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IS ACADEMIC FREEDOM IN BELGIUM AND THE NETHERLANDS UNDER DURESS?

Abstract: *Academic freedom is considered a cornerstone of democratic higher education, yet its institutional foundations are becoming increasingly fragile. This article examines how financial austerity and ideological contestation interact to reshape academic freedom. It argues that formal constitutional and supranational safeguards coexist with subtle but cumulative mechanisms of erosion, including performance-based funding, managerial governance, politicized scrutiny of specific disciplines, and transnational ideological interference. While Belgium and the Netherlands still perform comparatively well in Europe, the convergence of budgetary constraints and ideological polarization generates chilling effects, self-censorship and strategic compliance. The article concludes that academic freedom cannot be assumed to be secure by default. It calls for renewed safeguards, combined with institutional cultures and international alliances that strengthen the structural resilience of academic freedom.*

Key words: Academic Freedom, University Autonomy, Education, Governance, Higher Education, Belgium, Netherlands.

1. INTRODUCTION

Academic freedom, long upheld as a foundational principle in liberal democracies, is facing renewed scrutiny and contestation across the globe.¹ The principle of academic freedom has served as a fundamental pillar of modern higher education since the establishment of the research university in the 19th century. This freedom encompasses the right of faculty to pursue research, teach, and express ideas without external

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1 Kinzelbach, K., Lindberg, S. I., Lott, L., Panaro, A. V., 2025, Academic Freedom Index Update 2025, Nürnberg, FAU Erlangen, (https://academic-freedom-index.net/research/Academic_Freedom_Index_Update_2025.pdf, 20. 11. 2025).

interference, while also protecting students' rights to learn and engage with diverse perspectives.² In recent years, even countries with strong higher education traditions, such as Belgium and the Netherlands, have witnessed intensifying pressure on scholars and institutions. These unprecedented challenges threaten the independence and integrity of higher education institutions. The pressure is not only financial but also ideological in nature. While academic freedom has always existed within political, social and economic contexts, the past decade has seen a re-configuration of those contexts, wherein austerity measures, far-right populism, and transnational political agendas converge to redefine the university's role and autonomy.

Belgium and the Netherlands offer a compelling comparative lens: they are both small, affluent EU Member States with decentralized educational governance and strong historical commitments to academic autonomy. Yet they are not immune to the pressures reshaping global academia. Their respective higher education sectors are embedded in broader European policy dynamics and are increasingly exposed to international ideological currents, as seen most recently in the diplomatic and cultural interventions emanating from the United States. The United States provides a particularly stark example of how rapidly academic freedom can be undermined through coordinated political action, legal challenges, and social pressure campaigns. Since 2020, American universities have witnessed an alarming acceleration in legislative attempts to restrict research topics, mandate curriculum content, eliminate diversity programs, and influence faculty hiring practices.³

This article argues that ideological politicization, frequently combined with budgetary constraints, is undermining academic freedom in both subtle and overt ways. It explores how these recent trends interact with governance structures and erode university autonomy and freedom of inquiry. While Belgium and the Netherlands have not yet experienced authoritarian rollback akin to Hungary or Turkey, the cumulative effect

2 European Higher Education Area (EHEA), 2020, Rome Ministerial Communiqué, 19 November, (https://eha.info/Upload/Rome_Ministerial_Communique.pdf); EHEA, 2020, Rome Ministerial Communiqué – Annex I. Statement on Academic Freedom, 19 November, (https://eha.info/Upload/Rome_Ministerial_Communique_Annex_I.pdf); Karran, T., 2007, Academic Freedom in Europe: A Preliminary Comparative Analysis, *Higher Education Policy*, Vol. 20, No. 3, pp. 289–313.

3 Sachs, J. A., Young, J. C., 2024, America's Censored Classrooms 2024. Refining the Art of Censorship, *PEN America*, (<https://pen.org/report/americas-censored-classrooms-2024>, 20. 11. 2025).

of these challenges is no less concerning for the long-term health of democratic higher education.⁴

By examining policy developments, institutional responses, and theoretical frameworks, this article contributes to a more nuanced understanding of academic freedom as a situated and contested concept. It calls for a reimagining of academic governance structures that can resist illiberal encroachment while promoting inclusion, pluralism, and intellectual rigor. This research aims to identify early warning signs of academic freedom erosion and propose concrete measures to strengthen protection for scholarly independence.

2. METHODOLOGY AND SOURCES

This study employs a qualitative, comparative policy analysis approach, drawing on both primary and secondary sources. The primary data consists of official policy documents, public statements by government ministers, press releases from universities and university associations, and media coverage from credible regional news outlets. These sources provide insights into recent incidents that have brought academic freedom into question, such as the dissemination of an ideologically charged questionnaire by the US Embassy in Belgium and ongoing public debates about the role of diversity, gender studies, and “woke” culture at Belgian and Dutch universities. Secondary data includes scientific literature on academic freedom, comparative education policy and higher education governance. These works offer theoretical grounding and comparative context for understanding how academic freedom is operationalized and contested across political systems.

The comparative method allows for a structured analysis of similarities and differences between the Belgian and Dutch cases. It also enables the identification of transnational patterns, particularly with respect to how global ideological trends – such as the exportation of anti-DEI (diversity, equity, and inclusion) rhetoric – find expression in national higher education systems. The methodology is interpretive and assumes that academic freedom is not a static legal norm but a dynamic site of struggle over meaning, values, and institutional boundaries.

4 Cankaya, E., Teoman Pamukcu, M., *Les Académiques pour la paix en Turquie. Une étude sur les violations flagrantes de la liberté académique dans un pays candidat à l'adhésion à l'Union européenne*, in: Frangville, V. *et al.*, (ed.), 2021, *La liberté académique. Enjeux et menaces*, Brussels, Éditions de l'Université de Bruxelles, pp. 107–119.

The limitations of this study include the lack of direct interview data and the reliance on publicly available materials, which may not fully capture the internal deliberations of universities or the personal experiences of affected academics. However, the selected sources are sufficient to trace discursive shifts, policy decisions, and public controversies that have significant implications for academic freedom. The findings should therefore be understood as indicative rather than exhaustive.

Through this approach, the article aims to offer a theoretically robust and grounded account of the contemporary threats to academic freedom in Belgium and the Netherlands. It situates these threats within broader debates in education and contributes to the ongoing effort to conceptualize academic freedom as both a right and a responsibility within democratic societies, while reflecting on current challenges and attacks on academia.

3. CONCEPTUALIZING ACADEMIC FREEDOM

3.1. A MULTIDIMENSIONAL FRAMEWORK

Academic freedom, as conceptualized in contemporary scholarship, encompasses multiple interconnected dimensions that collectively ensure the independence of higher education institutions from external interference. It serves an individual and collective protection, but also imposes duties to nations.⁵ Philip Altbach identifies four core components: freedom of research and publication, freedom of teaching and curriculum design, freedom of expression and extramural speech, and institutional autonomy in governance and resource allocation.⁶ This multidimensional framework recognizes that threats to any single component can undermine the entire system of academic independence.⁷

For analytical purposes, this article distinguishes three interrelated dimensions of academic freedom. First, individual academic freedom concerns the rights of scholars and students to choose research questions, methods, and teaching content, and to express critical views within and beyond the institution. Second, institutional academic freedom or uni-

5 Vrieling, J. *et al.*, 2023, Challenges to academic freedom as a fundamental right, League of European Research Universities (LERU), Advice Paper No. 31, April 2023, pp. 3, 14–28.

6 Altbach, P. G., 2001, Academic freedom: International realities and challenges, *Higher Education*, Vol. 41, Nos. 1–2, pp. 205–219; Vrieling, J. *et al.*, 2023, p. 29. This was later affirmed by the European Court of Human Rights, see ECtHR, *Mustafa Erdoğan and others v. Turkey*, Nos. 346/04 and 39779/04, Judgment of 27 May 2014, paras. 40–41.

7 Vrieling, J. *et al.*, 2023, p. 3; EHEA, 2020, p. 3.

versity autonomy refers to the capacity of higher education institutions to determine their internal governance, strategic priorities and external partnerships without undue interference from political and private actors. Third, a broader systemic dimension captures the regulatory, financial and cultural environment in which universities operate, including funding regimes, evaluation logics, and public discourse on the role of science. Attacks on academic freedom may target any one of these dimensions, but they typically operate through their interaction – for example when systemic funding pressures translate into institutional steering and, ultimately, into self-censorship at the individual level. This multidimensional understanding is crucial to situate the Belgian and Dutch developments discussed in the remainder of the article.

The theoretical foundation for academic freedom rests on both instrumental and intrinsic justifications. Instrumentally, academic freedom is defended as necessary for the advancement of knowledge, the training of critical thinkers, and the maintenance of democratic discourse. Intrinsically, it is viewed as a fundamental human right that protects the dignity and autonomy of scholars and students.⁸ These dual justifications create a robust legal-philosophical foundation but also potential points of tension when academic freedom conflicts with other social values or political priorities.

Moreover, scholarship has emphasized the relational nature of academic freedom, highlighting how it depends on complex networks of institutional support, legal protection, professional norms, and social acceptance.⁹ This relational understanding helps explain why academic freedom can be vulnerable even in countries with strong constitutional protections, as erosion often occurs through gradual changes in institutional culture, funding mechanisms, and social attitudes rather than direct legal prohibition.¹⁰

This normative fragmentation of the concept of academic freedom has significant implications. Without clear, binding, and enforceable definitions, academic freedom becomes vulnerable to reinterpretation by political actors, institutional managers, and even members of the public.¹¹

8 Monard, E. *et al.*, 2023, Vrij onderzoek noodzakelijk voor maatschappelijke uitdagingen. Ruimte voor wetenschap op initiatief van de onderzoeker [Free academic research on societal challenges. Room for science on the initiative of the researcher], *KVAB Position Paper* 82, pp. 50–65.

9 Waele, L. de, 2025, Academische vrijheid is de zuurstof van een gezonde democratie [Free academic research provides the oxygen for a healthy democracy], *Knack*, 19 September, (<https://www.knack.be/nieuws/belgie/onderwijs/academische-vrijheid-is-de-zuurstof-van-een-gezonde-democratie>, 19. 9. 2025).

10 Karran, T., 2007, pp. 289–313.

11 This poses a significant challenge for the judicial protection as well, since the procedures could be misused by opponents of academic freedom, as is argued by Barbato, J.-C., *La liberté académique dans l'ordre juridique de l'Union européenne*, in: Mau-

It carries the risk of increasingly being framed not as a foundational principle but as a negotiable commodity, subject to policy priorities and cultural anxieties. The consequence is a weakening of the epistemic authority of academic institutions and a chilling effect on scholars engaged in critical, controversial, or minority-informed research.¹²

What is needed, therefore, is a renewed discourse on academic freedom – one that acknowledges both its individual and collective dimensions, situates it within democratic pluralism, and defends its institutional expression against encroaching managerialism and ideological backlash. Such a discourse must also include clarity on the limits of academic freedom, particularly when it intersects with public accountability and social responsibility. A mature understanding of academic freedom is not one that excludes political critique, but one that is resilient enough to accommodate it without succumbing to it.

3.2. EUROPEAN FRAMEWORK AND PROTECTION

At the European level, the situation is complex. Initiatives like the European Education Area and the Bologna Process include language about academic values but lack coercive mechanisms.¹³ The European Research Area Framework has created additional protections by promoting mobility of researchers, open access to scientific publications, and international collaboration – but also freedom of scientific research.¹⁴ In practice, enforcement relies on soft power tools such as university rankings, peer review, and reputational pressure – mechanisms that often exacerbate, rather than mitigate, the neoliberal pressures described above.

Article 13 of the Charter of Fundamental Rights of the European Union explicitly guarantees that “[t]he arts and scientific research shall be free of constraint” and that “academic freedom shall be respected”.¹⁵ This provision, which became legally binding with the Lisbon Treaty in 2009, establishes academic freedom as a fundamental right within EU law. The enforceability of said article, however, remains limited. The European Court of Justice has rarely adjudicated on academic freedom

bernard, C., Platon, S., Tinière, R., (eds.), 2025, *Les mutations de la protection de la liberté d'expression dans l'Union européenne*, Brussels, Bruylant, pp. 316–323.

12 Karran, T., 2007, pp. 289–290.

13 EHEA, 2020, p. 3.

14 See, for instance, Council Recommendation (EU) 2021/2122 of 26 November 2021 on a Pact for Research and Innovation in Europe, *OJ L*, 2 December 2021, recital 6.

15 Article 13 of the Charter of Fundamental Rights of the European Union, *OJ C*, 18 December 2000, 364/11.

directly, and there is no binding supranational framework obliging Member States to uphold minimum standards. In *Commission v. Hungary*, the Court found that Hungarian legislation restricting foreign-funded universities violated EU law on freedom of establishment and academic freedom and thereby referred to the ECtHR to elaborate on the components of academic freedom.¹⁶ This was the first time the CJEU explicitly mentioned academic freedom.¹⁷

Read together with Article 2 TEU and Article 179 TFEU, Article 13 indicates that academic freedom forms part of the Union's constitutional identity as a research area grounded in free inquiry. However, the EU lacks a fully-fledged enforcement mechanism: the Charter applies only within the scope of EU law, infringement procedures are selective, and there is no dedicated monitoring instrument comparable to those in the fields of media freedom or the rule of law. As a result, EU-level guarantees are symbolically strong but legally and institutionally thin, especially in situations where domestic measures do not directly engage EU competences.

The European Convention on Human Rights does not contain a specific provision on academic freedom, yet the European Court of Human Rights has progressively read elements of it into Article 10 of the Convention.¹⁸ Initially the Court referred to the term academic expression, rather than academic freedom.¹⁹ In the *Sapan* case the Court firstly mentioned the notion of academic freedom.²⁰ It reiterated its importance, not just as a principle but also as underpinning democratic society, during subsequent judgments.²¹ The ECtHR regularly applies various articles of the Convention to safeguard academic freedom and its various intrinsic elements.²²

Taken together, the EU and Strasbourg frameworks create a floor rather than a ceiling for academic freedom. They provide important reference points for domestic debates, yet they do not prevent more diffuse forms of erosion that remain formally compatible with constitutional and Convention standards.

16 CJEU, case C-66/18, *European Commission v. Hungary*, Judgment of 6 October 2020, ECLI:EU:C:2020:792, paras. 222–228; Barbato, J.-C., 2025, pp. 304–316.

17 Vrielink, J. et al., 2023, p. 10.

18 ECtHR, *Başkaya and Okçuoğlu v. Tukey*, Nos. 23536/94 and 24408/94, Judgment of 8 July 1999 (GC), para. 44.

19 See, for instance, *Başkaya and Okçuoğlu v. Tukey*, para. 65.

20 ECtHR, *Sapan v. Turkey*, No. 44102/04, Judgement of 8 July 2010, para. 34.

21 See, for instance, *Mustafa Erdoğan and others v. Turkey*, paras. 40–41.

22 Vrielink, J. et al., 2023, p. 11.

3.3. NATIONAL PROTECTION MECHANISMS

At first glance, both Belgium and the Netherlands appear to offer relatively robust constitutional guarantees for academic freedom. In the Dutch Constitution, Article 23 protects freedom of education, traditionally interpreted in relation to primary and secondary schooling but increasingly invoked in debates on academic research and higher education governance.²³ The Belgian Constitution, meanwhile, offers broader protection. Belgium's federal structure and constitutional provisions provide a relatively strong foundation for academic freedom, with Article 24 guaranteeing freedom of education and Article 19 protecting freedom of expression. It also safeguards institutional autonomy.²⁴ Although education and research are largely devolved competences, the main principles are similar in Flanders and Wallonia: both communities recognize university autonomy and the importance of scientific independence.²⁵

These constitutional guarantees have clear advantages. They anchor academic freedom and university autonomy in the basic law, signal political commitment across government changes, and provide courts and academics with a normative benchmark against which to assess contested measures. Yet they also have important disadvantages in practice. First, neither constitution clearly distinguishes between the rights of individual scholars and the autonomy of institutions, making it difficult to determine who can invoke academic freedom against whom. Second, constitutional provisions are often framed in very general terms and rarely operationalized in ordinary legislation or sector-specific regulation. Third, courts have been cautious in reviewing funding and governance decisions in higher education, frequently treating them as matters of policy rather than rights.

These features help to explain why existing safeguards have so far failed to prevent more subtle forms of erosion. Funding reforms, such as the Dutch shift towards performance-based allocation and the Belgian emphasis on valorization and economic impact, formally respect institutional autonomy but, in practice, steer universities towards particular priorities.

23 Kosta, V., Ceran, O. M., 2025, *Academic Freedom Monitor 2024: Overview of de jure academic freedom protection*, Brussels: European Parliamentary Research Service (EPRS), Scientific Foresight Unit (STOA), (<https://scholarlypublications.universiteitleiden.nl/handle/1887/4255191>, 20. 11. 2025), pp. 37–39.

24 Kosta, V., Ceran, O. M., 2025, pp. 16–18.

25 CRef, 2025b, *Stand up for academic freedom: not a privilege, but one of the keys for a free society* Joint statement by the Rectors of the 10 Belgian universities, 7 July, (http://www.cref.be/communication/20250707_Academic%20freedom_statement.pdf, 7. 7. 2025).

Governance reforms that empower executive boards at the expense of collegial bodies may be justified in terms of efficiency but can weaken internal checks on politically or economically motivated decisions. In both countries, therefore, academic freedom is simultaneously strong on paper and vulnerable in practice: legal guarantees are necessary but not sufficient to address the cumulative effects of financial dependency, managerial logics, and ideological contestation.

Furthermore, constitutional protections often fail to account for the structural dependencies created by funding mechanisms, evaluation regimes, and bureaucratic governance. A university may be legally autonomous yet practically beholden to governmental performance contracts, third-party donors, and industry partnerships. The constitutional ideal of “freedom of inquiry” loses much of its substance when scholars must tailor research outputs to key performance indicators or navigate politically charged funding landscapes. This structural disconnect is particularly acute in disciplines with fewer opportunities for external valorization – such as philosophy, gender studies, or critical sociology – which are disproportionately vulnerable to defunding and de-legitimation.²⁶

In spite of this relative lack of protection of academic freedom, the national mechanisms in combination with the provisions in the EU treaties and Charter, as well as the work of the ECtHR, do provide a minimum safeguard for academic freedom, albeit only when challenged before the courts.²⁷

4. MECHANISMS OF ACADEMIC FREEDOM EROSION

4.1. HOLLOWING OUT ACADEMIC AUTONOMY

Over the past two decades, both Belgium and the Netherlands have witnessed sustained efforts to reform their higher education systems under the guise of fiscal responsibility, performance efficiency, and international competitiveness.²⁸ These reforms, mostly driven by principles of New Public Management (NPM), have often masked a deeper erosion of academic autonomy, particularly in relation to budgetary autonomy and the allocation of research funding. While governments claim to preserve

26 Roberts Lyer, K., 2025, Academic Freedom as a Human Right: Academic Freedom in Europe, *VerfBlog*, 17 October, (<https://verfassungsblog.de/academic-freedom-humanright>, 20. 11. 2025).

27 This is notwithstanding the international provisions, see Vrielink, J. *et al.*, 2023, pp. 12–13.

28 Vrielink, J. *et al.*, 2023, p. 3.

institutional freedom, in practice, funding regimes increasingly constrain academic priorities and research agendas.²⁹

In the Netherlands, the HOAK memorandum (1985) marked the beginning of a managerial turn in higher education, promoting output-based financing and tighter alignment between universities and economic objectives.³⁰ More recently, the Van Rijn Committee (2019) proposed a reallocation of funds from the humanities and social sciences toward STEM disciplines, further amplifying tensions within academic communities.³¹ The persistent underfunding of universities has reached such a critical point that university boards and staff unions have jointly protested against what they call the “structural hollowing out” of academic infrastructure.³² Dutch universities now rely heavily on external project-based grants, which exacerbate job insecurity and privilege short-term measurable outputs over long-term academic exploration. Recent years have seen increasing political attention to Dutch universities, with controversies over colonial history research demonstrating political pressure on scholarly work.³³

Flanders has faced a similar trajectory. While the region historically embraced pillarized governance and a degree of pluralistic autonomy in education, recent budget cuts have led to increased centralization and monitoring.³⁴ Universities are increasingly expected to function as innovation hubs for the Flemish economy, aligning research with economic roadmaps. The Flemish government now links funding to economic impact metrics

29 Antonowicz, D., Jongbloed, B., 2015, *University Governance Reforms in the Netherlands, Austria and Portugal: Lessons for Poland*, Warsaw, Ernst & Young, pp. 20–32; Meulemeester, J. L. de, Le financement des universités, de Humboldt au New Public Management: De quelques préconditions à la liberté académique, in: Frangville, V. et al., 2021, pp. 167–176.

30 Antonowicz, D., Jongbloed, B., 2015, pp. 24–25.

31 Adviescommissie Bekostiging Hoger Onderwijs en Onderzoek, 2019, Rapport. Wissels om. Naar een transparante en evenwichtige bekostiging en meer samenwerking in hoger onderwijs en onderzoek [Report. Changing tracks. Towards a transparent and balanced funding and cooperation of and within higher education and research], May, The Hague, Xerox/OBT (<https://open.overheid.nl/documenten/ronl-97d77dbb-0c58-410f-8aa5-f80e1412b88a/pdf>, May 2019), pp. 69–84.

32 Antonowicz, D., Jongbloed, B., 2015, pp. 20–32; Boeren, I., 2025, Sterft de academische vrijheid een stille dood? [Will academic freedom die a slow death?], *EOS*, (<https://www.eoswetenschap.eu/algemeen/sterft-de-academische-vrijheid-een-stille-dood>, 8. 7. 2025).

33 Kraak, H., 2021, Universiteiten beloofden dekolonisatie. Is er al iets bereikt, of zijn de effecten vooral ongewenst? [Universities promised decolonization. Has it been achieved or are the effects mostly unwanted?], *De Volkskrant*, 21 May, (<https://www.volkskrant.nl/cs-b6651243>, 21. 5. 2021).

34 Monard, E. et al., 2023, pp. 30–46.

and valorization strategies.³⁵ Such a move not only narrows the scope of academic inquiry but also devalues disciplines that do not yield immediate economic returns, notably the humanities and social sciences. The increasing emphasis on external funding, as well as when non-disclosure agreements have restricted publication practices, has created new potential conflicts between academic independence and economic imperatives. The same holds true for the Walloon and Brussels areas.³⁶

The effects of these budgetary constraints are far-reaching. Scholars face growing administrative workloads, reduced job security (particularly among junior researchers), and limited time for independent research. Structural underfunding also exacerbates inequalities within academia, as institutions redirect limited resources toward flagship departments, often at the expense of less profitable or politically controversial fields.³⁷ The result is a shrinking space for critical reflection, interdisciplinary exploration, and long-form scholarship – all of which are essential to the vitality of academic freedom.³⁸

The COVID-19 response revealed vulnerabilities, with faculty reporting informal pressure to moderate criticism of government policies.³⁹ Rising populist parties have increasingly criticized universities as sites of “left-wing indoctrination”.⁴⁰ Aggressive university-industry collaboration strategies have created new dependencies that may compromise independence, particularly around fossil fuel partnerships affecting climate research.⁴¹ Digital harassment has increased, with researchers studying

35 Vlaams Parlement, 2009, Decreet betreffende de organisatie en financiering van het wetenschaps- en innovatiebeleid, (<https://codex.vlaanderen.be/Portals/Codex/documenten/1018085.html>, 30. 4. 2009).

36 Parlement de la Communauté française, 2024, Déclaration de la politique communautaire 2024–2029: Avoir le courage de changer pour que l’avenir s’éclaire, (<https://archive.pfwb.be/1000000020d90cd>, 16. 7. 2024), pp. 31–37.

37 Jonge Academie, 2025, Deze regering holt het wetenschapsbeleid uit. Opinie over wetenschapsbeleid en financiering [This government is hollowing out science policy. Opinion on science policy and funding], *De Standaard*, 14 October, (<https://www.jongeademie.be/artikel/opinie-uthollen-wetenschapsbeleid.html>, 14. 10. 2025).

38 Royal Netherlands Academy of Arts and Sciences (KNAW), 2025, Academic freedom in the Netherlands: response to current threats, (<https://www.knaw.nl/en/publications/academic-freedom-netherlands-response-current-threats>), pp. 22–24, 29; Soeharno, J., 2023, En/En. Tegen ideologische begrenzing van academische vrijheid [And/And. Against an ideological limitation of academic freedom], *Filosofie&Praktijk*, Vol. 44, No. 1, p. 47.

39 Vandewalle, J. *et al.*, 2025, Trust in Science and the Scientist, *KVAB Position Paper* 88b, pp. 18–24.

40 KNAW, 2025, pp. 18–24, 28–32.

41 Kuipers Munneke, P., 2023, Het slechte huwelijk tussen universiteit en fossiele industrie [The bad marriage between universities and fossil industry], *NRC* 5 April; KNAW, 2025, pp. 25–26.

far-right movements and conspiracy theories reporting death threats and coordinated campaigns.⁴² Gender studies programs have faced organized social media campaigns.⁴³ Universities are voicing their concerns with regard to these recent developments.⁴⁴

One of the most insidious consequences of the developments described above is the emergence of chilling effects and self-censorship among academics. These phenomena are difficult to measure empirically, yet recurrent survey data, anecdotal evidence and institutional reports from both countries suggest that they are far from marginal. In Flanders, studies on harassment and intimidation of scientists indicate that researchers working on migration, gender or climate policy increasingly receive threats and coordinated online abuse. Similar experiences are reported in the Brussels-Walloon area⁴⁵ and the Netherlands, particularly by scholars studying far-right movements or conspiracy theories. Such pressures do not always result in formal sanctions, but they can significantly alter researchers' behavior: some avoid particular topics, tone down public interventions, or decline media requests in order to minimize personal risk.

Chilling effects also operate through institutional and systemic channels. In an environment of structural underfunding and competitive project-based financing, early-career researchers in particular may strategically align their projects with perceived funding priorities or avoid contentious fields that might be seen as politically sensitive or insufficiently "valorisable". Senior academics may refrain from publicly criticizing university leadership or government policy, for fear of jeopardizing institutional relations or future funding opportunities. These forms of self-censorship rarely leave a paper trail, but they reveal how academic freedom can be eroded without formal legal restriction. The result is a gradual narrowing of the range of questions that are asked, the methods that are deployed, and the voices that are heard in public debate.

Thus, while universities may retain formal autonomy in law, the practical reality is one of financial dependence and strategic compliance. Budgetary mechanisms have become tools of indirect governance, steering academic behavior by means of economic incentives and constraints.

42 Verhaeghe, P.-P., 2023, *The academic intimidation and harassment of scientists at Flemish universities in Belgium*, Brussels, VUB, pp. 17–23.

43 For an overview, see Soeharno, J., 2023, pp. 32–47.

44 Universiteiten van Nederland, 2025, Statement on Academic Freedom – The Rectors of the Dutch Universities, 30 May, (<https://www.universiteitenvannederland.nl/en/current/news/statement-on-academic-freedom-the-rectors-of-the-dutch-universities-2025>, 30. 5. 2025).

45 Parijs, P. van, *Liberté académique et ethos universitaire*, in: Frangville, V. *et al.*, 2021, pp. 55–57.

This financialization of higher education poses a fundamental threat to the ideal of the university as a space of critical, independent thought. In addition, self-censorship has become more present.⁴⁶

4.2. TRANSNATIONAL INTERFERENCE: THE US EMBASSY INTERVENTION

The United States has experienced an unprecedented wave of legislative attacks on academic freedom since 2020, with state legislatures introducing over 300 bills designed to restrict teaching, research, and campus expression. Florida provides the most extreme example, with legislation that has eliminated tenure protections, mandated ideological surveys, and required prior approval for certain research topics.⁴⁷

The systematic nature of attacks reflects the influence dedicated to reshaping higher education. These interferences were effectively framed as defending “intellectual diversity”, demonstrating how attacks on academic freedom are often presented as efforts to enhance educational quality.⁴⁸ While the US Constitution does not protect academic freedom, it does refer to the freedom of speech in its First Amendment. Academic freedom has been recognized as an integral part since the 1940s.⁴⁹

In early 2025, a diplomatic controversy unfolded in Belgium when Flemish universities received a questionnaire from the US Embassy.⁵⁰ The document probed institutional policies on diversity, gender studies, and the handling of so-called “gender ideology”. While framed as a benign information-gathering exercise, the questionnaire’s phrasing, targets, and geopolitical subtext sparked widespread backlash across academic and political communities.⁵¹ Scholars and university rectors interpreted the move

46 Soeharno, J., 2023, pp. 44–48.

47 Mutua, A. *et al.*, 2024, The War on Higher Education, *UCLA Law Review*, Vol. 72, No. 2, pp. 14–26. For an overview of legislation, see Sachs, J. A., Young, J. C., 2024.

48 Balme, S., 2025, Academic freedom: how to defend ‘the very condition of a living democracy’ in France and worldwide, *The Conversation*, 17 October, (<https://theconversation.com/academic-freedom-how-to-defend-the-very-condition-of-a-living-democracy-in-france-and-worldwide-267689>, 17. 10. 2025).

49 AAUP, 1940, 1940 Statement of Principles on Academic Freedom and Tenure with 1970 Interpretive Comments, (<https://www.aaup.org/reports-publications/aaup-policies-reports/policy-statements/1940-statement-principles-academic>, 20. 11. 2025); AAUP, 2023, Academic Freedom and the Law, (<https://www.aaup.org/sites/default/files/Academic%20Freedom%20Outline%20for%20Website.pdf>, 22. 2. 2023).

50 This article uses the US example, but this is not an isolated case of political interference in academia, as it is also the case for France, the UK, etc. See Barbato, J.-C., 2025, p. 303.

51 RTBF, 2025, Après des entreprises, des universités belges reçoivent un questionnaire de l’ambassade étasunienne sur leur politique de diversité [After companies, Belgian

as an ideologically motivated intrusion into domestic academic affairs, one that raised profound questions about sovereignty, academic freedom, and the politicization of transatlantic relations.⁵² The Embassy's initiative must be contextualized within a broader ideological export from conservative US circles, particularly those critical of DEI (Diversity, Equity, and Inclusion) frameworks. In recent years, right-wing thinktanks and advocacy groups in the United States have aggressively challenged academic curricula related to gender, race, and colonial history, framing them as expressions of "wokeness" or cultural Marxism. This anti-DEI sentiment, once confined to domestic US politics, appears to be part of a global strategy to influence educational agendas abroad. The Embassy's questionnaire in Belgium, which included questions about the presence of gender studies programs and the institutional stance on "biological truth", is emblematic of this ideological export. It also inquired on the international links of the university, the risk management, and freedom of expression.

The Flemish response was swift. Several rectors publicly refused to answer the questionnaire, invoking both institutional autonomy and the principle of free scientific inquiry.⁵³ The Flemish Rectors' Conference issued a joint statement emphasizing that external diplomatic partners are welcome to engage in dialogue, but not to evaluate or prescribe the content of academic programs. The same sentiment was shared across the Brussels and Walloon communities, where ARES (Académie de Recherche et d'enseignement supérieur) published a similar statement.⁵⁴ Political reactions cut across party lines: while some actors downplayed the incident as a misunderstanding, others explicitly condemned it as inappropriate ideological interference. The episode generated extensive media coverage, which in turn prompted broader public debate on the vulnerability of universities to foreign influence and on the legitimacy of gender studies and diversity policies more generally. The impact of the intervention is thus ambivalent. On the one hand, the strong and coordinated response by universities and many politicians reaffirmed academic autonomy and clarified that external partners cannot unilaterally redefine the boundaries

universities receive a questionnaire on their diversity policy], 8 May, (<https://www.rtbef.be/article/apres-des-entreprises-des-universites-belges-recoivent-un-questionnaire-de-l-ambassade-etasunienne-sur-leur-politique-de-diversite-11543935>).

52 Allea, 2025, Allea Statement on Threats to Academic Freedom and International Research Collaboration in the United States, February, (<https://allea.org/portfolio-item/allea-statement-on-threats-to-academic-freedom-and-international-research-collaboration-in-the-united-states>, 20. 11. 2025).

53 Allea, 2025.

54 ARES, 2025, Les universités en action: adapter le soutien, renforcer l'intégration, défendre la liberté, June, (<https://www.ares-ac.be/fr/les-universites-en-action-adapter-le-soutien-renforcer-l-integration-defendre-la-liberte>, 3. 6. 2025).

of acceptable research or teaching. On the other hand, the questionnaire provided new rhetorical ammunition to domestic critics of “woke ideology” and reinforced the framing of gender studies and diversity policies as controversial, foreign-inspired projects. Even though no university altered its programs as a direct result of the questionnaire, the incident contributed to the already polarized discourse in which certain disciplines are constantly required to justify their existence.

More broadly, the US Embassy episode illustrates how academic freedom in small European states can be affected by transnational ideological currents. Interference no longer takes the form of overt censorship or political directives, but of “soft power” instruments such as surveys, partnerships and funding conditions that embed contested normative expectations. For Belgium and, by analogy, the Netherlands, this raises difficult questions about how to maintain open international collaboration while setting clear limits to ideologically motivated scrutiny. It also highlights the need for explicit institutional protocols to handle such incidents, including procedures for collective responses and transparency towards staff and students.⁵⁵

Belgium’s experience should serve as a cautionary tale for the Netherlands and other EU Member States.⁵⁶ It underscores the need for robust institutional protocols that safeguard against external ideological pressures, even from friendly nations. Academic freedom is not merely a national concern; it is a transnational imperative that demands coordinated defense in an era of escalating ideological contestation.

5. COMPARATIVE DIMENSIONS: FROM HUNGARY TO THE LOW COUNTRIES

The cases of Belgium and the Netherlands do not exist in isolation. Across Europe, academic freedom is increasingly being challenged by a mix of authoritarian, populist, and neoliberal logics. While the more extreme violations – such as those in Hungary, Poland, and Turkey – have

55 In a similar sense, see CRef, 2025a, *The universities of the Wallonia-Brussels Federation denounce the attacks on academic freedom in the United States*, Press release, 17 March, (https://www.uclouvain.be/system/files/uclouvain_assetmanager/groups/cms-editors-presse/cp-mars-2025/20250317_Communique%CC%81%20CRef_atteintes%20C3%A0%20la%20libert%C3%A9%20acad%C3%A9mique%20aux%20Etats%20Unis_FR%20ENGL.pdf, 17. 3. 2025).

56 Though the effects are already visible, see, for instance, Belleman, B. *et al.*, 2025, Wetenschappers in heel Nederland geraakt door beleid Trump [Scientists in the whole of the Netherlands affected by Trump policy], *De Groene Amsterdammer*, May 14, (<https://www.groene.nl/artikel/wetenschappers-in-heel-nederland-geraakt-door-beleid-trump>, 14. 5. 2025).

received the most international attention, subtler forms of pressure are taking root in liberal democracies, albeit under different guises.⁵⁷ By placing Belgium and the Netherlands in a comparative perspective, we can better understand both the distinctiveness and the commonalities of academic freedom's erosion across contexts.

Hungary stands as a paradigmatic case. Since 2010, the Orbán government has systematically undermined academic institutions perceived as ideologically hostile, notably by expelling the Central European University (CEU) and curtailing gender studies programs. These actions were justified through nationalistic rhetoric and presented as acts of “cultural protection”.⁵⁸ The Hungarian case has come to symbolize the weaponization of education policy for ideological control, showing how governments can use legal, budgetary, and symbolic tools to restrict academic autonomy.⁵⁹

France offers a different, yet equally instructive, example. In recent years, French ministers have publicly attacked postcolonial and intersectional research as manifestations of “Islamism” or American-inspired identity politics. While these critiques have not translated into legal restrictions, they have contributed to a climate of suspicion and defensive self-censorship within universities.⁶⁰ Similar dynamics are playing out in the United Kingdom, where debates over “no-platforming”, “cancel culture”, and “free speech” zones have pitted academic freedom against institutional commitments to inclusion and equality.⁶¹

In Belgium political scrutiny is increasingly ideological. Certain university departments – especially those involved in gender studies, decolonization, or migration research – have become targets of suspicion, accused of promoting a “woke agenda” incompatible with traditional academic neutrality. While no formal bans have been issued, public statements and funding priorities subtly shape the intellectual climate.⁶² The 2025 US Embassy questionnaire, examined earlier, only sharpened this dynamic by providing international validation to domestic critics.

57 European University Association (EUA), 2025, Europe must champion academic freedom and protect academics at risk, 20 June, (<https://www.eua.eu/news/eua-news/europe-must-champion-academic-freedom-and-protect-academics-at-risk.html>, 20. 6. 2025).

58 Margaritis, C., Another One Bites the Dust. The Prospect of Academic Freedom in Illiberal Democracies and the Case of Hungary, in: Frangville, V. *et al.*, 2021, pp. 189–198.

59 Roberts-Lyer, K., 2025.

60 Balme, S., 2025.

61 Barbato, J.-C., 2025, p. 304.

62 CRef, 2025b.

Within this spectrum, Belgium and the Netherlands appear less extreme – but that should not lull observers into complacency. The Dutch case reflects the influence of neoliberal rationality: here, academic freedom is undermined not through direct censorship but through financialization, precarization, and audit cultures that favor measurable productivity over critical inquiry. University rankings, valorization matrices, and third-stream income targets have redefined academic success, with significant implications for what is researched, published, and taught.

Despite their differences, these cases converge in several key aspects. First, academic freedom is increasingly interpreted not as a collective institutional good but as an individual privilege subject to public and political oversight. Second, disciplines associated with social justice, critical theory, and historical redress are disproportionately targeted, revealing an ideological hierarchy in what counts as legitimate knowledge. Third, the erosion of academic freedom often occurs through informal or “soft” mechanisms – budgeting decisions, media campaigns, reputational threats – rather than overt legal constraints.⁶³

Comparative analysis thus reveals a worrying trend: the pressures on academic freedom are becoming more varied, diffuse, and difficult to contest. There is limited jurisprudence so far to have robustly tested the protection currently in place. Liberal democracies may underestimate the cumulative effects of economic rationalization and ideological backlash. For Belgium and the Netherlands, recognizing their position within this broader European pattern is a necessary first step toward designing effective safeguards and cultivating solidarity across borders.

Analysis reveals common patterns including growing social media targeting of scholars, increasing politicization of funding, and organized campaigns against specific disciplines. Vulnerability factors include high dependence on external funding, weak faculty governance, and political polarization around higher education. Protective factors include strong constitutional frameworks – although mostly aimed at institutional protection – as well as robust professional organizations and international collaboration networks.

Early warning indicators include political rhetoric targeting universities, attempts to influence governance through appointments, changes prioritizing political criteria in funding, organized campaigns against faculty, self-censorship due to retaliation fears, recruitment difficulties in sensitive disciplines, and institutional reluctance to defend criticized faculty.

63 KNAW, 2025, pp. 1–40.

6. TOWARD STRUCTURAL RESILIENCE AND INSTITUTIONAL RESPONSIBILITY

If academic freedom in Belgium and the Netherlands is increasingly under pressure from both financial restructuring and ideological contestation, then a key question must follow: what can be done? Beyond documenting threats, comparative education must engage with the possibility of structural resilience. This entails not only legal safeguards but also cultural, institutional, and international mechanisms that reinforce academic autonomy and responsibility in democratic societies.

Universities should strengthen governance structures ensuring meaningful faculty participation, establish clear conflict-of-interest policies for funded research, develop comprehensive response protocols for external attacks on faculty, and create training programs on academic freedom principles. Where these participatory structures already exist, they should be more than mere symbolic. Legal protections should be strengthened through constitutional amendments providing more explicit protections, extended coverage for digital harassment, and stronger whistleblower protections. Both countries should actively leverage EU membership to strengthen protections through Charter of Fundamental Rights implementation and European Research Area participation. Professional organizations should develop stronger advocacy mechanisms including legal defense funds and public campaigns. Universities should improve communication with media and civil society about the importance of academic freedom. International collaboration can provide mutual support and shared resources.⁶⁴

On the national level, several measures must be taken. First, national governance structures must be recalibrated to safeguard academic freedom as a public good. In both countries, university boards have increasingly assumed managerial roles aligned with political and economic agendas. A return to shared governance models – with meaningful representation of faculty, students, and civil society – could act as a buffer against politicized decision-making. Rectoral conferences should take a more assertive stance in defending collective autonomy and issuing coordinated responses to ideological threats, whether they emerge domestically or from abroad.

Second, funding systems require urgent reform. As demonstrated earlier, reliance on competitive project-based grants distorts academic priorities and amplifies structural inequalities. Governments should move

64 Balme, S., 2025.

toward baseline funding models that guarantee core academic functions (teaching, basic research, and disciplinary diversity) while maintaining some space for excellence-driven competition. Special attention should be given to protecting vulnerable disciplines that contribute disproportionately to public debate, critical reflection, and civic education, but are often underfunded due to their limited economic yield.

Third, academic institutions must take greater responsibility for cultivating internal cultures of openness, integrity, and pluralism. This includes developing clear internal policies on freedom of inquiry, whistleblower protections, and the handling of ideological disputes. Universities cannot merely react to political controversy; they must proactively build robust environments where diverse viewpoints can be expressed without fear of reputational or career-based retaliation. This also means acknowledging that academic freedom is not an excuse for unaccountable behavior but a relational value that must be exercised with scholarly responsibility and public transparency.

Fourth, international solidarity is crucial.⁶⁵ As ideological attacks become more globalized, so too must the response. European networks – such as the European University Association (EUA), Scholars at Risk (SAR), and the Magna Charta Observatory – should expand their monitoring and support functions. A pan-European observatory for academic freedom, modelled on existing frameworks for media freedom or human rights, could provide early warning, public visibility, and legal advocacy. Moreover, bilateral or multilateral pacts between universities across countries could function as protective alliances, offering refuge and professional pathways for scholars targeted by political repression.

Finally, the discourse surrounding academic freedom must be broadened; it is too often presented as a defensive value – something to be protected from external threats. While this is undoubtedly true, academic freedom is also a generative value: it enables innovation, fosters epistemic diversity, and serves the democratic function of holding power to account. By framing academic freedom as both a right and a responsibility – integral to the university's mission in society – institutions can resist the reductive logics of marketization and culture war alike.

Any call for stronger protection of academic freedom must take seriously the counterargument that public funding necessarily entails public accountability. In both Belgium and the Netherlands, governments are entitled – and indeed obliged – to set priorities in research and higher education policy, for example by promoting certain societal challenges or

65 Roberts Lyer, K., 2025.

by requiring transparency in the use of public funds. From this perspective, performance indicators, strategic roadmaps and thematic funding schemes can be defended as legitimate tools of democratic steering rather than as threats to academic freedom. The difficulty lies in identifying the point at which such steering ceases to reflect broad public objectives and begins to constrain the epistemic autonomy of disciplines or to marginalize politically sensitive fields. The analysis in this article suggests that the problem is not prioritization as such, but the combination of narrow, short-term performance logics with ideologically charged scrutiny of particular topics, which together create incentives for self-censorship and strategic compliance, which are incompatible with the long-term public value of independent scholarship.

In sum, structural resilience requires more than legislation. It demands institutional will, cultural adaptation, and international cooperation. If Belgium and the Netherlands are to preserve the critical capacities of their academic systems, they must act decisively – not only against current threats, but in anticipation of future ones.

7. CONCLUSION

Academic freedom in Belgium and the Netherlands is not in a state of collapse, but it is no longer a self-evident feature of their higher education systems. This article has shown how formal constitutional and supranational safeguards coexist with more diffuse but powerful mechanisms of erosion. In the Netherlands, long-term underfunding, competitive project-based financing and managerial governance have hollowed out the material and collegial conditions under which academic freedom can flourish. In Flanders and, to a lesser extent, Brussels and Wallonia, ideological scrutiny of specific disciplines and the politicization of diversity policies have placed universities at the center of broader culture wars. The 2025 US Embassy questionnaire illustrates how such internal dynamics can be amplified by transnational ideological interference.

Analytically, distinguishing between the individual, institutional and systemic dimensions of academic freedom helps to clarify why traditional legal approaches are only partially equipped to address these developments. Constitutional and treaty provisions remain important reference points and have been reinforced by emerging case law at the CJEU and ECtHR, yet they primarily address explicit legal restrictions and individual sanctions, while many of the current threats operate through funding regimes, governance reforms, digital harassment and reputational pressures, which encourage self-censorship rather than open confrontation.

The comparative perspective suggests that Belgium and the Netherlands still possess significant protective resources: strong legal frameworks, relatively autonomous universities, active professional associations, and dense international networks. The question is whether these resources will be mobilized proactively or only in response to acute crises. Strengthening structural resilience requires a combination of measures: more predictable baseline funding, governance arrangements that secure meaningful participation of academic staff and students, clear institutional protocols for responding to external attacks, and renewed public communication on the democratic value of independent scholarship.

Ultimately, the defense of academic freedom in the Low Countries cannot be delegated solely to the courts or university leaders. It depends on a broader societal consensus that recognizes universities as spaces where difficult questions can be posed without prior alignment to short-term political or economic agendas. In this sense, academic freedom is not merely a professional privilege, but a collective democratic achievement that demands continuous vigilance, contestation and care.

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DA LI JE AKADEMSKA SLOBODA U BELGIJI I HOLANDIJI POD PRITISKOM?

Maaïke Geuens

APSTRAKT

Akadska sloboda se smatra kamenom temeljcem demokratskog visokog obrazovanja, ali njeni institucionalni temelji su sve krhki. Ovaj članak ispituje kako finansijska štednja i ideološka osporavanja međusobno deluju i preoblikuju akadamsku slobodu. Tvrdi se da formalne ustavne i nadnacionalne zaštitne mere koegzistiraju sa suptilnim, ali kumulativnim mehanizmima erozije, uključujući finansiranje zasnovano na učinku, menadžersko upravljanje, politizovani nadzor određenih disciplina i transnacionalno ideološko mešanje. Dok Belgija i Holandija i dalje postižu relativno dobre rezultate u Evropi, konvergencija budžetskih ograničenja i ideološke polarizacije stvaraju zastrašujuće efekte, samocenzuru i stratešku usklađenost. Članak zaključuje da se ne može pretpostaviti da je akadamska sloboda bezbedna po pravilu. Poziva se na obnovljene zaštitne mere, u kombinaciji s institucionalnim kulturama i međunarodnim savezima koji jačaju strukturnu otpornost akadamske slobode.

Ključne reči: akadamska sloboda, autonomija univerziteta, obrazovanje, upravljanje, visoko obrazovanje, Belgija, Holandija.

Article History:

Received: 6 November 2025

Accepted: 1 December 2025