

# Academic freedom in the Nordics

– *Legislation, practice, challenge*

# Academic freedom as a common good – cornerstone in democratic societies and among human rights



# The freedom of scientific research and Academic freedom

## Research freedom

- Reasoned in:
  - The search for truth
  - Trust/ideal of objectivity
- Applies to:
  - All researchers
  - Everywhere
- Prerequisite:
  - Established standards for research
  - No interference in method and result

## Academic freedom

- Also justified in:
  - Need for basic research
  - Being a critically corrective and challenge established truths
  - Need for universal knowledge preparedness
- Applies to:
  - Scholars (and students) at the universities
- Also requires:
  - Time and resources
  - No ties (hence *tenure*)
  - Peer review

# Academic freedom in international law and conventions

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*Statement of Principles on Academic Freedom and Tenure* fra AAUP (1915, 1940, 1970)

The International Covenant on Economic, Social and Cultural Rights (ICESCR) (1966)

*Unesco Recommendation concerning the Status of Higher-Education Teaching Personnel* (1997)

EU adoptions:

Recommendation 1762 (2006) on academic freedom and university autonomy.

Recommendation on Defence of academic freedom in the EU's external action (2018/2117(INI))

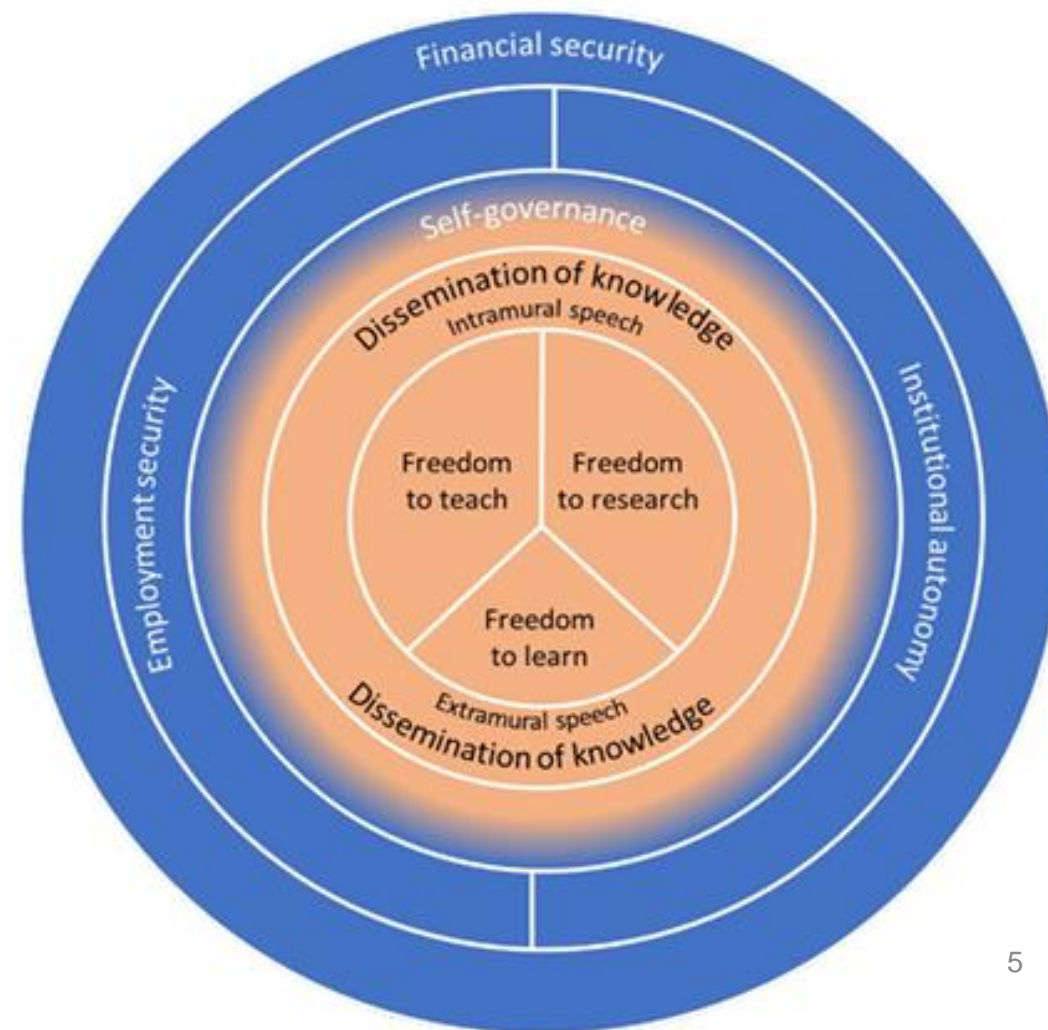
Recommendations on promotion of the freedom of scientific research in the EU (2023/2184(INL))

+ Ministerial Communiqué (Paris, Rome, Tirana)

# A working definition of academic freedom and its key elements

- Freedom of research
- Freedom of teaching
- Freedom of learning (freedom to study)
- Freedom of dissemination
- The right to self-governance
- Responsibility/Accountability

'onion' model



# Worldwide trends and the role of the union

- Negative trend
- EU monitoring
- SAR
  
- Nordics «fully free»



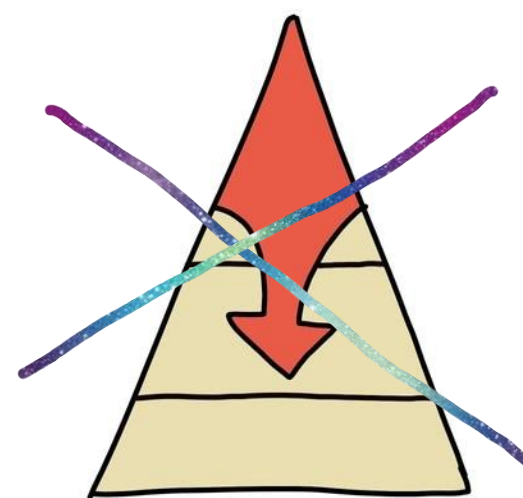
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- **Institutional autonomy vs. external pressures and influence**
    - Political Regulation
    - “Demands” and conflict of interest with other agents or stakeholder (commercial, political)
  - **Resource allocation and research funding**
    - External funding, stark competition, conformity
  - **Precarious work and job security**
  - **Freedom of expression and dissemination**
    - Internal and external pressure and harassment
  - **Collegiate governance vs. managerial control**



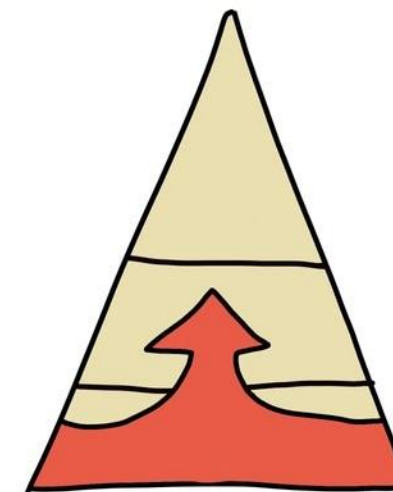
# From academic freedom springs the principle of institutional autonomy

## Bottom-up – not top-down

Questions and priorities concerning academic and scientific issues to be decided by the colleagues of scholars



top-down



bottom-up



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## Chap. 3.3. «The content of academic freedom: Rights and obligations»

Most policy documents [...] consider self-governance as an integral part (essential element) of academic freedom on the basis that the operational regulation of teaching, research and the evaluation policy of academic performance directly affects the freedom of the individual to teach and conduct research. Therefore, all academics should have a meaningful possibility to influence these decisions. [...] Furthermore, it includes the right to be elected to decision-making bodies or to participate meaningfully in an agreed system of governance.

Both the UNESCO Recommendation on Teaching Personnel (1997) and the LERU Advice paper propose a democratic, collegial way of decision-making because this is the way that will least restrict the academic freedom of individuals.

# Possible further steps in each country and within the framework of Nordic cooperation

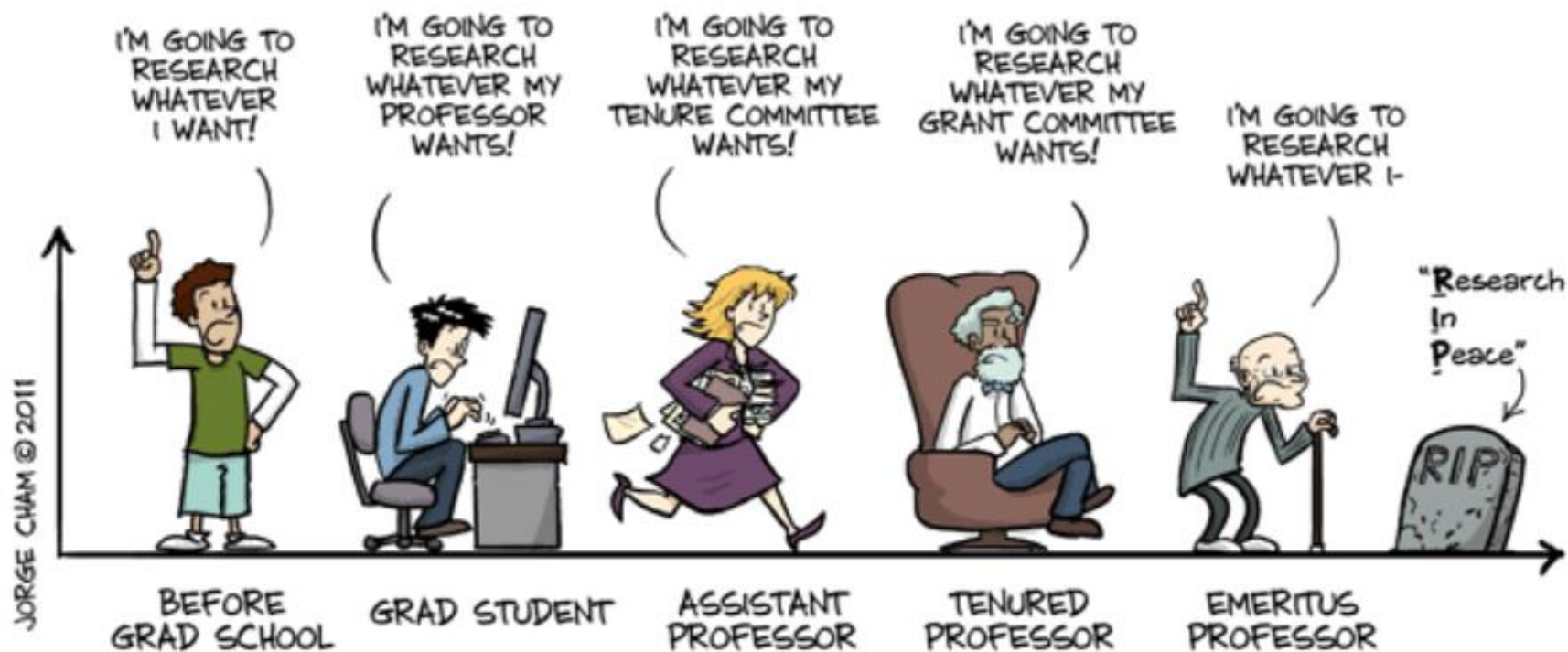
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- **Legislation**
  - Academic freedom in the constitution
  - Better protection in HEI acts
  - Job security
  - Research integrity and ethics
  - Copy right
  - Collegial governance
- **Policy documents**
  - Safeguarding academic freedom
  - Supporting freedom of dissemination
- **Discussions**
- **Union Negotiations**

# Recommendations for policymakers in the Nordic countries (*ChatGPT*)

- **Strengthen Legal Protections.** Amend existing laws to enhance protections for individual academic freedom and job security. Ensure that academic freedom is explicitly protected in all higher education institutions, including polytechnics and universities of applied science.
- **Promote Secure Employment.** Increase the proportion of permanent positions and reduce reliance on temporary contracts. Implement tenure systems that support academic independence and long-term research projects.
- **Enhance Institutional Autonomy.** Rebalance governance models to increase the influence of academic staff in decision-making processes. Establish collegial bodies with real decision-making authority at all levels of university governance.
- **Ensure Fair and Adequate Funding.** Develop funding models that support independent, basic research. Increase public funding for research and reduce reliance on competitive grants and private funding sources.
- **Support Academic Freedom of Expression.** Create robust mechanisms to protect academics from harassment and institutional backlash. Encourage universities to defend the public dissemination of research findings and support academics in public debates.
- **Foster a Culture of Academic Integrity.** Promote high standards of research ethics and integrity. Ensure transparent and merit-based recruitment and promotion processes.

# THE EVOLUTION OF INTELLECTUAL FREEDOM



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## Recommendation concerning the Status of Higher-Education Teaching Personnel

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31. Higher-education teaching personnel should have the right and opportunity, without discrimination of any kind, according to their abilities, to take part in the governing bodies and to criticize the functioning of higher education institutions, including their own, while respecting the right of other sections of the academic community to participate, and they should also have the right to elect a majority of representatives to academic bodies within the higher education institution.

32. The principles of collegiality include academic freedom, shared responsibility, the policy of participation of all concerned in internal decision-making structures and practices, and the development of consultative mechanisms. Collegial decision-making should encompass decisions regarding the administration and determination of policies of higher education, curricula, research, extension work, the allocation of resources and other related activities, in order to improve academic excellence and quality for the benefit of society at large.