Frameworks for Doctoral Education: Academic Freedom of Doctoral Candidates Across Europe

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Abstract

Both the EHEA and the EU consider academic freedom a fundamental value of higher education. As several recent reports highlight, academic freedom is in decline not just globally, but also across Europe. These reports focus on both institutional autonomy and the academic freedom of researchers, teachers, and students. In all of these reports, students are seen as being at the Bachelor's or Master's level, while researchers and teachers are assumed to be holders of doctorates with permanent employment.

However, in Europe doctoral candidates and early career researchers on non-permanent positions make up a considerable proportion of researchers working in academia. They often work under precarious conditions that differ significantly from other researchers' conditions. Similarly, as established in the Salzburg Principles and Recommendations adopted by the EUA, doctoral education is a research education and as such differs markedly from Bachelor's and Master's education. This means that institutions conducting academic research and developing policy reports have a blind spot regarding the state of academic freedom when it comes to doctoral candidates.

This paper addresses this blind spot in the current European discussion on academic freedom by providing an overview over the national, regional, and in some cases institutional frameworks of doctoral education across Europe. It specifically looks at whether these frameworks take into consideration the academic freedom of doctoral candidates for 10 European countries. The paper highlights how academic freedom in the context of doctoral education brings out into the open the complex intersections between different frameworks and regulations, between the interplay of autonomy and accountability, and concludes with providing a perspective towards best practices and policy recommendations.

1. Introduction: Academic Freedom and Doctoral Candidates

The quality of doctoral education is crucial to the future of higher education. Thus, the values on which academia rests should therefore be fully embedded in doctoral education. Academic freedom is one of the fundamental values of higher education (Rome Communiqué 2020), but is under pressure in Europe and globally as recent reports highlight (Kinzelbach et al. 2023; Maassen et al. 2022; Bennetot et al. 2023; Beiter et al. 2016; Freedom House 2022, 2023). None of these reports pay attention to doctoral education or doctoral candidates. However, if doctoral candidates and other early career researchers on non-permanent positions are not included in discussions of the state of academic freedom, the conditions of a considerable proportion of academia are in effect ignored, while their situation makes them particularly vulnerable.

As established in the Salzburg Principles, doctoral education is a research education (European University Association 2005):[1] The doctorate centres on an individual research project with a significant original contribution to academic knowledge and thus differs from Bachelor and Master's education. As researchers, doctoral candidates[2], if funded, work under conditions such as short term contracts, non-permanent employment, often with salary or grant regulations with particular provisions – such as lower pay[3] –, and dependence on one or more supervisors. Crucially, then, doctoral candidates are in a double position: they are enrolled in a formal education *and* they are professional researchers who contribute to the advancement of academic knowledge.

While the reports by Kinzelbach et al. (2023) and Maassen et al. (2022) mention concerns regarding the precarious employment conditions of academic staff, the complexity of what this entails is not discussed. Precarity is thereby treated as an anomaly, though doctoral candidates together with other academics non-permanent positions constitute more than half of the researchers in Europe (Eurostat, ETER). Thus they should be expressly taken into account in order to gain a more complete picture of the state of academic freedom.

Though academic freedom is considered a fundamental value of higher education, there is no single agreed definition (Maassen et al. 2022:7-10). Crucially, it is not sought as a personal privilege, but as a necessary condition for both a functioning higher education and a healthy democracy and thus should be enjoyed by all members of the academic community (Fuchs, 1962: 1; Rome Communique 2020; Bergan et al. 2020). We consider academic freedom – in the Humboldtian sense – as comprising the following components: the freedom to teach, the freedom to learn, and the freedom to conduct research.

In addition to this differentiation, it is usually acknowledged that academic freedom has both an individual and an institutional dimension, as is the case in four of reports surveyed for this article (Maassen et al. 2022, Kinzelbach et al. 2023, Bennetot et al. 2023, Beiter et al. 2016). However, we find such a binary division problematic in general, but in particular in the context of doctoral education, because it hides some of the tensions within which academic freedom needs to be balanced. Thus, following G. C. Moodie (1996) we propose to differentiate explicitly between *individual scholarly freedom, academic self governance*, and *institutional autonomy* as dimensions that together indicate the state of academic freedom. These dimensions align with the fundamental values of the European Higher Education Area (EHEA) that list, in addition to academic freedom and

[1] While Bachelor's and Master's students may contribute to the research at higher education institutions, they are not expected to contribute to the production of scientific knowledge with individual original research.
[2] By doctoral candidate we understand any individual enrolled in the third cycle according to the qualifications framework of the European Higher Education Area (QF-EHEA).
[3] As compared to non-academic salaries for individuals with a Master's degree. In addition, a significant number of doctoral candidates are self-financed.

academic integrity, the participation of students and staff in higher education governance as well as institutional autonomy. We therefore work with the following definitions:

- **Individual scholarly freedom** refers to the rights of the individual member of the academic community, explicitly including doctoral candidates in their dual position as researchers and as being enrolled in an education.
- **Academic self-governance** refers to the collective freedom of the academic community as the right of all individual members to jointly partake in self-governance and academic decision making processes.
- **Institutional autonomy** refers to the protection of higher education institutions from unwarranted interference from the government regarding how it structures its education, research, governance, and the awarding of degrees (see also Bergan et al. 2020).

Thus, for a comprehensive conceptualization of academic freedom and the tensions that can arise, respectively the legitimate claims that need to be balanced, we suggest that the freedom to teach, to learn, and to conduct research needs to be determined cumulatively through the level of academic freedom granted in the context of each of the dimensions *as well as* through the balance of competing legitimate claims between the dimensions with its different actors.

1.1. Academic freedom of doctoral education

As doctoral education is a research education, academic freedom in the context of doctoral education entails scholarly freedom for doctoral candidates in terms of both freedom of learning and of research.[4] With doctoral education's focus on the individual's original contribution, attention needs to be paid to both how doctoral education is regulated in general and how the individual doctoral candidate's education is regulated in order to map its alignment with the fundamental values of the European Higher Education Area.

The structure of doctoral education, including admissions requirements, is less standardised than for Bachelor's or the Master's programs and varies greatly across Europe with regulations located at different levels – national, institutional (university, faculty, or departmental), or doctoral schools. Such standardised regulations however are or would be important to describe not only the responsibilities and rights that all doctoral candidates within the given set have, but also to describe the powers the collegium holds over doctoral education and individual candidates, as well as the institution's autonomy and the role of public authorities in the context of doctoral education.

In the following, we compare the frameworks and regulations for doctoral education in select European countries with regard to how they impact the different components of academic freedom on the different levels.

- **Individual scholarly freedom:** Here we look at the frameworks in place and whether these acknowledge, directly or indirectly, the scholarly freedom of doctoral candidates by addressing different potential tensions.
- **Academic self-governance:** We focus on the representational rights doctoral candidates have. This is in line with the importance of the social dimension of higher education as stressed by the BFUG working group on Social Dimension (Schmidt Scukanec and Napier 2020; Schmidt Scukanec and Onita 2023) as well as listed in the fundamental values of the EHEA.

[4] While many doctoral candidates teach or supervise as well, in this article we pay limited attention to this dimension.

- **Institutional autonomy:** We look at how much freedom is given to the academic institutions to regulate doctoral education and specifically the legal rights to define and develop doctoral programs and award the doctoral degrees, as well as whether there are frameworks for quality assurance in place.
- **Public authorities:** the role of public authorities is to ensure accountability, transparency, and that the HEIs have quality assurance procedures in place. We thus ask whether its role is restricted to setting the broadest frameworks and guardrails without interfering in academic self-governance and institutional autonomy.

The core question then is: How can a doctoral candidate's individual scholarly freedom be ensured, while it is balanced against other legitimate interests?

A focus on doctoral education, then, brings to the fore how potential tensions between different actors (such as doctoral candidates, supervisors, other faculty, the institution, and public authorities) can arise when it comes to balancing the different dimensions of academic freedom in order to ensure that all components of academic freedom are satisfactorily safeguarded. To explore how the tensions that may arise from this constellation are dealt with, we look specifically at what frameworks exist for doctoral education, and whether such frameworks at the national, regional, or institutional level provide support and protection of the academic freedom of doctoral candidates and supervisors, whether the framework safeguards institutional autonomy with respect to shaping its own future, how academic self-governance extends to doctoral education, as well as how they frame the role of public authorities in the context of doctoral education. The paper's discussion of how such frameworks act to safeguard, promote, or challenge the academic freedom of doctoral candidates is concluded by offering key recommendations for policy makers at all levels across Europe.

2. Presentation of Data: Survey of Select European Countries

The analysis of frameworks for doctoral education presented here offers an overview of the current state of academic freedom of doctoral candidates in 10 European countries: Denmark, Germany, Hungary, Italy, Norway, Poland, Romania, Sweden, Switzerland, and Ukraine. This choice of countries allows us to cover major regions of Europe and includes both countries that rate high on academic freedom and others that rate low according to five key reports (Maassen et al. 2022, Kinzelbach et al. 2023; Bennetot et al. 2023; Beiter et al. 2016; Freedom House 2022, 2023).

Table 1 provides a compilation of the findings of four of these reports. The fifth report – Maassen et al. (2022) – provides itself a mixture of the data available through these other studies (Kinzelbach et al. 2023, Bennetot et al. 2023, Beiter et al. 2016) and a general analysis of the current political climate and thus was not included in the table.

	Denmark	Germany	Hungary	Italy	Norway	Poland	Romania	Sweden	Switzerland	Ukraine
Freedom House scores (scale 100% -0% and 4/4)										
Political Rights and Civil Liberties. 2023	97%	94%	66%	90%	100%	81%	83%	100%	96%	62% 50% +
Academic Freedom. 2022	4/4	4/4	2/4	4/4	4/4	3/4	3/4	4/4	4/4	3/4 2/4 +
Kinzelbach et al. 2023 (scale 100% -0% and A-E)	Top 10-20% (32) A	Top 10% (4) A	Bottom 20-30% (136) D	Top 10% (4) A	Top 10-20% (23) A	Top 40-50% (87) A	Top 20-30% (42) B	Top 10% (12) A	Top 10-20% (36) A	Bottom 20-30% (129) D
Beiter et al. 2016 (scale A-F)	38.5 F	64.5 C	36 F	57.5 D	NI	54.4 D	53.5 D	39.5 F	NI	NI
Bennetot et al. 2023 (scale 100%-0%)										
Organisational autonomy	87	58-77%*	NI	65	78	71	54	59	55	NI
Financial autonomy	69	35-44%*	NI	70	35	60	75	56	72	NI
Staffing autonomy	86	58-63%*	NI	49	63	87	84	97	91	NI
Academic autonomy	72	87-88%*	NI	56	83	68	61	67	72	NI

\+ The second number (and drop in rating) reflects the particular situation in the occupied areas
* In Bennetot et al., for Germany the following regions were analysed and included individually in the report: Brandenburg, Hesse, and North Rhine-Westphalia

TABLE 1: State of academic freedom for the sampling countries according to *Freedom House scores 2023, Freedom House scores 2022, Kinzelbach et al. 2023, Beiter et al. 2016 and Bennetot et al. 2023*

As can be seen in this compilation, the Western European countries in our sample rank high in the Academic Freedom Index scores (Kinzelbach et al. 2023). Poland and Romania are located in the top third tier, and Hungary and Ukraine are placed in the bottom third tier. However, for all countries, the picture becomes less straightforward once academic freedom or institutional autonomy is broken down into multiple dimensions, as is done in the reports by Bennetot et al. (2023) and the report by Maassen et al. (2022) showcase.

None of these studies, however, pay particular attention to doctoral education. In order to address this gap, we have analysed the frameworks for the select countries, supplemented by semi-structured interviews. By frameworks we understand legislation or regulations that set the standards for doctoral education and doctoral candidates, with the analysis paying special attention to the scholarly freedom of doctoral candidates, their right to participate in the academic self-governance, the academic communities freedom to strategically shape the future academia through doctoral education, and the institutional autonomy when it comes to awarding the doctoral degree and deciding on the content of doctoral education. A summary of the most important findings are presented in Table 2 along with some basic information on the systemic funding of doctoral candidates as what crucially frames their learning and research conditions.

Is the following in place per general frameworks, i.e. are the true for all doctoral candidates	Denmark	Germany	Hungary	Italy	Norway	Poland	Romania	Sweden	Switzerland	Ukraine
Individual Scholarly Freedom										
Right to defend	Yes	Yes	Yes	Yes	Yes	Yes		Yes	No	Yes
Transparent defence procedure	Yes	Yes	Yes	Yes	Yes	Yes		Yes	No	Yes
HEI guarantees supervision	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes
HEI guarantees other resources than supervision	Yes	No	Yes	Yes	Yes	Yes	No	Yes	No	No
Right to change supervisor	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
IDEP	Yes	No	No	No	Yes	Yes		Yes	No	No
Representation rights										
All doctoral candidates have the right to elect representatives	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Doctoral candidates belong to one electoral group	No	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Electoral group doctoral candidates belong to	1 and 2	1 and 3	3	1	3	3	1	1	3	1
Institutional autonomy										
HEI awards the doctoral degree	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	No
HEI can introduce new doctoral programs without governmental approval	Yes	Yes	Yes	No	Yes	Yes	No	Yes	Yes	No
Social security and funding										
Percentage of doctoral candidates who receive funding	>90%	50-70%	>90%	70-90%	>90%	>90%	<50%	>90%	50-70%	<50%
Systemic social security of funded doctoral candidates	Yes	No	No	Maternity	Yes	Yes	No	Yes	No	No

TABLE 2: State of academic freedom for doctoral candidates for select European countries according to the frameworks in place

The specific countries have thus also been selected with an eye to the conditions of doctoral education. Thus, Sweden, Denmark, and Norway can be clustered as a region that scores high on working conditions such as paid sick and parental leave and, even when financed through project funding, there is a right to change supervisors without losing financing. The number of self-funded candidates is limited.

Hungary and Poland provide examples of systems where doctoral candidates are funded through state scholarships – tied to the academic institution and the doctoral candidate, but decoupled from the supervisor, ensuring that all enrolled doctoral candidates have a basic financing and the right to change supervisors. The number of self-funded and even unfunded candidates is limited. In Hungary there is no systematic paid parental or sick leave. In Poland there is paid parental leave through the social security system and an optional possibility of paying for sick leave insurance.[5]

In many ways the Italian system is similar to the one in Hungary and Poland. However, there are some differences that warrant specific attention. Though limited to 25% of the total number, unfunded doctoral candidates are more common. Except for funding, such doctoral candidates are enrolled under the same conditions as funded doctoral candidates. This means, for example, that if they are required to teach as a part of their doctoral education, a situation can arise where doctoral candidates teach without financial compensation –Switzerland seems to be the only other country where this can occur. Social security rights for doctoral candidates in Italy are weak, too, with only limited access to maternity leave and with doctoral candidates from non-EU countries having to pay for access to basic healthcare.

Doctoral candidates in Romania can be 1) funded through scholarships and excepted from tuition fees (34.4%); 2) unfunded and excepted from tuition fees (36.5%); or 3) unfunded but tuition fee paying (29.1%).[6] This is also the case in Ukraine, where the doctoral candidates can be similarly clustered with groups roughly the same size.

[5] It should also be noted that the scholarships in Poland for doctoral candidates with documented disabilities are increased by 30% as compared to the regular ones.

[6] Numbers are from 2017.

In Germany and Switzerland, more than 80% of all academic staff is on non-permanent, short term contracts, and dependency on the supervisor is particularly high (e.g. funding or employment is often tied to the supervisor, the supervisor(s) are always also part of the evaluation committee). In addition, both countries also have significant numbers of doctoral candidates who are self-funded or on stipends, for whom social security such as sick leave and maternity leave are not guaranteed. What is also specific to these two countries is the high variability in frameworks and conditions from HEI to HEI and from state to state ("Kantone" or "Bundesländer").

In general it should furthermore be noted that, although the Bologna Process stipulates the duration of third cycle programs at three years (full time) with many funding agencies following these guidelines, in reality, six out of the ten countries surveyed assume that doctoral education can be four years or longer. Only Denmark, Norway, Italy, and Germany assume that the length of doctoral education is three years. Italy allows for doctoral candidates to use a fourth (unfinanced) year to complete their education, while Norway systematically prolongs the length of the doctoral education to up to four years when doctoral candidates teach. In Germany and Switzerland it is common for doctoral candidates to finish their doctorate unpaid once financing has run out. The conditions outlined here set the framework conditions and thus shape the relationship between academic freedom and doctoral education.

3. Discussion

Doctoral education is an education of the individual doctoral candidate and of the future senior academic staff, but is also an intrinsic part of the current research system. The role of doctoral education in the academic ecosystem highlights, then, how academic freedom needs to be embedded at the core of doctoral education, and that doctoral candidates and researchers on non-permanent positions need to be included separately in reports on academic freedom in order to have a more comprehensive understanding of the state of academic freedom.

3.1 Individual Scholarly Freedom

As part of the academic research community, doctoral candidates are responsible for their own research and are being held to the same publications standards as that of senior researchers. They thus have a responsibility for the choice of their research questions and methods, and with this comes the claim to a reasonable scholarly freedom of research. Reasonable is here introduced as a marker that for doctoral candidates specifically, their research takes place at the same time in the context of an education with specific frameworks and requirements for completing the degree. Reasonableness is thus understood here as balancing tensions.

This need to balance potentially divergent legitimate interests can be seen, for example, when the doctoral candidate applies for a project PhD, that is a PhD position where the supervisor has defined the overall research plan in advance. Thus, the supervisor's legitimate interests in shaping and defining the overall research needs to be balanced against the doctoral candidate's scholarly freedom to shape the details of their own research even if they sign on to a project. As this type of PhDs becomes more widespread, it warrants the development of guidelines and best practices to embed doctoral candidate's academic freedom – and thus one of the fundamental values of the EHEA – at the core of doctoral education.

It also applies to doctoral candidates usually being enrolled in a program, with the specific enrollment conditions framing their scholarly freedom when it comes to pursuing their research project. Thus,

while doctoral candidates should be free to shape their research and even to pursue research and learning outside their field, they can in general not expect to receive support in the form of resources or supervision for activities that lie outside of their field. The enrollment is contingent on the doctoral candidate being assessed against the requirements for the specific project as well as general research and study standards. If the doctoral candidate is unable to meet these, the HEI should have the power to ex-matriculate the doctoral candidate following a transparent process. However, as the doctoral candidate is enrolled into a doctoral program, they must have scholarly freedom even within the larger project, and if the supervisors fail to grant them such, then the HEI equally has a responsibility to intervene.

We are here not addressing whether *individual* doctoral candidates have sufficient scholarly freedom or receive enough support from their institutions. What we address is whether there is a framework in place that acknowledges doctoral candidates' individual scholarly freedom and allows for a systemic addressing and balancing of potential tensions. Hiring, enrollment and defence guidelines should be generally required by the institution for transparency towards society and ensure equal treatment. We also examined the doctoral candidates' right to defend their thesis and whether it is a public defence. While it is in general difficult to defend your thesis without your supervisor's support, in most countries we looked at it is nonetheless a possibility. However, this is not the case in Germany or in Switzerland. For the latter, it is also not a requirement that the defence is public. Here, the thesis may be defended only in front of supervisors with an observer taking the protocol. Thus, maximising the doctoral candidate's dependence on their supervisors and at the same time minimising transparency.

As a research education and with its singular focus on the individual work doctoral education needs an individual framework for each specific case, where the different claims to academic freedom can be negotiated and addressed. We suggest that the Individual Doctoral Education Plan (IDEP) is precisely such a tool to balance the different dimensions of academic freedom and the legitimate claims to academic freedom by different actors. Thus, in our survey, we specifically looked at whether or not there is a requirement for an IDEP. In Denmark, Norway, and Sweden this is clearly the case, whereas in Poland the IDEP is limited with no focus on other resources than supervision. In Hungary and Switzerland, some doctoral programs include them, but it is by no means mandatory. They are equally not mandatory nor widespread in Germany, Italy, and Ukraine, but we cannot say whether there are local initiatives.

That the doctoral candidates are enrolled at a HEI entails that the HEI has responsibilities to safeguard the doctoral candidates right to research and education. One crucial aspect here is whether the doctoral candidates have the right to a supervisor. This is the case in all countries except for Germany and Switzerland. When such a right exists, HEIs have to support the doctoral candidate in finding a new supervisor in cases where a supervisor cannot fulfil their role. Similarly, the question of whether or not doctoral candidates will lose their funding if they change supervisor has implications for how and whether their right to research or education is embedded in the system. Importantly, then, doctoral candidates' individual scholarly freedom is embedded in, tied to, and at times in tension with other dimensions of academic freedom, in particular of the collective research community, as well as of the institutional and government context.

3.2 Academic Self-Governance: Representational Rights of Doctoral Candidates

Academic self-governance is a cornerstone of academic freedom. Most specifically, it means that the research community can shape its research disciplines free from governmental interference, and provide their own quality control through peer review and similar practices. As doctoral education

significantly shapes the future of academia, doctoral candidates need to be included in academic self-governance as both researchers in their own rights and as the cohort from which the future senior faculty will emerge. It is thus essential that this inclusion not only ensures representational rights but equally assures reasonable self-representation (i.e. doctoral candidates being represented by doctoral candidates and not by bachelor or master students nor by senior faculty). Otherwise essential values of academic freedom are infringed upon.

In terms of the frameworks surveyed, the quality of representational rights of doctoral candidates can be determined on the basis of three aspects: 1) whether doctoral candidates are included in a representative body with rights to partake in academic self-governance on all levels; 2) whether all doctoral candidates are included in one electoral groups or whether they are split between different electoral groups; 3) whether the body representing them can be deemed to reasonably represent the interests of doctoral candidates (i.e. is self-representation adequately ensured).

Exclusion from participation at any level where other faculty in general is included means an infringement on academic freedom of doctoral candidates in terms of the right to research and the right to learning as a collective right to shape these. The participation of students and staff in HE governance is also defined as a fundamental value in both the Paris and the Rome Communiqués. In general, we found that all doctoral candidates have the right to participate in academic self-governance. However, there are three main systems we could identify with consequences for the quality of their participation: Doctoral candidates are included in 1) the student electoral group, 2) part of an electoral group that encompasses all academic staff (which can or cannot include professors), and/or 3) part of an electoral group comprising non-permanent academics.

The tensions with regard to version 1 or 2 arises from the risk of being significantly underrepresented. In these cases, it cannot be said that doctoral candidates are included in academic self-governance through self-representation, i.e. while they de facto are included, as significant minorities in their electoral groups, their representation is not ensured. This form of representation is the case in Denmark, Italy, Romania, Sweden, and Ukraine, whereas version 3 is the case in Hungary, Norway, Poland, and Switzerland, as well as for the midlevel staff body (i.e. 'Mittelbau') in Germany.

In Denmark, doctoral candidates belong to different electoral groups depending on their funding, which means that they do not have the weight of their entire group within the respective body in terms of voting and in terms of deliberation. In some German universities, on the other hand, doctoral candidates can belong simultaneously to the body of the students and of the midlevel staff with voting rights in both. They are thereby in the most literal sense overrepresented in comparison to other interest groups, as they can participate in both elections and cast votes in both.[7] Neither underrepresentation nor overrepresentation is in line with democratic principles and thus hinders good self-governance.

In addition, relevant for representational rights of doctoral candidates are hidden barriers to political participation. We want to emphasise two aspects: The first point is the question of how far legislation and frameworks cater to the specific conditions of doctoral education, namely whether mandates and election cycles for the representational body doctoral candidates belong to are such that doctoral candidates have r a easonable possibility to stand for election and to vote in these. The second point pertains in particular to the internationalisation of academia: Not only is internationalisation particularly high for doctoral candidates, but doctoral candidates are expected to continue to be mobile, thus making full integration in terms of language proficiency significantly less feasible than for permanent staff. To ensure rights to representation and participation in self-governance, self-

[7] The EU, at least, follows the role of one vote (per member state, per citizen).

governance needs to be accessible to all doctoral candidates. This would mean specifically that all legislation, frameworks and otherwise relevant documents are made accessible and that meetings are conducted in a shared language. In all but Poland, Romania and Ukraine, language barriers were clearly identified as an issue, with the low number of international doctoral candidates explaining why language is not seen as a barrier in these three countries.

Thus, for both academic freedom and the right to participate in academic governance it is essential to ensure that doctoral candidates have self-representation and a voice where decisions on doctoral education are taken and where the quality of doctoral education is concerned.

3.3 Institutional Autonomy and Doctoral Education

"Universities are enduring civic institutions that have played a key role in society," Tony Gallagher reiterates and reminds us that with the Bologna Process "The Council of Europe has emphasised their [HEIs] core mission of education, research and public service and the importance of higher education as a public good and public responsibility" (2020:241). In the context of institutional autonomy, Bennetot et al. (2023) and Maassen et al. (2023), raise concerns when people external to the institutions are mandated to the highest decision making body, and particularly so when they make up the majority of these bodies, such as in Denmark and Sweden, as well as in some HEIs in Germany, Norway, and Switzerland. While at the same time, such governance models can also be seen as allowing public authorities to ensure accountability. Italy is on the other hand highlighted as a country where the HEIs enjoy high institutional autonomy (Bennetot et al. 2023, Maassen et al. 2023), yet in the context of doctoral education, it presents a slightly different picture. With the increase in doctoral candidates in the last decade (Eurostat), doctoral education has furthermore come to figure as a crucial arena where the HEIs' core mission is shaped.

Institutional autonomy with regard to doctoral education relates to the freedom of the HEIs to decide what programs they offer or discontinue, to set requirements, and to award doctoral degrees independent from government and other political actors. In Denmark, Germany, Hungary, Norway, Poland, Sweden, and Switzerland, legislation establishes which HEIs have a full right to offer doctoral education and award doctoral degrees. The awarding of doctoral degrees, and the new introduction or closure of doctoral programs are however in the autonomy of the respective HEIs. This is not the case in Italy, Romania, or Ukraine, where all HEIs must seek permission to open new doctoral programs. In Romania and Ukraine, it is also the government, and not the HEI, that awards the doctoral degree rather than just setting the framework conditions for quality control. Institutions, however, should be able to decide on the programs and to award the doctoral degrees to ensure that it is the academic institutions themselves that shape the preparation of future academia. This ensures that the strategic direction of the institution is outlined within the academic institutions.

We thus understand institutional autonomy as guaranteed when the HEI and the academic community determines which doctoral programs it offers, sets the specific conditions for enrolling in a doctoral program and awarding a doctoral degree, and with funding being reasonably secure to ensure the right to learn and to research equitably for specific groups of researchers as well as it pertains to specific disciplines. This autonomy in turn has to be placed in the context of national and international regulations and guidelines, such as for example national qualification frameworks, to ensure institutional accountability and that quality standards of education and research are being met (see next chapter).

We already noted earlier that the connection between academic freedom and funding of research and researchers is not straightforward. In particular, it is not the lack of funding of the individual that is an attack on academic freedom, but the systemic underfunding (cf. Resnik 1998). Without funding, most research would not be able to take place, and underfunding the higher education system or defunding entire research fields means that researchers' capacity to carry out their work is fundamentally impinged on. In other words, systemic underfunding, lack of funding, or cutting of funding as an attack on academic freedom can pertain to different levels: the entire higher education system, specific research fields or disciplines, or specific groups of researchers. The systemic underfunding of academia includes a systemic underfunding of doctoral education, which in turn means a systemic underfunding of doctoral candidates and thus impinging on their capacity to conduct their research work.

No individual can a priori argue that it is an attack on their academic freedom if they do not receive (enough) funding or if they fail to secure competitive funding (i.e. for example, the right to a professorial salary comes with the position as a professor, not the other way around). However, when doctoral education, including the funding of individual doctoral candidates, is systematically underfunded, it significantly impacts or threatens the HEIs or specific research fields in their capacity to carry out their core tasks and thus pose a threat to academic freedom. In the context of doctoral education, then, reasonable institutional autonomy and academic self-governance ensure that it is the academic institutions and the academic community that shape their future free from unwarranted government interference, whereas the role of public authorities is to set framework conditions for accountability and quality assurance.

3.4 The Role of Public Authorities

The interest of public authorities in the quality of doctoral education warrants putting in place frameworks that safeguard and promote the quality of doctoral education. As Guri-Rosenblit notes: "Government steering in many higher education systems has grown significantly in the last decades. In many countries, universities and other higher education institutions are subjected nowadays, more than ever before, to stringent quality control mechanisms and accountability measures" (2015:17). For third cycle education, this has been the case only to a limited degree.

It is a delicate balance, however, to impose a quality assurance system without interfering with the different dimensions of academic freedom, particularly with the HEIs' institutional autonomy and with academic self-governance as outlined above. As Bergan et al. surmise: "Public authorities set the legislative framework within which higher education institutions operate, so they are crucial for the establishment of contexts that enable or constrain academic freedom and institutional autonomy" (2022:10). Thus, quality assurance of doctoral education by public authorities should *not* pertain to field specific requirements, but rather should establish whether or not the HEIs offering doctoral education have frameworks and evaluation processes in place that ensure transparency, accountability and the quality of doctoral education, particularly in terms of provision of supervision, assessment procedures, and examination procedures that include a public defence. In the best case scenario, the public authorities ensures a review of the quality assessment structures in place by the HEI for example through the accreditation process as is the case for the first or second cycle. Quality assurance of third cycle education is, however, far from being in place or standardised across Europe. Lacking these accountability structures puts the doctoral candidates' right to learning and to research at risk.

At the same time, what should not be in the purview of public authorities is the quality of the *research* competence of supervisors and the assessment of the research output by the doctoral student. These

are in the purview of the HEI and of the research community under the principles of institutional autonomy, academic self-governance, and individual scholarly freedom. It is then a clear infringement on academic freedom if governments have a legal power to grant or deny the HEIs the right to offer doctoral education for specific areas where they have research competences.

Public authorities are also a direct player when it comes to ensuring the quality of higher education as a funder. The choice to allow for unfinanced doctoral candidates, though they are expected to equally contribute to the research output of the HEIs, is a systemic underfunding of academia in general and a specific group of researchers in particular. There is a similar systemic underfunding of the higher education system when the ratio of permanent staff versus temporary research positions decreases below a certain threshold as well as when the number of financed doctoral candidates within for example the humanities becomes so low that it has consequences for the quality of Bachelor's and Master's education. The latter then risks infringing on the bachelor and master students' right to learning.

4. Conclusion and Recommendations

The reports on the state of academic freedom to which we refer in this article do not look at the situation of one of the most vulnerable groups, namely doctoral candidates. Equally, institutional, national, or international frameworks fail to take into account the academic freedom of doctoral candidates, even though academic freedom is one of the fundamental values of the EHEA and doctoral education is crucial for the future of higher education. Comparing current frameworks across select countries in Europe reveals that most countries offer practices in some areas that ensure doctoral candidates' academic freedom and balance legitimate competing interests, but it is a chequered picture at best. Considerations of doctoral candidates' academic freedom has so far not been included in the discussion of doctoral education. Aligning doctoral education with the fundamental values of the EHEA would not only lead to much needed improved coherence across the EHEA, it would also recenter these fundamental values at the core of higher education. It should equally be part of the considerations when states are called upon to promote and protect academic freedom and integrity in Europe (see also European Commission 2022:11).

Paying attention to doctoral education and academic freedom draws out the complexity of the interplay between different frameworks and regulations, between individual rights, academic self-governance, and institutional autonomy, as well as between autonomy and accountability. Academic freedom is a multicomponent principle – clustering the right to research, teaching, learning, and academic-self-expression – that spans four dimensions: the individual level, the level of the respective collective academic community, of the institution, as well as of the public institutions. This means that any discussion of academic freedom has to centre on how to balance different justified claims for which we pinpoint the IDEP as a key instrument.

The combination of lack of attention paid to academic freedom for doctoral candidates and the fact that together with other non-permanent academic staff they make up more than half of the entire academic population, underlines the significance of the blind spot in the current European discussion. On the basis of the empirical survey and the theoretical considerations, we have thus formulated a non-exhaustive list of recommendations pertaining to the different components and dimensions of academic freedom of doctoral candidates:

Key Recommendations (with the responsible actors indicated in square brackets)

General:

- Include doctoral candidates and other non-permanent academic staff explicitly as separate groups in future reports on academic freedom as well as in future EHEA implementation reports.

Institutional Autonomy:

- The HEI should grant the doctoral degree, define what doctoral programs they offer, and define any field specific requirements. [Public Authorities, HEIs]
- Develop long term strategies for the funding of doctoral candidates with a focus on equitable access and on ensuring academic freedom through systemic funding. [EU, Public Authorities, HEIs]
- Strengthen international and economical possibilities in particular for doctoral candidates in countries experiencing brain drain or threats to academic freedom. [EHEA, EU]

Representation:

- Ensure doctoral candidates' representational rights and assure reasonable self-representation of doctoral candidates. [EHEA, EU, Public Authorities, HEIs]
- Include the promotion of "HE civic education" that includes education in academic freedom, research integrity and ethics, and institutional policy and legal framework of HEIs in addition to the recommendation for the promotion of transferable skills and interdisciplinary training. [EHEA, EU, Public Authorities, HEIs, Departments]

Quality Assurance:

- Explicit inclusion of third cycle education in quality assurance processes. [EHEA, EU, Public Authorities, HEIs]
- Set framework conditions for transparency, accountability, and quality control, such as: [EHEA, EU, Public Authorities, HEIs]
    - Ensure all doctoral candidates have the right to change supervisors.
    - Comprehensive introduction of the IDEP following an international standard set by the Bologna Process.
    - Ensure the defence is public with external representation in the assessment committee.
    - Ensure that doctoral candidates have the right to defend.

Funding:

- Acknowledge that doctoral candidates are professionals and as such they should be funded through employment. [EHEA, EU, Public Authorities, HEIs]
    - Set framework conditions for employment and stipends that mitigate precarity and high levels of vulnerability (such as lack of health care, maternity leave, sick leave). [EU, Public Authorities, HEIs]
    - Decouple funding from supervision. [EU, Public Authorities, HEIs]

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