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# PROMOTING THE FUNDAMENTAL VALUES OF HIGHER EDUCATION THROUGH EFFECTIVE MONITORING

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# IS ACADEMIC FREEDOM LEGALLY PROTECTED IN YOUR HIGHER EDUCATION SYSTEM?

- “A freedom of research, art and teaching shall prevail in universities. The teacher shall, however, follow orders and provisions regarding the organizing of education and instruction. Instruction at the university is public. The access of public to follow instruction can be limited for justifiable reasons.” (Univ. Law §6, translation SK).
- The Law on Universities, of which the above quotation is taken serves mainly to safeguard **academic freedom as a negative freedom in relation to the state**.
- The state can be seen to impinge on the freedom through the funding based on the number of produced degrees, the implementation of **active freedom is largely dependent on research funding**, which may guide much of the freedom of research.



- While the **constitution** covers academic freedom as just one part of the totality of "Right to Bildung", stressing everyone's right for free education, the definition in the **Law on Universities** presents a somewhat more detailed picture of its scope.
- There are **no plans for a change at the legal level** as to what dimensions and what groups (all) academic freedom cover, it is commonly thought that the **current concern for what has even been coined as "academic capitalism"** (Eteläaho, 2020), meaning **increasing productivity in degrees**, research projects leading to **commercial innovations**, and **international competition** (ranking lists as well as international funding) are threatening academic freedom.



- In relation to the publication of the [Academic Freedom Index Update 2023](#), The Committee for Public Information (TJNK) stated that one of the most visible problems related to academic freedom in Finland is [harassment and threats directed to individual researchers of sensitive issues](#) such as vaccinations, nutrition, environmental protection, immigration and sexuality.
- The TJNK also stresses that harassment is not the only threat to academic freedom but that [financial and political guiding form a threat that is more difficult to discern](#). Their claim is that [research is more and more expected to bring and be guided by an expectancy of immediate political or economic benefits](#).
- Individual occurrences are hard to pinpoint but [every time research funding is distributed, it is discussed whether the choice of which piece of research to fund presents an infringement on academic freedom](#).





# INSTITUTIONAL AUTONOMY

- "Universities have self-government to secure the freedom of science/scholarship, art and higher education. Self-government includes the right for decision-making in issues regarding internal administration.
- Universities shall be reserved an opportunity to give their statement when laws that will affect them are under preparation." (Univ. Act §3, translation SK).
- However, the **university reform of 2009 caused a difference in the legal status of two universities compared to the other 11** who were made to independent legal bodies/acquirers (all are covered by Univ. Act §5 regarding their educational function, the two latter by the Foundations Act for finances and administration).
- The National Defence University acts under the Ministry of Defence and is not listed under the Univ. Act.



# SYSTEM-LEVEL MECHANISMS OR OTHER TO SUPPORT INSTITUTIONAL AUTONOMY

- Some (e.g., Kallioinen, 2023) see the impact of the **increasing number of reforms directed at universities** as a losing battle between *bildung* as the goal of academic freedom and **measurable utility**.
- It is not easy to find sources which would tell to what extent the seen depth of the **divide** is **between natural** and **socio-humanistic sciences**, of which the former seems to be more adaptable to the goals of increased measurable innovations and other outcomes.
- A survey for university rectors by the Public radio company revealed problems in the funding of universities: "**You [the universities] have autonomy, we [the MINEDU] have the money**" (Yle, 2018).



# ARE THERE SYSTEM-LEVEL INFRINGEMENTS THAT LIMIT THE EXERCISE OF INSTITUTIONAL AUTONOMY?

- The main infringements are seen to be the MINEDU guarding the allocation of study programs among the universities, the number of new students accepted yearly to the programs, and the state financing tied strictly to awarded degrees and publications and not, for example, on new patents encouraged to be sought for, which especially some faculties find contradictory.
- At the general level, **the shift is seen to have been one from a professor-led *bildung* university to an OECD and Finnish economy-led competitive managerial university** (Kallioinen, 2023).
- The first watershed was seen to be the 2009 reform but the development has been seen to have intensified during the past decennial.



# STAFF AND STUDENT PARTICIPATION

- Staff and students are represented in both the University Government and in the administrative bodies of faculties or equal administrative structures (University Act §15 & §27) with the student representatives named based on application by the respective university-specific Student Unions and staff by status-level elections.
- In many fields, universities encourage students participation by awarding study points for acting as a student representative in different bodies, standing for working life and expertise studies





# ACADEMIC INTEGRITY

- Problem: There is **no one-word Finnish translation for the term integrity.**
- There is no doubt that the concept wouldn't be embedded in the legislation and judicial decisions regarding higher education, but no term that would encompass the full definition in the EHEA statement is to be found in the University of Helsinki (or other) Strategic Plan 2021–2030 even if it is **clear that the core ideas of integrity are embedded in the Values, Strategic Choices and Themes of the Plan.**
- It is hard to find individual examples but overall, the discussion around the integrity /ethical dimension of research, including the apparently rising plagiarism in HE student work (e.g., IS 2023) can be seen as a positive development.
- A new challenge will be the growing popularity of ChatGP and other open language models.



## QUALIFICATION FRAMEWORK FOR HE

- A specific feature of the Finnish qualifications framework is that while B.A. and M.A. degrees are described as key elements of the system, the Finnish HE differs from many of the other education systems by students being generally approved already initially for a Master's degree, with very few leaving their studies to a Bachelor's degree (a notable exception is an ECEC teacher).

## INFRINGEMENT OF PUBLIC RESPONSIBILITY OF HE

- Many would be ready to consider the **cuts in HE funding to represent an infringement of public responsibility of or for HE.**



*Thank you for your attention!*