

# Charter ON

## Academic Freedom

**Academic freedom is the legal right originally established by the 1988 Education Reform Act of staff in the UK 'to question and test received wisdom and to put forward new ideas and controversial or unpopular opinions without placing themselves in jeopardy of losing their jobs or the privileges they may have'. However, the University and College Union (UCU) believes that the freedoms to conduct research, teach, speak, and publish without interference or penalty, are increasingly under threat in UK universities and colleges.**

Individual academic freedom is what allows new ideas to be researched, advocated and published against existing orthodoxies, however inconvenient for the academic hierarchy, government or funders. Some of these threats stem from the changing nature of funding for UK research, in particular the dominance of research assessment, the economic approach of Research and Funding Councils and growing pressures on academics to seek commercial sponsorship. Increasingly selective research funding puts pressure on academics to research in particular UK priority areas, while commercialisation of research can restrict the timely dissemination of research findings into the public domain.

We are also concerned at the number of instances in which the academic judgments of educational professionals have been over-turned by management for non-educational reasons.

Education professionals must have the ability to make decisions on students without fear of reprisal or penalty.

### Scottish Legal Definition

Academic freedom was implemented in law for all UK Universities in 1988 when tenure was removed. However the 1992 Act did not extend academic freedom to the new universities. This anomaly was addressed in 2005 in the Further and Higher Education (Scotland) Act by an amendment proposed by UCU which led to the Scottish definition which includes 'freedom (within the law) to hold and express opinion, question and test established ideas and received wisdom and present controversial or unpopular points of view.' This applies to staff in all further and higher education institutions who are engaged in teaching, the provision of learning, or research.

### UNESCO recommendation

Though many countries have greater protection through tenure, all UN countries should have protection for academics due to the 1997 UNESCO recommendation on the status of higher education teaching personnel. This recommendation includes statements on academic freedom in terms of teaching, research and other professional activities which state that higher-education teaching personnel have the right to teach and carry out research work without any interference, subject to accepted professional principles. It goes on to state that Tenure or its functional equivalent,

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where applicable, constitutes one of the major procedural safeguards of academic freedom and against arbitrary decisions.

The full recommendation is available from UNESCO at [http://portal.unesco.org/en/ev.php-URL\\_ID=13144&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/en/ev.php-URL_ID=13144&URL_DO=DO_TOPIC&URL_SECTION=201.html).

### UCU statement on academic freedom

Growing concerns about the threats to free academic inquiry and opinion have prompted the UCU to publish our own charter on academic freedom. The charter draws on the 1997 UNESCO recommendation and seeks to outline the core principles of academic freedom.

One of the purposes of post-compulsory education is to serve the public interest through extending knowledge and understanding and fostering critical thinking and expression in staff and students, and then in society more widely.

Academic freedom is essential to the achieving these ends and therefore to the development of a civilised democracy.

The full charter is at [www.ucu.org.uk/index.cfm?articleid=3672](http://www.ucu.org.uk/index.cfm?articleid=3672)

Academic freedom includes the right(s) to freedom:

- in teaching and discussion;
- in carrying out research without commercial or political interference;
- to disseminate and publish one's research findings;
- from institutional censorship, including the right to express one's opinion publicly about the institution or the education system in which one works; and
- to participate in professional and representative bodies, including trade unions.

Academic and academic-related staff must be free to criticise and publish without fear for their jobs. Academic freedom, therefore, is dependent upon proper employment conditions for higher and further education staff. Security of employment in the profession constitutes one of the major procedural safeguards of academic freedom and against arbitrary decisions by managements and funders.