ACADEMIC FREEDOM
AND THE UNIVERSITY OF THE PHILIPPINES
Perspectives from Select Former Student Regents

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FOR THE TRUE ACADEMIC FREEDOM IN THE UNIVERSITY OF THE PHILIPPINES
INTRODUCTION

The concept of academic freedom is generally associated with three ideas: the freedom to determine who should teach, who will be taught and what will be taught. These three key ideas deal with the University’s freedom on matters of recruitment, admission, and curriculum. Academic freedom inhibits the academic institution from any form of intervention or imposition from the forces outside the university.

The University of the Philippines, the country’s national university, is known to be the leading undergraduate and graduate university in the country housing most of the country’s centers for excellence and development in higher education. This value of academic excellence of the students, faculty and the institution as a whole is coupled with what the University proudly promotes: academic freedom.

In fact, in its new charter, the University is given the right and responsibility to enjoy academic freedom. This provision of the charter strengthens the constitutionally granted freedom of higher education institutions on academic freedom. The University Code likewise provides for academic freedom and even defines the concept. However, such definition has been leaning on the side of the faculty.

It is therefore curious to find out how our student leaders, particularly the Student Regents of the University, view academic freedom. What do they think are the measurements of academic freedom? How is the university performing...
its roles the preservation of academic freedom? How is academic freedom different from the students’ rights? How limited is academic freedom?

This paper aims to assess how the University of the Philippines implements academic freedom from the perspective of former Student Regents of the University.
STATEMENT OF THE PROBLEM

The researcher shall answer the following questions:

The General Question:
How does University of the Philippines implement academic freedom from the viewpoint of student regents?

The Specific Questions:
1. How can academic freedom be measured from the viewpoint of former student regents?
2. How is the University performing its roles in preserving academic freedom?
3. How can the University meet the prescribed measurements of academic freedom as provided by the former student regents?
4. How limited is academic freedom?
5. How different is academic freedom from students’ rights?
METHODOLOGY

The primary data for this research shall be sourced via key informant interviews. The researcher will interview former Student Regents, selected according to their presumed political configuration, e.g. liberal, conservative, radical, moderate, and centrist.

The researcher opted to interview the Student Regents because of two basic assumptions: first, the Student Regents, in one way or another, had direct or indirect knowledge of academic freedom as a concept, in general, and in the University, in particular, through their course of work in the Board of Regents. Second, there is an assumption that as representatives of the Students in the highest governing and decision making body of the University, they are well aware of the freedoms and the rights of the Students.

The following questions will be asked to the former Student Regents:

1. What are the measurements of academic freedom? Give at least five (5) measurements.

2. What are the University’s roles in the operation of the measurements of academic freedom that were identified?

3. How different is academic freedom from students’ rights?

For the secondary data, this study will make use of archival research from the books and journal articles. Data gathered from these references shall be used to provide a background study on the history and definition of academic freedom that would help the researcher to analyze the data gathered from the interviews.
REVIEW OF RELATED LITERATURE

Definition of Academic Freedom

Professor Journet Kahn in Cogley (1962) defined academic freedom as:

The right to teach and learn in an institution dedicated to the discovery and dissemination of truth regardless of its acceptability to special interests.
(Cogley, 1962. Emphasis supplied)

Kahn illustrates that “if a sincere believer in democracy and capitalism on the board of trustees cannot conscionably agree to employment by the university of a professionally competent socialist, then the trustee has no choice but to hand in his resignation. He is no longer concerned with university education.” This statement is premised on his definition above. He expressly noted that “regardless of its acceptability to special interests,” in this case the interest of the trustee, the professor may continue to serve as member of the faculty. It is the right of the professor “to teach in an institution dedicated to the discovery and dissemination of truth.”

The above illustration of Kahn is related to the issues during the 1960’s regarding professors of Universities joining communist groups.

Another author, Harold Taylor (1962), had a similar view of academic freedom. Simply, it is “the right of the scholar to pursue his own learning.” But he argues that academic freedom is only a part of a larger freedom.
Sidney Hook, in Gideonse (1962), provided a similar but specific definition of academic freedom. According to Hook, academic freedom is

A specific kind of freedom. It is the freedom of professionally qualified persons to inquire, discover, publish and teach truth as they see it in the field of their competence, without any control or authority except the control or authority of the rational methods by which truth is established. (Gideonse, 1962. Emphasis supplied)

Compared to the definition provided by Kahn, Hook seemed to concentrate more on the freedom of inquiry, discovery, publication and teaching of the professors. Hook qualified his definition by adding the phrase “without any control or authority.” This refers to the possible intervention or censorship by the University administration or the government. Hook further qualified his definition by the inclusion of the clause “except the control or authority of the rational methods by which truth is established.” Hook recognized that there will still be control towards the pursuit of truth, but named this control as the rational methods. He is referring to the academic controls such as scientific method (Gideonse, 1962).

Russell Kirk, on the other hand, is explicit that academic freedom is “the principle designed to protect the teacher from hazards that tend to prevent him from meeting his obligations in the pursuit of truth.” (Gideonse, 1962) Kirk introduced the concept of obligations in the pursuit of truth. He named these obligations as

Adhere[nce] to the Truth, according to the light that is given to the teacher; a promise to conserve wisdom of our ancestors and to extend the empire of knowledge as best a teacher can; a promise to guide and awaken the student, but not to indoctrinate; a promise to abide by the principles of social order, as expressed in the country’s constitution; and a promise always to put freedom of
the mind above material advantage and the passions of the hour. (Gideonse, 1962. Emphasis supplied)

The definition of Kirk maybe so explicit about the teachers but his identified obligations were so expanded that it included the students. The pursuit of truth included the “promise to guide and awaken the student[s].” The students shall also be enlightened with the truth but with caution: they should not be indoctrinated (Gideonse, 1962).

In the Philippines, Alejandro Roces, former Secretary of Education, in his speech in 1962, defined academic freedom as the “freedom to pursue knowledge and to search for truth; and it primarily belongs to universities.” His definition was a conjunction of the definitions of our foreign scholars. Note that Roces (1962) mentioned that academic freedom “primarily” belongs to universities. Roces did not expound on this claim, but he supported this by saying that “academic freedom is the very life of a university; without it a university is not a university.”

Roces offered another definition of academic freedom in the same speech. He said that

Academic freedom is freedom from restraint in the search for knowledge. It is the right of free inquiry and it is for the professors and students alike for… students are not treated as infants but as partners in the search for truth. (Roces, 1962. Emphasis supplied)

It is noteworthy to point the special role of students in Roces’s definition. He considered students as partners for the search of truth. Foreign authors made academic freedom exclusively, if not limited, to the professors.
Academic freedom serves a “dual purpose” according to Former UP President Vicente Sinco (1964). The first purpose, he said, was the “protection of the right of the scholar to teach or to investigate the problems of his discipline or science,” and “to express his conclusions without interference from bureaucratic, political, or ecclesiastical authority.” These he classified as individual right of the scholar.

Sinco, however, emphasized that “academic freedom is [also] an institutional right.” More than the individual rights of the scholars, it is the University to which the right belongs. This is the second purpose. Therefore, academic freedom is both an individual and institutional right (Sinco, 1964; Ocampo, 1964; Majul, 1964).

Citing the decision of the United States Supreme Court in the case of Sweezy v. State of New Hampshire, Sinco (1964) enumerated “four essential freedoms” in relation to academic freedom. These freedoms are

1. The freedom to determine “who may teach,” which means the right of the University to prescribe the qualifications of faculty member and select them at its discretion;
2. The freedom to determine “what may be taught,” which means the right to decide what subjects should be taught or to fix the curriculum;
3. The freedom to determine “how it shall be taught,” which means the right to adopt methods, procedures, and practices of teaching;
4. The freedom to determine “who may be admitted to study,” meaning what conditions a person should have to be taken in as a student. (Sinco, 1964. Italics supplied.)

In the “Preliminary Notes on Academic Freedom,” Associate Justice Enrique N. Fernando (1977) quoted a certain MacIver definition of academic
freedom. The definition states that “[academic freedom] is the freedom of the scholar within the institution devoted to scholarship, the ‘academy’... a right claimed by the accredited educator, as teacher and as investigator, to interpret his findings and to communicate his conclusions without being subjected to any interference, molestation, or penalization because these conclusions are unacceptable to some constituted authority within or beyond the institution.

MacIver in Fernando (1977) expressly stated that the “core of academic freedom” is the student’s freedom “within his field of study.” This claim is reinforced by Luis Beltran’s “Academic Freedom: Definition through Practice” (1977) where he highlighted that the rights of students are under the blanket of academic freedom.

More recently, Professor Randolf David (2008), in a lecture entitled “Modernity and UP: The First 100 Years,” defined academic freedom as “the spirit of the university as the freedom of inquiry to be enjoyed by students and faculty.” It is the right of the university to “determine for itself, solely on academic grounds, who may teach, what may be taught, how shall it be taught, and who may be admitted to study.” As a sociologist, David views academic freedom as “assertion of autonomy within the society, rather than against it.”

Origins of Academic Freedom

Academic freedom can be traced from the German concept of Lernfreiheit and Lehrfreiheit (Tyler and Cheney, 1938; Bernas, 2003). According to Bernas (2003), Lernfreiheit refers to the “freedom of students... to roam from place to place, sampling academic wares... to determine the choice and sequence of
courses, responsible to no one for irregular attendance, and exempted from all
tests save the final examinations.” On the other hand, Lehrfrieheit refers to the
freedom of the professors, Bernas (2003) termed it as educators, “to do
independent research, report his findings to his students, and even attempt to
win adherents to his theories.”

Bernas (2003) explained that the concept of die academische Freiheit was
created to make a distinction or separation of the academic community from the
general community. As a consequence, academic freedom became an exclusive
freedom enjoyed only within the walls of the university. Professor Friedrich
Paulsen of the University of Berlin stated that the rationale behind this special
recognition among universities in Germany is that “the academic teachers and
his hearers [cannot be] prescribed and proscribed [with their] thoughts.”

In the early times in the United States, “the Universit[ies were] more
concerned with resisting dictation to the institution as a whole.” But a slight
difference can be noticed by the late eighteenth and early nineteenth century
when “emphasis on the right of the individual scholar to follow truth in his
field” as his study may result into was considerably increasing (Tyler and
Cheney, 1938).

Bernas (2003) noted that the German conception of academic freedom was
not fully subscribed in America. Rather, the concept was modified according to
the intricacies of the American society. Neutrality was the dominating idea
among the members of the academe; professors were not able to speculate and
take sides (Bernas, 2003). Tyler and Cheney stated that the general view was that
the “chief function of the college or university was to perpetuate existing
knowledge, not to discern new” (Tyler and Cheney, 1938; Creighton, 1913). American universities saw it functional to limit to this extent the professors on the way they will inquire on their fields. This is most evident with the influence of religion over education. Science was believed to be a subordinate position to that of the classics (Tyler and Cheney, 1938).

Contrary to this, when Thomas Jefferson established the University of Virginia in 1819, he proclaimed that “Ye shall know the Truth, and the Truth shall make you free.” Jefferson stated further that the university is founded on the “illimitable freedom of the human mind.” Thus, the university enjoyed academic freedom which was at the time was strictly viewed as the freedom to search for truth (Tyler and Cheney, 1938).

Academic Freedom in the Legal Perspective

In the United States Constitution, no provision on academic freedom or anything directly related to it was mentioned. Instead, the right to academic freedom can only be inferred from the First Amendment of their Constitution, which states that:

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances. (Emphasis supplied)

The above quoted provision of the Constitution is a general provision on freedom of speech engulfing what is considered a specific or distinct freedom,
the academic freedom. The freedom of the scholars, particularly the professors, in a university to speak their opinion forms part of the freedom of speech.

Distinctly, the Constitution of the Republic of the Philippines included a provision on academic freedom making it a constitutionally mandated right of the higher institutions of learning. Section 5(2) of Article XIV on Education, Science and Technology, Arts, Culture, and Sports, states that “[a]cademic freedom shall be enjoyed in all institutions of higher learning.”

Bernas (2003) pointed that it was not only in the present constitution that a provision on academic freedom existed. Similar provision in the 1935 and 1973 Constitutions also existed. In the 1935 Constitution, however, the right to academic freedom was limited to the “universities established by the State.” This limitation was expanded in both in the 1973 and 1987 Constitutions when it included all institutions of higher learning.

During the 1972 Constitutional Convention in expanding the coverage of academic freedom as stipulated in the 1935 Constitution, Delegate Vicente Sinco proposed this phraseology

All institutions of higher learning duly accredited as universities, government or private, shall be entitled to the right of institutional academic freedom and administrative autonomy; and such right shall include the right to select their administrators, faculty members and students, to prescribe their course of study, to adopt plans of administration, study, and research, and to determine their educational policies. (Bernas, 2003)

It is worth noting that the above mentioned proposed phraseology of Sinco was elaborate enough to explain the exact freedoms under the blanket of academic
freedom. However, this proposed provision was modified by the Committee on Education of the 1972 Convention as presented by Delegate Felicano Jover Ledesma which reads as follows

Duly accredited universities and other institutions of higher learning shall be entitled to institutional autonomy, which shall include the right to select their administrators, faculty members, and students, to prescribe their course of study; to adopt plans of administration, study, and research, and to determine their educational policies. The faculty members and scholars of the institutions of higher learning shall enjoy academic freedom. (Bernas, 2003)

In this proposed provision, a distinction between institutional autonomy and academic freedom was made. The provision defined institutional autonomy to include “the right to select their administrators, faculty members, and students, to prescribe their course of study; to adopt plans of administration, study, and research, and to determine their educational policies” which formerly were attributed to academic freedom. There was no explicit definition of academic freedom to be enjoyed by faculty members and scholars, however.

From such lengthy provision, the final provision approved was “All institutions of higher learning shall enjoy academic freedom.” The non-inclusion of an explicit provision on academic freedom for the faculty, according to Bernas (2003), “could mean that the individual professor must anchor his academic freedom on the general guarantee of freedom in the Bill of Rights.”

Bernas (2003) believed that the 1973 Constitution provision on academic freedom (1) created a “mantel of protection to private institutions” by its inclusion in the coverage of academic freedom, (2) assured the right to academic freedom of educational institutions as protection of these institution against the
possible intervention of the state, and (3) formed a distinction between academic freedom and the political freedom of expression.

In 2004 in a memorandum for the Board of Regents, UP President Francisco Nemenzo gave his interpretation of the provision of the 1987 Constitution on academic freedom. He “stand[s] by the expansive language of the 1987 Constitution when it says, ‘academic freedom shall be enjoyed in all institutions of higher learning.’” He argued that there was “a deliberate change from the wording of the 1973 Constitution that said, academic freedom shall be enjoyed by all institutions of higher learning.” He argued further that such changes in the provision included not only institutional freedom but also the freedom of the faculty members.

The Supreme Court of the Philippines produced several jurisprudences dealing with academic freedom. These cases offered different, but related, conceptions on academic freedom. In the case NLRC et al. v. Salgarino (GR No 164376, July 31, 2006), on the rights of faculty, the Court said that

> academic freedom of faculty members refer to the freedom of teachers from control of thought or utterance of his academic research, findings or conclusions, and has nothing to do with the discretion of teachers to pass or fail any or all her students according to his discretion.

Though academic freedom gives the university or institution the right to determine who shall teach in their university or institution, the Court ruled in CSC v. Sojor (GR No 168766, May 22, 2008) that

> the guaranteed academic freedom does not give an institution the unbridled authority to perform acts without any statutory basis. For that reason, a school
official, who is a member of the civil service, may not be permitted to commit violations of civil service rules under the justification that he was free to do so under the principle of academic freedom.

The above quoted decision is backed by a case of a similar nature in Morales v. UP Board of Regents (GR No 161172, December 13, 2004) where the Court finds that

academic freedom accords an institution of higher learning the right to decide for itself its aims and objectives and how best to attain them. This constitutional provision is not to be construed in a niggardly manner or in a grudging fashion.

In his dissenting opinion in Garcia v. The Faculty Admission Committee, Loyola School of Theology (G.R. No. L-40779, November 28, 1975), Justice Felix V. Makasiar wrote that

it should be stressed that the academic freedom thus guaranteed is not limited to the members of the faculty nor to the administrative authorities of the educational institution. It should also be deemed granted in favor of the student body; because all three - the administrative authorities of the college or university, its faculty and its student population - constitute the educational institution, without any one of which the educational institution can neither exist nor operate. The educational institution is permitted by the State to exist and operate, not for the benefit of its administrative authorities or faculty members, but for the benefit of its studentry.

**Academic Freedom in the University of the Philippines**

The newly approved charter of the University of the Philippines (UP), Republic Act No. 9500 entitled “An Act to Strengthen the University of the Philippines as the National University,” provides a section on academic freedom.
Sec. 5 Academic Freedom. – The national university has the right and responsibility to exercise academic freedom. (Italics in original, emphasis supplied.)

This provision works complementarily with that of the Constitution as quoted earlier. Noticeably, more than the right to academic freedom, the word “responsibility” was inserted in the charter as part of the exercise of academic freedom.

Aside from this statutory provision on academic freedom in UP, the University has, in its Faculty Manual, a set of guidelines on academic freedom for the faculty members. This set of guidelines is based on Articles 175 and 176 of the Revised University of the Philippines Code. The set of guidelines is as follows

Members of the teaching staff enjoy academic freedom. Provided, however, that no instructor in the University shall inculcate sectarian tenets in any of the teachings, nor attempt either directly or indirectly, under the penalty of dismissal by the Board of Regents, to influence students at the University for or against any particular church or religious sect or political party. [Art. 175]

Academic freedom is the right of the teacher to teach the subject of his/her specialization according to his/her best lights; to hold, in other subjects, such ideas as he/she believes sincerely to be right; and to express his opinions on public questions in a manner that shall not interfere with his duties as a member of the faculty or negative to his/her loyalty to the school, college, or university that employs him/her. Within this specific framework, the following principles are hereby declared:

a. The University of the Philippines shall not impose any limitation upon the teacher’s freedom in the exposition of his own subject in the classroom or in addresses and publications;

b. No teacher may claim as his/her right the privilege of discussing in his/her classroom controversial topics that are not pertinent to the course of study that is being pursued;
c. The University of the Philippines should not place any restraint upon the teacher’s freedom in the choice of subjects for research and investigation undertaken on his own initiative;

d. The University of the Philippines should recognize that the teacher, in speaking or writing outside of the institution upon subjects beyond the scope of his own field of study, is entitled to the same freedom and is subject to the same responsibilities as attached to all other citizens but in added measure;

e. It is clearly understood that the University of the Philippines assumes no responsibility for views expressed by members of its staff; and the faculty members themselves should, when necessary, make it clear that they are expressing only their personal opinions;

f. If the conduct of a teacher in his classroom or elsewhere should give rise to doubts concerning his fitness for his position, the question should in all cases be submitted first to a committee of the faculty, and in no case should any member of the teaching staff be dismissed before the normal termination of his period of appointment without full and open hearing before the Board of Regents, should he desire it, and only upon sufficient notice. [Art. 176] (Emphasis supplied.)

UP defined academic freedom as “the right of the teacher to teach the subject of his/her specialization according to his/her best lights; to hold, in other subjects, such ideas as he/she believes sincerely to be right; and to express his opinions on public questions in a manner that shall not interfere with his duties as a member of the faculty or negative to his/her loyalty to the school, college, or university that employs him/her.”

This definition expands further academic freedom from the previous definitions by adding an explicit right of faculty members to hold ideas that the faculty member believes to be right. Also, the University gives the professors a qualified right to express their opinions on public questions. It is qualified in the sense that such opinion “shall not interfere with [the] duties as member of the faculty or negative to [the] loyalty to the school, college, or university.”
The University Code also expressly prohibits the possible indoctrination of students by the professors. “No instructor in the University shall inculcate sectarian tenets in any of the teachings, nor attempt either directly or indirectly, under the penalty of dismissal by the Board of Regents, to influence students at the University for or against any particular church or religious sect or political party.”
THEORETICAL FRAMEWORK

The researcher will use the rational choice theory as the main framework for analysis. The rational choice theory rests on the assumption that “when faced with several courses of action, people usually do what they believe is likely to have the best overall outcome” (Marsh and Stoker, 2002).

Further, the theory presumes that “individuals have all the rational capacity” (Marsh and Stoker, 2002). Individuals have the capacity to think based on a given logic. The theory excludes the time and emotional factors. Individuals need to be detached from these to be able “to choose the best course of action, no matter how complex the choice” (Marsh and Stoker, 2002).

Rational choice theory seeks to “explain individual actions and the outcomes they lead to in terms of the courses of action open to them, their preferences over the end-states to which combinations of actions chosen by the various player lead, and their beliefs about important parameters such as other’s preferences” (Marsh and Stoker, 2002).

Integrating with the study of academic freedom, rational choice theory will seek to provide answers for what should be the “best overall outcome,” that is, the meeting of the minds of the student leaders, with regards to their prescribed measurement, and the institution, with regards to the implementation or operation.

The rational choice theory will also help the researcher source out and analyze the political configuration from which the student leaders are coming.
from. Rationality of each of the student leader’s answers to the questions is bounded by their ideology. The researcher will attempt to surface “assumptions that are often left implicit in verbal arguments.” (Marsh and Stoker, 2002)

Specifically, the researcher will also use several other theories to support the claims on rights and freedom. John Rawls’ theory on rights and Jean-Jacques Rousseau’s theories on freedom will be employed in the analysis of academic freedom both as right and freedom.

According to Rawls in his book *A Theory of Justice*, “each person has an equal right to the most extensive liberties compatible with similar liberties for all” (Ebenstein, 2000 and Vaggalis, n.d.). This is referred to as the principle of equal liberty. This postulates that every person in the society is entitled to have rights which are equal to the rights of other members of the society.

Rawls also viewed that the rights of one are restricted in order to protect the rights of the other persons (Nickel, n.d.). He believes that rights have definite ends. Particularly, Rawls concept of human rights explains that human rights are operational only within the limits of the national sovereignty and ends there (Nickel, n.d.). This, for Rawls, is the boundary of rights.

Rawls suggested the following rights: “right to life (to the mean of subsistence and security); to liberty (to freedom from slavery, serfdom, and forced occupation, and to a sufficient measure of liberty of conscience to ensure freedom of religion and thought); to property (personal property); and to formal equality as pressed by the rules of natural justice (that is that similar cases be treated similarly).”
With regards to freedom, Rousseau (1950), in his book “The Social Contract and Discourses,” said that “men are born free, but everywhere he is in chains.” The chains to which Rousseau is pertaining can be construed as the limitations to such freedom. These limitations can take the form of responsibilities. The researcher will run under the assumption that all freedoms are not absolute. Each freedom is twined with responsibilities that persons practicing freedom must take into consideration.

On the analysis part, the researcher will use the Critical Theory of Jurgen Habermas. Habermas presented three generic domains of human interests, namely: work (or technical), practical, and emancipatory. (MacIsaac, n.d.)

The work knowledge or technical knowledge is “based upon empirical investigation and governed by technical rules” (MacIsaac, n.d.). These are more or less the prescribed and proscribed knowledge by authorities. It deals with what we may refer to as the scientific, with respect to empirical investigations, and the institutional, with respect to the technical rules.

On the other extreme, emancipatory knowledge relies on “‘self-knowledge’ or self-reflection.” Emancipatory domain, though experiential, is not similar to the empirical. In this domain, “one’s history and biography [is] expressed the way one sees oneself, one’s roles and social expectations… Knowledge is gained by self-emancipation through reflection…” (MacIsaac, n.d.)

Bridging these extremes is the practical knowledge. The practical knowledge gives importance on the “communicative actions.” “Social
knowledge is governed by binding consensual norms, which define reciprocal expectations about behavior between individuals.” (MacIsaac, n.d.)
The University of the Philippines, in the Revised Code of the University, provided a definition for the concept of academic freedom. The University’s conception of academic freedom shall be the take off point for the analysis of academic freedom in the University.

Noting that academic freedom bears with it the word “freedom,” the researcher will also use the concepts of freedom, and, consequently, of rights in order to fully comprehend academic freedom. Measurements of academic freedom, to be provided by the Student Regents interviewed, will also be used in the strengthening or weakening of the University’s conception of academic freedom.

Praxis, or theory and practice combined, shall deal with the actual, if not the real, application or implementation of the University’s concept of academic freedom. In the praxis part, the researcher will take into consideration the perspectives of the UP Student Regents as representatives of the students.
The same perception shall function as intervening variables for the researcher to be able to assess academic freedom in the University of the Philippines.

**Conceptual Definition**

For the purpose of this research, the following concepts shall be defined as follows:

**Academic freedom** is the right of the teacher to teach the subject of his/her specialization according to his/her best lights; to hold, in other subjects, such ideas as he/she believes sincerely to be right; and to express his opinions on public questions in a manner that shall not interfere with his duties as a member of the faculty or negative to his/her loyalty to the school, college, or university that employs him/her. (Revised Code of the University of the Philippines, Article 176)

**Right** refers to legal or moral entitlements to act or be treated in a particular way (Heywood, 2008).

**Freedom** refers to ability to think or act as one wishes; non-interference or personal self development. (Heywood, 2008)

**University of the Philippines (UP)** shall refer to the country’s national university, duly constituted by Republic Act No. 9500, otherwise known as the University of the Philippines Charter of 2008. It is a university system composed of seven autonomous units and five extension campuses scattered all over the
Philippine archipelago. It is known for its outstanding quality of education (academic excellence) and institutional autonomy (academic freedom).

**Students** shall refer to any person enrolled in any academic units of the University

1. admitted and registered, in a degree program or non-degree program or cross-registered in any course of the University on a regular or part-time basis, including those who are officially on leave of absence; and,

2. those who have not yet been separated from the University formally through either transfer, graduation, honorable or dishonorable dismissal or expulsion or expiration of period allowed for maximum residence.

(Rules and Regulation on Student Conduct and Discipline, UP)

**Professors/Lecturers**, or collectively as **Faculty**, shall refer to the teaching personnel of the University of the Philippines.

**Operational Definition**

**Academic freedom** is freedom from restraint in the search for knowledge. It is the right of free inquiry and it is for the professors and students alike. (Roces, 1962)
The researcher chose four former student regents between the periods of 1987 to 1999. It must be noted that the first student regent with voting powers was selected and seated in 1987. These four former student regents gave their views on academic freedom keeping in mind the situation during their term as the student regent. Also, as once bearers of powers and authority in the University and as representatives of the students, they are seen to reflect what could be the views, if not the general sentiments of the student population at that time.

The four Student Regents who the researcher asked via email or through personal interviews are the following:

- Francis N. Pangilinan, 1987
- Gonzalo Benjamin A. Bongolan, 1989
- Dennis L. Cunanan, 1994-1995
- Sahlee Cariño-Camposano, 1995-1996

Francis N. Pangilinan, now a Senator of the Philippines, gave his answers via email. The researcher were able to have a personal interview with Gonzalo B.A. Bongolan, now the president of the Home Guarantee Corporation, part-owned by the government, Dennis L. Cunanan, deputy director general of the Technology Resource Center of the Department of Science and Technology, and Sahlee Cariño-Camposano, assistant vice president of the Citibank, Inc.

The researcher will begin by presenting the measurements of academic freedom in the University of the Philippines, to be followed by the roles of the
The researcher asked the former student regents to identify at least five measurements of academic freedom. It was clarified by the researcher that by measurement, it means the ways by which we can identify that academic freedom is felt or manifested in the University.

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<tr>
<th>STUDENT REGENT</th>
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<tr>
<td>Francis Pangilinan</td>
<td>Pangilinan was not clear on the specific measurements of academic freedom. Instead, he presented several statements which can be considered as measurements. First, he said that the university has diversity in terms of political advocacies. He cited this by saying that there are extreme left and right wingers within the academe’s population. Second, students have their right to organize themselves. He used organizations like fraternities and sororities as examples to this point. Third, students have the right to assemble, even for causes or issues which are relatively unconventional. Fourth, the population of the university is diverse, representing the different sectors of society. This is in relation to the admission policies of the university which gives students from the extreme north to down south the opportunity to study in the university. Last, the Board of Regents of the University is comprised of and represented by different sectors in the University. As of present, there is an Alumni Regent, Faculty Regent, Student Regent and soon, Staff Regent.</td>
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</table>
Gonzalo Bongolan

In contrast to the brief answers of Pangilanan, Bongolan gave a comprehensive measurement of academic freedom in the University. First, he mentioned the importance of student representation, not only in the System level in the person of the Student Regent, but also in all lower levels of governance in the University. He said that representation must be exhausted in the Unit, College and even to the Department levels. He pointed, however, that mere representation doesn’t solve it all. The visibility of the office does not translate to the effectiveness of the office. The Student Regent and the lower ranking student representatives must be able to make themselves visible and working.

Second, Bongolan viewed the freedom to assemble as part of the students’ academic freedom. He also included the students’ freedom of expression, organization and the press under this measurement. He said that unlike, probably the first measurement, this one is time-tested. The University has high tolerance over the freedom of students to assemble and expression. He credits this to the students’ struggle and the liberal administration in the University.

Third, Bongolan moves out of the students and recognized the teachers’ academic freedom as well. He said that teachers also have the freedom to discuss the widest range of subjects. He recognized the diversity in the faculty from the ultra rightist to the communist leaning.

Fourth, Bongolan made the liberal administration as a pre-requisite to academic freedom in the University. He compares this with the other Universities where student councils, organizations and publications are restricted to
the point that they are controlled already the school. He recognized that there are still some cases, isolated and negligible ones, that there are what he called as “petty tyrants” in the University. These are the administrative staff and maintenance crew.

Finally, for Bongolan, the tradition of the University itself is a testament of academic freedom in the University. This tradition varies from those mentioned above to those like freedom in the search for truth and inquiry on knowledge which are not only for the sake of knowledge but have translated themselves as personal passions.

**Dennis Cunanan**

If Bongolan surveyed a wide array of factors, Cunanan concentrated, but did not limit, his measurements within the bounds of what can be called “academic.” He begins with the very basic issues in enrolment. First, he viewed that when the student can select his professor, without any imposition from any authority, there is academic freedom. The student shall have that freedom as he determines what is acceptable for him, for his precepts as maybe dictated by culture. He partnered this with his second indicator: the freedom of the student to select the time of his class. He believes that when a student wants an afternoon or evening class he may do so, especially if he is not a morning person.

Third indicator of Cunanan is the existence of the press, or the school publication. He labeled school publication as the bastion of the freedom of speech and academic freedom in the University. Student articulation on issues can be published by the school paper.
His fourth, and last, was the idea of representation. Students are represented in various levels like the Student Regent at the System, and University and College Student Councils in their respective levels. If the publication is the articulators of issues for the students, the student leaders are the articulators of the side of the students to the administration.

Cunanan did not discount the fact that professors have academic freedom as well. He very well explained in fact in his example of the teachers’ academic freedom on the giving of grades.

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<th>Sahlee Cariño-Camposano</th>
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<td>Cariño gave a rather simplified set of indicators or measurements of academic freedom. She summarized these into two points: one, the organization, or the freedom to organize; and two, the operationalization of these organizations, or the freedom to operate of organizations. However, she did not limit herself with the idea of academic freedom for students but like the earlier regents, she made specifications on faculty freedom as well.</td>
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<td>She said that in the University, everyone is free to organize themselves. The students are allowed to form organizations and alliances, and express themselves via protests and demonstrations, and are allowed to publish a paper containing views on issues. On a more formal note, faculty are likewise organized as a faculty assembly or university council where each member, each faculty, has the freedom to express himself during deliberations and debates among the faculty members. She also pointed the freedom of staffs to form their unions and fight for their rights as well.</td>
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But it doesn’t stop on the organization part. Cariño believes that the operation of these formations must still be independent and not imposition or control must be placed upon. Particularly in the selection of representatives, only the represented party is allowed to select their representatives.

The Role of the University of the Philippines

The researcher asked the former student regents to identify the possible roles of the University in operating the measurements of academic freedom they have enumerated. The focus is on what the University must do to realize further what is already in the current system.

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<th>STUDENT REGENT</th>
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<td>Francis Pangilinan</td>
<td>Pangilinan’s approach was on the roles of the institution as a whole, taking into consideration the roles of the students. He said that the University should be safeguarded from outside influences and interests by maintaining its independence as an institution. He expounded on this point using the Board of Regents as an example. Some of the members of the Board were appointed by an outside “force,” that is the Philippine government. Pangilinan raised that there were even issues that the University President was appointed by the Philippine President. He cautions the University from the possible intervention from the government. It is therefore the role of the University to protect this academic freedom.</td>
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However, he emphasized that it is not the University alone who has the duty to fully realize academic freedom, or in Pangilinan’s view, protection of it. He said that the students also have their roles and responsibilities in ensuring the continued enjoyment of academic freedom. Different student groups must continue functioning and co-existing harmoniously with each other. Any form of dissent may disrupt the status quo.

**Gonzalo Bongolan**

Bongolan focused on the roles not of the University in general but of the faculty in particular. He said that whatever fate the student will have rests on the professors. He questions the recruitment system of the University. He explained this by citing his classification of the professors in the University, namely: those who are committed to teaching, those who are power trippers, those who are serving to return the knowledge earned, those who have nothing else to do, and those who are for the academic freedom. Of the five, Bongolan thought that the problem is with the professors who are teaching because they have nothing else to do. No passion nor commitment. He cautions the University from this kind of professors.

Another point stressed by Bongolan was the academe integration to the industries. He sees that the problem of the University is that it only promotes theory without sufficient practice or none at all. This is not good since there is an expectation that by the time the students have graduated, they have already acquired the skills necessary for their jobs. Sadly, it is not the case.

Bongolan saw these as the University’s role in order to promote further the academic freedom in
Dennis Cunanan

Cunanan again centered his answers to cover matters within the University. Though he recognized that the University cherishes academic freedom, there can never be one impositional body. He cited the varying autonomy of each unit and college of the University. Each unit or college is free to draft its own sets of rules and guidelines which the units and college will use in governing its constituency.

Cunanan also recognized two levels of conflicts on students: one is with the faculty, and the other is with the administration. He said that the role of the University was to primarily preserve academic freedom of the institutions and the individuals. However, it seems to Cunanan that there are conflicts emanating from the individuals or groups. There was one instance, he cited, that a professor was removed from the University due to his immorality. The professor is known for the notorious label of “kwatro o kwarto.” Here, Cunanan explained the abuse of the faculty which should be acted upon by the University.

Another concern of Cunanan was on the policy and decision making. There are policies in the University which are too restrictive. Instead of promotion, it seems to limit the freedom of the students, particularly freedom to organize. However, as far as representation in decision making body is concerned, Cunanan said that students can only do so much. If the administrators won’t listen, the students would simply use their placards to show the administration their mistake.

Sahlee Cariño-Camposano

Cariño differs from the previous regents when
she said that the University must have or must provide a direction. She asked “Where is UP going?” The role of the University for her is simple: to make the students relate with and use the knowledge they have earned from their classroom learning to their everyday life. Cariño said that the University must be able to encourage the students to live the life bearing with them what they learned. There may be theories learned in class but the application of it is lacking. To fully operationalize academic freedom, an encouragement from the University to let the students internalize their learning. This is turn will make academic freedom fully realized; though she always reminded that academic freedom is a such a broad concept.

**Academic Freedom and Students’ Rights**

The notion of what is the coverage of academic freedom and some of the students’ rights have been used interchangeably. Some would say that the former is covers the latter and the latter is part of the former. The researcher asked the former student regents on their view about the matter.

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<th>STUDENT REGENT</th>
<th>ACADEMIC FREEDOM VS. STUDENTS’ RIGHTS</th>
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<tr>
<td>Francis Pangilinan</td>
<td>Pangilinan equates that students’ rights are products of an academically free institution. He believes that academic freedom is not enjoyed separately according to the position in the University, i.e. faculty, student, or staff. Rather, academic freedom is enjoyed by the University as a whole.</td>
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<td><strong>Gonzalo Bongolan</strong></td>
<td>Bongolan argues the same with Pangilinan when the former said that the students’ rights are part of academic freedom. The rights of the students in the University, the right to free speech and expression are extensions of the learning of the students. Bongalan said that it would be inconsistent for the University to teach to search for truth and question when the University itself restricts the rights of the students to do so. He stood on the premise that the rights, particularly of expression, are a manifestation of what have been learned in the classrooms.</td>
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<td><strong>Dennis Cunanan</strong></td>
<td>Like Pangilinan and Bongolan, Cunanan posited that academic freedom and students’ rights are integrated. He said that the reason why students’ rights and welfare are articulate out is because it emanates from our basic academic freedom in the university. Otherwise, students won’t realize that they have students’ rights and welfare, unless they realize that the basic tenets of academic freedom are properly articulated and properly appreciated. He returns back to the internal concerns of students by saying, part of being a student in the University is gaining a set of rights.</td>
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<td><strong>Sahlee Cariño-Camposano</strong></td>
<td>Not directly contrary to the first three statements, Cariño did not fully accept the fact that academic freedom and students’ rights are one and the same. She argued that academic freedom may always exists, however, there are certain rights, students’ rights at that, which may be abridged along the way. Her example was on the tuition scheme. There is the so-called “right to education.” But there are also lots of private schools which ask for thousands of pesos in return of the education that they will get. From this, we can say that the right to education was not fulfilled. How can a student then, who is not...</td>
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a student in a first place, enjoy academic freedom? This, for Cariño causes a conflict between the two concepts which could be hard to compromise.
DATA ANALYSIS

Measuring Academic Freedom

From the responses of the Student Regents, it can be noticed that their answers are centered on three basic elements: the freedom of the press or the right to expression, the freedom to organize and the right to assemble, and student representation.

Three of the four regents stated the importance of organization. They say that the number of organization is testament enough on how free students are able to organize themselves in the University. One regent said that during his time, there were already as many organizations as there are and is continuing to grow in numbers. He even mentioned that all sorts of organizations must have been created with the amount of freedom we have in the University.

Though recognizing their importance, one regent admitted that during her time, a policy of the administration on student organizations was created which was deemed by the students as suppression of the freedom of students to organize.

Related to the freedom to organize is the freedom to express. Two of the four regents were able to mention the Philippine Collegian as the defender of the students’ freedom to express. According to one regent, the Collegian served as the mechanism for the articulation of issues to the students.
Three regents explicitly and one impliedly noted the importance of representation in the University in general and student representation in particular in the conduct of business in the University, especially on making policies affecting the students. One regent pointed out that the student representatives are there to ensure that the work of the administration is done properly and does not contravene the principles of student freedom. However, specifically at the Board of Regents, the regents recognized that their vote is not enough to affect policies especially that there are 11 other members of the Board and some of which were appointed by the Philippine President.

One regent was able to go as wide as the diversity in the composition of the entire population in the University and their political advocacies and treating it as an indicator. Another regent recognized the administration and its nature of being a liberal as material to the existence of academic freedom in the University.

Another regent was more detailed on his measurements when he mentioned the inclusion of selecting professors and time of classes.

*The University’s Roles*

The regents saw the big role of the University in preserving the academic freedom. Some even said that preservation is not enough. Academic freedom must also be promoted and if possible pushed to the limits.

In this matter, the regents differed in their positions on what the role of the University should be. One regent said that the preservation of academic freedom in the University is not the role of an individual alone but it is a
collective effort. Further, there should be more emphasis on the students’ freedom. Continuous functioning and co-existence with the other members of the academic community is needed in order to secure the academic freedom of students.

Another regent was focusing on the internal motivations and structures of the University, particularly the faculty. He questions the recruitment system in the University which could be one of the reasons for a decline if not slight changes in the quality of education as a whole and the preservation of academic freedom in particular.

Similar to that, one regent, as he is more vigilant on issues within the locality, attacked the administration policies over student services like dormitories, and the faculty abusing their own academic freedom. It is viewed that instead of the administration placing many restrictions and limiting the students, the University must allow them to experiment and search for truth and knowledge in whatever means possible for them.

The last regent posed a challenge to the University by asking its direction. She believed that the direction taken by the University will definitely affect its outcomes, one of which maybe the parallel or not to the interest of the students. This regent believes that the students must be able to relate themselves with what they learn and not only learn. It is one way of protecting their academic freedom as they will more aware of things than to stay within a box where they cannot move.
Academic Freedom and the Students’ Rights

All but one regent believed that academic freedom and students’ rights are either one and the same, or are interconnected. One regent said that academic freedom and students’ rights are the same. Having academic freedom results to students’ rights. Another regent said that only after the realization of the tenets of academic freedom are they only capable of knowing their rights.

Another regent said that the rights enjoyed by students are extension of what they learn in classrooms. Students are taught to ask, to question, to inquire. They apply these when they organize, assemble, or write in the school publication. It is another venue by which students learn, and therefore serves as an extension.

Conversely, one regent said that these two concepts are not necessarily one and the same. It is not necessarily true that when there is academic freedom, there are students’ rights. She argues that when people are suppressed with their right to education by increasing the tuition in institutions like the University, the policy takes away the opportunity to study from the student. Further, he cannot enjoy academic freedom since he is not part of the academic community.

Limited or Unlimited Academic Freedom

A survey in the responses of the regents would tell us that the academic freedom in the University is limited. One regent already posed that academic freedom is not absolute, thus it has its own limitations. Taking into consideration Rousseau, he said that “men are born free, but everywhere he is in chains.”
Similarly, we can say that academic freedom is also in chains. There are duties and responsibilities in line with this freedom.

One regent pointed that the fact that the University was able to define academic freedom is limiting the concept. She said that when definitions are given to a big concept such as academic freedom, there is already an attempt to limit it.
The University of the Philippines has been known to uphold academic freedom for over one century now. However, there are still questions on how effectively the University is able to carry out and realize the concept of academic freedom. Thus, in order to answer some of these questions, the researcher conducted this research. The researcher solicited the views of some Student Regents between the periods of 1987-1999 on academic freedom and its implementation in the University.

Given that the institutional definition of the University was only focused on the academic freedom of the teachers in the University, it was a challenge to find if there is academic freedom for students. The Student Regents, with known biases to students, enumerated their measurements of academic freedom. These measurements when realized or made operational can indicate that the University is in effect implementing academic freedom and is felt in the University. However, mere implementation is not the end. The implementation must also be effective in the sense that there are less restrictions on the part of the students.

The points raised by the student regents are valid as to these are based on their actual experiences when they were members of the Board of Regents. They were exposed to different situations that the students are confronted with. They are witnesses to the abuses and misuse of the academic freedom in order to dominate the students.

All facts considered, this study can be summarized into the following:
1. Academic freedom in the University of the Philippines can be best measured by:
   a. the freedom of the students to assemble and organize;
   b. the freedom of the students to express; and
   c. the right of the students to be represented in all levels of decision-making.

2. The University has the following roles in preserving or promoting academic freedom:
   a. greater recognition of the students’ rights in the University;
   b. more faculty development-oriented projects;
   c. linkages with other institutions for sharing of knowledge and experience; and
   d. provision of a clear direction to the students in particular and the University in general.

3. Students’ rights are extensions of academic freedom and place an integral role in the fulfillment of the latter.

4. Academic freedom in the University of the Philippines as defined is limited and is not explored and exhausted.
RECOMMENDATION

The University of the Philippines before and today has certain similarities especially on matters of policies. The measurements of the student regents can be as ideal as they can be or as practical as they can be. Some are easily implementable while others may cause or awaken dissent from some sectors in the University.

On the matter of students’ rights, these are already recognized by the administration, in the Department, College, Unit and System level, as the administrators were formerly student leaders during their student days. The researcher is confident that they understand and know what these rights are. However, from the general sentiments of the student regents, the administration has become too restrictive to the students which in one way have caused violations of these students’ rights and by extension, academic freedom of students. It is recommended that a review of the policies on use of facilities and equipment be made to adjust itself to the clamor of the students for more accessible, yet quality facilities. This problem which was happening during their time was raised by a regent. It still is happening today.

There were attempts in the past to suppress the school publications by not giving them the budget for printing, among others. There were similar attempts to suppress student representation by questioning the constitutions of the student councils. These are ways by which the measurements of academic freedom are being violated. It is recommended that policies to protect these freedoms be established if not yet established, or be reinforced if there are already existing guidelines.
It is also recommended that student representatives be allowed to sit in all policy and decision making body in all levels, and in all matters concerning the students. One of the key indicators of academic freedom is the student representation. The student regents view this right to representation as necessary for coming up with a well thought of and well crafted policies.

Finally, it is recommended that a review of the definition of academic freedom in the University be made to include the academic freedom of the students.
BIBLIOGRAPHY

Books and Chapters


struggle at the University of the Philippines in 1916-64. Quezon City: University of the Philippines Press.


Journals


Online References


Other Documents

The 1987 Constitution of the Republic of the Philippines

Republic Act No. 9500, entitled “An Act to Strengthen the University of the Philippines as the National University,” otherwise known as “The University of the Philippines Charter of 2008”

Excerpt from the Minutes of the 1180th Meeting of the Board of Regents held on 25 March 2004, University of the Philippines, Quezon City

Memorandum of UP President Francisco Nemenzo for the Board of Regents with the subject Academic Freedom and the Role of Faculty Members in the Presidential Elections dated 25
APPENDICES
1. WHAT ARE THE MEANS BY WHICH WE CAN SAY THAT ACADEMIC FREEDOM IS PRACTICED IN U.P.?

Academic freedom is described as the freedom of teachers and students to express ideas and opinions without religious, political, or institutional restrictions.

The premiere state university has long been the archetypal educational institution by which all forms of freedom are practiced and implemented. The populace in UP are diverse and representative of different sectors of society. We have extreme leftists and extreme right wing advocates among the academe’s population. We have different student groups that represent marginal sectors of society, even assemblage for unconventional causes and issues. The university tolerates fraternities and sororities and their right to organize, hold events and function within the confines of the academe. The Board of Regents is comprised of and represented by different sectors. In these examples I may say that academic freedom is very much practiced in U.P.

Academic freedom is mandated by law, yet its application maybe different in each university. U.P., being non-sectarian, is the most liberal in its application of academic freedom.

2. WHAT ARE THE UNIVERSITY’S ROLES IN ENSURING THAT ACADEMIC FREEDOM CONTINUES TO BE IMPLEMENTED?

The University should be safeguarded from outside influences and interests by maintaining its independence as an institution. There are a lot of issues that need to be addressed regarding this, one of which is the process of choosing members of the governing body. There are times when even the university president is appointed by the President of the country. This is one important issue that needs to be addressed if U.P. should continue in safeguarding academic freedom.

The students also have their roles and responsibilities in ensuring the continued enjoyment of academic freedom. Different student groups must continue functioning and co-existing harmoniously with each other. Any form of dissent may disrupt the status quo. Academic freedom does not necessarily mean absolute freedom; there are still rules and social obligations that need to be followed.

3. HOW WILL YOU DIFFERENTIATE ACADEMIC FREEDOM FROM STUDENTS’ RIGHTS?

JR Ramos Go     50
It's basically the same. The educational institution recognizes academic freedom as a whole, not solely benefiting either students or teachers. Rather this freedom should benefit everyone in the academe.

Also one is the result of having the other. Students’ rights is made possible by having academic freedom.
TRANSCRIPT OF INTERVIEW WITH MR. GONZALO B.A. BONGOLAN

Jan Robert Ramos Go (JRRG): Sir ito po una, ito po ung main, kung maalala nyo pa ung, okay lang po?

Gonzalo Benjamin A. Bongolan (GBAB): Okay lang, sure.

JRRG: What are the measurements of academic freedom? At least five, tapos, ung sa measurements, I mean kung paano natin sya masasabi na ginagawa sya sa university.

GBAB: Okay, so ang dami naman, five. Okay siguro I’m suppose to answer this as a former student regent, okay tama. Well, in random order ah, not in importance. Well ang number one would be the extent of the representation of the student in decision, in university decision making. Having a student regent, I think is a very visible measure. But let me say two things about that. The first is it’s visible, eh ngayon kung ung student regent mismo, hindi rin mag-aactive, wala rin, number one. Number two, that’s just one level. The highest, yes, but it’s one. A lot of decisions take place below that, at the college level, at the department level, that one I’m not sure whether representation is exhausted. I know kasi during my time, during my time, there was a wave really of representation, wave, wave yan. Parang after the restoration of the student councils in the early 80’s of the students did not stop there, representation. Kaya ang prize nyan, trophy ung student regent eh. Pero I would say na baka tinalon, tumalon masyado at the college levels baka, I wouldn’t, I don’t remember that it was that exhausted. Parang masaya na, highest na tayo. Okay? But tingin ko, at least panahon ko, medyo napabayaan ang local. Partly because, again may two reasons din ako dyan. One reason there is national issues. National issues orientation ng student movement eh. So para bang, they might be angry for this at me, pero medyo baduy ung local eh. Mas maganda ung sa taas. Number one. Number two, related don, ministerial kasi ung mga local. Ministerial issues eh. Ah, budget, calendar of activities, medyo baduy nga, minsan, kasi ministerial, as the word ganun, kasi hindi exciting sa students, I can imagine. In the, pero mahalaga eh. Just goes to show na ang interest ng students dun pa sa involvement sa national issues. So okay, one. Okay lang ba ang ganitong treatment?

JRRG: Opo.

GBAB: So academic freedom, second would be, I think, would have to do with the, sa students muna, would be ah, the freedom of the students to assemble. Kasama na sa assembly, expression. Ayan medyo evolved na ang UP dyan. Wala, undiscreeted, hands down. Part dahil na rin sa mga struggle ng students, part, liberal administration din naman tala nga, they were also former student leaders. Walang isyu na dyan parang ah, hands down, maski kailang may biglang mag-megaphone dun. Hindi naman hiruhul lang basta hindi ka makadistorbo ng iba, okay lang. wag ka lang sumira ng property. Di ba? I don’t think that has changed. Ah, number three, ah, kasama pa rin muna pala sa number two ano, the number of organizations, meron ang dami no, siguro ang wala lang sa UP un mga demonic society, tingin ko meron din yan secret, pero lahat yan kulay, relihyon, they are free, they can, pwede kang mag set ng stall dyan kung ano, kung gusto mo, okay lang un. Sa tingin ko mas pronounced pa nga sa UP Los Baños eh. UP Los Baños, ang observation ko dyan, ang pinagkaiba sa UP Los Baños, meron pang as parallel to the Student Council there is a council of student leaders, iba pa, oo, council na para bang, legislative na parang, also a consultative body to the council, which I think is an advanced ano ah, is a
manifestation of a more advanced level of student unity. Compored to Diliman, Diliman, bahala ka sa buhay mo run eh, each college is a republic. I think it has to do also with the law eh. I, I would suppose then e sa UP Manila nung panahon ko eh may Pamantasang Assemblea dun, so meron pa ba?

JRRG: Wala na po.

GBAB: Eh un, eh un, kita mo multi sectoral leadership, sa Diliman mga attempts, attempts lang yan eh. Mga kwan, taktika lang. Isyu. Okay we have number three, ano? Number three academic freedom, sa teachers naman, punta tayo sa teachers. Are the teachers free to discuss the widest possible range of subjects? I believe yes. ‘No? I believe yes. Pagdating, I don’t think the institution constraints the teachers. It is up with the teacher na lang, kung anong gusto nyang ituro. Ah, so you have radicals there in the campus, but you also have the ultra rightist in the campus. Teaching there. You have really terror ones, you have very liberal one na hindi mo na alam kung paano mag-grade. And then, but one thing about them, lahat yan puro rigor. Para bang they made sure you learn something. They make sure you learn something which I think is an advanced level of teachers. Now, teachers yun, as teachers. Sa curriculum, it follows eh, it follows din sa curriculum. Sa ano naman, sa curriculum, sa experience ko dyan sa curriculum revisions, okay naman dyan, para bang the only constraint is what I said earlier, what the student need to learn, needs to learn, is basics lang. Eto ah ung mga standard reading natin dyan, beyond that bahala ka na sa buhay mo. And I know some faculty members who do that. Na para bang hahatiin nila ung course. So ito ang mga obligation, kailangan nyo matutunan to say that you finished this course, pero pagka tapos nito, applications na, real world experience na. Ung bias na nung teacher. I would say na ano, I learned much from that kasi, my college school of econ, well ung math side, ung, we call it the positive side of economics, hasa kami ron, pero pagdating na sa issues, okay rin. Kasi aktibista ung mga teachers, so okay lang. Ah so nasaan na tayo?

JRRG: Number four po.

GBAB: Number four. Ah… academic freedom. Meron students, merong teachers, let’s see the… let’s see now the administration. I think UP was lucky to have had presidents, and academic leaders in the liberal tradition. Ang naaalala ko lang naman na medyo repressive na administration wala pa ako sa UP, kwento na lang eh. In my stay in UP which is the whole of the 80’s.

JRRG: So sino po ang president nun?

GBAB: Si Soriano. Kasi si Soriano nun, naaalala ko, when I was here in UP, isa sya sa pinaka kwan, binabatikos nun, noong panahon nya, ano lang, engineering week, engineering week parade around campus, sinupurt sa UP, kwenyo na lang eh. In my stay in UP which is the whole of the 80’s.
cannot happen it UP, they cannot lock it out because of the campus architecture. Ayn, although I will say may mga petty tyrants dyan, meron din sa administration, ung mga head of administration, ung mga college administrative staff, yan, may mga petty tyrants dyan eh, maski saan naman eh, hindi mo, tameme naman yan kapag ung academic leader na ung nag-anon. Oh, karanasan ko yan, may mga petty tyrants na supply head, janitor head of maintenance ganyan, hanggan dun lang naman ung mga un, tapos eh painumin mo lang eh okay na un. Ah so, sa students, sa teachers, and then the administration, and then let me end that with tradition. Let me end that with tradition. The University’s tradition. Swerte kasi ng UP ang daming nauna eh. Ang swerte ng present UP students, ang daming nauna na pinush ung envelop, pinush ung space. Na freedom kasi madalas, freedom sa context lang ng national freedom. Democracy. Anti-impe… nationalist. Ano eh, freedom, cuts across, I say you can teach, may mga out and out na religious na teachers dyan, may out and out na komunista dyan, hindi mo, tameme naman yan kapag ung academic leader na ung nag-anon. Oh, karanasan ko yan, may mga petty tyrants na supply head, janitor head of maintenance ganyan, hanggan dun lang naman ung mga un, tapos eh painumin mo lang eh okay na un. Ah so, sa students, sa teachers, and then the administration, and then let me end that with tradition. Let me end that with tradition. The University’s tradition. Swerte kasi ng UP ang daming nauna eh. Ang swerte ng present UP students, ang daming nauna na pinush ung envelop, pinush ung space. Na freedom kasi madalas, freedom sa context lang ng national freedom. Democracy. Anti-impe… nationalist. Ano eh, freedom, cuts across, I say you can teach, may mga out and out na religious na teachers dyan, may out and out na komunista dyan, pero di lang un eh, pati naman yakapun kasi ang academic leader na ung nag-anon.

Wala na nga lang ung mga panahon na atin, wala na sa atin, nakikipanahon sa inyo, ung mga talagang noong araw, may istorya, istorya ng tatay ko. At that time the Philosophy department was parang the most celebrated academic unit in campus, why because they have a very charismatic department head, si Dr. Pascual. And then parang ang sabi ng tatay ko, after a course with him you’ll question everything that you know, sabi nya until nga that’s why ngayon, I’m borderline on existence of God. Hindi aktibista un. Eh tatay ko un, he passed away three years ago, aged 77 ba? So we’re talking about UP 50’s pa. So to the extent na, again itong mga kwentong isa don ang thesis nya is life after death. And so to prove the thesis, nagpakamatay. Oh, eh pano pa nga isusulat ang thesis nya, pero ganong ka-free ang atmosphere dyan, 50’s pa. But syempre medyo that crossed the line. Reportedly, then president Bienvenido Gonzales, had to in effect abolish the philo department. He had to abolish it by sending the professors in, to abroad through study grants. Para umalis kayo, umalis kayo, aral kayo, aral kayo. So un ang anecdote. And that celebrated philo department lath ng nanggaling dun halos nagging national scientists. Dean Encarnacion of economics, so ung deann deann. Philo un galing. National Scientist un, economic sciences. Alfredo lagmay, national scientist, Philippine psychology, Cesar Mahul, I don’t know kung marcamed national scientist pero founder ng Asian Center. Pikas kung tawagin namin. And ganong kagagaling, para bang the idea kasi, the idea of academic freedom is that, everything is questionable. You question, tama bay an o mali. And then apply science, the scientific method to investigate the question. So it is not really political power structures, it’s really anything. Now, UP definitely, encourage, at least not suppress that. And then as I said, depende na sa style ng administration, academic leader, even promotes that beyond, so those are the five things I can say about academic freedom. Tama ka, konti pero mahaba. I don’t mind, I don’t mind.

JRRG: Sir you already touched part of the second question kasi, what are the university’s roles in the operation of these measurements, of the measurements you mentioned, would you mind to elaborate?

GBAB: Oh no, I don’t mind. University’s role.

JRRG: What the university should do to promote academic freedom?

GBAB: Ah, oo. Gusto mo bang mamuna ako, mag criticize?

JRRG: Okay lang sir. Ung nag po ung idea.
GBAB: Oh, okay. The foundations are there, the infrastructure is there. The culture is there, the tradition is there. In the situation like that, ung individual teacher ung ngayon ang mahalaga. Andyan na eh. Let’s face it. I don’t think the university is as rigorous as the private sector in screening candidates. Pero controversial to, kasi baka sabihin naman ng mga nandun, tarandado ka Bongolan, ano kami mahihina? Di ba? Hindi sa ganyan, eh, hindi sa ganyan. Pero hindi naman lahat magagaling. May mga magtuturo dyan out of commitment, sheer commitment, okay. Marami yan, yan dakila ang mga yan. May mga magtuturo dyan, power trip. Trip eh, teacher ako. May magtuturo dyan dahil talagang ang daminyang alam, gusto lang ibalik. Okay, o yan. Ano nga ung sinabi kong pangalawa?

JRRG: Power trip.

GBAB: Power trip. May magtuturo dyan, wala lang mapuntahan kasi. Sana maminimize ung mga ganun. May magtuturo dyan for the academic freedom, for the freedom you won’t get anywhere, one, okay din na teacher un. So four out of five is not so bad. Pero may one-fourth, may one-fifth n asana the university can address. I don’t know sa screening siguro yan, sa student ah feedback yan, sa, and then sana may faculty development din. But faculty development na, kasi sa UP when you talk about faculty development you talk about the material entitlements of the teachers okay that’s fine, pero kalahati lang un. Pero syempre naman, be mindful naman, are you effective, are students learning? Are you just waiting of the end of the semester to terrorize them? Are you just there for the salary? Mga values formation din naman un, kasi nobody will deny may ganyang mga teachers, and then may out and out predatory pa. Eh syempre, protect your own ang nangyayari dyan although really, talagang isolated case, unlike in other schools, talagang ah mas garapal ano? Pero dapat zero tolerance ang UP sa ganon. That’s one. Another would be, this is tricky. If the university can be more responsive to the needs of industry. What do I mean? Many of the skills outside, in the corporate world in private, in government, in other employers, basta employers outside of UP. You know many skills are acquired on the job. What am I saying? Eh dapat alam mo na yan nung umalis ka ng UP. Nung umalis ka ng eskwelahan. Pero pagdating, dun ka pa matututo. Having said that, syempre lamang pa rin ung nag-aral, kasi ung, the rigor, the rigor that you got from school, improves the quality of your work outside. However, the world, kaya nga theoryand practice, ung side ng praxis, practice, I know you in PolSci you have praxis, di ba? Hindi praxioulogical ang approach ng UP eh. Now I think it’s partly deliberate. Because of course un ang freedom eh. Pag itinal na kasi ung academe, sa isang non-academic setting, necessarily makukulayan eh. Uy ano ka lang parang pinoprostiuto mo ung di ba may mga ganyang pinoprostiuto mo to support the exploitive industry, yan di ba? Pinoprostiuto mo ung knowledge mo para matulungan mo ung isang politico. I think it is that, that caution. Cautionary view, that makes it detached. Pero ang problem, na-a-ivory tower. So, I said tricky, but there has to be a balance between the isolation required by academic freedom, and the practicality naman that the students will need, when they get out of the University. So feeling ko maramin nautong UP graduate pag-alis eh. Nateo-teorya lang eh. Pagdating dun, iba ang diskarte eh. Kung sana maging aware din sa diskarteng un eh ano lang wala sa libro pero alam natin un, there are some schools dun sila magaling sa academe integration, but I’m not saying copy that, kasi nakikita ko ako rin they lose the rigor, they lose the rigor, ayoko rin un. Marami dyan, parang ako, sa experience ko nung sa stock market ako, okay puro mga, ang gagaling nila pagdating sa diskarte, sa gapangan, sa mga play. And then so much so, na ung dating superior ko, dati kong boss, ang sinabi nya sa akin, nako, kalimutan mo lahat ng natutunan mo sa UP. Itapon mo sa bintana, iba, di yan magagamit dito. Ako I just couldn’t
believe na, ganon talaga. So nagtiyaga ako. I made my output rigorous. Halos academic standard. Pero ang problema bagal eh. Eh yan, ikaw you have so many months to write your thesis, it the outside world, you have a day. Un ang difference eh. So may kabagalan ako. And I'm very glad to have been validated. That there’s a role for rigor, even outside of academe. I’m glad to have been validated and so I would like to believe that na ano, my own career is testament to that. Okay, so what am I saying? Maintain your academic freedom but also try to link, don’t get influenced by the, by industry, but link with it, because marami ring matututunan. Plus, most, but my concern for this interview, para ung student Makita nila un, hindi sila aanga-anga paglabas. Now let me end by saying, pero ung UP naman na nasakyan na nya, ah wala, gagaling talaga! Once nasakyan na nya ung galawan dyan. May quinoquote ung kaibigan ko na study. I myself never saw the study itself. Pero sa study made of the career path of students graduates from different schools, so where they graduated, where they work, where they ended up. So sa mga non-UP worked their way up. Pero in the end ang mga taga UP magtatayo ng sarili. Hindi sya, ayaw, sya rin ang magiging boss nya in the end. Okay, I’d like to talk, because it validates the quality of education, it also validates my own experience na rigor has a place. So my answer to your question there is I hope the University can ah, last na lang, pero iba ung sa Manila. Kayo nasa gitna kayo, hindi kayo isolated physically di ba? You have PGH there which is a working hospital so the medical students diretka agad sa real world. Then kayo nasa gitna kayo, malapit kayo sa Malacanan, malapit kayo sa rally, kitang-kita nyo lahat ng nangyayari dun. Then ung inyong business oriented, quantitative oriented, economic oriented schoolmates, there is BSP narerekta, so iba sa inyo. Medyo iba sa amin, sa Diliman, University town, wala nang ibang makikita. So maybe if there can be a sharing of experience also, that might help.

JRRG: Sir, last question.

GBAB: Okay, okay.

JRRG: Sir, is there a difference between academic freedom and student rights?

GBAB: very good question, very very good question.

JRRG: Or how will you differentiate...

GBAB: I will answer kung aktibista ako ulit, student leader ako ulit ano, if I would answer that as a student leader, student rights is part of academic freedom. Because the exercise of student rights, and expression is an extension of what they learn. So ang dapat dyan, extension yan. If there is academic freedom in the university, it necessarily follows that there is student freedom. Necessarily, kasi inconsistent ka na agad kasi nagtuturo ka, you should assert, you should question, you should improve on knowledge. Kasi let me clarify this. It is not questioning for questioning’s sake eh. Of course questioning for questioning’s sake medyo may pagka aktibista un. Batiks. Pero it’s questioning to know more. Now that’s the academic side. So question to know more, it this the best way? Is there a better way? Then there are the arts and the sciences to give the methodology for that. So you teach the students that frame of mind and you give them the tools. They exercise that through a political exercise, a cultural exercise, then suppress it? There is no consistency. So to reiterate, they are one and the same. It is an extension to the students. Pagdating naman sa teachers, it extends to their freedom to teach within cultural bound naman. Alangan naman magturo ka dun ng pornography, but pornography is an art form for the film institute, pero freedom pa rin un, di ba? The recognition of student rights simply follows
from, student rights and freedom, simply follows from, academic freedom. Okay, now, as an administrator, pupunahin ko rin ang mga student leader because I myself am guilty of these, wala naman akong interes sa ministerial atsaka sa academic, wala akong interes nun, I myself am guilty of that. Pero nagyon na matanda na ako, I regret it. Why? Number one, we could have learned a lot more, let’s face it, administration, ministerial duties will be part of your life hanggang tumanda ka. It will be part, what is the documentation, what are the procedures, whatever system or society, there are documents, there are procedures, there are policies that are made to be followed. So I regret that so hindi ko tinutukan mabuti. Syempre mas gusto ko sa rally. Mas gusto ko sa mobilization. Number one. Number two, at least nung panahon ko, or doon sa tradition that I came from, ung student leadership, the venue of the struggle, para bang the object of the movement is the state power, ibagsak. The University itself was not the end all. What do I mean? Parang nagkataon lang na estudyante tayo pero mandirigma tayo. But I think there is room, there should have been room. Fighting for the improvement of the University. From the mababaw na cleanliness, dito, di ba? Cleanliness, campus security, ako, criticism ko sa fraternities, ako fratman ako, ang tatapang nyaong magbuntalan, mag-upakan dyan, bakit di nyo upakan ang mga snatcher dyan? O di ba? Bakit di nyo upakan ung mga rapist dyan? Kayo-kayo gulpihan pa kayo, masasaktan pa kayo, tingnan ko nga. Marami dyang incidents ng holdap, rape, sexual harassment, bakit di un ang tutukan ninyo? In other schools, really, the fund raising, the effort to draw from the alumni, to raise funds from the alumni, I remember, kwento, University of Wisconsin, has 200 almost full time volunteer students, volunteer students just tracking alumni and raising funds from them. Did the UP student leader ever think about that? For their own university? Improve the facility, improve the library, ung security, until now I’m sure, guilty pa rin ang student leaders dyan eh. Number one guilty eh! Eh un naman, my sister, noon naman may state of offenses in their campus sa University of Illinois, ung fraternities dun nag-organize ng escort system para sa female students para somehow, if you have to stay up late, they’ll escort you, bakit hindi dun lumabas ang tapang nitong mga student leaders and organizations, especially fraternities. Un eh, sana maitadagh sa kulturan state and questioning, sa University ung apply your activism, ung freedom, in help the university as an institution, through those, examples pa lang yun, marami pang iba, number one. Number two, revisit academic freedom. Ang mga student leaders, mga aktibista, ginagamit ang academic freedom para magsakay aktibista, okay I still agree that’s an extension. Academic freedom mean being free to question and investigate, balik tayo run, balik tayo run. Hindi lang sa question power structures which is okay. Para batikusin ang corrupt, batikusin ang mapagsamantala, pero hindi lang un ang babatikusin. Batikusin ang policy, tama ba ung science dyan, tama ba ung method na ginamit dyan, may mas maganda ba? Un ang ideological free, ideology free academic freedom. Na sana maibalik un, ipromote un. I think that is the best way to end this na.

JRRG: Thank you sir.

GBAB: Okay, did you get what you need?

JRRG: Thank you very much po!
TRANSCRIPT OF INTERVIEW WITH MR. DENNIS L. CUNANAN

Jan Robert Ramos Go (JRRG): So sir, meron po akong three questions. The first question po is for you, or in perspective po nung term nyo, what can you say are the measurements of academic freedom?

Dennis L. Cunanan (DLC): You know, the University actually, UP for one, has been practicing academic freedom maybe since its inception. Clear indication is way back during our time. We get to line up to get our own class. That’s clear academic freedom for students. We are not being forced to go under a professor you deem not good in the percepts of your culture or something. That’s one. Second is your being allowed to take your own time. If you want to take the math in the afternoon if you are not a morning person, so you are being given that leeway. And one thing also is the press, the paper is there. We have, actually, the Philippine Collegian, I don’t know at this point in time, but it has been, it is the bastion of the freedom of speech and academic freedom in the University. So if they want to articulate something, and discuss something they write it down in the Collegian. When there are administrative issues, the student council is there, and the student regent is there. Our level of representation articulates academic freedom in the University. So un ung mga clear signs na merong, there, but the same way, the faculty and the personnel, the faculty basically also articulate their own academic freedom. Because one time I’m helping out this student, who’s suppose to graduate cum laude at least. But because she was given a grade of 2.5 or 2.75, I forgot what grade was, the student didn’t make it. And when I was asking the professor why it happened, the professor just slat back at me and said that’s my academic freedom. That’s part of the rights of the professors to devise their own system of grading based on their perspective, their own academic freedom. And I got in trouble with that.

In any case, the articulation of academic freedom is very evident in the university, more than in any other universities in the country, I suppose. UP has banners its sense of academic freedom, at its highest basically, and well there are degrees of restrictions that are happening. But we cannot control the tuition fee because this is an administration induced, most that they can is allow protest actions well inside the university itself, you address national issues outside but also local issues. The assemblies that are happening, well at time, there was a time, like in Diliman for example, movements are being restricted in one college. And you know we have to have permits to be able to gather and assemble in one corner of that college, which brought us to the point of questioning again what is our academic freedom in the university and you know we cannot assembly in that and we cannot articulate ideas in that corner of the university and of that college specifically, where free flowing of ideas should emanate. So these are the issues at that time. It was not must of a front or a threat, or danger in the existence of our academic freedom in the university per se, but it’s more of challenges cropping up every now and then. Try to put degree of restriction or limit to practice we have practiced as academic freedom in the university of the Philippines per se, relatively, that’s how we can measure that.

JRRG: Sir, what do you think are the university’s roles in the operations of what you mentioned na measurements?

DLC: Actually kasi, one that we should look into also is ung may mga degrees of autonomy kasi na nangyayari sa university. We have the system, then we have the university, the units actually, and then we have the colleges. The Colleges have their academic freedom of crafting their own set of rules, guidelines that they will implement relative to governing basically the specific
college and instructing the students what to do. Pati nga sa, before, I think now there is a uniform way, pati nga sa enrolment magkakaiba sa ganitong college. Iba sa ganitong college, its not all the same. But now I suppose they have now a uniform computerized system. But way back, my goodness, you have to sleep at night in a college or in the school just to wait for the door to open and for you to be able to get your favorite, your favored slot. Otherwise, you’d be, you’d end up with. So, dati wala namang bakod ang University. No I heard may pintuan na, may restrictions na sa ID ata or something. Before anybody can just come in and out of the university and enjoy anything they want to enjoy there. ID is not much of an issue way back. Even if you have your ID. It is only important during the library time. Well, library time was very important that time, there were no internet yet and there were no computer use. Pang term paper lang ang computer noon. Word processing lang ang silbi sa atin. But now, it’s a dynamic tool in itself. So I suppose at that time, there are spots and isolated issues that were happening before, one college will set up its own rules which you know, other students will feel its very demeaning, in compliance to provisions of academic freedom. Un ung mga nilalabanan dati.

JRRG: Sir on the part of student faculty?

DLC: Actually, ung matindi lang is ung one time, kasi students will be asking bakit ganyan ung grade nila when in fact professors didn’t attend classes that much. Basta binigyan lang sila ng leeway, pero still up to the professor, that’s the academic freedom of the professor in teaching. That a sense of academic freedom also, giving you the leeway to see and seek and not be guided in learning, mas ganun pa, wala namang, my time there was an issue of sexual harassment, which was a big challenge. We were able to kick out a professor and eventually have him persecuted, and go, went to jail. Kwatro o Kwarto, ang tanong palagi. So he is known in his notoriety of bringing students in his room in one dormitory in the University. Wala masayong mabigat relative to teacher faculty relations, mas marami kaming na-e-encounter when I sit at the Board of Regents, noong Student Regent ako, marma kaming na-e-encounter not only in Diliman but also in other campuses, na mga rules and regulations na being set forth by the College. For example, tayo naman world natin nag-e-emanate from the college di ba? The College says you cannot use the rooms for meetings. Where will you meet? In the hallway? You cannot, they will not allow you to meet in the hallway unless you get permit. Again that’s an issue, bakit kami hihingi ng permit when this is part of our academic freedom supposed to be? May time na binabawalan ung dorm assemblies within a certain period of time. So parang it also delimits your movements and you perspective of articulation of issues and concerns. Imbes na, imbes na, ang sinasabi ng mga dorms naman that, it naman ung allotted time supposedly for studying et cetera. The reason why we have dormitories in the school, in the university, it is the continuation of our learning process eh. Connected yan. Hindi yan dahil lang may malalayong estudyante kailangan nila ng tirahan sa university. The dormitory system in the university of the Philippines, is envisioned to be a continuing learning process, interaction, communication, so it is also a venue of learning kumbaga. So hindi sya pwedeng sabihin na tirahan lang, extension sya. So that is the purpose of dormitory system in the University. Once they put restrictions to your movements, iba ang asasabihin may dorm, ung mga nilalabanan nila, dorm curfew. They have reasons for that pero baka pwedeng relax ang mga curfew especially ung mga pag may fair, may mga activities. We’re able to come up with some guidelines on that in the dormitories that will guide the dorm managers and the students relative to the relations and how can they work out their. Dun sa mga colleges mahirap talaga. Dean ang nagprescribe non kasama ang kanyang team, faculty. The most you can do is protest out and tell them that you are not conforming to what they’re doing but they are doing that they have to do. Nagkakahabulan minsan eh. Either makita ka na nasa
classroom nagmemeeting walang permit, nagagalit, may one time akong na-encounter, when I
was a regent, nag habulan ng mga guard, sila namang mga security guards ang nag-impose, ay,
ning-implement, hindi naman ung mga faculty, so nagkahabulan talag dun sa college na un,
nakita ko. I have to stop the guard and ask what is happening. Sabi nila wag akong makialam,
then one realized that I am a regent then they stop and said sir kasi bawal na ganyan-ganyan,
nagmeeting na, nagkasigawan, so what will you do? Sabi nila ipapaano daw nila,
ipapadisciplinary action et cetera, so far can disciplinary action come in? may fraternity rumble
for example, sabi nila it is an abridged of academic freedom kasi rumble na un eh, violence na un,
not anymore covered, not a part of the learning process, not a part, that’s what we call a barbaric
thing eh, hindi na. This were the thing that we were encountering at that time.

JRRG: Sir, so basically, sa student and administration? Not really on the faculty level. Sir bukod
sa regent, ano pa ung student representation, wala? Wala na po? Sa College?

DLC: Well, I sit in the scholarship board. I sit in a lot of boards actually in the University as the
student regent. Defending the students. This is more of levels. Parang representation nga lang
tala. Making sure that they are doing their thing. Pag hindi kaya sa boto, I’ll tell the students
sorry, as per my conscience can bring me, but this is the result and we have to respect the result,
if you don’t agree with the result, we all have the rights and privileges to put up placards and tell
them it’s not right. Ganu ang nangyari.

JRRG: Sir, third question, may deperensya po ba, o pagkakaiba ang student rights sa academic
freedom?

DLC: Well, integrated kasi yan. The reason why we’re articulating out students rights and
welfare, it’s because it emanates from our basic academic freedom in the university. Otherwise,
you won’t realize that you have your, students rights and welfare, unless you realize that the
basic tenets of academic freedom are properly articulated and properly appreciated. Kasi ang
rights and welfare naman ng mga estudante, component din naman ny aang academic freedom.
Dahil part eng kanyang pagiging estudante ay ang pagkakaroon ng karampatang karapatan na
malaman kung paano siya binibigyan ng grade at kung paano ang sistema ng pagtuturo, at kung
bakit nasa ganon, o bakit kailangan nasa classroom, bakit nasa o dapat may activity na ganito
based on the curriculum, part of the academic freedom is the discussion of the curriculum,
discussion of the course outline, discussion of teaching guidelines para at the end of the day,
walang sisihan. Kung pwede ka pwede, kung hind magtransfer ka. That’s part of our freedom
also, kapag yan ni restrict, di ka na pwedeng lumipat, that’s an abridge of academic freedom.
And now your rights will now be evident. What are your rights? Rights to question, to ask, and
articulate your views and ideas relative to subject being discussed, issues being discussed. On the
welfare side the university has to make sure that you know, we have ample classroom space,
good materials for visuals and et cetera. Yung welfare isyu nga umabot pa sa isyu ng stinking
toilet, and no water in the university. Ironically, nawasa, MWSS is across UP Diliman and you
don’t have water in the university, so we to fight that out. And the UP president at that time
really went out of his way to make sure that we’ll have water in every college.

JRRG: Sir sino po ba ang president nun?

DLC: Emil Javier. So President Emil Javier made sure that every college will have their own
water system. To make sure that they’ll have water. Every time you need water in the toilet,
stinking toilet, and leaking roofs. Stinking toilet and leaking roofs and no water. Ung leaking roofs naman kapag umulan talagang nagle-leak ung mga ceiling. And you know that's part of the welfare side. Making sure that they have the support systems. And relative to each and every student's welfare in the University, part ng welfare issues ang dormitory, ang infirmary, part ng welfare issue ang support pag may loan system. It was during my year when fought for the allowance of scholars to be given on time. Way back, they receive their allowance at the end of the semester na, close to the end of the semester. Kasi iipunin muna ung collection, pag natapos na ung collection, dun na ibibigay. So by the time na kailangan na ung pambili ng libro, pambili ng gamit ng scholars hindi na nya nagagamit un on time kasi patapos na ung sem, you'll just spend it for watching movies, pag treat sa inuman. Ganun ang nangyayari, cause you are, my, naextend kasi ung term ko as regent eh. During my extension, I requested the administration to look into this and I promised the students, sabi just wait, by the time we go to enrolment, that's the time you'll be receiving your check which happened naman as soon as they finish their enrolment, they got their check, ung mga scholars. Tapos na ung enrolment nya, nakuha na nya ung cheque nya, they can now buy the books that they need all the supplies that they need. That's how we went through out my ano.

JRRG: So how about the student councils during your time?

DLC: May mga student councils naman noon kasi. May kanya-kanya rin naman dynamics yan eh. Kaya nga council, they have to deliberate it as a collegial body. The chairman is the presiding and the one who represents the university and the college, but at the end of the day it's a collegial decision. Council nga yan eh. So whatever is the council resolution, or something they want me to bring up to the system, so I bring it up. Although, we leave it to the college college issues, we leave to the units units issues. Everything that goes up to me are policies in the system.

JRRG: Sir nung time nyo nun meron na sa Mindanao noon?

DLC: Time naming inapprove ang Mindanao. It was during my time when we approved UP Mindanao. It was inaugurated during my year as member of the board. It was the year when they started, ang term nila, democratizing, to democratize access, you bring it where the students are. So we set up UP in Mindanao. We also set up the Open University, it was during my year also as member of the Board, Pahinungod, was introduce. Pahinungod muna sya non, then it evolved into an open university, kaya the Open University, then we move to approving UP Mindanao. It all have during, when I was sitting as member of the board.

JRRG: So generally sir, what is your take in academic freedom?

DLC: You know, it is a very strong word in itself, academic freedom, it’s a strong statement in itself. If you would be vague about it, you can be as vague as you want. And if you want to be specific about it, you can be as specific as you want. The material thing is for the students to realize what it is to them relative to their studies for example, there are simple things that time we tend to neglect, given the opportunity to ask in the classroom, that's academic freedom in itself, but others do not find it necessary, parang pag sinabi ng teacher un na nag pinaniniwalaan natin, hindi di ba? As small as this and as big as grading system, it has to be appreciated both ways, by the professor and by the students so they will know how to protect it and how to preserve it. Otherwise, __. Same way, those who are running the academe will always do their best naman to make sure na they will protect the interest of the academic but still, if you are
vigilant and you know your rights and welfare, you know your basic freedom necessary, I suppose restrictions and limitations will not be set up. As long as you are vigilant and you know what is happening. Nangyayari lang naman kasi na nakakalusot ung ibang ganon kasi, there are times na, you know, we tend to be passive about it. But later on when it already start killing us, it’s when we start talking, o so, the best way really is for everyone to appreciate what it is all about, and then later on preserve it. And in preserving it, ensuring that everybody gets to be properly considered. And then making sure that, no extent of limitations or restrictions will be set up to abridge academic freedom.

JRRG: Thank you po!

DLC: You’re welcome! I hope it helps.
Sahlee Cariño-Camposano (SCC): Academic freedom is really a broad, and in terms of the measurement, there might be different ways of measuring academic freedom. One, or some would say that, its how the collegial body, the faculty assembly, are able to, is able to decide, how they are able to do things in the university. And then of course, there is a broader perspective from the entire community that when we say academic freedom, it’s the University being autonomous from outside influences, meaning it can decide on its own affairs, how we do things inside the university. And then other school say, in terms of the, you mention ung third question mo, if it is different from student rights. There is, in a broader sense, when you say there is academic freedom, we might be able to say that the students rights are taken cared of. As like what I said earlier, it may not necessarily be true. Kasi when we speak of students rights meron din yang different stakes. One would say na syempre as students, ung call for national subsidy, in terms of education is a right. It is an old slogan which until now, we still, are there in the streets in the rally. Every time there are news about tuition increase, okay let’s say education is a right. Un ung other side or un ung one aspect of students rights. When you say academic freedom, it is really being able to express your opinion in the university without fear of being prosecuted for being, you are free to debate about ideas, so in broad strokes, those are the broad meaning of academic freedom. How they operationalize in this university, as far as I know, there is a what we call a university council. Un ay sa faculty naman where they settle issues, curriculum, curricula, curricula development, as well as other, or different perspectives. How the university step forward, ano ba ang UP, ung mga debate-dabate. Is UP a product of parang what in the centennial lecture series kasi kami ng husband ko, we normally pass through the University on a daily basis, parang ung isa naming nakitang topic before dun sa centennial lecture series, ung isang lecture was about is UP parang the, is UP, o parang is the Philippine society result of UP graduates or is UP is what it is because of the society, parang ganun, parang ganung form ng questioning. So un totoo naman na parang you enjoy in UP, we set our own policy, and say that there is academic freedom. In terms of the metrics, I think, one important measure that there is academic freedom is how are we able to operationalize the different organizations, level, ung formal structures, ung faculty university council, of course we have ung mga workers in the university, and of course we have the students, when we say that, we can say that one of the metrics, that you can look for is the existence of these institutions in the university and how they are in terms of the school paper, university student council, organization, student organizations, so these are very basic manifestation of academic freedom. But of course you also have to take a look at how these organizations are ran and managed. Na because in some universities, they would say na, o we have the organizations, we have the student councils, the papers, but they are dictated upon by the administration. Un ganon, un bang how sure, un ung first metric ko, ung institution. And of course one another measure is how are they being managed, or how they run, for example, the office of the student regent, the faculty regent, how is the selection process, sino ba ung may final say in terms of the selection, pwede mo rin syang i-stretch further, ano ba ung composition ng board of regent ng UP di ba? Bukod sa mga institutions within na may faculty and student regent, meron kang two out of twelve, and the rest are, ex-officio officials, CHEd commissioner, ung senate and house of representatives chairmen of committee on education, ung mga ganon ganon na, un ung dalawang very important things to have in terms of saying na you have, really measures that there is academic freedom. It’s a mouthful of, academic freedom is parang a ano freedom parang hindi mo sya pwedeng in encapsulate in one concept or in one school of thought kasi within the university, how the term.
academic freedom is felt, marami syang, marami syang concepts ineembody, parang sinasasagasaang konsepto when you say academic freedom. It’s a lot of really looking into the University how things are done kasi ah even when we were UP plan during the faculty assembly when I was a student regent, there was a debate what academic freedom really is and is UP or can we say that UP is really a haven of academic freedom, it is really, that’s why from my perspective, it is really something that you think through, kasi if you compare, if you look at the exterior, the foreign universities, ung traditions, if you compare with our institution, may nakikita pa rin na they have na wala pa rin ditto sa Philippines kahit na UP na ang pinaka advance in terms of practice ng academic freedom. So, ikaw, ano un, how was your parang premise for this paper that you’re

JRGG: Kasi po meron ung sa UP, meron po silang institutionalized definition ng academic freedom. That academic freedom is this and this. And its only for teachers. Pero may mga nagsasabi naman na ito for students, for everybody in the university. Parang sa akin po I want to ask the former regents, Student Regents, during their term, parang ano ba manifestation na ganun ba, na on the part of the student, is there academic freedom.

SCC: During my time, the issues during my time, STFAP is one of the issues, I think it still is. And then the revised rules governing student organizations, which is, of course, from the perspective of the students, is a way to suppress the organization, making it more difficult to get accreditation, I don’t know kung pano na sya nag-evolve. But during my time, un ung mga issues. I think during my time, there is still academic freedom. The students were free to organize, to go to the ___ give lectures, invite students if they have campaigns, parang it is always an option for the students, you can join rallies, protest actions, parang in UP kasi, also the administration, they have this parang, if they are not really, violent or put the university at risk, parang agnun rin naman sila in terms even if the students hold protest, in fact if you talk to them, they would actually say that this is UP. So, its accepted, its really something part of UP, and if those thing are not there then this is not UP anymore. In a way there is that leeway, also coming from the administration and the Board of Regents. Of course everybody is against STFAP, but then again when it comes to having those rallies, putting all those propaganda materials, parang they just, I mean for them, it is expected, parang they will be surprised if there was no protest action, ganun. So parang ganun ang attitude ng administration. In a sense, they recognize since UP ‘to. Natural lang na may mga rallies, may protesta. But in the end, paano ba dinedesisyunan ang mga bagay-bagay. In the board of regents, it’s two out of 12, and most of the time, even if the faculty regent, and the student regent vote the same way, parati naman silang out voted. In a sense we have been free in practicing academic freedom. But if you look how the board votes, how policies are implemented ganyan, makikita mo na hindi rin sya gaanong ka ano, ka free, in terms of the programs, in terms of the directions in general. The University is following, following the general direction of the administration, we have parang sa tuition fees, sa Up is not spared from those things. So ano sya eh, un bagang dapat discerning ka para, yes UP is a ___ of academic freedom where we are free to hold rallies, hold protest, in terms of the policies, and direction, san ba pupunta ung UP, the course of it. Ano ba ung tinuturo ng students, are we do the curricula encourage students to ask questions, to raise questions, to develop critical thinking, ung mga ganong elements na titingnan nyo. Pero it’s a long debate. Syempre from one perspective, we’ve gone through all, having graduated from the university. O socsci 2 program gives you a lot of theories, you decide which theory you’d like to follow. Then again, yeah, you believe in the theories but how does it apply as a student as a citizen of this country? Ano bas a akin ang mga theory na yan. Un mga ganyan, that’s why said when we speak of academic
freedom, it is really really a mouthful that there is a definition by the university, but that is already limiting what academic freedom is di ba? Again, more of the faculty matters, it a long on going debate about when you speak of academic freedom, ano ba talaga? If you want I’ll try to look some papers, during that faculty forum, of course, there have been something written after that but it will give you an idea that even among the faculty, there have been a lot of questions on academic freedom, ano nga ba talaga sya? So I suppose, years after that may follow through kasi may definition ang university. So have you searched in the internet how is academic freedom defined?

JRRG: May mga foreign scholars na nagdefine na, may mga UP scholars na nagdefine tulad ni Dr. Nemenzo, Professor Randy David, those back in the 1960’s they have issues sa university nun, si President Sinco, meron din sya, ung mga ganun.

SCC: So anong observations mo sa kanilang definition?

JRRG: Kasi po mas faculty leaning ung mga…

SCC: Hindi talaga sa community ung academic freedom.

JRRG: Kasi hindi naman, ung mga professors daw ay mga communist leaning, ung ganon so, ang leaning ng definition is a protecting the faculty because it is an inquiry for truth, knowledge, so un po. Di po ba nasabi nyo kanina na student rights are not necessarily part of academic freedom.

SCC: Kasi if you look at the students rights level, you might say that the fact that they put forward their struggle for students rights, on the one hand they can argue it is part of academic freedom kasi you can express, you can call the president whatever you want to call you president, di ba? But then again, un nga, ung students rights per se is being able to express your views. Ung pag pinag-usapan ung education is a right, that’s a students rights issue kasi you will be able to parang oo nga ano, it doesn’t mean na if I have academic freedom, my education will be free, so ganun sya, even in private university. Like ateneo mataas ang tuition fee, they can say yes we have academic freedom. Ateneo has a very progressive education, nakakapagproduce naman kasi ng mga likes ni EdJop, mga student leaders, but then again, private university sya, matts ung tuition. In the first place, what’s your notion again of students rights? Ano ba yan, mga magagandang activities lang bayan? O mga more radical struggles? Ano ba yang students rights and welfare issues, if there is academic freedom, it follows that students rights are taken cared of. Kasi pupunta ka don sa ano ba ung student rights? Kasi is it the basic ganyan ganyan? Freedom of expression. Both may coexist pero if you argue ung ano ung primary students rights is the students rights to education, you cannot enjoy the right to organize in the university, in the first place, you are not in the university. So ung mga ganon din sya, mga broader perspective. In your study, ano ba ung rights?

JRRG: Rights po kasi, bale po ung ginamit kong concept of rights ay ung kay John Rawls, everybody, each person has equal opportunity to have rights, so parang in the university, given that premise, parang students have their own rights, faculty have their own rights, the staffs have their own rights, the university itself has its own rights. Everybody has equal level of rights. Kay hindi naman po sya, it’s very ideal. Kay ngayon we are trying to compromise.
SCC: So how do you, if everybody have their own rights, meron at meron dyang magbabangga. So how do you resolve those issues, so for example, the administration can say we can set the tuition because we know better, we managed the books, mga ganyan.

JRRG: So un nga po ung i-aanalyze ko after all the student regents I will interview will their views on the matter. Kasi magbabangga un.

SCC: Magbabangga sila.

JRRG: They will always say that they have institutional freedom. So un po.

SCC: So am I helping you or am I confusing you further?

JRRG: Actually okay nga po eh, you were able to establish the difference between the rights and freedom.

SCC: So what are the questions that you have pa.

JRRG: Actually, un lang po ung tatlo kong questions. Un po. Thank you po, Okay nap o siguro un. Salamat po!