

Competing concepts of the academic freedom within the discourses concerning the inauguration of the Hungarian Royal University of Kolozsvár/Cluj*

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THE DEFINITION of the concept of academic freedom in the Hungarian Thesaurus dictionary is the following: “The right of a university professor to freely choose the subject and content of his/her lectures, as well as a student’s free choice in attending one lecture or another from the academic curriculum.”¹ This interpretation speaks about two interpretations of the concept, which in this sense may refer, on the one hand, to the rights of university professors, and on the other hand, it may be also used as a term for describing students’ rights. In the second half of the 19th century, at the time of the establishment of the Hungarian Royal University of Kolozsvár/Cluj, academic freedom becomes an important concept in the reasoning and mechanisms concerning the establishment and inauguration of a university. The term appears already in the first sentence of the university’s founding document: “Based on the principle of academic freedom, a Hungarian Royal university shall be erected in Kolozsvár/Cluj.”² It generates serious conflicts that the above explained meanings and those that are to be discussed more in detail later on in my paper, were found conflicting by the contemporaries of the age, each wanting to make prevail only the interpretation they most identified themselves with. In the following paper I would like to present the impact on the university of Kolozsvár/Cluj of the fact that the persons who took part in its establishment promoted one or the another concept of academic freedom. Besides, the content of this concept as being one of the key concepts of the higher education system, depended not only on the personal agents of public education (actors of politics and of the

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profession), but relied heavily on the current state of the education system as well. In my paper, I shall analyze the effect of the extent and movement of professionalization of the public educational system on the evolution of the concept of academic freedom, through the example of the university of Kolozsvár/Cluj.³ As we have seen, the act ruling on the establishment of the university already includes academic freedom as a basis for the institute. However, the concept was interpreted very differently by some opinants already in the discussion stage of the draft act, not mentioning the discourses commencing with the inauguration of the university. From this perspective, it is not surprising that one of the first measures taken by the board of professors in respect of the inauguration was launching an enquiry concerning the issue of academic freedom (even before the opening of the university): “the issue of academic freedom was put under discussion, by which one must not understand the liberation from studying, whereby it must be implemented only within certain constraints. The task of the professors—according to the agreement made at the consultations—is not that of fully covering all aspects of their subject of instruction, but is primarily that of thoroughly discussing it and introducing students to the method of teaching and thinking.”⁴ Some of the participants in the debates on various forums concerning academic freedom have different understandings of the concept: some see it as institutional autonomy, some understand it as the methodological, scientific and perhaps administrative independence of the professors, while others define it as the freedom of students in the sense that only the exams assessing knowledge should be institutionally constrained, while giving free hand to students in the way they acquire knowledge, thus promoting the survival of self-training in the new institutional framework.

The issue of academic freedom is of significant importance in the age. This is suggested also by the fact that from among the 1848 acts, the act no. XIX on the Hungarian universities deals in its totality with academic freedom:

*Act no. XIX of 1848 on the Hungarian universities. The following is ruled regarding the Hungarian university: § 1. The university is subject to the authority of the minister of public education. § 2. The principle of free teaching and studying, that is, on the one hand, the freedom of students to choose a particular subject of instruction and the respective professor; on the other hand, the freedom of notable persons to teach at universities besides the hired teachers, is converted to law, under the circumstances temporarily set by the ministry and under those to be set by an act. § 3. The minister of public education shall be commissioned with the enforcement of this principle at the universities. A report on this and on the relating activities shall be submitted by the minister at the next Parliamentary session.*⁵

Also in this case, academic freedom obtains sense from the perspective of the two aspects of higher education, that is, the role of the professor and of students, however the concept of academic freedom described here slightly differs from the definition from the thesaurus dictionary, provided at the beginning of this paper. The passage of the act referring to the work of the professors sees this meaning of academic freedom in the opening of the professorial hierarchy, in the sense of more ways towards university professorship.

Subsequently, the issue of academic freedom also appears in the draft act on the reorganization of the university of Budapest, submitted by Eötvös. In this interpretation the concept of academic freedom bears various aspects. The motivation of the draft act refers back on the one hand to the above cited use of the term in the act of 1848, and it sets out the following: “Academic freedom, to the extent that its application is assigned by the cited act to the minister of public education, is enforced: besides the ordinary teachers, extra teachers and private teachers are also hired at the university, and students are free to choose the desired lecturer for their subjects of instruction.”⁹⁶ Here too, as a first step, the concept is interpreted as the freedom of students in choosing their professors, after which it is thoroughly discussed and carefully analyzed: “One aspect of academic freedom is the freedom to teach, which is stated and provided in the sections explained above: – the other aspect is the freedom to study, which is set out in sections 7, 8 and 9. The first condition of full freedom to study is that everyone wishing to attend university lectures and acquire knowledge should be given the opportunity to do so, that is, not only those people who do possess a certain required knowledge; furthermore, the knowledge acquired at university should be acknowledged.”⁹⁷ Thus, it was regarded as a sign of academic freedom that some levels of the educational system were not built upon one another in the sense that entering higher levels did not require absorbing lower levels. The grade of professionalization of a more closed and exclusivist educational system is higher, however the principle of academic freedom still overrides the professionalizational drivers of the higher education system’s reorganization. The other condition of academic freedom is seen in the possibility of freely choosing the professors, which is repeatedly emphasized: “The other condition of academic studying is that the students can freely choose the subjects of instruction they wish to attend, and can also opt for one professor or another. . . . The selection of the subjects of instruction in the case of ordinary students is restricted to the extent that, the duration of the given course and the list of compulsory subjects are established by the government, nevertheless, besides the indispensable freedom in education, order is of at least the same importance.”⁹⁸

In 1872, few months before the opening of the university of Kolozsvár/Cluj, in one of the issues of *Magyar Tanügy*, Gusztáv Heinrich sees the nationalization of these institutes as the inhibitor of the free academic knowledge cultivation, i.e. of academic freedom:

Whereas French institutions emphasize the importance of specialization, that is the aspect of practicality; German universities increasingly abandoned the aspects of professional specialization and teaching, while focusing on science and scientific research, and of course, neglecting the practical part. The reason why German universities did not do this to a higher extent, that is, not occupying exclusively the perspective of free science is due to the highly important circumstance, that these institutes were all state-owned and they had to earn the privilege and support they received from the state. The service that the state requested and still requests is the training of its civil servants.⁹⁹

Heinrich, thus, puts the French and German university models against each other, while speaking about the increased dependence of the German model on the state. In this context, the state-founded university of Kolozsvár/Cluj is, by default, predestined to have less freedom. It is not in the same situation as the university of Budapest, given that the university of Kolozsvár/Cluj is a newly state-founded institute, so its relationship with the churches and the state is different, and it has a different bargaining position when it comes to academic freedom. Even if it is organized after the university of Budapest, the fact that whereas the founding document of the former was signed by Péter Pázmány, the cardinal of Esztergom, and that of the university of Kolozsvár/Cluj was signed by Franz Joseph Apostolic King of Hungary, the latter is unavoidably placed under the authority of the state.

The founding of the university of Kolozsvár/Cluj is set in a special professionalization-historical context: the public education act by Eötvös from 1868 represented a professionalizational age boundary not only from the perspective that it formed a large institution system by introducing free and compulsory education, which led to a higher alphabetization and discipline but also to a more closed Hungarian education system, but also from the perspective that it took important steps toward the separation of state public education and denominational education. It built a state-owned institution system for public education, thus handing the establishment of public education systems and the assignment of roles to the state structures, and last but not least, it was the state that decided upon the content of the academic material, as well as on its canonic interpretation. This meant that the bases of the Hungarian public education system being under construction in that period represented professionalism to the same extent that it was subject to political interests.

It was in this context that Franz Joseph founded the Hungarian Royal University of Kolozsvár/Cluj in 1872, even permitting later on that the institute use his name. As a result, this was the country's first state founded university, and this fact left its mark on both the structure and on the academic board of the institution, defined its scope and later opportunities, as well as the force of the conceptions regarding academic freedom within the institution.

In order to reconstruct the contemporary concept history, I shall be using the history resources of the Faculty of Letters. In the case of the university of Kolozsvár/Cluj, the issue of academic freedom strongly relates with the institution's peripheral situation: far from the capital Budapest, under completely different local conditions the same organizational regulation applies to the newly founded university "Until higher education is not governed by a separate act, the rules prevailing in the Hungarian Royal University of Budapest shall apply to the newly-founded university, too, unless this same act rules otherwise."¹⁰

Despite the fact that for the university of Kolozsvár/Cluj it is a disadvantage that the Royal Hungarian Ministry of Religion and Public Instruction did not elaborate a custom regulation for this new university, due to the special interpretation of the principle of academic freedom, this disadvantage can often be transformed into an advantage in Kolozsvár/Cluj.

The professors of the Faculty of Letters held their first meeting—although not on in full number—on October 23, before the official inauguration of the university on November 10, 1872. The presence list is the following: Sándor Imre (ordinary professor of Hungarian language and literature), dean, chairman of the meeting; Károly Szabó (ordinary public professor of Hungarian history, vice dean); Henrik Finály (ordinary public professor of auxiliary sciences of history), dr. Ottó Hóman (ordinary public professor of classical philology), Gedeon Ladányi (ordinary public professor of universal history), János Szamosi (ordinary public professor of classical philology) and Béla Szász (ordinary public professor of philology), the latter took over the duty of preparing the minutes of the meetings. As of this year, further members of the faculty's board of professors are: Hugó Meltzl (ordinary public professor of German language and literature), Grigore Silași (ordinary public professor of Romanian language and literature), Lajos Felméri (ordinary public professor of pedagogy), as well as teachers of living languages: József Duret (teacher of French language and literature) and János Kovács (English language and literature teacher). The university rector in 1872 was Áron Berde.

The agenda of the first meeting included the first administrative steps of the faculty's organization: the curriculum, the distribution of the classrooms were discussed first, and already at the first meeting, the board formulated their requests concerning the additional furnishing of the classrooms: among others they require a wall-clock. The fact that this demand is discussed already at the first meeting suggests its importance, that is, the professors find it necessary that the classes are regulated by this means as well; beyond the pragmatic nature of the institutional boundaries and regulations of education, the timetable is also an important symbolic instrument: thus, professional instruction and study governed and limited by a timetable and a classroom is in sharp contrast with the autodidactic, self-paced study. This type of knowledge cannot be achieved anytime and anywhere, but by equipping the classrooms with wall-clocks, the transfer of knowledge—instruction and acquirement—is realized as work. The curriculum is attached to the first minutes noting that the chairs of the geography and Romanian language and literature departments are still vacant.

At the following meetings, the professors make a recommendation to the ministry of public education suggesting that besides the two departments mentioned earlier, further departments should be established: "a.) the establishment of a psychology-anthropology ordinary department; b.) the establishment of an aesthetics and history of arts ordinary department; c.) the pronouncement of the necessity of a European and Ural-Altaic comparative linguistics department . . . ; d.) the salary of an archaeology professor, more specifically, a medieval Christian archaeology private professor . . . ; e.) the salary of a Hungarian cultural history private professor . . . ; f.) the board urges that the chair of the comparative geography faculty is occupied as soon as possible."¹¹ The majority of their requests are not fulfilled by the ministry, at the moment, at the third meeting, which was held on November 19, only Grigore Silași also known as Gergely Szilasi, professor of Romanian language and literature was present, following his recent assignment on October 20. Thus, the vacancy at the Romanian department was occupied quite soon. However, as it is mentioned in the above cited minutes of the meeting from 1873, the

occupation of the vacant seat in the geography department is yet to happen.¹² As we can see, university autonomy suffered a lot already at the establishment of the institution, as the professional necessities—for example, the establishment of the geography department or the payment for cultural history classes—are for the moment or for ever overridden by political and financial aspects.

With the progress of the academic year, the consequences of the aporia from the text of the university founding document are formulated, one by one: namely, those problems resulting from the duality that this is a newly-founded university, intended to be organized according to the centuries old university of Pest. This issue arose already with the inauguration of the teacher education institution related to the university, as due to Kolozsvár/Cluj's peculiar situation, the rules of the teacher education institution of Pest cannot be applied here, either: "This is due to the fact that from among the teacher candidates there is only one person who has attended university lectures, and as a result, the teacher education institution cannot be founded this semester, and in conformity with §8 of the regulation of the teacher education institution, its establishment with ordinary members will not be possible in the next semester, either."¹³ The regulation of the institution of Pest is thus, not applicable, as the requirements it sets out for the students cannot be met on the newly founded university of Kolozsvár/Cluj. The members of the board—based on the disposition but still circumventing it—eventually manage to dissolve the contradiction by launching the teacher education institution, however, in the first year instead of ordinary students there were extraordinary ones. This is a very good example of the way the university relates to the dispositions issued by Budapest: formally it always abides by the ministerial instructions and decisions, but by continuously referring to the particular local situations and conditions, it always executes them adapted to its own necessities.

Thus, the university of Kolozsvár/Cluj can offer a greater educational and scientific freedom to those who work or study here than the university of Budapest. In this context, it allows more opportunities and a larger scope for scientific innovations and experimental solutions.

Nevertheless, there are cases when the state-founded condition of the university still obviously determines the decisions of the university, this is when the dependence on the state is present in the life of the faculty not as a fetter but as a ground for reasoning. These cases illustrate how complex the relationship of the university with the state is in terms of university autonomy, and it cannot simply be described as the government's desire to control the university or as the institution's fight for autonomy. When, for example, on December 4, 1872, the board of professors decide upon the compatibility of the first private professor candidate, English teacher Károly Gibbon is found unfit for the English teacher position within the Faculty of Letters, arguing the decision by his unsatisfactory command of the Hungarian language. The board finds it unacceptable to employ a person at the university founded by the Hungarian state, who does not speak the state's language.¹⁴ During the same meeting, the board adopts János Szamosi's motion, in which he suggests the creation of teacher positions for the living languages; within the same year, they will adjudicate that in the case of foreign langua-

ge teachers the perfect command of the Hungarian language is indispensable.¹⁵ The issue of language teaching presents itself as an urgent problem that needs to be clarified, and whose opportunities and limitations are being created simultaneously already in the first academic year. At the state-founded university the interests of the Hungarian politics prevail, and as is seen right from the beginning, not only the interests coming from above, that of the state are only considered, but in the case of some of the faculties, many times it is the faculty itself that wants to first comply with the interests of the state, giving secondary importance to the professional aspects. As it is seen in this case too, not even the exceptional professional competences of the foreign language teachers can override the state/national requirement of the perfect command of the Hungarian language. In the issue of academic freedom, the professors of the university can be not only subjects to the limitations established by the state, but there can be cases when they, themselves exploit the advantages of these limitations.

Already in the first academic year, one essential aspect of self-definition of the university of Kolozsvár/Cluj gets into shape: the clarification of its relationship with the university of Budapest is being urged, on December 19 their request concerning the equalization of the universities of Kolozsvár/Cluj and of Budapest, are recorded in minutes. At the same time, they request a different judgment concerning the inclusion of Hungarian literature in the curriculum of the teacher education institution. With reference to the special relations of the university of Kolozsvár/Cluj, they request that Hungarian language and literature be included in the curriculum of the teacher education institution, nevertheless the ministry rejects their request explaining that as this subject does not figure in the curriculum of the institute of Budapest, the institute of Kolozsvár/Cluj cannot include it in its curriculum. Subsequently, Sándor Imre, a professor at the Hungarian language and literature department at the Faculty of Letters points out that “for the sake of national erudition” he shall hold the classes anyway for free.¹⁶

Already in the first years, the university of Kolozsvár/Cluj noticeably strives for enforcing its interests by using the practice of dual arguing: where it has a disadvantage against the institution of Budapest (e.g. in the case of the professors wages, as in Kolozsvár/Cluj the professors earn a lot less compared to their colleagues from Budapest), it raises its voice in favor of equalization, but at the same time, by making reference to the special conditions in Kolozsvár/Cluj, they emphasize the differences between the two institutions, and thus they are able to accomplish many of their objectives. In this dual game, despite its above described dependence on the state, the university of Kolozsvár/Cluj is able to reach a greater level of freedom, and right at the beginning it manages to become the university of possibilities.

In the following academic years the relationship of the university of Kolozsvár/Cluj with that of Budapest and with the ministry is characterized by further negotiations. Some of the subsisting documents of the Faculty of Letters reveal that the faculty is striving to adopt the most favorable position in this institutional relationship as well. The faculty raises its voice in order to criticize the ministerial instructions concerning the evaluation of national scholarships: in the compulsory presence of the ministerial commissioner it sees the deterioration of the faculty’s autonomy and the questioning of its

professional competence.¹⁷ From the documents of the first decade the academic year of 1879–80 is the most complete; although a few documents are missing from this year, the remaining registry book gives us an idea about the content of the missing documents. There are 361 registered documents or files for this academic year. Having browsed through the almost complete set documents of the year, I realized that the majority of the documents produced deal with solving financial issues such as tuition fees, scholarships, material allowances, train tickets of professors and administrative staff. The level of financial independence of the faculty, as well as the extent to which the university or the ministry honored the arising financial needs, might give us a clue regarding the institutional dependence of the Faculty of Letters. Its position within the education system, as well as its relation with the government was highly influenced by the bureaucracy of the arising financial issues.

As the issue of academic freedom and its possibilities of accomplishment were important aspects of the university's inaugural speeches, right at the beginning of its existence, in the state-founded university the creation of structures by the state supremacy is inevitable, helping the university and its substitutions, including the Faculty of Letters in fulfilling the needs of the state.

The files of the academic year of 1879–80 show that material dependence has got an important role in the daily activities of the faculty. As it is not characteristic of the neighboring countries to conserve or to fray out their material independence,¹⁸ the university of Kolozsvár/Cluj is also characterized by serious material dependence. The advances on salary of the professors, the free train tickets, the list of the students worthy of scholarships or awards, the different scientific degrees were all approved by the ministry of education, who provided the necessary material basis for them. From this perspective, the state power appears as the main owner of professional knowledge, as professional awarding depends on its decision. For example, Hugó Meltzl requested a six months leave this year, the covering of his travel costs and an advance payment for his research on completing his Edda studies.¹⁹ The minister did not approve it, and instead of evoking financial reasons, he provided professional arguments: he explained in his answer that the summer holiday is just enough for accomplishing the desired study route.²⁰ Thus, he revised Meltzl's professional arguments. From this moment on we can talk about the faculty's dependence when it comes to professional issues. We shall realize in our studies on the university and on the history of science that the faculty's approach to science is influenced by this, and in our interpretation we must consider the importance of the strategies worked out by some of the representatives of the different departments for evading this dependence.

As the argumentation of the paper also allows the reader to conclude, the concept of academic freedom fancied by the university professors, as well as the meaning of the same concept used by political actors not only do not cover each other, but in many cases there are totally opposite conceptions behind the same terminology. In the majority of the cases, the concept used by legislation and in the professor's discourses are different because in the language use of the ministry and of the political actors this is a political concept that fits into the linguistic logic of continental liberalism. In this context, aca-

ademic freedom can be achieved from the power, that is, from the Ministry of Religion and Public Instruction, by a comprehensive legal regulation. That is, from the point of view of the power, providing freedom to as many actors within the educational process as possible by using as many legal dispositions as possible—this concept of academic freedom is actually the term of the very exactly regulated educational system.²¹ In the expression of the professors, academic freedom is a term describing their views on professionalism, and is not really about the political ideology of liberalism, but rather the definition of their professional and scientific limits. Thinking in the logic of the history of professionalization, the argumentation of the university professors with academic freedom shows that level of professionalization, when the board of professors representing professionalization against the state, “is able to enforce common interests and becomes a vocational group—in the modern sense of the word—with a strong group identity conscience.”²²

In the above paper I presented the uses in the second half of the 19th century of the term academic freedom, by making use of the sources on the history of the university of Kolozsvár/Cluj. Some meanings of the term illustrate the different aspects and consequences of the contemporary professionalization of the public education system. The sources on the history of the university that I have worked with show that the analyzed concept has three large semantic fields. In some of these sources on academic freedom, the term refers to the institutional autonomy of the university, and within it to the necessity of scientific and material independence. The second big category, in which the meanings of academic freedom appear, is related to the professorial activity. In this interpretation, on the one hand, the freedom of professorial activity is understood by it, that is, the possibility of the professors to decide on the content of their lectures, and on the other hand it refers to the openness of the career of a university professor, by introducing the institution of private professorship. The concept of academic freedom makes sense to the students of the age, as well. In certain sources, it refers to their free choice of professors for their subjects, in other cases it refers to the system of conditions around the recruiting of students. This means the freedom that allows them to enroll in university even if they lack previous training. I have studied these competing meanings of academic freedom in the context of the professionalization of the education system and of the role of the state in the texts preceding and following the inauguration of the university of Kolozsvár/Cluj, as well as in the documents of the academic years 1872–3 and 1879–80.

It is clear through the example of the university of Kolozsvár/Cluj, that the issue of academic freedom is not merely a two-element issue, it functions not only as a term for denoting the struggle for power between the owner of the power and the institution, it is not a dualistic system that lies behind it, but is actually a password in a multifactorial system of relationships, which is understood and used by each actor in their own momentary favor, if need be.



Notes

1. "Egyetemi tanárnak az a joga, hogy előadásai tárgyát és tartalmát maga határozza meg, ill. a hallgatóknak a meghirdetett előadások közötti szabad választása." (*Magyar Értelmező Kéziszótár*, ed. József Juhász et al., vol. 2, Budapest: Akadémiai Kiadó, 1998, 1333.) [N. Z. M., trad. here and henceforth]
2. Act no. XIX of 1872 on the establishment and temporary organization of the Hungarian Royal University of Kolozsvár/Cluj.
3. About the concept of professionalization see: Ronald Rudin, "The Professionalization of History in English Canada," *The Canadian Historical Review* 87, 3 (2006), 506-507; Michael Keane, "Professionalization: the historical estrangement of academic and public in the US," *History of the Human Sciences* 5, 13, 2 (2000): 117-123; Boris Dubin, "Intelligentsia and professionalization," *South Atlantic Quarterly*, 105, 3, (2006): 581-594.
4. "a tanszabadság kérdése vitatott meg, mely alatt nem érthetni fölszabadulást a tanuláslól, minélfogva csak bizonyos korlátok közt léptetendő életbe. A tanárok feladata—a tanácskozás megállapodása szerint—nem az, hogy tárgyát teljesen kimerítse, hanem első sorban az, hogy azt behatóan tárgyalja s tanítványait a tanítás és gondolkodás módszerébe avassa be." ("Egyetemi enquete", *Kelet* (22 October 1872): 243)
5. "1848. évi XIX. törvénycikk a magyar egyetemről. A magyar egyetemre nézve rendeltetik: 1. § Az egyetem egyenesen a közoktatási minister hatósága alá rendeltetik. 2. § Az oktatás és tanulás szabadságának azon elve, hogy egyrészt a tanuló arra nézve: mely tan, és mellyik tanártól kívánja hallgatni, szabad választást tehessen; másrészt: hogy a rendes tanárokon kívül, más jeles egyének is, a ministerium által ideiglenesen megállapítandó, későbbben pedig törvény által meghatározandó feltételek mellett oktathassanak, törvényesen kimondatik. 3. § Ezen elvnek az egyetemnél alkalmazása a közoktatási ministerre bízatik, tudósítását ez, és egyéb e részben teendő iránt a legközelebbi országgyűlésnek benyújtván." (Act no. XIX of 1848)
6. "A tanszabadság azon mérvben, melyben annak alkalmazását az idézett törvény a közoktatásügyi ministerre bízta, érvényesítve van: a rendes tanárokon kívül rendkívüli- és magán-tanárok is működővén az egyetemen, s a tanulóknak szabadságukban állván tárgyaikat bármelyik, azokat előadó tanártól hallgatni." (József Eötvös, "Törvényjavaslat a pesti királyi magyar egyetem újból szervezése tárgyában," in *Képviselőházi irományok* (Budapest) 4, 428 (1869): 265.)
7. "A tanszabadság egyik oldala a tanítás szabadsága, mely a fenntebb indokolt szakaszokban van megállapítva és biztosítva: – a másik oldala a tanulás szabadsága, mely a 7., 8., és 9.-ik szakaszokban állapítatik meg. A tanulási teljes szabadság első feltétele, hogy az egyetemi előadások hallgathatására s ott ismeretek szerzésére, mindenki előtt nyitva legyen az út, s ne csak azok előtt, kik bizonyos megszabott előképzettséget kimutatnak: továbbá hogy, az egyetemen szerzett képzettsége el is legyen ismerve." (Ibid., 267)
8. "Az egyetemi tanulás szabadságának másik kelléke, hogy a tanulók saját választásuk szerint szabadon hallgathassák tantárgyaikat bármelyik azokat előadó tanártól. . . . A tantárgyak választása a rendes tanulókra nézve annyiban van korlátozva, amennyiben a tanfolyam tartalma, és az elvégzendő tantárgyak a kormány által állapítottak meg, ezt azonban nélkülözhetlenné teszi az oktatásban a szabadság mellett ép oly szükséges rend." (Ibid., 268)
9. "Míg a francia intézetek a szakbeli kiképzetést, azaz a gyakorlati élet szempontját helyezik előtérbe: addig a német egyetemek a szaktudomány és tanítás álláspontját mindinkább elhagyták és a tudományt és tudományos nyomozást állították előtérbe, a gyakorlati élet igényeinek lehető mellőzésével. Hogy a német egyetemek ezt nem tették még nagyobb mértékben, hogy nem foglalták el kirekesztőleg a szabad tudomány álláspontját, annak oka azon nagyfontosságú körülményben rejlik, hogy ezen intézetek mind államiak, és hogy azon kiváltságokat s pártolást, melyeket az állam részéről élveznek, megszolgálni tartoznak. A szolgálat,

- melyet az állam követelt és jelenleg is követel, hivatalnokainak kiképzése volt.” (Dr. G[usztáv] Heinrich, “Az egyetemi reform,” *Magyar tanügy* 2 (15 February 1872): 51)
10. “Addig, míg az egyetemi oktatás külön törvény által nem szabályoztatik, a pesti magyar királyi tudomány egyetemen jelenleg fennálló szabályok ezen egyetemre nézve is érvényesek, amennyiben ezen törvény mást nem rendel.” (Act no. XIX of 1872 on the establishment and temporary organization of the Hungarian Royal University of Kolozsvár/Cluj)
 11. “a.) egy lélektan-anthropológiai rendes tanszék felállítását; b.) egy aesthetikai és mútörténelmi rendes tanszék felállítását; c.) egy indo-europai és egy ural-áltai összehasonlító nyelvészeti tanszék szükségességének kimondását ...; d.) egy archaeologiai nevezetesen középkori keresztény archaeologiai magán tanárnak díjazását . . .; e.) egy magyar mivelődéstörténeti magán tanár díjazását . . .; f.) sürgetni bátorodik a kar az összehasonlító földrajzi tanszék betöltését.” (National Archives of Cluj, fond no. 315. Documents of the Faculty of Letters, Linguistics and Science History, January 25, 1873)
 12. They will request exactly the same thing in their recommendation dated on December 13, 1873.
 13. “Ugyanis a bejegyzett tanárjelöltek között csak egy van, ki egyetemi előadásokat már hallgatót, minek folytán a tanárképezde e félévben sehogysem, és rendes tagokkal a pesti tanárképezde szabályzatának 8§-a értelmében, a következő második félévben sem állítható föl.” (National Archives . . . 1872–3. November 19, 1872)
 14. *Ibid.*, December 4, 1872.
 15. “As a consequence, the board commissions the dean to announce a call for application for the mentioned language teaching authorization for English, French and Italian, setting February 15 as deadline. The former condition regarding the perfect command of the Hungarian language for foreign language teachers is maintained.” (“A kar ennek folytán megbízza a dékán urat, hogy a szóban forgó nyelvtanítási engedélyre az angol, francia és olasz nyelvekből f. é. febr. 15-éig terjedőleg, pályázatot hirdessen ily értelemben, —ezúttal is fentartván korábbi nézetét, mely szerint a modern nyelvek előadójánál is elengedhetetlen kellékül tekinti a magyar nyelvben való teljes jártasságot.” *Ibid.*, January 12, 1873)
 16. “No. 60. The rescript registered under entry no. 7975/1873 of the honorable minister is read out loud. According to the document he seriously considered the reasons set forth by the faculty in their proposal, that is, Hungarian language and literature should be included in the curriculum of the teacher education institution: however, he cannot authorize this significant change before the legal solution of the university reform given that according to the legislation, the university of Kolozsvár/Cluj is subject to the regulations governing the university of Pest, —in addition, instructs the university council to resubmit their proposal concerning this issue in due time. The faculty takes notice of the minister’s response; nevertheless, following the proposal of the Hungarian language and literature professor, according to which despite the negative answer, he is willing to hold extracurricular practical training for his students for free, given the fact that he has realized during his classes that this is indispensable for the sake of national erudition, the faculty praisefully and happily takes notice of such proposal of the professor.” (“60. sz. Olvassatik a nm. minister úr 7975/1873. sz. a. kelt leirata, mely szerént komoly megfontolás tárgyává tette ugyan a kar abbeli indítványának nyomód okait, hogy a magyar nyelv és irodalom a tanárképezde rendes tantárgyai sorába fölvétessék: a lényeges módosítást mindazon által nem engedélyezheti az egyetemi reform törvényhozási megoldása előtt, miután a törvényhozás a kolozsvári egyetemre nézve a pesti egyetem fennálló szabályzatai szem előtt tartását tette köteleességévé, —egyszersmind utasítván az egyetemi tanácsot, hogy ez ügyben, annak idején, ismételve tegye meg fölterjesztését. A kar tudomásul veszi a ministeri választ; miután azonban a magyar nyelv és irodalom szaktanára előterjeszti, hogy e visszautasító válasz dacára is kész privatim és minden javadalmazási igények föl[n]tartása nélkül, egyetemi hallgatóival, az előadási órákon kívül, szakgyakorlatokat tartani, miután előadásai folyamán tapasztalja ennek a nemzeti tudományosság érdekében való

- elkerülhetetlen voltát a kar előismerő és örvendetes tudomásul veszi a szaktanár ez előterjesztését,” *Ibid.*, May 6, 1873)
17. *Ibid.*, 1873, 4.32.
 18. *A History of the University in Europe*, vol. 3, *Universities in the Nineteenth and Early Twentieth Centuries*, ed. Walter Rüegg (Cambridge: Cambridge University Press, 2004), 84-88.
 19. “[undersigned] it has been 14 years since he visited the country of his profession, the land of germanistics, or at least he spent time there with research purposes. As obviously many things have changed since then, and according to my humble opinion, keeping pace with science is one of the major concerns of every decent academic professor, who loves not only his/her profession but his/her country . . . I respectfully dared to turn to your Excellence: Could your Excellence possibly approve my leave for the above mentioned purposes for the winter semester of the academic year of 1880/81.” (“[alulírott] már 14 éve, hogy szakmája, a germanistika hazájában járt, vagy legalább tanulmányozás végett tartózkodott. Miután azóta természetesen sok minden változott, s szerény nézetem szerint a tudománnyal lépést tartani egyik főgondja minden becsület akadémiai tanárnak, ki nem csak szakmáját, hanem hazáját is szereti . . . tisztelettel bátorítok folyamodni Excellentiához: méltóztassék Excellentiád a jövő 1880/81. tanév téli semsterére a fent említett célból szabadságot adni nekem,” National Archives. . . 1879-80. 300)
 20. “I found [Hugó Meltzl’s request for leave] inappropriate as this objective can be reached also during the long holiday.” (“[Meltzl Hugó szabadságkérelmé] teljesíthetőnek nem találtam, miután e célzt a nagyszünet alatt is elérheti.” *Ibid.*, 1879-80. 338)
 21. “The continental liberals considered arbitrariness arising from the ruling positions existing in society as the biggest threat to personal freedom, for example, the arbitrariness of nobles’ trials with serfs, and they found that in order to eliminate this it is necessary to apply a rather detailed legal regulation” (“[A] kontinentális liberálisok az egyéni szabadságra leselkedő legnagyobb veszélynek a társadalomban meglévő uralmi helyzetekből fakadó önkényességet tekintették, például a nemesi bírásoknak a jobbágyokkal kapcsolatos önkényét, s úgy látták, hogy ennek kiküszöbölésére leginkább a részletes törvényi szabályozás lehet képes.” József Takáts, *Modern magyar politikai eszmetörténet* (Budapest: Osiris, 2007), 24.)
 22. Levente T. Szabó, “A magyartanárság születése. Gyulai Pál egyetemi tanársága és a magyar irodalomtörténeti képzés hivatásosodása,” *ItK* 6 (2006): 679.

Abstract

Competing concepts of the academic freedom within the discourses concerning the inauguration of the Hungarian Royal University of Kolozsvár/Cluj

The problematic of academic freedom represents an important issue in the public education of the 19th century. Both the educational theory arguments and political arguments are put forward in the debates that formed around it. The study provides the contextual analysis of the writings of the corpus (acts, provisions, theoretical writings, debates, press material) regarding academic freedom, which represented the context of the launching of the Hungarian Royal University of Kolozsvár/Cluj, in 1872. It aims to interpret the sometimes very different meanings of academic freedom occurring in this discourse, as well as to define the role of theses meanings at the moment of the establishment of the university.

Keywords

academic freedom, Hungarian Royal University of Kolozsvár/Cluj, Faculty of Letters, professionalization, professorship, conceptual history