

Freedom of Scientific Research

From a Legal Perspective

Article 13 of CFREU

- The arts and scientific research shall be free of constraints. Academic freedom shall be respected.

Main questions

- Are there constraints other than legal constraints?
- Is there a need for constraints and, if so, what constraints are acceptable?

Theses

- Freedom of scientific research is not and should not be limited by legal constraints.
- Freedom of scientific research is mainly threatened by monetary and private interest constraints.
- Freedom of scientific research needs an independent, institutionalised framework.
- Freedom of scientific research may only be limited by ethical constraints.

What is academic freedom?

- Individual academic freedom
 - Freedom of the individual scholar to teach and research without interference.
- Institutional academic freedom
 - Freedom of the academic institution from outside control.

Conflicts

- Galileo Galilei
- Criticisms of evolutionary theory
- Gene drive

Thesis 1

- Freedom of scientific research is not and should not be limited by legal constraints.
 - Freedom of scientific research is the “cousin” of freedom of expression.
 - Freedom to publish is essential to the freedom of scientific research.

Thesis 2

- Freedom of scientific research is mainly threatened by monetary and private interest constraints.
 - Growing influence of third party funding on research.
 - Biased reporting.
 - Research neglects diseases affecting the developing world, the poor and only a small number of people.
 - Poor working conditions of young scientists.

Thesis 3

- Freedom of scientific research needs an independent, institutionalised framework.
 - Autonomy
 - Procedural autonomy.
 - Substantive autonomy.
 - Self-governance
 - Participation of faculty members in academic governance.
 - Rise in managerialism.

Thesis 4

- Freedom of scientific research may be limited only by ethical constraints.
 - Should we inquire into everything we are able to – regardless of the consequences?
 - Frameworks and standards.
 - Ethics commissions.

Conclusion

- Academic freedom is as important as freedom of speech and should enjoy equal protection.
- Legal protection is not sufficient.
- Transparent criteria on how funds are allocated.
- Autonomy and self-governance for academic institutions.
- Ethical standards and ethics commissions.