprisonment for 5-7 years. Mr. Elfayoumi and their taxi driver, Zakaria Ahmad, were initially arrested but later released without charge.

Since these events, despite the efforts of activists and diplomats in Cairo, the charges have not been dropped. However, they have also not been 'acted on' — effectively leaving the three in limbo. Mr. Mackell, Ms. Aliwa and Mr. Ludovici were released the following day but with a travel ban in place, and Mr Mackell and Mr Ludovici are unable to leave Egypt. Ms Aliwa (Mr. Mackell's translator) is also in some difficulty, as her and Mr Mackell's faces were published on state media with an allegation they are foreign 'agents'. Ms Aliwa has needed to restrict her movements to her local area, and has been fearful of repercussions. The charges against the three have been fabricated, and full details of the arrest and subsequent events can be read in Mr Mackell's article in the latest issue of *interface*:

<http://www.interfacejournal.net/2012/05/interface-volume-4-issue-1-the-season-of-revolution-the-arab-spring-and-european-mobilizations/>.

Similar to other recent attacks on foreign press, the police and Egyptian state have sought to discredit local activists in Mahalla by associating them with fictitious foreign agendas (e.g. that such journalists and writers are foreign spies or agitators) in order to limit the access of local people to the international media.

Interface has called for the dropping of the charges against the three parties, and along with supporters in Australia, has mounted a campaign to try and have the situation resolved. *Interface* called on the Australian foreign minister to publicly condemn the persecution and seek the immediate quashing of the charges. An open letter and petition, which I collated as the Australian *Interface* Editor, in conjunction with the online campaign organisation change.org, now has over 9,000 signatures. You can add your name to the letter here: <http://www.change.org/petitions/australian-prime-minister-act-on-austin-mackell-s-matter-now-freeaustin>.

The letter was forwarded to the Australian Prime Minister and Foreign Minister some weeks ago. Yet despite this, and a successful motion passing in the Australian federal Senate calling for the matter to be resolved quickly, nothing has changed. Importantly, the Foreign Minister has failed to speak publicly on the matter and call for the charges to be dropped.

It is important that foreigners and Egyptians alike are allowed freedom of association and freedom of expression. It is important that international academic journals like *Interface* continue to support research in Egypt on issues of local and international concern.

Indeed, international and Egyptian writers, journalists and academics were instrumental in bringing to light some of the worst abuses of the former Egyptian dictatorship under Hosni Mubarak, as well as abuses occurring under the current Supreme Council of the Armed Forces. The charges against these three threaten to impede research in these vital areas. The charges represent yet another case of the harassment and intimidation of researchers and journalists in Egypt and have rightly been condemned.

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