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Abstract

This paper is a preliminary attempt to establish a working definition of academic freedom for the European Union states. The paper details why such a definition is required for the European Union and then examines some of the difficulties of defining academic freedom. By drawing upon the experience of the legal difficulties beset by the concept in the USA and building on previous analyses of constitutional and legislative protection for academic freedom, and of legal regulations regarding institutional governance and academic tenure, a working definition of academic freedom is then derived. The resultant definition, which, it is suggested, could form the basis for a European Magna Charta Libertatis Academicæ, goes beyond traditional discussions of academic freedom by specifying not only the rights inherent in the concept but also its accompanying duties, necessary limitations and safeguards. The paper concludes with proposals for how the definition might be tested and carried forward. (HRK / Abstract übernommen)