

Professor Academic Freedom Vis-s-Vis Covid-19

Name of Student

Institution

Course

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### Abstract

Academic freedom is the belief that the academic community has the right to pursue knowledge freely and engage in inquiry and teaching without interference or restriction from external forces. This includes the freedom to conduct research, publish findings, and teach without fear of reprisal from governments, institutions, or other individuals. The concept of academic freedom has a long history, dating back to ancient Greece and Rome. In the modern era, it was first codified in the 19th century in response to growing state interference in universities. This study aims to explore the concept of academic freedom vis-à-vis COVID-19. Legislative bodies and the courts have widely recognized the value of academic freedom. In COVID-19, academic freedom was safeguarded at all costs, as preventing friction between ISOs and academics could prevent the dissemination of accurate information about the virus. In COVID-19, academic freedom is protected by the Constitution and various laws that protect academic freedom from government interference. The value of academic freedom allows scholars the ability to engage in research and inquiry without interference from external forces. This research discusses that the First Amendment to the United States Constitution guarantees academic freedom. Many academic professors have taken an interest in the outbreak of COVID-19. Public employers can have a substantial economic interest in controlling the spread of coronavirus by engaging employees in ensuring they have been vaccinated. The best way to balance these interests is to ensure that academic research is conducted in a way that does not put the public at risk. The study will also look at the professor's ability to research Covid-19 and publish their findings.

*Keywords:* Academic, professor freedom, COVID-19, Values, First Amendment

## Professor Academic Freedom Vis-s-Vis Covid-19

### **I-Introduction to Academic Freedom**

A professor's academic freedom is one of the most cherished freedoms in modern academia. This freedom allows professors to explore new ideas and criticize existing ones without fear of reprisal from their institution or peers. The history of academic freedom is intertwined with the development of higher education in the United States (Devi, 2022). Academic freedom emerged in Europe during the Middle Ages as universities developed as centres of intellectual debate and learning. Early American colleges were similar because they were free schools, allowing professors to pursue any research project they wished. This freedom was fiercely protected by early American educators, who believed that it was essential for maintaining academic integrity.

Over time, American universities have recognized academic freedom as an essential part of their institutional culture. Today, many universities have formal policies protecting academic freedom - typically enumerated in sections such as "Freedom Within Limits" or "Principles Regarding Criticism and Disagreement" - and individual professors are encouraged to adhere to these policies whenever possible. Although there have been occasional instances where university administrators have attempted to restrict a professor's rights (most notably at Columbia University after Nicolas Cage punched then-professor Douglas Hall), on the whole, academic freedom has fared well in America over the past several centuries.

Colleges and universities are independent of the government and serve as a counterpoint to the government's educational philosophies. Political parties do not run them but leaders with strong moral codes. This makes it easier for students to learn without having their beliefs constantly challenged by professors (Harshvardhan, 2021). Furthermore, it prevents students

from joining forces with administrators to suppress unpopular opinions. These institutions also provide a safe space for minorities and people with different political views.

Academic freedom allows professors to present ideas and concepts without being censored by students or administrators. For example, the University of California at Berkeley annually hosts radical rallies. Even though these rallies are illegal, there is no way for the university administration to stop its participants from attending or hosting rallies on campus grounds (Das et al., 2023). Essentially, these rallies are free speech; however, campus authorities may threaten or censor their participants if they are anti-social or intolerant of radical ideas. On the other hand, rallies hosted by those who oppose those views may go unchallenged because the organizers can avoid threats or censorship from authorities or students alike.

Students can protest and exercise their academic freedom when invited to do so by their school. For example, when racial discrimination still occurred in American schools in 1968, African-American high school students walked out of school to protest such acts of racism. This 'student protest' was met with violent reactions from racist groups, resulting in 21 deaths, but school protesters stood their ground despite violent reactions from racist groups (Mukhopadhyay, 2022). In addition, rioters looted over 1,000 businesses during riots following the death of James Chaney and Andrew Goodman (the two men who died during that 'student protest'). Even though violent riots may occur when students protest, these actions are part of their right to academic freedom. Overall, this study aims to discuss the implications of the current COVID-19 situation on academic freedom, with a specific focus on professors.

### **The Definition of Academic Freedom**

“Academic freedom is the belief that scholars should be free to research, teach, and publish without fear of unjust retribution from their institutions or government”

*(Merriam-Webster, n.d).*

### **Statement of the Purpose/Problem**

There is currently a debate in the academic community about the extent to which professors should be allowed to express their opinions on COVID-19, particularly about the pandemic's impact on society and the economy. Some argue that professors should be allowed to express their opinions freely, even if they differ from the official line of their institutions or the government. Others argue that professors should be more cautious in their statements lest they be seen as endorsing controversial or dangerous positions. Therefore, this study aims to explore the concept of academic freedom vis-à-vis COVID-19. This research will contribute to a better understanding of the contours of academic freedom in the contemporary context.

### **The Aims and Objectives of the Study**

This study aims:

1. To understand how professors' academic freedom is affected by the COVID-19 pandemic.
2. To know how professors are being asked to change their teaching methods considering the pandemic and whether they feel they have the freedom to do so.
3. To learn about professors' challenges regarding their research and publication activities during this time.

## The Scope and Significance of the Study

The study seeks to determine the professor's academic freedom vis-s-vis Covid-19. The study will also look at the ability of the professor to do research on Covid-19 and publish their findings. Additionally, the study will explore what rights the professor has if they believe in their academic freedom. The study will help scholars to understand the limits of academic freedom and its ramification on society at large.

## Four Elements of Academic Freedom

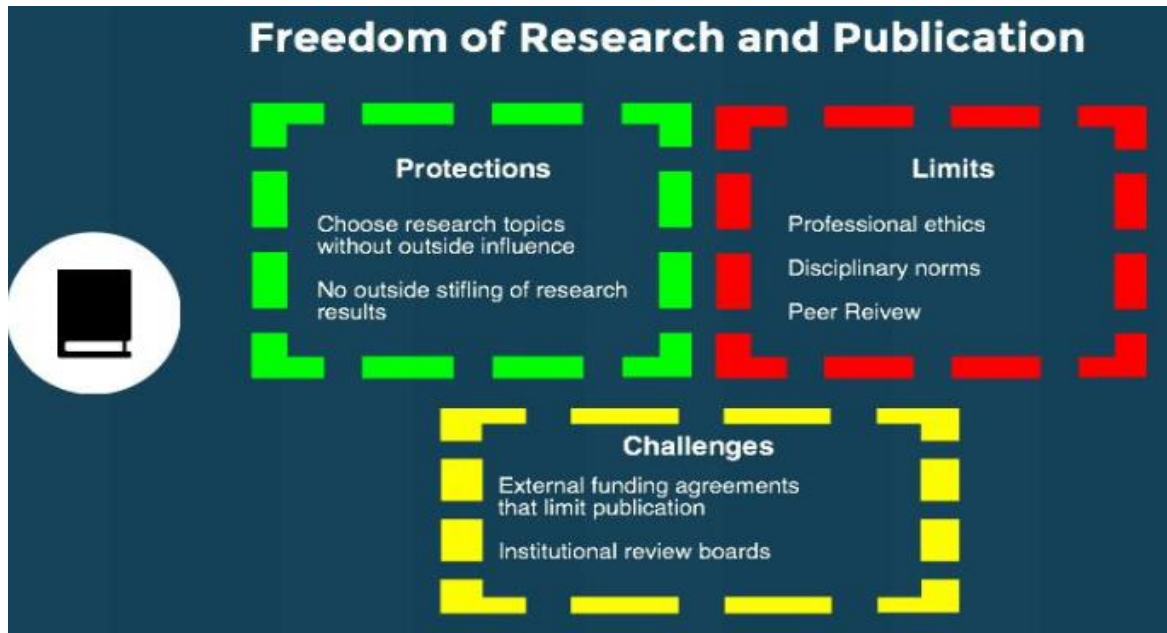
The following are four basic elements of academic freedom.



### 1. Freedom in the Classroom

Many educators have different interpretations of what freedom in the classroom looks like. This can make it difficult to establish a common definition. However, at its core, freedom in the classroom is the idea that professors and students should be free to learn without restrictions.

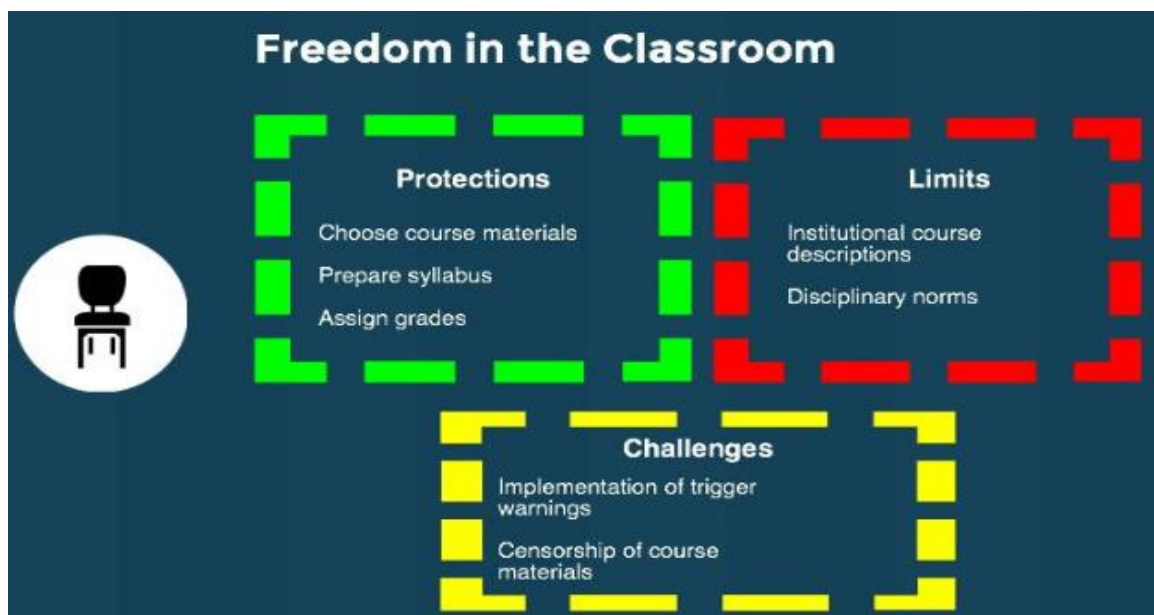
*The freedom in the classroom is further elaborated in the following figure.*



**2. Freedom of Research and Publication**

It is the freedom of academics to study, teach, conduct and publish research on any topic they wish. It is a cornerstone of contemporary academia and has been integral to the development of science and technology since the scientific revolution.

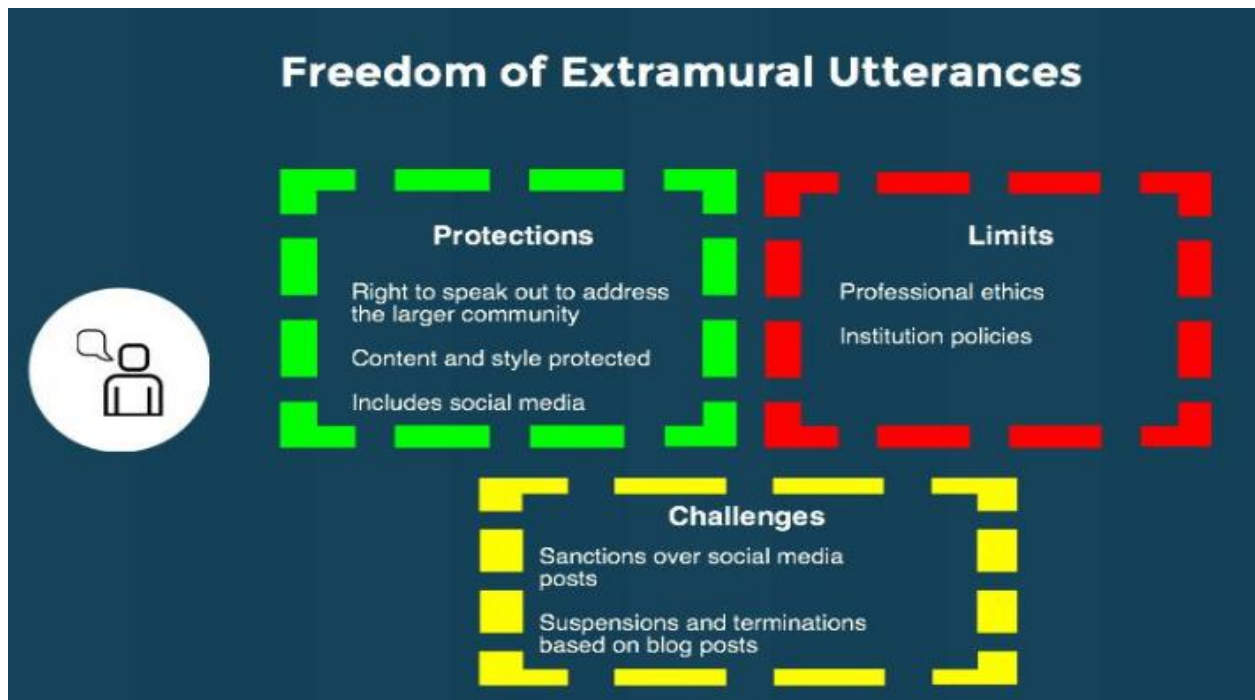
*The freedom of Research and Publication is further elaborated in the following figure.*



### 3. Freedom of Extramural Utterances

The freedom of extramural utterances is the academic freedom to express one's views on matters outside of their area of expertise. This freedom is important for professors and other academics to engage in public debates on issues they may not have expertise in but still have an informed opinion on. This can help to create a more informed and deliberative citizenry (Cristani & Tache, n.d.). There has been some debate about whether the freedom of extramural utterances should be limited. For example, some have argued that academics should only be allowed to speak on matters within their area of expertise. Others have argued that there should be no restrictions on what academics can say as long as they are not making false claims.

*The freedom of Extramural Utterances is further elaborated in the following figure.*

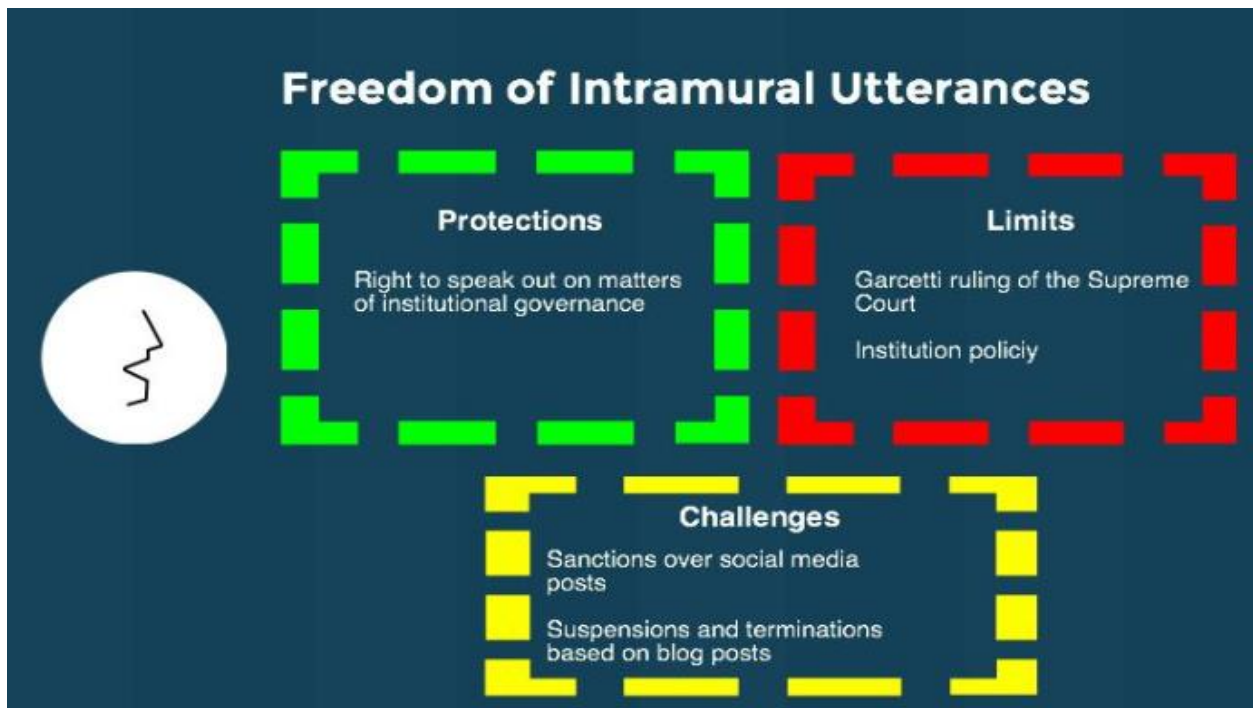




#### 4. Freedom of Intramural Utterances

The freedom of intramural utterances is the belief that academic staff should be free to express their opinions and views on campus without fear of reprisal. This principle is based on the idea that academic institutions are places where open dialogue and debate should be encouraged to promote learning and intellectual growth. Unfortunately, this ideal of academic freedom is only sometimes upheld in practice. In recent years, there has been an increasing trend of universities and colleges censoring or punishing faculty members who express views deemed controversial or unpopular. This is often done to “protect” students from offensive or hurtful speech.

*The freedom of Intramural Utterances is further elaborated in the following figure.*



## **II-Background and History of Academic Freedom**

Academic freedom is the right of professors and researchers to express their opinions freely in the classroom and laboratory. This tradition has its roots in ancient Greece and Rome, where philosophers debated ideas without fear of punishment from political authorities. The phrase "academic freedom" first emerged in the 17th century, when scholars began to argue that they should be free from state interference in their work. In the 19th century, academic freedom became more institutionalized as universities began to defend themselves against government censorship and favoritism (Das et al., 2023). The concept of academic freedom is still very much alive today. Many universities worldwide have developed policies ensuring that their students are protected from undue pressure from the outside world. In the Middle Ages, universities became havens for scholars who could discuss openly controversial topics without fear of retribution from the church or king. In 1776, philosopher John Stuart Mill argued that academic freedom was essential to a democratic society. He believed free discourse was crucial to advancing knowledge and helping people form reasoned judgments about complex issues. Today, academic freedom is protected by law in most countries worldwide. Legislative bodies and the courts have widely recognized the value of academic freedom. The notion of academic freedom as a core value of higher education was further solidified in the 20th century, particularly during World Wars I and II.

The limits on academic freedom vary considerably from country to country, but almost all jurisdictions provide some protection for academics engaged in scholarly activity. The exact scope of academic freedom varies depending on the type of institution (university or college), era (medieval times versus today), and region (North America versus Europe ). Nevertheless, nearly

all jurisdictions recognize some form of academic freedom as an essential principle underlying liberal education.

Academic freedom has a long and storied history in the United States. The roots of academic freedom can be found in the British tradition of free speech brought to America by the Founders. In 1776, Thomas Paine wrote an essay entitled "The Rights of Man," arguing that individuals have natural rights from God (Carrilho & Trindade, 2022). These rights include the right to express oneself freely, learn without fear of punishment, and pursue knowledge without government interference or other authority figures. Some say these principles are still at the heart of American universities today. Universities are places where students can explore their ideas and share them with others without censorship or intimidation. This is why academic freedom is so important to American universities - it allows them to provide a space where students can learn and grow without fear of retribution.

In the 19th century, universities came under attack from government officials. In 1887, University of Chicago professor John Dewey was suspended from his job after giving a speech critiquing President Grover Cleveland's educational policy. Dewey's suspension made headlines around the country and highlighted the importance of academic freedom in American universities. Today, academic freedom is protected by both federal and state law. The First Amendment to the US Constitution guarantees freedom of speech, including on university campuses (Das et al., 2023). Every state has laws protecting academic freedom, which vary based on the type of institution (private or public) and the nature of the research being conducted. Some states, like Illinois, protect academic freedom more than others. However, no state has a law that protects academic freedom from government interference.

While academics have always been free to express their views, the increasing politicization of universities has made defending academic freedom an even more important role for American universities. In 2016, swastikas were found spray-painted on several University of California campuses. The university responded by reinstating restrictions on speaking engagements by outside speakers and issuing statements reaffirming its commitment to free speech rights. However, these incidents show how fragile the protection of academic freedom can be - threats to it cannot be ignored or tolerated. Academic freedom has been a critical tenet of higher education for centuries (Cristani & Tache, n.d.). Despite its long history, academic freedom is not absolute. There are limits to what scholars can say and do without facing repercussions. For example, in some countries, scholars can be punished for speaking out against the government or advocating for controversial positions. Additionally, academic freedom only sometimes extends to all university community members. In some cases, students and staff may not have the same protection as faculty members.

### **III-Academic Freedom Regarding COVID-19**

Academic freedom is a cornerstone of free speech and academic inquiry in universities. In the face of a pandemic, students must be able to express their opinions on vaccinations and other public health measures without fear of retribution from their professors or administrators. In COVID-19, academic freedom was safeguarded at all costs, as preventing friction between ISOs and academics could prevent dissemination of accurate information about the virus.

The benefits of academic freedom during a pandemic include an increased understanding of the disease process and potential solutions, more effective collaborations between researchers across disciplines, and more extraordinary vaccine design and development innovation. By enabling rigorous debate among experts, academic freedom helps advance public health

consensus around critical issues related to the pandemic. It allows for the free exchange of ideas and new and innovative thoughts. This is especially important during a pandemic, when people may be more open to new information and theories.

### **A. The Value of Academic Freedom**

The value of academic freedom is hotly debated. However, according to the University of Illinois Urbana Champaign's website, "academic freedom should be liberally construed to protect the free expression and research of ideas within the institution." In theory, academics are free to criticize their work and express controversial opinions without fear of retribution. This protection extends not just to academics but also students and staff. For example, a student who protests against their professor may exercise their right to free speech even if they receive a poor grade. Likewise, employees can express dissenting views on social media without fearing disciplinary action from their employers (Carrilho & Trindade, 2022). This value of academic freedom allows scholars to engage in research and inquiry without interference from external forces. This type of freedom is essential for the advancement of knowledge and the pursuit of truth. It allows academics to explore controversial or unpopular topics without fear of retribution and to challenge the prevailing orthodoxy. Additionally, academic freedom promotes open inquiry and debate, which are essential for a healthy academic environment.

However, academic freedom is not absolute - there are limits on what can be said or done. For example, professors cannot advocate for partisan political parties or make discriminatory comments about other groups of people. Furthermore, courses must comply with appropriate standards such as university boards or state legislatures. Additionally, several legal mechanisms, such as libel laws and hate crime statutes, protect academic freedom. In some cases, this protection has been extended beyond traditional academia into popular culture - for

example, comedians' right to joke about sensitive issues like abortion without fear of reprisals from activist groups. In other words, an academic who publicly advocates for violence or hatred may be disciplined by their institution or even lose their job. Additionally, academics must still adhere to professional and ethical standards, and they can be held accountable for their research and teaching. However, as long as academics can freely pursue their work without undue interference, the value of academic freedom is immense.

### **B. How Far It Goes?**

Academic freedom is a cornerstone of academic institutions and is often seen as one of the essential values of a university. It allows professors to explore new ideas and express their opinions without fear of retribution from their institution or the government. Covid-19 is a digital world where information is accessible to anyone with an internet connection (Devi, 2022). Academic freedom is not as protected as in traditional, physical worlds. Academic freedom is the belief that scholars should research, teach, and publish without undue restrictions or interference. This principle is fundamental during times of crisis, such as the current COVID-19 pandemic. Therefore, it is essential that scholars can continue their work without fear of reprisal or censorship. This allows them to continue advancing knowledge and understanding, which can help them better deal with their challenges. There have been some concerns raised about academic freedom during the COVID-19 pandemic. For example, scholars have been censored or punished for their work on the virus. In some cases, universities have shut down research projects that could have helped to mitigate the pandemic. Moreover, the professors can be fired for expressing unpopular opinions or publishing research contradicting the government's official stance on a particular issue. However, it is essential to remember that academic freedom is a principle that should be defended even during times of crisis. Censorship and punishment of

scholars only stifle critical thinking and creativity, which we need now more than ever. Thus, people must continue to fight for the principle of academic freedom so that scholars can continue contributing to understanding the world and help them find solutions to our challenges.

### **C. How Far Is It Protected?**

Academic freedom is a fundamental principle of academic institutions that allows professors to explore and discuss any topic without fear of retribution from their superiors. Academic freedom is a cherished right that is constantly under attack. Unfortunately, the threat to academic freedom is not just from within the university community but also from government officials and private companies who want to control what can and cannot be taught. In COVID-19, academic freedom is protected by the Constitution and various laws that protect academic freedom from government interference. The Constitution in COVID-19 guarantees all citizens the right to free speech and to express their opinions freely (Mukhopadhyay, 2022). This protection extends to academics, who are free to explore any topic without fear of punishment from their superiors. The Constitution guarantees academic freedom from government interference, ensuring professors can pursue research without fear of censorship or suppression. The protection of academic freedom is enshrined in law through a number of statutes and regulations. For example, the Education Act of Covid-19 protects students from being punished for expressing their opinions in class. The Freedom of Expression Act ensures that professors can express their views without fear of retribution from their superiors. These laws protect academic freedom from government interference and censorship, allowing professors to pursue research without fear of reprisal.

Some of the main threats to academic freedom come from the government. The government has a history of censoring academic research that it does not agree with. For

example, the Chinese government has banned many academic papers on democracy because the government views democracy as a threat to its power. Another threat to academic freedom comes from private companies. Private companies can fire professors for expressing controversial opinions or for publishing research that contradicts their company's interests.

Fortunately, there are several ways in which academic freedom is protected during Covid-19. First, the government cannot force universities to censor their professors or punish them for publishing controversial research. Second, the government cannot require professors to use government-approved curricula or textbooks. The government cannot require professors to sign loyalty oaths or refrain from speaking publicly against the government (Carrilho & Trindade, 2022). Universities can protect professors by guaranteeing them freedom of speech and research. They can also punish professors who violate academic freedom policies. To protect academic freedom, schools should ensure that all students know their rights and that faculty members can freely express their opinions. They should also ensure that any scientific research being conducted is released to the public to evaluate it critically. Furthermore, to protect academic freedom, universities must maintain strong institutional policies that protect the right of professors to teach controversial topics and to express their opinions without fear of retribution. In addition, professors must be able to freely research and exchange ideas with their colleagues without fear of censorship or reprisal. Finally, students must be able to freely express their opinions in class and online without fear of retribution from their professors or administrators.

There are some challenges to academic freedom that have emerged in recent years. One of the most significant is the increasing commercialization of higher education. As colleges and universities become increasingly reliant on corporate funding, there is a risk that academic



freedom could be compromised. Another challenge to academic freedom comes from government interference. In some countries, governments are increasingly interfering with what is taught in universities and colleges (Das et al., 2023). This can limit the free exchange of ideas and the ability of scholars to pursue controversial research. Finally, self-censorship could limit academic freedom. As campuses become more politically polarized, scholars may be less likely to pursue research that their peers could see as controversial or offensive. Despite these challenges, academic freedom remains vital to the higher education experience. It is essential for the free exchange of ideas and the pursuit of knowledge.

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#### **Part IV - Discussion**

##### **A. Whether a university employee's comments on COVID-19 were made in their capacity as citizens, they would be protected under the First Amendment's Free Speech Clause**

In Covid-19, academic freedom is protected by law and institutional norms and practices. The First Amendment to the United States Constitution guarantees academic freedom, which "requires that research undertaken by universities be free from political or religious pressure."

This protection extends to both university professors and graduate students. The US Bill of Rights also guarantees the right to free speech and expression, which includes the right to criticize government policies (Carrilho & Trindade, 2022). Institutions under COVID-19 generally protect academic freedom through written guidelines or codes of conduct that are made publicly available. These codes of conduct lay out expectations for behavior within the institution and are often used to punish violators. The codes of conduct also protect intellectual freedom, which refers to the freedom of professors to teach according to their own beliefs. Individuals who violate academic freedom rights may be subject to disciplinary actions, such as suspensions or expulsion from the institution. In some cases, legal action may be taken against individuals who violate academic freedom rights.

Covid-19 presents unique challenges to academic freedom, however. Because the virus takes away cognitive abilities, those infected may be unable to participate fully in class discussions or defend their research findings. For this reason, universities have traditionally been protective of intellectual freedoms, striving to ensure that all community members can communicate effectively. In COVID-19, these protections are even more critical than usual because many people will be unable to express themselves freely. As a result, universities must work hard to ensure that all students have access to education and adequate resources to continue contributing positively to society even when their ability to think critically is hindered.

One fundamental idea underpinning academic freedom is the idea of scholar-driven research. This means that researchers should be able to freely examine any subject without fear of retribution from those in power. Unfortunately, this ideal has been increasingly more work to uphold in recent years. For example, there have been numerous cases where researchers have been suppressed by their governments for investigating topics that may be politically sensitive.

In other cases, university administrators have tried to force professors to bow down to political pressure and censor them. It is clear that there are still many challenges facing academic freedom during COVID-19, but luckily, it maintains a substantial value in society overall.

### **B. Does Covid 19 Qualify as a Public Concern?**

The COVID-19 pandemic has caused a great deal of public concern, but whether or not it qualifies as a public concern is open to debate. The pandemic may not be a public concern because it is not a threat to the public. Others may argue that the pandemic does qualify as a public concern because it has caused a great deal of disruption and inconvenience to the public. The outbreak of COVID-19 has sparked a global pandemic, with cases now reported in over 100 countries (Das et al., 2023). The World Health Organization has declared the outbreak a public health emergency of international concern.

The virus has caused significant global disruption, with widespread travel restrictions, business closures, and millions of people losing their jobs. The economic impact of the outbreak is already being felt worldwide. The health impact of the virus is also a primary public concern. The virus is highly contagious and has caused many deaths, particularly in China, where the outbreak originated. The virus has also caused many hospitalizations and strained healthcare systems worldwide.

All of these factors qualify the pandemic as a public concern. The health impact of the pandemic is clear, with many people suffering from illness and death. The economic impact is also clear, with businesses shutting down and people losing their jobs. The mental health impact is also significant, with many suffering from anxiety and depression. Finally, the virus is causing a lot of anxiety and fear as people worry about contracting the disease and its potential to spread

further. Finally, the virus is causing a lot of anxiety and fear as people worry about contracting the disease and the potential for it to spread further.

### **C. How to Balance an Academic Professor's Interest vs. a Public Employer's Interest on Covid-19?**

#### **Academic Professor's Interest.**

An academic professor interested in covid-19 may want to research the disease and its effects on the body. They may also want to study how the virus is transmitted and how it can be prevented. Additionally, the professor may be interested in the psychological effects of the virus, such as the anxiety and fear it may cause. Many academic professors have taken an interest in the outbreak of covid-19. They have been researching the disease and its effects on the human body. Some professors have even gone so far as to develop new treatments for the disease. This is a very important development, as the more we understand the disease, the better we can treat it.

#### **Public Employer's Interest.**

As the world continues to grapple with the ongoing COVID-19 pandemic, many employers are understandably focused on keeping their employees safe and healthy. However, employers also have a vested interest in protecting their business interests. In the case of public employers, this includes ensuring that the services they provide to the community are not disrupted. While the health and safety of employees is always a top priority, public employers must also consider the potential impact of COVID-19 on their ability to provide essential services (Das et al., 2023). In some cases, this may mean taking extra precautions to ensure that employees at higher risk for complications from the virus are not exposed to it. In other cases, it may mean changing how services are delivered to reduce the risk of transmission. No matter

what measures are taken, public employers must remember that they are responsible to their community. Protecting their employees and business interests can help ensure that essential services are not disrupted, and everyone remains safe and healthy. Public employers can have a substantial economic interest in controlling the spread of coronavirus by engaging employees in ensuring they have been vaccinated, changing procedures to reduce the potential for exposure, and minimizing the spread of the virus.

### **The balance between Academic Professor's Interest vs. a Public Employer's Interest**

Academic professors have a vested interest in ensuring the safety of their students and staff and in ensuring that their institutions can continue operating during this difficult time. On the other hand, public employers are responsible for protecting the general public's health and safety and ensuring that essential services are maintained.

The best way to balance these interests is to ensure that communication is open and honest between all parties involved. Academic professors should work with public employers to ensure everyone knows the risks and the precautions that must be taken (Harshvardhan, 2021). Public employers should also be willing to listen to academic professors' concerns and consider them when deciding how to protect the health and safety of all involved. On the one hand, academic professors may be interested in conducting research and teaching classes on the topic of COVID-19 in order to further our understanding of the disease. On the other hand, public employers may be more interested in preventing the spread of the disease and protecting the general public's health (Carrilho & Trindade, 2022). Therefore, the best way to balance these interests is to ensure that academic research is conducted in a way that does not put the public at risk. For example, academic researchers may need strict safety protocols when conducting experiments or collecting data. In addition, public employers should work with academic

institutions to ensure that they know the latest research and use it to inform their decision-making.

#### **D. Discuss the Employee's Free Speech Interest in Covid 19**

As Covid-19 unfolds, employers and employees are grappling with the new drug's implications. Some experts believe that COVID-19 could profoundly impact free speech rights in the workplace, while others maintain that any potential restrictions would be unconstitutional. While it is early days, there is already some discussion about how Covid-19 will affect employees' free speech rights. One concern is that the drug could lead to workers being coerced into disclosing trade secrets or engaging in other confidential communications. Another worry is that COVID-19 could inhibit employees from expressing dissenting views or criticizing their superiors (Merriam-Webster, n.d). At this stage, it remains to be seen how much of an impact Covid-19 will have on free speech in the workplace.

In the meantime, employers should be aware of their legal obligations regarding employee speech. For example, employers cannot force workers to reveal confidential information or participate in HR investigations if they do not want to. Moreover, employees are generally free to express their opinions publicly if they do so respectfully. However, companies may have discretion when disciplining employees who engage in offensive or harmful speech. In general, then, Covid-19 is likely to have a modest impact on free speech rights in the workplace. Nevertheless, employers and employees should monitor developments closely and take appropriate precautions if this drug restricts speech.

#### **The Right to Free Speech in the Workplace**

The right to free speech in the workplace is a critical safeguard for employees. It protects them from retaliation for speaking out against their employers and allows them to express their

opinions on matters of public concern. However, the right to free speech does not extend to all speech. Certain types of speech, such as defamation or incitement to violence, are considered unlawful under many jurisdictions (Cristani & Tache, n.d.). In these cases, employers may have a legitimate interest in prohibiting such speech from occurring in the workplace. Employees also have a right to free speech when discussing matters of personal interest with their coworkers. However, this right is subject to certain restrictions. For example, employers may prohibit employees from discussing company secrets with one another or from making disparaging remarks about their coworkers.

### **Employees' Rights Regarding Workplace Safety**

Employees have the right to free speech when they discuss a potential safety issue at work. This right allows employees to speak out about potential dangers without fear of retribution from their employer. However, there are some limits to this right. For example, employees cannot speak out about illegal activity or confidential information. Additionally, employees cannot speak out about safety concerns their employer will not address. When balancing an employee's free speech interest against the public employer's interest, the public employer's interest usually takes precedence. This is because the public employer is responsible for protecting the public from workplace dangers. Additionally, the public employer must address any safety concerns that are brought to their attention. This duty can be challenging if employees are unwilling to address their safety concerns through traditional channels.

### **Employers' Responsibilities Regarding Employee Safety**

In light of COVID-19, employees have a heightened interest in knowing their rights regarding free speech. While the risks posed by the medical device may be concerning for some individuals, others may feel that they should be able to disclose their information to raise

awareness about the issue. In order to protect both employee safety and public concern, employers have a responsibility to ensure that all employees can freely express their opinions on COVID-19 without fear of retaliation (Carrilho & Trindade, 2022). At its core, an employee's right to free speech includes speaking out on matters of public concern. This means an employer cannot censure or punish an employee for speaking out on issues that he or she believes are important. However, this right only extends to some topics. For example, an employee cannot engage in unlawful, offensive speech. Employers must also consider the safety of employees and bystanders when weighing whether or not to allow an employee to speak out on a matter of public concern.

Employees have the right to express their opinions free from retaliation. This means that employers cannot fire, reprimand, or otherwise punish an employee for speaking out on issues related to Covid-19. However, this protection does not apply if the statements made by the employee are unlawful or offensive. In addition, employers may lawfully suspend an employee for engaging in protests or strikes without fear of reprisal from the company. While protecting employee safety and public concern is paramount, employers must also consider employees' rights to free speech. In order to ensure that all employees have an opportunity to voice their opinions on COVID-19, employers should provide a safe and comfortable work environment. Additionally, employers should ensure that all employees know their rights and obligations under the law regarding free speech.

### **Part V - Conclusion**

In conclusion, academic freedom is a core value of higher education essential to maintaining a vibrant learning environment. The principles of academic freedom protect the rights of faculty, students, and staff to express their ideas and opinions without fear of reprisal



freely. However, this protection is not absolute, and universities must balance the competing interests of individuals and the institution when making decisions about academic freedom. While the COVID-19 pandemic has presented unique challenges to maintaining this balance, universities must continue to uphold the principles of academic freedom to promote critical thinking and learning.

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