

# ANALYSIS ON ACADEMIC FREEDOM ON HIGHER EDUCATIONAL INSTITUTIONS

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# Objectives

- Trace the history of Academic Freedom
- Present the Twin Concepts of Academic Freedom
- Does and Don'ts on Academic Freedom



## Statement of the Problem

1. What is the idea of Filipino faculty about academic freedom?
2. What are the implications in academic freedom in Philippines' higher educational institutions?
3. How does academic freedom affect the policy implementation in higher educational institutions?



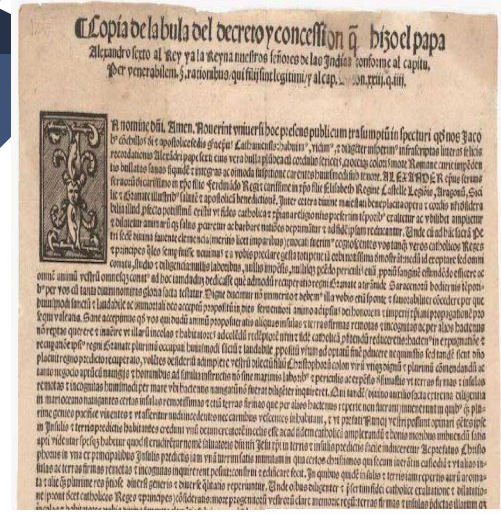
# Research Method

Descriptive methodology wherein the researchers summarize the characteristics of individuals or groups, or physical environment (Fraenkel & Wallen, 2003).



# Historical Background - Academic Freedom in Europe

- Papal bulls and royal charters of Medieval European universities
- University of Leiden in the Netherlands (founded in 1575)
- University of Göttingen in Germany
- University of Berlin (founded in 1811) introduced the basic principles of *Lehrfreiheit* (freedom to teach) and *Lernfreiheit* (freedom to learn)
- Universities in Communist countries (20th century) academic freedom exist in the universities with chosen fields such as Mathematics, Physical and Biological Sciences, Linguistics, and Archaeology; but it was largely absent in the Social Sciences, Arts and Humanities



Universiteit Leiden





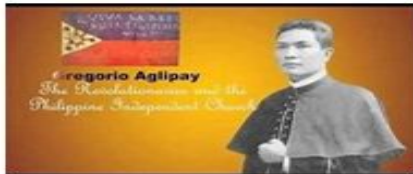
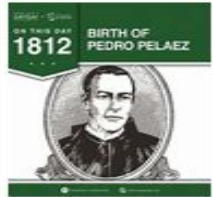
# Historical Background - Academic Freedom in America



- **American Association of University Professors (AAUP)** in 1915 and its 1944 **Declaration of Principles on Academic Freedom and Academic Tenure** (the “**Declaration**”): three elements: **freedom of inquiry and research**; **freedom of teaching within the university or college**; and **freedom of extramural utterance and action**.
  - I. The basis of academic authority, arguing that except for proprietary and religious institutions, colleges and universities constitute a public trust.
  - II. This emphasis on the independence of faculty applies not only to their individual work as researchers and teachers, but also appears to have implications for the shared governance of the institution.
  - III. It considers the functions of an academic institution: **(a) to promote inquiry and advance the sum of knowledge**; **(b) to provide instruction to students**; and **(c) to develop experts for public service**.



# Historical Background - Academic Freedom in the Philippines



- Pedro Pelaez and Jose Burgos who protested against enslavement of the intellect
- Gregorio Aglipay and Isabelo delos Reyes founded the Philippine Independent Church
- ILUSTRADOS Jose Rizal, Marcelo H. del Pilar and Graciano Lopez Jaena
- Apolinario Mabini, Antonio Luna, Trinidad H. Pardo de Tavera, Cecilio Apostol, Fernando Ma. Guerrero and Felipe Calderon took over and led the fight during the revolution in 1896
- Andres Bonifacio and Emilio Aguinaldo made the fight a success in an atmosphere more



# UNESCO Recommendation (1997)



**Academic Freedom** as 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 (UNESCO, 2023).



# Philippine Jurisprudence



**1987 Constitution [Article XIV, Sec. 5(2)]** - Academic freedom shall be enjoyed in all institutions of higher learning which includes public and private universities, and all above high school level.

**Republic Act 232 / Educational Act of 1982** - emphasized the promotion and preservation of academic freedom under duties and obligations of students, faculty and administration. It seeks to enhance the autonomy of higher institutions of learning.

**Republic Act No. 7722/ Creation of Commission on Higher Education (CHED)** - The State shall likewise ensure and protect academic freedom and shall promote its exercise and observance..." Moreover, the same law states that "Nothing in this Act shall be construed as limiting the academic freedom of universities and colleges."



# Commission on Higher Education

- To become the vanguard of higher educational institutions (HEIs) in our country.
- It shall be independent and separate from the former Department of Education, Culture and Sports (DECS), now Department of Education (DepEd), and attached to the Office of the President for administrative purposes only.
- Its coverage shall be both public and private institutions of higher education as well as degree-granting programs in all post-secondary educational institutions, public and private where academic freedom is enjoyed in institutions of higher education.
- The governance of higher educational institutions (HEIs) has this guarantee of academic freedom strictly be observed.

# Twin Concepts of Academic Freedom

Howard Mumford Jones (1960) presented the **twin concepts of academic freedom** in higher institutions of learning to exist for the common good that depends upon the free search for truth (research) and its free exposition (teaching), both fundamental for the protection of the rights of the teacher in teaching and of the student in learning and carries with it correlative duties.



# Does and Don'ts of Academic Freedom (Cary Nelson of Pennsylvania State)

## DOES

Faculty members and students can engage in intellectual debate without fear of censorship or retaliation.

Establishes a faculty member's right to remain true to his or her pedagogical philosophy and intellectual commitments.

Faculty members and students can make comparisons and contrasts between subjects taught in any field of human knowledge or period of history.

## DON'TS

Harass, threaten, intimidate, ridicule, or impose his or her views on students.

Require students to master course material and the fundamentals of the disciplines that faculty teach.

Protects an incompetent teacher from losing his or her job. Thus, does not grant an unqualified guarantee of lifetime employment.



# Does and Don'ts of Academic Freedom (Cary Nelson of Pennsylvania State)

## DOES

Gives both students and faculty the right to express their views — in speech, writing, and through electronic communication, both on and off campus — without fear of sanction, unless the manner of expression substantially impairs the rights of others or, in the case of faculty members, those views demonstrate that they are professionally ignorant, incompetent, or dishonest with regard to their discipline or fields of expertise.

gives both students and faculty the right to study and do research on the topics they choose and to draw what conclusions they find consistent with their research, though it does not prevent others from judging whether their work is valuable and their conclusions sound.

## DON'TS

Protect faculty members from colleague or student challenges to or disagreement with their educational philosophy and practices.

Protect faculty members from non-university penalties if they break the law.



# Does and Don'ts of Academic Freedom (Cary Nelson of Pennsylvania State)

DOES	DON'TS
<p>Political, religious, or philosophical beliefs of politicians, administrators, and members of the public cannot be imposed on students or faculty.</p>	<p>Give students or faculty the right to ignore college or university regulations, though it does give faculty and students the right to criticize regulations they believe are unfair.</p>
<p>Gives faculty members and students the right to seek redress or request a hearing if they believe their rights have been violated.</p>	<p>Protect students or faculty from disciplinary action, but it does require that they receive fair treatment and due process.</p>
<p>Protects faculty members and students from reprisals for disagreeing with administrative policies or proposals.</p>	<p>Protect faculty members from sanctions for professional misconduct, though sanctions require clear proof established through due process</p>
<p>Gives faculty members and students the right to challenge one another's views, but not to penalize them for holding them.</p>	<p>Protects from various sanctions — from denial of merit raises, to denial of sabbatical requests, to the loss of desirable teaching and committee assignments — for poor performance, though such sanctions are regulated by local agreements and by faculty handbooks.</p>



# Does and Don'ts of Academic Freedom (Cary Nelson of Pennsylvania State)

## DOES

Protects a faculty member's authority to assign grades to students, so long as the grades are not capricious or unjustly punitive. It encompasses both the individual and institutional right to maintain academic standards.

Gives faculty members substantial latitude in deciding how to teach the courses for which they are responsible.

It guarantees and provides faculty members the right to due process, including the assumption that the burden of proof lies with those who brought the charges, the right to present counter-evidence and confront their accusers, and be assisted by an attorney in serious cases if they choose.

## DON'TS

Protects a faculty member who repeatedly skips class or refuses to teach the classes or subject matter assigned.

Preventing a talk or a performance from continuing.

Protect a faculty member from investigations into allegations of scientific misconduct or violations of sound university policies, nor from appropriate penalties should such charges be sustained in a hearing of record before an elected faculty body.





# Conclusions

1. The Filipino idea about academic freedom is that the faculty have defined it as the freedom to teach or research alone; while institutional heads or owners have associated it with institutional autonomy.
2. The implications in academic freedom in Philippines' higher educational institutions is that as an academic community, institutional heads, faculty and even students should collaboratively takes on the fullest responsibility and accountability to ensure that it meets the expectations of Philippine society and the world.
3. Academic freedom affects the policy implementation in higher educational institutions by naturally conceding to the institutional autonomy of higher institutions of learning in determining academic decisions with respect to the outcomes.



**Thank you for  
listening!**