



Position Paper

Position Paper, regarding enhanced constitutional protection for academic freedom and the autonomy of higher education institutions.

*Adopted by the Congress of the Association of Swedish Higher Education (SUHF)
on October 21st 2021 in Luleå.*

Background

The task that Swedish society has charged higher education institutions with is “to constitute an independent and critically reflective force for the development of society” (Prop 2009/10:149, p 15).

International understanding of the mission and status of higher education is expressed well in the *Magna Charta Universitatum* declarations, now ratified by almost a thousand universities around the entire world: “the university is an autonomous institution at the heart of societies... To meet the needs of the world around it, its research and teaching must be morally and intellectually independent of all political authority and economic power.”

In a range of aspects, Sweden has a good reputation when it comes to defending academic freedom. Constitutional protection for academic freedom and institutional autonomy has however been seen as relatively weak in a number of international comparisons. In an age when the independent quest for truth is proving increasingly important for the protection and advancement of democratic forms of government, The Association of Swedish Higher Education (SUHF) believes there is a need to clarify and more emphatically confirm the autonomy of higher education institutions.

The Association of Swedish Higher Education (SUHF) therefore states as its position the following:

1. The Swedish Constitution

The Instrument of Government (Regeringsformen, RF), which currently lays down that public institutions shall be responsible for the provision of higher education and protects the freedom of research (RF Ch. 2, Art. 18), should be amended to include the following:

a. A general principle on academic freedom, for example: “Academic freedom shall be protected and promoted.”

b. An amendment also to include the protection of higher education, for example: “The freedom of research and of higher education is protected according to regulations laid down in law.” The provisions of the first chapter of the Higher Education Act should also be amended to include a provision that educational content and teaching methods may be freely chosen.

2. System of Qualifications

One reasonable consequence of the freedom of higher education being laid down in the constitution is that the governance of educational subject matter to a greater degree be decided by the institutions of higher education themselves. This is essential if institutions of higher education are to be able to shoulder the responsibility placed on them as a key societal institution.

The current System of Qualifications, which primarily regulates certain professional qualifications in some detail, is determined directly by the government. This kind of political control of the content of higher education is contrary to international conventions and expectations regarding academic freedom and institutional autonomy. It restricts the freedom of students to influence their courses of study and their academic development as well as the freedom of academics to determine their teaching methods and content, all of which also affects the long-term quality of higher education.

Higher education institutions have a long tradition of cooperation on professional academic degrees. With a greater formalisation of these collaborative structures, the institutions will be well prepared to shoulder the increased responsibility such a reform would entail.

The Association of Swedish Higher Education, SUHF, therefore states its position with the following conclusions:

- a. The System of Qualifications should no longer be included in the Higher Education Ordinance.
- b. A national authority should regulate what qualifications may be awarded, at what level such qualifications may be awarded, and the number of credits required for each qualification.
- c. The higher education institutions should regulate local qualification descriptors and jointly be responsible for maintaining national coordination and equivalence.

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