

Academic Freedom for Faculty Members and Students

*A Case Study of the Faculty of Education at
Tribhuvan University in Nepal*

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ABSTRACT

The aim of this study is to investigate the perceptions of faculty members, students and members of the academic leadership on academic freedom. Furthermore, the role of the Faculty of Education in relation to safeguarding academic freedom of faculty members and students is examined in the study. The study provides insights that help to understand the concept of academic freedom and offers valuable information for those who are particularly interested in the issue of academic freedom.

The study uses a research strategy focusing on a qualitative case study in order to examine and collect comprehensive and detailed information on academic freedom. Semi- structured interviews are conducted to obtain faculty members', students' and the academic leadership's views regarding academic freedom. Additionally, relevant official documents are analysed for the study.

The results indicate that the meaning of academic freedom is perceived as something, which is essential for both faculty members and students to conduct academic activities. However, the rights of faculty members and students to conduct academic activities and participate in the governance of the university are limited to some extent by the rules and regulations of the university as well as a lack of financial resources. The results also reveal that both faculty members and students enjoy the right to form and join associations on the basis of their interests.

Political instability is the major threat for academic freedom of faculty members and students at Tribhuvan University insofar as political parties directly interfere in the management and the operation of the university. The results of this study indicate that there is a lack of higher education policy regarding academic freedom due to the negligence of both the government and the university. There is also no particular internal policy to safeguard academic freedom at the Faculty of Education. Furthermore, the study reveals that the Faculty of Education has not paid significant attention to the protection of academic freedom to its members.

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Chhatra Bahadur Karki
Oslo, Norway

DEDICATION

Dedicated to my late mother

for

Her enthusiasm, compassion and good cheer

to

Educate me

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ACRONYMS

UNESCO	United Nations Educational, Scientific and Cultural Organization
NESP	National Education System Plan
GDP	Gross Domestic Product
TU	Tribhuvan University
NSU	Nepal Sanskrit University
COE	College of Education
IOE	Institute of Education
B.Ed.	Bachelor of Education
M.Ed.	Master of Education
M.Phil.	Master of Philosophy
Ph.D.	Doctor of Philosophy
HE	Higher Education
UGC	University Grants Commission
CERID	Research Centre for Educational Innovation and Development
VC	Vice-Chancellor

1 INTRODUCTION

1.1 Background of the study

Freedom to teach and freedom to learn without interference is the right of faculty members and students. The assumption that faculty members should be able to teach and conduct research and students should be able to study without interference has been defined as academic freedom. The meaning of academic freedom is different in different contexts based on historical periods and specific universities. Altbach (2001) mentions that:

*Academic freedom seems a simple concept, and in essence it is, but it is also difficult to define. From medieval times, academic freedom has meant the freedom of the professor to teach without external control in his or her area of expertise, and it has implied the freedom of the students to learn. The concept was further defined with the rise of the research-oriented Humboldtian university in the early 19th century Germany. The Humboldtian concept enshrined the ideas of *Lehrfreiheit* and *Lernfreiheit*- freedom to teach and to learn. (p. 206)*

According to De George (1997), “academic freedom does not mean that a teacher has the right to teach anything under any course title and description. The aim of academic freedom is to promote knowledge, its development in research, and its preservation and critical transmission in teaching” (p. 78). This point of view shows that academic freedom is not the freedom to do whatever a faculty member wishes to do. It does not provide the freedom for faculty members to say anything in the classroom. It is tied to the responsibility and linked to the goals of the university. Van Alstyne (1975) states that “academic freedom protects the right of faculty members to conduct whatever instruction and research they may be retained to provide consistent with standards of professional integrity” (p. 72).

The importance of academic freedom is perceived in relation to the functions of universities. The four major functions of universities include: generation and transmission of ideology, selection and formation of the dominant elites, production and application of knowledge, and training the skilled labour force (Castells, 2001, p. 210). To fulfil these diverse educational and social functions, universities need to have a commitment to the spirit of truth and possess academic freedom. In this context, Tribhuvan University in Nepal is also developed to

perform certain functions such as to provide instruction for students and to promote research for the production and dissemination of knowledge. Altbach (2001) explains that “academic freedom is at the very core of the mission of the university. It is essential to teaching and research” (p. 205). Similarly, Streb (2006) asserts the importance of academic freedom as “the cornerstone of the university’s mission to educate students and expand the boundaries of knowledge” (p. 7). In this regard, faculty members and students, who are the major concern of the university, need academic freedom to achieve their goals without external and internal interferences.

1.2 Statement of the problem

The concept of academic freedom is widely discussed in the international arena but in the context of Nepal it is not a matter of public debate, neither concerning how academic freedom is perceived nor how academic freedom in Nepalese universities can be balanced. Academic seminars and conferences seldom address the concept of academic freedom. Similarly, articles, journals and books which are directly related to the issue of academic freedom are not found. These shortcomings give a first indication about the condition of academic freedom in Nepal.

Academic freedom has been commonly used but frequently misunderstood concept because of a lack of precise definition. Altbach (2001) asserts that “there is no universally accepted understanding of academic freedom” (p. 207). Academic freedom is “the key legitimating concept of the entire enterprise” (Menand, 1996, p. 4) which “needs to be understood and respected, both within institutions and by the bodies to which they are accountable” (World Bank, 2000, p. 60).

The degree of academic freedom is based on wealth, ethnic homogeneity and the size of the society in which a rich society can provide more freedom for academics in their institutions and more opportunities for scholars than a poor society (Caston, 2006). Nepal is a developing country which has been consistently suffering from insufficient funding for higher education. The primary reason is that the government only allocates a small amount of money to higher education. A report from UNESCO (2008) noted that funding is limited, which is a great challenge of higher education in Nepal. The Nepalese government relies on donor agencies’ coordination to the necessary funding. There are several donor agencies which provide

financial support but they impose their own agendas to the development of higher education. In this context, the challenge to the university is how to safeguard academic freedom of faculty members and students. On the other hand, ethnic tensions and debates cause an on-going debate in Nepal. There is ethnic diversity in the academic community which is another challenge for the government and the university to safeguard academic freedom of diverse group of people. In a society, “where there is ethnic dissonance, pressures to adopt non-academic criteria for advancement in the profession, or in the admission of the students, will have to be accommodated by the university” (Caston, 2006, p. 311).

Higher education institutions are the centre for teaching, learning and research. Therefore, the protection of academic freedom is usually thought to be the responsibility of universities. “Academic freedom, however, is by no means wholly or even largely dependent on formal protection for its strength and its survival. To a large extent it exists and is recognized because of professional tradition and because it resides inherently in the functions of teaching, learning, and research” (Fuchs, 1963, p. 445).

Tribhuvan University is a non-profit autonomous public institution which major objectives are to produce skilled manpower as well as enhance, disseminate and expand the knowledge through research. This university plays a significant role to produce skilled human resources for the overall development of the country but “research has not been an agenda for the authority” (Khaniya, 2007, p. 141). The challenge to the university is to make balance between these two objectives and provide the opportunities for academic community to devote time to carry out research.

The political style of a society is “one important element of the context in which the degree of academic freedom has to be negotiated” (Caston, 2006, p. 310). The current political situation of Nepal is highly critical because of the instability of the government and political activities of the major parties. Albatch (2001) rightly mentions that “the challenge of instituting academic freedom under conditions of political instability is considerable. Universities are very often centres of political and intellectual dissent, and regimes are reluctant to allow institutions the freedom and autonomy that may contribute to instability” (p. 213). The example of political interference was presented by Khaniya (2007) in the appointment of the Vice-Chancellor, the chief executive of the universities in Nepal. The Vice-Chancellor is appointed by the government and supposed to be loyal to the political party without any academic and professional criteria.

1.3 Purpose of the study and research questions

Academic freedom is a subject with many facets: academic freedom of university professors, universities themselves, and students. This study is concerned with academic freedom of public university faculty members and students. The intention of this study is not to define what the term ‘academic freedom’ exactly means. The first purpose of this study is to understand the perceptions of faculty members, students and faculty’s leadership of the Faculty of Education at Tribhuvan University in Nepal in relation to academic freedom. Furthermore, this study is also intended to find out how Tribhuvan University in general and the Faculty of Education in particular provide and safeguard academic freedom for its faculty members and students.

This study primarily investigated the following research questions:

1. How do faculty members, students and faculty’s leadership of the Faculty of Education at Tribhuvan University perceive the idea of academic freedom?
2. What are the conditions that are affecting academic freedom of the Faculty of Education at Tribhuvan University?
3. How does the Faculty of Education at Tribhuvan University safeguard academic freedom for its faculty members and students?

To find out the answer of these questions, this study applies a qualitative case study research strategy. It uses expert interviews as a method of data gathering as well as document analysis. The respondents are selected using purposive sampling.

1.4 Motivation and significance of the study

Academic freedom is “an internationally recognized and unambiguous privilege of university teachers” (Ashby, 1966, p. 293) which is “such a favourite topic of discussion in university circles” (Searle, 1972, p. 169). The researcher’s personal motivation of selecting academic freedom in this study is also linked to the ideas of these scholars. The researcher was not only connected to Tribhuvan University in Nepal as a former student but also taught university students a couple of years as a faculty member. During that period from student to faculty member, the researcher felt that the degree of freedom to faculty members and students were

restricted by university authority. Realizing the freedom of faculty members and students, the researcher is interested to carry out this research on academic freedom.

Academic freedom is considered as a fundamental principle that “must be protected for education to flourish” (Streb, 2006, p. 7) which is essential for faculty members and students to protect their academics activities. When the researcher became a student at the University of Oslo, the professor taught in the classroom about academic freedom and explained the importance of academic freedom in relation to European and American higher education systems where specifically academic freedom is guaranteed to faculty members and students. Considering the importance of academic freedom in the higher education sector, the researcher motivated towards it and decided to understand the perceptions of diverse group of people of Tribhuvan University in Nepal on academic freedom.

The major contribution of this study is to explore the idea of academic freedom. It is assumed that when faculty and students are aware about the concept of academic freedom, they are able to minimize interference and protect the right of teaching, learning and research. This is ultimately useful to the university to accomplish the mission of teaching and research.

The present study is significant because it is to the knowledge of the researcher, the first study that attempts to address the issue of academic freedom in the Nepalese higher education sector. It is useful for those who are directly or indirectly concerned with the higher education sector to understand the concept of academic freedom. It provides valuable information to the policy makers to develop policies of higher education in relation to academic freedom. It is also assumed that it is useful for the university leadership to safeguard academic freedom and respect each other freedom to conduct academic activities.

1.5 Thesis outline

The study comprises eight chapters. Each chapter has their significant value for the current study. The first chapter outlines the background of the study and presents the problem statement. The subsequent sections deal with the purpose of the study and research questions as well as the motivation and significance of the study. The second chapter is concerned with the higher education system in Nepal. It begins with a brief history of higher education and covers the current situation of higher education institutions in Nepal. It also provides an overview of the financial conditions of the higher education sector. The subsequent sections

include about Tribhuvan University and the Faculty of Education which are the focus of the study.

The third chapter is designed to present the basic theoretical framework of the study and organized in three different sections. The first section deals with the basic theories of academic freedom which are considered as essential to understand the concept of academic freedom. The next section presents the role of resource dependence theory that offers the basic guidelines for the study. The last section of this chapter includes the scope of theoretical interpretation of academic freedom to justify the value of it. The fourth chapter includes the review of related literature. It presents the different ideas and opinions given by different scholars. The chapter begins with the introduction to the literature review. Then, it presents the relevant literature with specific headings such as defining academic freedom, types of academic freedom, importance of academic freedom and challenges of academic freedom.

The fifth chapter introduces the various aspects of the research methodology. It deals with the research approach and presents the rationale for selecting a qualitative research approach for the present study. The next section of this chapter discusses the research design that provides the guidelines for the study. The subsequent sections deal with methods of data collection and the sampling procedure for the selection of respondents. Furthermore, it also presents validity and reliability in assessing the quality of research, data analysis procedures and ethical issues to be considered.

The sixth chapter analyses the data collected from various tools by developing different themes regarding academic freedom of faculty members and students. Furthermore, the seventh chapter is concerned with the discussion of the major findings in relation to the research questions and the theoretical framework of the current study. The eighth chapter contains the concluding remark of the study on the basis of the purpose of the study and the research questions. The subsequent sections of this chapter provide the limitations of the study and some potential recommendations for further research.

2 THE HIGHER EDUCATION SYSTEM IN NEPAL

2.1 Historical background of higher education

The history of higher education in Nepal is relatively short. “Higher Education officially started in Nepal during the Rana regime in 1918 A.D. with the establishment of Tri-Chandra College” (Education Management Information System, 2012, p. 12). It is regarded as the beginning of modern higher education in Nepal. The development of higher education during that period remained slow because of a lack of willingness of the Ranas (ruled for 104 years in Nepal) who were heavily criticized for being against educating the people (Khaniya, 2007).

Mass higher education was started in Nepal after the establishment of democracy in 1950. The report of UNESCO (2008) indicated that “during 1950s a number of Liberal Arts, Sanskrit, Science, and Commerce colleges were established by the public. The College of Education and Law College were established to provide professional education” (p. 18). Khaniya (2007) asserts that the establishment of Tribhuvan University in 1959 was regarded as the expansion phase of higher education in Nepal. It was mainly responsible for providing education to people for a long time. It also provided an opportunity to redesign the higher education curricula, which was previously based on curricula of Indian Universities.

The National Education System Plan (NESP) was implemented in the field of education in 1971 which was regarded as the consolidation phase in higher education (Khaniya, 2007). The NESP brought academic and organizational changes in the field of higher education. The significance development of higher education during that period was the community colleges were brought under Tribhuvan University. The report of UNESCO (2008) indicated that “under the Plan all existing colleges became a part of one national university and all the affiliated colleges of the time became constituent campuses, making it a teaching university” (p. 19). Khaniya (2007) mentions that “at the time of NESP 1971, there were 53 colleges and training centres, which were brought under the roof of Tribhuvan University” (p. 120).

The government decided to adopt the policy on granting permission to private campuses. The report of UNESCO (2008) noted that “in 1979 private campuses were affiliated to it once again, and TU renewed the role of affiliation to meet the needs of students seeking admission

to college” (p. 19). Khaniya (2007) includes that “the involvement of the private sector in higher education tremendously contributed to expand access to higher education” (p. 122).

The role of higher education commissions in the history of Nepalese higher education was remarkable. The report of UNESCO (2008) indicated that “in 1982 a Royal Commission was set up to review the organization of higher education in Nepal and make recommendations regarding its future structure” (p. 19). As a result of implementation of the recommendation of the commission a separate university was established for Sanskrit Education which is called the Nepal Sanskrit University at present. Then, a National Education Commission was implemented in 1992. Khaniya (2007) states that “the National Education Commission, 1992 suggested the idea of establishing multi-universities in order to provide higher education to the qualified and talented people living in all Development Regions of the country” (p. 123). He further indicates that “the concept of Multi University was materialized only after the report of the National Education Commission, 1992 which was formed by the government established after the restoration of democracy in 1990” (Khaniya, 2007, p. 123). As a result regional universities were established. The objective of establishing these regional universities was to decentralize higher education management.

The report of the Education Management Information System (2014) includes that currently there are nine universities and four medical academies which are equivalent to universities. It shows the rapid development of higher education in Nepal within a short period of time.

2.2 Current universities and medical academies in Nepal

As mentioned earlier, there are nine functioning universities and four autonomous medical academies in Nepal. The following table points out the current situation of higher education institutions in Nepal.

Table 1: Higher education institutions in Nepal

University/Academy		Constituent Campuses	Affiliated Campuses		
			Community Campuses	Private Campuses	
UNIVERSITY	1	Tribhuvan University (TU), 1959	60	422	559
	2	Nepal Sanskrit University (NSU), 1986	14	2	2
	3	Kathmandu University (KU), 1991	6	0	15
	4	Purbanchal University (PU), 1994	3	5	121
	5	Pokhara University (PokU), 1997	4	0	49
	6	Lumbini Bauddha University (LBU), 2005	1	0	5
	7	Mid-Western University (MWU), 2010	1	0	0
	8	Far Western University (FWU), 2010	1	0	0
	9	Agriculture and Forestry University (AFU), 2010	2	0	0
ACADEMY	10	B. P. Koirala Institute of Health Sciences (BPKIHS), 1993	1	0	0
	11	National Academy of Medical Sciences (NAMS), 2002	1	0	0
	12	Patan Academy of Health Sciences (PAHS), 2009	1	0	0
	13	Karnali Academy of Health Sciences (KAHS), 2013	1	0	0
Total			96	429	751

(Adapted from Education Management Information System, 2013, 2014)

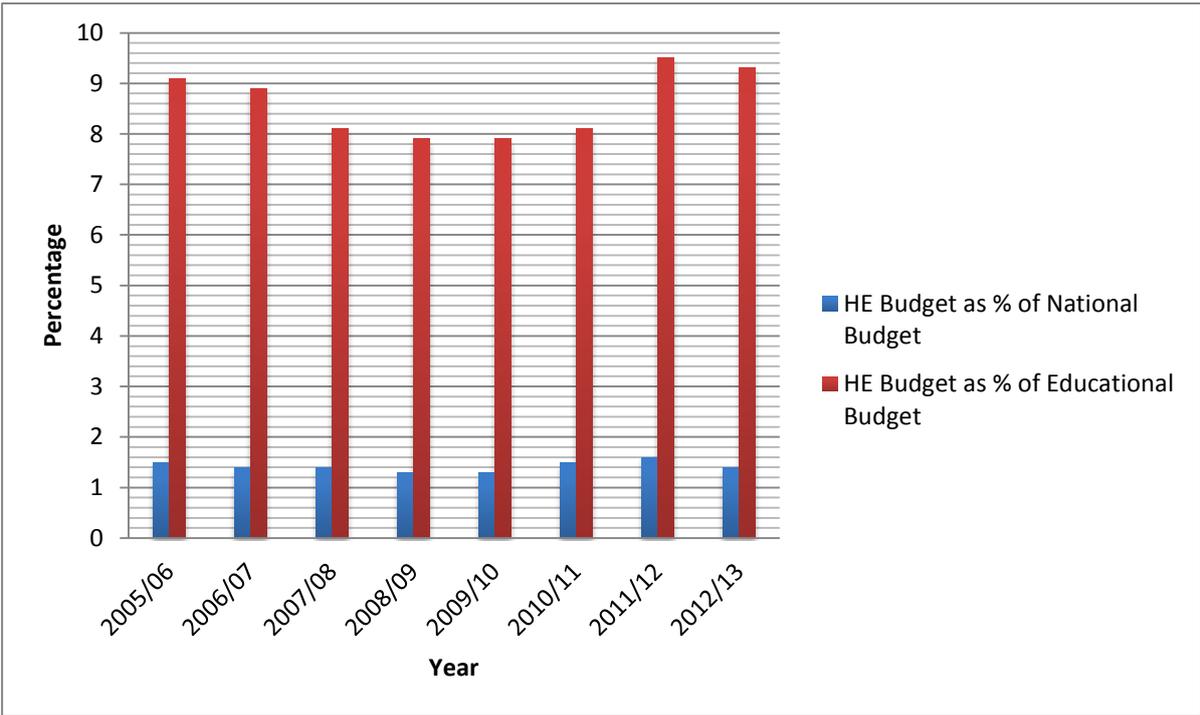
The table shows that the university has primarily two types of campuses such as constituent and affiliated. The affiliated campuses are divided into community and private campuses. The report of the Education Management Information System (2014) indicates that “private campuses are those campuses that are managed by private institutions, or individuals,

promoters/shareholders whereas the community campuses are supported by local communities” (p. 4). The table also indicates that there are altogether 1276 higher education campuses out of them 96 constituent campuses which cover 7.52%, 429 community campuses which are 33.62% and 751 private campuses which cover 58.86%.

2.3 Financing of higher education

The report of the Education Management Information System (2014) points out that “higher education institutions of Nepal receive financial support from the government channelled through the Ministry of Education; it is managed and distributed by the University Grants Commission” (p. 34). The following figure shows the financial situation of higher education in Nepal:

Figure 1: Higher education budget as percentage of national and educational budget



(Adapted from Education Management Information System, 2012, 2013, 2014)

The figure shows that the government allocated 9.1% budget to higher education in relation to the total educational budget in 2005/2006 but it was declined steadily in the succeeding years from 2006/2007 to 2010/2011 (8.9%, 8.1%, 7.9%, 7.9%, 8.1%). Funding for higher education in Nepal is particularly constrained because of the strategy of the government to reduce the national budget deficit. It increased slightly in 2011/1012 (9.5%) and 2012/2013 (9.31%).

Similarly, the figure also indicates that there were ups and downs of higher education budget in relation to the total national budget but it remained an average of only around 1.4% of the total national budget. The World Bank (2000) states that “financial dependence on the state means funding levels fluctuate with the ups and downs of government resources” (p. 54).

Table 2: Higher education financing for 2012/13

1	Grants for higher education as a share of GDP (%)	0.31
2	Grants for higher education as a share national budget (%)	1.4
3	Grants for higher education as a share of education budget (%)	9.31

(Adapted from Education Management Information System, 2014, p. 34)

The table shows government’s expenditure percentage on higher education in 2012/2013 with reference to GDP, national budget and education budget. The amount spent on higher education is only 0.31% of the GDP, which is 1.4% of the national budget and 9.31 % of the total educational budget. It shows that the investment in higher education in Nepal is one of the lowest around the world.

Government resources are the main source of funding for the Nepalese higher education. In the context of the Nepalese higher education institutions, the annual report of the University Grants Commission (2012/2013) pointed out that:

The government funding to universities are made in the form of block grants, which are of two types: operational and developmental. The operational funds for TU (Tribhuvan University) and NSU (Nepal Sanskrit University) are estimated on the basis of the salaries and basic logistics provided to the teachers and other staff members. In the case of other universities, the funds are provided on the basis of the previous year’s budget. In the case of the community campuses, a token amount of grants is provided on the basis of number of students and the programs being run. Development funds are provided on the basis of need as well as the availability of government funds. (p. 20)

This point of view indicates that Nepalese universities have received the government funding in the form of block grants that primarily distributed as operational and development funds. Salmi and Hauptman (2006) indicate that “Nepal is an example of country that is currently

considering moving from line-item budget to block grant financing as part of a reform aiming at giving tertiary education institutions more autonomy” (p. 9).

2.4 Tribhuvan University

The first university of Nepal, Tribhuvan University (TU), was established in 1959. “The objectives of TU are to produce skilled human resources essential for overall development of the country and to preserve and develop the historical and cultural heritage of the nation” (Education Management Information System, 2012, p. 81).

Tribhuvan University is considered to be the largest university in Nepal in terms of number of campuses and students. The report of the Education Management Information System (2014) indicates that Tribhuvan University has 60 constituent campuses and 981 affiliated campuses (out of them 422 community campuses and 559 private campuses) which are 81.58% of the higher education campuses. Similarly, there are more than five hundred thousand students including students with regular and back paper exams (those students who failed some subjects in the examinations and will take exams in the next academic year). The report of the Education Management Information System (2014) points out that TU has 500717 students which cover 87.9% of the total students’ enrolment in higher education in Nepal.

Tribhuvan University consists of five institutes, four faculties, and four research centres (University Grants Commission, 2008/2009). The institutes are technical in nature and offer several specialized technical education such as science and technology, engineering and medicine whereas the faculties offer professional education such as management, law and education and liberal arts education such as humanities and social sciences.

Tribhuvan University is a public university regarded as an autonomous institution which is funded by the government of Nepal. The report of the University Grants Commission (2010/2011) pointed out that Tribhuvan University is run by government grants and 90% of its operating costs are covered by government grants. The university has a wide range of courses on both Bachelor’s and Master’s level. It also offers M.Phil. and Ph.D. degrees in different disciplines both at the technical institutes and faculties. Similarly, it only offers proficiency certificate level courses in nursing.

2.5 Faculty of Education

The history of the Faculty of Education started in the days prior to the establishment of Tribhuvan University. The Faculty of Education (n.d.) indicates that “teacher education in Nepal was started with the establishment of Basic Teacher Training Programme in 1947. As the need of teachers and teacher training was realized by the then government of Nepal, Nepal National Educational Planning Commission (NNEPC) 1954-55 recommended for College of Education which was materialized in 1956” (para. 1). The College of Education was changed under an institution called the Institute of Education. The Faculty of Education (n.d.) points out that “In 1971, National Education System Plan was introduced in the country and COE was renamed as the Institute of Education (IOE). A decade later in 1982, following the recommendation made by the Royal Commission on Higher Education, IOE was given the status of the present Faculty of Education” (para. 1).

The Faculty of Education is the largest among the faculties of Tribhuvan University. Tribhuvan University (2013) states that the “Faculty of Education (FoE) is the largest faculty of Tribhuvan University in terms of the number of students and the number of campuses which are ever increasing. With its 26 constituent campuses and 560 affiliated colleges throughout the country, it has the biggest network of teacher education” (p. 22). The Faculty of Education (n.d.) states that “the main objective of the Faculty of Education is to develop itself as a centre of excellence for teacher education, and educational development and research, and to commit itself as one of the contributing partners to the national development” (para. 2). It offers one year B.Ed. and three year B.Ed. as well as M.Ed., M.Phil., and Ph.D. programmes. It is regarded as to produce the trained human resources required in the field of teacher education. It produces teachers to teach at different levels of school education and university education and to prepare high level human resources such as education administrators, curriculum designer, educational planners and researchers.

The Faculty of Education is selected as the focus case for the current study. The rationale of selecting the Faculty of Education is that it is considered as the leading faculty in the field of teacher education in the country among four faculties of Tribhuvan University. The concept of academic freedom for the current purpose is directly related to teacher education. Similarly, it is the largest faculty as mentioned earlier so that it was chosen in order to investigate the perceptions of faculty members, students and academic leadership on academic freedom.

3 THEORETICAL FRAMEWORK

The theoretical framework is considered as the foundation of a research study which offers the possible path to be followed throughout the research. This section deals with the theoretical framework of the study in which the basic theories of academic freedom, the scope of resource dependence theory and the arguments regarding as justification for the principle of academic freedom are discussed.

3.1 Theories of academic freedom

There are two different views among scholars whether academic freedom is the special right or the general right of academics and students. Searle (1972) offers two different underlying theories or concepts of academic freedom: the special theory and the general theory which are responses to different situations.

3.1.1 The special theory

The special theory derives from the classical theory of academic freedom and the theory of the university. Searle (1972) explains that “ the classical theory of academic freedom, and the heart of any theory of academic freedom, is that professors should have the right to teach, conduct research, and publish their research without interference, and that students should have the corresponding right to study and learn” (p. 170). The core value of academic freedom is the freedom of professors to teach, conduct research and publish the results and the freedom of students to learn without restriction. Similarly, Hook (1970) further suggests that “academic freedom is the freedom of professionally qualified persons to inquire, discover, publish, and teach the truth as they see it in the field of their competence” (p. 14).

The special theory of academic freedom emphasizes that faculty members and students have special rights which are concerned with the nature of the university. These rights are “special rights that derive from particular institutional structures, which are created by quite specific sets of constitutive rules” (Searle, 1972, p. 170). Furthermore, Hook (1970) argues that the right of academic freedom is not a general human right but “it is a special right that must be earned. A human right, on the other hand, is a right that does not have to be earned. It is possessed by every human being because he is a human being or a member of a civilized

community” (p. 35). In this regard, academic freedom is enjoyed conditionally on the basis of rules and standards of the university. These rights need to be granted either the university or the constitution of the particular country to protect them from violation of their rights which enables the central work of teaching, learning and research to be effective.

The meaning of the university based on the special theory as offered by Searle (1972) is that “the university is an institution designed for the advancement and dissemination of knowledge. The purpose of the university is to benefit the community which created and maintains it and mankind in general, through the advancement and dissemination of knowledge” (p. 170). In this context, the special theory assumes that the university is an institutional device for the advancement and dissemination of knowledge. Furthermore, this theory claims that “knowledge is most likely to be advanced through free inquiry, and that claims to knowledge can only be validated as knowledge – as opposed to dogma or speculation – by being subjected to the tests of free inquiry” (Searle, 1972, p. 171). This point of view indicates that knowledge is valuable and should be disseminated based on free inquiry. The idea is further supported by Shiell (2006) who claims that “knowledge is best advanced and disseminated in an environment of free inquiry” (p. 20).

The special theory is not adequate to cover all the rights of academic community. It attempts to justify certain freedoms within the university. Pincoffs (1975) illustrates that:

The theory is not by itself enough to cover all the cases that most of us would want to call violations of academic freedom. For example, it does not cover cases of reprisals against professors for engaging in political activity, or interference with “private clubs” on campus from speaking on campus on political matters that are outside their professional competence. (p. xvii)

In this regard, it does not protect their rights to form associations based on their political interests and involve in free discussion on political issues on the campus.

3.1.2 The general theory

The basic principle of the general theory is that “ professors and students have the same rights of free expression, freedom of inquiry, freedom of association, and freedom of publication in their roles as professors and students that they have as citizens in a free society” (Searle, 1972, p. 175). This theory emphasizes that faculty members and students have the same

rights because they are citizens of a free society. It provides the freedom to them to form organization, publish their results and engage in free discussion as citizens of the free society. It assumes that “academic freedom is a branch of civil liberty” (Pincoffs, 1975, p. viii). Furthermore, Shils (1995) explained academic freedom in the sense of the civil freedom of academics as follows:

Academic are citizens. They have the same rights and obligations in the political sphere as ordinary citizens have. They must be perfectly free to express political and other beliefs which other citizens are free to express. They must be free to enter into political association which other citizens are free to enter into. They do not have any obligations which ordinary citizens do not have, except for one, arising from their academic role, which is to speak the truth and not to use the devices of the demagogue. (p. 8)

However, the civil freedom of academics does not extend to the conduct of political propaganda in academic activities. “The general theory of academic freedom insists that both faculty members and students have their rights as citizens and that any attempt to interfere with those rights through university means must be justifiable in terms of the purposes of the university” (Searle, 1972, p. 178).

The general theory of academic freedom derives from a theory of society. It assumes that “intellectual freedoms to be desirable for society, and sets up academic criteria by which these freedoms may be both realized and regulated on the university campus” (Searle, 1972, p. 176). This view is linked to the idea as presented by Olsen (2005). He noted that “the organization and governance of the university reflect its institutional identity and its special role and responsibilities in society” (Olsen, 2005, p. 10). The major issue is how the university can be organized and governed in order to achieve its objectives in the most efficient way. Searle (1972) explains that the general theory has two aspects:

First, the university is an institutional embodiment of the general social values of free inquiry and free expression together with a theory of specialized scholarly competence. Second, the university is an institutional embodiment of free inquiry and scholarship; it is something quite different from such public areas as parks and streets. It therefore requires regulations of the mode of exercise of the general freedoms of a libertarian society in order to protect its special functions. (p. 177)

Searle (1972) further argues that “the general theory incorporates the special theory because it includes the theory of the university, but it adds to it the following: students and faculty members maintain as students and faculty members the same rights they have as citizens of a free society” (p. 176). This means that almost all of the rights under the special theory of academic freedom are also the rights of citizens. It is an extension of the concept of academic freedom.

3.2 Resource dependence theory

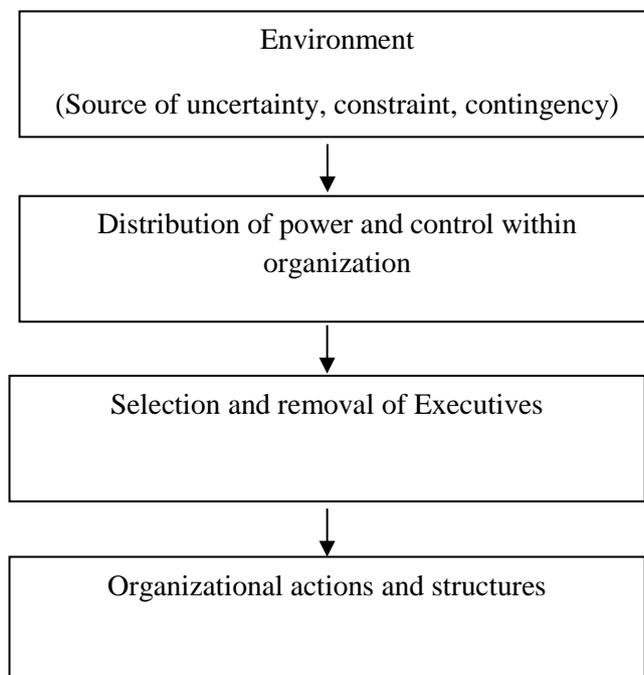
Resource dependence theory is one of the major theoretical perspectives to understand the behaviour of organization by examining the social context of organization. It provides an explanation how the university manages its dependency on its environment in order to achieve autonomy. Regarding both theories of academic freedom, it is not a human right enjoyed in consequence of being a member of a civilized community as well as it is not entirely a civil right of participation in the political activities of a free society. It is the freedom about academic matters on the basis of academic grounds. Shils (1994) described that “academic freedom is a qualified right; it is a privilege enjoyed in consequence of incumbency in a special role, an academic role, and it is enjoyed conditionally on conformity with certain obligations to the academic institution and its rules and standards” (pp. 80-81). Furthermore, Streb (2006) argues that “for education to be most effective, professors and students must be in environments where they are free to learn about and debate complex and controversial issues” (p. 7).

The basic assumption of resource dependence theory is “organizations are inescapably bound up with the condition of their environment” (Pfeffer & Salancik, 1978, p. 1). They further mention that “the key to organizational survival is the ability to acquire and maintain resources” (ibid., p. 2). Resource dependence theory in relation to academic freedom is applied to explain the degree of academic freedom based on the resources which are available to institutions of higher education. The concept of academic freedom “depends crucially on the autonomy and integrity of the disciplines” (Menand, 1996, p. 77). Resource dependence theory assumes “that dependence on critical and important resources influences the actions of organizations and that organizational decision and actions can be explained depending on the particular dependency situation” (Nienhüser, 2008, pp. 10-11). This is how an institution of

higher education depends on its environment and the action of the institution of higher education is influenced by its available resources.

Resource dependence theory assumes that “organizations are other-directed, involved in a constant struggle for autonomy and discretion, confronted with constraint and external control” (Pfeffer & Salancik, 1978, p. 257). In this regard, universities seek to obtain adequate resources avoiding dependencies in order to achieve autonomy for independent action. The theory shares the assumptions of open system theory of organization. As Gornitzka (1999) noted that “resource dependence theory departs from earlier open system theory in its emphasis on how organizations act strategically and make active choice to manage their dependency on those parts of their task environment that control vital resources” (p. 7). This point of view is linked to the idea that “an academic institution of higher learning that seeks autonomy in its academic function can reasonably held accountable for preserving the academic freedom for which it is granted autonomy” (De George, 1997, p. 29). In this context, it is important to understand how a university functions and safeguards academic freedom.

Figure 2: Environmental effects on organization



(Adopted from Pfeffer & Salancik, 1978, p. 229)

The figure shows the role of environment in order to control the actions of organization. The vertical relationship indicates that these elements are interconnected to each other in order to

shape the autonomy of organization. Applying the model on institutions of higher education as presented earlier, the environment is a source of uncertainty, constraint and contingency. This affects the distribution of power and control within institutions of higher education; the distribution of power and control within institutions of higher education influence the choice of executives, the selection of executives ultimately affects the activities as a whole of institutions of higher education. This point of view suggests that the internal structure of the university is to determine under how the university safeguards academic freedom to its members.

The resource dependence perspective talks about the environment as a source of constrain which is often considered to be undesirable “however in most cases action is not possible without constraints, which can facilitate the choice and decision process” (Pfeffer & Salancik, 1978, p. 15). The concept of constraint is also important to understand how the university limits academic freedom to its faculty members and students. Pfeffer and Salancik (1978) provide examples of constraints in the selection of course of study. They explain that there may be a limit on the number of courses a student is allowed to take as well as some courses are defined as being appropriate for certain levels of students. Similarly, the concept of constraint is also applied to faculty members while teaching in the classroom. De George (1997) argues that “faculty members do not always have the choice of the course they teach because there may be certain courses - such as those required by students in order to graduate – that have to be taught and that a faculty member might be assigned to teach” (p. 78).

3.3 Theoretical interpretation of academic freedom

As mentioned earlier, the basic theories of academic freedom provide the rights to faculty members and students which are not absolute. They need to justify on the basis of the theory of the university and the theory of the society. For the justification of academic freedom, Dworkin (1996) suggests three theoretical grounds which offer the basic guidelines to defend academic freedom in different contexts. The justifications of academic freedom are not completely independent from one another; each theoretical ground offers a complementary and more comprehensive reason than the others one.

The instrumental ground

The ideal of academic freedom is justified on the basis of instrumental considerations. Dworkin (1996) explains that “the conventional justification of academic freedom treats it as instrumental in the discovery of truth” (p. 185). It is the belief that academic freedom is a principle that is linked to the affirmation of truths. This perspective is further supported by De George (1997) and mentions that “the core justification of academic freedom is the attainment of truth for the benefit of society” (p. 74). In this regard, academic freedom is concerned with the discovery and dissemination of truth.

The instrumental assumption relies on a system of independence of universities and academic communities. In fact, “a system of independent academic institutions and scholars who are independent within them provides the best chance of collectively reaching the truth about a wide range of matters, from science to art to politics” (Dworkin, 1996, p. 185). In this context, the independent institution provides a high degree of freedom for scholars to pursue the truth.

The ethical ground

Academic freedom plays an important ethical role in the life of academic community. On the basis of the ethical ground, the institution protects the right of faculty members and students “from the moral damage of frustration in their special responsibilities” (Dworkin, 1996, p. 189). It offers the intellectual power in order to exercise their rights to do academic activities within the university. De George (1997) further argues that “academic freedom is limited only by ethical consideration” (p. 75). In this regard, academic freedom is not an unlimited freedom of academics and students. It is linked to the professional ethics as well as rules and standards of the university. Academic freedom relies on “the ethical space between an ideal of the autonomous pursuit of understanding and the specific historical, institutional, and political realities that limits such pursuits” (Scott, 1996, p. 177).

The idea of ethical individualism is described by Dworkin (1996). Regarding his view, “we all have the duty as citizens: it is wrong to remain silent when our society must take a collective decision and we believe we have information or opinion it should take into account” (Dworkin, 1996, p. 188). It respects a diversity of views which are regarded as essential for the benefit of society. He further mentions that “people who accept ethical individualism accept consequent responsibilities. The first is the responsibility not to profess

what one believes to be false. The second is a more positive responsibility of affirmation: it is a duty to speak out for what one believes to be true” (Dworkin, 1996, p. 188).

The culture of independence

Ethical individualism needs “a particular kind of culture a culture of independence in which to flourish” (Dworkin, 1996, p. 189). It refers that academic freedom is closely linked to democratic processes of the country. This perspective is further supported by Caston (2006) regarding the cultural traditions and values which provide individual rights. The degree of academic freedom is based on the nature of society. The general freedom to its citizens is guaranteed in a free society as a result the degree of academic freedom is tremendous in such the society.

On the other hand, the situation of academic freedom in a non-free society is that “the state takes specific power against the universities, powers which are even more restrictive than its general powers” (Caston, 2006, p. 310). The rights of faculty members and students as supposed by the special theory and the general theory of academic freedom in this regard is extremely limited or restricted by the government. The country which cannot provide the freedom of expression to its citizens cannot offer academic freedom to its universities and the rights of academic community are declined in such a country (Ashby, 1966).

The fundamental theories of academic freedom offer the rights to academics and students and these rights are justifiable in terms of the mission of the university. In order to achieve its objectives the university is committed for providing an environment that supports independent and critical thought in the pursuit of truth. Resource dependence theory describes how organizations respond to the environment in order to seek their autonomy. The role of resource dependence theory is linked to the idea of academic freedom which offers the environment to perform independent academic actions. It also protects the academic community from internal and external interferences in order to exercise their rights by reducing dependency on its environment. Furthermore, academic activities are complied with the justification of academic freedom on the basis of the instrumental value, the ethical standards and the culture of free or non-free society. The threefold discussion regarding theoretical framework suggests for the preparation of interview guide, the analysis of data and the discussion of the findings.

4 REVIEW OF THE LITERATURE

4.1 Introduction to the literature review

This chapter is concerned with the review of the literature which is relevant to the current study. Anderson (1998) states that “successful research is based on all the knowledge, thinking and research that preceded it, and for this reason a review of the literature is an essential step in the process of undertaking a research” (p. 97). In order to find out the relevant literature for this study, the researcher visited the library of the University of Oslo, the Central Library of Tribhuvan University (T.U.) and the library of Kathmandu University (K.U.). The researcher consulted various documents available in the form of books, articles and journals as well as went through these sources considering some questions: how do they define academic freedom? What is the relationship between academic freedom of individuals and institutional academic freedom? What is the importance of academic freedom? What are the challenges to academic freedom?

4.2 Defining academic freedom

The modern concept of academic freedom was developed in Germany in the 19th Century and expanded over time (Fuchs, 1963; Altbach, 2007). The basic idea is that “scholars in universities ought to be free to teach and learn what and how they wish goes back to the middle age, but the custom of guarantying this privilege by popular consent dates only from the nineteenth century” (Ashby, 1966, p. 291). The meaning of academic freedom was the freedom of faculty members to teach and the freedom of students to learn without interference during that period which has been expanded on the basis of historical periods and contexts.

The term “academic freedom” is defined by various scholars in different ways. Some scholars claim that academic freedom is an individual right of faculty members. It is not so much a personal privilege but it is a condition of work. Ashby (1966) defines academic freedom as “the freedom of individual university teacher to teach according to his conscience and convictions and to publish his views on his own subject” (p. 292). This point of view indicates that academic freedom is granted because it is believed to be essential for teaching and production of knowledge. Similarly, Caston (2006) defined academic freedom as “the freedom of the individual academic to teach, to do research, and to publish without any

interference externally” (p. 307). Similarly, Tight (1988) further explains that “academic freedom refers to the freedom of individual academics to study, teach, research and publish without being subject to or causing undue interference” (p. 132). The basic idea is that faculty members are free to teach, conduct research and publish their research findings without interference.

Academic freedom is considered as the freedom of faculty members to perform academic actions. Shils (1991) describes academic freedom as “the freedom of university teachers to perform their academic obligations of teaching and research” (p. 3). This means that academic actions are teaching, research and the publication of the results of research. Furthermore, Brown (2006) defines academic freedom as “the right of university faculty members and researcher to appropriately investigate fields of knowledge and express views without fear of restraint or reprisals” (p. 115). In this regard, academic freedom is not only the freedom of faculty members to conduct academic activities but also to express their views.

Some scholars describe that academic freedom refers to the freedom of faculty members to seek and transmit the truth. Downs (2009) explained academic freedom as “the freedom of scholars to pursue the truth in a manner consistent with professional standards of inquiry” (p.4). Academic freedom is that “freedom of the individual scholar in his/her teaching and research to pursue truth wherever it seems to lead without fear of punishment or termination of employment for having offended some political, religious or social orthodoxy” (Berdahl, 1990, pp. 171-172). It is that freedom of academics which protects them to teach and conduct research on the basis of their knowledge regarding with professional standards. In fact, “academic freedom amounts to no more than a right supposedly given to academics to say and teach what they believe to be true” (O’Hear, 1988, p. 6). Similarly, Shils (1991) further points out that:

Academic freedom is not the freedom of academic individuals to do just anything, to follow any impulse or desire, or to say anything that occurs to them. It is the freedom to do academic things: to teach the truth as they see it on the basis of prolonged and intensive study, to discuss their ideas freely with their colleagues, to publish the truth as they have arrived at it by systematic methodical research and assiduous analyses. That is academic freedom proper. (p. 3)

In this regard, academic freedom is not the freedom of academics to do whatever they want but the freedom to perform academic activities regarding their knowledge of subject matter and the freedom to share their views with their colleagues. Van Alstyne (1975) further explains that:

Academic freedom is characterized by a personal liberty to pursue the investigation, research, teaching and publication of any subject matter of professional interest without vocational jeopardy or threat of other sanction, save only upon adequate demonstration of an inexcusable breach of professional ethics in the exercise of that freedom. (p. 71)

This point of view also suggests that academic freedom is to protect the rights of academics to conduct academic actions without any control. However, these rights are concerned with professional ethics.

In addition to these rights, Academic freedom is also the freedom of academic individuals to involve different activities within the university. Shils (1994) explained that “academic freedom is also the right of the academic to participate in those activities within the university which affect directly the performance of academic things. The right to participate in these activities also carries with it the obligation to do so” (p. 81). In this context, academic freedom becomes the right of academics to involve in the governance of the university.

Academic freedom is considered as the freedom of academic community as a whole. Fuchs (1963) offered a more detailed description of academic freedom. He defined academic freedom as “that freedom of members of the academic community, assembled in colleges and universities, which underlies the effective performance of their functions of teaching, learning, practice of the arts, and research” (Fuchs, 1963, p. 431). In this context, academic freedom includes the freedom of both faculty members and students within the university in teaching, learning and research.

However, academic freedom is not only applied to faculty members who want to teach and conduct research but also to students who want to get knowledge. Shils (1991) asserts that:

Academic freedom is also the freedom of students to study the subjects and to pursue the courses of study that appeal to their intellectual and vocational interests in

universities that they themselves have chosen to attend, and to form associations in accordance with their intellectual, political, and convivial interests. (p. 3)

In this regard, academic freedom refers to the freedom of students to learn and select the course contents according to their interests. Similarly, it is also the freedom of students to participate in associations on the basis of their field of study and political interests.

Furthermore, De George (1997) suggests that “the freedom of students to learn in a class at least implies that they should not be coerced into believing-if such were possible-what a teacher says, even though they may be held responsible for the content resented in the course” (p. 71).

The definitions which are offered by various scholars are different in terminology and their significance of teaching, learning and research. On the basis of definitions as mentioned earlier, ‘academic freedom’ for the current study means the freedom of faculty members to teach in their area of competence and select the course content, to carry out research in the fields in which they are interested as well as to involve in any association and the governance of the university. On the other hand, academic freedom of students means the freedom to study in the classroom with friendly environment that is without punishment in their disagreement of faculty’s views, and to participate in any association as well as the governance of the university.

4.3 Types of academic freedom

Academic freedom consists of both an individual and an institutional right. Standler (1999) suggested two different kinds of academic freedom. The first type of academic freedom is individual academic freedom which protects an individual professor and the other type is institutional academic freedom which protects universities from interference by the government.

Individual academic freedom has basically two aspects regarding the view of De George (1997). He points out that “student freedom to learn and faculty freedom to teach and research” (De George, 1997, p. 55). This point of view indicates that individual academic freedom is considered for both faculty members and students in the field of teaching, learning and research. Goodlad (1988) further suggests four aspects of academic freedom as follows:

- a) the freedom of students to study at all: an issue concerning access;
- b) the freedom of students in what they learn and how they learn it: an issue concerning curriculum and pedagogy where the differences are between high levels of independence in learning contrasted with very closely controlled curricula;
- c) the freedom of faculty (members of the lecturing staff) to decide what to teach and how: issues concerning course approval, validation, and accreditation;
- d) the freedom of faculty to carry out researches: an issue concerning choices to be made both by faculty themselves and by those who fund their researches on the relative intellectual, practical, financial and other merits of the claims of different programmes and projects for time and attention. (p. 49)

Institutional academic freedom is generally considered as the right of the higher education institution in order to determine its own goals and degree standards. It provides the right to the university to select faculty and students and to prepare curriculum content (Standler, 1999). This view is linked to what Ashby (1966) understands as university autonomy. Ashby (1966) further offers essential ingredients of institutional autonomy as follows:

- i) Freedom to select students and staff and to determine the condition under which they remain in the university
- ii) Freedom to set own standard and to decide to whom to award its degree
- iii) Freedom to design own curriculum and
- iv) Freedom to decide how to allocate funds among the different categories of expenditures. (p. 296)

Ashby (1966) argues that university autonomy and academic freedom are two different concepts. University autonomy belongs to the higher education institutions whereas academic freedom belongs to the individual academics. As Tight (1988) points out that “academic freedom relates to academics, that is to individuals, whereas institutional autonomy relates to institutions, their employers” (p. 123). Furthermore, Berdahl (1990) subdivided autonomy into substantive autonomy and procedural autonomy and noted that:

Substantive autonomy is the power of the university or college in its corporate form to determine its own goals and program...; procedural autonomy is the power of the university or college in its corporate form to determine the means by which its goals and programmes will be pursued. (p. 172)

On the basis of different ideas mentioned by various scholars, it can be concluded that individual academic freedom and institutional academic freedom are distinctly different concepts but interrelated to each other. Individual academic freedom is primarily concerned with the functions of faculty members and students. It offers the freedom to faculty members and students to involve and conduct academic activities. On the other hand, institutional academic freedom is related to the role of the university which offers the freedom to the university in order to perform its activities.

4.4 Importance of academic freedom

The importance of academic freedom is justified on the basis of academic ground which is required for both faculty members and students. Fuchs (1963) suggested that “the right to academic freedom is recognized in order to enable faculty members and students to carry on their roles” (p. 431). It also supports to establish their right which is “a way of enabling the members of the academic community to carry out their mission (Thorens, 1998, p. 403). These points of views suggest that academic freedom is the precondition for the fulfilment of their aims.

Academic freedom is required to conduct academic activities. It is necessary in such cases “where academic activities are legitimately performed, then academic freedom is called for” (Shils, 1995, p. 6). In this regard, academic freedom is important because it enables academics to teach, to conduct research and publish the results without interferences. Furthermore, Menand (1996) states that “academic freedom is obviously such a two-faced concept. It establishes a zone of protection and self-regulation in the interest of furthering the ends of academic activity- that is, of teaching and inquiry” (p. 6). In fact, “the maintenance of academic freedom contemplates accountability in respect to academic investigations and utterances solely in respect of their professional integrity, a matter usually determined by reference to professional ethical standards of truthful disclosure and reasonable care” (Van Alstyne, 1975, p. 71). This point of view indicates that academic freedom does not mean that academics can do whatever they like but it is concerned with professional standards.

The role of academic freedom is to promote individual rights. Sunstein (1996) asserts that “academic freedom is not a neutral commitment. It can be taken as a part of a belief in a modest form of liberal perfectionism, designed to exemplify and to promote individual

autonomy” (p. 116). It encourages them to develop knowledge based on their expertise. As Scott (1996) points out that “academic freedom has meant protection for the critical function of scholars and teachers who believed they were attempting to advance knowledge by calling into question widely held or accepted belief” (p. 166).

Academic freedom is the belief that truth is advanced through free inquiry which enables the faculty members to pursue the truth without fear of punishment. Shils (1995) suggested that “the justification of academic freedom is that it protects the moral and intellectual integrity of the teacher. It protects the teacher’s exercise of his or her intellectual powers in the search for and the exposition of truth” (p. 7).

Most writers primarily focus on the freedom of faculty members but the freedom of students is rarely discussed. As Menand (1996) points out that “discussion of academic freedom tend to concentrate on the work of professor, but there is another kind of academic freedom in the university which is not always compatible with the academic freedom of professors, and that is the academic freedom of students” (p. 14). It is also important for students in order to express their views and get knowledge. The freedom to learn is based on appropriate conditions of the classroom. As De George (1997) points out that:

Freedom to learn means that the institution and the faculty in their classes have the obligation to provide an atmosphere conducive to learning. This means an environment in which students feel free to express their opinions in class without fear of ridicule, as well as an environment free of gender, racial, and other forms of discrimination or intimidation. (p. 72)

He also suggests that “the responsibility of students is to attempt to learn, to respect the rights of other students to learn, and to retain their individual common sense in evaluating what they are told or taught” (De George, 1997, p. 71).

Academic freedom is also important for the completion of the mission of a university. As Altbach (2001) claimed that “the future of the university depends on a healthy climate for academic freedom” (p. 218). He further explained that “academic freedom is a fundamental prerequisite for an effective university and a core value for academia...; universities cannot achieve their potential nor fully contribute to the emerging knowledge-based society without academic freedom” (Altbach, 2007, pp. 1-7). In this context, academic freedom is the fundamental principle for the university which enables it to contribute for the production and

application of knowledge. Furthermore, De George (1997) states that “there is no area in a university that does not need academic freedom” (p. 16). He further explains that:

An institution that does not guarantee the academic freedom of its faculty and the academic freedom of its students does not deserve the autonomy that it has been given. The obligation of the institution is to protect that academic freedom, which must involve the officers of the institution actively doing so, and the faculty similarly taking active part in making sure that it exists for all. (De George, 1997, p. 30)

The importance of academic freedom is further explained by Akker (2006) in such a way that “academic freedom is important because any impingement on it detrimentally affects the purpose of a university or education provider- to provide the tools that encourage and facilitate thought, debate, intellectual criticism, the dissemination of knowledge, and creative problem solving” (p. 103).

The discussion based on the various scholars’ views points out that academic freedom is essential for faculty members, students and the university. It protects the rights of both faculty members and students to perform academic activities. It also offers the autonomy to faculty members to teach and carry out research in their area of competence. Similarly, it protects the rights of students to learn without interference. In addition to these values, academic freedom is considered desirable to the university to fulfil the aims of it.

4.5 Challenges to academic freedom

One challenge to academic freedom is how to safeguard the freedom of academic community because of the lack of agreement on the nature of academic freedom. Searle (1972) assumes that “most professors already know what academic freedom is, the problem is to defend it, not to analyse it or define it” (p. 169). This perspective creates the doubt in the practice of academic freedom which may affect the academic life. As Shils (1991) claims that “academic freedom may be infringed in many ways. Academic freedom may be infringed by legal enactment or by administrative decisions-governmental or ecclesiastical or academic-that expressly prohibit the assertion of specific beliefs that are intellectually legitimate” (p. 9).

Academic freedom might be seriously challenged by the poor condition of the university. Menand (1996) indicates that “the university does have internal problems that threaten the

future of academic freedom” (p. 5). Similarly, Caston (2006) further noted that “the threats to academic due process can come from within as well as from outside the university” (p. 328). Furthermore, De George (1997) points out that “the external threat to academic freedom comes from legislatures, boards, alumni, and the general public...; internal threats come from the administration, students, and the faculty” (pp. 86-87). These threats are serious in order to establish academic freedom.

Political situation of the country is one of the major challenges to the university to offer academic freedom of its faculty members and students. Altbach (2001) explained that:

There are many countries in which a considerable degree of academic freedom may exist for most scholars of the time, but where a political or other crisis may cause severe difficulties for the universities and for academic freedom, creating a general atmosphere of general unease for many academics. (p. 212)

In this regard, Nepal is one of the examples where academic freedom is difficult to establish because of political instability. Khaniya (2007) states that “Nepal has been passing through different stages of political turmoil which had impacts on the growth of higher education. Every time, Nepalese higher education became victim of political interest of the leaders and political power centres due to the political potential of it” (p. 134).

The government is considered as another challenge to academic freedom. The challenge comes from the government in the case of appointments and promotions of academic staff (Caston, 2006). Similarly, De George (1997) explains that “the threat from the state is that legislators or other government officials who control the state’s support of the institution will demand a say in what is taught or how it taught or who is appointed or not appointed to the faculty” (p. 62). It indicates that the government in these situations restricts the rights of faculty members.

In addition to these threats, the rights of academic community are restricted by some other factors. Shils (1994) suggested that:

The sanctions may range from arrest, imprisonment, torture, dismissal, withdrawal of the right to teach, expulsion from learned societies or refusal of admission to learned societies, censure by academic administrators, refusal of due promotion, and

imposition of exceptional or onerous tasks, to personal abuse and the disruption of classes. (p. 81)

Similarly, he further explained that “there are other ways of injuring a teacher who is disapproved of because of his or her intellectual, political or religious attitudes or activities” (Shils, 1995, p. 5). On the other hand, the potential threats which come from the faculty members are considered as challenges to academic freedom. De George (1997) states that:

The threat from the faculty has during the past few years taken a new turn. There has always been the threat of those in positions of power, whom some identify with the tenured faculty, imposing or attempting to impose their view of what is academically acceptable on junior or untenured faculty. (p. 87)

The freedom of students is challenged in various ways. According to De George (1997), “the freedom of each student is restricted not only by the rules set by the teacher, but by the logic or discipline of the material studied and by the freedom of the other students to learn” (p. 71). Similarly, student political action is also the major cause which affects the freedom of students. In fact, “the student body-which also wants its own freedom-is another potentially inflammatory element in the situation. Indeed, the most likely immediate cause for university closures in the Third World is student political action, probably with some faculty support” (Caston, 2006, p. 331).

On the basis of different ideas offered by various scholars, the challenges to academic freedom can be categorized into two different sources which come from inside the university and outside the university. The political situation of the country and the government are external threats and faculty members and students themselves are internal threats to academic freedom.

5 RESEARCH METHODOLOGY

5.1 Qualitative research

Qualitative research is “a form of inquiry that explores phenomena in their natural settings and uses multi-methods to interpret, understand, explain and bring meaning to them” (Anderson, 1998, p. 119). Similarly, Creswell (1998) defines qualitative research as “an inquiry process of understanding based on distinct methodological traditions of inquiry that explore a social or human problem. The researcher builds a complex, holistic picture, analyses words, reports detailed views of informants, and conducts the study in a natural setting” (p. 15). The present research study adopts a qualitative research strategy because of the nature of its research questions. Qualitative researchers are interested “in understanding how people interpret their experiences, how they construct their world, and what meaning they attribute to their experiences” (Merriam, 2009, p. 5). Qualitative research is also selected in order to explore detailed views of faculty members, students and faculty’s leadership involved in the discussion of academic freedom in higher education. Patton (1990) asserts the use of qualitative methods which “permit the evaluator to study selected issues in depth and detail” (p. 13). The other reason for selecting qualitative research is to understand and explain these diverse groups of people’s views on academic freedom in their natural setting.

The key aspects of qualitative research are mentioned by Flick (2006). The essential features of qualitative research are “the correct choice of appropriate methods and theories; the reorganization and analysis of different perspectives; the researchers’ reflections on their research as part of the process of knowledge production; and the variety of approaches and methods” (Flick, 2006, p. 14). The present study gathers in-depth data by using different methods with the primary intent of developing themes from the data. The relevance of correct choice of methods will be discussed in the next section.

Qualitative research has both benefits and drawbacks for social science research. Bryman (2008) presents that the benefits of qualitative research, for example, are open-ended and flexible, contextual understanding, process based and the interpretation of the social world from the perspective of people being studied. “Qualitative methods typically produce a wealth of detailed information about a much smaller number of people and cases. This increases the depth of understanding of the cases and situations studied but reduces generalizability”

(Patton, 2002, p. 14). On the other hand, qualitative research has a few drawbacks. The critique of qualitative research criticizes that qualitative research is too impressionistic and subjective, difficult to replicate the findings in other situation, difficult to generalize the findings to other settings, and lack of transparency in the research process (Bryman, 2008).

5.2 Research design

A research design is the plan structure and strategy of investigation. Bryman (2008) states that “a research design provides a framework for the collection and analysis of data” (p. 31). The research design is governed by “the notion of ‘fitness for purpose’ and the purposes of the research determine the methodology and design of the research” (Cohen, Manion & Morrison, 2000, p. 73). The present study is influenced by the research questions, which is consequently determined the research design and methodology.

A Case study design is selected for the current study based on the nature of research problems and questions. Yin (2014) defines a case study as “an empirical inquiry that investigates a contemporary phenomenon in depth and within its real-world context” (p. 16). The purpose of the case study design is “to gather comprehensive, systematic, and in-depth information about each case of interest” (Patton, 2002, p. 447). This study is a single-case study design. The Faculty of Education at Tribhuvan University is selected as the case for this study because it exemplifies a broader category that is what Bryman (2008) calls an exemplifying case. He further asserts that “the notion of exemplification implies that cases are often chosen not because they are extreme or unusual in some way but because either they epitomize a broader category of cases or they will provide a suitable context for certain research questions to be answered” (Bryman, 2008, p. 56). Similarly, Yin (2014) presents a rationale for selecting the common case for the research is “to capture the circumstances and conditions of an everyday situation” (p. 52).

A case study is “an in-depth description and analysis of a bounded system” (Merriam 2009, p. 40) which is “bounded by time and place, and it is the case being studied a program, an event, an activity, or individuals” (Creswell, 1998, p. 61). In the current study, the case is bounded by the time of data collection around 40 days, and the location is Nepal and in particular the Faculty of Education at Tribhuvan University. The study uses the case study design in the sense that it focuses on a particular country’s university and a particular faculty. “The case

study approach to qualitative analysis constitutes a specific way of collecting, organizing, and analysing data; in that sense it represents an analysis process” (Patton, 2002, p. 447). Multiple sources of data collection are used in order to obtain a detailed in-depth understanding of multiple groups of people and their views on academic freedom.

5.3 Methods of data collection

A method is a procedure which is used to gather information. “By methods, we mean that range of approaches used in educational research to gather data which are to be used as a basis for inference and interpretation, for explanation and prediction” (Cohen, Manion & Morrison, 2000, p. 44). There are different procedures of data collection in qualitative research.

According to Merriam (2009), qualitative data can be collected through “interviews, observations, or document analysis” (p. 23). Based on the theoretical framework of this study, interviews and document analysis were selected as modes of data collection. The relevance of using these methods will be discussed in the following sections.

5.3.1 Interviews

An interview is a commonly used method for collecting information in qualitative research. It is an oral activity of purposeful communication or interaction between two or more individuals in which the interviewee gives the required information. Bogdan and Biklen (1998) define an interview as “a purposeful conversation, usually between two people but sometimes involving more, that is directed by one in order to get information from the other” (p. 93). The purpose of qualitative interview is “to allow us to enter into the other person’s perspectives. Qualitative interviewing begins with the assumption that the perspectives of others is meaningful, knowable, and able to be made explicit” (Patton, 2002, p. 341) in which “researcher wants rich, detailed answers” (Bryman, 2008, p. 437). Similarly, Ritchie (2003) points out that “interviews provide an opportunity for detailed investigation of people’s personal perspectives, for in-depth understanding of the personal context within which the research phenomena are located, and for very detailed subject coverage” (p. 36).

There are different types of interviews as mentioned by Patton (2002), Bryman (2008) and Merriam (2009). Based on its nature, semi-structured interviews were chosen for this study. The primary reason for choosing semi-structured interviews is to encourage the respondents

to express their personal feelings, opinions, attitudes and experiences in relation to academic freedom. The other rationale for selecting semi-structures is based on its nature of allowing for both flexibility as well as structure which enables to obtain required information.

In order to guide the interviews an interview guide was prepared on the basis of the aim of the study and the research questions (see appendix). The interview guide is a list of questions that are “to be explored in the course of an interview” (Patton, 2002, p. 343). The interview guide was prepared in order to make sure to obtain a variety of information from diverse group of people by using similar sets of questions with regard to academic freedom. The interview guide provides “a framework within which the interviewer would develop questions, sequence those questions, and make decisions about which information to pursue in greater depth” (Patton, 1990, p. 284).

5.3.2 Document analysis

Document analysis is a technique used to gather information in qualitative research. The term document is “the umbrella term to refer to a wide range of written, visual, digital, and physical material relevant to the study at hand” (Merriam, 2009, p. 139). Furthermore, Ritchie (2003) suggests that “documentary analysis involves the study of existing documents, either to understand their substantive content or to illuminate deeper meanings which may be revealed by their style and coverage” (p. 35).

Documents are not particularly designed and produced for research purposes. As Bryman (2008) asserts that documents are such kind of materials that “can be read; have not been produced specifically for the purpose of social search; are preserved so that they become available for analysis; and are relevant to the concerns of the social researcher” (p. 515). Document analysis was adopted in this study in order to develop empirical knowledge as well as provide confirmatory evidence for the information obtained from the interviews. Yin (2014) mentions that “the most important use of document is to corroborate and argument evidence from other sources” (p. 107).

Based on the relevance for the research aims and the questions, various official documents were selected. The University Grants Commission annual reports from 2008-2011 and the bulletin of the Research Division at Tribhuvan University were selected in this study. Similarly, the Tribhuvan University Act (1992), the Tribhuvan University Organization and

Educational Administration Regulations (1993), and the Proposed Higher Education Policy (2014) were used in this study. Furthermore, the information available on the official website of the University Grants Commission and Tribhuvan University were adopted according to their relevance for the study.

Bryman (2008) explains various advantages and disadvantages of using documents. Documents are non-reactive and less time-consuming or easier to deal with than primary data that need to be collected. On the other hand, the research for documents relevant to the research can often be a frustrating and highly protracted process. Similarly, Patton (2002) mentions that documents have some disadvantage in terms of the accuracy and completeness of the data.

5.4 Purposive sampling

Sampling is the process of selecting an appropriate sample for the study. Bryman (2008) explains that “purposive sampling is a non-probability form of sampling” (p. 415) which is primarily based on the assumption that “the investigator wants to discover, understand, and gain insight and therefore must select sample from which the most can be learned” (Merriam, 2009, p. 77). Furthermore, Cohen, Manion and Morrison (2000) state that “in purposive sampling, researchers handpick the cases to be included in the sample on the basis of their judgment of their typicality. In this way, they build up a sample that is satisfactory to their specific needs” (p. 103).

As Bryman (2008) explains that “the goal of purposive sampling is to sample cases / participants in a strategic way, so that those sampled are relevant to the research questions that are being posed” (p. 415). Based on this point of view, purposive sampling procedure was adopted in this study in order to explore the subjective experience of participants. Faculty members, students and members of the academic leadership were selected related to the Faculty of Education considering that those participants were relevant to the research questions of this study. Faculty members were selected on the basis of the availability and the willingness to cooperate in the study. Professors and lecturers were chosen from different departments of the Faculty of Education such as the Department of English Education, the Department of Mathematics Education, and the Department of Education in order to understand their perceptions on academic freedom in depth and identify the possible

challenges that posed to academic freedom. They are considered information-rich cases for this study (Patton, 2002). Similarly, master level students were selected in order to obtain their ideas and experiences in relation to academic freedom. Members of the academic leadership are supposed to responsible to safeguard the academic freedom for its faculty members and students. They were selected to collect not only their ideas and experiences but also to understand how the Faculty of Education as a whole safeguards academic freedom. The following table shows the list of number of respondents:

Table 3: Overview of the interview partners

Respondents	Number
Faculty members	4
Students	4
Members of the academic leadership	3
Total	11

5.5 Data analysis and interpretation

Data analysis is regarded as an important part of qualitative research which is an on-going part of it. Bogdan and Biklen (1998) suggest the process of data analysis in this way:

Data analysis is the process of systematically searching and arranging the interview transcripts, field notes, and other materials that you accumulate to increase your own understanding of them and to enable you to present what you have discovered to others. Analysis involves working with data, organizing them, breaking them into manageable units, synthesizing them, searching for patterns, discovering what is important and what is to be learned, and deciding what you will tell others. (p. 157)

In fact, “analysis is a challenging and exciting stage of the qualitative research process. It requires a mix of creativity and systematic searching, a blend of inspiration and diligent detection” (Spenser, Ritchie & O’Connor, 2003, p. 199). They further mention that “there are no clearly agreed rules or procedures for analysing qualitative data” (Spenser, Ritchie & O’Connor, 2003, p. 200). However, Creswell (2003) suggests six generic steps for data analysis: Step 1) organize and prepare the data for analysis; Step 2) read through all the data;

Step 3) being detailed analysis with a coding process; Step 4) use the coding process to generate a description of the setting or people as well as categories or themes of analysis; Step 5) advance how the description and themes will be represented in the qualitative narratives; Step 6) involve making an interpretation or meaning of the data. On the basis of Creswell's suggestion, the data were analysed for the current study.

The interviews were conducted both in English and Nepali languages regarding the context of the field study. There were eleven interviewees including four faculty members, four students and three members of the academic leadership out of them two faculty members indicated as FM1 and FM3, two students indicated as S2 and S3, and one member of the academic leadership indicated as FL1 were interviewed in Nepali language. The interviews that were conducted in Nepali language were translated into English language by the researcher himself. Similarly, the Tribhuvan University Organization and Educational Administration Regulations (1993) and the Proposed Higher Education Policy (2014) documents were also translated in English by the researcher.

The data collected through interviews were transcribed to written text. Then the researcher read and reread all the information provided by the participants in order to obtain a general sense of the information. The next step involved the process of coding. The researcher applied an open coding process mentioned by Merriam (2009). The researcher went through the computer file of transcript and jotted down notes, comments and queries as well as developed themes and sub-themes for analysis. In the final step, the meaning of the data was interpreted in details by using the theoretical framework as mentioned earlier.

The present study adopted qualitative content analysis for analysis and interpretation of qualitative data collated through documents. The purpose of classifying data for content analysis is "to facilitate the search for patterns and themes within particular setting or across cases" (Patton, 1990, p. 384). Qualitative content analysis is useful for analysing the content of documents and searching of underlying themes (Bryman, 2008). This study analysed both the content and context of documents as well as themes were identified.

5.6 Strategies for achieving validity and reliability

Bryman (2008) asserts that "reliability and validity are important criteria in establishing and assessing the quality of research" (p. 376). Numerous frameworks have been developed to

assess validity and reliability in relation to qualitative research (Lincoln & Guba, 1985; Bryman, 2008; Merriam, 2009). As Lincoln and Guba (1985) suggest two criteria for assessing qualitative research: trustworthiness and authenticity. Trustworthiness includes four criteria; credibility, transferability, dependability, and conformability. Based on various articles by different scholars, internal validity, external validity and reliability are discussed in order to ensure the quality of the present study.

Internal validity

Internal validity is concerned with “the question of how research findings match reality” (Merriam, 2009, p. 213). In terms of the current study, internal validity was maintained by adopting a triangulated approach to data collection by combining interviews and document analysis. Cohen, Manion and Morrison (2000) define triangulation as “the use of two or more methods of data collection in the study of some aspect of human behaviour” (p. 112).

Furthermore, the preliminary analysis was given back to the participants to ensure the correct interpretation of the information provided in the interviews.

External validity

External validity is concerned with “the extent to which the findings of one study can be applied to other situation” (Merriam, 2009, p. 223). Similarly, Bryman (2008) states that “external validity which refers to the degree to which findings can be generalized across social settings” (p. 376). As discussed earlier qualitative study is the intensive study of a small number of people which increases the depth of understanding of the cases but reduces generalizability. In this context, the findings to be generalized in other situation might be problematic but can be generalized the findings to other similar situation because the findings are presented with a detail description with adequate evidence which are presented in the form of direct quotes from participants’ interviews and documents.

Reliability

Reliability refers “to the extent to which research findings can be replicate” (Merriam, 2009, p. 220). Similarly, Lewis and Ritchie (2003) mention that “reliability is generally understood to concern the replicability of research findings and whether or not they would be repeated if another study, using the same or similar methods, was undertaken” (p. 270). In order to

ensure reliability of the current study, the interviewees were given the opportunity to explain their own ideas and experiences and interviews were recorded to present more reliable evidence.

5.7 Ethical considerations

Ethical issues are crucial for research studies which “arise at a variety of stages in social research” (Bryman, p. 113). This means that each stage of the research study may be the source of ethical problems. Cohen, Manion and Morrison (2000) state that “ethical issues may stem from the kinds of problems investigated by social scientists and the methods they use to obtain valid and reliable data” (p. 49). This research study considered ethical issues which were likely to emerge during the collection of data, the analysis and interpretation of data, and the dissemination of research regarding with ethical principles presented by Lewis (2003). She suggests four major principles:

- i. Informed consent
- ii. Anonymity and confidentiality
- iii. Protecting participants from harm
- iv. Protecting researchers from harm (Lewis, 2003, pp. 66-71).

Informed consent

Informed consent is one of the major issues of ethical consideration. Lewis (2003) claims that:

As in any research study, sample members' informed consent to participate must be obtained. This means providing them with information about the purpose of the study, the funder, who the researcher team is, how the data will be used, and what participation will require of them-the subjects likely to be covered, how much time is required and so on. (p. 67)

Considering this view, sample members or interviewees were provided information about the purpose of the study as mentioned earlier. The researcher contacted and requested them to assign a convenient time for the study. They were also informed that the participation was voluntary. Similarly, they were informed about the required time for the interview which was

approximately 25 to 40 minutes. Furthermore, they were provided the information about the use of data collected from interviews for the current study.

Anonymity and confidentiality

Anonymity and confidentiality are other factors that need to be considered during data collection and interpretation of the data. Lewis (2003) points out that “anonymity means the identity of those taking part not being known outside the research team...; confidentially means avoiding the attribution of comments, in reports or presentation, to identified participants” (p. 67). In fact, “the essence of anonymity is that information provided by participants should in no way reveal their identity” (Cohen, Manion & Morrison, 2000, p. 61). The researcher assured the informants to maintain anonymity and confidentiality for the study. They were informed that their names and any other personal identification were not revealed in written or other communication. Tape recordings and transcripts were not labelled as well as they were not available to anyone except for the current study and the researcher himself.

Protecting participants from harm

According to Lewis (2003), “it is important to give consideration to ways in which taking part may be harmful to sample members, and to take aversive action” (p. 68). The researcher assured that it was not harmful in their personal and profession life to take part in this study because the issue of academic freedom is a matter of public concern. As mentioned earlier, the researcher maintained confidentiality of records in order to protect the participants from harm (Bryman, 2008).

Protecting researchers from harm

Though the present study is not related to a high risk issue, nobody is able to predict where risks arise (Lewis, 2003). In order to minimize risks which might occur during the fieldwork, the researcher made a proper plan for travelling to the appointments, the selection of relevant documents, and fieldwork venues. The venues were decided by telephone conversation as well as personal contact with some professors and members of the academic leadership.

6 DATA PRESENTATION AND ANALYSIS

6.1 Perceptions on academic freedom

The primary aim of this study is to investigate the perceptions of faculty members, students and academic leadership of the Faculty of Education at Tribhuvan University in Nepal about academic freedom. They were inquired several questions regarding academic freedom of faculty members and students.

6.1.1 Faculty members' views on academic freedom

In order to perceive the general perceptions of faculty members on academic freedom, the first four questions of the interview guide were used (see appendix). They expressed various ideas regarding their personal experiences and perceptions on academic freedom. In response to the first question, one of the faculty members expressed that:

Academic freedom is the freedom of people to express different views and to acquire knowledge in order to adjust in the society. This is a fundamental right of people who are working in the university to do academic activities in the free environment.

(FM1/interview)

This view indicated that academic freedom meant the freedom of expression of the individual and the freedom of faculty members to conduct academic activities without constrained. The interviewee also pointed out that academic freedom was concerned with the freedom of student to learn. This point of view was further supported by one of the faculty member and mentioned that *“I think academic freedom means the freedom of academic staff for professional growth and the freedom of students to learn in their own way” (FM2/interview)*. Similarly, another faculty member further added on the basis of personal experience that *“academic freedom is very common in the field of higher education. It is the freedom of faculty members to teach, to do research and to evaluate students' performance and the freedom of students to study without any external and internal interference” (FM4/interview)*.

The interviews with faculty members confirmed that academic freedom was the freedom of faculty members to teach, to do research and to evaluate students without external and internal interference and the freedom of students to learn.

Regarding the second question (see appendix), the interviewees expressed similar views. They mentioned that academic freedom was the freedom of both faculty members and students. In this regard, one of the faculty members shared that “*academic freedom is the right of both faculty members and students. The freedom of faculty member is to educate the students and students need the freedom to gain knowledge*” (FM1/interview). Similarly, academic freedom in the view of interviewee was also the right to express ideas and to conduct academic activities. In this context, one of the faculty members explained that:

I think academic freedom is the right of both faculty members and students. There is not vast difference. Academic freedom of faculty member means the right to express ideas and participate in academic matter. On the other hand, academic freedom of students means the freedom to do different activities in the university and the right to communicate ideas. (FM3/interview)

The difference between the freedom of faculty members and the freedom of students in the view of interviewee was related to their academic activities. The other interviewee further added that:

Academic freedom is concerned with both faculty members and students. There are similarities and differences between academic freedom of faculty members and students. Similarities in the sense that they both have the freedom in teaching and learning process and the differences are in terms of research activities and evaluation system. Faculty members have the right to carry out the research and evaluate students but it is very limited in some contexts. Students have limited right to learn something inside or outside the classroom. (FM4/interview)

On the basis of interviews with faculty members, it was confirmed that academic freedom was regarded as the freedom of both faculty members and students. They perceived that academic freedom was required for faculty members to express their views and to perform academic activities as well as it was essential for students to express their views and to get knowledge. It was also found that both faculty members and students needed academic freedom in teaching and learning process.

The interviewees shared contradictory views regarding the nature of academic freedom whether it is a legal right or a principle developed by the governing bodies of the university. One of the faculty members mentioned that:

Academic freedom is concerned with a legal right which is guaranteed by the constitution. In our context, academic freedom is not guaranteed by the constitution and not stated in any policies of the university. The main reason is that the policy makers do not focus the attention to academic freedom. (FM1/interview)

From the interviewee, academic freedom was considered as the legal right but the fact that it was beyond academic practice in the context of Nepal. The reason behind it was the lack of priority for academic freedom. Similarly, another faculty member described the situation of academic freedom which was regarded as the legal right. She pointed out that “*the concept of academic freedom is not fully developed in our context and exercised in the university. I think the constitution should provide the freedom to academics otherwise they lose their right to inquire and communicate ideas*” (FM3/interview). On the other hand, the interviewees indicated that academic freedom was the principle developed by the governing bodies of the university. It was the function of the university to exercise academic freedom. One of the faculty members mentioned that “*so far in my knowledge, academic freedom is the right of individual which is related to the autonomy of the university. Tribhuvan University is itself autonomous university so that it can develop the areas of freedom to faculty members and students*” (FM2/interview).

Regarding the interviewees’ views, it was confirmed that academic freedom was such a concept which was either considered as the legal right or the principle developed by the governing bodies of the university. It was not well-practised in the context of Tribhuvan University because it is still not in top priority of the government and the university.

In response to the fourth question (see appendix), the interviewees expressed similar views. They perceived that academic freedom was not an absolute right. One of the faculty members described that:

It is not an absolute right. It has to be limited. In the name of freedom people may go out of track and not fulfil the responsibility and they are not accountable to the institution. Teachers and students have freedom in the classroom but that freedom is connected with the rules and regulations of the classroom. (FM2/interview)

This point of view confirmed that academic freedom was not an absolute right which was concerned with rules of the university. Similarly, another faculty member further expressed that *“nothing is absolute in the world so that academic freedom is not an absolute right. It is a relative right which is based on the needs of the consumers”* (FM1/interview). The role of the university was to provide the right to its consumers in the view of interviewee. Furthermore, one of the faculty members pointed out the condition of its limitation:

In my knowledge nothing is absolute in the world so is the case with academic freedom. There should be limit of academic freedom to protect the right of both faculty members and students. For example, in assessment system in 2007-2008, the faculty member provided almost full marks to the students in assessment of each and every subject because of the fear and the pressure of students. That evaluation system was highly criticized inside and outside of the university. As a result, the assessment system was avoided by the university. (FM4/interview)

On the basis of interviewees' views, it was identified that academic freedom was not an absolute right. It had to be limited to make faculty members and students accountable with the university and respect each other rights.

6.1.2 Students' views on academic freedom

Students were also asked four different questions (see appendix) in order to investigate their perceptions on academic freedom. They expressed various ideas regarding academic freedom. In response to the first question, one student expressed that *“academic freedom is the freedom of students for academic purpose. They have freedom to do academic activities according to their wish”* (S2/interview). This point of view indicated that academic freedom of students meant the freedom to involve in academic activities. Similarly, another student pointed out that *“academic freedom is the freedom to study and get knowledge without any restriction from the university and interference from politics”* (S3/interview). Academic freedom in the view of interviewee was the freedom of students to study without interferences. Furthermore, one of the interviewees supported the previous student's view and added more information about academic freedom of students. She expressed that *“I think academic freedom is the freedom to learn and express ideas in an educational institution without any restriction. The right to learn provides us better opportunities to get more knowledge”* (S4/interview).

The interviews with students found that academic freedom was the freedom of students to study without interference by the university and the political system. It was also confirmed that it was the freedom of students to express their views.

In response to the second question (see appendix), students expressed that academic freedom was the freedom of faculty members to teach and carry out research and academic freedom of students referred to the freedom to be involved in classroom activities. The difference between academic freedom of faculty members and of students was concerned in terms of their roles and responsibilities. In this regard, one student expressed that “*faculty members have freedom to teach and research but students have freedom to speak in the classroom related to subject matter and take part in classroom discussion*” (S3/interview). Similarly, another student further pointed out that “*academic freedom is for both faculty members and students. Faculty members have freedom to control students’ negative activities in the classroom and students have freedom to share their ideas concerning with the course of study*” (S4/interview).

The interviews with students confirmed that academic freedom was required for both faculty members and students. It was also identified that academic freedom of faculty members was not only to teach and carry out research but also to control negative behaviour of students and the freedom of students was to share their views on the basis of subject matter.

Students shared different views whether academic freedom is a legal right of scholars or a principle developed by the governing bodies of the university. Some interviewees expressed that academic freedom was considered as the legal right of scholars. They argued that the constitution had to provide the guarantee of academic freedom. In this context, one student expressed that “*I think academic freedom is the legal right because it needs for every scholar. So far in my knowledge, there is no legal document regarding academic freedom. I think the new constitution should provide the guarantee of academic freedom*” (S1/interview).

Similarly, another interviewee further added that “*academic freedom must be the legal right because every student should have the right to get education without any restriction. I think knowledge is received in free environment so that it needs to be clearly stated in the constitution*” (S3/interview).

On the basis of students’ views as mentioned earlier, it was identified that academic freedom was the legal right of scholars. It was also indicated that the right of students was to get

education as a result the constitution had to guarantee the freedom of students. On the other hand, some interviewees claimed that academic freedom was the principle developed by the governing bodies of the university. In this regard, one interviewee pointed out that “*academic freedom is the principle developed by the governing bodies of the university. This is the responsibility of the university to protect the right of faculty members and students to share the information and knowledge about their teaching and learning*” (S4/interview).

Concerning this point of view, it was confirmed that academic freedom was the principle developed by the governing bodies of the university in order to safeguard the right of its members.

The interviewees presented similar views in response to the next question (see appendix). They pointed out that academic freedom was not an absolute right. It had to be limited to control the classroom activities and to teach students successfully. In this regard, one of the interviewees reported that:

I do not think academic freedom is always absolute right. It is necessary to limit. Sometimes students ask unrelated questions to a teacher while teaching in the classroom. I think this is not the freedom of students. In such cases the teacher has to control the class because it affects the other students and the whole process of learning. (S4/interview)

Similarly, the interviewees expressed that it had to be limited in order to protect unreasonable argument of students in the classroom. This point of view further made clear by another interviewee who expressed that:

I think it is not an absolute right. We have to limit it in certain situations in order to protect certain problems of students. For example, in my view, each and every student is guided by different political ideology. They argue each other in the classroom and debate in the classroom. (S2/interview)

The interviewees presented that the faculty members needed to be sensitive in teaching multicultural and multi-religious groups of students. In such a case, one of the students pointed out that “*I do not think academic freedom is always absolute right. It has to be limit related to cultural issues and religious issues. If we do not limit these issues in teaching and learning that is harmful for students’ learning*” (S3/interview).

The interviews with students confirmed that academic freedom was not an absolute right. It required limitation to make teaching and learning more effective by reducing students' unrelated activities. It was also identified that it had to be limited to reduce the cultural and religious debate in the classroom.

6.1.3 Academic leadership's views on academic freedom

The members of the academic leadership were also asked four different questions (see appendix) in order to perceive their general understanding on academic freedom. They expressed a variety of perceptions on academic freedom. In response to the first question, one of the members of the academic leadership expressed that “*academic freedom is the freedom of faculty members and students to do academic activities without any interference*” (FL1/interview). Similarly, another member of the academic leadership expressed his understanding of academic freedom in relation to research and other academic activities in such a way that:

People generally conceive that academic freedom is just not having some interference from the government or state that is one understanding among academics in Nepal. Personally I have also similar idea about academic freedom which means that professors as well as students must have freedom in doing research and any other academic activities like giving talks on some issues and dialogues on some themes. All these themes should be done whatever they like and should not be confined from the state. That is the meaning of academic freedom in the sense of doing academic activities within the university, classrooms, seminars and conferences. (FL2/interview)

This point of view indicated that academic freedom was the freedom of professors and students to involve in academic activities such as teaching, learning and research without interference of the government. The interviewees also expressed that academic freedom was regarded as the freedom to express ideas without interference. One of the members of the academic leadership further added that “*so far in my knowledge, there is no single definition of academic freedom. It is the right to express views on debatable issues and the right to participate in different academic activities of the university without external and internal control*” (FL3/interview).

On the basis of the members of the academic leadership's views, it was confirmed that academic freedom was considered as the freedom of faculty members and students to participate in academic activities. It was also identified that academic freedom provided the right to academic community to express their views without external and internal constrain.

Regarding the second question (see appendix), the academic leadership expressed similar views. They pointed out that academic freedom was needed for both faculty members and students. One of the members of the academic leadership asserted that "*academic freedom is important for both faculty members and students in their own field as teaching and learning. It is the freedom of faculty members to select course contents and students to choose the contents according to their interest and needs*" (FL1/interview). The interviewees also expressed that the freedom of students to learn was related to the freedom of faculty members to teach in the classroom. In this regard, another member of the academic leadership expressed that "*I think academic freedom is the right of both faculty members and students. They are interrelated to each other. If the faculty members have the freedom to teach, then students have the freedom to learn*" (FL3/interview).

The interviews with the members of the academic leadership confirmed that academic freedom was essential to faculty members and students concerning their field of teaching and learning. Similarly, one of the members of the academic leadership further added that:

Academic freedom must be given to both faculty members and students. They are two distinct groups of people. Academic freedom to faculty members is related to whatever they teach in the classroom, whatever curriculum they prefer for students and whatever research topics they want to carry out. On the other hand, academic freedom to students means the freedom to do project work and some assignment based on the curriculum. (FL2/interview)

This point of view indicated that the freedom of faculty members referred to teach, to do research and to design the curriculum and the freedom of students referred to learn based on the curriculum. It was also confirmed that the difference between academic freedom of faculty members and of students only based on their academic role as they were two different groups of the university.

There was a conflict between academic freedom as a legal right of every scholar or a principle developed by the governing bodies of the university. One of the members of the academic

leadership pointed out that “*academic freedom is supposed to be the legal right. The government has to provide the freedom to its members in order to get education*” (FL1/interview). The interviewee further suggested that the constitution had to offer the guarantee of academic freedom which was the main responsibility of the government.

On the other hand, the interviewees asserted that academic freedom was the principle developed by the governing bodies of the university. In this regard, one of the members of the academic leadership pointed out that “*I think academic freedom is the principle developed by the governing bodies of the university. This is the responsibility of the university to protect academic freedom of academic staff and students*” (FL3/interview). Similarly, another member of the academic leadership further added that:

I think academic freedom is the principle developed by the governing bodies of the university in collaboration with the state and other level parts of the country. This is the governing principle of the university within that principle the university can exercise it. Academic freedom is not the freedom only given theoretical base to generate some sorts of theories or principles. It should be connected to both the state and the society which are accountable to the university. (FL2/interview)

Regarding the interviewees’ views, it was identified that academic freedom was considered as the principle developed by the governing bodies of the university in order to protect the right of its members. It was also confirmed that the responsibility of the university was to develop such rules and regulations about academic freedom in association with other stakeholders.

The academic leadership in response to the fourth question (see appendix) asserted similar views. They claimed that academic freedom was not an absolute right which was guided by the mission of the university and provided according to the rules and regulations of the university. In this context, one member of the academic leadership expressed that:

I think academic freedom has to be limited regarding the rules and regulations of the university. For example, it is the right of the professors to involve in political activities in our university. Some of the professors freely talk political issues in the classroom. I think this is not the right of them to neglect the boundary of the university. (FL3/interview)

This point of view was further illustrated by another member of the academic leadership in such a way that:

I think it is not an absolute right. It has to be limited based on the framework and mission of the university. The faculty members cannot teach whatever they like in the classroom in the name of having academic freedom to teach. They have to follow the course of study and consider the right of the students. (FL1/interview)

The interviews with the members of the academic leadership confirmed that academic freedom was not an absolute right. It had limits in order to exercise the rights within the function of the university. It was also identified that the faculty members, for example, were not allowed to talk political subject matter in the classroom and to teach whatever they wanted to teach.

6.2 Academic freedom of faculty members

The faculty members and the members of the academic leadership were asked several questions in order to perceive their perceptions and experiences regarding academic freedom of faculty members (see appendix). The freedom of faculty members is classified into freedom to teach, freedom of research, freedom to participate in associations and freedom to participate in the governance of the university on the basis of the interview guide and the responses of the interviewees in order to find out detailed views of interviewees which are considered as the basic elements of academic freedom of faculty members. Similarly, the annual reports of the University Grants Commission (UGC), the research bulletins of the Research Division at Tribhuvan University and the Tribhuvan University Act were analysed under different themes to justify interviewees' views.

6.2.1 Freedom to teach

The faculty members in the process of interviews reported several views regarding the freedom to teach. They primarily focused on the importance of academic freedom to teach based on the needs and interests of the learners. One of the faculty members asserted that “academic freedom is necessary to faculty members to teach based on their knowledge about subject matters. The university should provide the freedom to faculty members to teach in the classroom according to the needs and interest of the learners” (FM1/interview). It indicated

that faculty members needed the freedom to teach in the field of their expertise. The interviewee also stressed that the university should offer the freedom to faculty members to teach regarding the needs and interests of the learners.

The freedom of faculty members to teach in the view of interviewees was linked to the system of the university. The interviewees also indicated that they were free to express their views in the classroom regarding the course of study at the Faculty of Education. In this context, one of the faculty members reported that “*academic freedom in teaching means the freedom of faculty members to teach in the classroom within the system of the university. The faculty members have freedom to express their views based on the course what they teach*” (FM3/interview).

The interviews with faculty members confirmed that the freedom to teach was essential to faculty members to teach the subject matters on the basis of their knowledge concerning with the needs and interests of the learners. Similarly, it was also confirmed that they had the freedom to express their views in relation to the course contents.

The faculty members in the interviews commented that they did not have the freedom to design the course of study and select the course contents what they taught in the classroom. One of the faculty members pointed out that “*the process of designing the courses is influenced by the experts and donor agencies’ views. The faculty members cannot design the course of study and select the contents according to their interests*” (FM1/interview). This point of view confirmed that the faculty members did not have the freedom to design the course of study and to choose the course contents according to their interests and the freedom of faculty members to design the course of study was restricted by the experts and the donor agencies. On the other hand, one of the members of the academic leadership argued that:

In our context, faculty members are free to teach by applying different methods and techniques. They can express their views based on the course. The faculty members are not free to choose the course contents what they want to teach because we have fixed course of study. They cannot go beyond the course of study. (FL3/interview)

On the basis of the academic leadership’s view, the faculty members had the freedom to teach using different methods and techniques as well as the freedom to express their views concerning to the course of study but the freedom to select course contents was constrained by the fixed course of study. The idea was further supported by another faculty member and

expressed that “*we have national design curriculum. In recent years, the university tries to consult to the faculty members to design the curriculum but they are not free to select the course contents once it is designed*” (FM2/interview). This point of view further indicated that because of the nationally designed curriculum the faculty members did not have the freedom to select the course contents. Similarly, one of the members of the academic leadership further added that “*the faculty members are confined to the teaching because of the opportunities available here. In teaching, they do not have much freedom because of the national restricted form of curriculum. They have to follow the prescribed curriculum*” (FL2/interview).

On the basis of interviewees’ views, the freedom of faculty members to design the course of study was restricted due to the fixed nature of curriculum. The process of designing the curriculum was influenced by the experts and the donors. Similarly, it was also confirmed that faculty members did not have the freedom to choose the course contents because of the restriction posed by the national form of curricula.

6.2.2 Freedom of research

The annual report of the University Grants Commission (UGC) and the research bulletins of Research Division at Tribhuvan University indicated that they offered their services for the university research activities. The annual report of the University Grants Commission (2011/2012) pointed out that:

The promotion of the culture of research among individuals and institutions is one of the major objectives of UGC. This statutory body firmly believes that a research activity not only enhances academic and objective knowledge of an individual, but also of the concerned institution. (p. 24)

The annual report indicated that the University Grants Commission contributed to promote the culture of research by involving the faculty members of the university. It also provided the financial support to conduct mini research projects to academics. On the other hand, one interviewee commented on the role of research centre of Tribhuvan University by saying that:

I personally involve in different research centres and carry out different research projects every year. Research Centre for Educational Innovation and Development (CERID) was established to promote academic excellence by conducting research and

training but it does not provide many opportunities to the faculty members to carry out the research based on the problem of teaching learning activities. The faculty members who want to carry out the research are not independent to select the research topics. The research centre or UGC demanded application for research on specific topics. (FM1/interview)

The interviewee stressed that the Research Centre for Educational Innovation and Development (CERID) was not working effectively in the field of research development. It was also indicated that faculty members were not free to select the research areas. They were restricted to choose the research topics due to the interference of research centre and the University Grants Commission which are responsible to conduct research activities at Tribhuvan University. One of the members of the academic leadership further added that “*the faculty members are not free to carry out the research according to their interests because of the interference of donor agencies*” (FL1/interview). In this view, the faculty members were compelled to carry out the research regarding the interest of the donors who provided the financial support to conduct the research.

The faculty members in the interviews explained that there was a lack of opportunity to carry out research activities at Tribhuvan University. In this context, one of the faculty members pointed out that “*the university provides a few opportunities to faculty members to carry out research. Some faculty members are involved in the research process but they are not completely free to decide research area what they want to carry out*” (FM2/interview).

On the basis of the interview, some faculty members were involved in the research activities in spite of the lack of opportunities to carry out the research. The freedom to select a research area was restricted to some extent in the view of interviewee. The member of the academic leadership further supported this view and explained that:

The university does not provide grants to the faculty members to carry out the research but some of them receive funds from the UGC or other sectors and carry out the research. The culture of research is not developed very much in our context. Academic freedom is restricted due to the research environment available in the university because most faculty members are engaged in teaching and too few faculty members are involved in research. (FL2/interview)

The interviewee clearly mentioned that there was no provision of funds to the faculty members to carry out the research at Tribhuvan University. The faculty members who want to conduct the research were restricted due to the lack of financial support by the university. The freedom of research to faculty members was also restricted because of the research environment available in the university. The research bulletins of Research Division at Tribhuvan University further clarify the view of the academic leadership. The research bulletins (2010, 2011) point out that the minimum amounts of research are carried out in the Faculty of Education every year within the involvement of faculty members.

From the documents of the University Grants Commission and the Research Division at Tribhuvan University, it was identified that the culture of research was not highly developed at Tribhuvan University in Nepal. Similarly, it was also confirmed that they were promoting the research activities but they were not satisfactory as required to provide the freedom of research to all the faculty members.

The interviews with faculty members confirmed that there were limited opportunities to conduct research activities at Tribhuvan University. It was also found that the freedom to choose a research area was restricted to some extent due to the interference of the University Grants Commissions and the Research Division. Similarly, the interviews with the members of the academic leadership found that the research activities were highly influenced by the lack of financial support from the university. It was also identified that the freedom of research was restricted due to the poor research environment available in the university and by the certain vested interests of the donors.

6.2.3 Freedom to participate in associations

The faculty members who were selected for interviews expressed similar views regarding the freedom to participate in associations. They reported that they had the freedom to organize and join both professional associations and political associations formed by the faculty members on the basis of their beliefs and interests. In this context, one of the faculty members noted that *“we are free to organize and join in any association according to our interests. We have different professional associations and these associations are committed to protect our rights” (FM3/interview)*. On the basis of this interview, the faculty members had the freedom to form and join in association regarding their interests. It was also identified that these professional associations were generally committed to protect the rights of its members. On

the other hand, another faculty member criticized the role of teachers' associations for protecting rights of its members and stressed that:

There are numbers of teachers' associations under Tribhuvan University. The faculty members are free to join in any association as they like. I think this is a common place for sharing knowledge and experience but teachers' associations are also guided by politics and their activities are not satisfactory for the protection of academic freedom of faculty members. (FM2/interview)

Similarly, another faculty member supported the previous interviewee's view and stressed that the activities of teachers' associations were also influenced by politics in such a way that:

We are free to join in associations such as Tribhuvan University Teachers' Association (TUTA), Democrat Professors' Association Nepal (DEPAN) and other associations related to major political parties. They are related to the profession but they are also guided by politics. They do more politics instead of protecting the right of faculty members. (FM1/interview)

The interviews with faculty members confirmed that they had full freedom to form and join in any associations according to their political beliefs or professional interests. There was no similarity between interviewees' views regarding the role of various associations which were established under Tribhuvan University. It was also identified that the primary function of these associations was to protect the rights of its members but these associations were also guided by political parties as a result they were more interested towards political activities instead of protecting the rights of their members.

6.2.4 Freedom to participate in the governance of the university

The faculty members who involved in the interviews expressed a variety of experiences on the basis of their involvement at Tribhuvan University and their participations in the governance of the university. One of the faculty members pointed out that:

As a faculty member, I can participate in the governance of higher education institution. I think it is the right place where we can discuss about academic freedom but the matter of discussion about academic freedom is on the basis of national policy

of the government and internal policy of the university. We do not have clear policy in both the sectors in relation to academic freedom. (FM2/interview)

This point of view indicated that the faculty members had the right to participate in the governance of higher education institution. The interviewee also expressed that the issues of academic freedom were not discussed due to the lack of policy documents.

The governance of the university in the view of interviewee was responsible to safeguard academic freedom of its members. In this regard, one of the faculty members reported that:

We have a University Assembly which is the supreme body of the university. The main function of the University Assembly is to provide the guidance to the university. The faculty members have the right to participate in this body of the university. I think this is the place to discuss about academic freedom in order to protect academic freedom of academic community. (FM4/interview)

Regarding this interview, it was identified that faculty members could participate in the governance of the university which was the place to discuss about academic freedom. On the contrary, another interviewee further commented that the right of faculty members to involve in the governance of the university was restricted to some extent due to the political interference of the government. The interviewee pointed out that:

We can participate in the governance of the university but the process of formation of the University Assembly and other councils is interfered by the government. The faculty members are selected based on the members of political parties. I think the duty of the governance of the university is to protect the rights of its members. (FM1/interview)

Concerning to the right of faculty members to involve in the different governing bodies of the university, the Tribhuvan University Act (1992) states the provision that:

Five teachers elected by an electorate college of presidents and secretaries of Nepal Teachers Union Campus Units of Tribhuvan University, through proportional single transferable voting system are the members of the University Assembly....Ten persons from amongst senior teachers of university are the members of the Academic Council. (pp. 6-10)

This act further explains that a teacher who wishes to be a candidate for the election of member of the University Assembly must be engaged in the permanent service of the University for at least fifteen years. On the basis of this act, the right of faculty members to participate in the governing bodies of Tribhuvan University is restricted to some extent because it is clearly stated that only senior teachers can be the members of the University Assembly and the Academic Council.

There is a contradiction between the interviewees' view and the Tribhuvan University Act regarding the freedom of faculty members to participate in the governance of Tribhuvan University in Nepal. The interviewees expressed that they had the freedom to join in the governance of the university but the Tribhuvan University Act does not provide the freedom for all faculty members to involve in it. It was also found that there was the political interference from the government in the formation of the governing bodies of Tribhuvan University. Similarly, it was also confirmed that the governance of the university could be the right place to discuss about academic freedom.

On the basis of the overall discussions regarding academic freedom of faculty members, it was found that they had limited freedom to teach, to carry out research and to participate in the governance of the university but they had full freedom to participate in association according to their interests. They were free to express their views in the classroom on basis of the subject matter but they were hardly involved in designing curricula and they could not choose the contents what they taught because of the national designed curriculum. It was also confirmed that very few faculty members were involved in research activities. The freedom to choose the research area was restricted due to the influence particularly who provided the funds for research. Similarly, the freedom of faculty members to participate in the governance of the university was restricted because of the act made by the university.

6.3 Academic freedom of students

Students of the Faculty of Education were asked a variety of questions in order to perceive their perceptions and experiences regarding their rights (see appendix). The freedom of students is divided into freedom to study, freedom to participate in associations and freedom to participate in the governance of the university in relation to the interview guide and the responses of the interviewees in order to find out detailed views which are considered as the

basic elements of academic freedom of students. Furthermore, the Tribhuvan University Act (1992) and the Tribhuvan University Organization and Educational Administration Regulations (1993) were analysed on the basis of different aspects of the freedom of students to justify interviewees' views.

6.3.1 Freedom to study

Some questions were posed to students concerning with the freedom to study. The interviewed students reported several ideas regarding their rights. One of the interviewees expressed that *“we are free to express our views in the classroom in relation to the subject matters. There are some situations where we cannot speak freely when some professors are not cooperative to solve our problems which are related to the course”* (S3/interview). This point of view indicated that students had the freedom to express their views in the classroom on the basis of subject matters. It was also found that the freedom to express views was to some extent restricted due to the lack of cooperation by some professors. On the other hand, some interviewees expressed that the freedom of students to express views in the classroom was limited because of the nature of the curriculum. They stressed that students could not talk about their religious beliefs or cultural values which were not related to the subject matters. In this regard, one of the interviewees pointed out that *“we are not free to express our views in the classroom because we are bounded with the subject matter or curriculum. We can ask the questions freely based on the subject matters. Our teachers also encourage us to ask questions”* (S1/interview).

The interviewees shared that students were free to take part in classroom discussion but there were some factors which affected the classroom discussion in the case of Tribhuvan University. In this context, one of the students noted that *“we can take part in the classroom discussion freely but we have so many students in the classroom and the class time is only 45 minutes per subject so we do not have enough time to discuss in the classroom”* (S2/interview).

The interviews with students confirmed that students were free to express their views and free to ask questions related to the subject matters in the classroom. It was stated that they had the freedom to take part in the classroom discussion without any fear of punishment. It was also found that these rights were restricted in some situations because of unsupportive behaviour of some professors, curriculum, large number of students, and limited class time.

Students were asked the questions (see appendix) whether they had the freedom to disagree with the teachers' views or interpretation presented in the classroom. In response to the questions, the interviewees expressed similar ideas and evidences regarding the freedom to disagree with the teachers' views in the classroom. One of the interviewees noted that:

We are free to disagree with interpretations presented by our professors in the classroom. For example, in English Language Teaching Methods (ELT), we are free to disagree with professors' views such as the use of different methods to teach language in the classroom or to teach grammar. (S4/interview)

Regarding this interviewee's view, it was identified that the freedom of students to disagree with the teacher's view was based on the subject matters. Students had the freedom to disagree with their professor's view in English Language Teaching Methods regarding how to teach language and grammar in the classroom. Similarly, another student also explained that "students have full freedom to disagree with teachers' views in the classroom when students are not satisfied with the answers of the teachers" (S2/ interview). This point of view was the further clarification of previous interviewee's view regarding the freedom to disagree with interpretations presented in the classroom.

The interviews with students of the Faculty of Education at Tribhuvan University identified that students had full freedom to disagree with the professors' views or interpretations presented in the classroom. Similarly, it was also confirmed that the freedom to disagree with the professors' views was subject specific.

Students were asked the questions (see appendix) in relation to their right to complain against unfair academic evaluation. They expressed different views regarding the freedom to complain against unfair academic evaluation. One of the students asserted that:

We can complain in the case of unfair academic evaluation. There are so many cases to check answer papers, for example, last year in Phonetics and Phonology exam more than 60% students failed because of negligence of examiner. They protested against the negligence of examiner and the board of examination of Tribhuvan University. (S1/interview)

The interviewee indicated that students had the right to complain against unfair academic evaluation. The reason of unfair academic evaluation in the view of interviewee was the

negligence of the examiners. Another student supported the previous interviewee's view and further added that *"the knowledge of students is evaluated on the basis of three to four hours written exam. Sometimes we don't get actual marks due to the negligence of teachers and examination board. We cannot take exam again to improve our marks"* (S3/interview). This point of view indicated that the cause of unfair academic evaluation was the negligence of the examiners and the examination board of Tribhuvan University. It was also found that the right of students to retake exam in order to improve their marks was restricted by the rules of Tribhuvan University.

On the contrary, one of the students pointed out that students could not complain against unfair academic evaluation due to the lack of a complaint system at Tribhuvan University and stressed that *"we do not have system to complain against unfair academic evaluation. Nepotism is the main problem, for example, my father is a teacher who gives me more marks in practice teaching and other practical exams in comparison of other students"* (S2/interview).

There was a contradiction between the interviewees' views whether students had the freedom to complain against unfair academic evaluation. It was confirmed that there were different causes of unfair academic evaluation such as negligence of examiners and examination board as well as nepotism were the major causes. Similarly, it was notified from the interviews with students that due to the lack of system to complain they protested against the examiners and the examination board.

6.3.2 Freedom to participate in associations

Students were asked the questions (see appendix) regarding their participation in associations. They answered that they were free to form and join in associations or unions on the basis of their discipline of study and political interests. In this regard, one of the students expressed that:

There are different students' unions in our university such as Nepal Students' Union (NSU), All Nepal National Free Students' Union (ANNFSU), All Nepal National Independent Students' Union (Revolutionary) (ANNISU-R) and so many other students' unions. Students are free to join in these unions according to their political interests. These unions help to solve students' problems and also raise their voice to

protect students' rights, for example, they give pressure to the university to follow academic calendar, conduct exams on time and to reduce the tuitions fees.

(S1/interview)

This point of view indicated that there were various students' unions as students' wings of political parties at Tribhuvan University. It was found that students had the freedom to join in these unions according to their interests and they were supposed to safeguard academic freedom of students. The view given by previous interviewee was further supported by another student and added that "*students are free to form their associations related to their field of study and join in the political based students' organizations. These political based organizations have to play the role to protect academic freedom of students in case of violation of the rights of students*" (S3/interview). It was also identified that students were not only free to join in students' unions at the Faculty of Education of Tribhuvan University but also free to form associations in relations to their field of study.

The views of students who involved in the interviews are further clarified by the Tribhuvan University Organization and Educational Administration Regulations (1993) that offers the provision of students' participation in this way:

Each campus has to form Free Students' Union. This union is the representative of all students in the Campus..., the major functions of Free Students' Union are to protect students' right and to create well environment for study in the campus. (p. 131)

On the basis of this document, students have the freedom to form Free Students' Union which is the representative union of all students who are studying in the various campuses under Tribhuvan University and also clearly mentions the functions of Free Students' Union in order to safeguard the rights of students.

On the contrary, another student expressed uncertainty regarding the activities of students' unions and claimed that "*we can join in any association freely on the basis of our interests. I am not sure the activities of different students' unions protect our rights or harm our rights. I can say that our academic environment is affected by their activities*" (S4/interview). The point of view further raised the question of students' unions role in order to protect the rights of students.

The interviews with students confirmed that students of Tribhuvan University had the freedom to join in political based students' unions and form their own unions in relation to the discipline of study. It is also identified by the Tribhuvan University Organization and Educational Administration Regulations which offered the freedom to students to form and join Free Students' Union. Regarding the role of students' unions, it was found that there was contradiction between interviewees whether they protected the right of students or their activities violated the rights of students.

6.3.3 Freedom to participate in the governance of the university

Students of the Faculty of Education were asked the questions regarding the freedom to participate in the governance of the university (see appendix). In response to the questions, one of the students mentioned that *“we are not free to involve in the governance of the university according to our interests. We are not free because of the rules and regulations of the university”* (S2/interview). The major obstacle in the view of interviewee to involve in it was the rules and regulations of the university. This point of view is further justified by the Tribhuvan University Act. According to the Tribhuvan University Act (1992), *“two persons from amongst the presidents of University Free Students' Unions are involved in the formation of the University Assembly”* (p. 7). On the basis of this act, there is no provision to the common students to participate in the governance of Tribhuvan University. Similarly, another student mentioned that:

I do not think I can participate in the governance of the university because of the opportunities available in the university. So far in my knowledge the leaders of students' union can only involve in our system. They can express their views on issues of academic freedom. (S4/interview)

This point of view further indicated that there was a lack of opportunity to involve in the governance of the university. The interviewee stressed the important issue that the representatives of students who involved in the governance of the university could express views in relation to academic freedom.

In addition to these views, one of the students regarding the freedom of students to participate in the governance of the university responded differently by saying that *“I am not sure students can participate in governance of the university or not. I think students must be free to*

involve in it in order to discuss about academic matters and students' rights" (S3/interview). This point of view further raised the question that students were not aware of the governance of the university. The interviewee focused on the participation of students in the governance of Tribhuvan University in Nepal.

On the basis of overall analysis of interviews with students, the Tribhuvan University Act and the Tribhuvan University Organization and Educational Administration Regulations, it was identified that the freedom of students to learn was restricted in various ways and participate in the governance of the university was constrained but they had full freedom to participate in associations. It was found that students were free to express their views and to take part in the classroom discussion without fear of punishment as well as free to disagree with the professors' views or interpretations presented in the classroom but the freedom of students to complain against unfair academic evaluation was limited because of the university system. On the other hand, the interviews with students confirmed that the common students did not have freedom to participate in the governance of the university according to their interests. They were restricted by the rules and regulations of Tribhuvan University. The interviewees' views were further justified by the Tribhuvan University Act. This act provides specific condition to be the members of decision-making body of the university which is not favourable for most students.

6.4 Threats to academic freedom

In order to find out the possible conditions that are affecting academic freedom, the same questions were posed to faculty members, students and members of the academic leadership (see appendix). Furthermore, the annual report of the University Grants Commission and the Proposed Higher Education Policy documents were analysed in order to provide the additional information with regard to academic freedom.

The interviewees pointed out some potential threats to academic freedom on the basis of their experiences and opinions. One of the members of the academic leadership expressed that:

There are various threats which directly and indirectly influence academic freedom such as politics and the government. The political situation of the country is the major threat that affects the rules and regulations of the university. For example, the political parties are directly involved in the selection and promotion of faculty

members as well as appointment of the VC, Rector and Registrar of the university.
(FL1/interview)

The interviewee described the political system as the major threat to academic freedom in Nepal. The political parties interfered in the formation of rules and regulations of the university. From the interviewee's view, it was also confirmed that the selection and promotion of faculty members and appointment of university's leadership were affected by the political parties. The annual report of the University Grants Commission (2010/2011) also indicated as political situation of the country was the major challenge to higher education particularly in developing autonomy of the university and individual. The annual report noted that:

Higher education institutions remained highly affected by difficult political circumstances in the country. Campuses faced more tough challenges almost in all reform undertaking, particularly in opting for autonomy....The problem of political circumstances affecting higher education institutions are deep rooted in the political milieu of the country. All the major political parties have their party organizations extended deep into the university and the campuses to the level of students unions, administrative staff unions and teacher unions. Consequently the political issues raised by the parties or inter-party issues often get into the development, management and operation of the institutions. (University Grants Commission, 2010/2011, pp. 42-43)

On the basis of the annual report, it was identified that Nepalese universities were affected by political situation of the country and the activities of political parties and various unions related to the major political parties created the problems in the management and operation of universities.

Students expressed similar views regarding threats to academic freedom and stressed that political interference was the serious challenge to exercise academic freedom. One of the interviewees asserted that *"politics is the most serious threat because it influences the education system. The political system is not good in our country so that political parties and their representative students' organization conduct different programmes and announce strikes which disturb our teaching and learning process"* (S3/interview). The interviewees underlined that in the last decade demonstrations and strikes had been widely used as general activities of political parties and the students' union. The teaching and learning processes

were highly affected by their activities. One of the interviewed students also supported the previous student's view and further explained that "*our exams are not conducted on time and the results are not published on time because of political activities in the university. To complete a Master degree program, we have to spend almost four years in our university*" (SI/interview). The interviewee referred to the condition of Tribhuvan University which academic calendar was highly affected by the political activities of various teachers' unions and students' unions. In order to support students' views regarding the political interference, the Proposed Higher Education Policy (2014) points out the impact of activities of different unions in academic matters. The document notes that:

Particularly, the activities of politically guided students unions, teachers unions and administrative staff unions affect academic environment that ultimately leads to the disruption of the academic calendar. Due to their activities, the admission of the students is without any plan in undesirable time. The academic year is delayed due to the postponement of exams and results schedules. (Proposed Higher Education Policy, 2014, p. 9)

This document clearly states the effect of politically guided unions in the academic environment. The document also points out that the exams are not conducted at a particular time and the results are not published according to the schedules provided by the university due to these interferences.

In addition to the political factor, there are some other potential and existing threats to academic freedom in Nepal. In this regard, one of the members of the academic leadership pointed out that:

The state could be the possible threat. The state provides the funds to the university so that the state puts some restrictions and imposes that the university should do this and that. I think the most influential factors are faculty members and students' understanding because they are the key persons who need academic freedom and exercise academic freedom. (FL2/interview)

On the basis of this interview, it was confirmed that the financial basis of the university might also pose a challenge to academic freedom of academics. The interviewee stressed that the state not only allocated the funds to the university but also interfered in the activities of the university. The interviewee also raised the issues that faculty members and students have to

be aware about their academic freedom to exercise their rights. On the other hand, one of the faculty members argued that “*the possible threats are faculty members, administrative responsiveness and students’ behaviour. They are involved in different political parties. They do politics in the university and their activities ultimately affect the whole programme of the university*” (FM2/interview). This point of view further raised the issues that faculty members and students were other sources of challenges to academic freedom. One of the faculty members expressed some challenges to academic freedom which are existing threats in Nepal. The interviewee expressed that:

There are several factors such as politics, donor agencies and the government. Politics is the main stream of a country and every system is guided by politics but our political system is not stable and co-operative to the university. The government interferes in the process of development of rules and regulations of the university. The most influential threat is donor agencies. The programmes and curricula are designed based on the interest of donor agencies which affect the development of higher education. (FM1/interview)

The interviewee indicated the political instability of the government in Nepal and its causes. The major threat to academic freedom in the view of interviewee was the role of donor agencies which interfered while designing academic programmes and curricula in the name of offering quality education.

On the basis of interviews as mentioned earlier, the interviewees expressed existing challenges to academic freedom in Nepal. They are the political system, the country’s government, donor agencies, administrative staff, faculty members and students. It was confirmed from the interviews with most faculty members, students and members of the academic leadership that political interferences were the major threats to academic freedom which directly affected to the operation of the university and the activities of academic communities. The annual report of the University Grants Commission and the Proposed Higher Education Policy further justify that political interferences are most serious threats to exercise academic freedom at Tribhuvan University. These documents indicate that the academic environment is highly affected due to the political activities. It was further noticed that the right of faculty members to get promotion based on their academic performance was restricted by political interference and design curricula based on the needs and interests of the learners was restricted by the activities of donor agencies. Furthermore, students expressed

similar views regarding threats to academic freedom. It was found that the right of students to study in a free environment and to complete certain degree programme within a specified time were restricted by the activities of politically guided unions of teachers, students and staff. On the other hand, it was also identified that faculty members' and students' understanding about academic freedom was one of the existing threats in Nepal. They had to understand their own rights in order to practise academic freedom.

6.5 Whose responsibility is it to safeguard academic freedom?

Some questions of the interview guide were used in order to understand the perceptions of interviewees regarding the mechanism to safeguard academic freedom (see appendix). They expressed a variety of ideas in relation to the mechanism to safeguard academic freedom. They were divided into three different groups on the basis of their views presented in the interviews.

Some interviewees expressed that the government was most responsible to safeguard academic freedom. They indicated that the role of the government was to develop terms and conditions to safeguard it. In this context, one of the faculty members expressed that:

As far as I am concerned, we do not have separate mechanism to safeguard academic freedom. I think the government must be responsible to safeguard academic freedom. It is desirable that the university is to be free to safeguard academic freedom. If the government provides the freedom to the university, then the university can give the freedom to faculty members and student. (FMI/interview)

The interviewee indicated that there was no separate mechanism to safeguard academic freedom at Tribhuvan University in Nepal. The interviewee also claimed that the autonomy of the university was required to safeguard academic freedom which was provided by the government to the university. This point of view was further supported by some students who involved in the interviews. One of the students added “*in my opinion, the willingness of the government is most responsible to safeguarded academic freedom. The government has to reduce the political pressure to the academic matters and develop certain criteria to exercise academic freedom*” (SI/interview). The willingness of the government in the view of interviewee was another option to reduce the political interference in academic matters. The

interviewee also indicated that the government was also responsible to create the environment to exercise academic freedom.

Some interviewees indicated that the system of university was most responsible to safeguard academic freedom. One of the interviewees mentioned that *“this is the function of the university as a whole to safeguard it in collaboration with the government, faculty members, students and administrators. The university system is responsible to manage academic activities and develop such rules as required for the university”* (FL1/interview). On the basis of interviewee’s view, it was the joint responsibility of the university in collaboration with other related parts of the university as well as the government. The interviewee indicated that the university had to develop such rules required to safeguard academic freedom. The idea was further supported by one of the students who involved in the interview and explained that *“I think that the governing body of the university is most responsible to safeguard academic freedom of its members. This body can develop such rules which are required to safeguard academic freedom and implement them in the university”* (S4/interview).

In addition to these views, some faculty members expressed different views regarding the responsibility to safeguard academic freedom. They informed that faculty members and students were responsible themselves to protect their rights. In this context, one of the faculty members pointed out that:

This is the responsibility of faculty members and students to safeguard their own rights. They must be responsible to perform their duties of teaching and learning. Furthermore, they have to co-operate each other and raise a voice in the case of violence of their rights. (FM3/Interview)

The interviewee emphasized the role of faculty members and students to perform their academic duties and they needed to co-operate each other to protect their rights. Another faculty member supported this view by saying that *“in fact, faculty members and students must be responsible to protect their own rights. They must be conscious about their rights to teach, to conduct research and to study within the framework of the university”* (FM2/interview). The interviewee suggested that the consciousness of faculty members and students was required to perform their academic duties within the certain framework of Tribhuvan University in Nepal.

The interviews with the first group of interviewees confirmed that the government was most responsible to safeguard academic freedom of faculty members and students. They claimed that the government had to provide the autonomy to the university which was required for the academic freedom. Similarly, it was also found that the willingness of the government was most important to create the environment to exercise academic freedom. On the other hand, it was identified that the system of the university as a whole was most responsible to safeguard academic freedom from the interviews with the second group of interviewees. They emphasized that the university could develop such rules which are essential to protect academic freedom and conduct academic activities in well environment. Furthermore, the interviews with the third group of interviewees confirmed that faculty members and students were most responsible to safeguard their rights. It was also found that they have to be conscious about their rights and co-operate each other to protect their right in the case of violation of their rights.

6.6 Policy to safeguard academic freedom

The members of the academic leadership were posed some questions regarding the general policies in order to safeguard academic freedom (see appendix). In response to the questions, one member of the academic leadership replied that *“we do not have specific policy to safeguard academic freedom of faculty members and students. This is the duty of the government to develop policies and procedures which safeguard academic freedom within the framework of the university” (FL3/interview)*. The interviewee stressed that there was a lack of policy to safeguard academic freedom of its members at the national level. Furthermore, the interviewee blamed the role of the government which did not initiate the process of policy formation regarding to safeguard academic freedom. Similarly, another member of the academic leadership further added that *“the university does not have clear policies how to safeguard academic freedom of the faculty members and students. It seems that the university cannot give high priority to safeguard academic freedom of its members” (FL1/interview)*. This point of view further justified that there was a lack of clear policies in order to safeguard academic freedom at Tribhuvan University. It was also identified that the negligence of the university was one of the problems to design such policies.

The interviews with the members of the academic leadership found that the policy to safeguard academic freedom has not developed yet at the national level and the university

level in Nepal. They claimed that it was the result of the lack of willingness of the government and Tribhuvan University in order to develop such policies to safeguard it.

On the other hand, the members of the academic leadership were asked the questions regarding the internal policy at the Faculty of Education to safeguard academic freedom (see appendix). They informed that there was also lack of internal policies in order to safeguard academic freedom at the Faculty of Education. In this context, one member of the academic leadership pointed out that:

I would say that we do not have particular internal policy regarding the rights of the faculty members and students. It does not mean that they do not have any rights to perform their academic duties. This is not only the problem of our faculty which is connected to the whole system of the university. (FL1/interview)

This point of view further raised the question of university system to protect academic freedom of its members. On the contrary, another member of the academic leadership expressed the possibility to develop the internal policies to safeguard academic freedom and stressed that:

The Faculty of Education can develop its internal policy temporarily in order to safeguard academic freedom of the faculty members and students but it is still not in the practice in our context. The Faculty of Education is to conduct its academic activities under the rules and regulations of the university. (FL2/interview)

The reason in the view of interviewee was the lack of practice to design separate internal policies at the Faculty of Education.

Regarding the interviews with the members of the academic leadership, it was confirmed that the Faculty of Education did not have separate internal policies to safeguard academic freedom. It was also clarified that the Faculty of Education runs its academic programmes under the framework of Tribhuvan University as a result it has not developed such internal policies yet.

6.7 Activities of the Faculty of Education to safeguard academic freedom

The members of the academic leadership were asked the question “What kinds of activities are organized by the Faculty of Education in order to defend faculty members and students’ academic rights?” In response to the question, one interviewee mentioned some activities that:

The Faculty of Education including other Faculties of Tribhuvan University Central Campus is going to introduce the semester system instead of annual system from the new academic session. We hope that this system creates more freedom for the faculty members and students. We also provide the responsibility to the faculty members to design the new course of study. (FL1/interview)

This point of view indicated that the semester system was one of the possible options to offer the freedom to faculty members and students. The interviewee asserted that faculty members and students might have more freedom to conduct academic activities. It was also found that the Faculty of Education made a plan in order to provide the freedom to faculty members to design the course of study. Similarly, another member of the academic leadership further explained other activities that *“our faculty encourages the faculty members to conduct research activities in order to link teaching and learning. We also conduct seminar and workshops for their professional development and provide the training to them” (FL3/interview).*

On the other hand, one of the members of the academic leadership expressed different view regarding activities of the Faculty of Education to protect academic rights. The interviewee claimed that *“when there is a threat, there comes to the question of safeguarding academic freedom. We do not have such serious threats in our faculty. People are conscious to safeguard it only because of feeling possible threats” (FL2/interview).* The interviewee indicated that it is still not required to take specific action to safeguard academic freedom of the faculty members and students in the case of the Faculty of Education.

The interviews with the members of the academic leadership confirmed that the academic leadership were not conscious enough to safeguard academic freedom of faculty members and students. It was also identified that the Faculty of Education has not developed a specific plan and designed activities to safeguard the rights of faculty members and students.

7 DISCUSSION OF THE FINDINGS

7.1 Attitude of participants on academic freedom

The meaning of academic freedom is perceived differently by different groups of people such as faculty members, students and members of the academic leadership in the context of Nepal. Academic freedom in the view of faculty member is the fundamental right of expression. This view of academic freedom is related to the idea as presented by Searle (1972) in the general theory of academic freedom described in the theoretical framework of this study. Similarly, the findings show that some faculty members perceive academic freedom in relation to teaching, learning and research. Academic freedom is the right of faculty members to teach, to carry out research, to participate in academic activities without any interference and the freedom of students to get knowledge or freedom in teaching- learning process. The definitions of academic freedom presented by them are similar to the idea of what other scholars such as De George (1997) and Berdahl (1990) presented as academic freedom.

Students' views on academic freedom are considered as more identical with some scholars such as Shils (1991) and De George (1997). The findings indicate that academic freedom is the freedom of students to learn and express their views regarding subject matter in the classroom without internal and external interference and the freedom of teachers to teach and to carry out research, and to control negative activities of students in the classroom.

The analysis of the view of the members of the academic leadership indicates that academic freedom is the freedom of faculty members to teach, select course content, carry out research and express views on debatable issues while the freedom of students is mainly linked to the freedom to learn. The meaning of academic freedom understood by the members of the academic leadership is regarded as similar to the ones presented by different scholars such as Berdahl (1990), Shils (1991) and De George (1997).

The interviewees agreed that academic freedom was the right of both faculty members and students to perform academic activities. The findings from the faculty members' views indicate that there are no major differences between academic freedom of faculty members and students. Similarly, students who were involved in this study mentioned that the difference between academic freedom of faculty members and students relied on their roles as

faculty members and students. The findings show that faculty members need the freedom in teaching and research but students require the freedom in learning. Furthermore, the members of the academic leadership asserted that they are two distinct groups of the university as a result the freedom what they exercise is different in terms of their academic roles and activities.

On the basis of the results of interviews, academic freedom has not been defined and guaranteed neither by the court nor the governing bodies of the university. It indicates that the concept of academic freedom is not highly developed in the context of Nepal and enjoyed by faculty members and students. It is considered that the lack of consciousness of the authorities on the issue of academic freedom is one of the major causes.

This study indicates that there is a contradiction in the view of the faculty members, students and the members of the academic leadership whether academic freedom is a legal right or a principle developed by the governing bodies of the university and thus more of an academic agreement. Some faculty members, students and members of the academic leadership pointed out that academic freedom is considered as a legal right of faculty members and students. The faculty members asserted that the constitution has to guarantee academic freedom in order to protect their individual freedom of teaching and research. Similarly, students claimed that the right of students is to get education so that they proposed the new constitution has to make the guarantee of academic freedom to students to learn in a free environment. Furthermore, the members of the academic leadership mentioned that it is required for every scholar as a result it has to be guaranteed by the law. Contrary, some faculty members, students and members of the academic leadership regarded academic freedom as a principle developed by the governing bodies of the university. The faculty members mentioned that academic freedom was linked to the autonomy of university as a result the university is to be conscious enough to provide academic freedom to its faculty members and students so that giving it more characteristics of an internal agreement than a fundamental right. The results also indicate from the view of students that academic freedom has to be guaranteed by the governing bodies of the university to the faculty members and students. Similarly, the members of the academic leadership asserted that the responsibility of the university was to protect the freedom of its members so that it has to be the principle developed by the governing bodies of the university.

The faculty members, students and the members of the academic leadership expressed similar views regarding the nature of academic freedom. The results confirm that academic freedom is not an absolute right; it has to be limited which is linked to the report of the World Bank (2000) as “academic freedom is not an absolute concept; it has limits and requires accountability. It recognizes the right of academics to define their own areas of inquiry and to pursue the truth as they see it” (p. 60). The results from the faculty members’ views indicate that academic freedom has to be limited to make them accountable towards the university and to protect the freedom of faculty members and students. Similarly, the results from students’ views show that it has to be limited to make the teaching learning process more effective by controlling undesirable activities of students as well as cultural and religious debate in the classroom which is only based on ethical consideration as mentioned by De George (1997) earlier in the theoretical framework of this study. Furthermore, the results from the members of the academic leadership confirm that it has to be limited to fulfil the mission of the university and the academic activities are primarily linked to the rules of the university. The results are similar to the concept of resource dependence theory in which the environment as a source of constrain; in most cases action is not possible without constraints (Pfeffer & Salancik, 1978). There are certain duties of faculty members and students as the members of the university as a result they are confined to perform their duties regarding the rules and standards of the university.

7.2 The freedom of faculty members

Academic freedom of faculty members insists that the teachers have the freedom to teach, conduct research, participate in associations, and participate in the governance of the university without interference which are derived from the special theory and the general theory of academic freedom (Searle, 1972). The analysis of the data shows that the faculty members are primarily involved in teaching activities because of the opportunities available at Tribhuvan University. It means that Tribhuvan University basically focuses on teaching and learning activities. The result confirms that the faculty members have the freedom of expression in the classroom based on the course of study but they cannot select the course content what they teach because of restricted form of curriculum. It shows that the right of faculty members to select the subject matters to teach according to the needs of the learners is restricted. As De George (1997) asserts that “a faculty member’s freedom may also be

legitimately restricted in the content of a course. Courses are usually described in a college or university catalogue” (p. 78). The freedom of faculty members to design the curriculum is restricted due to the nature of nationally designed curricula at Tribhuvan University. On the other hand, the results show that the faculty members are hardly involved in research activities due to the lack of research environment available in the university. The freedom of faculty members to carry out research is restricted due to the lack of financial support from the university. They do not have freedom to select their research areas due to the interference of the University Grants Commission, Research Division of the university and the donor agencies.

The results show that the faculty members have the complete freedom to form and join any associations whether they are professional or political associations. This right is derived from the general theory of academic freedom (Searle, 1972). The primary function of professional associations is to safeguard academic freedom of its members but the results indicate that the faculty members are not satisfied with the activities of professional associations because these associations are more interested in the political activities rather than protecting the rights of its members.

The right of faculty members is also able to participate in the governance of the university. As Rendel (1998) asserts that “academic freedom for the academics is generally assumed to include the right to participate in the government of the institution” (p. 75). The results indicate the variation in the view of faculty members regarding the freedom to participate in the governance of the university. Some faculty members expressed that they had the freedom to involve but other faculty members argued that they could not join because of interferences of political parties and the government of the country. Furthermore, the results confirm that the freedom of faculty members to participate in the governance of the university is somehow restricted due to the rules of university. The Tribhuvan University Act (1992) clearly states that to be a member of the University Assembly the faculty member must be engaged in the permanent service for at least fifteen years. This shows that the faculty members who join the university recently do not have the freedom to participate in its governance. It is the fact that the act of the university is not appropriate to the junior faculty members.

7.3 The freedom of students

Academic freedom of students is discussed on the basis of its basic elements such as freedom to learn, freedom to participate in associations and freedom to participate in the governance of the university. The results of the study show that students have the freedom of expression in the classroom on the basis of subject matter in line with what De George (1997) called the freedom to learn in class without fear of ridicule. There are some factors which affect classroom discussion such as the limited time of class and a large number of students in the classroom. Similarly, students are free to disagree with the teachers' views presented in the class which is regarded as subject specific in the case of the Faculty of Education at Tribhuvan University. This is also called the freedom to learn by De George (1997) which means that "students should without penalty be able to disagree with teacher's views or with materials or interpretation presented" (p. 70).

The results in the view of some students indicate that student have the freedom to complain against unfair academic evaluation. They expressed that the causes of unfair academic evaluation were negligence of the examiner and the examination board of the university. On the other hand, the results in the view of some students confirm that there is no system of complaining against unfair academic evaluation. In some cases, students are evaluated on the basis of their personal relationship with the faculty members particularly in practical exams, for example, in practice teaching that is one of the examples of violation of academic freedom in the Faculty of Education. In fact, "...freedom to learn means that students should be graded and academically evaluated on their academic performance, not on their extracurricular or private activities" (De George, 1997, p. 72). In this regard, the freedom of students to learn is restricted due to the unfair academic evaluation at the Faculty of Education.

Students have the freedom to participate in politically based unions or form their unions based on the discipline of the study. This is in line with Shils's (1991) idea of academic freedom of students to form associations in accordance with their intellectual, political, and convivial interests. This right is also derived from the general theory of academic freedom (Searle, 1972). Furthermore, the freedom of students to join in the students unions is guaranteed by the Tribhuvan University Organization and Educational Administration Regulations (1993). The results show that student unions are basically formed to protect students' rights but they

are also guided by political parties as a result they are interested to perform political agendas instead of protecting the rights of students.

It is considered to be a part of academic freedom of students to participate in the governance of the university. This right is derived from the general theory of academic freedom (Searle, 1972). The results indicate that students are not clear enough whether they can participate in the governance of the university or not in the context of Tribhuvan University. They argued that they were not free to participate in the governance because of the rules made by the university. The freedom of students to participate in the governance of the university is restricted by the Tribhuvan University Act (1992). This act points out that only the president of the University Free Students' Union is to be the member of the governing body of the university (Tribhuvan University Act, 1992). This act neglects the right of other students who are studying in the university to be a member of its governance.

7.4 Factors affecting academic freedom

There are several factors which are affecting academic freedom in the context of Tribhuvan University. The analysis of the data identifies some potential factors which affect the freedom of faculty members and students. These factors can be categorized either external factors as they come from outside of the university including the political system, the government and the donor agencies or internal factors that come from within the university including faculty members, students and the administration as mentioned earlier in this study. The findings indicate that the external factors are more serious challenges than the internal factors in order to exercise academic freedom of faculty members and students in the context of the Faculty of Education at Tribhuvan University. The reason behind it is that the external factors directly interfere to the operation and management of the university as a result the university has to face the challenges to offer academic freedom to its members.

The analysis of the findings shows that the political system of the country is the most serious threat to academic freedom in Nepal. The report of UNESCO (2011) indicated that “the overall situation in Nepal was characterized by on-going political instability and by the fragility of Nepal’s peace process” (p. 10). This means that academic freedom is threatened due to the consequence of political instability. It is not only the condition of Tribhuvan

University but also the condition of other countries' universities in the view of Altbach (2001) where the political system is not stable.

Nepalese higher education suffers from political interest of the leader due to the political potential of it. Tuladhar (2011), the former Minister for Education, states that there is over politicization and a management crisis in Nepalese higher education. The findings of the documents also show similar results highlighting that political parties directly interfere in the management, development and operation of the university in Nepal. In this situation, it is the serious challenging factor to the university to safeguard the freedom of faculty members and students to conduct academic activities.

The government is another factor which affects the freedom of faculty members and students. The findings indicate that the government of the country poses some restrictions to conduct academic activities. The government interferes to develop the rules and regulations of the university and declines to guarantee the freedom to faculty members and students in teaching, learning and research.

In addition to these factors, the donor agencies are also threats to academic freedom in the context of Tribhuvan University. De George (1997) states that "donors frequently attach conditions to their grants and give money for specific purposes" (p. 65). This point of view is exactly applied in the context of Tribhuvan University. They highly interfere in the development of curricula in the name of providing quality of education. The academic programmes and curricula are designed according to the interest of the donors as a result the freedom of faculty members to design curriculum and the freedom of students to learn course contents according to their needs are restricted due to their activities. Furthermore, the donors tend to provide funding for research activities basically in line with their own performances due to the limited amount of generally available research funding in Nepal. It also has a negative effect on academic freedom of researchers.

The faculty members are the source of potential threat to academic freedom. The analysis shows that they involve in different political parties and do the politics within the university. They are more interested in political activities than academic activities. This is considered as the case of violation of academic freedom in the view of Shils (1994). He noted that:

Academic freedom is not a universal or human right, enjoyed in consequence of being a member of the human race. It is not entirely a civil right of participation in the political activities of a liberal democratic society. It is not identical with the freedom of the citizen to act in the political sphere. (Shils, 1994, p. 80)

This point of view clearly asserts that the faculty members are not completely free to conduct political activities within the university as an ordinary citizen. Shils (1994) further pointed out that “the civil freedom of academics does not extend to the conduct of political propaganda in teaching” (p. 83). On the other hand, the findings show that the senior faculty members are themselves the source of threat to academic freedom. They impose their views on junior faculty members and restrict their freedom of teaching and research rather than respecting and protecting their freedom.

The other source of internal threat of academic freedom is students themselves. The analysis identifies that the politically guided students and students’ unions violate the rules and regulations of the university. The academic environment of Tribhuvan University is highly affected due to the interference of these students and students’ unions. Khaniya (2007) points out the condition of Tribhuvan University as follows:

...one of the main reasons for why TU has not been able to perform as expected so far is because of the politics that the students bring in the university with them. The power of the instructions they receive from their political sources looks more effective than the power of the instructions the professors offer. (p. 159)

The finding also points out that the lack of awareness of students towards academic freedom is another threat to the freedom of students. They are not sensitive enough to safeguard their own freedom and to respect other students’ freedom to learn.

In addition to these threats, another source of challenge to academic freedom is the administrative staff and their union’s role and responsibility. The findings show that the administrative officers are guided by political parties and their activities are more inclined to the political parties than the university. This in turn leads to a situation where the management and the operation of the university are affected due to their activities.

7.5 Mechanism to safeguard academic freedom

The major issue addressed in this section is which mechanism serves the purpose to safeguard academic freedom. The findings of this study indicate that there is no separate mechanism to safeguard academic freedom in the context of Tribhuvan University; neither the government nor the governing bodies of the university or any other mechanisms are responsible enough to protect the freedom of faculty members and students. The international experience shows that there are different mechanisms to safeguard academic in the case of violation of it that is linked to the idea of Tight (1998). He suggest that “the maintenance of academic freedom requires that mechanisms exist for the resolution of cases where academic freedom has been threatened, or where this is claimed to have happened” (Tight, 1998, p. 129). This point of view is neglected in the case of Tribhuvan University in Nepal.

The results suggest that the government needs to be responsible to safeguard academic freedom. Firstly, the desire of the government is essential in order to protect academic freedom. Secondly, the government has to develop the rules and regulations regarding academic matters and provide the freedom to the university as well as faculty members and students. As Akker (2006) suggests “for academic freedom to be protected, universities must have considerable powers of academic and administrative self-government. This goes to every aspect of a modern university, although it is accepted that not all universities carry out research” (p. 103). Similarly, the findings indicate that the university system is another sector to safeguard academic freedom. According to Pincoffs (1975), “academic freedom is a practice within an institution, the institution of the university” (p. xiii). The governing body of the university has to take the responsibility to develop essential terms and conditions to protect academic freedom and apply them in the university.

In addition to these mechanisms, the analysis indicates that faculty members and students themselves are conscious about their duty and responsibility to perform their academic activities in the case of Tribhuvan University. They are themselves responsible to safeguard their rights in case of the violation of academic freedom. De George (1997) points out that:

The responsibility of students is to attempt to learn, to respect the rights of other students to learn, and to retain their individual common sense in evaluating what they are told or taught. The responsibility of the faculty is to help students learn, to respect

their attempts to do so through questioning and challenging a teacher for explanations or more defence of a position, and to foster their creativity. (p. 71)

It shows the responsibility of both faculty members and students regarding their rights. This means that they have to know the limit of academic freedom to enjoy their own freedom of academic activities and respect each other rights in order to exercise academic freedom.

7.6 Role of the Faculty of Education to safeguard academic freedom

Academic freedom is considered desirable but the problem is how to safeguard it. The findings point out that there is no general policy related to academic freedom at the national level in the context of Nepal. It shows that the government has not developed yet any policy framework in order to safeguard academic freedom. This point clarifies that the government is not serious enough in protecting academic freedom. On the other hand, the results indicate that Tribhuvan University has not designed a regulatory framework in order to safeguard academic freedom for its members. The results also present that as an autonomous university, it can develop certain framework for protecting academic freedom but the governing body of the university is not interested enough to develop it.

In addition to these problems, the results confirm that the Faculty of Education does not have a separate internal policy to safeguard academic freedom. The reason is a lack of practice to form the internal policy in order to safeguard academic freedom. The Faculty of Education conducts its academic activities based on the rules and regulations of Tribhuvan University. The results confirm that the Faculty of Education is not clear enough whether it is necessary to safeguard academic freedom or not by realising the current threats posed to academic freedom. However, it has initiated some activities to allocate the freedom for faculty members and students. It has made a plan to give the chance to the faculty members to design the courses of study and implement them for upcoming semester system. Similarly, the Faculty of Education has started to encourage the faculty members to carry out research activities. These activities are not sufficient enough to provide the freedom to faculty members as supposed by the special theory of academic freedom (Searle, 1972). It is also the fact that the Faculty of Education has not made particular plan and played significant role to protect the rights of students.

8 CONCLUSION

8.1 Conclusion of the study

The study was set out to understand the perceptions of faculty members, students and members of the academic leadership on academic freedom. Furthermore, this study was also aimed to find out how the Faculty of Education safeguarded academic freedom for its faculty members and students. On the basis of the research objectives, the following research questions were primarily used for the current study:

1. How do faculty members, students and faculty's leadership of the Faculty of Education at Tribhuvan University perceive the idea of academic freedom?
2. What are the conditions that are affecting academic freedom of the Faculty of Education at Tribhuvan University?
3. How does the Faculty of Education at Tribhuvan University safeguard academic freedom for its faculty members and students?

The interviewees provided detailed views of their perceptions in relation to academic freedom. The definition of academic freedom is not a simple task. They defined academic freedom in line with the concept elaborated by different scholars. The notion of academic freedom which is linked to the individual is considered as the right and obligation of faculty members and students. The results indicate that academic freedom is essential for both faculty members and students to conduct academic activities. It is a professionally derived concept which suggests that the freedoms depend on fulfilling certain responsibilities. The study also suggests that the guarantee of academic freedom offers the positive motivation to faculty members and students to accomplish the mission of the university.

The study shows a diversity of views regarding the nature of academic freedom whether it is considered as a legal right or a principle developed by the governing bodies of the university. The discussion pointed out that the concept of academic freedom is neglected in the present constitution of the country. It is still not established as a part of legal system and the rules and regulations with regard to academic freedom are not developed by the governing bodies of the university. It is suggested that the constitution has to grant the freedom to faculty members and students in teaching, learning and research. Furthermore, the responsibility of the

university is to offer the freedom for its members so that the governing bodies of the university should be responsible to develop certain framework to safeguard it within the standards of the university.

The results assert that academic freedom is not regarded as an absolute right which is linked to the system of university in order to make faculty members and students accountable to achieve their academic obligations. The certain constraint of academic freedom to faculty members and students maintains to some extent in order to accomplish the mission of the university. The discussion also indicated that they should respect their obligations and not simply claim their rights. They should have sufficient knowledge regarding their roles and responsibilities.

Academic freedom of faculty members is generally considered as the freedom to teach and conduct research without interference. Though the faculty members are primarily involved in teaching activities at the Faculty of Education, they are restricted to exercise their rights in relation to teaching. However, they have the freedom to express their views in the classroom regarding the course of teaching. On the other hand, it indicates the right to establish the curricula according to the needs and interests of the learners. The freedoms of faculty members to select the course content and to design the curricula are restricted due to the system of the university. Furthermore, the discussion pointed out that research is required for the advancement of knowledge and the quality of the advancement of knowledge is interdependent with the degree of academic freedom. However, the freedom of faculty members to conduct research is extremely limited due to the lack of financial resources and the freedom to choose the research topic is also confined by the research authorities and the donor agencies.

In addition to these freedoms, academic freedom of faculty members also means the freedom to form and join in professional or political associations. They have full freedom to form and join any associations according to their interests at Tribhuvan University. The rules made by the university are also significant to offer the right to form and join in association to faculty members. Furthermore, the current study points out that the freedom of faculty members to participate in the governance of the university is restricted due to the political interference. The rules and regulations of the university are also not favourable in order to protect the right of faculty members to participate in the governance of the university.

Academic freedom of students is regarded as the freedom to learn without interference. Though students have the freedom to express their views in the classroom on the basis of subject matter, the freedom to learn is restricted due to the classroom environment particularly too many students in the classroom and the lack of teachers' assistance. However, they are able to disagree with faculty members' views or interpretation presented in the classroom which is also considered as the right of students. On the other hand, the freedom of students to learn is confined because of unfair academic evaluation and the lack of the system of complaining against it.

In addition to these freedoms, academic freedom of students means the freedom to form and join in associations according to their interests. This study points out that they are completely free to involve in students' union or to form their own associations related to the discipline of the study and the political based. This freedom is also offered by the rules and regulations of the university. Furthermore, students are not conscious enough regarding their rights to involve in the governance of the university. The freedom of students to participate in the governance of the university is restricted at Tribhuvan University. The rules made by the university are limited to offer the freedom to students concerning to involve in the governance of the university.

Academic freedom is under threat because of the political instability, government interference and allocation of research funding as well as some other internal factors. The most influential factor in order to exercise academic freedom is the political system of the country. The university has faced serious challenges in order to safeguard academic freedom of faculty members and students due to the political instability in the country over the decade. The interferences of political parties in the management and the operation of the university are combined with greater pressures to teach and conduct research as a result there are problems to safeguard academic freedom.

The study identifies that there is no separate mechanism to safeguard academic freedom in the context of Tribhuvan University. The current study reveals the fact either the government or the university system has to take the responsibility in order to safeguard academic freedom. It is also suggested that it might be the joint effort of the government and the university system including the governing bodies of the university, faculty members, students, administrators and other related stakeholder to the higher education sector.

The consequence of the lack of policy documents related to academic freedom signifies that it is difficult to agree on what needs to be safeguarded. There is no separate general policy in order to safeguard academic freedom at the national level and internal policy at the university level. The negligence of the government and the governing bodies of the university are the barriers to develop such policy documents to safeguard academic freedom. Furthermore, this study also indicates that the Faculty of Education does not have internal policy documents to safeguard academic freedom as a result it is hard to make the decision to what extent it needs to offer the freedom to its members. Though the Faculty of Education tries to offer the freedom to its members in teaching, learning and research in the recent years, these activities are not sufficient enough to safeguard academic freedom of faculty members and students. It is suggested that the Faculty of Education needs to be conscious enough of both the rights and the responsibilities in order to safeguard academic freedom.

8.2 Limitations of the study

The study has offered a diversity of views on academic freedom which is regarded as an important issue in the field of higher education. The current study was only based on individual academic freedom which is considered as the freedom of faculty members and students. Another aspect of academic freedom that is institutional academic freedom or institutional autonomy was not dealt which is one of the limitations of this study.

The current study was based on small numbers of interviewees due to the limit of time to the fieldwork and they were selected by using purposive sampling which was convenient for the researcher. Due to the availability of students during the fieldwork only master degree students were involved in this study which is considered as further limitation of the study. Furthermore, another limitation of the study is related to the collection of data which were collected by using interviews and document analysis. It would be better if other methods of data collection were also applied in order to understand the perceptions of diverse groups of people.

The current study was a qualitative case study research which was related to the Faculty of Education at Tribhuvan University in Nepal. The findings of the study were completely based on the data collected through semi-structured interviews and official documents of the university, the University Grants Commission and the Research Centre at Tribhuvan

University as a result it might be difficult to generalize the findings of the study in other situation. The study encountered a numbers of limitations which need to be considered in order to offer more comprehensive and detailed views on academic freedom.

8.3 Recommendation for further research

The concept of academic freedom is itself new and challenging in the context of Nepalese higher education. The study carried out in such a topic that was not previously conducted in the field of higher education. In order to develop the knowledge on this topic, it is essential to carry out other studies in depth in the different aspects of academic freedom including individual academic freedom and institutional academic freedom.

The current study focused on the Faculty of Education at Tribhuvan University so that it is suggested to carry out similar kind of study at the university level in order to investigate the perceptions of academic community and find out the possible challenges to safeguards academic freedom in detail. The further study might also include the freedom of faculty members regarding the freedom of publication and the freedom of access to higher education in the case of students.

It would also be interesting to conduct a comparative study between public and private universities in order to find out similarities and differences of mechanisms to safeguard academic freedom and investigate how they offer academic freedom to their members. Similarly, it might be possible to find the degree of academic freedom to male faculty members and female faculty members. It is also suggested to carry out the comparative research regarding academic freedom to senior faculty members and junior faculty members.

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Appendix - Interview guide

Interview guide for faculty members of the Faculty of Education

1. What is your understanding of academic freedom?
2. Do you think that academic freedom is a right of faculty members or both faculty members and students? If it is the rights for both do you see any differences in the academic freedom of faculty members and students?
3. Do you think that academic freedom is a legal right of every scholar or a principle developed by the governing bodies of the university and why do you see it that way?
4. Do you think academic freedom is always an absolute right or is it also possible to limit it and if so in what situations would you say it is possible to limit and why should do it?
5. Concerning your own situation as a faculty member, is academic freedom applicable to teaching or both teaching and research? Does it differ in both areas?
6. In your view, what are the possible threats to academic freedom in Nepal and which threat would you see the most serious?
7. What is your role as a faculty member in designing the course of study that you teach?
8. Do you have the freedom to select the courses of teaching and their contents? If yes provide the examples.
9. How often are you involved in carrying out research? What are the criteria by which you select your research area and can you decide freely what you want to do your research on?
10. Are there any mechanisms in place in your faculty that safeguard your academic freedom and who is responsible to safeguard your academic freedom in your view?
11. Do faculty members have the freedom to organize and join associations? If yes do these associations have a role in protecting academic freedom?
12. Can you participate in the governance of your higher education institution? If yes do you feel that this could be a place where you could discuss issues related to academic freedom?

Interview guide for students of the Faculty of Education

1. What is your understanding of academic freedom?
2. Do you think that academic freedom is a right of faculty members or both faculty members and students? If it is the rights for both do you see any differences in the academic freedom of faculty members and students?
3. Do you think that academic freedom is a legal right of every scholar or a principle developed by the governing bodies of the university and why do you see it that way?
4. Do you think academic freedom is always an absolute right or is it also possible to limit it and if so in what situations would you say it is possible to limit and why should do it?
5. In your view, what are the possible threats to academic freedom in Nepal and which threat would you see the most serious?
6. Who is in your opinion in general responsible to safeguard academic freedom and why?
7. Would you say you are free to express your opinion in the classroom or were there situations where you felt you couldn't speak freely? If so in what situation?
8. Do you have the freedom to disagree with teachers' view or interpretation presented in the classroom? If yes please give the examples.
9. Do you have the possibility to complain in case if you feel that an academic evaluation has been unfair or prejudicial? Have there been cases? If so where have you done?
10. Do students have the freedom to organize and join associations? If yes do these associations have a role in protecting academic freedom?
11. Can you participate in the governance of your higher education institution? If yes do you feel that this could be a place where you could discuss issues related to academic freedom?

Interview guide for academic leadership of the Faculty of Education

1. What is your understanding of academic freedom?
2. Do you think that academic freedom is a right of faculty members or both faculty members and students? If it is the rights for both do you see any differences in the academic freedom of faculty members and students?
3. Do you think that academic freedom is a legal right of every scholar or a principle developed by the governing bodies of the university and why do you see it that way?

4. Do you think academic freedom is always an absolute right or is it also possible to limit it and if so in what situations would you say it is possible to limit and why should do it?
5. In your view as a part of the leadership of the Faculty/Department, is academic freedom applicable to teaching or both teaching and research? Does it differ in both areas?
6. What are the possible threats to academic freedom in Nepal and which threat would you see the most serious?
7. Who is in general responsible to safeguard academic freedom of faculty members and students and why?
8. Are there any general policies to safeguard academic freedom of faculty members and students? If yes how applicable are they? If not why?
9. Does the Faculty of Education have any internal policy to safeguard academic freedom of faculty members and students? If yes what are they and how effective are they? If not why?
10. What kinds of activities are organized by the Faculty of Education in order to defend faculty members and students' rights?