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Academic freedom and higher education

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Academic freedom is central to the future of India’s higher education system in its efforts to develop a knowledge economy and institutions of excellence comparable to the best in the world.

Higher education in India is in the process of transition in the face of globalisation. Some of the important organisations involved in responding to the challenges of developing a knowledge economy and seeking this transition in higher education are the University Grants Commission (UGC), the Union Ministry of Human Resource Development, the Planning Commission, and the National Knowledge Commission (NKC). Each of them has its own perspective on what ought to be the future of higher education.

While there is need for consensus-building and closer interaction among these bodies, the importance of promoting academic freedom should also be recognised. Given the challenges of privatisation, there is an urgent need for emphasising academic freedom as a core component of ensuring higher academic standards and the development of curriculum that will meet the needs of the future. The state and the private sector need to recognise that the creation of knowledge and development of the higher education sector cannot take place without recognising academic freedom.

The following are some of the important issues relating to academic freedom:

Understanding academic freedom: The concept of academic freedom should be further examined in the light of globalisation and new challenges posed to higher education. There is need for a public debate on the inherently difficult issue of how academic freedom in Indian universities can be balanced with an equally important value of ensuring transparency and accountability within public and private institutions. The question of accountability becomes critical in the context of growing commercialisation of education which has also undermined academic freedom. Promoting greater understanding of academic freedom has a significant bearing on the purpose of higher education. It will also have an impact on determining all policies relating to higher education, including curriculum development, programme administration, recruitment of faculty members, teaching pedagogy, assessment regimes and professional engagement of educational institutions.

In all these matters, there is need for evolution of policies that recognise the changes in the landscape of higher education. While the legal and institutional framework for protecting the freedom of speech and expression in India is sound along with an independent judiciary that can enforce the fundamental rights, there are certain aspects of political culture, religious intolerance and cultural dogmatism that pose challenges to the protection of academic freedom.

Academic freedom as social responsibility: Protecting academic freedom ought to be part of the social responsibility of both individuals and institutions. There are a variety of issues relating to educational policy and governance of educational institutions in which the state and its instrumentalities need to play a legitimate role. But this role should be judiciously balanced with the equally important responsibility of the state to protect the academic freedom of educational institutions.

The state’s role and responsibility in protecting academic freedom should not be limited to being discrete and exercising self-restraint in its possible interventions. It should also ensure that other actors, including the media, political parties and the citizenry do not by their actions undermine academic freedom. Intolerance of views and expression of opinions by academics and other members of society leads to a culture of self-censorship that undermines free and independent thinking. The ability of universities and other educational institutions to challenge views and established opinions and to be a place for creating knowledge and developing new thinking should be steadfastly protected by all stakeholders in the university governance system.

Academic freedom as a human right: The importance of protecting academic freedom inevitably makes a case for recognising that it is indeed part of the national and international human rights framework. However, constitutional guarantees cannot ensure that academic freedom is protected, unless they succeed in engaging the democratic processes, an empowering function that should be the goal of constitutionalism. There is need for independent democratic institutions in India to ensure that due regard is paid to the protection of academic freedom. This is particularly demonstrated in the fact that many countries, in their efforts to counter terrorism, have also undermined academic freedom by invoking provisions of national security or anti-terrorism legislation.
Further, the formal mechanisms for protecting academic freedom through the constitutional apparatus, institutional guarantees and their enforcement by the judiciary can fail, particularly when these institutions operate under limitations. There should be further space provided for democratic dissent and resistance to intrusions into academic freedom. This space is also typically addressed by liberal constitutions in both rights guarantees and democratic commitments. It should be an autonomous space for academics and others to take upon themselves the task of promoting debates as public intellectuals.

Resistance from academics can actually serve as a check on the different branches of the government to ensure that rights are duly protected and that there is a greater sense of transparency and accountability in governance. There is also need for the relevant official bodies to address many of these challenges in a systematic, analytical, dispassionate, and an easily understandable manner.

International initiatives to protect academic freedom: In the United States, academic freedom is generally taken as the notion defined by the 1940 Statement of Principles on Academic Freedom and Tenure, jointly authored by the American Association of University Professors (AAUP) and the Association of American Colleges (AAC), now known as the Association of American Colleges and Universities.

Three principles
One of the earliest initiatives to protect academic freedom was the International Conference convened by UNESCO in 1950, in Nice, where the universities of the world articulated three interdependent principles for which every university should stand. First, the right to pursue knowledge for its own sake and to follow wherever the search for truth may lead; second, the tolerance of divergent opinion and freedom from political interference; and third, the obligation as social institutions to promote, through teaching and research, the principles of freedom and justice, of human dignity and solidarity, and to develop mutually material and moral aid on an international level.

More recently, as a response to the United Nations Secretary-General’s request for greater involvement of the global academic community in exploring international public policy concerns, in January 2005, there was the First Global Colloquium of University Presidents that met at Columbia University, New York. The inaugural meeting gathered more than 40 university leaders and professors. The main theme of discussion among university presidents was academic freedom.

Noting the importance of academic freedom, the report of the colloquium said: “Academic freedom benefits society in two fundamental ways. It benefits society directly, and usually immediately, through the impacts and benefits of applied knowledge, the training of skilled professionals, and the education of future leaders and citizens. It benefits society indirectly and usually over longer periods of time, through the creation, preservation, and transmission of knowledge and understanding for its own sake, irrespective of immediate applications.”

Academic freedom is central to the future of India’s higher education system in its efforts to develop a knowledge economy based on the need for promoting intellectual capital and to develop institutions of excellence comparable to the best anywhere in the world.

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