Niklas Bruun i Sverige
En vänbok
Redaktörer
Kerstin Ahlberg
Petra Herzfeld Olsson
Jonas Malmberg

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1. Introduction

In a volume dedicated to Professor Niklas Bruun, it is fitting to argue for a stronger and more explicit protection of academic freedom, particularly with respect to teaching.\(^1\) Professor Bruun has spent much of his academic career in the defense of individual rights and social justice, exercising his right of academic freedom to its fullest. The Scholars at Risk Network reminds us that the exercise of these rights should never be taken for granted.\(^2\) Over 150 reported attacks on higher education communities in 35 different countries occurred between 1 May 2015 and 1 September 2016. These comprised murders, disappearances, imprisonment, prosecutions, loss of position and travel restrictions. Against this background of how easily such a freedom can be restricted, it is timely to revisit the protections of academic freedom for both research and teaching.

\(^1\) This article has been written within the research project of Cecilia Magnusson Sjöberg, Sanna Wolk and Laura Carlson, *E-learning – A Legal Analysis Focusing on Employment Law, Copyright and Privacy Protection*, funded by the Marcus and Amalia Wallenberg Foundation.

This chapter presents a historical overview of the concept of academic freedom, and then a comparison of the development and protections of academic freedom in Germany, the United States and Sweden. Not surprisingly, the argument is made here for greater and more explicit constitutional protections with respect to academic freedom.

Academic freedom is a fundamental concept in the world of academia, but despite it being often cited, there is little detail in the law to offer any substantive definition of what it is. Historically, academic freedom has been discussed from three different perspectives, the general freedom of the university as originally a religious corporate body separate from the royal power,\(^3\) the academic freedom of students, and the academic freedom of professors with respect to enquiry and teaching.\(^4\) This chapter focuses on the academic freedom of professors, and this from the legal parameters found in the German, American and Swedish systems.

The two national European systems examined here, Germany and Sweden, naturally have the medieval university guilds as their starting points. Popes and later kings granted privileges and freedoms by charter to universities. Legally these rights were so extensive that they were categorized as rights of the legal jurisdiction of the university: the right to establish a guild/corporation, elect leaders, adopt bylaws, self-police breaches of the bylaws and even exclusively sanction crimes committed by teachers and students. The two main models of mediaeval universities were those of Bologna (1088) as guilds of students, and of Paris (1096) as guilds of masters. Oxford and Cambridge were based on the Paris models in the 12\(^{th}\) and 13\(^{th}\) centuries respectively, followed later by Heidelberg (1386), Cologne (1388) and Uppsala (1477).\(^5\) Questions of legal jurisdiction became quickly intertwined with ideological control, as clearly seen during the Inquisition and specifically in the trial of Galileo.

\(^3\) One can speak here of \textit{libertas ecclesiastica}, the freedom of the Church, and \textit{libertas scholastica}, the freedom of the universities from state control. \textit{Libertas academica} began to be used in the 16th century during the Reformation in connection with the status of students, but also as to humanism. See Bo Lindberg, \textit{Akademisk frihet före modernitet} (Lychnos 2014) pp. 39–62, 41.

\(^4\) This was originally referred to as \textit{libertas philosophica}, the freedom of philosophy. See Lindberg (n 3) 47. The freedom of philosophy issue was raised by René Descartes in his \textit{Principia philosophiae} (1644), an English translation available at Project Gutenberg <www.gutenberg.org>.

\(^5\) Lund University was officially founded in 1666, however, its precursor, a \textit{studium generale} which granted bachelor’s degrees, was founded in 1425, so there is a debate as to whether Uppsala or Lund is the oldest Swedish university.
2. The 18th Century Origins of Professorial Academic Freedom

The perspective of academic freedom in teaching is a modern Western notion with its origins in the inception of the nation state during the 18th century and the parallel rise of the modern university. It is tempting to look back farther, even to the Greeks and Socrates. However, a consistent insistence at a societal level as to academic freedom for professors in teaching did not surface until the break was made between religion and research in Germany in the late 18th century. Prussia was the first European state to secularize and institutionalize the university sector, part of a social policy platform including social insurance and worker protections, predating such efforts in the rest of Europe by over one-half a century. Education had been the province of the Church, the Catholic Church in many European countries, the Anglican Church in England. The Prussian secularization of the universities was calculated, with the goal of creating a class of educated public servants employed on merits and not birth or wealth. Fredrick the Great (1740–86) saw this meritocracy in the state sector as a way for the monarchy to be freed from the control of the aristocracy and the problems that such a relationship could pose, as vividly demonstrated in France at that time. The 1794 Prussian General Code (Allgemeines Landrecht für die Preußischen Staaten), begun during the reign of Frederick the Great, was adopted in 1794 under his successor, Frederick William II. The Code created a system for the rights of all social classes, and a basic legal framework for schools and universities, which could only be established with state permission. The universities had the right to manage their own affairs through corporate charters, but the ultimate control was with the state.

German academics protested this state censorship and the view of the university as training schools for officials. Among others, Kant and Humboldt argued for pure learning cultivated for its own sake. The state was to support this objective without exercising control over the materials learned and taught. Education was to be in the spirit of philosophic cultivation (Bildung) and not simply utilitarian for state purposes. Self-enhancement and

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6 For the argument that academic freedom was used in the Middle Ages to preserve the intellectual independence of the Church, see Conrad Russell, Academic Freedom (Routledge 1993) p. 1.
the acquisition of pure knowledge were now objectives in themselves, with scientific research pursued as an end in itself.9

Consequently, in contrast to other European universities or the United States at that time, German academics already by the turn of the 19th century became outspoken proponents of academic freedom, both the freedom of the teacher as to teaching and enquiry, *Lehrfreiheit*, and to the freedom of the student, *Lernfreiheit*. This new German model of universities as centers of research later become the model for many countries, including both the United States and Sweden.10 Constitutional protections of academic freedom were explicitly granted before Germany became a nation state, in § 152 of the 1849 Frankfurter Constitution (*Frankfurter Reichsverfassung*) and in Article 20 of the 1850 Prussian Constitution (*Preußische Verfassung*). Both of these provided that “*s*ciences and teaching shall be free (*Die Wissenschaft und ihre Lehre ist frei*)”.

Later under the Weimar Republic, Article 142 of the 1919 Weimar Constitution stated that the “[a]rts, sciences and teaching shall be free. The state provides for their protection and participates in upholding them (*Die Kunst, die Wissenschaft und ihre Lehre sind frei. Der Staat gewährt ihnen Schutz und nimmt an ihrer Pflege teil*).”11 Academic freedom with respect to professors, *Lehrfreiheit*, was seen to comprise both the freedom to teach and the freedom of inquiry as extensions of the search for truth function, the primary task of the academy. At this time, *Lehrfreiheit* included a vacuum as to administrative rules in teaching situations, “the absence of a prescribed syllabus, freedom from tutorial duties, the opportunity to lecture on any subject according to the teacher’s interest.”12 In contrast to the later American Association of University Professors (AAUP) definition of academic freedom as seen below, extramural utterances were not protected in Germany as professors were and still are civil servants with a duty of loyalty to the state.13

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9 Frege (n 7) p. 122.
10 For a history of this transformation of German universities, and its impact on American universities, see Walter P. Metzger, *Academic Freedom in the Age of the University* (New York 1961) at 93–138. See also Charles Franklin Thwing, *The American and the German University: One Hundred Years of History*, New York 1928, available digitally at <www.babel.hathitrust.org>.
11 Translation provided by the author.
12 Metzger (n 10) at 113.
13 The parallels and deviations of the AAUP definition of academic freedom with the German definition are not so surprising when keeping in mind that the eight of the thirteen signatories to the 1915 AAUP report had studied in Germany. See Metzger at 122.
The National Socialists took over the universities in 1933 under Nazism, repudiating academic self-government, the freedom of learning and the idea of objectivity under the policy of Gleichschaltung, total control of all aspects of society. The Third Reich rejected “impractical” scholarship, classical humanism and apolitical stances, determined to limit the academic proletariat. One law professor, Otto Koellreutter, neatly summarized the situation: “What we need is only the political, national socialist man. To educate him in the spirit of the ‘Führer’ and to contribute thereby building blocks to the foundation of the German leader-state, that seems to me to be today’s most urgent task for all German professors.”

Thousands of professors resigned or were fired in this ideological and racial purge by the Nazis. Many fled to the UK and US, taking the legacy of the pre-Nazi German university system with them.

3. Modern German Constitutional Protections of Academic Freedom

In contrast to the other two legal systems presented below, the German system consequently explicitly addresses academic freedom in the constitution, and has done so, albeit with interruption, for over a century. The protection of academic freedom in Germany is one of the oldest Western constitutional traditions, with the current provision based on Article 142 of the 1919 Weimar Constitution (Weimarer Reichsverfassung).

The Basic Law, i.e., the Constitution of Germany (Grundgesetz für die Bundesrepublik Deutschland, “GG”) was enacted in 1949 under the auspices of the allies after the defeat of Germany in World War II. Its Article 5(III) protects academic freedom: “The arts and sciences, research and teaching shall be free. The freedom of teaching shall not release any person from allegiance to the constitution.” Even though the wording of the

14 Dr. Gerhard Falk, Commentary on the Nazi Expulsion of Professors from the Universities in Nazi Germany, 1933–1941, available at the website buff.com.

15 For example, almost 15 percent of all tenured university teachers were fired during the Nazi years, see Fabian Waldinger, “Quality Matters: The Expulsion of Professors and the Consequences for PhD Student Outcomes in Nazi Germany”, 118(4) Journal of Political Economy (August 2010) 787–831 at 788. Both the UK and the US already in 1933 began to receive these scholars, with the English Academic Assistance Council and the US Emergency Committee in Aid of Displaced Scholars. The majority of displaced scholars came to the United States, ibid. at 795.

1919 constitutional provision was altered with the enactment of the GG, content-wise there is no real change.\textsuperscript{17} The confirmation of the 1919 constitutional provision can be seen as an affirmation of the pre-Nazi status of German universities.

Article 5(III) GG now explicitly includes “research” as a protected activity, although research was already protected to the same extent under the Weimar Constitution as a key element to the sciences – thus, the extension of the wording is simply a clarification.\textsuperscript{18} The Weimar Constitution explicitly posited an obligation on the state to provide protection and uphold academic freedom, which obligation has remained unchanged in Article 5(III) GG: Academic freedom is protected on an abstract, objective level and not only as a subjective right \textit{vis-à-vis} the state, the state is also obliged to actively protect and uphold academic freedom.\textsuperscript{19}

4. The jurisprudence of the Federal Constitutional Court

The Federal Constitutional Court (\textit{Bundesverfassungsgericht}) has greatly shaped the concept of academic freedom found in Article 5(III) GG. The Court has found that this article not only protects specific ways of approaching academic activities or particular academic theories, but also every academic activity, \textit{i.e.}, every activity that by its form and content can be seen as a serious and methodical/systematic effort to ascertain the truth.\textsuperscript{20} As long as these requirements are met, work in the field of sciences – referring of course not only to the natural sciences, but also to the humanities, etc. – is protected by Article 5(III) GG and granted a certain amount of (academic/scientific) autonomy from state interference.\textsuperscript{21}

An underlying principle is that “science” is an overarching concept including both research and teaching as two interdependent factors.\textsuperscript{22} Science is deemed subject to constant revision and change, reflecting the autonomy

\textsuperscript{17} Ringer (n 8) p. 440.
\textsuperscript{19} Ibid.
\textsuperscript{20} See the landmark judgment in \textit{BVerfG}, 29 May 1973 – 1 BvR 424/71 u. 325/72, NJW 1973 at 1176. The Court’s definition here of academic speech is cited by both the Academy and in later cases, including \textit{BVerfG}, 9 June 1992 – 1 BvR 824/90, NJW 1993 at. 916; and OVG Berlin-Brandenburg, 14 August 2009 – 1 S 151.09, LKV 2009, 66 at 568.
grant protection to scientific activities. Correspondingly, the methods used in a particular case, and the results found, are irrelevant. Uncommon and/or unorthodox methods are also protected, and the cogency of any arguments used is neither crucial nor decisive. Only a systemic, general avoidance of generally-accepted scientific standards can lead to the result of the loss of protection granted by Article 5(III) GG.24

Even where no protection under the provisions of academic freedom exists, an activity might still be protected under the provisions guaranteeing freedom of speech as found in Article 5(I) GG. For example, the publication of a propagandistic/subversive text about the Nazi-regime, failing to mention critics and in no way trying to ascertain the truth, but rather only promoting certain ideas, is not protected under Article 5(III) GG. However, it still might be protected under the provisions regarding freedom of speech.25

Consequently, there is a very far-reaching level of protection for academic freedom from state interference, arguably only limited by allegiance to the constitution. In other words, protection is available for the exercise of academic freedom in a way that can be deemed not to be in contravention of other principles espoused by the constitution.26 The constitutional protection afforded academic freedom is neither absolute nor unconditional. Conflicting interests enjoying constitutional protection, such as those raised by other scientists or the university, can lead to a restriction of academic freedom.27 Unconditional protection is only guaranteed for the core of academic freedom, for instance, when it comes to a professor vis-à-vis the university and the provision of the means necessary to conduct research.28

The requirement of being faithful to the constitution is a corrective measure that is more declaratory and does not play an independent/self-contained role.29 This requirement of allegiance forbids malicious, aggressive and contemptuous statements attacking basic moral concepts and democratic principles and values. As such, it is seen as a protection against the potential abuse of academic freedom, for instance, through subversive activities. This requirement does not hinder anyone from criticizing the state.

23 See Kempen (n 22) at annotation 180, see also BVerfG, 17 August 1956 – 1 BvB 2/51, NJW 1956, 1393 at 1398.
25 Id.
28 Id. See also BVerfG, 8 July 1980 – 1 BvR 1472/78, NJW 1981, 163 at 165.
29 See Kempen (n 22) at annotation 200.
Controversial and polarizing statements are also protected, as long as they are not purely made-up or lacking in any factual basis.

The protection provided by Article 5(III) GG is not limited to academics working for universities or research institutes. Individuals and legal entities, whether they are commercial or not, are protected as long as their work falls within the scope of Article 5(III) GG.30 Interestingly, Article 5(III) GG is simultaneously a basic right that can be invoked not only by private individuals and entities, but also by state universities and their respective faculties.31 This is noteworthy as the latter are corporate bodies under public law and as such, are not actually entitled to the protections given by the basic rights of the Grundgesetz. Such rights aim at protecting individuals from state interference, and not at protecting public bodies from the interference of other public bodies or the state. This entails that the individual researcher/academic is entitled to academic freedom in relation to the university/faculty, whilst at the same time, the university/faculty is entitled to academic freedom vis-à-vis the state and other public bodies.32 Thus, academic freedom is both a subjective right to be protected from state-interference and, at the same time, an objective, partially institutionalized principle.33

The very strong German constitutional approach to academic freedom creates a bright line with respect to its protections that the other two systems examined below do not share. Arguably, the dismantling of the academy during World War II was a strong motivating force for continuing the strong Weimar Republic constitutional protections of academic freedom.

5. Academic Freedom in the United States

Universities in the United States were originally very much patterned on the medieval master’s guild model, granted charters, self-regulation, setting standards for degrees. Harvard is one such example, founded in 1636 by the Massachusetts Bay Colony. Equally true is that the German reforms of its university system were quickly adopted by American universities and professors. The American Association of University Professors (“AAUP”)34

31 See Kempen (n 22) at annotation 185.
33 See Scholz (n 18) at annotation 1.
34 The AAUP comprises three interlocked entities under the AAUP umbrella: the AAUP (a professional association), the AAUP-CBC (a labor union), and the AAUP Foundation (a foundation). The AAUP’s mission is “to advance academic freedom and shared governance; to define fundamental professional values and standards for higher education; to promote the
was founded in 1915 to insure academic freedom for university faculty members.\textsuperscript{35} Academic freedom has been twice defined by the AAUP, first in its 1915 Declaration of Principles on Academic Freedom and Academic Tenure.\textsuperscript{36} The AAUP 1915 Principles note that academic freedom traditionally has had two applications, to the freedom of the teacher, \textit{Lehrfreiheit}, and to the freedom of the student, \textit{Lernfreiheit}.\textsuperscript{37} Focusing on the former, the declaration defines academic freedom as comprising three elements: freedom of inquiry and research, freedom of teaching within the university or college, and freedom of extramural utterance and action. In addition, the scope and basis of power exercised by higher education institutions, the nature of the academic calling and the function of the university is emphasized in the Declaration by the following analogy: “[U]niversity teachers should be understood to be … no more subject to the control of the [university] trustees, than are judges subject to the control of the president.”\textsuperscript{38}

The 1940 AAUP Statement of Principles on Academic Freedom and Tenure raises the same three interests, arguably much influenced by the influx of German scholars displaced under Nazism. University teachers are to be entitled to full freedom in research and in the publication of the results, freedom in the classroom when discussing their subject, and freedom from institutional censorship.\textsuperscript{39} The 1940 AAUP Statement is deemed by some as a professional common or customary law of academic freedom and tenure.\textsuperscript{40}

Despite the fact that there is no explicit protection of academic freedom in the United States Constitution, the United States Supreme Court began to articulate strong protections for academic freedom indirectly under the First Amendment’s free speech provisions during the witch hunts of the

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\footnote{For a history of the transformation of German universities and its impact on American universities, see Metzger (n 10) 93–138.}
\footnote{See the General Declaration of Principles in Appendix 1 to the AAUP 1915 Declaration at www.aaup.org. Also available in AAUP, Policy Documents & Reports (11th ed. 2014) (the “Redbook”).}
\footnote{The parallels and deviations of the AAUP definition of academic freedom with the German definition are not so surprising when keeping in mind that the eight of the thirteen signatories to the 1915 AAUP report had studied in Germany. See Metzger (n 10) at 122.}
\footnote{Ibid.}
\footnote{Ibid.}
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McCarthy Era, a time once again when academic freedom in both research and writing was severely constrained. This line of reasoning began in dissents\(^{41}\) and eventually became the Court’s reasoning in *Sweezy*:

> The essentiality of freedom in the community of American universities is almost self-evident. No one should underestimate the vital role in a democracy that is played by those who guide and train our youth. To impose any strait jacket upon the intellectual leaders in our colleges and universities would imperil the future of our Nation. No field of education is so thoroughly comprehended by man that new discoveries cannot yet be made. Particularly is that true in the social sciences, where few, if any, principles are accepted as absolutes. Scholarship cannot flourish in an atmosphere of suspicion and distrust. Teachers and students must always remain free to inquire, to study and to evaluate, to gain new maturity and understanding; otherwise our civilization will stagnate and die.\(^{42}\)

In their concurring opinions, Justice Frankfurter, the first justice of Jewish descent to sit on the bench, and Justice Harlan stated that “[i]t is the business of a university to provide that atmosphere which is most conducive to speculation, experiment and creation.” Frankfurter and Harlan went on to define “the four essential freedoms of a university – to determine for itself on academic grounds who may teach, what may be taught, how it shall be taught, and who may be admitted to study,” citing an African university conference.\(^{43}\)

In another often-cited case, *Keyishian*, the Court states that “[o]ur Nation is deeply committed to safeguarding academic freedom, which is of transcendent value to all of us and not merely to the teachers concerned. That freedom is therefore a special concern of the First Amendment, which does not tolerate laws that cast a pall of orthodoxy over the classroom.”\(^{44}\) The *Keyishian* Court went on to cite the above reasoning from *Sweezy*.\(^{45}\)

Based on the first amendment’s purpose of preserving an uninhibited marketplace of ideas in which the truth will eventually surface, the Court affirmed

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\(^{41}\) For the first mention of academic freedom by the Court, see the dissent of Justice Douglas in *Adler v. Board of Education*, 342 U.S. 485 (1952), and the concurring opinions of Justices Douglas and Frankfurter in *Wieman v. Updegraff*, 344 U.S. 183 (1952), which opinion was accepted by the Court in *Sweezy v. New Hampshire*, 354 U.S. 234 (1957).

\(^{42}\) *Sweezy* at 250.

\(^{43}\) Specifically, Albert van de Sandt Centlivres and Richard Feetham (eds.), *Conference of Representatives of the University of Cape Town and The University of the Witwatersrand*, The Open Universities in South Africa (Johannesburg: Witwatersrand Univ. Press, 1957) 10–12, written to oppose the proposed Apartheid program that would bar non-whites from admission to these institutions as students.


\(^{45}\) Ibid. at 684, *citing Sweezy* at 250.
academic freedom both with respect to research and teaching. Despite the rather dramatic sweep of this language, the actual protection afforded academic freedom has never been more closely defined by the Court. As the protection was based on free speech, American academics have also zealously guarded their rights to extramural utterances outside the walls of the universities.46 As with Germany during Nazism, particularly this facet of academic freedom suffered greatly in the 1940’s and 1950’s during the age of McCarthy and the measures taken by the House Un-American Activities Committee in Congress.

6. Academic Freedom in Sweden

The university system in Sweden was several times influenced by events in Germany, first in the 17th century with the Reformation and transition from scholasticism to humanism. Sweden was at the height of its European political power at that time, and continental47 researchers and scientists, particularly Germans, were brought to Sweden. A second wave followed in the 18th century with the contemplation of the Prussian model of university utility in educating students for governmental positions, which proposal was not adopted.48 The Humboldtian reforms however quickly found their way to Sweden in the 19th century, with a focus on research and teaching based on research. The curriculum as a whole at that time was considered the responsibility of the individual professor as part of academic freedom, lärofrihet.

This freedom of teaching gave way with the general study plans first implemented by the state for all of Sweden in 1904. Reforms were also put in place whereby the absolute academic freedom of teaching was further dismantled. Professors eventually were allowed to select the course literature but the goals and objectives of the required courses were set by a government agency. This state planning was reversed to a degree in 1986 and faculties were again allowed to decide their own curriculum. However, the Swedish Higher Education Act still mandates, for example, that the legal

46 Geoffrey R. Stone, “A Brief History of Academic Freedom” in Akeel Bilgrami and Jonathan R. Cole (eds.), Who’s Afraid of Academic Freedom? (Columbia University Press 2015) 26. A second distinction proffered by Stone is that the German concept of academic freedom encourages professors to convince their students of the correctness of the professor’s views, while the American counterpart’s role is that of neutrality in the classroom.

47 For example, Queen Christina brought Descartes to Sweden in 1649 to organize a new scientific academy, only to die a few months later of pneumonia.

education will include specific topics, such as how societal and family conditions can affect the lives of women and men. The Swedish government can also decide that certain topics will be taken up in certain educations, for example, that environmental law will be taught in the legal education.

7. Modern Swedish Protections of Academic Freedom

Under Article 18 of the Second Chapter of the Instrument of Government (1974:152), “[t]he freedom of research is protected according to rules laid down in law” was first added in 2011. Despite the heavy reliance on legislative preparatory works as supplemental statutory sources in the Swedish legal system, the legislative bill for this amendment states that it would not be suitable to further define academic freedom in the constitution, but rather that this task was left for the legislator. Section § 1(6) of the Act on Higher Education (1992:1434) states that: “With respect to research, the following general principles shall govern: (1) Research problems are to be freely chosen, (2) research methods are to be freely developed, and (3) research results are to be freely published.” Academic freedom with respect to teaching is mentioned neither in the constitutional provision nor in the statute.

A 2001 report on academic freedom published by the Swedish National Agency for Higher Education (Högskoleverket) adopts a highly pragmatic approach to academic freedom. There academic freedom is seen as the result of the interaction between the state, in the form of financer, and the academy, in the form of research, a relationship that at times can be antagonistic. This pragmatic approach defines academic freedom within the result of this interaction, the social contract between the state and the

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51 The legislative bill for the 2011 amendment states that it was not found be suitable to further define academic freedom in the constitution, but rather that this task was left for the legislator to further define in legislation, see Legislative Bill 2009/10:80 En reformerad grundlag at 192, citing Legislative Bill 1998/99:94, Vissa forskningsfrågor.
universities. The report notes the capacity of the state as financer to place certain demands on the academy based on the needs of society, however, the report fails to explicitly define academic freedom outside this contextual analysis. The argument has been made that issues associated with academic freedom for faculty teaching have received the least amount of attention in the Swedish context.\textsuperscript{54}

A 2012 governmental report\textsuperscript{55} takes a less pragmatic approach to the concept of academic freedom, instead pointing out the need for reform in the Swedish university system with respect to strengthening it. Criticism is raised against the increased control over research funds, commercialization, evaluation systems and management approaches as undermining academic freedom.\textsuperscript{56} One of the cases pointed out in the report is from 1997, that of a doctoral student in sociology who had invited a Nazi member to discuss their concept of the world. The student was later sentenced for the crime of complicity to the hate crime of threat to a folk group and expelled as a doctoral student.\textsuperscript{57} The 2012 report concludes by calling for stronger constitutional protections in Sweden with respect to academic freedom in both research and teaching.

Given the current waves of nationalistic and populistic political parties that have gained significant footholds across the world, the strengthening of constitutional protections for academic freedom is not a meaningless exercise. One need only look at the monitoring done by Scholars at Risk, as well as historically during the eras of Nazism and McCarthyism to see how fragile an existence academic freedom actually has. As we honor Professor Niklas Bruun for his lifetime spent researching and teaching, we should also take a pause to appreciate the fact that he had the academic freedom to do so, and contemplate our obligations to ensure that future generations will also enjoy such freedom in both researching and teaching.


\textsuperscript{55} Henrik Berggren, Den akademiska frågan – en ESO-rapport om frihet i den högre skolan (Rapport till Expertgruppen för studier i offentlig ekonomi 2012:3).

\textsuperscript{56} Ibid. 12.

\textsuperscript{57} Ibid. 84.