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Academic freedom in Latin America **By Atilio Boron**

***Academic Freedoms in neoliberal times.
A glance from Latin America***

Study prepared for Education International

by

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Introduction

Latin American universities today confront unprecedented challenges. These stem from a set of major changes that, in the last two decades, shook universities to their foundations. These changes relate both to major transformations taking place in the “extra-mural” environment surrounding universities as well as the changes that occurred in their internal structure, organization and patterns of functioning. In the external front the universities have been challenged by the wave of the so-called “market-friendly reforms” that reshaped, in socially and economically regressive terms, the very structure of Latin American societies.

Additionally, another formidable challenge is posed by the slow but steady progress of the General Agreement on Trade in Services (GATS), which would constitutionalize, under the surveillance of the World Trade Organization, the rather irreversibly commodification of higher education and its almost inevitable control by the big universities of advanced capitalist nations or, even worse, by big corporations dealing in education that would present themselves as if they were universities. Internally, the universities of the region had to respond to the rapid and radical changes that took place both in their external environment and in the major transformations occurring in science and technology during the third industrial revolution unleashed in the second half of the twentieth century.

In front of this one could well ask to what extent our universities have been “reformed” or, as suggested by a recent book, simply “altered” to make them functional to the requirements stemming from the current stage of capitalist accumulation in the region. Have these “reforms” upgraded the capacities of our universities to respond to the renewed challenges of our time, or have they simply been the process by which the universities became more responsive to the needs of the market forces?

One does not need to be a pessimist to conclude that much of what is currently considered as “reforms” was carried out under the uncontested inspiration of neoliberal ideas in accordance with its main goal: the speed up the process of commodification of higher education forcing the open or covert privatization of public universities and introducing in their very structure and logic of functioning the policies of “structural adjustment” required by the implementation of the Washington Consensus, with its emphasis on narrowly defined economic criteria and scholarly productivity as the exclusive yardstick to measure academic quality and performance. If anything, these transformations weakened even more the capacities of our universities to positively respond to the challenges of our time. (Mollis, 2003)

In the Western political tradition the word “reform” used to have a clear progressive meaning. The *American Heritage Dictionary*, for instance, gives as one of the meanings of “reform” the following: “Correction of evils, abuses, or errors. Action to improve social or economic conditions without a radical or revolutionary change.” Of course, the meaning of the word is intimately associated, in its historical genesis, to the Protestant Reform and its struggle against the outrageous privileges of the clergy, the exaltation of the capacities of the individuals to relate with their God without the mediation of the priests, its rejection of the notorious pomp and riches of the Vatican, etcetera.... Later on it would acquire an even wider connotation during the Enlightenment, Emmanuel Kant’s ethics being perhaps the most shining example. During the nineteenth century some variants of liberalism, from Jeremy Bentham to John Stuart Mill,

came to resolutely sponsor a reformist *aggiornamento* of the old doctrine which, in the case of the latter, led to a positive reconsideration of the situation of women and their rights in late Victorian England. If all the former considerations are duly taken into account it will be easily understood that what in the 1980s and 1990s we have known as “reforms” in our universities have in fact been wild “counter-reforms,” skilfully sold by the neoliberal propaganda as if they were exactly the contrary.

In the following pages we intend to examine a central issue, undoubtedly linked with all these changes: the impact of the university counterreformation of the 1980s and 1990s on academic freedoms. After all these “reforms” one should ask: have academic freedoms been strengthened or weakened? Is our faculty more or less free to perform its educational role?

Many scholars have asserted, not without some degree of exaggeration, that we live in a special type of society they call “information” or “knowledge society.” According to this, we also live in an era in which the critical condition for economic success in the global markets –a reality that has supposedly engulfed the entire planet- is the mastery of science and knowledge, the key raw material of any commodity being intelligence. Under all these circumstances the role of education in general and the performance of universities in particular could hardly be overstated. An adequate performance requires both scientific, professional and technical expertise as well as academic freedom, enabling the faculty the unencumbered creation and dissemination of knowledge to the younger generations. Do the above mentioned changes reinforce these freedoms or undermined them?

Our exploration will be focused on the general trends prevailing in Latin America with some especial consideration on patterns found in five selected countries: Argentina, Brazil, Mexico, Colombia and Costa Rica. Beyond their individual gravitation, exceptional in the first three cases, it is worthwhile to remind that together these five countries account for almost three quarters of the university enrolment of all Latin America and the overwhelming majority of all post-graduate programs in the region. The resulting picture, therefore, will tell a lot of the general situation prevailing in this part of the world.

UNESCO's academic freedoms

Let us start by examining the way in which UNESCO has posed the thorny issue of academic freedoms. In November 1997 the 29th Conference of the organization adopted a "Recommendation concerning the Status of Higher-Education Teaching Personnel" whose more relevant articles, from the viewpoint of the academic freedoms, are the following:

Section 26. *Higher-education teaching personnel, like all other groups and individuals, should enjoy those internationally recognized civil, political, social and cultural rights applicable to all citizens. Therefore, all higher-education teaching personnel should enjoy freedom of thought, conscience, religion, expression, assembly and association as well as the right to liberty and security of the person and liberty of movement. They should not be hindered or impeded in exercising their civil rights as citizens, including the right to contribute to social change through freely expressing their opinion of state policies and of policies affecting higher education. They should not suffer any penalties simply because of the exercise of such rights. Higher-education teaching personnel should not be subject to arbitrary arrest or detention, or to torture, or to cruel, inhuman or degrading treatment. In cases of gross violation of their rights, higher-education teaching personnel should have the right to appeal to the relevant national, regional or international bodies such as the agencies of the United Nations, and organizations representing higher-education teaching personnel should extend full support in such cases.*

Section 27. *The maintaining of the above international standards should be upheld in the interest of higher education internationally and within the country. To do so, the principle of academic freedom should be scrupulously observed. Higher-education teaching personnel are entitled to the maintaining of academic freedom, that is to say, the right, without constriction by prescribed doctrine, to freedom of teaching and discussion, freedom in carrying out research and disseminating and publishing the results thereof, freedom to express freely their opinion about the institution or system in which they work, freedom from institutional censorship and freedom to participate in professional or representative academic bodies. All higher-education teaching personnel should have the right to fulfill their functions without discrimination of any kind and without fear of repression by the state or any other source. Higher-education teaching personnel can effectively do justice to this principle if the environment in which they operate is conducive, which requires a democratic atmosphere; hence the challenge for all of developing a democratic society.*

Section 28. *Higher-education teaching personnel have the right to teach without any interference, subject to accepted professional principles including professional responsibility and intellectual rigor with regard to standards and methods of teaching. Higher-education teaching personnel should not be forced to instruct against their own best knowledge and conscience or be forced to use curricula and methods contrary to national and international human rights standards. Higher education teaching personnel should play a significant role in determining the curriculum.*

Section 29. *Higher-education teaching personnel have a right to carry out research work without any interference, or any suppression, in accordance with their professional responsibility and subject to nationally and internationally recognized professional principles of intellectual rigor, scientific inquiry and research ethics. They should also have the right to publish and communicate the conclusions of the research of which they are authors or co-authors, as stated in paragraph 12 of this Recommendation.*

Notwithstanding the value of this document and its courageous defense of academic freedoms -which provide a useful yardstick to assess the situation in the field- a few comments are in order because the document contains some shortcomings that should be addressed in order to be able to realistically evaluate the situation of academic freedoms in the above mentioned countries. Let us provide a few examples of these deficiencies.

a) Section 26, for instance, declares that scholars should contribute to social change voicing their opinions on the public policies affecting higher education. This is good, but utterly insufficient because of a whole range of undemocratic restrictions imposed to the scholars. To begin with, why restrict the field of legitimate intervention of our colleagues only to the public policies affecting university life? This would only reinforce the isolation of the university from the rest of the society, consolidating a sort of intellectual and professional ghetto only connected with the society through the channels provided by the markets. Should our doctors, for instance, refrain to express their views regarding the quality of the public health, the situation of the medical services, or the policies sponsored by the governments in biomedical research or the pharmaceutical industry? Should our engineers abstain from voicing their views on the public works undertaken by the governments, the technological development of the country, or on the policies required to foster the material wellbeing of the population? Should the sociologists and social scientists renounce to pass judgement on the social disruption brought about by predominant economic policies? Why confine their legitimate field of intervention only to university policies? Isn't this a subtle curtailment of the academic freedoms of academics? What are the doctrinal basis for these limitations?

b) Section 27 rightly asserts that "teaching personnel are entitled to the maintaining of academic freedom, that is to say, the right, without constriction by prescribed doctrine, to freedom of teaching and discussion, freedom in carrying out research and disseminating and publishing the results thereof, freedom to express freely their opinion about the institution or system in which they work." "

Yet, in the next paragraph, section 28, the recommendations specify that university professors should not be forced to instruct against their own best knowledge and conscience." But it is beyond doubt that the rigorous application of this principle may well led to scandalous results. Thus, in the field of Political Theory a Catholic professor could quote Section 28 to exempt her from teaching her students the political thought of Thomas Hobbes or Niccoló Machiavelli, given their strong views against the role the Catholic Church played in England and Italy respectively. By the same token a Jewish scholar may decide not to teach the political and social theories of the fourteenth century Arab historian Ibn-Khaldun, or the philosophy of Baruch Spinoza because his pantheistic doctrine

radically contradicts the monotheistic nature of Judaism that, incidentally, caused him to be expelled from the Amsterdam synagogue. Lastly, a Muslim scholar may object the teaching of Hegelian philosophy because of the latter's disdain for everything related to the Islam, not to mention the work of late twentieth century Jewish scholar Hannah Arendt. Examples like these could be multiplied endlessly in the social sciences and the humanities. It is not contrary to academic freedom to require that a neoclassical economist be able to present, in a rigorous manner, what Karl Marx had to say about modern society. Conversely, shouldn't a Marxian theorist be able to introduce to his students the teachings of Adam Smith? Academic freedom requires not only an unrestricted intellectual and political environment but also the capacity of the scholars to explore all the sides of the issues and their seriousness to fairly explain theories that are not of their like.

c) Sections 27 and 29 repeatedly refer to the fulfilment of "international standards" in the conduct of research and teaching in accordance with the "nationally and internationally recognized professional principles of intellectual rigor, scientific inquiry and research ethics." Here again numberless and intractable problems arise, because these two sections assume something that the scholarly community would hardly accept, that is, the existence of a single, common paradigm of scientific research and teaching. This would lead us to the well known argument of Thomas Kuhn regarding the way scientific progress is made. Essentially, Kuhn's thesis asserts the existence of competing paradigms of scientific activity: one, which defines what is considered –by criteria that go well beyond the pure realm of scientific activity and are anchored on profound ideological and institutional criteria- as the "normal science"; and a competing paradigm that challenges the former's assumptions and proposes an entirely different theoretical and methodological approach and a whole set of substantive themes of research. On the basis of a careful reconstruction of the history of scientific advancements Kuhn's analyses have refuted the time-honoured thesis that posed the existence of an unilinear process of scientific accumulation starting from the dawn of history. Instead, he argued, the progress of science occurred as a result of the permanent conflict and supersession of competing scientific paradigms. How, then, can one define the internationally accepted models of scientific activity?

In order to grasp a better understanding of this problem let us refer to some concrete examples drawn from the social science. We recall, for instance, that during our days as doctoral student at Harvard many of the faculty and the majority of the students of the Department of Economics did not consider John K. Galbraith as an economist. The argument was that this old professor had shown a consistent disdain for the over-mathematization of Economics because, in his view, that trend was only going to cause the removal of economic theory from the real world of the economy. His opinion was labelled as outrageous by the mainstream and, above all, merely "political" and, therefore, unscientific. The unspoken assumption was that Economics is a "technical" discipline, and therefore an "un-political" and neutral field of knowledge that should pay deaf ears to the overwhelming literature that assures that a science that deals with the unequal allocation of scarce resources cannot be other than political. However, mainstream Economics totally ignores him. Thus, would a social science practitioner inspired in the work of Galbraith be considered as acting in accordance with the internationally recognized principles of scientific rigor?

Take another example: Noam Chomsky is not only the father of modern Linguistics but also one of the more lucid, better documented and penetrating

critics of the American foreign policy. Yet, his voluminous work in this matter is again completely ignored by the mainstream internationalists, who don't consider Chomsky's analysis "scientific" but "political." Complacency with the powers that be seems to be the mark of science, whereas critical thought appears as something at odds with science. Again, what criteria should we use to determine if a colleague does, or does not, respect the international standards in the matter?

d) Finally, a fair analysis of academic freedom should be conducted taking also into account the standpoint of the students and not only that of the professors. In other words, academic freedom is a prerequisite for excellent education and, as such, not only professors but also students should be concerned with the maintenance of unrestricted scholarly freedom. For the latter academic freedom means unfettered capacity to access to all sources and currents of scientific activity. Thus, the academic freedom of the faculty should never serve as a pretext for undercutting the academic freedom of the students. A serious mistake is made when this issue is approached only from the perspective of the professorship. Academic freedom is a right, and a necessity, both for the scholars and the students. The real question is how to reconcile demands that not always point to the same direction.

The profile of higher education in the five countries: institutions, students, faculty.

Having briefly clarified these issues let us look at the situation of academic freedoms in the five countries of our study. Let us start by providing a panoramic description of the situation of the university system in Latin America, with special reference to Argentina, Brazil, Colombia, Costa Rica and Mexico. (Tünnermann Bernheim, 2003) There is a widespread consensus among scholars that the situation of universities in LAC can be characterized, in rough terms, as follows:

Massification.

The second half of the twentieth century will surely be remembered, a leading expert has written, as the one in which the university systems expanded worldwide at a spectacular pace. University students amounted to 13 million in 1960; shortly before the end of the century the numbers had grown by a factor of six, totalling 82 million in 1995. (García Guadilla, 1998 and 2003) There are twenty countries with university "mega-systems", that is, with a total enrolment over one million students. Among them there are three from Latin America: Argentina, Brazil and Mexico.

In accordance with these world-wide trends Latin American countries experienced a rapid expansion of the university enrolment in the second half of the twentieth century. The number of university students rose from some 270,000 in 1950 to almost 9 million at the beginning of the twenty-first century. Impressive as they are, these figures are far from being an exceptional achievement of our countries. They only reflect a universal trend whose driving force rest on two main factors: on the one hand, the heightened educational level required by the increasingly competitive job markets as a result of the formidable development of the productive forces and the changes brought about by the technological paradigm emerging from the third industrial revolution; on the other hand, an expansion caused by the vigorous incorporation of women to higher education. Strong as it may appear in Latin America, this tendency is even stronger in the advanced capitalist nations and in South East Asia, countries where the quantitative expansion of the university enrolment increased at even a faster pace than in the countries of the region. If by mid-twentieth century the

gross rate of enrolment (as a proportion of the population aged between 20-24) for the region as a whole was 2 %, by the end of the century it had surpassed the 20 % mark. The average, as usual, conceals important differences in this regard. While in Argentina the enrolment rate fluctuated over the 40 %, in Costa Rica the value was 26.3 %, 14.2 % in Colombia, 14 % in Mexico and 11.3 % in Brazil. Little wonder then that the two biggest universities in the region, the National Autonomous University of Mexico and the University of Buenos Aires have a student enrolment higher than the numbers of university students in some of the smaller countries of the area, like Costa Rica and, in general, the Central American countries.

Privatization.

In line with the main recommendations of the Washington Consensus, the educational system was redefined as an “educational market” in which private providers were not only welcomed but warmly enticed, while rules and regulations aimed at granting the quality of higher education and the increased access to it were almost inexistent or, at best, kept at very low levels. Privatization and deregulation of higher education became the rallying cries from the 1980s onwards. If until mid-twentieth century public universities prevailed without counterweight in the region, in the last twenty five years the situation has been radically modified. Today enrolment in private universities accounts for some 40 percent of the total student body, but as far as the institutions are concerned almost 60 percent of all the universities in LAC now are private. A closer look at the national cases object of our study show that countries like Brazil, and Colombia (but also Chile, Dominican Republic and El Salvador, among others) have the majority of the students enrolled in private universities; in Argentina, Mexico and Costa Rica (but also in Guatemala,, Paraguay, Peru and Venezuela, to name just a few) the opposite is true.

As pointed out by the recent Brazilian university census, seven out of the then larger universities –measured by the student enrolment at undergraduate level– are private, the two biggest being private as well: the Universidade Eustacio de Sá, from the state of Rio de Janeiro, with 100,617 students, and the Universidade Paulista, in Sao Paulo, with 92,023 undergraduate students. Between 1996 and 1999 enrolment in private institutions grew 45.2 %, while Brazillian official universities grew at a much modest pace: 18.8 %. Between 2000 and 2003 the expansion of the enrolment in private institutions accelerated, increasing its numbers by 79 % for the whole period, while public universities enrolment grew 36.9 %. Little wonder that by the end of the century almost two thirds of all university students were enrolled in private universities in Brazil and Colombia, while this figure was around 20 % in Costa Rica and Mexico, and a little bit over 10 % in Argentina. In these last two countries the huge enrolment at the University of Buenos Aires and at the National University of Mexico (UNAM), among other large public universities, has been an important brake to the disproportionate gravitation that private universities have acquired in other countries of the region.

Decline in quality.

The quality of university education has declined world-wide, and both developed and underdeveloped countries as well. Many factors explain this regrettable performance, visible even in the elite institutions of North America and Europe. But the fact is that, again, as a general trend, in this part of the world the situation has acquired extremely distressing features. Despite efforts being made, only 7 percent of the faculty of Latin American universities hold doctoral degrees, and another 20 percent hold barely some years of graduate studies. The overwhelming majority of our university professors, therefore, scarcely hold a BA

degree. In addition, full time dedication is far from widespread, except in some elite programs at graduate level. In the University of Buenos Aires, to cite just an example of the trend prevailing in the area, full-time faculty does not even reach the 10 percent mark although significant differences still exist between different departments and careers: while this proportion reaches around 75 percent in the faculty of Exact Sciences it descend precipitously to 10-15 percent in most of the others. In the case of Brazil, the last university census found that out of the 158,702 university professors only half of them, 80,383 to be more accurate, had full-time contracts, while 33,242 had been hired on a part-time basis and 45,078 were hired on a hourly basis. Thus, the relentless expansion of the student body was not accompanied by a parallel improvement in the quality of the educational performance.

The illusory expectations that the vigorous surge of the private universities would improve the quality of higher education proved completely unrealistic. While there are in our region a small number of very good private universities, the overwhelming majority of them have been just opportunistic commercial enterprises profiting from the continuing expansion of the educational demand and taking advantage of the decreased state capacities to establish and enforce astringent standards of academic regulation and control. For these reasons, the overwhelming majority of the private universities specialized in the creation of “chalk and blackboard” careers (that require very little, if any, investment in infrastructure, libraries and laboratories and that the professorial staff can be easily recruited and poorly paid) or in short courses like tourism, gastronomy, public relations, marketing, etc., which, according to what they advertise, ensure an easy insertion in the labour market. It does not take a genius to realize that their contribution of this so-called “universities” to the educational and scientific development of the country is equal to zero. The natural and biological sciences as well as the engineering and exact sciences, of course, are still today almost exclusively taught in public universities. Notwithstanding the former, as profit-making enterprises these private institutions have been, in many cases, extraordinarily successful, and this is the reason why they continue to flourish in this part of the world.

Policy responses to the challenges posed by the new situation in higher education.

The transformations taking place in the university scene of Latin America and the Caribbean and the policy responses adopted by the governments of the region raise a series of problems that directly or indirectly impinge on the extent and quality of the academic freedoms.

According to the ideological orientations prevailing in the eighties and nineties, the educational system became increasingly conceived of by notorious “experts” and policy-makers as a market-place and not longer as the key institution for the integral formation of the citizenry. The classic ideal, firstly put forward by classic Greek philosophy in the V Century BC was progressively abandoned and replaced by a crude mercantile approach that considers education, and very especially higher education, as a “service.” In line with the classical vision, one of the founding fathers of Argentina, Manuel Belgrano, proposed to the Spaniard colonial administration, as early as in 1798, a piece of legislation declaring education to be delivered gratis, mandatory for all parents in order to ensure that their children will attend the school, and secular, that is, outside the control of the religious authorities. Today, under the predominant ideological climate, education is treated as any other good or service exchanged in the market. Therefore, university education cannot, and should not, be considered apart from the market

logic that permeates the most diverse institutions and practices of contemporary capitalist societies. Subtle changes in the lexicon used in the working papers, research reports and articles and books written on educational matters under the paramount influence of the World Bank –through the Bank’s own experts or through the work of local researchers and ministerial staff financed and/or trained by the World Bank- show how, gradually but steadily, the pseudo-technical language of economics replaced the discourse hitherto used by UNESCO that originated in the traditional humanities. Former Harvard President Derek Bok expressed, in recent years, his deep concern with this trend and the dangers posed by what he calls the “commercialization of university education” to the core academic values of the university. (Bok, 2003) This orientation consecrated the triumph of the barbarous idea that education is a commodity and, as any other commodity, has to be traded in the marketplace where a numberless figure of isolated and selfish individuals, endowed with presumed equal economic capacities, perfectly well informed and acting rationally, “buy” educational services freely sold in the market by a heterogeneous group of providers like the state, the churches or private businessmen of any sort. As happens with any commodity traded in the markets nobody could claim to have a “right” to own any good or to have free access to a specific service if the person does not have the resources to pay for it. Much more nonsensical would be to request the governments to deliver those goods and services free, and higher education should not be an exception to this rule. (López Segrera, 2003 a and b)

One of the consequences of the neoliberal predominance has been the generalized acceptance gained that universities should be regarded as profitable, money-making institutions able to live on their own incomes. It is regrettable to acknowledge that this absurdity has become a sort of conventional wisdom of the times, shared though with varying degrees of enthusiasm by university professors and administrators, educational experts, relevant policy-makers and, more generally, the public opinion manipulated by the bourgeois press. The proponents of this thesis argue that the vitality of the American university system –assumed as the non-plus ultra model of higher education which should be imitated elsewhere in the world- lies in its private nature. The carefully omit to say that (a) all the major private universities in the United States benefit from extraordinary subsidies from the federal government and, to a varying lesser degree, from the state and local governments. In some cases the amount of these subsidies, under a variety of forms: research grants, affirmative action programs, special consulting contracts, etcétera, reach hundred of million of dollars. As a result, none of the major American private universities meets their needs without the fiscal assistance of the state. In Europe, the university system is mostly public, and its standard of quality is no inferior to the American. Yet, for the neoliberal ideologues it is not a good system because depends on the state budget and because educational services are almost entirely free of charge. Therefore, it is not a good example to follow.

Little wonder then if some of the innovations put into effect by the “reformed” public universities in Latin America have little relation with the quality of academic standards. The paramount concern of these reforms was to ensure that universities would be able to function with the financial resources generated by them, thus reproducing in the educational sphere the more general trend towards the privatization and commodification of all kinds of goods and services required by society to sustain its own existence. Moreover, this mercantile impulse frees a considerable portion of the always scarce state’s resources that can be redirected to the payment of the external debt. Watching with regret this sad spectacle Brazilian philosopher Marilena Chauí observed that the university passed from being regarded as a social institution –autonomous, republican,

secular and democratic- to be considered as a “social organization” ruled by utilitarian principles, functional to the preservation of the existing social order and deprived of all critical intention. (Chauí, 2003) Extensive empirical research provides illustrative examples of this trend in Brazil. (Gentili, 2001; Trindade, 2001)

Among the most important transformations occurred in recent years in the university system of Latin America stand out the following:

- the steady privatization of higher education, via the subtle but pervasive introduction of fees in hitherto free public universities or through the inordinate and deregulated expansion of “chalk and blackboard” private institutions that mushroomed throughout the region.
- the unruly diversification of courses and careers, most of them requiring shorter terms of study, in order to make room for a growing mass of students requiring post-secondary training;
- the decentralization taking place in large universities, both along regional lines and within the university itself, granting increased levels of autonomy to internal schools, departments and institutes and forcing them to find in the private sector –via contracts with local firms- the resources needed to fulfil their function;
- the development of graduate courses, more than 8,000 in the region, almost exclusively offered by public universities, and highly concentrated in Brazil and Mexico, while Argentina, Chile, Colombia, Cuba, Peru and Venezuela rank in an intermediate position but well behind the front runners in this race;
- the introduction of accreditation and evaluation criteria and agencies, most often motivated by budgetary urgencies derived from the need to slash governmental expenditures than by purely academic considerations, in charge of the Sisyphus tasks of assessing “faculty’s performance and productivity”, something exceedingly difficult to do especially when everything is measured with the rude and improper yardstick of the “cost-benefit analysis” sponsored by the evaluating agencies (Aboites, 2004);
- the increasing presence of foreign universities, very especially United States universities, that had opened branches in several countries of Latin America. This was possible thanks to the perverse logic of our educational legislation that while reinforced to unprecedented levels the mechanisms of control and surveillance of the public universities –undermining their administrative and academic autonomy- has dramatically weakened the agencies and instruments in charge of overseeing the performance of private universities;
- finally, it should be mentioned on the positive side the role played by regional association of universities, like the *Unión de Universidades de América Latina*, UDUAL; the *Consejo Superior de Universidades Centroamericanas*, CSUCA; the *Organización de Universidades Iberoamericanas*, OUI; the *Asociación de Universidades e Institutos de Investigación del Caribe* UNICA and the universities belonging to the Montevideo Group, all of which have taken pains to point out the catastrophic consequences that the neoliberal project has on the university life in LAC;
- and also the growth of distance education and the role of the new information technologies to foster the enlarged impact of tertiary education throughout society, a very positive development as long as it is subtracted from the logic of privatization and commodification.

Threat and constraints over academic freedoms.

In this rapidly changing university context there are several factors that have contributed to weaken the academic freedoms of our scholars. Let us briefly examine the most important ones.

a) *General restrictions to academic freedoms*

According to philosopher Franz Hinkelammert the dictatorships that razed the region in the late sixties and seventies introduced a radical rupture in the academic environment of the universities of the region. These universities had undergone a rapid process of modernization –introduction of new fields of study and careers, increased accessibility, expansion of the full time faculty, etcétera– since the mid-twentieth century in accordance with the democratizing impetus arising from below that had changed the social and political face of Latin American societies in the post world war II era. Hinkelammert asserts that these universities enjoyed high degrees of institutional autonomy and good budgetary allocations coming from the national governments. “Public financing and university autonomy combined to increase the spaces of academic freedom.” (Hinkelammert, 1990) ;

With the rise of dictatorships academic control usurped for academic freedoms. “Control” that, as a matter of fact, ranged from the wholesale purge of disaffected professors to their mercilessly beating up, as it happened with the professors of the Faculty of Exact Sciences of the University of Buenos Aires shortly after the coup d’état of June 1966. Other expressions of this “control” were the forceful retirement of faculty in the Brazilian universities after the Institutional Act of 1968; the assassinations and disappearances widely known in Argentina, Chile, Brazil; the physical destruction of the university campus, as the bombing of the university library of the University of El Salvador; and the continuous harassment of university professors that still today (as in Colombia and Guatemala) occurs in some countries of the region. But Hinkelammert calls attention towards other, subtler forms of control that also undermine academic freedoms in our universities: the political control established by the institutionalization of a rigid paradigm which established what is sound, serious knowledge and what is not. This is of paramount importance in the social sciences and the humanities -where the suffocating tyranny of the *pensée unique* is felt at its maximum strength- but also in the so-called “hard sciences” as well. The general ideological features of our epoch cannot but decisively influence the intellectual atmosphere prevailing in the universities. It is an undisputed fact that the accentuated ideological displacement of the public consciousness to the far right that today prevails worldwide –epitomized in the new US National Security Doctrine, the so-called “war on terrorism” and so on- has created an increasingly intolerant environment in academic institutions both in the advanced capitalist nations and in the periphery of the system as well. The narrow-mindedness of this new cultural ethos, compared with the one that predominated in the 1960’s has prompted the rise of authoritarian and intolerant attitudes and policies that have severely curtailed academic freedoms in the countries of our study.

Of course, specific national circumstances operate to modify this general influence, usually for the worse. The presence of a powerful guerrilla movement in Colombia, for instance and the steady militarization of public life in that country has collected a heavy toll –including human lives- over the academic freedoms of Colombian scholars. Concerned professors who favor a negotiated settlement of the military conflict are regularly blackmailed by the government and, to a lesser extent, by the most violent wings of the guerrilla. And this situation affects not only the social

sciences and the humanities but the natural sciences as well, seriously disrupting the different facets of university life.

In Mexico the very strong influence of the White House on the Mexican authorities, the necessity to overemphasize the alignment of the country with the ideological inclinations prevailing in the Washington, and the uprising of the Zapatistas gave rise to a noticeable hardening of the political and ideological control over the mass media and the academia, both strongly influenced by governmental financial outlays. Thus, scholars that showed some sympathies for the Zapatistas, or who voiced critical opinions regarding the results of the North America Free Trade Agreement (NAFTA), were quietly cornered to the margins of academia, relegated in promotion, and deprived from access to governmental controlled research funds.(Aboites, 2002).

In Argentina, Brazil and Costa Rica the wearing down of academic freedoms proceeded more subtly. The absence of an armed conflict -more open and violent in Colombia, more latent in Mexico- deprived the established powers of the necessary pretexts to launch an all out assault against academic freedoms. Yet, the political will is there and the effects are already clearly seen in all sorts of administrative instruments and new procedures created precisely with the purpose of aligning discontented faculty and assuring that the main policy orientations of the government will not face, as in the turbulent 1960's, a multitude of critical voices nested in academia.

A tale of many cities.

There are many stories in the five countries of our study that illustrate the advances against academic freedoms. Let us briefly exposed some of them. For obvious reasons the names of the involved scholars would not be disclosed.

In Argentina, a leading senior professor in the study of human rights violations during the military dictatorship was denied promotion on the grounds that the language used to describe and analyze his/her data lacked the parsimony and “value-neutrality” proper of scientific undertakings. His/her analysis was considered inconsistent with the methodological canons of social science and, therefore, “political”. A long battle ensued, the situation came to a stalemate, but the research process was irreversibly damaged: the research team dispersed, the research momentum was broken, and the results were never published.

Also in Argentina, a respected provincial university deprived a highly prestigious architect, known by its international and national prizes, from his/her chair because his/her open defense of the professors union and of the social responsibility of the university in one of the more poverty-stricken areas of the country.

In Mexico, a well established scholar with a very active insertion in the international circles of his/her profession was downgraded from her academic position in the National System of Researchers, a special governmental program by which the professorial elite is granted special research subsidies and salary incentives not accessible to the rest of the colleagues. The reasons given by the administrators were that the “peer review” of his/her recent scholarly activities judged that his/her work has become “journalistic” in language and that his/her research strategies were incompatible with the rules of social science research. The involved scholar had been very vocal and sided with the Zapatistas in supporting the devolution of the lands to the aboriginal peoples in Mexico.

In Colombia a professor at the National University involved in the peace negotiations between the government and the guerrilla saw his/her life seriously threatened by the right-wing “paramilitary” forces that oversee the behavior of suspected scholars and students in the campus. He/she was forced into exile for more than two years. His/her classes were interrupted, and his/her research was aborted.

Also in Colombia, the same happened to a distinguished scholar from one of the best private universities in the country, frequently hired as visiting professor by the most renowned American universities. He/she was forced into exile for almost three years.

In Brazil, some of the most vocal critics of the status quo were never incorporated into academia once the military dictatorship that had forcefully retired him/her was over. Returned from long years of exile, Professor X, whose work had received generalized recognition because of its originality and depth, had to quietly accept that the retirement decided by the military would not be reversed by the new, supposedly democratically elected university authorities. No university press ever dared to publish his/her work.

b) Academic freedoms in times of financial crisis.

This matter is absolutely critical because without adequate financial support universities can neither function properly and much less have the resources needed to reform themselves. Moreover, financial structures do not usually create favourable conditions for strengthening academic freedoms. What has often been pompously announced as “university reform” in our countries were little more than a collection of wild budgetary cuts: massive faculty lay-offs, introduction of student fees and abolition of gratuity, shutting down departments or research institutes, downsizing of budgeted resources for library and lab expenses, etcétera. As in any other policy areas, a true reformer requires additional resources of all sorts to carry out his or her plans. This is the reason why the chronic financial weakness is the Achilles heel of Latin American universities and a major obstacle to the introduction of the necessary reforms, not the ones imposed by the predominant ideological consensus. The financial situation of our public universities radically worsened in the last two decades after the outbreak of 1982 debt crisis and the ensuing programs of economic stabilization and structural adjustment implemented to deal with the crisis. Little wonder that Latin America is the region of the world with the smallest amount of money invested for each student in the tertiary level per year: some 650 U.S. Dollars, against a figure almost four times larger than in the Asian countries while in the United States and Canada the annual investment per university student is around 9,500 dollars, almost 15 times bigger than in our region. It is not by chance that Latin America is also the area with the most unequal distribution of income and wealth. The seriousness of the problem is only compounded by the fact that in this part of the world the governmental investment in higher education is by far the single most important contribution to the global university budget of our countries. Private universities invest little, yet they are able to earn phenomenal profits.

Comparisons of university budgets would render scandalous results. For instance, the University of California, a state institution, has a student body in all its campuses amounting to 250,000, while the UNAM, the largest university in Latin America has some 280,000 students. Relatively equal in terms of size of the enrolment, the disparity in the budgets is quite considerable. While the UC has a total budget of US \$ 7 billions UNAM has to make ends meet with US \$ 1,4 billion, that is, one-fifth of the former. And we should bear in mind that UNAM is a privileged institution that has the largest university budget of the region. It has little wonder that the financial crisis facing our universities could be provided for hours. Let us simply remember that student and faculty protests and strikes caused by financial troubles in our universities have become a common feature of our countries in recent times. By October 2005 many federal universities in Brazil were on strike because the stubborn resistance of Brasilia to compensate its employees at the university system the losses caused by several years of inflation and frozen salaries. While the workers demanded a (very reasonable) raise of 18 percent, the offer of the government was an unbelievable 0.1 percent. This was regarded by the workers at the federal university as a provocation, adding more fuel to the flames of the conflict.

The origin of the financial crisis affecting higher education in our countries is crystal clear: the gradual but steady desertion of the governments from some of their essential responsibilities in the area. The main factor explaining this

deplorable achievement is the adoption of the neoliberal fundamentalism sponsored by the governments of the G-7 led by the United States, and the increasing role that organizations like the World Bank, the IMF, the IADB and other similar institutions play in shaping the policy agenda of the region. As posed by Hugo Aboites, one of the foremost Mexican experts in the field, these “Northern winds” have swept with exceptional force not only the Mexican universities but the entire Latin American scene as well. (Aboites, 1997) International financial institutions have imposed a couple of wrong and absurd ideas in the field of higher education: first, that governments in the Third World should end the infamous “subsidy to the rich” implicit in the public financing of higher education; secondly, that the virtuous dynamism of higher education systems rests on the impulse derived from private universities. These assertions conceal the fact that most countries which are in a leading position world-wide in teaching and research (a) do not have private universities, like the majority of European countries and Canada. Sweden, France, the United Kingdom and Germany do not have private universities, or, as in this last country, there are some marginal universities left in the system for political and religious reasons, as in Bavaria; (b) that the rapidly developing South East Asian countries are characterised by the high quality of their public universities; and (c) as stated above, the decisive role played by the transfer of federal and state funds in the financing of “private” American universities.

An important general issue exacerbating these trends is the increasingly significant role played by the World Bank in educational, health, nutrition, social security and all matters related to the welfare of the population. This institution -in fact, an extension of the United States government as Zbigniew Brzezinski has recently admitted- has become in recent times the most authoritative spokesman regarding the “correct policy line” to apply in a wide variety of issues, among them education in all its levels, science, and culture. It is a serious matter of concern the fact that the World Bank succeeded in substituting UNESCO in the critical role performed, under the umbrella of the United Nations system, for over half a century. Needless to say that a bank, no matter how it names itself or how its president likes it to be seen, is always a bank, and the natural tendency of any bank official is to consider all things of earth, and certainly all social institutions and social practices, as simple items in a cost/benefit calculation grill.

It goes without saying that this mercantile ethos creates an insurmountable barrier for the adequate consideration of all educational matters. The commercial logic of the World Bank implies that education should no longer be regarded as the supreme task of the polis. Plato's vision of education as the cultivation of the spirit leading to the formation of an enlightened citizenry is replaced by the reading of the Dow Jones index of the New York Stock Exchange, or by the Country Risk Scoreboard published daily by the financial sorcerers and gamblers that run the international financial system to their advantage. Under this light, education is a commodity not different from soy beans, car transmissions, or tuna fish, and deserves no special treatment. Little wonder that hand in hand with the World Bank ideological and political ascendancy in our region came the pressures in favour of educational privatization, deregulation, governmental desertion and so on. As it will be seen below, the last chapter of this depressing story is the outrageous decision, that we must oppose resolutely, of the World Trade Organization to incorporate higher education as one of the “services” to be included within the area of competence of the WTO. If this initiative is carried into practice all the “barriers” to the free flow of “educational services” must be removed by the signatories of the agreement because no compliance with this “free-trade regulation” would entail the application of severe commercial and

financial penalties. Thus, in this liberalized educational environment LAC universities will have to fairly “compete” in the provision of higher education and in the production of diplomas and certificates with some of the richest and strongest universities of the North. Some initial estimates indicate that in Brazil alone this new “educational business” would produce benefits in the vicinity of \$ 2,000 million in the first five years of “university liberalization.” It does not take a genius to predict the final outcome of this unequal battle. Public universities in our region will not face a better future in their competition with the giants of the North than local capitals do at the hands of the transnational corporations in a whole range of economic activities.

Obsessed with fiscal surpluses and subjected to a permanent blackmail by the lords of the world and the international financial institutions, the governments of the regions have slashed “unproductive” expenses, cut all sort of social programs and decentralized functions (such as education and health services, for instance) without providing adequate financial resources to the sub-national units now in charge of delivering these public goods. All these initiatives were blessed by the established powers and their ideological agents as a beneficial “devolution” of prerogatives to the inferior levels of the governmental structure, supposedly more in touch with the real people, and as a noble “empowerment” of civil society. Needless to say that both arguments are unable to pass the empirical test: the driving force behind this story is the need to produce the budgetary surplus destined to repay the external debt. Hard times like these require major financial adjustments, and education (as health, social security, etc.) has to be sacrificed in the altar of the financial markets. (Coraggio, 2003) As a result, academic freedoms are necessarily undermined because they have to adapt to the prerequisites and imperatives that stem from the mercantile logic. Therefore, if market needs require that certain theories or subject matters not to be explored the scholar, increasingly dependent upon the decisions of the administration and with a precarious job stability, have no other choice than to obey. As a result, several legal changes introduced in recent years have affected the university autonomy. The several “university laws” passed in an unstoppable cascade in Latin America dramatically decreased the levels of university autonomy and, especially, of academic freedoms. Not surprisingly this new legislation -whose blueprint was an official paper of the World Bank on this matter that was “adapted” to the realities of our different countries just by changing proper names and geographical and historical references- in Latin America is astonishing similar because, as a matter of fact, the text of the law was prepared in Washington by the World Bank experts and obediently enacted by our congresses in due time. This new legislation places in the hands of the state authorities an unprecedented level of intervention and control in academic affairs, from the election of the university authorities to the correct procedures of faculty promotion, including criteria for evaluation of “performance and productivity”, decisions about the admission of students, organs of internal governance, and so on and so forth. All this amounts to a strengthened ideological control over what in the past used to be critical political actors in Latin American history: intellectuals and students, disguised under a thick cloud of pseudo-technical justifications. (Nosiglia, 2001)

c) GATS negotiations and free-trade accords.

The increased pressures over underdeveloped nations to sign the GATS agreement carry in themselves very serious threats to academic freedoms. GATS is a set of multilateral rules regulating international trade in services. In previous international

trade agreements the object of the commercial rules were goods and products, no services. Yet, the increasing role of services in the global economy, mainly financial and banking, prompted the introduction of a normative framework to guarantee the liberalization and deregulation of trade in services. The ideological and political victory of neoliberalism is clearly expressed by the fact that, under strong pressures of the George W. Bush administration, education has come to be included as one of the twelve “service sectors” to liberalize along, for example, communication, transportation, finance, tourism and health. As noted by Jane Knight, the GATS agreement is

“administered by the World Trade Organization (WTO) which is made up of 146 member countries. The WTO is the only global international organization dealing with the rules of trade between nations. At its heart are the WTO agreements, negotiated and signed by the majority of the world’s trading nations and ratified in their parliaments. The GATS is one of these key agreements and is a legally enforceable set of rules.” (Knight, p. 67)

As said above, GATS considers education at all its levels, from pre-school kindergardens to higher education at graduate level, adult education and any other educational programs, as one more service, no longer regarded, as before, as a citizen right. Key elements in GATS are the following:

- Coverage: includes all the internationally traded services, and education is not an exception .
- Target decisions: all rules, laws, regulations and customary practices issued or tolerated by national, regional or local governments that may interfere with the international trade in services.
- Unconditional obligations. There are four, and apply to all service sectors: most favoured nations; transparency; dispute settlement; and monopolies.
- National treatment, meaning that equal treatment should be granted to all providers of educational services, no matter whether they are domestic or international providers.
- Progressive liberalization. This clause means that there is a built-in agenda by which after every round of negotiations there should be a progress in trade liberalization: more sectors should liberalized and more trade limitations should be removed. (Knight, pp. 71-74)

Once accepted that education is a service or, in coarse economic terms, a commodity, there is no point in discussing exemptions because of the supposedly peculiar nature of this “service.” And regardless whether a country has made a specific commitment to uphold the rules of the WTO in the educational services or not, the fact is that the “unconditional obligations” succinctly listed above are mandatory for each country that has signed its entrance to the WTO.

Additionally, the GATS rules include a clause of “progressive liberalization” called to exert a determining influence in all the service sectors and, very especially, to ensure the irreversibility of the policies adopted by a given country no matter under what conditions this action took place. It should be reminded that many underdeveloped nations, all of them heavily indebted, were forced to accept trade liberalization as part of the “conditionalities” imposed on them as a requirement to get new loans to pay their external debt, or to access to a loan renegotiation. The impact of this un-heard of commodification of education on academic freedom of professors and teachers is

easy to discern. If education is a business, and if businesses are supposed to yield profits, considerations regarding academic freedoms and scholarly excellence, are completely out of the mark. Having stripped education of its spiritual and humanistic values as a key element in the formation of the citizen and having sent it to the market place, concerns about intellectual freedoms are totally superfluous. Even more, the time-honoured discussion on the “mission” of the university, which ignited the Latin American debate in the 1950’s and 1960’s, seems to be definitively foreclosed. Under the aegis of neoliberalism all major institutions of modern society: family, school, university, labour unions, political parties, among many others, were re-engineered to become obedient servants of the market logic. Yet, the trend is not reasserting itself without countering resistances, but even for the more optimists the future of the university is at stakes, and the prospects are not precisely heartening. (Dos Santos, 2001 and 2005; González Casanova, 2001)

Latin America universities and the Free Trade Area of the Americas.

An example of the detrimental influences that GATS-type negotiations can have on the universities in Latin America has been recently provided in Colombia. In response to pressures from the US Trade Representative negotiating a bilateral free trade agreement between the US and Colombia President Uribe issued the Decree 2566/2003 reforming the university system of his country in order to “adjust it to the new conditions posed by the free trade of services and the opening of the educational markets.” The Treaty under discussion requires that all levels of the educational system be opened to the free play of supply and demand. The purpose of this reform is to facilitate the arrival to the country of a host of the foreign, mostly private, institutions to compete on an equal standing with the national institutions. Given that according to official estimates only 5% of the high school graduates enter to the universities, public or private, the estimated profitability of an “investment” in higher education is formidable. President Uribe is ready to concede this in order to get the Treaty signed as soon as possible, especially when he is seeking his re-election. With this initiative the state will be able to set limits to the governmental financing of public universities, put an end to all kind of “subsidies” to educational institutions, and homogenize the contents of courses and research priorities in accordance to the needs of the markets, to the disadvantage of academic freedoms. (Mendoza, 2004)

A special note on the situation of academic freedoms in Argentina.

Let us conclude this paper with a brief analysis of academic freedoms in Argentina, a country who gave birth to the progressive University Reform of 1918 that shook the archaic university system of all Latin American to their foundations. The case of Argentina is also interesting because is the country in which university enrolment has reached the highest mark in the region. The threats to academic freedoms are easily visible if one realizes that near 80 percent of the faculty enjoys a precarious status because they are not tenured, their designation is provisional or, as in many cases, because their work is done *ad honorem*. This means that job stability is rare,

and that every six months or so scholars have to be re-appointed once again. For this, the faculty requires the approval either of the full professor, who holds the chair, or of the School or Department Directive Council and, in some cases, of the dean of the School. Under these conditions, academic freedom is severely threatened by the chronic insecurity of the overwhelmingly majority of professor's positions in the university. This threat does not necessarily materializes, but as a tendency is always there because given the prevailing insecurity the scholar has to be very careful not to antagonize those on whose opinion he or she depends not only for a very modest salary but also, and in some cases very especially, for the increasingly expensive medical care offered by an even precarious affiliation to the university ranks.

In Argentina, at least in papers, the career of research scholar has long been established, but generalized financial restrictions and political considerations inside the university or the school are formidable obstacles to its effective implementation. Jobs openings are supposed to be filled by a public contest, the *concurso de antecedentes y oposición*, which is intended to create a public, plural, scholarly space in which candidates compete for the position under the scrutiny of their colleagues, the graduate professionals and the students. The mechanism though does not guarantee the fairness of the competition because the timing of the competition and the selection of the committee which will act as the academic jury is realized in a rather arbitrary manner by the Directive Councils of the involved Schools (Social Sciences, Law, Medicine, Economic Sciences, etc) and the final approval of the Superior Council of the University. Even though there is an important representation of students in these governing bodies the fact is that the weight of the established professors and the administrative authorities in them is overwhelming. The problem is that these professors, regular professors with formal contracts, are a minority of the faculty, and not always are willing to advance academic freedoms when their political position, privileges or little spheres of influence are at stakes. The issue of the timing of the *concursos* is also critical. Contesting professors may have to wait decades before their *concurso* being called, and all that reinforces the uncertainty of the prospective scholars.

These threats to academic freedom are reinforced, in the Argentine case at least, by the fact that even when the faculty has been regularly hired and is in a secure institutional position the salaries of most university professors, and not only the younger ones, are still located below the poverty line. This implies that the professors have to find alternative ways of financing themselves, in many cases in activities unconnected with their academic job, thus preventing them from strengthening their scholarly formation and upgrading their skills in the classroom or in the labs.

There have been very few cases of overt political persecution denounced in the press or in the academic institutions. However, the opinion of this author is that only a fraction of actual or potential cases of encroachment on academic freedoms finally reach the public arena. This situation may not be quite generalized in the three oldest universities (Córdoba, Buenos Aires and La Plata) which have a more solid organizational density, stronger teacher's unions and high nation wide visibility that prevents open attacks against academic freedoms.. But the panorama varies in a dramatic manner when the focus is placed on new and much weaker public universities, strongly subjected to the provincial established powers; or in the private universities, where administrative despotism and political despotism are the norm. In both cases the degree of freedom enjoyed by professors is severely curtailed. In public universities, the long hand of the provincial governments and the national authorities reach well inside every aspect of academic life. The situation of private universities is not more encouraging. It should be remembered that confessional universities in Argentina, mostly Catholic universities, have traditionally been linked

to the most reactionary sectors of the Church. That means that in certain areas – especially but not only philosophy and the humanities in general, social sciences, psychology, and economics- professors are not supposed to teach authors holding opinions contrary to the prevailing interpretation of the Catholic faith. In addition, most Catholic universities in Argentina (which is not necessarily the case in the rest of Latin America) shows a disproportionately high participation of Theology and Aquina’s philosophy in the normal curriculum of the different departments, this practice sharply contrasting with the secular approach prevailing in most Catholic universities in the United States, for instance. Underlying this radical imbalance between dogmatic and technical subjects is the idea that the paramount “mission” of a Catholic university is to educate the future leadership of the country and, only in second place, to train professionals and scientists. Academic freedoms, therefore, must be subordinated to the major goal of the university. The situation has improved a little bit in recent years, but still today academic pluralism is a rare gem in these universities.

Private, non-confessional universities are not much better in this regard. In this case it is not the authority of the Church which erects formidable barriers to academic freedom. The obstacles come from two main different sources: on the one hand, the (few) very best private universities tend to be local replicas of some of the most prestigious American universities, concentrating especially in the soft sciences and in the administrative-managerial area. In these cases, the primacy of the *pensée unique* is absolute: scholarly work has to be carried out in accordance with the ruling orthodoxy coming as the natural by-product of globalization. Teaching is strongly centered in neoclassical economics, market research, social engineering, and related matters, and anything distinct of that is deemed as wrong and utterly unacceptable. There is no room, nor any incentive, to develop critical approaches that may put into question the prevailing social order or the powers that be. The university is supposed to provide a good technical education, urging the students to concentrate on quite specific and operational matters refraining from posing general questions on the nature of the social order and its conflicts and contradictions. On the other hand, the merely commercial institutions delivering higher education “services” undeservingly called “universities” grant no academic freedom at all. Professors should transmit a restricted set of supposedly technical and concrete skills, useful for job-hunting in the globalized local market, and their margin of option is practically zero. It is enough to remind that in these sort of institutions almost all the faculty is hired on an hourly basis. (Krotsch, 2003)

In Argentina there is a paradoxical situation: while there is a keen awareness of the importance of academic freedoms, in large part as a result of the political and ideological heritage of the University Reform of 1918, the fact is that there are only few and weak effort have so far been done to endow the proclaimed academic freedoms with strong institutional anchorages.

Why is there such an enormous gap between discourse and reality? The reasons are manifold. On the one hand, because the severe economic and financial restrictions affecting the public sector in Argentina, and very especially the educational system at all levels, undermine the material basis of academic freedoms. At the University of Buenos Aires, to take a crucial example, more than half of all its faculty works *ad honorem*, lacking therefore their most elementary conditions to exert their academic freedoms.

On the other hand, a key component of the academic freedoms is publicity, that is, the possibility to make one’s viewpoint known and the possibility to advance particular ideas, theories, hypothesis, and to take active part in ongoing intellectual and scientific debates. To make this possible the scholar ought to have a university press, hopefully a non-profit agency, ready to publish his or her contributions.

Unfortunately, university presses are extremely weak throughout the region. And when they are not weak, as in the case of UNAM or the University of São Paulo, they are extraordinarily slow in getting books out of the press and, when this finally happens, in ensuring an adequate commercial distribution of the books. Therefore, the scholar is forced to seek the publication of his/her work in very small publishing units of the diverse departments or institutes, with very little chances of having her work really introduced in the public debate; or the scholar is geared to strike a deal with a commercial publisher, in many cases having to pay a significant part of the cost of production of his or her book. As a result, it rests in the hands of commercial enterprises the last word at the time of disseminating a scholarly product, a theoretical viewpoint or a particular research result. None of these situations can be regarded as shining examples of academic freedoms. Academic freedoms are two-pronged: they require not only the possibility of saying something but also the possibility to have someone else being able to listen to what the scholars have to say.

A related problem affecting academic freedoms lies in the generalization of the peer-review evaluation as the normal method for the acceptance of a paper or a book for publication. Paraphrasing Jean-Jacques Rousseau when he said that democracy would be the ideal political regime if men were angels, peer-review can also be understood in the same manner. The underlying idea, to have the peers decide if a written piece deserves or not publication, is very good. But the assumptions on which it rests are unrealistic. It assumes that there is a single scientific paradigm; that there is a universal yardstick to measure the quality of a scientific work; that politics and ideology do not count; and that passions and interests linked to the petty politics of academic institutions can be effectively neutralized, thus providing a fair conclusion or verdict. As a result, experience teaches that peer-reviewed publications are not better than those who don't rely on this mechanism. But there is an important consequence: since peer-review procedures have been strongly emphasized by the established elites in their "reformist projects", and their representatives in the scientific terrain have saved not pains to impose this practice, the result has been the narrowing of the tolerable scientific alternatives and the imposition of an unquestioned orthodoxy that bears little relation with the ethos required by academic freedoms.

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