

Free-speech hypocrisies:  
The Tory government and the University and College Union

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Three years ago, the Conservative government under Boris Johnson introduced its Higher Education (Freedom of Speech) Bill, drawing attention to what Universities Minister Michelle Donelan called “the growing chilling effect on our campuses which is silencing and censoring students, academics and visiting speakers”. The following year, Donelan passionately extolled “free speech, the absolute cornerstone of Western democracy . . . the beating heart on which all freedoms do rest”. The current Tory government, she said, unlike previous governments, was “standing up for free speech and the open exchange of ideas in our universities”.

The Bill was clumsily drafted and in many ways much too weak — and was weakened further, before passage, by amendments limiting alleged victims’ right to sue — but, even so, its overall effect on the higher-education sector is likely to be modestly positive.

Flash forward to October 2023. Three days after the Hamas atrocities, Home Secretary Suella Braverman urged police to “use the full force of the law” against people who “invite support for Hamas”, display Hamas flags, or even use chants like “From the river to the sea, Palestine will be free.”

Not to be outdone, Donelan, now Science Secretary, exhorted UK Research and Innovation (UKRI) — the public body in charge of research funding — to disband an advisory group on equality, diversity and inclusion because two of its members, speaking solely as individuals, had been “sharing some extremist views on social media”. What were those extremist views? One called Braverman’s crackdown on free speech “disturbing”; the other condemned violence on both sides but charged the Israeli government with “genocide and apartheid”.

The reaction in the academic community to Donelan’s UKRI letter was swift and negative. Thousands [full disclosure: including myself] signed open letters urging UKRI to resist this heavy-handed political interference. University and College Union (UCU) General Secretary Jo Grady wrote an exceptionally eloquent letter pointing out the multiple flaws in Donelan’s position. The UCU Left faction was equally impassioned:

Academic freedom, and the freedom of expression associated with it, including the right to hold controversial views within the law, is a central foundation of a functioning higher education system. Paradigms are developed, tested, abandoned and overturned by new paradigms in a process in which intellectual inquiry is at its core. To delineate [*sic*] the extent to which this intellectual inquiry can be bound is to undermine the basic idea of ‘intellectual inquiry’ itself.

As a trade union, UCU . . . must ensure that freedom of speech and academic freedom are defended and debated throughout all levels of the union. Academic freedom is central to UCU as the UK trade union for academic related, academic and researcher staff. No-one else will defend it unless we will.

But this too was an abrupt turnaround. In October 2021, when trans-activist students and staff were demanding that Sussex philosophy professor Kathleen Stock be sacked — falsely alleging that she is “transphobic” — Sussex’s Vice-Chancellor stood up for her but her own union threw her under the bus. The union’s long “Statement in Support of Trans and Nonbinary Communities at Sussex” did, it is true, devote one sentence to conceding that “we do not endorse the call for any worker to be summarily sacked”. (Of course not: let’s sack Professor Stock after due process.) That betrayal

led Stock to throw in the towel and resign. The old union battle cry, “an injury to one is an injury to all”, went by the wayside.

Nor was this a one-off. In December 2022, the Edinburgh branch of UCU called on the university to cancel the screening of the film “Adult Human Female”, contending, remarkably, that this “has nothing to do with a freedom of speech”. In October 2023, the same branch attempted to block a public event launching a book of gender-critical essays. Other UCU branches have been accused of conspiring against gender-critical members.

Also UCU Left has (or had) a peculiar view on freedom of speech. Its 2022 election manifesto proclaimed:

The Higher Education Freedom of Speech Bill has nothing to do with freedom of speech. Its effect will be to allow anti-trans advocates, Holocaust deniers, anti-vaxxers, supporters of Israeli apartheid and others to espouse their views on campuses with the full protection of college authorities.

UCU Left is thus horrified that Zionists and gender-critical feminists (tendentiously and misleadingly called “anti-trans”) should be allowed to express their views on contested social and political issues “with the full protection of college authorities”.

Nor were these just a few rogue branches or factions. In August 2022, the *Times* revealed leaked minutes showing that central UCU, with Grady in attendance, planned to “get information about how many HR and senior HR staff/consultants are gender critical and then to inform branches . . . Some of the EDI consultants are transphobes and prominent gender critical activists.”

The minutes went on: “Supporting branches in combating transphobia is important through education but there are a small core of people who are so entrenched in their views and the UCU needs to address this issue . . . It is important to look at ways of tackling these transphobes [beyond education] as they put forward hostile views which make campuses very unsafe places for trans people.”

But times have changed: now UCU is keen to defend the freedom of debate concerning Israel and Palestine — and rightly so. Has the UCU belatedly channeled its own inner John Stuart Mill and Frederick Douglass? Or perhaps (since they call themselves leftists) Rosa Luxemburg, who famously stressed that “freedom is always and exclusively freedom for the one who thinks differently”? Will UCU now zealously defend also the freedom of expression of Zionists and gender-critical feminists, even while disagreeing with their arguments?

Perhaps, but onlookers could be forgiven for some skepticism. After all, both the Tories and UCU have maintained a consistent position throughout: the Tories keen to protect the expression of Zionist and (after some hesitation) gender-critical views while seeking to suppress pro-Palestinian voices, the UCU doing the reverse. Their grand pronouncements of principle look like nothing more than window-dressing.

But Mill, Douglas and Luxemburg were right; their arguments in favor of the freedom of expression really are convincing. Those of us who truly care about free and open debate need to set an example by defending it consistently — and defending it above all for those with whom we disagree.

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