The Institute of Ismaili Studies

ACADEMIC FREEDOM POLICY

1. Introduction and scope

The Institute of Ismaili Studies (IIS) was established in 1977 by His Highness the Aga Khan, 49th hereditary Imam (spiritual leader) of the Shia Imami Ismaili Muslims, with a mandate to promote scholarship and learning on Muslim cultures and societies in both historical and contemporary contexts. Its academic and educational activities promote an academic understanding of the diversity of expressions within Islam and its relationship with other religious traditions as well as the secular world. Within this broad span it pays special attention to research into, and disseminating knowledge relating to, the religious, spiritual and cultural heritage of the Shia Imami Ismaili Tariqah of Islam and its relationship with the wider world. The Institute's programmes encourage a perspective which is not confined to the theological heritage of Islam and promote an interdisciplinary approach to the study of Islamic history and thought. Pluralism and diversity are integral to the mandate of the IIS and are enshrined in its policies and practice.

The IIS promotes and facilitates constructive dialogue on matters relevant to its mandate and it has a responsibility to communities associated with it as well as the wider society constituting its environment.

As an inclusive institution the IIS:

- Values pluralism and diversity and the contribution of different perspectives, ideas and knowledge including the right of individuals to hold different beliefs and views.
- Respects the principle of freedom of expression in published works as well as in contributions to discussions and academic debate.
- Treats others, including those who may hold different beliefs or opinions, with the respect, courtesy and dignity implied in its mandate.

The regulatory framework for higher education of the Office for Students (OfS) requires all registered providers to satisfy its management and governance conditions, including the requirement to uphold specified public interest governance principles. These include the principle of academic freedom as set out below:

"Academic freedom: Academic staff at an English higher education provider have freedom within the law:

- to question and test received wisdom and;
- to put forward new ideas and controversial or unpopular opinions without placing themselves in jeopardy of losing their jobs or privileges they may have at the provider."

The IIS has developed this Policy Statement in order to address the public interest governance requirement through the formalisation of its approach to academic freedom.

For the purposes of this policy, staff also includes consultants and contractors carrying out work for the IIS. This Policy Statement sets out the IIS's commitment to upholding academic freedom in a manner consistent with its legal and regulatory responsibilities. All members of academic staff and members of the management of the IIS are required to be aware of and comply with this Policy Statement. This Policy Statement should be read in conjunction with other related policies such as the policy on freedom of speech.

2. Legal context

The Higher Education and Research Act 2017 (HERA) extends the scope of earlier legislation relating to academic freedom by applying it to all English higher education providers.[1] The right to academic freedom is not an unqualified right and is restricted to freedom within the law as determined by criminal and civil law.

The nature of the IIS's mandate involves scholars and researchers who wish to present and publicise their findings internationally, including in some countries with different conventions with regard to academic freedom. The academic staff of the IIS must abide by the law of any country he/she is visiting for the purpose of teaching and research. The IIS reserves the right to restrict or limit the ability of its scholars and researchers to exercise academic freedom in certain contexts either as a consequence of legal or political restrictions in those jurisdictions and/or where it perceives a risk to the personal safety of any member of staff, or of the audience, or of any participants or of any communities affected.

3. Distinction between Academic Freedom and Freedom of Speech

This policy on academic freedom applies specifically to members of academic staff. The policy on freedom of speech applies to all members of staff, students, visiting speakers and external guests.

4. Policy Statement

The IIS is committed to fulfilling its legal and regulatory obligations to ensure that academic freedom within the law is enjoyed by members of academic staff. As an institution of academic learning, teaching and research, all members of its academic community have freedom within the law to question and test received wisdom, to put forward new ideas and to hold and express opinions.

The IIS respects the academic freedom within the law of its academic faculty to research, teach, publish or communicate ideas in an academic context, without detriment to their employment or employment privileges. This academic freedom does not accommodate the research, teaching, publication or communication of ideas that are unlawful, cause deliberate offence to any community including communities of faith, incite hate or violence, foment discord or promote discrimination, extremist ideologies or terrorism.

The IIS's distinctive mandate ultimately defines the areas of its teaching, research and scholarship with the expectation that its academic activities will contribute to the advancement of scholarship and learning on Muslim cultures and societies, both historical and contemporary, and to a better understanding of their relationship with other societies and faiths.

Members of staff must respect their colleagues and students when exploring ideas or opinions in their teaching and academic debates and must not promote views that might be considered discriminatory, hateful, offensive, or inciting violence or that are libellous or defamatory.

Where research or an area of study may involve the exploration of, or research into, discriminatory practices or controversial ideas as a legitimate focus for academic enquiry, such research, or fieldwork, should be undertaken and communicated in a way that is not likely to place any members

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[1] Section 202 of the Education Reform Act 1988

of staff, students or the communities that the IIS serves in jeopardy and should recognise that there may be legitimate grounds not to publish or disseminate knowledge, for example where such publication or dissemination, including through events, may expose or exacerbate sensitivities that may present a risk to, or have a damaging impact on, an individual, institution or community.

This Policy is based on the following principles:

- We respect the right of individuals to express their ideas and to challenge ideas or opinions with due regard to the principles of sound evidence and/or reasoned argument.

- We recognise the contribution of different perspectives, ideas and knowledge, and respect diversity and plurality.

- We acknowledge the importance for researchers and scholars to apply techniques and methodologies consistent with the academic conventions of their discipline.

- We will not permit or facilitate individuals or activities that may support or encourage individuals to be drawn into extremist ideologies or terrorism, incite violence or hatred or foment discord.

- We will enable academic staff to exercise their right of academic freedom within the law providing they maintain the reputation of the IIS and do not engage in activities that may have a damaging impact on communities that IIS works with or that do not accord with the IIS's mandate.

- We will make every reasonable effort to minimise the risk of any harm arising for any person, institution (including the Ismaili Imamat) or community (including the Ismaili community worldwide).

- We maintain an appropriate distinction between scholars' own opinions, research and academic writing and those of the IIS, including those that may be approved for publication and dissemination by the IIS.

5. Roles and responsibilities

The Board of Trustees

The Board of Trustees is ultimately responsible for assuring academic freedom within the law is upheld within the IIS and that the IIS has the appropriate processes in place. The Board of Trustees has charged the Board of Governors with responsibility for the determination and oversight of this Policy Statement.

The Directors' Office

The Directors' Office is responsible for the implementation of this Policy Statement.

Heads of Departments

Heads of Department are responsible for ensuring that all their lectures, research seminars and events comply with this policy and that their staff and students are familiar with these requirements.