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RESEARCH ARTICLE

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Academic Freedom: A Global Comparative Approach

Abstract Academic freedom is best understood not as an abstract universal principle or an ideal state of being but as concrete university practices nested in specific relational environments. As such, practices of academic freedom vary across the world, according to variations in political cultures, educational cultures and state-university relations. The article discusses these variations with particular reference to differences between universities associated with the limited liberal states of the English-speaking world, and those associated with comprehensive East Asian states in the Sinic tradition, including China. Given the different traditions there is no point in imposing judgments on one system in terms of the norms of another, but worth exploring the potential for common ground. Any world-wide approach to academic freedom would need to combine a universal element with space for context-specific elements.

Keywords higher education, political culture, academic freedom, globalization, China

Introduction

Worldwide higher education is a unified field of heterogeneous institutions, national systems and cross-border agencies and relations. It combines global, national and local dimensions of action. There are networked relationships inside, between, and across nations. Pan-national regions, which are underpinned by geographical proximity, cultural commonality and the desire to cooperate across borders, are increasingly important in higher education and research, e.g., in Europe, South America, Southeast Asia and to some extent in Northeast Asia. Within worldwide higher education, the practices of the English-speaking

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countries—especially the United States—have long played a leading role but French, German, Nordic, Russian, Latin American, Chinese, Japanese, Korean and other systems also exercise cross-border influence. Education and research in East Asia and Singapore have a growing weight at global level (Marginson, 2011). The distribution of strong higher education nodes is becoming more plural.

All contemporary research universities are touched by the lineage of the modern European/North American (''Western'') institution, as it evolved from the Humboldtian model in Germany and became refracted through the American science university that began to emerge in the 1870s. Classically the contemporary institution combines teaching, research and service with an element of faculty or professorial self-governance. The common elements shared by all research universities include engagement in global science and scientific publishing, doctoral training, peer-review in some evaluation activities, and more recently, university organization that is shaped by business-like New Public Management models.

At the same time the research university is not an identical institution everywhere, any more than political cultures and other forms of social organization can be considered uniform. There are continuing and irreducible differences between institutions on a pan-national, national and even a local basis, including historical-cultural variations in scholarly traditions and notions of the responsibilities of academics and universities *vis-à-vis* government. Across the world, key practices associated with concepts of government, public good, social responsibility, inquiry, creativity, university autonomy, academic freedom, and even cooperation and competition, include on one hand universal elements, and on the other hand elements that are locally/nationally/culturally nested.

Arguably, the principal sources of difference in approaches to academic freedom are: (1) variations in state traditions and political cultures, (2) variations in traditions specific to higher education, and (3) variations in university-state and university-society relations. Yet when academic freedom is discussed, these differences are mostly overlooked, as if the contextual conditions surrounding academic freedom, and its specific practices, are the same everywhere. In part this is because academic freedom is mostly discussed in normative rather than empirical terms. Normative language often lends itself to abstract universalism. When academic freedom is invoked in normative fashion as a desired quality of university life, or as something that must be defended or preserved, this freedom

is mostly imagined as a single universal quality without time or place, almost as if academic freedom is a state of paradisiacal being. Yet practices of academic freedom are not a site of ideal being. They are relational human practices irretrievably lodged in history and changing in time and place. Is it possible to meaningfully talk about complex academic practices as being common across the world? How universal *is* academic freedom? How culturally and nationally variant? And how universal *should* it be?

As the last question suggests, the issue of academic freedom can be approached in both descriptive terms and normative terms. In using a descriptive approach it is necessary to consider academic freedom comparatively, to account for the existing variations. Arguably, also, it is necessary to take these variations into account when devising a normative approach, if it is intended that the desired practices of academic freedom should be adopted on a broad basis across the higher education world. But even so, it is impossible to never wholly escape from particularity and practically. If a universal practice of human freedom can be identified here, then that common practice must nevertheless still be nested among, and articulated through, a broad range of differing state and educational traditions and contexts. Unless a would-be common notion of academic freedom can sit more or less comfortably with those differing contexts *it cannot take root universally*. Without such a conjunction, advocates of norms of academic freedom are reduced to impotent exhortations; or worse, to claims that their way of life is the only way possible.

In other words, if academic freedom is considered to be relevant as principle and practice to the whole of worldwide higher education—and not just to one liberal tradition within it—then academic freedom must have both a universal component, and a culturally and nationally variant component. The need for both components is irreducible.

This article first illustrates the point about the nationally and culturally nested nature of higher education, by contrasting the two differing higher education traditions: those of English-speaking countries, and the Sinic countries of East Asia, particularly China. The discussion focuses on differences in the nature and role of the state and how this plays out in state-university relations. Second, the paper considers the question of academic freedom descriptively. Third, the paper considers academic freedom normatively, and makes a tentative suggestion about the universal component of academic freedom.

Approach to Cross-National Comparison

Table 1 summarizes and compares the respective features, conditions and dynamics of higher education and knowledge in the post-Confucian systems of East Asia, meaning Northeast Asia and Singapore (for the concept of post-Confucian systems see Marginson, 2013), the United States, and the Westminster systems in UK, Australia and New Zealand. No one should perpetuate the illusion that all nations and institutions operate on the same basis, any more than the illusion that they operate on an equal basis. As Wang Hui puts it in *The End of the Revolution: China and the Limits of Modernity*:

> For 300 years, all of humanity has certainly become more closely linked to one another through colonialism, unequal trade and technological development. Yet a common path hardly exists between the colonizer and the colonized, between Africa and the US, or between China and the European powers. (2009, p. 85)

Table 1 Comparison of Post-Confucian and English Language Higher Education Systems

	Post-Confucian Systems (East Asia & Singapore)	United States' System	Westminster Systems (UK, Australia, NZ)
Character of nation-state	Comprehensive, central, delegates to provinces. Politics in command of economy and civil society. State draws best graduates.	Limited, division of powers, separate from civil society and economy. Anti-statism common. Federal.	Limited, division of powers, separate from civil society and economy. Some anti-statism. Unitary.
Educational culture	Confucian commitment to self-cultivation via learning. Education as filial duty and producer of status via exam competition (and producer of global competitiveness).	Twentieth century meritocratic and competitive ideology. Education common road to wealth/status, within advancing prosperity.	Post 1945 ideology of state guaranteed equal opportunity through education as path to wealth and status, open to all in society.
State role in higher education	Big. State supervises, shapes, drives and selectively funds institutions. Over time increased delegation to part-controlled presidents.	Smaller, from distance. Fosters market ranking via research, student loans. Then steps back. Autonomous presidents.	From distance. Policy, regulation, funding supervise market, shape activity. Autonomous vice-chancellors.
Financing of higher education	State financed infrastructure, part of tuition (especially early in model), scholarships, merit aid. Household funds much tuition and private tutoring, even poor families.	State funds some infrastructure, tuition subsidies, student loans. Households vary from high tuition to low, poor families state dependent.	Less state financed infrastructure now. Tuition loans, some aid. Growing household investment but less than East Asia. Austerity.

(*To be continued*)

(*Continued*)

	Post-Confucian Systems (East Asia & Singapore)	United States' System	Westminster Systems (UK, Australia, NZ)
Dynamics of research	Part household funding of tuition, ideology of WCU, university hierarchy: together enable rapid state investment in research at scale. Applied and basic. State intervention.	Research heavily funded by federal government unburdened by tuition. Industry and philanthropic money. Basic science plus commercial IP.	Research funded (more in UK) by government, also finances tuition. Less philanthropy than US. Basic science, applied growth, dreams of IP.
Hierarchy and social selection	Steep university hierarchy. "One-chance" universal competition with selection into prestige institutions. WCUs are fast track for life.	Steep institutional hierarchy mediated by SAAT scores. Some part second chances, mainly public sector. Top WCUs are fast track for life.	Competition for place in university hierarchy mediated by school results with some part second chances. WCUs provide strong start.
Fostering of world-class universities	Part of tradition, universal target of family aspirations. Support for building of WCUs by funding and regulation. Emerging global agenda.	Entrenched hierarchy of Ivy League and flagship state universities, via research grants, tuition hikes, philanthropy. Source of global pride.	Ambivalence in national temperament and government policy on status of top institutions. Private and public funding hit ceilings.

Source: "Emerging higher education in the post-Confucian heritage zone," by S. Marginson, 2013. In D. Araya & P. Marber (Eds.), *Higher education in the global age: Education policy, practice and promise in emerging societies* (pp. 89–112). New York, NY: Routledge, p. 107.

The comparison in Table 1 enables sharp distinctions between two different traditions that are both likely to be influential in the further global evolution of the university as an institution. Note that the table could be expanded to include for example further models, for example drawn from Western Europe—the German, French, Nordic, etc. —and also Russia, Latin America and South Asia. In much of Europe professors are and in some cases still are state employees, sitting somewhere between the Sinic and English-speaking practices.

As a sub-discipline, comparative higher education struggles to deal with real world diversity on its own terms. Comparison needs a common framework for analysis (sameness), but must also maximize the space in which specificity (difference) is visible. These goals are in tension. Comparative education walks a path between homogenization and ultra-relativism. Over its history the field has tended to err on the side of homogenization. Most analytical work in comparative education, particularly in the United States and the leading European powers, imposes a single norm of system design as the template against which all systems

are evaluated. Typically the norm is undeclared and based on the scholar's own higher education system. The approach is comparative but nation-bound, liable to underplay elements from other nations that fall outside the template, and global relations across national borders. Often the effect is also neo-imperial, as national systems are positioned as inferior copies of the master system (Marginson & Mollis, 2001).

Normative frameworks tend to shape knowledge in social science. They are not the only factor in play. Observation and evidence are central. Observed data have materiality. However, the normative template used in comparison determines which data are visible and which questions can be asked. If the template being used is the United States system it is clear Chinese universities have insufficient autonomy to make strategic decisions. If the template used is a post-Confucian one it is clear that American families are not sufficiently committed to learning and the state has only a weak commitment to system improvement. Questions significant in one framework become less significant in the other. But it is a barren exercise to simply criticize the nested practices of one system because that system does not measure up to the different and equally nested norms of another system, as in the case of many critiques of academic freedom in China emanating from English-speaking nations.

This suggests that comparative education needs to identify the plurality of system models, to render transparent the possible analytical schemas and analyze each system from more than one vantage point. Phenomena significant from several different vantage points then take an added importance, facilitating generic global analysis.

What elements are significant when tracking variations between systems? Neo-institutional theory suggests one key to variations in the dynamics of different higher education systems is nation-state forms and political cultures. The post-Confucian systems highlight the importance of educational cultures. In the Sinic world this includes Confucian educational self-cultivation inside the family, and the central role of the examination in social and educational selection. Other relevant elements include modes of governance, leadership and organization in higher education; state-university and society-university relations; financing and cost sharing; global openness, engagement and initiative. Not all of these elements are explored here. Perhaps the most important single element at play, and the main source of variations between the major higher education systems, is the nature and practices of the state. This is particularly important in

higher education. Notwithstanding the internationalized nature of universities, higher education is a function of modern nation-building and in most countries the development of higher education and research continues to be largely framed by nation-building policies (Scott, 2011).

The Post-Confucian State and University

The state of Western Europe and the English-speaking world has origins in the Greek city states, principally Athens, the Roman republic and then the transformed imperial order, the absolutist European states, the limited liberal state that evolved in England after the civil war of the 17th century, and the modernizing state that followed the French revolution. A modernizing version of the limited liberal state is widely influential, because of the imperial power exercised by Britain and then the United States for 250 years. The practices of these nations have shaped embryonic global norms in government, business, the law and higher education. Many of its proponents would like the limited liberal state to become a universal template for all societies. Thus it is expected that capitalist economic modernization should joined to American or British forms of government and social relations; and if not, the economy and society are anomalous if not self-contradictory. But the universalization of the limited liberal state will not happen. Other major traditions are too well entrenched to be so dislodged, and inevitably those traditions sustained by strong political economy, as in China, will be widely influential in the global setting. In the longer term it is likely hybrid global forms of state and polity will emerge. If so these hybrid global forms are likely to draw on elements of the Anglo-American limited liberal state, the Sinic tradition of the comprehensive state in East Asia, and possibly more.

The limited liberal state demarcates state executive and judiciary, market and civil order. Politics turns on the tension between state and market, and state and civil society. In limited liberal polities, notably the United States, the legitimacy of government and the right of the state to intervene are always in question. With the individual defined as a universal without limit, and the socially nested character of identity rarely acknowledged in an explicit manner, the collective conditions of existence are hidden, including the role of states in constituting the conditions is which individuals (and individual freedoms) exist. In the resulting atmosphere of suspicion of government, the state's claims normativity can

always be contested. Freedom is defined primarily in terms of negative freedom, which is usually understood to mean freedom from coercion by the state. The state is always seen as external to the individual.

But in the Sinic or post-Confucian tradition in China, South Korea, Japan and Singapore the state-society-individual relation is understood differently. The Sinic state originated in the Qin and Han dynasties in China 2,200 years ago, spread to Korea and then Japan in the next millennium and recently took root in Singapore. The Qin and Han states took responsibility for social harmonization and for the development and imposition of common system such as language, writing and measurement, though day-to-day management of the rural economy was devolved to the local level. Compared to Europe and the Middle East, the Sinic state was stronger *vis-à-vis* the towns (city-states had a relatively minor role in East Asia, compared with Greece 2,500 years ago, or medieval Italy), and stronger in relation to the professional and market sectors. In East Asia the central political sphere, the sphere of the dynasty, was always supreme:

> The development of the political sphere in the Chinese world and its pre-eminence over all the other (military, religious, economic) is one of its most characteristic marks … because of the pre-eminence of the political function—the organization of living space and society—economic activities could not attain in China, any more than religious or military activities, the same degree of autonomy or specificity as in other civilizations … one of the constants and one of the great original aspects of the Chinese world, one that distinguishes it from all others. (Gernet, 1996, pp. 28–29)

Thus the comprehensive and centralizing Sinic state followed a different path to the Western state, particularly the limited liberal state of John Locke and Adam Smith. As noted, in the English-speaking countries the state's right to intervene is habitually questioned. Thus in higher education the core issues turn around state-university tensions. University autonomy, even more than academic freedom, is the core question, even though no regulated university could ever be wholly autonomous. The limited liberal state characteristically denies its own intervention (even its right to intervene) even as it intervenes. Neo-liberalism develops this self-denial to a high level, as captured in the paradoxical UK Thatcher government slogan of "free market and strong state." In contrast East Asians mostly accept the generic state as supervisor of society and social conduct (Tu, 1996). Dissidents rarely rail against the legitimacy of state action as such. To do so is to call for an end to the social order itself, a comparatively rare event in

Chinese history. Dissidents instead call on the state to discharge its responsibilities in a proper manner, to behave as a state should behave.

China is much changed since economic enrichment began in 1978. There is no doubt that the extra-state sphere is expanding (Zang, 2011), and the great growth of participation of higher education is generating conditions for both liberalization inside the state and a richer civil society beyond it, including the internet society. Arguably, and notwithstanding official corruption, the party-state is still in charge of the economy and its leading players. It is less clear that the state can maintain authority over the civil order, as this is more diffuse than the economy. The state appears to sustain a comprehensive role, while at the same time there is talk about creating more space for an autonomous civil society. In Singapore this ambiguity has generated a curious artificiality, whereby the state nurtures a limited cultural bohemianism, even funding buskers on street corners. In practice it is difficult for Sinic states to let go. Regardless, the role and standing of the state in East Asia and Singapore, including the multi-party polities of Japan and Korea, remains qualitatively different to those of the English-speaking states. Sinic states rarely try to do everything but they have broad reach and long-term historical agenda. Whether the polity is single-party or multi-party, there is continuity in the bureaucracy. Classically the Sinic state applies central intervention selectively to achieve specific purposes, while continuing to nurture social order. The state and its officials also enjoy the high social status which in the English-speaking world is now given more often to corporate leaders than to state officials. In all post-Confucian societies, except Hong Kong SAR, government as a vocation has higher standing than in the UK or the United States. Many of the best and brightest graduates from top universities such as the University of Tokyo, Seoul National or Tsinghua University head for state office not for the elite professions or business.

The notion of university as training ground for state leadership follows automatically from the positioning of universities as inside the state, broadly defined. In the United States, universities are mostly understood as part of civil society, or the market, or at least as a special market of their own which is well removed from government. In East Asia and Singapore it is impossible to imagine the universities (or society) in the absence of the state. Private as well as public higher education is regulated closely and treated as within government responsibility. In China conversations, discussions and debate within the leading universities are adjunct to the conversations inside the party-state. Discussion

inside Chinese universities can be very sharp and frank about policy, just as it is inside government.

The post-Confucian state and family appear as stronger institutions than their counterparts in the West. At the same time, civil society and institutions engaging between state and family, such as the university, appear weaker. To generalize (for there are exceptions), the Sinic research university is less independent, on the whole less entrepreneurial, and more directly tied to policy agendas and state governance. It is true that post-Confucian higher education systems mostly share the common worldwide movement towards the New Public Management (NPM) forms of corporatization, with growing institutional autonomy over budgets, priorities, staffing and international relations, and the common shift from direct to indirect steering via funding formulae, incentives, performance management, accountability and audit. In these changes the post-Confucian states, like Western states, retain the capacity to secure their objectives. Despite the NPM trend to managed autonomy the state remains an active supervisor. In other words, universities in East and West have moved in parallel towards the NPM template while maintaining the distinctions between them. One of the factors that has enabled the NPM template to secure a universal role is its scope for local nuancing and quite wide variations in policy and political culture.

China's system of dual university leadership, where the party secretary sits alongside the president, has ambiguous potentials for institutional autonomy and academic freedom. At worst it operates as continuous official interference in academic judgment. At best it is a form of distributed leadership that buffers the direct role of the party-state and secures partial institutional autonomy, as in Min Weifang's tenure as party secretary at Peking University (Hayhoe, Zha, & Yan, 2011, pp. 111–114). The larger concern about autonomy in China is that both president and party-secretary are appointed from above, by different branches of the party-state. Some scholars of higher education in China argue for selection of leaders by the governing bodies of the university not the state (e.g., Wang, Wang, & Liu, 2011, pp. 42–43). In one-party Singapore, university councils now choose their presidents, though it would be unthinkable they would choose a leader at loggerheads with the government.

Recurring tensions between universities and regulation are part of all higher education systems. What is distinctive about the post-Confucian systems is that the state is a larger factor than in English-speaking countries and parts of Europe. This cuts both ways. When states are building investments and capacity, they

strengthen the positive freedom and the agency of universities and their leaders, all else being equal. China's universities have drawn much benefit from the focused drive, performance orientation and capacity-building agenda of a state highly committed to the development of research and higher education. At the same time more comprehensive states have greater scope for interference and coercion that can reduce negative freedom. When such a focused, comprehensive state also focuses also on doing more with less, as in Japan in recent years, it can bear down hard on the universities (Oba, 2007).

The problem of heavy-handed state intervention can occur in any system and tradition: It is a matter of degree. Perhaps the principal concern about post-Confucian systems, aside from direct intervention in the appointment of university leaders—something the Sinic systems share with Russia, Malaysia and many other nations—is the potential for the state to intervene in research planning and resourcing, cutting across peer judgment in the disciplines. Here state intervention may be justified to break down opaque and unresponsive peer cultures that resist transparency and the globalization of knowledge. Nevertheless, once modernization is achieved, peer cultures are more effective than states in shaping creative work. At this point, however, it is difficult for the post-Confucian states to step back. As long as research is treated as a branch of state it is open to symbolic political manipulation, talent capture and even economic corruption, as evidenced in the recurring debates about cronyism in China. Singapore has worked hard to manufacture intellectual autonomy but its notions of academic conduct have been shaped the classical Confucian notion of responsibility to the state. In Hong Kong SAR, the political culture was partly shaped by the British limited liberal state and academic freedom is understood at least partly, perhaps largely, in terms of the Western notion of negative freedom. The universities appear to have considerable room to move on their own behalf while their academics see themselves as separate from the state. This makes the SAR relatively attractive to foreign talent.

Academic Freedom in China

What about academic freedom in China? There is no blanket repression of criticism in the post-Confucian world, but there is self-censorship, as in most systems. The more difficult thing for outsiders to grasp is that dissent is expressed in distinctive ways. As noted, issues openly debated or subject to

ritualistic angst in the United States are often debated inside the party-state in China, including the leading national universities, which are part of the broad state. The atmosphere in leading universities is often liberal, especially Peking University, which has long functioned as the conscience of China and the home of almost every new political movement. There is more academic engagement in national policy issues than in, say, the UK, though there is similar engagement in the leading American universities. Yet open public criticism of the state occurs less frequently than in English-speaking systems because in the Sinic tradition such criticism must confront the very legitimacy of the state.

In China, open public criticism is not the ritualistic (and correspondingly, often powerless) anti-statism of the Western academic tradition. Such acts of criticism are not Western-style assertions of individuality and freedom against the state, but consistent with Sinic tradition and post-Confucian order. Here it is important to distinguish between freedom to theorize as understood in the West—often behind closed doors and about arcane matters—and freedom to act. The latter is part of the Confucian tradition. The final test of truth in that tradition is action for the public good. In this tradition scholars with a responsibility to serve the state are obliged to criticize the state when it departs from the path of legitimate conduct. They publicly challenge the regime not whenever they disagree but when they believe it has lost the mandate to govern. This means that public attacks on the regime are acts of power, not embarked on lightly, because they signal a willingness to engage in ongoing struggle and are likely to trigger state repression, especially under authoritarian regimes. Such criticisms are acts of individual courage for which scholars have often paid a severe price, a recurring pattern throughout the history of China and one that can affect social scientists and humanists today. Academic dissidents were also imprisoned in South Korea for much of the postwar period. Debate is now more open in Korea, and Japan but it still takes courage to defy the state and conservative peers.

Both conformity and dissent are nested in a notion of the responsibilities of academic scholars that is different to that prevailing in the English-speaking countries. Put simply, the scholar (and in the current period, the researcher) have a larger responsibility and more positive role in society and in relation to the state. This includes responsibility for the good order and stable reproduction of state and society. The autonomous personality of the post-Confucian university is mostly expressed on behalf of government, not against it. Likewise, academic freedom is understood in terms of authority and responsibility:

> Once one can excel in terms of productivity and meet the State's criteria for producing valuable and useful knowledge, one may enjoy a high level of intellectual authority. This type of intellectual authority is not identical with academic freedom in the Western context, but in some ways it provides even more flexibility and greater power than does academic freedom. There is certainly some overlap between these two concepts, yet clearly a different emphasis. Westerners focus on restrictions to freedom of choice, whereas Chinese scholars looking at the same situation focus on the responsibility of the person in authority to use their power wisely in the collective interest. (Zha, 2011, p. 464)

Hayhoe notes "a strong tradition of 'intellectual freedom' (思想自由) in China" with foundations different from those of European rationalism. "It requires that knowledge be demonstrated first and foremost through action for the public good." Also that knowledge is "holistic and inter-connected" not organized in "narrowly defined separate disciplines" (2011, p. 17). There is also a long-standing tradition in China of recognition of the plural character of interpretation. It is widely understood that more than way of seeing and living is possible. Hartnett discusses the influential Jixia Academy in the state of Qi during the Warring States period in the fourth century B.C. "This oasis of humanistic cultivation and intellectual freedom became the centre for the 'hundred contending schools' and from its soil the proponents of Confucianism, Daoism, Mohism, Legalism, and other doctrines collided and learned from one another" (2011, p. 1). Such traditions are very resilient in China.

At the same time, the rich pluralism of the Jixia Academy played out behind closed doors. Its leaders were fearless in advising and criticizing the leaders of the state, to their faces, but Jixia pluralism did not constitute a fully-fledged civil society or a democratic polity in the American sense. This separation, between on one hand pluralism within the state, on the other hand a controlled civil space, continues to constrain the larger democratic character of academic freedoms, especially in the one-party states. In China, the internet is continually controlled and monitored. In turn this reduces the social potentials of an expanded and modernized system of higher education and research.

A Universal Academic Freedom?

In Descriptive Terms

When academic freedom is considered in descriptive terms, the foregoing

argument suggests that it is impossible to separate academic freedom from the relations between higher education/state/society, and the prevailing norms of academic conduct. Questions of positive freedom are especially affected by variations in these domains, which vary across the world. The import of the difference between English-speaking traditions, and Sinic traditions, has just been discussed. Even within the traditions prevailing in one higher education system, practices of academic freedom are often variant and contested.

Across the world, professors normally exercise full academic rights. Professors are also expected to behave according to professional norms of conduct. In most but not all systems they are expected to uphold to good order of both university and society, which inhibits free-wheeling dissent. Below professorial rank access to academic rights, obligations and responsibilities is mixed. In many systems junior staff lacks substantial authority. In the United States academic freedom has become closely linked to tenure. This is the best protection of negative academic freedom so far devised. Yet tenure is often achieved well into mid-career after rough edges of youthful rebellion have been sanded away, and the faculty member has learned to conform to peer and institutional cultures; and tenure's coverage of the academic professions is radically incomplete, and is diminishing. A growing proportion of teaching, research and service is conducted by non-tenured faculty and non-academic professionals who are not protected by tenure and lack the positive authority that is secured by tenure's confirmation of expertise.

In the English-speaking systems students are mostly granted a right of free speech. Yet while free speech without the weight of authority has a meaning in civic life, its academic impact is negligible. At the point where the words of students assume formal academic weight—the ascension to doctoral status—their discourse is often closely shaped by the processes of doctoral supervision/advising and examination. They maintain negative freedom but their positive freedom is directed, and may be coerced in some respects.

Different conceptions apply by country and by institution in the English-speaking world. In some settings academic freedom is held to constitute the right (and even, in some situations, the obligation) to speak out regardless of one's own area of expertise: It shades into a broad democratic right while at the same time being grounded in the notion of the professor or scholar-researcher as generic public intellectual. In other settings the scope of academic freedom is precisely demarcated by faculty's individual boundary of trained and recognized

expertise. Different conventions also apply by discipline. Some disciplines tolerate a greater plurality in basic assumptions than do others. To take a simple contrast, mainstream economics is less tolerant of dissent than social theory. Unorthodox material is often robbed of legitimacy in economics, and given little opportunity to be heard.

The foregoing confirms that academic freedom is specific and grounded, not uniform, and that the nature of its specifications and boundaries can vary greatly. There seem to be no plausible general rules within systems. However it is possible to identify conventions, like the American nexus between tenure and freedom, that apply widely within systems. To map these conventions accurately across the world is a major research project in itself.

At the same time, to a greater or lesser degree, practices of academic freedom everywhere are limited by features of the contemporary political economy of universities. The state everywhere uses the techniques of the NPM (directly via the requirements of government, for example in research administration, and by proxy through institutional managers) to control normative knowledge production. The performance cultures of systems and institutions drive work in certain directions. Academic faculty rarely have the opportunity to engage in blue-sky inquiry, and are required to raise money and often to tailor their research and teaching to the needs of clients. Some disciplines, particularly in the applied sciences, are favoured above others. Infringements of academic freedom rarely take the form of direct suppression of negative freedom. More often the autonomy of individuals remains intact but is captured, managed and directed for specific ends not chosen by faculty themselves. Positive academic freedom is shaped and constrained.

All the same, academic freedom is not simply determined by the state, or by the state and institutional managers—any more than it is controlled and evolved sui generis by the academic professions themselves. Just as universities are shaped in the relationship between government and higher education, academic freedom is shaped at the intersection between government (broadly defined) and systems of academic self-regulation. It ebbs and flows in the continued tug of war, the oscillating symbiosis, between the two. Government and university managers cannot dispense with the peer culture that is the medium in which scientific collaboration is practiced. Academic communities never break wholly free of government and managers that provide essential conditions of possibility. Academic communities vary from place to place and over time. So does

government. It is unsurprising there are variations in the practices associated with academic freedom and that this domain is unstable and open to political ebbs and flows. This raises the question of whether a universal component is possible, and meaningful, and what it might be.

In Normative Terms

Few professors anywhere in the world welcome state (and university manager, or market client) suppression of free academic work or expression. To that extent there appears to be a universal practice of academic freedom in relation to negative freedom, freedom from constraint or coercion. This still leaves to be resolved the question of whether all members of the academic community should be granted this precious and essential freedom, and if not to whom it should be limited. There is also the more difficult question of whether negative academic freedom applies to all possible knowledge contents, or is limited to the subject's own defined field of expertise whether disciplinary or sub-disciplinary in form.

There seems no ready basis for defining a universal academic freedom in terms of positive freedom, meaning the freedom to cause and create and enact. The domain of positive freedom is more culturally and nationally variant, than the domain of negative freedom. Until there is convergence between the main traditions, in their notions of academic duties and responsibilities, a universal academic freedom in terms of positive freedom will continue to be elusive.

Until and unless there is a common understanding between the post-Confucian systems and the English-speaking systems on questions of the role and nature of the state, the state-university relation, the society-university relation, and the mores that govern academic labour, there can be no comprehensive conventions governing faculty work. All the same, there seems no good reason to seek to subordinate either tradition one to the other. The Western and English-speaking traditions speak especially to the power of individualism, to knowledge as an end in itself (though this is contested by government) and to state-society relations and the contribution of universities to the broader public sphere, civil discussion and democracy. The Sinic tradition speaks to the good of the collective and the individual aware of the collective, to the applications and uses of knowledge for ultimately practical ends (here there is more agreement in the East, than in the West, between university and state) to pluralism within the state and the securing of state responsibility and good government, and to the social leadership role of

universities. Both traditions are rich and generative. Both contribute to intellectual life and social relations, in distinctive ways. Both are compatible with the free exercise of academic functions though the contents tend to be different. Both embody potential contributions to the global conversation and to the global evolution of higher education and knowledge.

The same kind of point can be made about other university traditions such as the Nordic, the Russian, or the Latin American where the role of autonomous public universities in nation-building is especially well defined. This suggests that as the world inches closer to an identifiable global society, one valuable exercise of academic freedom, everywhere, would be to explore the manner in which elements that are constructive within different academic traditions might become blended together in productive ways. If this both strengthens the space everywhere for academic expression, and broadens the scope for common conversation across borders, much can be gained.

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