

UNIVERSITY AUTONOMY

A Guarantee of Independence And Academic Freedom

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Autonomy, as the basis for all creative activity, is the essence of intellectual work. Although its etymological meaning makes it seem easy to define and limit the term, the situation is radically different when applied to universities, mainly because of their relationship to the state.

Etymologically speaking, the word "autonomy" means "making its own laws." The *Diccionario de la Real Academia Española* (Dictionary of the Royal Spanish Academy) defines it as the jurisdiction that municipalities, provinces, regions or other bodies exercise within the state to decide internally on their own particular interests, using their own norms and governing bodies.

From the start, we should distinguish, however, between *state sovereignty*, which is the power of the state to determine for itself its con-

ditions and the development of its policies in the life of the country, and autonomy, understood as the ability of government bodies to act on the basis of general overall guidelines outlined by the state as a whole. Sovereignty is manifested in two parallel ways: internally, through the ability to decide on mandatory general norms; and externally, through the capacity to make international commitments.

Autonomy, on the other hand, is the independence a public institution is given to determine its own functioning and the technical and administrative freedom to develop its own activities.

The concept of sovereignty is applicable only to the state as a whole, and therefore state institutions cannot individually have the same breadth of functions: they cannot legislate, nor be an international center with rights and obligations. That is why autonomous universities cannot be considered "a state within the state." However, even if autonomy is exer-

cised within the radius of action of a sovereign body, whoever exercises it is given complete leeway for acting with regard to specific activities. Therefore, university autonomy guarantees the broadest possible academic, administrative and financial freedom as a prerequisite for achieving the goals of universities: teaching, research and the dissemination of culture without dogma and with the complete freedom for different currents of thought to confront ideas and to generate new ones.

However, the need for freedom in scientific research has not always been clearly understood. The history of education, especially higher education, is a constant struggle between those who have attempted to fit research into a hierarchical, dogmatic structure, outside of which no theory or conclusion is allowed, and those who think that unchangeable, eternal dogmas should stay in the personal realm and that their religious and moral content is independent of science.

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The National University in 1929, the year it became autonomous.



The leaders of the movement for autonomy.

Universities were born in the Middle Ages among the scholastics who determined and channeled their existence. From the very beginning, however, their history has been a struggle for freedom. This worldwide phenomenon was also determinant in the rise and development of the university in Mexico.

In Mexico, the first university opened its doors in 1551, only 30 years after the Conquest. Under the protection—and therefore the control and tutelage—of the crown and the papacy, it was named the Royal Papal University of Mexico, and it retained that name until Independence. In 1833, the liberals, headed up by

Valentín Gómez Farías, suppressed the Royal Papal University of Mexico because it was considered a center of conservatism, completely useless for teaching. Since then, the university has opened and closed its doors on several occasions, depending on who held power—the liberals or the conservatives—until the Austrian archduke, Maximilian of Hapsburg, finally closed it by decree in 1865.

The concept of university autonomy emerged from the idea of scientific autonomy put forward in 1881 by Justo Sierra,¹ who proposed that secondary and higher education should no longer be directly controlled by the state, although the state should maintain the right to inspection. Justo Sierra's proposal was not passed by congress. However, a consensus was established around the creation of the national university and the possibility of its independence.

While autonomy was not achieved then, the idea of making the highest institution of learning in the land “national” was accepted, with the understanding that “the nation” is a series of values which are part of Mexicans' historic heritage and that we are obliged to preserve and add to as the only guarantee of historical, social and cultural continuity.

One hundred years after Mexican independence was declared, on May 26, 1910, the National University

¹ Justo Sierra, Mexican philosopher and educator, was Minister of Public Instruction from 1905 to 1911, during the Porfirio Díaz regime. [Editor's Note.]

of Mexico was created, including the National Preparatory School and the National Schools of Jurisprudence, Medicine, Engineering, Fine Arts and Higher Studies. It was conceived as a teaching institution that would carry out national education. Two years later, when the Chamber of Deputies discussed government spending, the university—just as on so many other occasions—was the object of severe attacks which questioned its usefulness and even its existence.

However, the university as a social project was consolidated with the triumph of the revolution. The Constituent Assembly of 1917 created a new legal category in the centralized sphere of public administration called a government department with the function of providing a public service without political constraints. This was how the University and Fine Arts Department was born, which administered the university. It was a step forward because, for the first time, technical questions were distinguished from political ones. However, control by the federal executive branch over the institution was absolute, and it therefore lacked administrative independence.

In 1918, Córdoba University in Argentina was the scene of a movement, which sparked others in Latin America, demanding university autonomy: it was the cry for the freedom to apply university learning to the great problems facing all nations in order to overcome backwardness.

In Mexico, the University Charter, which became law July 26, 1929,



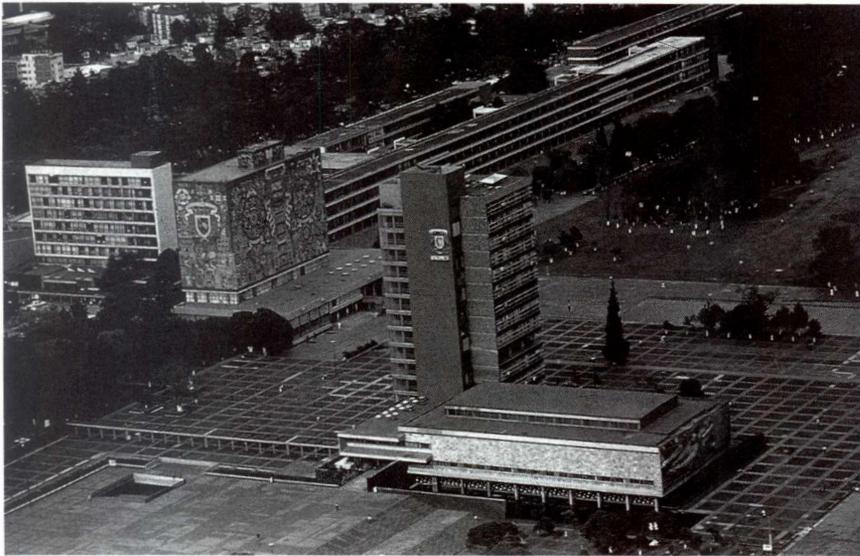
Students were key for winning autonomy.



Ignacio García Tellez. While García was rector of the University, autonomy was established.

defined the National University of Mexico as a public corporation with legal status. The charter recognized for the first time a degree of autonomy for the university, albeit incomplete because the Ministry of Public Education had a delegate in the University Council and the rector was

picked from among three nominees designated by the president of Mexico, who could also veto council resolutions. It was still conceived of as a state institution that should reflect state ideals. However, the nature of the university as a public institution for personalized service was clearly defined.



Mexico's National Autonomous University today.

The need for freedom in scientific research has not always been clearly understood.

During the 1933 debate between Antonio Caso,² who stressed academic freedom, and Vicente Lombardo Toledano, who favored socialist education, a new university charter was passed, broadening autonomy. It said nothing, however, about the national, public character of the university. It was not until August 3, 1944, when the University Constituent Council was established, that it would finally propose authentic and total university autonomy in

the bill creating a new charter, the one currently in force.

The Charter of the National University, published January 6, 1945, broadened out the concept of autonomy, expressly indicating the national, public nature of the university and establishing the government's responsibility for providing regular subsidies. Since then, autonomy has been considered the highest form of academic freedom for both research and teaching, indispensable to the functioning of a university. This autonomy, established in 1929 and strengthened in 1945, as the eminent Mexican philosopher and jurist Eduardo García Máynez said, was not "a concession, but appro-

priate, given the nature of an institution like the university."

The struggle for autonomy, initially carried out only for the newly christened National Autonomous University of Mexico, was extended to other institutions of higher learning in the country, particularly in the different states nationwide, until it became generalized in all higher education.

In 1980, Fraction 8 was added to Article 3 of the Constitution, guaranteeing university autonomy:

The universities and other institutions of higher learning, considered by law autonomous will have the ability and responsibility of governing themselves; they will pursue their aims of education, research and the dissemination of culture according to the principles of this article, with respect for academic freedom, for teaching and research and the free examination and discussion of ideas; they will determine their own plans and programs; they will fix the terms of admission, promotion and tenure of their academic staff and will administer their own patrimony. Labor relations [within said institutions] with both academic and administrative staff will be governed in accordance with Section "A" of Article 123 of this Constitution and the stipulations made in the Federal Labor Law for a special work, in such a way as to not infringe autonomy, academic freedom for teaching and research and the aims of the institutions referred to in this fraction.

² Antonio Caso was one of Mexico's most important early twentieth century philosophers. Vicente Lombardo Toledano was one of the great interpreters of socialist thought in Mexico and founder of the Popular Socialist Party (PPS). [Editor's Note.]

In developing the new ruling, it was taken into account that the function of universities is to create men of science, men of knowledge in the full sense of the word and that, in order to fulfill that function, they must impart knowledge and develop research according to the principle of academic freedom. Autonomy takes shape in the freedom that all members of the university enjoy to think and to create, to find truth and to make mistakes. Freedom is an essential part of universities. Limiting the freedom to carry out research, creating fear among men about their own thoughts or attempting to channel research toward previously established results is incompatible with the university's code of ethics for its work and the very essence of thought.

University autonomy was conceived by Javier Barros Sierra³ as "a principle emanating from the Western cultural tradition and which is today accepted, although in different ways and degrees, by the majority of modern nations.... University autonomy is essentially the freedom to teach, do research and disseminate culture. This academic autonomy would not exist in a complete form if the university did not have the right to organize itself, to function and use its economic resources in the way it sees fit, that is, if it did not have administrative autonomy and if it did not enjoy legislative autonomy, its ability to dictate its own ordinances. All

of this, of course, within the general lines of its charter."

For autonomous universities, autonomy also implies the obligation to permanently seek academic quality and excellence in all their activities. Autonomous universities are a very important part of the state's social function of molding more and better men committed to solving our nation's problems.

However, the mention of universities' social functions has sometimes been construed as an attempt to justify a series of obstacles and deficiencies they have had since their founding, such as a lack of funding or the obligation to academically homogenize a student population with

the most diverse origins and background. This question of the social function is important, not only because it seems to have been marginalized in the last few years, but also because it can have many focuses.

Without pretending that all shortcomings can be overcome, the essential thing is the challenge which only autonomous universities face: reconciling the social function and academic excellence. The formulation of this challenge is the main justification, in my view, of autonomous universities' preponderant role in our country.

Autonomy as an essential element of research and higher learning only makes sense in public institutions. That is why their commitment is to

*Autonomy must be a bulwark
of institutions of higher education
against the interest of
political parties.*



Today, autonomy is one of the basic values in Mexico's universities.

³ Javier Barros Sierra was rector of the National Autonomous University of Mexico from 1966 to 1970. [Editor's Note.]

the nation, as the bearer and beneficiary of the values which are above those of the state. The government, as the guiding hand of the state, has a mandate to maintain and foster higher education, which must include all ideologies and forms of thought in society.

The type of research carried out in private centers of higher learning is determined by their patrons. However, it is the state's responsibility to foster the freedom inherent in all intellectual activity, particularly in universities, and to respect the independence needed to recognize, express and seek the best possible development of intelligence, techniques and culture in all kinds of universities, with no limits other than those strictly imposed by the Constitution.

This is another reason that autonomy is only applicable to public bodies that, despite their economic dependence on the state, cannot and must not submit to government directives which obey momentary contingencies, but must incorporate in their midst all tendencies of society.

Autonomous universities are, in addition, part of our identity; their activity must beat with the pulse of our country. Their function must be participatory, critical, creative, pro-active and aimed at transforming society.

Autonomy is established first of all vis-à-vis the state, which, in applying Article 3 of the Constitution, creates enabling legislation for its functioning. Secondly, it is established vis-à-vis a particular administration, from which it receives its operating funds. But it is also established with regard to those



Session of the University Council, made up of UNAM authorities, academics, students and administrative staff.

groups which might intend to influence institutions through providing additional funding for specific projects: in the face of this, autonomy guarantees that the general purpose of the university, its day-to-day functioning and its research will not be affected.

At the same time —and perhaps this is the most important— autono-

my must be a bulwark of institutions of higher education against the interests of political parties. While the free debate of all ideas, including, of course, political ideas, is part of the very essence of universities, the exercise of political rights, recruitment of members and political campaigns must be left outside the university gates. ❧