

Written evidence from Dr Shereen Benjamin (FOE0223)

I am an academic member of staff at the University of Edinburgh. I have witnessed at first hand a chilling of academic freedom and freedom of expression at my own institution in relation to discussion of issues relating to sex and gender identity and women's rights during the last two years. In consequence I have become concerned about broader threats to academic freedom. This submission addresses just one of the inquiry focus questions:

How has the situation changed in universities in the two years since the Committee's report on the issue?

Academic freedom is one of the cornerstones of democracy. No ideology, no matter how fashionable or apparently universally accepted, should be unassailable at a university. However, the past two years have seen an intensification of attempts to close down discussion on university campuses of the consequences of gender recognition reform, led often by students and academics themselves. Universities, increasingly run as businesses which depend on attracting student 'consumers', have to manage competing claims arising from perceived student demand, the need to avoid adverse publicity, and the imperative to be seen to promote a corporate Equality, Diversity and Inclusion (EDI) agenda. My experience is that despite claims to the contrary, academic freedom is not always the priority when it comes to management decision-making in this context, as illustrated by this example from the University of Edinburgh.

In June 2019 I organised an open panel discussion on women's sex-based rights. It was the only public event platforming women's sex-based rights at the University during 2019: as far as I know, 11 public events platforming gender identity ideology (defined [here](#)) went ahead on campus that year with no protest or adverse commentary.

In the weeks leading up to the event there was an onslaught of unfounded allegations that a discussion of women's rights would make trans students and staff unsafe. A group of university staff and students launched a [petition](#) mischaracterising the event as "transphobic", alleging that it would offer academic credibility towards "hate and phobic sentiments" and arguing that it "seems to contravene the University's own policies on equality and diversity". Social media posts, including by [members of the university](#), broadcast the view that the event would be transphobic and made specific allegations of hate against named speakers. An article appearing in *The Scotsman* documented social media posts from Edinburgh's Lighthouse Bookshop calling the speakers "a gathering of misogynistic transphobes" whose "actions put lives at risk, [and] encourage marginalisation & discrimination". The same article quoted the University Principal stating the University's commitment to freedom of expression, and encouraging members of the University to "openly contest ideas that they oppose" but with no mention of academic freedom, or of any need for protestors to respect normal academic conventions of robust but respectful debate which challenges ideas rather than individuals.

The University of Edinburgh student press carried articles about the event. One [alleged that](#) "It is negligent of the University to platform guests who have been widely criticised for promoting hate speech", in a McCarthyite-style use of prior unsubstantiated allegations of hate speech in place of actual evidence of hate speech. Another article, the [record of a speech](#) made at a rally opposing the panel discussion, claimed that "just to know these people exist is

deeply upsetting” and alleged that women’s discussion of sex-based rights “directly fuels” hate crime.

Despite the febrile atmosphere on campus engendered by these and other allegations, the [meeting went ahead](#), was attended by a number of MSPs, and was subsequently supported by a [Scottish Parliamentary motion](#) signed by a majority of members. However, speakers and attendees had to walk past an intimidating protest prominently displaying the slogan “No TERFs on our turf”: the term TERF is [associated with misogyny](#) including online death threats and rape threats, and the slogan used in this context refers to a 2019 [NUS motion](#) calling for “anti-TERF initiatives” on campus. In response to threats of disruption, University Security colleagues moved the event into a venue with a direct escape route from the stage and organised an emergency back-up venue in case evacuation became necessary. There were bag searches on entry, and a seven-person Security team onsite throughout. As one of the speakers left the venue, accompanied by Security guards, she was subject to an [attempted physical assault](#).

A casual analysis would suggest that the University upheld academic freedom in this example, and supported it by providing the venue and the Security team. However, the absence of a robust statement on academic freedom by the University, and the lack of action to establish the boundaries of acceptable protest, in all probability contributed to the raising of the campus temperature which in turn made the event highly problematic to organise and presented physical danger to speakers and audience.

I attempted to organise a further open event, on supporting gender non-conforming and trans-identifying children and young people in schools, in December 2019. LGBT Youth Scotland, Scottish Trans Alliance and the University of Edinburgh Staff Pride Network were invited to provide speakers, but all declined as they were unwilling to share a platform with speakers with whom they disagree. As soon as publicity went live, the University’s Staff Pride Network emailed its members and published a [blog post](#) attacking and misrepresenting the event and implying that University managers were unhappy about the event but reluctantly had to allow it “under academic freedom” – an impression that University managers were unwilling to correct when requested. Given what had happened earlier in the year, the December event was [postponed](#) in the hope that University managers would provide the necessary clarifications of academic freedom and acceptable protest that would enable it to go ahead in safety. It still has not been possible to re-schedule it. Meanwhile, further in-person and online events platforming gender identity ideology uncritically have continued to go ahead unhindered at the University, promoting a false impression of consensus and a distinct lack of balance.

Events on women’s rights at other University campuses were also postponed or cancelled in the months before lockdown, for example at [Oxford Brookes](#) and [Essex](#). There is, however, no way to establish or quantify the volume of events that simply have not been organised, due to practical hurdles such as the time involved in setting up complex security and booking arrangements, and to psychological stress associated with the anticipation that an event on women’s rights will be met with hostile social media and abusive commentary that will likely go unchecked by university managers.

Nor is there any way to establish or quantify research not undertaken, or teaching that avoids this vital but controversial social topic. The high-profile campaign against feminist philosopher Professor Kathleen Stock has most recently seen an [open letter](#) protesting against

her award of an OBE. The attacks do not follow established academic conventions of robust, good-faith rebuttal, but instead consist of smears, misrepresentations and hyperbolic assertions about the harm caused by her arguments. Professor Stock is an established senior academic whose job is not at risk, whatever the psychological costs to her of the campaign. But for more junior academics, especially those on precarious contracts (as is typically the case for early career academics), the lesson as they watch the campaign against Professor Stock and similar campaigns against other feminist academics is clear: avoid researching and teaching topics that could see you targeted if you want to forge a stable career. This is, or should be, unacceptable.

Action is needed to help universities to re-establish the primacy of academic freedom. The sometimes conflicting relationship between EDI policies and the principles of academic freedom needs to be addressed. Most universities are members of the [Stonewall Diversity Champions](#) scheme and as such have introduced policies and guidance that can be at odds with academic freedom. For instance, [documents](#) on The University of Edinburgh's EDI website tell students that feminists deliberately use the phrase "reasonable concerns" to "create fear and moral panic". This is not compatible with providing a calm, objective space on campus for respectful discussion of issues raised by feminists. Meanwhile the University's [Statement on Freedom of Expression](#) sets out its commitment to upholding academic freedom, but does not address how it will resolve perceived and actual conflicts with its other policies. It provides a welcome assurance that protest should not obstruct a speaker's right to express their views, but does not set out how it will prevent protestors from doing exactly that.

In order to uphold academic freedom in practice, and take due account of the chilling effect of unacceptable *ad hominem* protest on subsequent research, teaching and discussion, it may be helpful for university managers to be required to:

- 1) Clarify their institutions' commitment to academic freedom
- 2) Review institutional policies and guidance where there may be actual or perceived conflicts with academic freedom
- 3) Produce unambiguous guidance for addressing such conflicts
- 4) Establish the boundaries of acceptable protest by members of their communities

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