

# IMPROVING THE LEGAL FRAMEWORK FOR ENSURING ACADEMIC FREEDOM IN HIGHER EDUCATION INSTITUTIONS

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**Abstract:** This article examines the legal and constitutional measures required to enhance academic freedom within higher education institutions (HEIs) in Uzbekistan. It highlights the shift from traditional, theory-based education to practical skill development as a cornerstone of the country's educational reform agenda. The study emphasizes the need for academic freedom and independent management in HEIs, drawing lessons from international practices such as the Magna Charta Universitatum and European University Association recommendations. An analysis of recent reforms in Uzbekistan, including financial independence for HEIs and the constitutional inclusion of academic freedom, underscores the progress made while identifying areas for further development. The article concludes by emphasizing the role of academic freedom in fostering innovation, ensuring the independence of educators and researchers, and enhancing the global competitiveness of Uzbek universities.

**Keywords:** Academic freedom, higher education, Uzbekistan, constitutional reforms, financial independence, university autonomy, international practices, Magna Charta Universitatum, educational innovation, legal framework.

## **Introduction**

The development of New Uzbekistan necessitates adopting advanced standards in higher education and transitioning from theoretical knowledge acquisition to programs emphasizing practical skill development. Achieving this transformation requires constitutional and legal reforms to modernize education, integrate digital processes grounded in advanced educational technologies, and ensure academic freedom for educational institutions and educators. The effectiveness of higher education institutions (HEIs) and the training of highly qualified specialists hinge on implementing academic freedom and fostering independent management free from state administrative bodies through self-governance principles (The Constitution of the Republic of Uzbekistan, 2023).

## **Methods**

A comprehensive analysis was conducted on the current legal frameworks governing higher education institutions in Uzbekistan, with a focus on financial independence and academic freedom. Relevant international practices were reviewed, including key legal documents and recommendations such as The Magna Charta Universitatum (1988) and UNESCO's 1997 Recommendation on the Status of Higher Education Teaching Personnel. Comparative constitutional provisions from over 90 countries were analyzed to understand how academic freedom is legally enshrined. The study's methodology involved examining constitutional amendments, presidential resolutions, and existing literature on academic freedom (UNESCO, 1997; Whittington, 2018).

## **Results**

Between 1991 and 2016, no HEIs in Uzbekistan were granted financial independence. From 2017 to 2020, ten HEIs achieved financial independence, followed by 35 additional institutions starting in 2021. As of January 1, 2023, the Ministry of Higher Education, Science, and Innovation has the authority to include more state HEIs in the list of financially independent institutions with approval from the Higher Education Council and the Ministry of Economy and Finance (Resolution of the President of the Republic of Uzbekistan, 2021).

Internationally, academic freedom is integral to university independence and is reflected in legal frameworks that emphasize organizational, financial, recruitment, and academic freedoms (Shugrina, n.d.). Countries such as Japan (Article 23), Egypt (Article 21), and Spain (Article 20[1]) enshrine academic freedom in their constitutions. Similarly, Uzbekistan's updated Constitution (Article 51) grants higher education organizations the right to academic freedom, self-governance, and freedom of research and teaching (The Constitution of the Republic of Uzbekistan, 2023).

### **Discussion**

The adoption of financial independence for HEIs in Uzbekistan marks a significant step towards achieving academic freedom. However, academic freedom extends beyond financial autonomy and includes the freedom to teach, learn, research, and express thoughts without external interference (UNESCO, 1997). International practices highlight the necessity of incorporating academic freedom into constitutional provisions to ensure university independence and protect educators and students from undue influence (Shugrina, n.d.).

The integration of academic freedom into Uzbekistan's Constitution aligns with global trends, as evidenced by The Magna Charta Universitatum and various Parliamentary Assembly documents. This inclusion is expected to enhance higher education's quality by fostering an environment conducive to innovative teaching and research (Usarova, 2022). Future reforms should focus on implementing detailed legal acts that operationalize academic freedom while aligning with international standards.

### **Conclusion**

The legal recognition of academic freedom in Uzbekistan represents a pivotal development for higher education. By aligning national frameworks with international best practices, Uzbekistan can create a robust environment that fosters academic independence and excellence. Further legislative measures are essential to fully realize the potential of academic freedom and ensure its effective implementation in HEIs.

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