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### Knowledges from the classroom

*Teaching to cultivate academic freedom*

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## ESSAY

**Knowledges from the classroom***Teaching to cultivate academic freedom*

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Last year, my essay ‘A Shapeless Ghost: Academic Freedom in Times of “Woke”’ was published in *De Groene Amsterdammer*, the oldest weekly magazine in the Netherlands.<sup>1</sup> The essay was widely read and discussed, amid a public debate – or moral panic, as many would say – on ‘wokeness’ in the Netherlands. The debate was fuelled by a whistle blower at the University of Amsterdam, where I work, who attested that ‘wokeness’ threatened academic freedom at our university, which often gets branded as a particularly liberal institution in the Dutch landscape.<sup>2</sup> With many others, I rejected this framing, and my essay was understood as a critical intervention in the debate. The essay distinguished between academic freedom and freedom of speech, as I considered that the debate was marked by a confusion or conflation of these two fundamental principles, and that freedom of speech was effectively mobilised to erode academic freedom. Such distinction, conflation, and mobilisation had preoccupied me for a while, first and foremost in relation to the changing and challenging conditions of the classroom. Hence, when *Tijdschrift voor Genderstudies* expressed its keen interest in making the essay available in English, I was pleased with the opportunity to have it included in this special issue. In the spirit of situated knowledges (Haraway, 1988), it felt appropriate to situate the essay within a conversation on pedagogies – emphasizing the embedded and embodied (Braidotti, 2002) dimension of our thinking and the practice of teaching as a site of knowledge production (hooks, 1994).

This introduction to the translated essay seeks to do two things. First, to shed light on how the distinction between academic freedom and freedom of speech came to matter to me in the context of navigating contemporary classroom conditions. And second, to reflect on how the debate on academic freedom has shifted significantly since the publication of the essay, as

'safety' is instrumentalised *against* efforts to address discrimination and sexual misconduct in the academy and amid a live-streamed genocide in Gaza. This leads me to sketch another critical distinction, between what is called 'social safety' (*sociale veiligheid*) in the Netherlands and 'feeling (un)comfortable'.

## Dispatches from the neoliberal classroom

My first published text on the distinction between academic freedom and freedom of speech was a paragraph in the 2019 course manual of a sociology bachelor course entitled 'Intersectionalities: Class, Race, Gender, and Sexuality'. Teaching that course epitomises some of the current challenges of teaching in the neoliberal university in the Netherlands, i.e. in a predominantly white institution in a national context that prides itself on its progressiveness. While there is no space here to address these challenges in depth, let me just enumerate some of the most significant ones. First, the material conditions of the classroom in neoliberal universities: large classes (in this case more than 300 students) and tight timelines (in this case a teaching block of six weeks), and ongoing, intensifying struggles over capacity and budget.

Second, a political context in which academic freedom is under pressure, which, despite 'woke screens' suggesting the opposite, largely comes from the political right (Reichman, 2019). This political climate encompasses threats to academics but also a general rise of anti-intellectualism, as well as the relativisation of claims to knowledge and the proliferation of alt-facts. We cannot be naïve about the dangers of such a political landscape; as Hannah Arendt argued in her study of totalitarianism, 'people for whom the distinction between fact and fiction (i.e., the reality of experience) and true and false (i.e., the standards of thought) no longer exist' provide the ideal subject of totalitarian rule (Arendt, 1976, p. 474). In this context, concerns about 'polarisation' partially mask concerted efforts to shift the frames and terms of debate to the right of the political spectrum.

This is facilitated, in the Netherlands at least, by a debate culture centred on expressing opinions (and not, for instance, on knowledge, critical thought, or solid investigation) and priding itself on its tolerant democratic character while relying on a formalistic understanding of democracy and plurality. This implies relatively few *substantial* standards of assessment of those opinions on the one hand, and little recognition of the operations of power on the other. The result is a debate culture deeply structured by so-called

'both-sidesism', which in a formal manner creates a sense of a 'middle ground', detached from where actual knowledge on the matter might lead us. Or, as the meme would have it, a 'balanced approach' is thus understood as a discussion between proponents and opponents of the claim 'it rains outside', instead of an investigation of the actual weather.

Our classrooms are deeply shaped by these economic, political, and cultural realities, including a digital cultural habitus with its reflexes to like/dislike, follow, block, etc. that might be difficult to shake off in class. For the most part, my bachelor students have not had substantial formal training when it comes to race, gender, and sexuality before joining our course, while commonly having intense embodied experiences and/or strong opinions on the matter. The result is a wide range of dearly held perspectives – e.g. that identity is in our genes or that it does not exist, and every possibility in between – and no time to deal with them in depth within the neoliberal university.

These are conditions far removed from those we know to cultivate fruitful learning communities, as bell hooks laid out so brilliantly in *Teaching to Transgress*. While the critical pedagogies that hooks recounts emerge from smaller (often elective) classes in what was called Women's Studies at the time, hooks already warned us, three decades ago, about some of the conditions to come: 'If classes become so full that it is impossible to know students' names, to spend quality time with them, then the effort to build a learning community fails' (hooks, 1994, p. 204). In her astute discussion of classroom dynamics, hooks also noted the impact on class dynamics of students who are not necessarily committed to ideals of liberation (p. 111) as well as that of the 'resisting student' (p. 146), who does not want to learn about different forms of inequality – both figures introduced as relatively novel at the time.

What happens to teaching class, race, gender, and sexuality when such ways of being in a classroom are much more widespread and, importantly, politically mobilised to dismiss knowledge? When white male students (formally) complain that a mandatory course on intersectionality is not a 'safe space' for them? When university administrations might not be willing or able to adequately support teachers – often of colour, female, or gender non-conforming, often on precarious contracts – who are dealing with various forms of resistance to their presence and their teaching? What kind of learning communities can we cultivate in these conditions?

Clearly, we did not choose these conditions, and for the record: these are not conditions in which I enjoy teaching. This is a refrain I have been hearing from many colleagues, including major intellectual figures who

are relieved to retire from navigating such teaching conditions as well as, more alarming, young colleagues, often precarious, who are just starting out and conclude that they might ‘not be cut out’ for this. Yet at the same time, I could not be more convinced of the importance of teaching, *precisely* in times like this, when democratic and academic universities are worn out under the weight of various challenges and attacks.

In reckoning with these questions and conditions, the distinction between academic freedom and freedom of speech became important to me as a way of organizing this neoliberal classroom, and indeed, as a way of creating learning communities in conditions not of our making nor liking. If the learning communities that hooks envisioned and practiced gravitated around collective dynamics in class, the classroom that I have invoked here does not afford the time, space, nor possibility for the kind of learning communities that critical pedagogies tend to envision. It does, for instance, not allow for any meaningful and sustained work with the perspectives, opinions, or stories that students enter the class with.

But it does allow for another kind of learning community, namely joining the rich (imagined) communities of scholars that we can engage with, and which students can enter through collectively reading and interpreting scholarly texts. These are (imagined) communities that have expanded significantly in the past decades, as scholarship on race, gender, or sexuality has thrived and altered established ways of knowing social reality. Indeed, ironically, both the (more liberal) relativising of knowledge as well as the (more authoritarian) attacks on the universities come at a time when scholarly knowledge on race, gender, and sexuality has begun to count, however partially or contested, as established ways of knowing our world (Bracke, 2020).

This kind of learning community is structured around scholarly texts. Teaching then revolves around making a solid selection of scholarly texts that engage students with various scholarly discussions, while guiding them through the intricacies of scholarly reasoning, interpretation, and argument. And while this does not necessarily allow for deeply connecting biographical experiences to scholarly knowledge about social structures, at least not in the classroom, it still aligns with an important pedagogical practice that hooks shares when it comes to organizing classroom discussions: ‘That is interesting but how does that relate to the text?’ (hooks, 1994, p. 151).

Thirty years after the publication of *Teaching to Transgress*, I wonder whether ‘transgressing’ fully captures the current stakes in our classrooms. While the critical need to attune minds to the possibilities of other ways of thinking and doing than those enshrined in business-as-usual remains

urgent as ever, we equally must teach our students, and ourselves, to be custodians of critical knowledges and archives that have emerged in the past decades. We might see this as ‘teaching to care’, that involves taking care of scholarly knowledge on race, gender, and sexuality that has found its way into the curricula and even the canons but is now systematically targeted by forces seeking to censor such thinking – the opening scene of the essay. While taking care does not imply agreement, it does imply careful readings, which engage with the texts as well as enhance student reading skills, in a time of dramatically declining comprehensive reading skills in the Netherlands. This, then, is where we often and involuntarily find ourselves – in a struggle to ensure academic space, and academic forms of debate and freedom, for these subjects and approaches that are deemed ‘sensitive’ by some.

### Dispatches from the social safety debates

Since the essay’s publication, the political and rhetoric landscape has shifted dramatically. The fierce ‘defenders of free speech’ of last year have either become very quiet this year or have vehemently defended restrictions of both academic and free speech. What to make of such reconfigurations?

Academic freedom is curtailed in various ways in relation to the question of ‘social safety’ (*sociale veiligheid*), as it is called in the Netherlands. Only days after the essay’s publication, Groningen University fired Associate Professor Susanne Täuber – on March 8<sup>th</sup> or International Women’s Day, to be precise. This was the direct result of Täuber’s critical thinking and engagement, both on the level of scholarship (a peer-reviewed article that reflects critically on equal opportunity schemes; see Täuber, 2020) and on the level of much needed institutional transparency (an inquiry about why a promotion did not happen). The Dutch courts failed miserably to protect Täuber’s academic freedom: the dismissal was allowed and confirmed in appeal on the grounds of ‘disturbed employment relations’. The first verdict left no doubt about the university’s significant and primary responsibility for disturbing employment relations, while the second suggested that raising questions of institutional sexism is bound to ‘disturb’ employment relations. By framing *complaints* about institutional sexism and discrimination – not discriminatory practices themselves – as a source of disturbance, verdicts like these enable university management to get rid of academics who say and write things it does not like. When raising problems, as Sara Ahmed (2021) has argued so eloquently, one becomes the problem.

Meanwhile, over the past year there have been several cases in which perpetrators of sexually inappropriate behaviour within the academy have sought to police and silence public academic engagement with known cases of sexual misconduct. In October 2023, Routledge decided to withdraw a chapter from the book *Sexual Misconduct in Academia: Informing an Ethics of Care*, after the publisher received legal threats by a professor who claimed he was identifiable in the chapter detailing the sexual harassment three authors had had to deal with as PhD students and postdocs. Such cases reflect a strong pushback against critical scholarly engagement with discrimination and sexual misconduct within our institutions – once more, the message is that we ought to remain silent. While efforts to address questions of so-called social safety in higher education have merely begun (see KNAW, 2022), the backlash is already in full swing, in ways that curtail academic freedom.

Then there is the war on Gaza, which scholars and instances with (legal) expertise on the matter very soon recognised as genocidal.<sup>3</sup> While the genocide has been raging on for more than 200 days at the time of writing, we see a constant stream of revoked speaking invitations, cancelled events, and the silencing, suspending, firing, or criminalisation of academic and other voices that take a stance against the ongoing genocide and in solidarity with Palestine (see for instance the Verso blog *Palestine Uncensored: Diaries of Censorship*).<sup>4</sup> And yet this intense censorship is not decried in mainstream western media as ‘cancel culture’ nor is it the cause of general concern, let alone a moral panic, about the state of academic freedom and freedom of speech.

Rather, it is explicitly legitimised in terms of *safety*. If the purportedly more liberal modes of attack on academic freedom last year deployed ‘freedom of speech’ as ammunition to diminish academic freedom (and routinely ridiculed concerns about social safety as ‘woke’), the attacks now all too often rely on the language of ‘social safety’. In this frame, speaking about genocide, including modes of speech informed and shaped by academic standards (of legal scholarship or scholarship on dehumanisation), purportedly makes Jewish and other students and colleagues *unsafe* and amounts to antisemitism. This blatant instrumentalisation of antisemitism is profoundly problematic in both analytical and political terms, as it obscures the role of Jewish staff and students in these mobilisations against genocide, conflates critique of Zionism with antisemitism (see notably Butler, 2013), and diminishes the capacity to discern actual antisemitism (Topolski, 2024).

Some of this might seem like a mirror palace, filled with perverse reversals and dizzying topsy-turvy moves that turn the world upside down. Yet it also comes with a clarity that we must continue to trace and affirm:

neither academic freedom nor freedom of speech, neither social safety nor antisemitism, not to mention ‘cancel culture’, ‘wokeness’, or censorship are matters of genuine concern for those political forces who have been pressing hard on academic freedom and democratic institutions. Rather, they have been convenient rallying cries that can be used and dropped at will as the landscape shifts.

All this has affected academic freedom, but also what in Dutch institutional language is called ‘social safety’, in detrimental ways. To counter this, drawing inspiration from Sarah Schulman’s argument in *Conflict is not Abuse* (2017), we must insist that *feeling uncomfortable does not mean being unsafe*. The institutional language of social safety refers to the realm of discrimination, (sexual) harassment and (sexual) intimidation (which we know is epidemic in the academy; see Bondestam & Lundqvist, 2020), or bullying. In the past decades, progress has been made when it comes to understanding social safety in the academy, exposing the problems (in for instance #MeToo campaigns or scholarly publications such as Sara Ahmed’s *Complaint!*), and developing legislation that guarantees social safety in workspaces. Unsurprisingly, there is pushback that consists of various efforts to silence voices that speak out about social safety. Yet the backlash also takes another shape, namely a proliferation and relativising of the language of social safety that is increasingly conflated with ‘feeling comfortable’. We see this happening on a large scale when (critical) *speech about genocidal violence* inflicted on Palestinians in Gaza by the Israeli regime is qualified as creating an ‘unsafe’ environment. Not carpet bombing, continuous massacres, or starvation, but speaking out about genocide makes people *feel unsafe*.

This conflation of disagreement and speech, including academic speech, with unsafety is deeply problematic. When political or ideological conflict is cast in the language of safety and harm, disagreement *an sich* is effectively rendered unsafe, which poses a serious threat to academic freedom. Part of the problem is the term ‘social safety’ itself, and it might be time to disaggregate the concept and be more explicit and precise about what kind of unacceptable structure or behaviour we mean.

Back to the classroom: it is important to stress that one can and should *be safe* (in the absence of discrimination, (sexual) intimidation, or bullying) yet may *feel uncomfortable* (which is not the same thing as unsafe). Indeed, this is what a lot of solid education looks like. Contra contemporary caricatures that ‘anti-woke’ politics thrive on, hooks argued clearly in *Teaching to Transgress* (1994) that the purpose of education is not to feel good (p. 154), that pain does not necessarily translate into harm (p. 154), and that the idea



that the classroom should be a ‘safe space’ should be challenged (p. 30). ‘Whenever we address subjects that students are passionate about, there is a possibility of confrontation, forceful expression of ideas, or even conflict’, hooks (1994, p. 39) writes. Such confrontations, forceful expressions, and conflicts are part and parcel of the educational process, especially regarding topics at the centre of public debate and controversy.

The moral panic about ‘wokeness’, just like the instrumentalisation of ‘safety’, is a distraction. Both are convenient rallying cries for authoritarian political agendas that seek to maintain racial, gendered, and sexual hierarchies and unequal power relations, censor as they see fit, and undermine (substantive) democratic values and institutions. Surely, academic freedom is under pressure, yet we must be clear on where the pressure is coming from. As I am writing the last sentences of this introduction, police in riot gear are arresting students and professors all over the West, at peaceful campus protests decrying the ongoing genocide in Gaza, where all campuses have been erased, rectors and professors targeted by snipers and drones, and thousands of students killed in relentless atrocity crimes. There is no meaningful struggle for academic freedom without fiercely condemning the destruction and erasure of educational infrastructure and learning communities (whether in (neo)liberal, authoritarian, or genocidal forms), nor without rejecting police arresting masses of students and professors opposing such destruction. If the original essay ended with an image of fascism from the history books, this introduction ends with suffocating images that are part of future history books of fascism in the making.

## A shapeless ghost

*Academic freedom in times of ‘woke’*

### Moral panic and its cravings

You only need to look across the Atlantic Ocean to see where ‘woke’ leads us, is what they often say. I am watching attentively. In the wake of the Stop WOKE (‘Wrong to our Kids and Employees’) Act introduced by Florida’s governor Ron DeSantis in 2022, certain things are becoming crystal clear.<sup>5</sup> Images of empty book shelves in public schools in Florida make the cravings of this new ‘anti-woke’ policy tangible: hundreds of thousands of books lie waiting for their censor who will decide whether or not to put them back on

the shelves.<sup>6</sup> The banning of books – most of which are by people of colour and LGBTQI+ individuals, according to PEN America – but also the mere gesture of prematurely removing them, emits a chilling message: reading is dangerous. Even if *woke busters* might not have enough political power to eliminate cultural archives and knowledge this drastically, the proposed interventions leave little to the imagination. The banning of books, the ‘snitch your teachers’ hotlines, the orchestrated moral panic: these are political interventions which run counter to the principles of free speech and academic freedom, and which are, as one Florida judge put it, ‘positively dystopian’ (Atterbury, 2020).

The problem, however, is not limited to dystopian interventions. The very definition of ‘woke’ upon which these interventions rely is also a cause of concern. Moral panic functions best when the meaning of ‘woke’ remains all-encompassing and elusive – when it operates as an empty shell, a placeholder, that can be stuffed at will. A shapeless ghost, that pops up in unexpected places (remain vigilant!) and is able to mobilise local *woke busters* everywhere. At this point in time, ‘woke’ mainly signifies that something is ‘bad’ and ‘dangerous’ and should be halted.<sup>7</sup> But in the Florida courts, where part of the battle surrounding the Stop WOKE Act took place, the governor’s lawyers were forced to come up with a definition. This definition turned out to have two parts: according to Ryan Newman, DeSantis’ general counsel, ‘woke’ is ‘the belief there are systemic injustices in American society and the need to address them’ (Bump, 2022). What must be halted, in other words, is both understanding and addressing systemic injustices. ‘Another word for believing in systemic inequality’, U.S. sociologist Victor Ray (2023) noted dryly, ‘is *reality*’. Indeed, from the perspective of an academic discipline like sociology, which aims to study patterns within society such as systemic inequality, the ‘fight against woke’ looks suspiciously like an unwillingness or incapacity to deal with contemporary social reality as it is.<sup>8</sup>

## Academic freedom

Such a definition of ‘woke’ puts anyone who recognises social injustice and social inequality under suspicion, and with it, academic freedom comes under fire. How can we protect and strengthen academic freedom in times of ‘woke’ moral panic? To give a proper answer to that question it is key to make a distinction between freedom of speech and academic freedom. For academic freedom may be related to freedom of speech, the two have different meanings and they are, in principle, differently regulated.<sup>9</sup>

In a liberal democracy, freedom of speech pertains to the regulation of the relationship between the state and individuals. The state may not, in principle, censor or ban the expression of opinions. An individual may publicly assert that the earth is flat, that vaccinations cause autism, that climate change does not exist, or that gender is binary without being suppressed or persecuted. With many caveats: like any other right, this right is not absolute. Many forms of public expression are subject to strict regulation, like advertising or the sale of financial or medical products. Moreover, if free speech amounts to defamation or poses a demonstrable threat to another individual, if it incites hatred or violence, the rules of the game change, and interventions might be permitted or required. In addition, the right to free speech does not imply an obligation for (individual) others to listen. This insight is sometimes lost in heated debates on ‘cancel culture’; anyone is allowed to say whatever they want about the climate or vaccines, but the principle of freedom of speech usually does not imply that others are obliged to provide that speech with a platform. Not being given a particular platform, in other words, does not necessarily amount to censorship or ‘being cancelled’.

All this is principally different from academic freedom. Under its auspices, statements such as ‘the earth is flat’ and ‘the earth is round’ do not enjoy the same protection. The first is supported by an abundance of scientific evidence, while the second is not. If one is convinced that the earth is flat and publicly propagates this view, then one has no place in the academic field at this point in history – neither in scientific publications nor in the lecture hall. While this example works well to bring a principled difference into focus, in practice many of our claims to knowledge are more complicated. Take the claim that ‘vaccinations cause autism’. This once seemed, in 1998, a reasonable conclusion of a scientific study published by *The Lancet*, following well-established procedures of peer review. The study could not be replicated and subsequently also appeared to be fraudulent, which eventually, in 2010, led to a full retraction of the article (Rao & Andrade, 2011). The distinction between what does or does not pass as substantiated knowledge is dynamic, and the retraction of articles when they cannot or can no longer be defended is a crucial part of ensuring the quality of academic knowledge production. Or take climate change research: several meta-studies evince a robust consensus (between 90% and 99%, depending on the study, see e.g. Lynas, Houlton, & Perry, 2021) among climate experts on the question of climate change. This also means that some studies do not find enough evidence for human caused climate change. Academic freedom guarantees space for such research but also requires that all research somehow relates to well-grounded knowledge in the field.

Academic freedom, in short, differs fundamentally from freedom of speech. Under freedom of speech, the distinction between true and false is irrelevant, and 'more opinions' and 'diversity of opinions' are values *an sich*. Academic freedom, on the other hand, is about seeking truth or producing better knowledge. 'A university isn't a town square where anyone has the right to say anything they like', in the words of the Canadian philosopher Shannon Dea (2018). This means that we actively distinguish between different views within the academic field (and reject some, based on peer review or new insights – this constitutes neither censorship nor 'cancelling'), and claims to knowledge that turn out not to be true nor reliable, are not protected (the fabrication of facts can be a reason to fire someone). The relevant 'diversity' for academic freedom in this respect consists of recognising the existence of different theoretical, methodological, and epistemological traditions while fostering space to develop new, well-grounded approaches.

## Gender

Between the examples I mobilised to tease out the distinction between freedom of expression and academic freedom, there is one which might need further elaboration: the non/binary character of gender. A fraught issue, considering the wide-spread common sense that one is 'either male or female' but also because of how gender is central to the 'woke' moral panic.<sup>10</sup>

What does it mean, concretely, to assert that gender is not binary? One dimension of such an assertion brings us to biology. Early scientific understandings of sex were focused on genitalia and other visible anatomical differences, and included an understanding that individuals may have a combination of anatomical sex characteristics that cannot be situated unambiguously in one of two categories. These individuals would be referred to as hermaphrodites at the time, as they would now be considered to belong to the more copious category of intersex. With the development of knowledge about internal anatomy (which, lest we forget, did not give us a fully correct anatomical image of the clitoris until 1989...),<sup>11</sup> our understanding of sex variation has continued to increase. The discovery of sex chromosomes in the 20th century made it clear how sex is also a genetic difference and that, genetically speaking, it is a small variation in our genetic makeup (usually located on one piece of chromosome 46 but sometimes on chromosome 45 or 47). Further genetic research has shown the occurrence of other combinations besides XX and XY, such as XXY or XYY, as well as the existence of *mosaicism*, where different cells in the same body can have different sex chromosomes.

Then there are hormones: we know that in principle everyone produces testosterone, oestrogen, and progesterone to varying degrees, and that there is a significant overlap of hormone levels between men and women. This overlap has come into sharper focus in recent decades, notably as top-level sports are struggling with increased pressure on the existing divisions between men's and women's competitions. In 2011, World Athletics and the International Olympic Committee decided to include testosterone levels in their guidelines for maintaining these divisions. This forced some athletes who are anatomically and genetically female to chemically lower their testosterone levels if they wanted to remain in women's competitions. The new guidelines are controversial and have been labelled unethical by several medical professional organisations (see e.g. WMA, 2019). They also indicate that anatomical and genetic sex evidently did not suffice (anymore) as criteria to enter women's competitions. Moreover, the fact that those testosterone values have since been adjusted indicates that there are no simple, unequivocal cut-off points. Indeed, studies of top athletes show a significant overlap of testosterone levels between male and female athletes, with just slightly more male athletes with low testosterone levels (about 16%) compared to the percentage of female athletes with high testosterone levels (about 13%) (Healy et al. 2014). And let us not forget that these discussions of 'normal values' and cut-off points take place in a world where hormone levels are profoundly affected, both by deliberate use of hormones (birth control pills, menopause hormone therapy, transgender hormone therapy, etc.) and environmental factors (such as growth hormones in the food chain, synthetic oestrogen in plastic, and other so-called endocrine disruptors).

The complexity of biological sex, however, is not limited to the parameters of sexual anatomy, chromosomes, and hormones. Research on sex and the brain (such as British neurobiologist Gina Rippon's fascinating work on neuroplasticity) and epigenetics (which maps the interplay between genetics and environment) is in rapid development (Rippon, 2020). If biological sex already consists of at least these different dimensions, each of which cannot be strictly and unambiguously organised in two discrete categories, and which subsequently occur in various combinations, then the result is *variation*. U.S. biologist Anne Fausto-Sterling playfully classified sex variation into five categories in the 1980s, only to make a resolute argument a decade later that categories are in fact part of the problem (Fausto-Sterling, 1993; 2000). In a 2015 article in *Nature*, the British developmental biologist Claire Ainsworth further explores the biological complexity of sex, particularly at the cellular level, in terms of a spectrum.<sup>12</sup> Fausto-Sterling (2000) estimates that about 1.5 to 2% of the population is intersex – by which she refers to any sex characteristics that

do not neatly fit a rigid binary within each parameter as well as the combination of parameters that do not neatly align into one of two sex categories. This is slightly higher than the percentage of people with red hair, and roughly equal to that of people with green eyes. Undeniably a minority, but the point is – in the hope that the earlier medicalisation of homosexuality taught us anything – that we can look at *difference as variation* rather than pathology.

## Corsets and identity

So far, we have not touched upon the question of identity. Identity becomes relevant in relation to how society, and specifically western modern societies, have organised this sex variation into two discreet categories. These categories are embedded in a particular political economy and structured by social norms that associate ‘man’ with breadwinner, tough, and rational, and ‘woman’ with giving birth, caring, and emotional. The metaphor of the Victorian corsets might be helpful here: bodies of flesh and blood with all their distinct shapes and idiosyncrasies are laced up into one of two modelled straitjackets. Corsets which sometimes fit those bodies nicely, offer support, or at least are bearable. But other bodies can barely breathe, and are scraped, injured, or mutilated by those corsets. I rely on the metaphor of corsets to speak of social identity, i.e. *gender*, but we must not forget that pieces of flesh are sometimes literally cut off without consent to fit into those corsets: worldwide, the medical practice of surgeries on intersex babies at birth, to make them fit into male/female, persists.

In recent decades, these corsets of gender and identity have been relaxed. Initially, this was thanks to social struggles organised around questions of women’s rights, gender, and sexuality, including the women’s movement and LGBTQ+ movements, but the increase of scholarly knowledge of gender and identity also plays a significant role. So did the growing realisation that many societies know a wider range of gender roles and positions (see e.g. Lugones, 2008), sometimes referred to as ‘third gender’, for which modern legal categories are increasingly being created – such as a third category on identity cards in Australia, India, or Argentina. With the relaxation of those corsets, the possibilities of gender identification and self-identification increase: male, female, transgender, trans man, trans woman, intersex, non-binary, genderfluid, etc. All these identifications exist as social realities. Denying them is not only denying an empirical reality, but also increases the danger of dehumanisation, for which the Lemkin Institute for Genocide Prevention (2022) sharply warns us when it comes to orchestrated attacks on transgender identities.

Identity is a complex thing – it is the result of a process of identification, both by others and the self. How we identify is not a simple effect of the body and other ‘material conditions’ in which we find ourselves; it is a dynamic social and cultural process in which our experience and awareness of material conditions, including our bodies, play an important role. This is not only the case for gender but also for social class, ethnicity, or physical ability. However, the new public visibility and partial acceptance of multiple gender identities evokes resistance. This backlash is at least partially driven by a nostalgic clinging to a binary heteronormative classification system – the corsets! – and struggles with or plainly rejects new insights into bodies and identities that have begun to unravel a rigid male/female regime. And this resistance, in its nostalgia, has little to say about questions such as: if we want to adhere to strict male/female categories in a normative way, both legally and socially, what would be the decisive parameter of distinction? If chromosomes are key, should everyone take a mandatory DNA test? And what to do when genetic and genital sex do not match? What if the anatomical or chromosomal picture is ambiguous? What to do with huge hormonal variation: mandatory hormone therapy to fit within male/female ‘normal values’? And who gets to make all these decisions? These questions, moreover, do not even touch on the question of identity – what about identity, always social and dynamic?

Indeed, the idea of returning to a strict and straightforward male/female regime requires a sweeping identity police, to push and retain people in one of two corsets. This is problematic in many ways: it would disregard knowledge about sex and identity and require immense violence, targeting the often precarious and endangered lives of those who live on the margins or outside existing gender norms. In a society intensely searching for what gender and sex are and could be or become in the 21st century, shall we agree that self-identification simply belongs to the sphere of the individual’s freedom? Or, as Ainsworth (2015) concludes in her piece in *Nature*, if, in the face of the complexity that is becoming increasingly apparent, we want to know someone’s gender, ‘it may be best just to ask’.

## In the lecture hall

This is, of course, only part of the scholarly story of gender – besides bearing on questions of embodiment and identification, dominant gender regimes structure material inequalities in our society: femicide, poverty, sexual violence, and so much more. Taking these entrenched and well-documented structural inequalities as a point of departure would lead to a different, equally

important, conversation. The study of gender encompasses these different (but related) dimensions of embodiment, identification, and structural inequalities – several truths to consider simultaneously. Teaching this comprehensive picture to students, many of whom are just coming out of high school where issues of sex and gender can be intense, is no easy feat. Add to this the social context of today's lecture hall – the 'my opinions are facts' relativism that leads to a proliferation of alt-facts and science denial, the categorical confusion of freedom of speech and academic freedom, societal polarisation, and a social media habitus that has made us accustomed to like/dislike, block and mute, and above all hate – and the result can be intense and conflictual.<sup>13</sup>

And they are all there in our lecture hall – students who insist that only the male/female binary exists and the rest is nonsense, or that white cisgender men have no right to speak; that identity is in our genes, or that identity does not exist and it is stupid to pin oneself down to an identity; that chosen personal pronouns are nonsense, or that they are sacrosanct – alongside students ready to report their teachers to 'woke' hotlines or students calling for a teacher's dismissal. And let us not forget students who resist the scrutinisation of gender at a university to the point of sending anonymous death threats to teachers. They are all there. And they are all entitled to an education that exposes them to carefully grounded knowledge about sex and gender, teaches them to question and doubt, and trains them in scholarly ways of thinking.

It takes time and patience – conditions which are under pressure in the neoliberal university – to cultivate an academic attitude in the existing context of polarisation, an attitude in which the complexity of sex and gender is studied and questioned and the pursuit of truth is practiced with integrity; in which the reflexes of public debate and social media are left behind and where scholarly insights, doubt, and curiosity take centre stage; in which one learns what academic freedom and responsibility mean, with all their dilemmas, grey areas, and limits. Pedagogically speaking, two conditions are key in this regard. First, it is crucial to consider the entire spectrum of difficult or conflictual situations in the classroom. We must fight tooth and nail against the political hijacking that tries to selectively turn some situations into a national moral panic ('woke!') while not even acknowledging the others. Second, it is important that reflections and discussions about difficult situations in the classroom happen at the appropriate level. And these are not hotlines nor parliamentary questions, but rather the programme committees and teaching seminars where teachers engage in peer review, and, of course, the lecture halls themselves. Students have the right to learn – and therefore to make mistakes – without being in the political spotlight, without feeling the hot breath of (dystopian) politically opportunistic interventions on their necks.



## Canary in the coal mine

The moral panic increasingly reveals itself as a ‘woke screen’ for an outright attack on academic freedom. Authoritarian examples immediately come to mind, like curtailing the accreditation of gender studies by the Orbán regime in Hungary. The Hungarian Institute of Advanced Studies and the Central European University were next. But we also need to learn to recognise in time the less visible ways in which academic freedom can crumble. This became sharply clear to me when Canadian psychologist Jordan Peterson, at the invitation of students, visited the campus of the University of Amsterdam in 2018. Peterson tends to use his academic reputation and title to make statements about gender which are not backed up by scholarship (including his own) on the one hand, and justify the violence of incels while denying trans rights on the other.<sup>14</sup> With the educational mission of the university in mind, several colleagues requested that a scholarly perspective on gender be put alongside Peterson’s as he spoke to our students. This request was framed as ‘semi-deplatforming’ by Peterson and his supporters. The request for ‘more speech’ (freedom of expression) and especially ‘better speech’ (academic freedom) was, in other words, framed as ‘cancel culture’. When it became clear that Peterson would not share the stage, a few colleagues called upon the university to distance itself from the dehumanisation of transgender people and women that is part of Peterson’s known narrative. That question received a different kind of response: death threats from Peterson’s fan base directed at the colleagues who made the call.

At the time, our university did not properly recognise the distinction between freedom of speech and academic freedom and was less aware of how the situation with Peterson was at odds with academic freedom. Since the Covid-19 pandemic, this has changed. At the time, it would not have occurred to me, and it would not have sounded very credible, to say: this time expertise on gender is targeted, but next time it might be epidemiologists or philosophers of law whose expertise might be relativised and who could find themselves on the receiving end of death threats. By now, we know better.

In this respect, the study of gender and sexuality, but just as well the study of racism, colonialism, Islam, sexuality, migration, or climate change, are ‘canaries in the coal mine’. These are topics that lend themselves to the moral panic and its cravings that make themselves rapidly felt: to discredit recent scholarly insights that deal with urgent societal questions and to hollow out academic freedom that makes such knowledge possible. We know what is at stake: earlier dystopian political interventions in the study of gender and sexuality have left deep traces, which we continue to feel today. The knowledge of the Institut für Sexualwissenschaft, established by Dr. Magnus Hirschfeld in 1919 – at

the time Europe's most prominent institute in this field – went up in flames, unique material on homosexuality, transsexuality, and intersex, including the medical archives of the earliest documented gender affirming surgeries. This is the knowledge destroyed in those iconic photographs of the first large-scale book burnings by the Nazis on May 10, 1933, in Berlin. More than 20,000 books and writings were removed from the institute's library, on the ground of being 'degenerate', 'disloyal', and 'dangerous'. The haunting image of tens, hundreds of thousands of books being removed – the image with which this essay began.

Protecting this precious freedom requires that we listen carefully to the 'canaries in the coal mine'. It also requires that we do not begin sacrificing parts of the academic field – critical race theory, gender studies, etc. – in a wager that it might keep the rest safe. This is an illusion; gnawing at the logic of academic freedom inevitably affects the entire field. Above all, to protect this freedom well, we must know it well. We must understand how moral panic can erode academic freedom, and how academic freedom principally differs from freedom of expression. To safeguard academic freedom, we must guard this distinction well.

## Notes

1. Bracke (2023). This translation is based on a translation by myself and a translation by colleagues Rachida Azough and Bernike Pasveer at the NIAS.
2. <https://www.uva.nl/shared-content/uva/en/news/news/2023/06/stolker-committee-no-institutional-abuse-but-academic-freedom-must-be-guarded.html>
3. See notably 'A Textbook Case of Genocide' published by Raz Segal, associate professor of Genocide Studies, in *Jewish Currents* as early as October 13, 2023; the public statement 'Scholars Warn of Potential Genocide in Gaza' published in *Third World Approaches to International Law Review* on October 17, 2023 and signed by more than 800 scholars and practitioners of international law, conflict studies, and genocide studies; and the International Court of Justice ruling of January 26, 2014 ordering Israel to take provisional measures to prevent plausible genocide – measures which at the time of writing have not yet been taken.
4. <https://www.versobooks.com/en-gb/blogs/news/palestine-uncensored-diaries-of-censorship>
5. While formally known as the Individual Freedom Act (HB 7), the bill is consistently referred to as the Stop WOKE Act in public discourse and is presented as a tool to prevent 'indoctrination' in state education. Its notion of individual freedom obscures operations of power and social structures. It is important to note that the 'anti-woke' policy currently rolled out in Florida is shaped by a constellation of recent bills (not merely HB7).

6. See e.g. <https://www.cbsnews.com/news/florida-jacksonville-classroom-bookshelves-ron-desantis-house-bill-1467/>
7. Woke, of course, has a different, older, meaning and genealogy. As a term (and phrase, 'stay woke'), it originates from African American Vernacular English and it is part of U.S. Black history, referring to an awareness about structural (racial) inequality and injustice. The term was increasingly used, and entered mainstream discourse, in the aftermath of the killing of Michael Brown by police officer Darren Wilson in Ferguson, Missouri, in 2014. In the past decade, the term was resignified and weaponised by a political (often right-wing) agenda of pushing back against 'threats' to the racial status quo. While this usage of 'woke' was first elaborated within the U.S., it spread more widely from 2020 onwards, when Black Lives Matter globalised their struggle for racial justice, in the aftermath of the killing of George Floyd by police officer Derek Chauvin in Minneapolis, Minnesota (Lopez Bunyasi & Watts Smith, 2019). Hence, in many parts of the world 'woke' entered the public debate in this (often right-wing) resignified manner, in a moment of backlash, separated from the Black American genealogy of the term.
8. Meanwhile, in January 2024, the Florida state university system decided to eliminate sociology from the core courses.
9. My thinking on academic freedom is indebted to ongoing conversations with colleagues Annelies Moors in anthropology and Eric Schliesser in political science at the University of Amsterdam, and Canadian philosopher Shannon Dea and her work on academic freedom.
10. This is discussed in much more depth in Judith Butler's *Who's Afraid of Gender?* which was published in the meantime (Butler, 2024).
11. A reader of the original essay drew my attention to this article: Karen Hollewand (2022). Hollewand shows that very solid knowledge about the full shape of the clitoris already existed in anatomical studies since the sixteenth century but regularly 'disappeared' from public debates and educational biology textbooks, only to be '(re)discovered' again and again.
12. Note that while Fausto-Sterling has also invoked the image of a spectrum to think the variation of sex in her earlier work (1993), she subsequently argued that a notion of a 'continuum' (that often informs the notion of a spectrum, although in fact these are two distinct concepts) is insufficient to capture the complexities of male and female, or masculine and feminine, but rather, that 'sex and gender are best conceptualised as points in a multi-dimensional space' (Fausto-Sterling, 2000, p. 22).
13. 'My opinions are facts' is a statement by the leader of the Dutch far-right political party *Forum voor Democratie*, Thierry Baudet, and also the title of a book on him (Botje & Cohen, 2020).
14. See e.g. this 2018 interview, entitled 'Jordan Peterson, Custodian of the Patriarchy', by Nellie Bowles in the *New York Times*: <https://www.nytimes.com/2018/05/18/style/jordan-peterson-12-rules-for-life.html>

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