EUROPEAN UNIVERSITY ASSOCIATION

POSITION

How universities can protect and promote academic freedom

EUA principles and guidelines

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ACADEMIC FREEDOM TODAY

Academic freedom – understood as the freedom to learn and teach, the freedom to conduct and valorise research, and the freedom to communicate the results of scientific work within and outside of the university community – is the lifeblood of meaningful scientific endeavour. It is also a precondition for universities to assume their considerable responsibilities toward society, which include advancing science and education and driving societal progress.

Worryingly, academic freedom – and its close relative, institutional autonomy – find themselves increasingly at risk, in Europe and across the globe. For the European University Association (EUA), it is essential to support universities as central actors in the protection and promotion of academic freedom.

Academic freedom has always been subject to explicit and implicit pressures. In recent years, however, these have been mounting in a societal and political context characterised by extreme polarisation and challenges to democratic systems. This has not gone unnoticed. Over the past five years, legislative and regulatory initiatives in support of academic freedom have proliferated. In Europe, new actions have emanated from the European Higher Education Area, the European Commission and the European Parliament.[1] At the national level, constitutional frameworks have long played a vital role in shielding academic freedom across Europe.[2] Academic freedom also enjoys protection under international law, such as through UN legal instruments, and is explicitly mentioned in the Charter of Fundamental Rights of the European Union (Article 13).

Infringements on academic freedom in Europe are frequently subtle and insidious, taking the form of excessive regulation and interference, increasingly top-down funding instruments or the stifling of unpopular views on campuses. While these can and do cause lasting damage to higher education and research systems and intellectual life in general, it is important to acknowledge that Europe still finds itself in a position of relative privilege. With some troubling exceptions, academic freedom violations in Europe do not tend to manifest as grave threats to the well-being and lives of members of the university community, as is sadly the case in many countries across the world.

EUA's existing work and positions on academic freedom have contributed to many relevant expert and policy discussions over the years. The development of this text was guided by the invaluable input provided by academic freedom experts and practitioners from across Europe and nominated by EUA's collective members (national rectors' conferences and national university associations) during an online focus group on 24 September 2024. The text was then further developed and valorised during the 25 October meeting of the EUA Council, the Association's key policy-making body. Formal approval by the EUA Council followed on 31 January.

From the university sector's perspective, the rise in political attention, observed in particular at the European level, is significant and very welcome. Well-reflected and sound legal and regulatory frameworks play a key role in shielding academic freedom. Indeed, the principles outlined in this document are part of the stable and secure frameworks and regulations enjoyed by universities in systems where the rule of law, basic human liberties and democratic processes are respected.

While they play an important role, legal and regulatory frameworks are not always sufficient. Indeed, universities and their communities must act to operationalise existing frameworks by developing and implementing their own institutional guidelines and policies. As such, EUA encourages its wide membership of European universities to commit to protecting and promoting academic freedom at the institutional level. The Association aims to offer practical guidance as to how this can be achieved.

WHY IS ACADEMIC FREEDOM IMPORTANT?

EUA – along with major partners in Europe's research and higher education sector – has previously made a clear case for academic freedom,[3] the key elements of which remain relevant today:

PRINCIPLE 1

Academic freedom is a **core value that enables all university activities and missions**, which include education, research, innovation and culture. Indeed, academic freedom was highlighted as a key factor for the continued success of universities in EUA's seminal vision for 2030 'Universities without walls'.[4]

PRINCIPLE 2

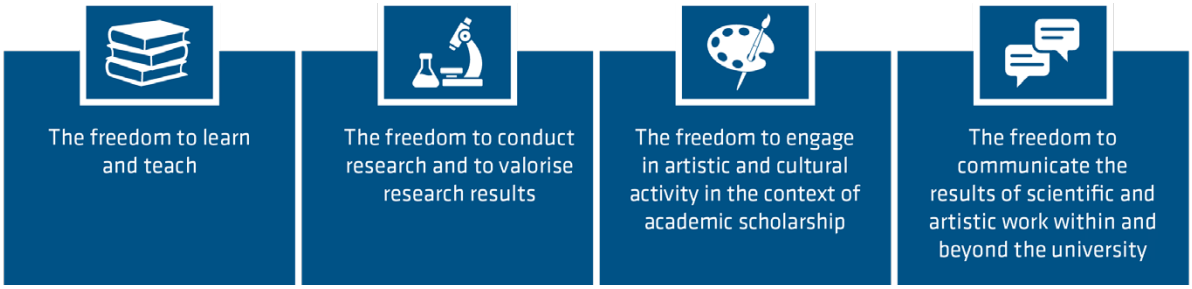
Academic freedom is a **vital foundation for meaningful and high-quality academic research and teaching**. By guaranteeing the independence of the scientific process from external factors, it enables the advancement of knowledge, scientific discoveries and the technological development and social innovation on which modern society thrives.

PRINCIPLE 3

Academic freedom **underpins universities' intellectual role and active contribution to vital societal debates**, including during times of conflict. It helps to ensure that universities remain spaces where ideas are exchanged freely, allowing respectful and constructive debate to be fostered. As such, it supports the **civic mission of universities** and contributes to democratic values and culture, as 'Universities without walls' has also underlined.

WHAT IS ACADEMIC FREEDOM AND WHO IS IT FOR?

Scholars need freedom of thought and inquiry to advance and valorise knowledge. They need the freedom to communicate the results of their work within and beyond the university campus, and to educate the next generation of critical thinkers. Academic freedom thus consists of the following vital elements:



PRINCIPLE 4

Crucially, **academic freedom applies to all academic communities and their members** engaged in research, innovation, learning and teaching or other activities undertaken in the context of academic scholarship. It also applies to **students** when they are specifically engaged in teaching or research activities. Academic freedom is closely linked to the autonomy of academic institutions. Only in an autonomous and secure environment can students, teachers and researchers carry out their academic work free from undue external influence or restriction.

This document refers to the key constitutive elements of academic freedom. However, it is important to acknowledge that academic freedom is a complex and multi-faceted concept; important and extensive work has been conducted, at different levels, to define and analyse it in detail. Some key reference texts are listed in annex.

A RIGHT AND A RESPONSIBILITY

Academic freedom is sometimes presented and defended as a professional privilege. EUA, however, expressly acknowledges the following:

PRINCIPLE 5

Academic freedom is **both a right and a responsibility held by individual academics and academic communities**. One of its central roles is to empower higher education and research communities to further knowledge and education and to enable societal advancement and responsible civic engagement.

PRINCIPLE 6

Academic freedom must be framed **by rigorous scientific, professional, ethical and quality standards**. This includes ethical conduct, respect for the rights of others and awareness of the impact of research on humans and their environment, as well as employment obligations.

The recognition that academic freedom is both a right and responsibility is central, and opens up challenges, particularly, though not exclusively, for university leadership. EUA therefore strongly encourages its members to foster and engage in continuous reflection and open dialogue on some of the potential conflicts between ensuring academic freedom and making strategic institutional decisions (cf. 'Reflections for university leadership').

REFLECTIONS FOR UNIVERSITY LEADERSHIP

- What is the role of public and private funders and their level of influence over the content and conduct of university research and teaching?
- What is the right balance between the prioritisation and incentivisation of research (on large-scale societal goals) and the freedom of researchers to decide on their own field of study?
- How do academic freedom considerations impact decisions regarding universities' international partnerships?
- What is the right balance between openness of science and concerns over knowledge security and foreign interference?

The following guidelines are focused on institutions and university communities in the first instance. However, policy makers and funders often find themselves confronted with, and should address, similar questions.

KEY ACTORS AND ACTIONS TO SUPPORT ACADEMIC FREEDOM

The responsibility for academic freedom protection and promotion is shared among different actors. In their joint 2019 statement on academic freedom and institutional autonomy, EUA, the European Federation of Academies of Sciences and Humanities (ALLEA) and Science Europe articulated some key actions.

This statement notably called on **GOVERNMENTS AND PUBLIC AUTHORITIES** to:

- set and guarantee legal, regulatory and financial frameworks that safeguard and strengthen academic freedom and institutional autonomy;
- refrain from undue interference in the internal affairs of universities;
- engage in a continuous trust-based dialogue with the sector;
- protect the autonomy of funding decisions by research councils and funding bodies and the diversity of research funded.

This call to action directed at governments and public authorities remains applicable today. In addition, the following guidelines seek to highlight the central role of universities as institutions and offer concrete and practical steps for university leadership, individual academics and university communities, including students, to make the protection and promotion of academic freedom a daily reality at European universities.

GUIDELINES FOR UNIVERSITY LEADERSHIP

GUIDELINE 1

University leadership should foster acceptance of a shared institutional understanding of academic freedom, develop related guidelines and policies and strive to operationalise them, with the aim of creating an institutional culture where both the principle and exercise of academic freedom are valued and encouraged.

GUIDELINE 2

Within applicable legal frameworks, university leadership should ensure functional collegial structures and enable meaningful participation of the different university communities in institutional decision-making, thus sustaining academic self-governance as a cornerstone of academic freedom.

REFLECTIONS FOR UNIVERSITY LEADERSHIP

- Academic freedom and free speech are not the same, and universities should accommodate both. How can leaders navigate the nexus between their institutions' role as guardians of the scientific method and rational, evidence-based argumentation and discussion, and the need for universities to offer a space for the voicing of uncomfortable, controversial and even radical views, which necessarily emerge during difficult and complex societal debates?
- Pressures on academic freedom do not always originate outside the university. How can university leaders best manage intra-institutional conflicts – between students and academics, between academics and leadership, or within research communities – in which academic freedom is (perceived to be) violated? How can leadership critically assess its own potential role in such conflicts?

GUIDELINE 3

University leadership should create structures and processes for shared and transparent reflection on the challenges involved in balancing academic freedom with other institutional goals and values (cf. 'Reflections for university leadership').

GUIDELINE 4

University leadership should work to shield research and teaching communities from undue external pressure and interference, and protect members of the university community from intimidation and reprisals.

GUIDELINE 5

University leadership, on behalf of the sector, should defend academic freedom in constructive and continuous dialogue with the government/public authorities and other external stakeholders, such as business or industry, to foster mutual understanding and trust.

GUIDELINE 6

University leadership should work towards securing diverse funding to avoid over-dependence on a single source and balance varied – and potentially conflicting – financial priorities.

CREATING A CULTURE OF ACADEMIC FREEDOM: MEASURES AND TOOLS

Concrete measures and tools to strengthen academic freedom will differ between countries and institutions. However, in all cases, EUA recommends that universities consider and formulate internal policies and guidelines, as well as a 'toolbox' for academic freedom protection and promotion. Crucially, the latter should engage the university as a community, from the leadership level to the student body. Some possible measures and tools may include:

- Developing codes of conduct and referencing these in relevant internal documents (e.g. employment contracts, job descriptions).
- Establishing a function and focus point (e.g. a dedicated body or a designated member of the leadership team) for issues relating to academic freedom.
- Organising regular seminars/discussions on academic freedom, involving the entire university community as well as external partners and members of civil society.
- Organising mandatory and recurring training sessions on academic freedom (and related values, such as integrity) for students and staff.
- Incorporating academic freedom (and related values, such as integrity) in curricula and teacher training.

GUIDELINES FOR INDIVIDUAL ACADEMICS AND UNIVERSITY COMMUNITIES

GUIDELINE 1

Each member of the university community is responsible for ensuring academic freedom. Individual academics and students should adhere to fundamental values, such as academic integrity, quality and responsibility, and be aware of their own and their institution's role in society.

GUIDELINE 2

Individual academics and university communities should work to raise awareness of matters of academic freedom, by explicitly and actively encouraging open and rigorous debate in the context of scientific endeavour and academic scholarship, including on complex and difficult topics.

GUIDELINE 3

Individual academics and university communities should make a strong public case for academic freedom, to explain why it is a necessary precondition for universities to fulfil their public mandate and responsibilities toward society.

ANNEX. SELECTED LEGAL TEXTS AND REFERENCE WORKS ON ACADEMIC FREEDOM

- 1940 Statement of Principles on Academic Freedom and Tenure, American Association of University Professors (AAUP), 1940
- Magna Charta Universitatum, 1988 (revisited in 2020)
- Recommendation concerning the Status of Higher-Education Teaching Personnel, General Conference of the United Nations Educational, Scientific and Cultural Organization (UNESCO), 1997
- General Comment of the Committee on Economic, Social and Cultural Rights on Article 13 (The Right to Education) of the International Covenant on Economic, Social and Cultural Rights (1966), 1999
- Academic Freedom as a Fundamental Right, League of European Research Universities (LERU), 2010
- Recommendation on the responsibility of public authorities for academic freedom and institutional autonomy, Committee of Ministers of the Council of Europe, 2012
- Statement on Academic Freedom, Annex I to the Communiqué adopted at the European Higher Education Area (EHEA) 2020 Rome Ministerial Conference, 2020
- Academic Freedom Index, Friedrich-Alexander-Universität Erlangen-Nürnberg (FAU) and V-Dem Institute (first published in 2020)
- Resolution on threats to academic freedom and autonomy of higher education institutions in Europe, Parliamentary Assembly of the Council of Europe, 2020
- Principles for implementing the right to academic freedom, United Nations Human Rights Council, 2024

1 Namely the work on academic freedom and other fundamental values conducted by the Working Group on Fundamental Values of the Bologna Follow Up Group of the European Higher Education Area; efforts to develop Guiding Principles on Protecting Fundamental Academic Values by the European Commission's Directorate-General for Education, Youth, Sport and Culture; a focus on academic freedom/freedom of scientific research as part of the implementation of the ERA Policy Agenda by the EC's Directorate-General for Research & Innovation; as well as various legislative and non-legislative initiatives on academic freedom/freedom of scientific research by the European Parliament.

2 In a majority of systems considered in EUA's Autonomy Scorecard, academic freedom is protected by the constitution (University Autonomy in Europe IV: The Scorecard 2023, pp. 84-85).

3 Academic freedom and institutional autonomy: Commitments must be followed by action (EUA, ALLEA & Science Europe, 2019)

4 Universities without walls: A vision for 2030 (EUA, 2021)

EUROPEAN UNIVERSITY ASSOCIATION

The European University Association (EUA) is the representative organisation of universities and national rectors' conferences in 49 European countries. EUA plays a crucial role in the Bologna Process and in influencing EU policies on higher education, research and innovation. Thanks to its interaction with a range of other European and international organisations, EUA ensures that the voice of European universities is heard wherever decisions are being taken that will impact their activities.

The Association provides unique expertise in higher education and research as well as a forum for exchange of ideas and good practice among universities. The results of EUA's work are made available to members and stakeholders through conferences, seminars, websites and publications.

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