

# Our Public University System, academic freedom and university autonomy

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# Focus

The focus of this session will be on:

- Our public university system- its institutional and legal framework
- The principles that should inform and animate our work as academics:
  - Academic freedom
  - University autonomy
  - Social responsibility

# The University

## The University

A site for:

- Free thinking and search for knowledge
- Generation of new knowledge/ideas
- Dissemination of knowledge/ideas
- Promoting humanism (Cultural and social role of the university)
- Propelling society in new directions (civilizational role)

# Our Public University System- Historical Perspectives

- Ceylon University College established in 1921 was the first effort at centralized public university education in Ceylon ( University of London External Exams)
- In 1942 the University of Ceylon was established merging the Ceylon University College with the Ceylon Medical College (*Ceylon University Ordinance No. 20 of 1942* )

# Our Public University System- Historical Perspectives

- The University of Sri Lanka was created in 1972 bringing the autonomous campuses under one university (University of Ceylon Act No. 1 of 1972)
- Once again, the structure changed in 1978 with the adoption of the **Universities Act. No 16 of 1978** creating autonomous university campuses

# KANNANGARA REFORMS

- Free education policy introduced by Kannangara reforms (1945) embraced the public university system as well
- Students from all strata of society enabled to receive a higher education

# The Universities Act, No. 16 of 1978

## The Universities Act, No. 16 of 1978 (as amended)

- ❑ Minister in charge of higher education charged with formulation of policy- responsible for general direction of university education and the administration of the ACT (section 19)
- ❑ Written general directions of the Minister to the UGC to be tabled in Parliament
- ❑ Does not envisage micro-management
- ❑ Regulatory role of UGC in consultation with institutions of higher education
- ❑ Universities are entrusted with vast powers (section 29)

# The Universities Act, No. 16 of 1978

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## The Universities Act, No. 16 of 1978 (as amended)

- Consultation of governing bodies of universities by UGC
- Consultation of UGC by Minister
- Policy making through consultation the norm



# The Universities Act, No. 16 of 1978

Establishes a tiered system of decision making which is meant to be consultative, working its way from the bottom to the top

University Council (governing authority)



University Senate (academic body)



Faculty



Department of Study

# Principles, Values & Skills

If we wish to make the University a democratic space, then we must examine the principles, values and skills required to participate in and navigate our way through the university system

## Principles:

- Academic freedom
- University autonomy
- Social responsibility

## Values:

- Democratic value base (rights orientation, accountability, transparency etc.)

## Skills:

- Freeing up thinking (be a free thinker)
- Formulating ideas with logicality and clarity
- Strong articulation skills etc.

# Sir Ivor Jennings (1903-1965)

- The first Vice-Chancellor of the University of Ceylon (1942-1954)
- In his fascinating autobiography '**The Road to Peradeniya**' he describes the battles he fought to ensure that the soon to be established University of Ceylon would be based on the twin principles of academic freedom and university autonomy

# Academic Freedom & University Autonomy in Sri Lanka

- Supreme Court Determination on the Universities (Amendment) Bill (1999) recognized that academic freedom and university autonomy are protected by the 1978 Constitution of Sri Lanka under the Fundamental Rights Chapter
- Freedom of thought and conscience and equal protection of the law include those rights

# What is Academic Freedom?

- 27. ...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 fulfil 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.

## UNESCO Recommendation concerning the Status of Higher-Education Teaching Personnel

11 November 1997

# Linkages With Human Rights

- Freedom of thought and conscience
- Freedom of expression
- Freedom of Association
- Freedom of Assembly
- Freedom to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits

## Universal Declaration of Human Rights (1948)

# What is University Autonomy?

- **A. Institutional autonomy**

17. The proper enjoyment of academic freedom and compliance with the duties and responsibilities listed below require the autonomy of institutions of higher education. **Autonomy is that degree of self-governance necessary for effective decision making by institutions of higher education regarding their academic work, standards, management and related activities consistent with systems of public accountability, especially in respect of funding provided by the state, and respect for academic freedom and human rights. However, the nature of institutional autonomy may differ according to the type of establishment involved.**

18. Autonomy is the institutional form of academic freedom and a necessary precondition to guarantee the proper fulfilment of the functions entrusted to higher-education teaching personnel and institutions.

19. Member States are under an obligation to protect higher education institutions from threats to their autonomy coming from any source.

20. Autonomy should not be used by higher education institutions as a pretext to limit the rights of higher-education teaching personnel provided for in this Recommendation or in other international standards set out in the appendix.

21. Self-governance, collegiality and appropriate academic leadership are essential components of meaningful autonomy for institutions of higher education.

## **UNESCO Recommendation concerning the Status of Higher-Education Teaching Personnel**

11 November 1997

# Relevant Documents on Academic Freedom and University Autonomy

- UNESCO Recommendation Concerning the Status of Higher Education Teaching Personnel (1997)
- European Council Recommendation 1762 (2006)—Academic Freedom and University Autonomy
- Lima Declaration on Academic Freedom and Autonomy of Institutions of Higher Education (WUS, 1988)
- The Bologna Magna Charta Universitatum (1988)
- Dar es Salaam and Kampala Declarations (CODESRIA, 1990)
- The Amman Declaration on Academic Freedom and the Independence of Institutions of Higher Education and Scientific Research (2004)



# Social Responsibility of Academics

- To perform their functions and duties to the highest attainable standards with dedication and integrity
- To be tolerant toward different points of view
- To constantly promote democratic values
- To respect rights of all on the basis of non-discrimination and equality
- To act in a manner that will not compromise accepted ethical and professional standards of conduct
- To protect the rights of academics who may be persecuted for their views and scientific discoveries
- To constantly endeavor to secure and uphold academic freedom and university autonomy
- To act in solidarity with those who are fighting for their legitimate entitlements

# BEST WISHES

- We are very privileged
- With privilege comes responsibility
- Being an academic is not a vocation; it should be a calling
- Keeping that in mind, have a great journey !