

“Code of Academic Freedom”: A plea for enforced conformity at Germany’s universities

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The “Code of Academic Freedom,” published by the University of Hamburg in March this year, does not defend the freedom of the democratic exchange of ideas, but instead promotes a modern form of *Gleichschaltung* (enforced conformity) at Germany’s universities. While the federal government is giving COVID-19 free rein, spending billions on rearming and sending tanks to Ukraine in the war against Russia, student protest against war research and right-wing ideology is to be suppressed with police violence.

Academic freedom—an important achievement of the bourgeois revolutions of the late 18th and 19th centuries—has been under attack at universities in Germany and around the world for decades. It is supposed to enable professors and lecturers, junior researchers and students to strive for new knowledge without state coercion, uninfluenced by the profit interests of corporations, and to give unhindered expression to their scholarly curiosity.

This important ideal was shared by such great thinkers as Hegel, Immanuel Kant and Wilhelm von Humboldt—but today’s reality could not be further from the mark. Corporations, think tanks, private foundations and government contract research are omnipresent on campus. The interests of business and government determine the direction of scientific inquiry and the academic climate. Arbitrary bureaucratic behaviour and official harassment have also long since found their way into universities.

The extent to which academia is “bought” and corrupted by industrial and state interests is shown by an official list from the Federal Statistical Office. According to this, Germany’s largest technical universities each recorded hundreds of millions of euros in earmarked “third-party funding income” in 2020. “Elite” universities such as RWTH Aachen University raked in an average of around one million euros for each individual professor.

In total, the third-party funds raised by the universities amounted to 8.9 billion euros in 2020, which corresponds to a share of about 20 percent of the total budgets and in many cases exceeds the universities’ basic funding. At humanities-based universities, party-affiliated foundations and billionaire figures such as the Bertelsmann, Körber, Thyssen and Volkswagen Foundations intervene massively in the funding of political and social sciences, beyond any democratic control.

The German Research Foundation (DFG), financed by the federal and state governments—by far the largest funder—makes its funding decisions in complete darkness. Young academics who apply for funding are neither given a reason, in cases of rejection, nor are they given the opportunity to appeal.

Meanwhile, in the US and more and more countries in Europe, hundreds of thousands of young people are driven into the bondage of the banks every year via student loans. In the US alone, bachelor’s graduates have an average debt of around \$25,000, according to recent government

figures. The total volume of student debt in that country amounts to an astounding \$1.6 trillion.

In Germany, anyone applying for BAföG funding (covering living expenses and fees) must provide humiliatingly comprehensive evidence of their poverty. The same applies to disability and illness if they are “causal” for an extension of the study period. For foreign students—who already must overcome major hurdles set by the immigration authorities every semester—additional tuition fees are even due in the Green-led state of Baden-Württemberg.

Because more and more families are unable to afford inflationary food prices and exploding rents in university towns, students are also forced to work alongside their demanding studies in order to keep their heads above water. Catering companies, logistics corporations and retailers regard them as cheap wage slaves who can be exploited at minimum wage.

What the “Code of Academic Freedom” demands

None of this is mentioned in the “Code of Academic Freedom,” which was drafted by Hamburg professors behind closed doors over the last two years. The paper, which according to media reports is to become a model for universities all over Germany, confines itself to paying lip service to the permissibility of “academic criticism” before attacking academic freedom on all fronts.

The professors declare that academic freedom is “impaired” when “persons are defamed on the basis of their substantive positions or the space of discourse is narrowed by a climate of moral or socio-political condemnation.” This happens, among other things, through “supposedly verbatim quotation” or the “public dissemination of provisional theses.” In the case of such “impairment,” academics must be “supported and protected by their institutions, regardless of their scholarly position.”

Other “practices” that “threaten the production of new knowledge” mentioned in the paper are the “delegitimisation of academic topics or subjects,” a “refusal to engage in scholarly debate because of political or religious attitudes,” an “unwillingness to engage with ideas and content that are perceived as uncomfortable or threatening,” as well as “politically motivated pressure” and “subtle and informal influence.”

That the latter does not mean the less “subtle” influence of establishment politics and business, but rather the intervention of students, is obvious. The code goes on to say that in the case of “disruption, hindrance or scandalisation of events” the “duty of the state to protect” applies, extending to “presidiums, rectorates and deaneries” in addition to the police authorities. Decisions on the “free space for discussion” are to be left to the lecturer themselves and, within the framework of the “freedom of teaching,” depend solely on their “concept of the respective event.”

Under the watchword “defence against secondary effects,” the code even demands unconditional “collegial support” for “attacked academics”

so that they are not “shunned as academic discussion and cooperation partners.” Furthermore, it is the responsibility of “all those involved in the process of scholarship” to “maintain the confidentiality of consultations and decision-making processes”—i.e., to shield personnel, strategic and financial decisions from the critical gaze of the public.

“Freedom” for war research and right-wing propaganda

The authors of the “Code” leave no doubt that the “substantive positions” whose advocates must not be “attacked” are those of the military and security interests of German imperialism. Thus, regarding “security-relevant research,” it is explicitly stated that “any control through the establishment of approval procedures is to be rejected in principle.”

Specifically, with regard to the hypothetical “construction of a nuclear bomb,” the authors state that “the possibility of misuse” of research results “does not justify any restriction of academic freedom.” In particular, “civilian clauses”—which were introduced to prevent universities from becoming involved in a third world war—should be “viewed critically in terms of academic freedom” and rejected, as should other “externally imposed norms.”

Summarising their position, the professors write: “Ethical considerations alone cannot justify a legal restriction of freedom.”

The main author of the “Code” is Hans-Heinrich Trute, Professor of Public Law at the University of Hamburg. In a recent university podcast contribution, Trute described it as “doubtful” to derive obligations from “ethical considerations” that could “narrow the scope” of scholars. While it was always important to “give researchers the greatest possible freedom,” students and critics must “learn to disagree in a way that allows the other person to continue.”

The implications of these views are obvious: amid Germany’s greatest rearmament drive since the end of the Nazi dictatorship, all “restrictions” that stand in the way of research for war and the police state are to fall. While critical students are to be prohibited from even “putting in public” or “quoting verbatim” the theses of their professors, professors are to “carry on” regardless of their agenda and enjoy “the greatest possible freedom.”

Trute made clear how reactionary the thrust of the “Code of Academic Freedom” is in another interview with *Zeit Online*. There, he explicitly defended professors Thomas Rauscher, Bernd Lucke and Roland Wiesendanger, who in recent years have abused their privileged positions to spread right-wing propaganda in disregard of fundamental scholarly standards.

Since 2016, Rauscher, now professor emeritus of law, had expressed solidarity with right-wing extremist demands for a “white Europe” and blamed the consequences of imperialist plundering on the “unrestrained reproduction” of “Africans and Arabs.” Trute told *Die Zeit* that Rauscher’s elevation to the office of “representative for foreign students” by the Leipzig law faculty had been “completely legitimate.” The professor’s Twitter comments were his private affair and the decision of the university administration had “little to do with scholarship.”

In February 2021, Hamburg nanophysics professor Wiesendanger, with the support of the university administration, had published a cobbled-together fabrication that repeated the Trump administration’s “Wuhan Lab” conspiracy theory directed against China. The university published the collection of screenshots and social media postings on its official website, calling the document a “study” that took a “scientific approach” and called for a “broad discussion.”

At that time, an international expedition by the World Health Organisation (WHO) had long since concluded that a laboratory accident in the Chinese city of Wuhan could be ruled out. A little later, even the intelligence agencies commissioned by the US government had to admit that the accusations against China could not be substantiated. Although Wiesendanger’s own faculty expressed “alienation” and distanced

themselves from the paper, Trute spoke to *Die Zeit* of it as an “attempt at a scientific contribution” and a “debate within academia.”

Lucke, professor of macroeconomics at the University of Hamburg, founded the far-right Alternative for Germany (AfD) in 2013 together with other professors and played a central role in drafting the party’s policies. Commenting on the student protests that followed Lucke’s return to his chair in 2019, Trute told *Die Zeit*: “Of course he must be able to hold his lectures... And that must then also be able to be enforced.”

Police operations against critical students

The university administration and the Hamburg Senate (state executive) had “enforced” Lucke’s lectures at the time by sending a police force of hundreds onto the campus to terrorise students and intimidate the protests. Against the backdrop of a smear campaign by establishment politicians and the media, students told the *World Socialist Web Site* of a climate of police-state oppression, swastika graffiti being daubed on the AStA (Student Union) building, and bomb and death threats from right-wing extremists.

Since then, police all over Europe have been sent into universities at ever shorter intervals to brutally put down student protests. Most recently, this happened, for example, at the Sorbonne in Paris after the French presidential elections, at protests in Greece against the introduction of a “campus police” and at mass protests against the Erdoğan government at Boğaziçi University in Turkey.

In response to *Die Zeit*’s assertion that there was still “a certain reluctance” in Germany to “call police onto campuses,” Trute replied that it should be “self-evident” to show “solidarity” even with radical right-wing professors like Lucke: “But there will always be cases where it is not enough if we all agree. Then sometimes only the police can help.”

Scholarship instead of militarism and war propaganda

The “Code of Academic Freedom” emphatically underlines the warning of the International Youth and Students for Social Equality (IYSSE) against Germany’s universities once again being transformed into centres of militarism and breeding grounds for right-wing ideology, as they were before the First and Second World Wars.

As early as 2013, the programmatic perspective document “New Power, New Responsibility” called on “universities, research institutions, foundations and foreign policy institutions” to establish a “landscape of thought” that could provide German foreign policy with “policy options quickly and in operationalisable form.”

Today, professors at leading technical universities have long been openly researching weapons for World War III. The University of Hamburg itself recently appointed Bundeswehr (Armed Forces) Professor Simone Neumann to a professorship in logistics and mobility systems. In a post on the university’s website, Neumann describes it as her “goal” to “further expand her existing networks,” to “link them with the University of Hamburg” and to “also bring students closer” in the form of cooperation.

Far from articulating a progressive critique of “Cancel Culture” the “Code” aims, on the contrary, to protect these militaristic networks, to legitimise war research and to elevate right-wing agitation into contributions to discussion that are to be taken seriously. Right-wing professors should be able to do as they please without being bothered by critical students—even if they establish right-wing extremist parties, work towards a “white Europe” or, as in the case of the radical right-wing professor Jörg Baberowski, relativise the Holocaust in their work.

Historically, the “Code” is part of a systematic campaign to undo the democratic and social reforms won by the 1968 student movement amid a worldwide upsurge in the class struggle. At the time, students chased a number of Nazi professors from their chairs who had returned to privileged positions under the auspices of the Adenauer government after the Second World War.

One of the earliest and most well-known actions took place in

November 1967 at the University of Hamburg, of all places. At the time, the former AStA chairpersons Detlev Albers and Gert Hinnerk Behlmer unfurled a banner reading “Under the gowns—The musty stench of a thousand years” during a procession to mark the inauguration of the new university president, Werner Ehrlicher, to protest against the role of universities in the Nazi dictatorship. A Hamburg professor then shouted at them, “You all belong in a concentration camp!”

Under conditions of the deepest crisis of capitalism since World War II, the ruling class is once again openly harking back to these traditions. When professors Herfried Münkler and Baberowski downplayed the historical crimes of German imperialism in 2014, they provided the ideological justification for an aggressive return of German militarism. While political scientist Münkler called for Germany to become the “task master” of Europe, historian Baberowski put the Holocaust on a par with shootings during the Russian Civil War.

The German government, together with the US, orchestrated a right-wing coup in Ukraine that same year, ousting the elected president and installing a far-right pro-Western puppet regime.

Although both professors had the stated aim of downplaying the role of German imperialism in two world wars and revising the question of war guilt, Münkler and Baberowski were defended by the entire political, media and academic establishment. In 2019, the president of the German Association of Universities and Colleges, Professor Bernhard Kempen, even went so far as to accuse students who criticised this state-imposed right-wing extremism of “opinion and sentiment terrorism.”

With the beginning of the proxy war that the German government and its NATO allies are waging against Russia in Ukraine, Münkler’s and Baberowski’s positions have become the established credo of German government policy. Media commentators and leading politicians routinely equate Russian military action with Hitler’s war of extermination and the unprecedented atrocities committed by the SS Einsatzgruppen.

The German government’s increasingly openly proclaimed war aim is to emerge as Europe’s leading military power and pull Ukraine into the EU’s sphere of influence. Led by the United States, the NATO powers are, at the same time, pursuing the goal of splitting up the Russian Federation to use its resources to wage war against China—at the deliberate risk of a nuclear catastrophe.

The struggle of the IYSSE against militarism, the falsification of history and right-wing propaganda takes on the greatest significance under these conditions. The struggles at the universities in Hamburg, Berlin and other cities show that the fight against *Gleichschaltung* (enforced conformity) requires a struggle against capitalism and the entire ruling class. It must therefore be based on the international working class and a socialist programme.



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