PROMOTING HIGHER EDUCATION VALUES

A Guide for Discussion

ACKNOWLEDGMENTS

December 2017

ISBN xxx-x-xxx-sxxxxxx-x

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ABOUT THIS GUIDE

This guide is intended to frame and facilitate discussion about higher education values and their implementation in a wide range of settings. It starts from the view that healthy higher education communities matter enormously. They are engines of knowledge production, discovery, innovation, skills development, cultural preservation, and national progress. But to be healthy, higher education communities must be grounded in core values—equitable access, accountability, academic freedom, institutional autonomy, and social responsibility. Where these values are respected and flourish, higher education communities not only contribute necessary skills and services to society but also maximize the capacity of individuals to think for themselves and make informed, creative contributions to their own lives as well as to the lives of others. Without these values, the provision of higher education and the perceived social, political, and cultural functions of higher education narrow. Attempts to broaden these can be interpreted by some as destabilizing—triggering violent attacks, coercion, politicization, and undue external interference with higher education communities. Security suffers, and with it so does the quality of teaching and research. Moreover, quite apart from such violent or coercive pressures, higher education communities today are under enormous structural and competitive pressures arising from globalization, commercialization, commodification of knowledge, so-called disruptive technologies, and more. These risk squeezing out core values, not because of hostility, but because of the complexity of implementing them in widely varied settings. This is especially true in higher education, as institutions embrace cross-border partnerships ranging from simple research exchanges to branch campuses that can not only offer many positive opportunities but also pose challenges for institutions, scholars, and students working in or with institutions and people from places where higher education values are not well understood or respected.[1]

This guide aims to assist states, higher education institutions, leaders, scholars, staff, and students as they wrestle with these challenges, and in the process it hopes to help them avoid twin traps. The first is neglect, the tendency to avoid wrestling with complex and often competing values claims among the range of higher education stakeholders by limiting mention of values to general statements of support for academic freedom and autonomy, without developing any practical procedures for implementation. When the inevitable values-related incidents arise—and they do—stakeholders are left seeking solutions after the fact, often under time or other constraints, with little consensus or social or political capital to call upon. An example of neglect might be an overseas teaching program involving faculty from both partner institutions that is silent

as to whether academic freedom principles apply equally to faculty from the overseas and the local institutions.

> ❝ *This guide urges proactive examination of values issues and the development of "ritualizing" practices that can build respect and understanding.*❞

Neglect often leads to the second trap, of oversimplification, where actors confronting a values-related issue privilege one value over all others, eroding the legitimacy of outcomes. An example of oversimplification might be a student movement demanding more equitable access to higher education but adopting tactics that undermine the physical safety of campus communities, inviting security responses that erode institutional autonomy.

In place of these, this guide urges proactive examination of values issues and the development of "ritualizing" practices that can build respect and understanding. It suggests frameworks for exploring multilayered values issues and urges the development of a wider range of responses to incidents. A companion publication, *Promoting Higher Education Values: Workshop Supplement,* includes sample exercises and questions for discussion, for use by individuals or in guided seminars, workshops, and other public and private settings.

This guide does not offer specific answers to values questions or specific responses to any particular incident. Rather, it suggests a framework for analyzing situations and for constructive dialogue about values and values-related incidents. It also invites cooperation in developing a larger menu of possible actions aimed both at proactively developing values cultures and norms of practice and at fostering informed responses to incidents when they arise.

This guide draws on Scholars at Risk's extensive casework and monitoring activities, its network of partner institutions and researchers worldwide, and invaluable input from participants in an international consultation group convened by SAR with representatives of higher education institutions and associations in every region of the globe, including many persons with direct involvement in international higher education programs. The information presented does not necessarily reflect the views of any SAR members, partners, or consultation group members. Scholars at Risk invites comments and in particular suggestions for future revisions of this guide, including, especially, additional questions for discussion, case examples, exercises, and model language or practices.

UNIT 1:
WHAT ARE "CORE HIGHER EDUCATION VALUES"?

Scholars at Risk's understanding of higher education values is informed by international human rights law[2], UNESCO instruments,[3] and related civil society statements,[4] which collectively identify five core values: equitable access, accountability, institutional autonomy, academic freedom, and social responsibility.

ACADEMIC FREEDOM

The "freedom of teaching and discussion, freedom in carrying out research and disseminating and publishing the results thereof, freedom to express freely opinions about the academic institution or system in which one works, freedom from institutional censorship and freedom to participate in professional or representative academic bodies."[5]

INSTITUTIONAL AUTONOMY

The degree of self-governance necessary for effective decision-making by higher education institutions and leaders regarding their academic work, standards, management and related activities consistent with principles of equitable access, academic freedom, public accountability, and social responsibility.

SOCIAL RESPONSIBILITY

In higher education, this is the duty to use the freedoms and opportunities afforded by state and public respect for academic freedom and institutional autonomy in a manner consistent with the obligation to seek and impart truth, according to ethical and professional standards, and to respond to contemporary problems and needs of all members of society.

EQUITABLE ACCESS

Entry to and successful participation in higher education and the higher education profession is based on merit and without discrimination on grounds of race, gender, language or religion, or economic, cultural or social distinctions or physical disabilities, and includes active facilitation of access for members of traditionally underrepresented groups, including indigenous peoples, cultural and linguistic minorities, economically or otherwise disadvantaged groups, and those with disabilities, whose participation may offer unique experience and talent that can be of great value to the higher education sector and society generally.

ACCOUNTABILITY

The institutionalization of clear and transparent systems, structures or mechanisms by which the state, higher education professionals, staff, students and the wider society may evaluate—with due respect for academic freedom and institutional autonomy—the quality and performance of higher education communities.

DON'T WE NEED MORE PRECISE DEFINITIONS?

While consensus on a general meaning of each core value is important, a perfectly precise definition is neither possible nor particularly desirable, given the wide range of higher education systems, institutions, and local conditions. More important is an understanding of the interrelatedness of each value with the others and a good faith application of the general meaning to the conditions experienced in a given case. Rather than focus on binary questions (Is conduct X included in value Y?), which risk oversimplification, better understanding may result from exploring interrelatedness of the various values (e.g., "What is the impact of conduct X on respect for core values?").

WHAT ABOUT OTHER, RELATED VALUES?

The five core values listed are not an exhaustive list but are rather a set of broad categories, each of which may implicate other values concerns. For example, integrity in research, governance, and management is essential to higher education and should be understood as included within the meaning of academic freedom, institutional autonomy, and accountability, respectively. Similarly, general antidiscrimination principles should be understood as included within the meaning of equitable access and social responsibility.

ARE CORE HIGHER EDUCATION VALUES HUMAN RIGHTS?

Much of the meaning of the core values listed would be covered by international human rights standards, while other elements may depend more on generally accepted good practices. Claims of violations of equitable access or academic freedom, for example, might be sustained under existing human rights law protections for the right to freedom of opinion and expression, the right to education, or the right to freedom from discrimination based on age, gender, religion, race, or other grounds. Claims of violations of institutional autonomy or accountability may more often depend on domestic legal or policy protections, buttressed by internationally recognized good practices. But even these may trigger human rights protections, given the interrelatedness of all five values, if the conduct in question also impinges on other values areas. For example, a decision by a state to close a university because of budget or management concerns may not trigger human rights protections that may be implicated if the closure were instead intended to punish peaceful academic or student expression.

UNIT 2:
LINES, LINE-DRAWING, AND CONSEQUENCES

Core higher education values are protected by higher education principles and international human rights standards. While these principles and standards overlap, they are not the same. International human rights standards apply to all persons but generally focus on restraining harmful state action (e.g., censorship or discrimination) or encouraging state action that is beneficial to the realization of human rights (e.g., prosecuting violators or providing access to quality higher education). Human rights standards alone may be insufficient to protect against erosion of core higher education values that result from private, nonstate action or from legislative or administrative actions that fall short of human rights violations (e.g., regarding student admissions or funding of higher education). Higher education principles, by contrast, apply more narrowly, as they are limited to those institutions and individuals in the higher education sector but may provide guidance on a wider range of operational issues (e.g., university governance, tenure, faculty hiring, etc.). Defenders of core higher education values therefore need to consider both higher education principles and human rights standards to determine whether either or both offer protection in a given context.

The overlap of these two areas sometimes leads to confusion about which forms of expression or conduct are protected by which standards and, in particular, what expression or conduct should be considered "academic" for the purpose of academic freedom protection (in addition to general free expression protection). This leads to attempts to draw clear lines between expression or conduct considered "academic," and therefore protected, and expression or conduct considered "not academic," and therefore not protected by academic freedom or other higher education values. While understandable,

such efforts at line-drawing can be harmful if they lend legitimacy, however unintentionally, to antagonists of academic freedom who seek to restrict inquiry and expression. A focus on line-drawing can also be harmful because it obscures two more important questions, namely, "Who decides where the line, if any, lies?" and "What are the consequences for crossing the line?"

"Whether something is "academic" or "not academic" would turn instead on whether the inquiry or expression is undertaken according to the ethical and professional standards of the subject discipline, as determined by higher education professionals of similar expertise."

Supporters of higher education values sometimes seek to limit academic freedom protection to a traditional understanding that focuses on in-class or laboratory teaching and learning, academically oriented research, and publication and expression focused on exclusively academic audiences. This view tends to treat other forms of expression or conduct by members of the higher education community as "not academic" and therefore outside of the protection of higher education values (although still protected by human rights standards). Attempts to distinguish "academic" from "not academic" tend to focus on the context of the expression (such as academic journal articles versus public blogs, opinion essays, or columns in newspapers), the format (such as data-heavy analysis versus narrative commentary), or the target audience (within the higher education sector versus a wider public). According to this view, for example, a political scientist exercises academic

freedom when publishing in an academic journal but does not when publishing in a newspaper or general circulation magazine.

There are three problems with this traditional or limited view. First, this view risks oversimplifying academic inquiry and expression. In every discipline significant areas of academic expression have implications for matters of wide public concern. Clear examples include schools of law, journalism, business, public and international affairs, medicine and public health, social work, and the like. Efforts to parse out from less clear cases which areas of work are or are not "academic" inevitably privilege perceptions of "safe" or "legitimate" areas or forms of inquiry over those that are "sensitive" or "trouble making." The former superficially may be represented, for example, by inquiry into the physical or biological sciences, the latter, by inquiry into political science (e.g., governance issues) or sociology (e.g., civil society, family, or religious issues). On deeper examination, however, the physical and biological sciences may be just as likely to raise sensitive or troublesome issues (e.g., physics and weapons systems, environmental science and climate change, and biology and infectious diseases).

Second, based in part on this oversimplification, the traditional or limited view suggests a false security bargain. Implicit in the attempt to distinguish traditional scholarship from other forms of inquiry or expression (that is, distinguishing

the "academic" from the "not academic") is the suggestion that true scholarship is more worthy of academic freedom protection and therefore that including less traditional forms of inquiry and expression under the umbrella of academic freedom might invite attacks and dilute that protection overall. But there is little evidence that preemptively limiting the scope of academic inquiry or expression to defined venues, subjects, or audiences will enhance academic freedom protection. Rather, history strongly suggests that accepting limits on academic inquiry or expression undermines both academic freedom and security, especially when limits are imposed from outside the higher education community.

Finally, this traditional or limited view of academic freedom might also be seen as an abdication of the principle of social responsibility: the duty to use opportunities afforded by state and public respect for academic freedom and institutional autonomy to seek and impart truth and respond to contemporary problems and the needs of all members of society. (In the examples above, involving complex issues like weapons of mass destruction, climate change, pandemics, ethnic and religious conflict, authoritarianism, mass human rights violations, and the like, academics have a responsibility to do more than merely publish findings. Rather, they have a responsibility to communicate and translate expert findings in ways that inform public understanding and debate.)

Questions to Ask When Expression or Conduct is Challenged

GOOD	BETTER	BEST
Is it protected academic expression or conduct?	Who decides if the expression or conduct is protected?	What are the consequences if it is not protected?
(Where is the line, if any?)	(Who decides where any line is?)	(What happens if you cross the line?)

PROTECTED BY ACADEMIC FREEDOM
(And Free Expression)

PROTECTED BY

'LIMITED' VIEW	'SOCIALLY ENGAGED' VIEW	CREATIVE, ARTISTIC PERSONAL OR OTHER 'OPEN' EXPRESSION
An earth-science professor publishes concerns about government-funded climate research in an academic journal.	The professor publishes the same concerns as an essay in a major newspaper.	The professor posts negative opinions about government officials directing climate policy on a personal social media account.
A sociology professor discusses discrimination on campus during a class titled "Personal and national identity."	The professor discusses discrimination on campus in an interview on a popular TV program.	The professor joins a public march and protest against discrimination.
A student submits a paper arguing in favor of constitutional reform in a class in legal studies.	The student shares the paper with friends via social media, and invites them to comment publicly.	The student participates in a public rally in favor of constitutional reform.
A member of the public reads an academic article obtained at a public library.	The same person calls in with questions to a local radio station interviewing the author of the article.	The same person participates in a public performance based in part on the article.
A	B	C

FREE EXPRESSION

NOT PROTECTED

PARTISAN, IDEOLOGICAL, DOGMATIC, OR OTHER 'CLOSED' EXPRESSION

VIOLENT OR COERCIVE CONDUCT

The professor distributes literature for a political candidate opposed to government climate policy.

The professor writes "planet-killer" on the side of expensive, energy-inefficient cars in university parking lots.

The professor joins a religious community that supports segregation on theological grounds.

The professor, in an anonymous phone call, makes a false bomb threat to disrupt a campus event on opposition to theologically-based segregation on campus.

The student refuses dialogue with others opposed to constitutional reform.

The student physically disrupts an on campus event that includes opponents of constitutional reform, resulting in physical harm to persons and property.

The same person writes a letter to public officials condemning the article on ideological grounds and demanding the firing of the author.

The same person organizes a mob to attack the author outside the university gate.

D

E

A broader view of "socially engaged" academic freedom would embrace this responsibility and resist placing arbitrary limits on areas of inquiry and expression. Whether something is "academic" or "not academic" would turn instead on whether the inquiry or expression is undertaken according to the ethical and professional standards of the subject discipline, as determined by higher education professionals of similar expertise.

To be clear, encouraging a "socially engaged" understanding of academic freedom and objecting to line-drawing between the "academic" and the "nonacademic" is not to claim that academic freedom protects all expression or conduct. Violent or coercive conduct beyond the expression of critical or unpopular ideas (e.g., destruction or property, arson, or threats to harm or kill others) is not protected by higher education or human rights principles (principles of due process and fair and humane treatment notwithstanding). Partisan, ideological, dogmatic, or similar "closed" forms of expression may not be protected by higher education principles, to the extent that these suggest an inability or unwillingness to examine new information and evidence and to engage in discussion and debate that entertains the possibility of persuasion; but they are still protected by human rights principles. If lines must be drawn delimiting the scope of academic freedom, they should be drawn between such closed forms of expression and conduct and those which are open to the possibility of persuasion and modification of views that are a hallmark of higher education communities. (Under this view, academic inquiry into politics or religion is protected by academic freedom, but partisan campaigning or proselytizing is not.)

More important than where the line, if any, is drawn, however, is "Who decides?" and "What are the consequences for individuals crossing the line?" Core higher education values demand that the state and society leave those questions to higher education professionals to decide, according to professional standards and ethics. This is especially important with regard to creative, artistic, and other forms of personal or public expression that may satisfy the "openness" requirement but may nevertheless fall inside or outside the scope of academic freedom protections, depending on whether they are undertaken according to professional standards. This determination must remain within the academic community. In exchange for fidelity to the broad public good, as evidenced by adherence to the values of equitable access, accountability, and social responsibility, the state and society respect the autonomy and academic freedom of higher education institutions and professionals, respectively, to determine the appropriateness of the conduct of members of the sector and, in the event of transgressions, the nature and severity of any sanctions. (For example, whether an academic taking part in an off-campus demonstration has violated any professional standards or ethics is a question best resolved within the academic's department or discipline.)

Of course, this is not always observed in practice, as states, higher education leaders, and civil society actors frequently attempt to interfere with such determinations. (In the example above, institutional leadership might act against the academic precipitously and without reference to departmental or disciplinary standards; donors or government officials might threaten to withhold financial support pending action against the academic they deem unsatisfactory.) And when such interference escalates to include politicization, unlawful coercion, and violent attacks, it violates both higher education and human rights principles. (In the example above, if the academic is not only criticized but is prosecuted, is imprisoned, or made to suffer violence merely for symbolic, expressive acts.)

UNIT 3:
PROMOTING VALUES

A proactive approach to promoting higher education values offers many benefits, including avoiding the twin traps of neglect and oversimplification. This unit encourages development of "ritualizing" practices for use at your home institution and in partnerships with other institutions. These practices can help build respect and understanding that will support core higher education values, help avoid some values-related incidents, and more constructively address such incidents when they arise.

Values at Home

Many higher education institutions have statements recognizing some of the core values. Where these are missing or lacking, the first step is to work with stakeholders and decision-makers to establish them. Many may also have staff and student dispute mechanisms, disciplinary procedures, and codes of conduct that may address one or more of the core values in the context of responding to an incident. But these are not enough.

Fewer institutions have procedures or mechanisms in place for implementing their values commitments proactively. This is important if institutions are to enjoy the full benefits of core higher education values—including higher quality inquiry, teaching, and discourse within a more inclusive community and with meaningful engagement with the broader public. Equitable access, for example, serves quality both by encouraging the widest range of intellectual talent to enter higher education and by providing a safeguard against the corrupting effects of bias and limited perspectives. Autonomy not only gives institutional leaders and faculty space to prioritize promising areas of research and teaching, as determined by experts, but it can also be a shield against corruption, such as attempts from outside to divert higher education resources. Accountability similarly can guard against improper diversions of resources initiated from within the sector. Academic freedom, for its part, not only encourages researchers to take intellectual and creative risks. It can also increase quality by encouraging free and open debate about new ideas, and by decreasing any risks of negative repercussions for sharing even critical information, it can help to accelerate the distribution of new knowledge and fuel innovation. Social responsibility encourages institutions and researchers to consider and prioritize both short- and long-term benefits to society when determining their research and teaching agendas.

DOES LOCATION MATTER?

On-campus vs. off-campus expression or conduct

Does the location of expression or conduct matter for purposes of protection? All members of higher education communities are protected under human rights principles, regardless of their location. Whether expression or conduct is also protected by higher education principles depends more on the content of the action and whether it is undertaken according to the ethical and professional standards of the subject discipline rather than on the location of the action. A presumption in favor of protection might be claimed, however, for expression or conduct taking place within the higher education space—including not only classrooms and laboratories but also offices, corridors, and courtyards of campus facilities and in textbooks, teaching materials, journals and publications, websites, and university emails—while expression or conduct taking place outside the higher education space may still be protected by higher education principles, depending on the context.

Neglecting to implement these core values proactively risks undermining the core functions of higher education and the ability of higher education to serve society as fully as possible.

Neglecting to implement values proactively can also leave institutions, leadership, and other stakeholders vulnerable to

"In this case, 'ritualizing' values means creating and repeating regular, visible, and meaningful opportunities for all stakeholders to discuss values questions and their meaning in practice in the community."

values disputes that inevitably arise, often without warning; these can be triggered by students, administrators, faculty, trustees, or even persons or events off campus. They can consume valuable time and resources and distract attention from priorities. Handled badly, they can strain relationships and leave lasting scars on leadership and the institution. (In the absence of pre-established values procedures, for example, student protests against the imposition of higher tuition fees, faculty objections to adding or eliminating an international activity, or donor/alumni objections to speakers or course content can quickly devolve into acrimony.)

Finding solutions to contentious or sensitive issues after the fact, often under time constraints and subject to media or other pressures, is much more difficult without an established values culture to draw upon. The converse is also true: grounding leadership in core higher education values can help resolve conflicts and turn a values "crisis" into an opportunity to enhance the institution's most valuable asset—its reputation. This requires ritualizing dialogue on values questions as a regular part of campus life before any values-related incidents arise. In this case, "ritualizing" values means creating and repeating regular, visible, and meaningful opportunities for all stakeholders to discuss values questions and their meaning in practice in the community. Ritualizing values allows stakeholders to develop a common vocabulary, understanding, and culture around values, as well as constructive patterns of communication that can help to avoid miscommunication and build the trust that can be helpful in resolving future incidents.

STEP 1: Statement of values

A statement of values is only the starting point for ritualizing values, and the process of preparing the

statement is almost as important as the content of the statement itself. The act of writing or reviewing a statement of values offers an opportunity to work across the university community to establish an enduring set of principles by which the community can measure itself. When preparing or reviewing a university's statement, consider the following:

- Does the statement include mention of all five core values?

- Does the statement, and the process of its creation, invite all stakeholders into the institution's culture of values, including students, academics, staff, administrators, trustees, alumni, parents, donors, the state, and the public?

- Does the statement reinforce the institution's culture of values in all types of situations? Not only research, teaching, and publications, but also employment, on-campus and off-campus activities, commercial activities, and access to the university community, facilities, and resources?

STEP 2: Tradition and culture of communication about values

The creation of a statement, its initial dissemination, and its regular reintroduction to the community can help to build traditions and cultures of support for higher education values across a range of stakeholders. Passive dissemination, such as posting to websites, sending email bulletins, and writing letters, can help encourage transparency but it is insufficient. Active dissemination is needed and might include incorporation into staff and student induction processes; an annual letter, report, lecture, or workshop on values themes; essay contests or prizes for defending values or promoting a positive values culture; course offerings; dedicated columns or newsletters; regular radio or TV discussions, and more.

STEP 3: Assign responsibility

To transform a statement on paper into a values culture, institutions must assign responsibility to individuals, offices, and groups to implement values principles proactively, as well as to respond to incidents when they arise. When assigning responsibility, consider the following:

- Responsibilities and powers should be clear and transparent, yet still flexible enough to respond to issues in ways likely to support a positive values culture.

- Responsibility should be shared among officially designated bodies or officers representing all key stakeholders. Examples might include a highly visible office of values ombudsperson working in tandem with a committee representing the full range of stakeholders.

- Responsibilities should include proactive promotion of core values, not merely creating procedures for responding to incidents or complaints after the fact.

STEP 4: Ready, transparent processes

It is essential to create processes for facilitating values-related communication proactively—before any incident arises—so they are in place already in the event of a specific incident. Such processes should be as transparent as possible, consistent with other procedures and obligations requiring discretion or confidentiality (e.g., employment and tenure, collective bargaining, or student grading or disciplinary processes). Values processes should generally also be inclusive of a wide range of stakeholders and strive to reinforce a positive values culture, rather than being secretive, disciplinary, or adversarial in nature. When developing values processes, consider the following:

- Are the processes transparent and inclusive? Who is involved? How are they invited? Who is left out?

- How is information invited into any processes? How is information evaluated and shared?

- Do the processes established encourage proactive examination of values issues, as well as reaction to incidents?

- Do the processes established anticipate the full range of values concerns and contexts? For example, not just classroom or research settings but all other campus spaces and occasions of engagement with the state and public?

- How regularly do the processes create opportunities for discussion of values? Annually? Monthly? More frequently?

- Is there a regular program of reintroduction, education, and reporting that helps build a shared values culture?

- Are there built-in provisions for reevaluating statements and processes to incorporate lessons learned?

STEP 5: Transparent review and adjustment

Finally, there should be a regular, inclusive, and transparent review built into any processes for the purpose of inviting suggestions and incorporating lessons from opportunities or challenges that have arisen. Ultimately, how institutions ritualize core higher education values will vary by location, culture, leadership, and national and local prerogatives. But all successful ritual frameworks must allow for sustained dialogue. By increasing visibility of values concerns and creating spaces for dialogue among stakeholders, ritualizing values offers the best path to creative, context-appropriate strategies for protecting and promoting core higher education values over time.

Values in Partnerships

Higher education today is experiencing historic transformation, driven in part by structural and competitive pressures arising from globalization, commercialization, commodification of knowledge, so-called disruptive technologies, and more. This presents many positive opportunities for states, institutions, scholars, and students. These include increased student and faculty mobility, research exchanges, and cross-border institutional partnerships that range from simple bilateral exchanges to full or partial satellite campuses and multi-institution education clusters or cities, each of which may or may not include national, regional, or local governmental authorities as parties. Grounding leadership in core higher education values may be even more important in the context of such external and especially cross-border partnerships, where the challenges of developing a common vocabulary, understanding, and culture around values—and the risks and consequences of misunderstandings—are even greater. In this context, "ritualizing" values means creating and repeating regular, visible, and meaningful opportunities for stakeholders in the partnership to discuss values questions and their meaning in practice for their joint activities.

STEP 1: Statement of values in the partnership

Again, the starting point is a statement of the partners' understanding of core higher education values as these relate to their joint activities. This could be accomplished by a stand-alone agreement, an addendum, a memorandum of understanding (MOU), or, perhaps best, by the inclusion of relevant language from standard partnership agreements. The statement should reflect the full range of core higher education values (consistent with internationally recognized standards [see page 4] and with any limitations on these clearly stated) and

should be transparent and available to all stakeholders for regular review and comment, for example, via posting on the partners' websites.

STEP 2: Tradition and culture of communication about partnership values

As at home, active dissemination of the values statement of a partnership is vital to developing a culture of communication and understanding. Depending on the scale and nature of the partnership, this might include incorporation of the values statement into staff and student induction into partnership activities; an annual letter, report, lecture, or workshop on values themes within the partnership; essay contests or prizes for promoting a positive values culture in the partnership; course offerings; or more.

STEP 3: Assign responsibility for implementing statements/standards

In the partnership context it is especially important to assign responsibility jointly to individuals, offices, or groups belonging to each partner to implement an agreed values framework jointly and proactively, as well as to respond to incidents when they arise. Responsible parties should be tasked with engaging representatives of all key stakeholder groups whenever practical, including especially leadership, scholars, students, and staff involved in partnerships activities, as well as those in their respective home communities with concerns relating to the partnership.

STEP 4: Ready, transparent processes

Most important is to move beyond general statements of support for higher education values and, instead, to establish clear, transparent processes for values-related communication before any values-related incidents arise. In its simplest form, this might consist of an annual exchange and public disclosure of letters between partners. Such letters should clearly state the partners' mutual goals for the partnership relating to core higher education values, enumerate steps taken and future plans relating to those goals, and outline any values-related incidents that arose during the year and their respective responses to the fullest degree possible (with due regard for professional confidentiality or personal privacy).

STEP 5: Transparent review and adjustment

Ideally processes would also allow for stakeholder input and discussion of the contents of any letters and other communications, with an eye toward broader transparency and inclusion. In the example of an annual exchange of letters, this might include an advertised request for submissions prior to the drafting of the letters, and public comment period after their publication, or for a structured process for public discussion within and between partnership constituencies.

Overall, the goal of ritualizing values in partnerships is to encourage voluntary, bilateral dialogue between equal partners as the best and most sustainable way to promote creative, context-appropriate strategies for improving understanding and respect for higher education values over time.

Specifically, ritualizing values in partnerships by putting in place a proactive values process can help to guard against special risk to higher education institutions working in or with people and institutions from or in places where academic freedom, autonomy, and related values are not well understood or severely limited, including:

- **Quality risks**, if failure to discuss values concerns places explicit or implicit limits, or even the appearance of such limits, on inquiry, discourse, or participation in partnership activities;

- **Legal, financial, and reputational risks** for each of the partners, if failure to discuss values issues leaves room for significant misunderstandings, and failure to develop a values framework proactively leaves partners to find solutions to contentious or sensitive issues after the fact, often under time constraints or other pressures; and

- **Values risks**, impacting not only the partners but the higher education sector, if the failure to implement a

values framework implicitly contributes to the evolution of dual standards: one set of standards for the "home" campus and its programs, faculty, and students, and a second, more limited set of standards for cross-border partner campuses, programs, the "local" faculty and students who research, teach, and study at them. Institutions are at risk of implicitly accepting these limits when they open programs and campuses without adequately ensuring ongoing adherence to values principles beyond perfunctory statements.

These risks can increase as partnerships move from early planning phases often involving smaller numbers of dialogue participants to more active phases involving larger numbers of persons, potentially raising unanticipated values concerns. Take, for example, the case some years ago of a European university exploring a new international partnership in Asia. Initial conversations understandably included a relatively small number of administrators and academics in the departments expected to be involved. Only after substantial progress was made in negotiating terms was the potential partnership presented to the full university community, exposing serious misgivings among academics in other departments and other stakeholders. Ultimately the institution canceled the planned partnership, resulting in a significant loss in sunk time and resources already invested in the planning to date and harm to the collegiality within the university community and its external reputation. Ritualizing values at home is a way to broaden input on potentially sensitive activities earlier in the process while guarding against such surprises later on. Ritualizing values in external partnerships can similarly increase input on values issues earlier on, helping to build vocabularies, understandings, and cultures of communication between partners and their respective constituencies that can help the partnership withstand any issues that arise.

Values at Home and in Partnerships

The following is an <u>incomplete</u> menu of proactive ways to promote core higher education values. What other ways can you suggest?

1	Create and disseminate a statement of values and processes for individual programs or institution-wide.
2	Make values statements and processes transparent by sharing via websites, email bulletins, and letters.
3	Incorporate discussion of values into leadership, staff, and student induction processes and offer annual/regular "refreshers" as part of professional development programs.
4	Circulate an annual values assessment letter or report and create opportunities to discuss with stakeholders.
5	Organize an annual lecture, workshop, essay contest, or prize on values themes.
6	Encourage values-positive practices regarding on-campus events and speakers, including disclosing sources of invitations (to distinguish official from unofficial events) and funding.
7	Encourage speakers at campus events to respect campus cultures/practices with regard to questions, discussion, and debate (e.g., by requiring equal time for speaker remarks and questions).
8	Encourage protesters at campus events to respect campus cultures/practices with regard to dissent and disruption.
9	Encourage diversity and demilitarization of campus security, as warranted, and training on security's role in safeguarding core values and campus discourse.
10	Encourage research and course offerings on values-related issues.
11	Appoint a values ombudsperson empowered to raise values issues proactively and in response to concerns.
12	Establish a values committee to encourage positive discussion of values issues and resolve disputes.
13	Establish a column, newsletter, website, or social media feed dedicated to regular airing of values concerns.
14	Encourage regular radio or TV discussions of values concerns.
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16	
17	
18	

UNIT 4:
DEFENDING VALUES

As discussed above, proactive approaches to building understanding and respect for core higher education values, those favoring voluntary dialogue among a wide range of stakeholders, are always preferred. Nevertheless, it takes time to develop a statement of values and ready transparent processes for the proactive discussion of values issues. And it takes even more time for a meaningful tradition and culture of communication around values to develop. As incidents will happen in the meantime, guidance is still needed for defending values after the fact. This may be a second-best approach, but it can be helpful in responding to incidents and mitigating damage to institutional priorities and individuals, without sacrificing important values principles or stakeholder interests.

Most important is to avoid a potentially harmful binary all-or-nothing approach by assessing the situation and attempting to develop a range of appropriate responses calibrated to key variables. In a case involving a single student or faculty member alleging a single instance of infringement of academic freedom, for example, limiting options to shutting down the entire program or doing nothing will likely produce harmful results either way: one as an overreaction and the other as an inadequate response.

It is also important to avoid oversimplified approaches that privilege one value over all others, or to overlook key stakeholders. These can erode the legitimacy of responses and outcomes. In the case of disputes over speakers on campus, for example, privileging academic freedom/ free expression without due regard for concerns about equitable access or social responsibility may unnecessarily alienate members of the university from underrepresented communities. This can erode support for the resolution of disputes, whatever course of action is taken.

Avoiding binary and oversimplified approaches requires a careful assessment of the stakeholders (in cases of incidents at home) or partnership (in cases of incidents elsewhere), the incident, and the range of available responses, and their impacts.

STEP 1: Stakeholder/partnership assessment

When considering incidents at home, consider the range of stakeholders involved, including those immediately within the higher education community (including leadership, staff, scholars, and students) and those outside with an interest in what goes on (alumni, parents, donors, the state, society). Consider the institution's role in relation to the incident. For example, is the incident related to official university conduct or policy, or is the campus merely where the incident arose? The number of people involved may be considered, recognizing, however, that incidents involving only one person can still have a very significant impact on values considerations. Similarly, links to core academic activities may be considered, but in recognizing the central functions of research, teaching, and publication, extreme care nevertheless should be exercised to avoid labeling inquiry or expression over matters of public concern as "nonacademic" in nature (e.g., public commentary, blogs, or other expression by faculty members or students on matters relating to their academic role, area of professional expertise or area of study, or policies or events impacting higher education [see p. 10]). Take, for example, an incident in which controversy arises over an academic who is denied a promotion or removed from a position, allegedly in retaliation for writing critical essays about state or university officials. Which stakeholders are implicated? Other academic staff? Students? Others? What

is the institution's role? Was the institution involved in the denial or removal, or was it ordered and executed from outside the institution? How many people are involved? Just the one academic, or potentially more? What was the nature of the essays—were they related to the academic's teaching or research?

STEP 2: Incident assessment

Values-related incidents can be complex and diverse, ranging from discrete, nonviolent restrictions on one individual to violence or other serious restrictions on large numbers of higher education staff or students. Relevant also is the extent to which the alleged victims are related to the institution, to a partner higher education institution, to

STEP 1: STAKEHOLDER/PARTNERSHIP ASSESSMENT		
For evaluating a specific context		
STAKEHOLDER At home institution		**PARTNERSHIP**
1a.	**Stakeholder**	**Duration**
Questions to ask	Which and how many different types of stakeholders are implicated? (leadership, staff, scholars, students, alumni, parents, donors, the state, society).	How old is the project or relationship? Weeks, months, or years?
Assessment	Wider range suggests greater importance.	Longer duration suggests greater importance.
1b.	**Institutional Role**	**Institutional Commitment**
Questions to ask	What is institution's role? Official role or secondary? University-wide, limited to a single school or program, or none? Implications for policy? For reputation?	What is the institutional commitment of time, money, or reputation? University-wide, limited to a single school or program, or none?
Assessment	Wider role suggests greater importance.	Wider commitment suggests greater importance.
1c.	**Number of People Involved**	
Questions to ask	How many people are implicated? Dozens or hundreds?	
Assessment	More people implicated suggests greater importance (but not always!).	
1d.	**Academic Component**	
Questions to ask	Is it related to core academic activities of research, teaching, and publication?	
Assessment	More academically oriented suggests greater importance (but not always—boundaries are fluid!).	

Note: In rows 1a and 1b, the "OR" connector appears between the Stakeholder and Partnership columns.

STEP 2: INCIDENT ASSESSMENT	
For evaluating a specific incident arising in a specific context	
2a	**Type of Harm**
Questions to ask	What is the nature and scope of harms experienced, if any? Violence or loss of liberty? Dismissal, nonrenewal, or expulsion? Restrictions on travel or movement? On academic expression? On nonacademic expression?
Assessment	More severe or wider harms suggest a more serious incident that might warrant a more significant response.
2b	**Identify of Victims**
Questions to ask	Who are the victims? The institution's own staff or students? Staff or students at a partner higher education institution? Staff or students at another higher education institution? Outside the higher education sector?
Assessment	Victims more closely connected to the institution, its partners, the project, or higher education might warrant a more significant response.
2c	**Number of Victims**
Questions to ask	How many victims are involved? One, a few, dozens, or more?
Assessment	More victims might suggest a more serious incident, although severe harms or threats to academic expression against only a few might still warrant a significant response.

a third-party higher education institution, or to those who are from outside of higher education entirely. Similarly, whether the incident implicates academic expression versus other forms of expression is relevant for gauging appropriate institutional roles and responses. Again, extreme care should be used—to avoid labeling legitimate inquiry or expression over matters of public concern as "nonacademic" in nature. An institution's appropriate role in response to an incident may differ based on the severity of the incident and the nexus of the incident and the institution's own staff, students, and/or partners. In the example above of the academic who is denied a promotion or removed from a position allegedly in retaliation for writing critical essays about state or university officials—what is the nature of the harm? It would not appear to involve violence. But what if the loss of position also means an inability to secure future academic work? This could result in serious financial and social pressures, not only for the academic but also for any family members or others depending on lost financial support. Does it matter if the academic is a regular staff member (tenured or long-term contract) versus contingent or part-time? In the case of a partnership, does it matter if the academic is employed by the home institution versus the partner institution? Is the academic the only victim? What about his or her students? What about colleagues who might self-censor or otherwise alter their future work based on how this academic was treated?

STEP 3: Expanding the "response menu"

The stakeholder/partnership and incident assessments help institutions to determine the importance of the incident and whether a response is warranted. The response menu (see table) helps institutions avoid potentially harmful binary, "all or nothing" approaches by imagining a range of responses to consider.

The menu includes dialogue-focused responses that aim to encourage constructive discussion of issues raised by an incident and expression of any concerns. At home, such responses might include public or private meetings with leadership; public town halls or workshops; or public or private working groups and reports. The risks of each depend on the incident, although in most cases would not involve violence, wrongful detention, prosecution, or other extreme threats that can arise

in relation to cross-border partnerships. Similarly, the benefits will depend on the incident, but in most cases more transparent and inclusive responses would yield greater benefits. In partnerships, dialogue-focused responses may include those aimed at international partners and stakeholders (e.g., higher education leaders as well as government officials), at the institution's own local or overseas staff and students, at media, or at members of the public. These responses also distinguish public actions from private or discrete actions. Care should be taken, however, to pair private actions with complementary public responses so as to avoid a false impression of inaction, which can harm the institution's reputation and the perception of its respect for values generally.

Program-focused responses aim to encourage due consideration of the

STEP 3: RESPONSE ASSESSMENT For evaluating responses to a specific incident, in a specific context	
3a	**Risks and Benefits**
Questions to ask	What are the risks and benefits of each response option for... The institution's own staff and students? The institution's reputation or other interests? A partner institution's staff and students? A partner institution's reputation or other interests? Victims or others implicated by the incident? Other stakeholders?
Assessment	Bias **AGAINST** "do nothing" option when Step 1 & 2 assessments suggest moderate-to-high importance. Bias **IN FAVOR OF** "dialogue-focused" responses when (1) risks to the institution are low and (2) benefits to stakeholders, partners, or victims are moderate-to high.
3b	**Financial and Other Costs**
Questions to ask	What are the financial or other resource implications of each response option, for each of the above stakeholders?
Assessment	Bias **AGAINST** "program-focused" responses when (1) benefits to the institution are low and (2) risks to the institution are moderate-to-high. Bias **IN FAVOR OF** responses that increase dialogue and respect for core higher education values, at home and in partnerships.

potential impacts, positive and negative, resulting from proposed changes in the subject activity, including impacts on all relevant stakeholders. At home, these might include impacts on current faculty or students, as well as on prospective students, alumni or the public. In partnerships, these might include impacts on local higher education partners and the incident victims.

Overall, more important than any particular risk or benefit assessment is expanding the range of stakeholders and responses considered. The latter especially helps to avoid "all or nothing" choices: doing nothing or cancelling a partnership or program. Since full cancellation involves significant costs, "all or nothing" choices are implicitly biased toward "'do nothing." This can result in inadequate responses that may harm the institution and harm core higher education values generally. A bias in favor of dialogue-focused responses may be appropriate, especially when the risks to the institution are low and the benefits to stakeholders, partners, or victims are moderate to high. A bias against program-focused responses may be appropriate when the benefits to the institution are low and the risks to stakeholders, partners or victims are moderate to high. A bias against "do nothing" may be appropriate when stakeholder/partnership and incident assessments suggest moderate to high importance. Together these create an appropriate overall bias toward responses that increase respect for core higher education values, whether at home or in external or cross-border partnerships.

Expanded Response Menu

The following is an incomplete menu of non-binary, pro-values response options that might be tailored to specific incidents, in a specific context. What other response options can you suggest?

AT YOUR HOME INSTITUTION	IN YOUR PARTNERSHIPS
DIALOGUE-FOCUSED RESPONSES	
Private leadership meeting with stakeholders	Public statement/letter of concern
Public leadership meeting with stakeholders	Co-endorsement on public statement/letter
Public town hall or roundtable	Private statement/letter of concern
Public workshop or conference	Co-endorsement on private statement/letter
Public or private working group/report on incident	Public town hall or roundtable
Other public responses?	Public workshop or conference
Other private responses?	Public or private visit/delegation to raise concerns
	Public or private working group/report on incident
	Public or private event at partner higher education institution (HEI)
	Public or private invitations/scholarships/ fellowships for affected HEI partner staff/ students
	Public or private invitations/scholarships/ fellowships for affected 3rd-party HEI staff/ students
	Other public responses?
	Other private responses?
PROGRAM-FOCUSED RESPONSES	
End the program/policy	End partnerships/full withdrawal
Suspend activities/policy	Suspend activities/partial withdrawal
Reduce scope of activities	Reduce scope of activities
Freeze or otherwise limit activities	Freeze or otherwise limit to current activities
Monitor and reassess over time	Monitor and reassess over time
No change in current activities/plans	No change in current activities/plans
Other?	Other?

REFERENCES

1 This section borrows from a discussion of competing visions of education in Robert Quinn, "Attacks on Higher Education Communities: A holistic, human rights approach to protection," in UNESCO, Protecting Education from Attack: A State of the Art Review (2010).

2 Relevant human rights provisions include especially the 1966 International Covenant on Economic, Social and Cultural Rights (Article 15 on the right to education) and related 1999 General Comment 13 of the Committee on Economic, Social and Cultural Rights (ESCR); the 1966 International Covenant on Civil and Political Rights (Article 18 on freedom of "thought, conscience, and religion" and Article 19 on "the right to hold opinions without interference," "freedom of expression," and "freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers"); and the related provisions of the African Charter on Human and Peoples Rights (Articles 9 & 17), 1948 American Declaration on the Rights and Duties of Man (Articles 4 & 12), 1967 American Convention on Human Rights (Article 13), and the European Convention on Human Rights (Article 10 & Protocol Article 2).

3 Relevant UNESCO instruments include especially the 1997 UNESCO Recommendation Concerning the Status of Higher Education Teaching Personnel, 1974 Recommendation on the Status of Scientific Researchers, and the 1960 Convention against Discrimination in Education. Similarly, in Europe the Committee of Ministers of the Council of Europe adopted a recommendation on the research mission of universities in 2000 and a recommendation on the responsibility of public authorities for academic freedom and institutional autonomy in 2012, while the Parliamentary Assembly adopted Recommendation 1762 (2006) on academic freedom and university autonomy.

4 Relevant civil society statements include the 1982 Declaration on Rights and Duties Inherent in Academic Freedom, adopted by the International Association of University Professors and Lecturers (IAUPL) in Sienna, Italy; the 1988 Lima Declaration on Academic Freedom and Autonomy of Institutions of Higher Education, adopted by the World University Service (WUS); the 1988 Magna Charta Universitatum, adopted by the Standing Conference of Rectors, Presidents and Vice-Chancellors of the European Universities (CRE); the 1990 Dar es Salam Declaration on Academic Freedom and Social Responsibility of Academics, adopted by staff associations of higher education establishments in Tanzania in 1990; the 1990 Kampala Declaration on Intellectual Freedom and Social Responsibility, adopted at a symposium held for that purpose by members of the African intellectual community; and the 2004 Amman Declaration on Academic Freedom and the Independence of the Institutions of Higher Education and Scientific Research, adopted by the Conference of Academic Freedom in the Arab Universities. Building on these, the Global Coalition to Protect Education from Attack (GCPEA) has recently released guidance to states on the responsibility to protect core values, especially academic freedom and institutional autonomy, in the context of violent and coercive attacks on higher education. GCPEA, Guide to Implementing the Principles of State Responsibility to Protect Higher Education from Attack (2016). Recent statements recognizing the importance of core values in cross-border higher education include "Guidelines for an Institutional Code of Ethics in Higher Education," jointly issued by the International Association of Universities and the Magna Charta Observatory (2012), and the "Hefei Statement on the Ten Characteristics of Contemporary Research Universities" (2013), jointly issued by the Association of American Universities, Group of Eight (Australia), League of European Research Universities and the Chinese 9 Universities, and later joined by the Russell Group, U15 Canada, AEARU (Association of East Asian Research Universities), RU11 Japan, and the Hong Kong 3.

5 UNESCO 1997 Rec., para. 27 (citing UNESCO 1974 Rec.). The UN Committee on Economic, Social and Cultural Rights (ESCR) has commented that "[m]embers of the academic community, individually or collectively, are free to pursue, develop and transmit knowledge and ideas, through research, teaching, study, discussion, documentation, production, creation or writing. Academic freedom includes the liberty of individuals to express freely opinions about the institution or system in which they work, to fulfill their functions without discrimination or fear of repression by the State or any other actor, to participate in professional or representative academic bodies, and to enjoy all the internationally recognized human rights applicable to other individuals in the same jurisdiction" (ESCR Committee, General Comment 13: The Right to Education, E/C.12/1999/10, 1999).
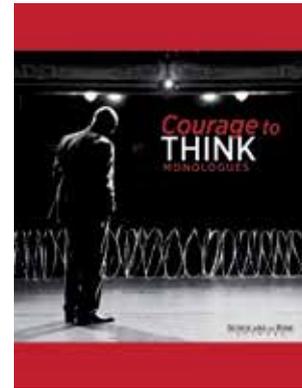
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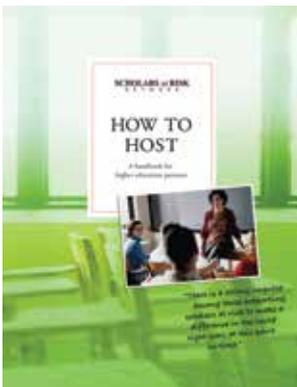

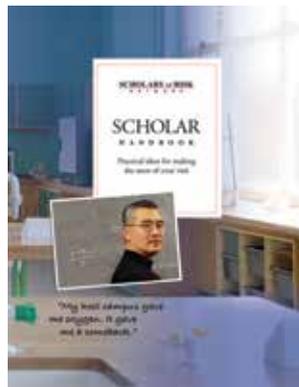Getting Involved: Guide to SAR Membership and Activities
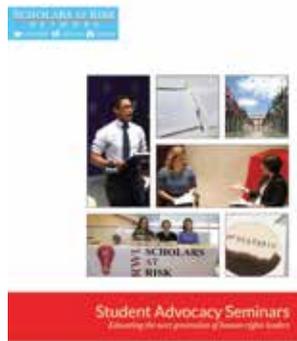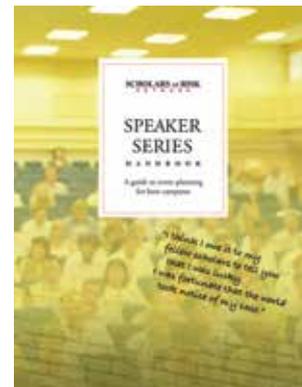

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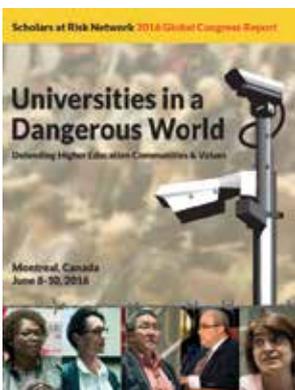Courage to Think Monologues: Stories of Threatened Scholars

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