



EDUCATION INTERNATIONAL Pan-European Structure

**Higher Education and Research Standing Committee
Oslo, September 2006**

Academic Freedom

The 1997 UNESCO Recommendation Concerning the Status of Higher Education Teaching Personnel guarantees academic freedom as a right, stating that "higher education teaching personnel are entitled to the maintaining of academic freedom." The 1992 Sinaia Statement on Academic Freedom and University Autonomy provides that "governments and the public must respect the rights of universities to serve as centres of completely free inquiry and of social criticism."

The justification for academic freedom is that it is vital for the growth of knowledge and its dissemination, and the development of science. To achieve this, it is necessary that the state and society ensure that higher education teaching personnel work in an environment in which they are able to carry out their jobs without fear of restrictive or repressive measures, and without threat to their independence, to their careers, and even, in certain cases, to their personal freedom and their lives. These freedoms are different from civil, political, social and cultural rights, which are applicable to all citizens. Academic freedom is also a key issue in democracy.

Academic freedom is thus not simply an outdated privilege or a protection granted to the academic community. Indeed, academic freedom is based on a clear rationale that links academics to society. Furthermore, it is not only a right, but a responsibility of higher education institutions and academics. In the context of fostering cultural diversity, the 1992 Sinaia Statement refers to the "obligation" of universities to speak out against all kinds of intolerant behaviour, and refers to the "commitment to open and independent inquiry" as a "defining characteristic of the university."

In 1992, when the Sinaia Statement on Academic Freedom and University Autonomy was adopted under the auspices of UNESCO, it stated: "history has shown that violations of academic freedom and institutional autonomy have high costs in intellectual regression, social alienation and economic stagnation." Since then, rather than an improvement, there has actually been a visible deterioration of this principle worldwide, with the situation currently being so bad that we are now at a crisis point. This is clear from the report that EI prepared for CEART in August 2006, on the implementation of the 1966 UNESCO Recommendation on the Status of Teachers and the 1997 UNESCO Recommendation on the Status of Higher Education Teaching Personnel.

Representatives from trade unions for teachers and researchers in higher education and research, assembled in Oslo on September 27th 2006, are deeply concerned about the current status of academic freedom

In many European countries, external pressure arises from the ever-growing drive towards globalisation, competitiveness, commodification, and the increasing use of market mechanisms in higher education. Internal pressures also arise from new systems of governance, lack of collegiate governance, and the demands placed on academic staff to produce a regular flow of published research to meet arbitrary targets. Research funding is increasingly an issue of concern, as funding bodies often

subject the use thereof to a number of conditions (e.g. regarding the publication and use of research results). There is thus great concern over visible signs of increased bureaucracy and control, political control of the use of research resources and the reduction of researchers' free right of publication.

More and more often we meet the argument – primarily from employers – that academic freedom can be used to protect academics who are clearly underperforming. We reject the view that the principles of academic freedom can be used in this context as academic freedom isn't a freedom to fail to fulfil the obligations of one's job as an academic. In many cases, arguments like this are being used as a reason to reduce the number of academics employed in permanent positions. Such arguments are detrimental to the collective interest of our members. Any attempt to use academic freedom for the protection of underperforming academics must therefore be strongly resisted.

Furthermore, the exercise of academic freedom is closely linked to the principle of institutional autonomy, and the very status of teachers. Thus, current trends which result in a weakening of tenure rights have a devastating effect on academic freedom. Today, it can be decisively affirmed that tenure continues to decrease, with ever fewer tenured academics able to practice their right to academic freedom without fear of dismissal. We are very worried with the increase in the use of precarious contracts, which has escalated to a situation in which it is now out of control.

We welcome the Recommendation of the Parliamentary Assembly of the Council of Europe, on Academic Freedom and University Autonomy, adopted in June 2006, as a positive sign. This Recommendation contains a number of positive aspects, among which, it states that these twin principles together constitute "a fundamental requirement of any democratic society." and that they "should be legislatively, preferably constitutionally, guaranteed." Codification into law is important and necessary, though not a sufficient tool to secure individual academic freedom for research and teaching personnel. Codification alone is not enough, as in many countries where legal protections exist, there are cases in which academic freedom is still undermined in practice and external pressure from governments, political parties or other forces is still present. Therefore, measures need to be taken to ensure that respect for academic freedom is exercised in practice, so that citizens can be confident of the skill and impartiality of researchers and academic workers, and of their independence from any kind of political constraint, and financial or other pressure.

In this context, we welcome and support the efforts of the Council of Europe in acting "... to the effect of reaffirming the vital importance of academic freedom and university autonomy and contribute to an open political dialogue on the understanding of the concepts in the complex and changing reality of our modern societies" (art. 12 of the Recommendation on Academic Freedom and University Autonomy").

Since academic freedom is so basic for university teachers and researchers, the need for academic freedom should be made explicit in the Bologna Process.

In conclusion, we realise that our colleagues in other regions are facing the same problems as we are in terms of the deterioration of the principle of academic freedom. We stress that it is important to tackle the current crisis that academic freedom is facing at the world-level, in order to reinstate respect for this principle, as a fundamental requirement of higher education systems worldwide to fulfil their public mandate.

