

Science Under Siege:

The Bush Administration's Assault on Academic Freedom and Scientific Inquiry

Academic freedom and scientific inquiry have come under sustained assault since September 11, 2001. Spurred by misguided and often disingenuous security concerns, the Bush Administration has sought to impose excessive, unnecessary and ineffective restrictions on the scientific enterprise in the United States.

This report provides an overview of these restrictions, which fall into the following three main categories: restrictions on information, restrictions on individuals, and restrictions on materials.

1. Restrictions on information

Since 9/11 the Bush Administration has interfered with the free flow of information both within and outside the government. By reversing a highly successful Clinton-era declassification program and expanding government classification powers, President Bush has ushered in a reign of secrecy, marked by record-high rates of classification. And the White House has pushed federal agencies to restrict public access to “sensitive” information. This has led to the withdrawal of thousands of public documents and a proliferation of agency guidelines governing the handling of so-called “sensitive but unclassified” information. The designation of whole areas of research or knowledge as “sensitive” based only on the vaguest criteria is especially ominous and a recipe for runaway secrecy.

The Bush Administration has also directly interfered with the publishing of scientific and academic information by barring American publishers from consulting or editing for researchers living in nations such as Iran and Cuba that are subject to trade embargoes. While this effort has been scaled back in response to public outcry, the Administration continues to assert that it has authority to regulate information materials.

Excessive secrecy and restrictions on information flow are contrary to the basic tenets of science and scholarship, carry direct financial costs, and weaken efforts to protect against terrorism.

2. Restrictions on foreign scholars

The importance of foreign students and scholars to the U.S. academic community is extraordinary. Unfortunately, our position as the world's leader in attracting foreign students and scholars has been put at risk by ill-conceived changes made to visa programs and other “security” policies.

These policies have resulted in unreasonable delays in visa issuances that have disrupted the lives of hundreds of foreign students and scholars, delayed crucial research, and left classes without instructors. In addition, they have scared away or sparked resentment among thousands of talented foreign students who would otherwise have been excited to study in America. Foreigners understandably

do not relish the prospect of being monitored and watched by American security agencies that have badly mistreated many innocent foreign nationals since 9/11. The result has been a sharp decline in foreign student applications to and enrollment in American universities.

3. Restrictions on Scientific Materials and Technology

Since 9/11, the government has increased restrictions on the production and use of “select agents” in biomedical and other research. Some government regulation of biological agents can be justified as a means to protect public health and prevent their potential misuses for bioterrorism. But these same agents are commonplace, exist in nature, and have everyday uses for scientists - so extreme caution must be taken to ensure that beneficial research is not unnecessarily hindered. Unfortunately, such care has not been taken.

The Administration is also threatening to restrict access to materials and technology through a proposal to subject fundamental university research to export control regulations. This means that university researchers would have to obtain a license before they could allow any foreign nationals exposure to a long list of “controlled” technologies. This could effectively bar foreign students and faculty from a broad range of fundamental research projects, and would place an extraordinary burden on universities in having to monitor access to any “controlled equipment” on their campuses.

The politicization of science

The Bush Administration has repeatedly claimed that the restrictions that have been imposed on science and academia since 9/11

are necessary for protecting national security. But a look at the broader context of the Administration’s actions on science makes it clear that at least part of what motivates these so-called security measures is a general desire on the part of the Administration to increase political control over scientific and academic inquiry. The White House’s exertion of control over scientific peer review, the stacking of scientific advisory panels with ideologically driven allies, and the repeated suppression and distortion of scientific and public health information are indications that this Administration is all too willing to use its power to influence scientific processes and outcomes to fit its political agenda.

Conclusion

The government is seeking to graft the values of security agencies - secrecy, control and confinement of information - onto the world of science, where information must be uncontrolled, open to all and distributed as broadly as possible. This is a mistake for three reasons: it is bad for science, it is bad for freedom, and it is not an effective way of protecting against terrorism. We offer a series of broad recommendations that include removing unnecessary restrictions on the free flow of information, re-balancing our immigration policies to once again attract the best and brightest talent from around the world and protecting science from undue political interference.



National Office

125 Broad Street, 18th Fl.
New York, NY 10004-2400

(212) 549-2500

www.aclu.org