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Core values work in academia

– with experiences from Lund University

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EDITED BY TOMAS BRAGE AND INGER LÖVKRONA
LUND UNIVERSITY 2016





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The background of the entire page is a photograph of a red brick wall. Strong shadows from a metal railing and some vines are cast across the bricks. In the upper right, a black metal railing is visible. A white rectangular box is positioned on the left side of the wall, containing the title and editor information.

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Preface

What you are holding in your hand is a report from the project “Core values work at Lund University”, launched by a decision of the deputy vice-chancellor Eva Wiberg on 10 April 2014 which established a project plan and budget (reg. no P 2014/1187). The project was led by two project managers in collaboration with a project group, appointed by the project managers. A steering committee led by the University’s director of Human Resources Ingrid Estrada Magnusson was appointed at the same time. The head of the project was initially the pro vice-chancellor at the time, Nils Danielsen. The project originally consisted of three parts, which were to be completed over approximately two and a half years:

1. Create study materials on core values and core values work
2. Conduct training based on this material for the entire University, including support for the core values work
3. Provide guidance and prepare a new set of core values, and conduct a final evaluation of the project

At the end of 2014, one of the project managers retired, which led to the work being suspended for a few months. Subsequently, the project was transformed and the project management reorganised. The project group and the remaining project managers continued to work according to the established plan, but with a revised time frame and budget under the new conditions. It was decided that step 1 would be carried out in 2015, while steps 2 and 3 would be completed in 2016.

On 30 April 2015 the project was reformulated once again. The new University management decided that the core values would be part of the Strategic Plan to be drawn up in 2016, and that the work to develop a set of core values was therefore to be transferred to the corresponding project group. Thus, it was no longer relevant to have steps 2 and 3 fall within the assignment of the core values project group, whose task became to prepare resource materials for the core values work at the University. It was decided that

- a. the resource materials were to be finalised by early 2016,
- b. by March 2016, the resource materials were to be translated and printed, published on the website as well as presented to various groups.

The training was postponed until the group for the Strategic Plan had drawn up a new set of core values. Some preparations for the training were already underway, however, and have been incorporated into this resource material. This report is the result of the revised core values project. It consists of three parts:

Part 1 Core values within academia – theory and background

The first part provides a basis for the work in the form of a historical and legal overview of current knowledge on core values and core values work. It also includes looking back on and evaluating previous core values, what values they communicate, what they mean and where they come from. This part also includes a discussion on which parts of the core values are non-negotiable and which are an expression of an academic culture. The legal contribution deals with issues pertaining to how the core values coexist with laws and ordinances and, among other things, analyses their status in relation to academic freedom. The first part ends with a summary with advice for effective work on core values, based on research and past experiences.

Part 2 Core values within academia – methods and support

The second part of the report contains descriptions and evaluations of methods and concepts that can be used when working with core values and that are important to know. The Swedish Discrimination Act is an obvious point of reference in this regard. Some of the contributions are taken from the project “Anti-discrimination training”, conducted previously. Other contributions present and discuss methods such as norm criticism, inclusive teaching, and strategies to handle master suppression techniques. Several of the contributions in this part of the report are independent contributions from authors outside the project – the contents are thus a reflection of the authors themselves, with only editorial changes made.

Part 3 Core values work within academia – experiences from Lund University

The final part of the report gathers the experiences from Lund University – projects that are useful in the work on the University’s core values. The purpose is to illustrate how the methods discussed in part 2 can be understood and implemented. It is important to remember that Lund University has pursued very active work in the field, and that the expertise can be found right here. Examples of such experiences include the gender-integrated academic leadership programme “AKKA”, and the anti-discrimination training “See the human beyond”. This part concludes with an inventory of examples of core values work at the faculties and departments of Lund University.

Conclusion of the core values project

This report will be available in printed form in both Swedish and English as well as available for “print on demand” from the publishers. The project has already been presented to Student Affairs on 9 September 2015, and to the Management Group for Gender Equality and Equal Opportunities on 3 December 2015. In the spring of 2016, the project manager and project group will be available to present the project to other target audiences as well.

The project was made possible by a very active project group and former project manager. I would therefore like to conclude by thanking them - Annika Rejmer, Bodil Ryderheim, Christer Eldh, Inger Lövkrona, and, especially, the former co-project manager Kajsa Widén.

Lund 18 May 2016

Tomas Brage

Project manager for the Core Values Project at Lund University

Part 1 Core values within academia
– theory and background



Photo by Charlotte Carlberg Bång

1.1 Introduction

Tomas Brage & Inger Lövkrona

Why do we need core values?

What are core values and what do we need them for? This was one of the main questions asked in discussions on the core values project initiated in early 2014. Experiences from staff surveys at Lund University showed that the existing core values were not ‘alive’ within the University – there were numerous cases of victimisation and they seemed to permeate the University’s work environments. The Internal Audit Office had also submitted a report (reg. no IR 2012/28) which pointed to a need for clearer focus in efforts to improve the work environment at the University. Working with core values and bringing them to life within the organisation seemed like a new and interesting task, as it forms the basis for much of the important work that is done – on gender equality and equal opportunities, work environment management or the equal treatment of students.

So what are core values? As this report reveals, expectations and use of core values are diverse. In his contribution (1.2), Christer Eldh shows that core values have a threefold significance and function:

- a) to *create* values,
- b) to *signal* what values apply,
- c) to *support* individuals in everyday life at an institution.

It could perhaps be added to point a. that core values also summarise the values that apply to a public authority and academic organisation such as a university. In the first part of this report, the authors point out that public sector employees are expected to live up to certain given core values – such as the UN declaration on human rights, statutes in the form of the Higher Education Ordinance, the Swedish Discrimination Act or the common basic values for central government employees. The values and norms which are presented in these documents are non-negotiable in the everyday work

of a university. This raises two burning issues – how can Lund University’s core values contribute to communicating these ‘absolute’ values to its employees, and which additional values does the University want to include?

In previous versions of the core values, discussed by Inger Lövkrona, words and concepts of differing levels of importance have been mixed up, without being clearly linked to their origins. These include

- a) *political* concepts, formulated in laws and ordinances,
- b) *ethical* terms, similar to descriptions of ‘codes of conduct’, and
- c) *academic* expressions, which describe the ideology specific to academia.

These categories can cooperate, but they can also end up in conflict or cause friction between one another. The most obvious example is the opposition which arises between gender equality, which is stipulated in the Discrimination Act, among others, and academic freedom. This issue is discussed by Annika Rejmer and Inger Lövkrona in Sections 1.3 and 1.4.

Core values have been criticised for being empty phrases which do not entail any real obligation. The problem is rather that the core values are not supported, discussed or allowed to emerge in cooperation with the organisation (see Sections 1.2 and 1.3). Section 1.4 expressly illustrates that Lund University’s core values are not empty phrases, but contain meaningful ethical, political and academic concepts – albeit in a somewhat disorganised form.

One problem with core values, raised by Eldh (1.2), is that they have no legal basis – there is no stipulated sanction for breaching them. It can therefore be a problem if values and norms are only formulated in the core values, with no effort to support them with reference to laws and ordinances.

In summary, this report shows that well-formulated and well-supported core values are important for an organisation. But it is necessary to discuss and interrogate them.

Part 1 Theory and background

This report consists of three parts. The first part provides a background to the core values, their history and basis in law. It analyses core values in general and those of Lund University in particular.

Section 1.2 What are core values? National and international perspectives

In his contribution, Christer Eldh shows that core values are based on ideas from the US and its private business sector. They were introduced in Sweden as ‘business ethics’ in the 1990s and later spread to public authorities and organisations. Eldh’s article presents the possible forms and functions of core values and how they are designated in various contexts – codes of ethics, codes of conduct, values-based leadership, to name a few. Eldh uses national and international research to illustrate what core values are, where they occur, their purpose, problems in rendering them operational and what positive effects have been observed. He also describes the entry of core values into the world of Swedish higher education in the 1990s, via primary and middle schools. The article concludes with a discussion of the relevance of core values, taking the psychosocial survey conducted at Lund University in 2012 as a starting point.

Section 1.3 Core values for government employees and academic freedom

In her contribution, Annika Rejmer investigates the common basic values for central government employees in relation to the specific conditions of universities as public authorities. What do the common basic values for central government employees entail? What does the concept of academic freedom mean? What does it mean in a Swedish context? How do the common basic values for central government employees relate to academic freedom? How does academic freedom relate to freedom of expression and whistle-blowing? Her perspective is a legal one. The idea of core values was launched by Lund professor Lennart Lundquist as a public sector ethos which was to form the basis of all public sector activities. A decade later, the government formulated the task of Public sector ethos – a sound administrative culture to reinforce confidence in Swedish public administration and increase public sector employees’ knowledge of the values on which government organisations rest. The task was assigned to the Swedish Council for Strategic Human Resources Development (KRUS) which compiled the Common Basic Values for Central Government Employees, and produced support material for their implementation. Rejmer concludes with an account of the evaluation of the assignment mentioned above.

Section 1.4 Core values and academic leadership

Lund University’s core values were a constant theme in the leadership programme AKKA V, which was offered in 2013–2014. In her contribution, Inger Lövkrona summarises the experiences generated by the programme. The questions raised are: what are the values that Lund University wants to communicate and why these in particular? Are they self-evident and comprehensible? How are the core values to be

used in everyday work? What issues and problems can arise in their application? As mentioned above, the core values represent separate value systems or ideologies – political, academic and ethical – with varying levels of importance and compulsion. The political values – gender equality, equal opportunities and equal conditions – ultimately refer to human rights. The academic values are based on academic culture and practice, while the ethical values represent culturally determined moral principles; they aim to create a positive work environment and constitute a sort of code of conduct. Lövkrona's analysis shows that the University's core values are difficult to apply in everyday work as a basis for decisions and as guidance. The core values are, perhaps for this reason, relatively invisible in the organisation.

Section 1.5 Lund University towards a new set of core values – conclusions and advice.

After the three analytical sections, the first part concludes with a summary including advice for the work on generating and managing core values.

Part 2 Methods and support

The second part of the report is a collection of articles which can function as support material for core values management. An important starting point in the efforts towards a better work environment is knowledge about how discrimination occurs and operates and what support the law provides for this work. The introductory section in this part describes the state of research into discrimination in academia (2.1). This section is followed by a presentation of three useful techniques for identifying and counteracting destructive power structures; core values work is about norms – both the desirable norms to which academia aspires and the undesirable ones concealed in phenomena such as stereotypes. This is why a norm-critical approach is important, to identify and counteract oppressive norms (2.2). Working with master suppression techniques, counter strategies and affirmation techniques is a further way of counteracting discrimination and understanding how it occurs (2.3). The students are an important part of the University. The section on inclusive teaching analyses how higher education is changing and what demands this places on university lecturers (2.4). Section 2.5 discusses diversity. As a final point, the Discrimination Act has been included in its entirety (2.6), so that it can be used as reference material in work on the core values.

Part 3 Experiences from Lund University

The last part of the report comprises descriptions of experiences from previous projects at Lund University, which can serve as inspiration and support in the work on core values.

An important and necessary task is to educate management at the University, as shown by the notable AKKA project, which is a gender-integrated leadership programme (3.1). This project is unique not only to Sweden but worldwide. A recent inventory conducted within the LERU Workgroup for Gender showed that AKKA was the only programme with an integrated gender perspective. Evidently this is an important project to develop, now that the Swedish government has tasked the country's higher education institutions with implementing gender integration.

The gender certification project (3.2) was carried out to reinforce gender perspectives and gender awareness primarily in education at the University, but also in research. The project resulted in the development of a number of methods at the departmental level as well as new projects to counteract discrimination and encourage widening participation, among other things.

See the human beyond (3.3) is an anti-discrimination training programme, aiming to generate discussion and awareness of the discrimination that occurs at the University. It is based on the Swedish Discrimination Act and takes a norm-critical approach. The programme has been developed over approximately ten years and has been offered to many groups and departments at Lund University and other universities. It has also been used in schools and other public authorities.

Finally, Bodil Ryderheim's contribution describes how Lund University has worked to implement its core values (3.4). The faculties are responsible for dissemination and implementation, and several faculties have produced their own, adapted core values or equivalent, as presented on their faculty websites. Ryderheim finds major differences between the faculties in terms of how they work with information about the core values for employees. Some faculties raise the issue of core values in their introduction to new employees, others distribute information leaflets, while some do nothing at all. It is unclear who is responsible for information to students, which is sometimes provided at the faculty level and sometimes at the course level. A successful example of implementation of the core values is the "Customer and Collegial Relations Project" which was implemented in 2013 at all the University's libraries. The aim of the project was to increase awareness of how library users and colleagues were treated. Several faculties at Lund University run core values seminars intended for students. The seminars offered by the Faculty of Engineering in collaboration with the Engineering students' union deal with subjects such as equal opportunities, group dynamics, leadership, alcohol and conflict management.

1.2 What are core values? National and international perspectives

Christer Eldh

Core values are a relatively new phenomenon in a Swedish context. The idea comes from the US business sector. As a 'corporate ethics' phenomenon, it was introduced in Sweden in the 1990s and then spread to government authorities and public sector organisations. Core values can be defined as ethical rules for an organisation and its employees. As well as core values, there are roughly similar terms such as code of conduct and value-based management. These different terms will be discussed in their context.

Research on core values is relatively sparse in an international context, and a rarity in a Swedish one. The theme is mostly addressed within the following fields of research: ethics, business administration (organisation theory) and education. This article describes and discusses this research and considers the questions of what core values are, where core values exist and their purpose, the problems that exist in operationalisation and the positive effects that have been observed. Finally, there is a discussion on the relevance core values have in an organisation, based on the psychosocial survey that I carried out at Lund University in 2012 with the then Pro Vice-Chancellor Inga-Lill Rahm Hallberg.

What are core values?

Three somewhat different meanings of the purpose of core values have become apparent in research: 1) to 'create value' (aiming to strategically increase or maximise the value an organisation provides to wider society, besides money); 2) to signal the ethical values that are to characterise an organisation; and 3) to serve as support for individuals within an organisation to refer to or act in accordance with in everyday

work. The role of core values, as the term is interpreted in research, is consequently threefold – to govern everyday actions in a business and organisation, to serve as a platform for decisions and to be a manifestation of the organisation's mission for the outside world.

In a Swedish context, the Swedish term for core values, *värdegrund*, has mainly been reserved for governing everyday actions for members of a business or in an organisation. In keeping with how the term is used internationally, we see in the context a separation, but also a confusion, between on the one hand creating values and, on the other, the ethical values that shall characterise an organisation. In the business sector, the emphasis is on the profit-making value that a business is to generate, in particular for customers. Another aspect that is proposed is that the activities of a company are to contribute value to society by providing a solution to a recognised problem or need.

In international research, the terms core values and code of conduct have become widespread and it should be mentioned that usage in the North American context has been influential. The term 'value management' has been used in the USA since the 1990s, and is employed in a number of contexts with widely differing senses.¹ This can be partially explained by the fact that 'value' can be interpreted in different ways; in the sense of being 'valuable' as well as the sense of relating to 'values' and 'norms'. As a polysemous word in English, it has caused some confusion in international research and applications. The intended meaning is unclear in certain texts and is clarified at first when put in a context. At least four different interpretations and areas of use can be included in the term 'value-based management'. Firstly, it can refer to value creation in the sense of striving to strategically increase or maximise the value an organisation shall provide for society, stated as something other than how the company accumulates capital.² A second meaning is to judge the organisation and its capability to reach its goals, based on the values that are created. The third meaning refers value-based management to the relations between an organisation and its customers and other stakeholders – a network in which value is created jointly.³ The fourth meaning of the term, and the most relevant in this context, is how the organisation's actions are intentionally based on an ethical standpoint. The term 'core values' is used in certain contexts to describe the same thing; it is a term that is close to the Swedish word '*värdegrund*'.

The research indicates that there are multiple benefits to be gained from core values. In general it is considered that it creates a desirable corporate culture, which contributes to increase external confidence in the company and to being a good workplace that produces good performance.⁴ Another advantage is considered to be that it strengthens

¹ Beck & Britzelmaier 2011.

² Phadnis 2014.

³ Vargo & Lusch 2008.

⁴ Longenecker 2013.

the power to innovate within an organisation. It is argued that there is a causal connection between core values that are integrated in all parts of an organisation and the most innovative companies.⁵ It can be seen that high hopes exist and the picture provided is that most problems in an organisation can be resolved with the help of core values.

Core values in the Swedish public and private sectors

Work on core values is done both in the business sector and in public services and organisations. The public services that were the earliest to adopt and apply core values were schools, the public health service and the police. In the school world, core values were introduced in the basic curriculum adopted in 1994 (Lpo -94). Core values were the subject of lively discussions as they narrowly reflected “Christian ethics and Western humanism”.

In the school world, core values refer to the values that are to be transferred to the pupils, whereas in other contexts the aim is to convey the organisation’s view of itself and the values that are to be created to increase external confidence in the organisation. The police, for example, adopted core values in 2009 for this reason. It must also be pointed out that many organisations have had discussions about ethics and approach, and formulated specific value words long before the term ‘core values’ became established. From the post-war period up until the 1970s, the values of the police were summed up in four words: Respect, Politeness, Helpfulness and Humour (in Swedish, the four Hs: “hänsyn, hövlighet, hjälpsamhet och humor”). A similar development from specific value words to core values can be seen in other Swedish public authorities.⁶

In 2001, the Swedish Council for Strategic Human Resources Development (KRUS) was assigned to identify common core values for government employees, *Common basic values for central government employees*, and to produce support material for implementation (cf Rejmer Part 1:3). KRUS offers different forms of training carried out within the framework of the government assignment *Public sector ethos – a good administrative culture*. The training emphasises the responsibility of both managers and staff to spread core values in the organisation; in particular there is an emphasis on managers’ responsibility to show the way and lead the initiative. It is a manager’s task to inform about laws and regulations and ensure that they are implemented and

⁵ Sai & Pandit 2013.

⁶ It is interesting that ‘humour’ is also used by Lund University as a value word included in its strategic plan. This has been somewhat mistakenly highlighted as original; the original element is possibly the fact that it has remained after other public authorities have removed it.

observed, as well as to activate the employees to reflect on the organisation's role in society. Nowadays several higher education institutions offer their own courses in government core values that are aimed at other public authorities.

Compared with public authorities, the state-owned companies have introduced 'core values', 'codes of ethics', 'codes of conduct' or 'values' to a greater extent – terms that are used synonymously. There are many examples, but some of the most ambitious initiatives have been carried out by PostNord, a company co-owned by the Danish and Swedish governments. PostNord use the term 'code of conduct'. The code sets binding requirements for how the group is to act to ensure sustainable operations, clarifies the organisation's basic legal requirements and guiding principles, and provides guidelines for the business. In the preface, the CEO states that the code is to be a fundamental part of the group's corporate culture. The code covers a number of aspects such as vision and values, quality, working conditions, environment, business ethics and communication.⁷ The aim of the code of conduct is also to contribute to clarifying the company's values for their customers, and the regulations regarding services, environment and working conditions. Here, it conforms on all important points with the business sector's core values and codes of conduct. Another approach that PostNord shares with other companies and organisations is that it emphasises that the core values have been developed by group management and that it is the management's responsibility to incorporate them in the business.

Internationally, core values have attracted a certain degree of attention, not least because organisations for preventive reasons have been required to problematise systemic discriminatory practices. A well-known example is the US Marines, which on several occasions have made headlines in the newspapers, as employees have been subjected to discrimination or special treatment due to race or gender.⁸ As a consequence of these incidents, the US Marines have developed 'value-based management'.

Core values at higher education institutions

Research on core values at higher education institutions is no exception from the research on other segments of the field. There are few studies, even though the practice of establishing a code of conduct is relatively widespread in the English-speaking world. The argument presented for having a functional code of conduct is that it strengthens external confidence in a university. This confidence is expected to become increasingly important in the years to come.

⁷ PostNord (no year).

⁸ Caproni & Finley 1997.

One of the earliest studies shows that a code of conduct is a way to create clarity about what is, and what is not, permitted. The research notes the need for codes of conduct in higher education institutions, and the way they can contribute to preventing actions that can lead to society losing confidence in the organisation. The same study also shows that codes of conduct reduce the risk of an individual losing the trust of colleagues. However, it is also asserted that codes of conduct risk becoming a panacea for problems that they cannot solve and that on the contrary they can contribute to strengthening the cynicism and mistrust that they are intended to remedy. In a questionnaire study Rezaee et al. are able to show to what degree codes of conduct are implemented and who within the organisation has initiated them. The aim of the study is to find a governance model for establishing adequate codes of conduct in the US higher education system. The authors note that university managements and owners are requesting ethical codes of conduct conforming to the university's policy in the form of guidelines for conflicts of interest. The respondents considered that ethical core values were not the best way to communicate expected behaviour and related issues. Such issues are to be formulated at faculty level, not on a university-wide level. It was also common that the vice-chancellor or deputy vice-chancellor were responsible for producing the codes. The study also noted that when faculties or individual staff members feel that they are not involved, this negatively affects awareness about the code. The authors conclude that a certain consensus about what is acceptable and a vigorous implementation are important factors if a code of conduct is to have a proactive significance.⁹

Another study observes that rules for behaviour towards students in universities' ethical codes do not have the expected effect.¹⁰ The student perspective is important, as the university's future staff members are among the students and there is every reason to also teach ethics in practice to the future generations of staff. Ethically based norms, the author suggests, can be divided into inviolable and admonitory. Violations of the inviolable norms shall always be prosecuted, for example disrespect for students' performance, offensive behaviour etc. Among the admonitory norms are neglectful teaching, degradation of colleagues and educational narrowness, which ought to be avoided. It emerges from the study that these norms are rarely explicit among colleagues and reach the students to an even lesser extent. The challenge is in also making these invisible norms visible for students, not through regulations that are presented at introduction meetings, but as an ongoing discussion. There is a danger in being either too specific or far too general. It must be accepted that there is a tension between these two approaches. One argument advanced at faculty level and reported in the study was: "But do we need to say it?" The question stems from when students are instructed, for example, in how data and material are presented in an academically honest way, and teachers do not always feel it is necessary to inform the students that they are not to

⁹ Rezaee et al. 2001:179.

¹⁰ Proper 2012.

falsify data. It is even more rarely considered to be necessary to inform students that they in turn are to bring this to the attention of other students. As for the approach of informing on matters that are seemingly self-evident, it can be argued that the university has an obligation to teach students to act in a competent and ethically correct way. According to the same study, including students in the work on ethics leads in the long term to an improved educational process and helps teaching staff to understand their role.

In 2006, the Netherlands became one of the first European countries to decide that higher education institutions were to have core values that conform to state-defined ethics. The measure was actively debated and has been perceived as a further step towards linking the state and education system closer together. A study from the Netherlands notes that there are good reasons for state measures, as they contribute to the legitimacy of the organisation, and focus attention on the significance of good norms. In addition, it creates flexibility and new insights can be included more rapidly in core values, compared to laws and regulations.¹¹ The authors consider that among the identified disadvantages is the incurring of transaction costs by the individual higher education institutions, i.e. the costs of implementing the government core values are paid by each individual university and not by the principal. However, core values are no guarantee that better decisions will be made. On the contrary, core values can lead to excessive belief in one's own excellence and the discussions that should be initiated – at different levels within the higher education institution and with the government – do not take place. A further disadvantage is that core values must be developed and changed based on the experiences that arise in the implementation. Finally, it is considered a disadvantage that the legal status of core values is unclear and it is also unclear whether anyone can be held accountable for violations of core values.

One reflection is that there is a lot in common between the USA and Europe concerning the higher education institutions' approach to core values. Ethics, of course, is something that concerns all learning, regardless of the subject and course at a university. This is also evident in that the Swedish Higher Education Authority (UKÄ) has included the capacity for ethical deliberation in the qualitative targets of all higher education qualifications. Including the students in the work to develop core values can contribute to several important goals for a university. It contributes to ensuring that the qualitative targets are attained and that the next generation of staff members are ethically qualified. In the long term, it is also positive for society in general, as most of the students will be active outside the university.

The disadvantages highlighted in the study from the Netherlands are both specific for higher education institutions, and general, applying to all organisations. Higher education institutions (and their principals and owners) have a particular and protected integrity in relation to society (compare Rejmer part 1.3). The paradox is that core

¹¹ Boer & Goedegebuur 2007.

values are advanced as an argument to protect academic integrity, when on the contrary it can sabotage it; the risk is that imposed values overshadow the university's central values. Public services have much in common, but there are differences, which become clear when ideas-based organisations (such as a university) are compared with business-driven organisations (such as PostNord). A general disadvantage is that the need for new and developed guidelines and regulations are managed within the common government core values and does not become a matter of changed legal practice. Core values thus contribute to halting the development of the judicial system and it is unclear what a violation of core values means, in contrast to a violation of a legal framework.

Value-based management

Swedish research on core values is not particularly extensive, but there are some texts by independent authors. For example, the priest and Doctor of Theology Claes Trollestad has been interested for a long time in value-based management and leadership, with an emphasis on the values of organisations.¹² An article co-authored with Professor of Business Administration Tomas Brytting highlights the importance of managers and leaders not creating values, but allowing staff to have an influence. The authors assert that the values in an organisation should be managed within what they describe as democratic leadership that is open to discussion, otherwise the risk is that the values will cause repeated conflicts.¹³ In keeping with other contributions and perspectives, Trollestad makes no great distinction between the values that exist in an organisation, what is often called 'organisational culture', and core values. He considers that the difference lies more in whether core values are seen as an image *of* reality, i.e. the different values that exist in the organisation, or as an image *for* reality, where the present situation is queried and there is an ambition to achieve something new.

The Swedish research has mainly focused on the school world with reference to the aforementioned curriculum Lpo -94. It is noted that no overall analysis has been carried out about what core values initiatives and core values research are.¹⁴ Furthermore, it is stressed that there is a great interest in ethics and morals in the school world and society has considerable expectations that schools will manage these issues. Core values initiatives in schools concern the handling of problems that are created in school, but also conflicts that do not originate in the school itself. According to Joakim Lindgren, schools see ethics, morals and democracy and initiatives against offensive treatment primarily as projects to establish support among pupils. He notes, which is of interest

¹² Trollestad 2000.

¹³ Brytting & Trollestad 2000.

¹⁴ Lindgren 2003.

in this context, that schools thereby relinquish opportunities to re-examine basic values. An implicit assumption in the school world is that core values only cover *the pupils*. The staff members' task is to ensure that the core values have the support of the pupils. An alternative approach is suggested in Lindgren's report: that work on core values is to be managed as an open-ended process. This proposal is in line with the conclusion put forward by prominent researchers in the field – E. Ibarra-Colado, S. R. Clegg, C. Rhodes and M. Kornberger –, namely that common values must include diverse ethics with friction between them in order to take shape and be perceived as individual values that can be used in everyday processes.¹⁵

Management and leadership researchers Ingalill Holmberg and Peter Hyllman were commissioned by the scout movement to review the term 'value-based leadership'.¹⁶ They note that the number of articles on value-based leadership is limited and conclude that value-based leadership has awakened considerably more interest among the public, consultants etc. than among researchers. Furthermore, they have found that research is preoccupied with studying leaders' attributes and can be described as leader studies, rather than leadership studies. The study describes a new perspective in which leadership is seen in relation to its surroundings. Relational leadership is referred to as an interaction between broadly understood surroundings, leader and colleagues. In line with this argument, leadership has a clear social dimension. Furthermore, it is proposed that introducing core values in an organisation shall be considered not only as a new perspective, but also as an attempt to "incorporate ethical and moral values and considerations".

Operationalisation of ethical values, in contrast to values, for example by introducing value-based leadership in core values, has been criticised. An interesting example of such objections, inspired by the power theorist Foucault, is put forward by Ibarra-Colado et al. 2006.¹⁷ The authors point out that ethics are never solely a matter for an organisation, codes of conduct or governance:

Ethics are not something controlled by organizations through rules, codes of conducts and governmental practices, because that control will always be mediated through at least a modicum of freedom to be reflexive as one constitutes one's self as a governed subject.

The quote shows the significance of formulating an ethic, for instance in the form of core values, but that it lacks value if it is not confronted with the values of the organisation's individuals. Core values become meaningful, according to these authors, only when different perceptions and practices can be presented and assessed by others in the organisation as moral (or perhaps immoral). This can be interpreted as an ethic that has not emerged from a debate within the organisation, but is communicated, for

¹⁵ Ibarra-Colado et al. 2006.

¹⁶ Holmberg & Hyllman 2008.

¹⁷ Ibarra-Colado et al. 2006.

example by management, and becomes a means of discipline and of inculcating the organisation's regulations, and is harder to use in the ethical dilemmas that arise in everyday practice. A similar conclusion is presented in other studies and in one case an approach is advocated that is generally referred to as 'bottom up'.¹⁸ The authors highlight a model in various steps that originates in individual reflection, and moves on to group discussions and group-wide negotiations, and concludes with the management's support and a decision. The development of a code of ethics by employees presupposes that management are not just supportive, but also enthusiastic about developing and introducing a code of conduct. The management's support must be visible in the organisation and mean that it recognises good examples of observance and punishes disregard for the code.

The effects of core values

In research on the education system, the matter of a code of conduct is raised as an example of the everyday practices that core values can generate. In the school world, there is also a discussion of the problem of introducing values over the head of those affected in the organisation. The codes of conduct that are to gain support among pupils are not always even related to values, but to performance. The arguments for introducing codes of conduct in schools are similar to those used for core values, namely a hope to strengthen individuals' capabilities and to achieve a higher ethical standard, beyond personal convictions. There are no guarantees that the hopes for codes of conduct will be realised. On the contrary, codes of conduct tend to be ineffective due to their own limitations, as they cannot cover everything and become an obstacle to the development of an ethic. However, it has been shown that codes of conduct can contribute to eliminating unethical actions, provide support in ethical dilemmas and contribute to good ethical behaviour. However, the precondition is that there is a consensus about what is acceptable behaviour and what is to be punished.¹⁹

Other research shows that if there is no informal or formal code of conduct at a university, it leads to limitless and idiosyncratic choices regarding how different roles should be carried out. However, a code of conduct can also contribute to professional self-regulation and act as a tool for social control of colleagues and to recognise negligence and irregularities.²⁰ The same conclusion was drawn in another study on the relationship between a code of ethics and an organisation's capability to act responsibly towards wider society. This study observes that codes of ethics with a low-quality

¹⁸ Hill & Rapp 2014.

¹⁹ Rezaee et al. 2001.

²⁰ Braxton & Bray 2012.

content do not necessarily lead to an organisation not acting responsibly towards external society.²¹ The relationship can be the opposite: a very well developed and cohesive ethical platform does not necessarily lead to an organisation acting ethically and responsibly. What these studies show is that core values in themselves do not generate more moral behaviour within an organisation or among its members.

Codes of conduct and core values both aim to provide an organisation with an ethical foundation. Existing research shows the effects can be that the number of unethical actions decreases and become less serious, provided that the ethical values are shared by the people who are involved in the organisation. Even though core values do not in any way make an organisation immune to unethical actions and can even be counterproductive, it is argued that the opposite – having no core values at all – is worse. A code of conduct can be formal, informal or a combination of both, but if it is not there at all an acceptance of irregularities arises, or the opposite – oversensitivity that means every action is left open to criticism. This criticism has been made on the understanding that there must be a consensus on core values – there must be scope for common and open reflection on everyday practices.²² This can be interpreted that guidelines should be developed to enable both individual and common standpoints. Another conclusion is that the most important work does not consist of formulating core values. Instead it is establishing support for the core values and keeping the discussion alive. Consequently, this perspective is critical to the idea of connecting core values to leadership and opposes the argument that ethical and moral values are to be incorporated in the organisation by management making a decision on core values.

Core values initiatives and the psychosocial environment

One of the advantages of core values and value-based leadership put forward in the research is that they can have positive effects on job satisfaction in the workplace. It is stated, for example, that they lead to a “sustainable and dynamic organisational culture”, where employees are more dedicated to their workplace.²³ The problem with this conclusion is its claim for a general validity; it seems unreasonable that ideas-based organisations such as universities suffer from a lack of dedication regardless of the existence of core values or value-based leadership. In 2012, Lund University carried out a survey of its employees that showed that the employees feel a strong sense of loyalty to the University. Furthermore, it indicated a strong dedication and commitment to

²¹ Erwin 2011.

²² Ibarra-Colado 2006.

²³ Frost 2014.

their workplace, which was made clear by the fact that many work far in excess of stipulated working hours.²⁴

On the other hand, other problems and areas of improvement were revealed – there is a high level of stress at the University. Extensive research shows that stress at workplaces is often more linked to social relations than to a high workload.²⁵ It appears that offensive behaviour causes considerable stress linked to both the individual's wellbeing and fitness to work. This aspect of stress has been recognised as a factor that must be managed and, in particular, prevented. Consequently, stress caused by offensive behaviour cannot be eliminated by reducing other stress-inducing factors.²⁶ An important question, therefore, is whether core values, which claim to be an instrument for clarifying actions that are unethical and thereby offensive, can contribute to reducing the feeling, or worry, of being badly treated. The psychosocial survey at Lund University can serve as an example of how stress stems from the feeling of being badly treated.

One question in the study concerned discrimination and victimisation. About 84 % answered that people treat each other with respect at Lund University. In the same section of questions respondents were asked if they had seen, or been subjected to, bullying according to quite a narrow and clear definition. On this question 13.6 % and 7 % respectively answered that this had been the case. An associated set of questions concerned attitudes on diversity. The results showed administrative staff at Lund University experience to a greater extent than academic staff that they are not being treated equally due to position, gender or age. A startling result for a university was that almost 42 % stated that they could not agree with the statement: "I am certain that I can express my views without bringing negative consequences upon myself". Also of considerable relevance for the University's core value work was the result that about 92 % stated: "Email communication between employees at Lund University is appropriate and respectful in tone."

The underlying reasons for experiencing stress are complex, but it has been shown that there is a connection to people's sense of wellbeing at their workplace. At Lund University, between half and two-thirds of employees feel stressed often or nearly all the time. It can seem like a paradox, but the results of the survey clearly showed that a high workload does not lead to experiencing stress. On the contrary, it appears that the experience of stress is low among the employees who stated they had a high workload.

The study from Lund University on the psychosocial environment raises several interesting questions about work on core values. It shows that there are people who are bullied, who are not shown respect and who do not treat each other equally.

²⁴ Eldh & Rahm Hallberg 2012.

²⁵ Hauge et al. 2010, Nielsen et al. 2015.

²⁶ Hauge et al. 2010.

Furthermore, there are employees who do not feel secure in expressing views and who receive emails that are not appropriate and respectful in tone. The study also indicates which areas can be prioritised, as position, gender and age are the most common causes for people not to feel they are treated equally. This mainly affects people employed in administration. Overall, the survey shows high workloads are a fact for employees at the University, which is also a problem. However, a significantly more serious problem is the stress that is associated with relations between different categories of employees. The seriousness of the problem is reinforced by the fact that people expect that sometimes there will be a high workload at the workplace, which is both accepted and tolerated. However, it is not accepted or tolerated to be badly treated, repeatedly.²⁷ One conclusion, therefore, is that there are well-founded hopes that core values – which clarify what is unacceptable behaviour towards others – can contribute to reducing stress in an ideas-based organisation such as a university.

Summary

The operationalisation of core values in the same way as other routines at a university is a delicate task. Previous research shows that there are several pitfalls and the most serious danger is introducing guidelines via a ‘top-down’ process, in which core values risk being perceived as a manual for human interaction. Disregarding the fact that well-educated adults should not need instruction on these matters, the problem remains that a university cannot take for granted that all employees have the same values in their daily practices at the workplace. The challenge is not in formulating core values, but rather how we are to hand over responsibility to the employees, so they can determine how the values are to be expressed in their everyday actions. The solution to this problem is that it is not about teaching core values. It is instead about creating an awareness of how the university expects the employees to behave based on the values stated in the core values. One reflection after this review is that it is easiest and most effective for the university to emphasise in their core values the laws and guideline that are to be complied with. There will always be gaps in which individual ethical standpoints must make up for deficiencies in the regulations and guidelines. Discussions between colleagues and leaders’ and managers’ actions are decisive for minimising unethical actions, regardless of whether this is based on regulations or an ethical standpoint. Silence is a threat to the university’s credibility as an institution of education and research, not badly formulated core values.

²⁷ Hauge et al. 2010.

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1.3 Core values for government employees and academic freedom

Annika Rejmer

In the late 1990s, the political scientist and Lund professor Lennart Lundquist introduced the idea of a *public sector ethos* that all state employees would observe.²⁸ A little over ten years later the government used his proposal as the basis for developing the assignment *Public sector ethos – a good administrative culture*.²⁹ The government's aim for the assignment was to strengthen trust in Swedish public administration and increase government employees' knowledge about the values that form the basis of the state's operations with the purpose of further developing Swedish administrative culture by clarifying that it is characterised by democracy, human rights, the rule of law, efficiency and accessibility. The Swedish Council for Strategic Human Resources Development (KRUS) was assigned to identify common core values for government employees, and to produce support material for their implementation.³⁰ The common state core values consist of six overall principles:

- Democracy, the Instrument of Government (RF)³¹ chapter 1, article 1, paragraph 1 stipulates that all public power proceeds from the people.
- Legality, RF chapter 1, article 1, paragraph 3 prescribes that public power shall be exercised under the law.
- Objectivity, RF chapter 1, article 9 prescribes that the societal bodies that conduct administrative duties shall uphold the equality of everyone before the law, and observe objectivity and impartiality.

²⁸ Lundquist, 1998, 2001 and SOU 2008:118.

²⁹ The assignment had been preceded by several legislation measures to increase governance and control of state-run operations. See SFS 2007:603 and SFS 2007:215.

³⁰ See Common basic values, 2013.

³¹ SFS 1974:152.

- Free formation of opinion, RF chapter 1, article 1, paragraph 2 stipulates that Swedish democracy is based on the free formation of opinion. This means that all citizens, in relation to the state, are guaranteed freedom of expression, freedom of information, freedom of assembly, the right to protest, freedom of association and freedom of religion.
- Respect for the equality of everyone, RF chapter 1, article 2, paragraph 1 states that public power is to be exercised with respect for the equal worth of all and the liberty and dignity of the individual.
- Efficiency and service is stipulated in central legislation on the national budget and administration. The provisions are to be interpreted as the fundamental democratic principle that the people are the state's principal and set requirements for efficient and economical use of state resources.³²

My aim with this text is to examine the state's core values in relation to the specific conditions of higher education institutions as public administrative authorities. Questions that are discussed in the text are: What do the common core values mean for government employees? What does the concept 'academic freedom' mean? What does it mean in a Swedish context? How do the core values relate to academic freedom? And, in turn, how does academic freedom relate to freedom of expression and freedom to communicate information? Finally, I report on the evaluation of the assignment *Public sector ethos – a good administrative culture* and, based on the evaluation's results, discuss whether Lund University needs specific complementary core values and, if so, how previous research suggests they should be implemented.

Common core values for government employees at higher education institutions?

To begin with, it can be stated that the core values are common for all government employees and apply at all Swedish public authorities. Swedish state-run higher education institutions are among the central public administrative authorities,³³ which is why the core values are also to be implemented and followed by the employees of higher education institutions.³⁴

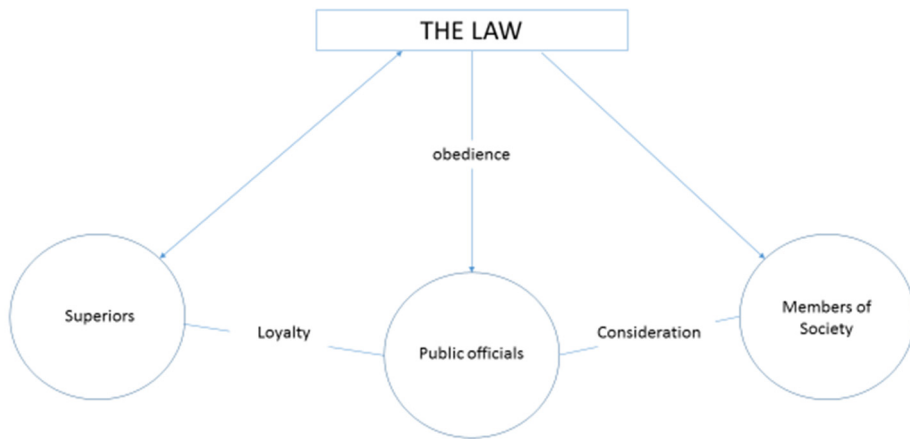
The six general core values principles are intended to serve as a guiding light for how state-run organisations are to operate. However, state-run operations are conducted via

³² Common core values, 2013.

³³ Government Agencies Register, Statistics Sweden (SCB).

³⁴ See SFS 1992:1434, Higher Education Act chapter 1, section 1. See also Bohlin & Warnling-Nerep, 2007.

just over 400 public authorities with varying mandates and activities, which is why the meaning of the stated principles may need to be interpreted in a way specific to the public authority concerned. However, something all the public authorities have in common is that the first principle on *democracy* is to be interpreted as the people being both the principal and financier of the public authority's activities. From this it follows that government employees are to serve the people and not vice versa. The second principle on *legality*, i.e. that public authorities' activities are to be run in accordance with the law, also applies irrespective of the public authority³⁵. Lennart Lundquist contends that government employees have a role as the guardians of political democracy, as they must simultaneously obey the law, be loyal towards superiors and show consideration towards members of society. Lennart Lundquist has illustrated the government employee's ethical position in the model below.³⁶



Source: Lundquist 2001

Lundquist states that as long as obedience, loyalty and consideration coincide, there are no ethical problems. However, an ethical dilemma arises for the government employee when a superior demands loyalty and actions that violate legislation. Lundquist says that there are good reasons to maintain that obeying the law and consideration for members of society should in that case take precedence over loyalty to the employer.³⁷ If a state employee is to break the law there must be very good reasons and it must be

³⁵ Common core values, 2013.

³⁶ Lundquist, 2001.

³⁷ Lundquist, 2001.

³⁸ Lundquist, 2001.

preceded by ethical deliberation, according to Lundquist, as legality is a linchpin in democratic governance.³⁸

Government employees' obligation of obedience and loyalty can, however, be differentiated and clarified further. The activities of a public authority can be divided into exercise of authority and administrative matters.³⁹ The meaning of the term 'exercise of public authority' has not been defined in relevant legislation, which has made the understanding and application of the term difficult, but some guidance can be taken from previous legal sources,⁴⁰ which stipulate that exercise of public authority is in law a stated power for employees at public authorities to unilaterally decide on another individual's benefits, rights, obligations, disciplinary sanctions, dismissal or other comparable relations⁴¹.

Based on these sources, it follows that the duties of the public authority that are regulated by law are in general exercise of public authority. On the basis of the higher education institutions' relation to the general public, decisions regarding requests to see official documents fall under exercise of public authority. For example, when a journalist requests to find out a certain student's grades. In relation to students, higher education institutions exercise authority in decisions such as admission, exemptions, leave from studies, disciplinary measures, assessment, credit transfers and awarding degree certificates. Exercise of public authority can also be applied in relation to employees. In a higher education context this can apply to decisions on employment, promotion and disciplinary matters as well as decisions to withdraw a doctoral student's resources and supervision. Decisions concerning which financed projects are to be co-financed or not, as well as decisions on which research ideas are to be given support through internally financed research months or via creating centres, also involve exercise of public authority in relation to employees.⁴²

Ultimately, exercise of public authority therefore refers to society's authority towards citizens, which means that a public employee makes a unilateral binding decision, supported in law, concerning a person who is in a dependent relationship with the authority.⁴³

However, when government employees' duties concern the public authority's other tasks, so-called administrative matters, such as teaching and research at higher education institutions, they are not only to follow legislation, but also internal

³⁹ See SOU 2010:29. The inquiry points to the problem of the term 'exercise of public authority' by stating that it is both difficult to understand and apply.

⁴⁰ Bill 1971:30 part 2.

⁴¹ See also in Bill 1971:30, including a proposal for public administrative courts etc. chapter 2, section 3.

⁴² See SFS 1992: 1434. Higher Education Act, chapter 12, section 2, Administrative Procedure Act section 22a.

⁴³ Bohlin & Warnling-Nerep, 2007.

assignment-specific rules and directives as well as the work instructions of superiors.⁴⁴ This may concern internal directives about the teaching methods for courses, strategies for choosing reading lists or internal rules on the staffing of courses. It might also concern internal directives for conducting research projects regarding the composition of research groups or internal rules on how experiments and fieldwork are to be carried out.

The fourth core values principle states that all citizens have the *freedom of opinion*. This also applies to government employees, with the limitation that private opinions may not affect performance of duties. This is made more precise in the third principle on *objectivity* in which it is stated that state-run activities are to be conducted on the basis of everyone's equality before the law, objectively and impartially. This entails that government employees are supposed to take personal responsibility for the performance of their duties and have the capacity to make ethical choices so that cases that are the same are treated in the same way, in a fair and consistent manner on objective and factual grounds. There are other situations that require government employees to make ethical choices, such as those concerning secondary employment, conflict of interest and bribes. If secondary employment, participation in a decision or accepting a gift can affect trust in the public authority, the government employee, as a basic principle, is to refrain, so that trust in the public authority is maintained and the government employee's objectivity cannot be brought into question.⁴⁵

It can be seen from the fifth core values principle that the performance of public duties is to be carried out with *respect for everyone's equality* and for the individual's liberty and dignity. This means that the cornerstones of state administration are equality, gender equality, humanity and integrity. It also entails that government employees are to carry out their work in a non-discriminatory way and with consideration taken for the integrity of the individual.⁴⁶ The Discrimination Act prescribes that discrimination is to be combatted through active measures⁴⁷ to promote everyone's equal rights and opportunities regardless of gender, transgender identity or expression, ethnicity, religion or other belief, disability, sexual orientation or age. Higher education institutions are subject to the prohibition of discrimination that applies to employers and education providers, and by legislation that prescribes that discrimination is prohibited when government employees assist the public by providing information, guidance, advice or other such help, or have other types of contact with the public.⁴⁸

The sixth core values principle of *efficiency* and *service* entails that state employees are to serve the people by striving for a high level of service, good accessibility and by

⁴⁴ See SFS:1986:223, section 4-6.

⁴⁵ Core Values Delegation, 2013.

⁴⁶ Core Values Delegation, 2013.

⁴⁷ SFS 2008:567, Discrimination Act, chapter 3.

⁴⁸ Ibid. chapter 2, section 17.

providing information in an efficient way while also observing good economy with allocated state funding.⁴⁹

Summary

To sum up, it can be stated that the common core values of government employees have statutory fundamental values for all state operations summarised in six principles and collected in one document, “Common basic values for central government employees”. These principles are *democracy, legality, objectivity, free formation of opinion, respect for all people’s equal value, and efficiency and service*. However, the Swedish public administration authorities have varying assignments and activities, which entails that the meaning of the core values may need to be interpreted and refined to adjust to the public authority’s specific activities. Furthermore, it can be stated that the role of a government employee entails an absolute obligation of obedience to legislation when tasks involve exercise of public authority. In addition, it is stated that state-run activities are to be conducted in a non-discriminatory way.

When tasks are of a general administrative character, such as teaching and research at higher education institutions, internal rules, directives and the instructions of superiors are also to be followed.

Academic freedom – government core values

The Swedish public administration authorities are thus made up of heterogeneous organisations that are to satisfy different societal needs. Below, when I write ‘university’, the term includes all higher education institutions. The university’s task is to satisfy society’s needs for higher education and research.⁵⁰ Universities are different from other public administrative authorities in several ways. Lundquist argues that it is mainly authorities with a predominantly administrative function that can be referred to as public administrative authorities. Universities differ from these in that the core activities (education and research) are considerably more extensive than the university’s administration. They also differ in that the core activities have specific ethical codes and that its employees are guaranteed academic freedom.⁵¹

⁴⁹ Common core values, 2013.

⁵⁰ Bohlin & Warnling-Nerep, 2007.

⁵¹ Lundquist, 1992.

What does the term ‘academic freedom’ mean? To start with, it can be stated that academic freedom is established both in international conventions that Sweden has signed, and in national legislation. However, the meaning of academic freedom is not clear. Its meaning has been the subject of a continuous discussion, which has meant that its meaning has varied over time and from place to place. The origin of academic freedom is usually cited as being *Authentica Habita*, a legal document issued in Bologna in 1158 by Emperor Frederick I Barbarossa. The legal document aimed to give students and instructors protection and freedom from pressure by the church and others in power.⁵² The current definition of academic freedom is usually taken from the brothers Wilhelm and Alexander von Humboldt, who were active in Berlin in the early 1800s. They are considered to be the founders of the modern state-run research university and gave teaching staff and researchers *Lehrfreiheit*, which means the right to freely teach and research within their areas of expertise. *Lehrfreiheit* also entailed that the quality of both research and teaching would come to be considered an internal academic matter. This brought up, in turn, the idea that modern state-run research universities would be granted institutional autonomy that allows its activities to be solely governed on the basis of professional research interests.⁵³ The Humboldt concept of *Lehrfreiheit* was never fully realised, but has often been the starting point for discussions on the meaning of university autonomy and the academic freedom of teaching staff and researchers. The view of academic freedom and university autonomy has in addition been influenced by the post-war American organisation of higher education and research. In the USA, the university is seen as part of civil society, regardless of whether the university is state-run or private. This means that state-run universities are not considered public authorities and that private universities are run without a profit interest. In an American context academic freedom is therefore mainly seen as protection against actors other than the state, such as university management, the board and other private interests.⁵⁴

In view of the different definitions, it is valid to ask how deeply academic freedom is rooted. Academic freedom is a term that is used in global, federal and national documents. Academic freedom is, for example, stated as a human right within The United Nations (UN) Educational, Scientific and Cultural Organisation (UNESCO). A recommendation in 1997 stated that university autonomy and the academic freedom of university teaching staff and researchers are to be respected and protected.⁵⁵ However, a recommendation is not a binding document, but just a recommendation that the UN’s member states can follow voluntarily.⁵⁶

⁵² Rüegg & Ridder-Symoens, 1992.

⁵³ Horowitz, 2005.

⁵⁴ Berggren, 2012.

⁵⁵ UNESCO, 1997.

⁵⁶ Joseph & Castan, 2013.

In Europe, academic freedom and university autonomy became a discussed topic in the 1980s when European university leaders began to pursue the issue. Their work resulted in a declaration of rights, *Magna Charta Universitatum*. In connection with the University of Bologna's 900th anniversary in 1988, there was an opportunity to sign *Magna Charta Universitatum*, which has so far been taken by almost 900 leaders from European universities. *Magna Charta Universitatum* declares that the two fundamental principles for a university are:

- *Autonomy*, in the sense that European universities are autonomous institutions within society that are morally and intellectually independent of all political, ideological and economic power.
- *Academic freedom*, in the sense that universities' research and education is to be morally and intellectually independent of all political, ideological and economic power.

It has been shown that even the definition in *Magna Charta Universitatum* is open for renegotiation. In connection with the Bologna process and the drawing up of the Bologna Declaration in the late 1990s, the university leaders accepted an amendment to the original definition of autonomy. The Bologna Declaration's wording includes the term 'autonomy', and also that universities are to contribute to ensure that higher education and research is adapted to scientific progress, changing needs and the requirements of society.⁵⁷

Magna Charta Universitatum is not a normative policy document, which is why the university leaders also formed the European University Association (EUA). EUA is a cooperation body for those universities that have signed *Magna Charta Universitatum*, with an aim to work towards the realisation of the declaration of rights at both European and national level. In the autumn of 2010 the EUA conducted a comparison between the member universities' autonomy.⁵⁸ The term 'autonomy' was broken down into four dimensions:

- *Organisational autonomy* refers to a university's ability to decide freely on its internal organisation, such as executive leadership, decision-making bodies and internal structures.
- *Financial autonomy* refers to a university's ability to decide freely on its internal financial affairs, so that it can realise its strategic aims.
- *Staffing autonomy* refers to a university's ability to decide freely on issues related to human resources management, including recruitment, salaries and

⁵⁷ Berggren, 2012.

⁵⁸ See EUA, 2010.

terminations, so that the most suitable and qualified academic and administrative staff can be employed.

- *Academic autonomy* refers to a university's ability to decide on various academic issues, such as student admissions, the study programmes and courses to be offered, quality assurance of education and the language of instruction.

The comparison showed that Sweden was in twentieth (20) place out of a total of forty-seven (47) regarding organisational autonomy, in sixteenth (16) place regarding financial autonomy, in fourteenth (14) place regarding academic autonomy and in third (3) place regarding staffing autonomy.⁵⁹ Swedish universities were considered in a European comparison to have average autonomy.

In Europe, the EUA has the task of presenting members' viewpoints on the EU's policies on higher education, research and innovation. The EUA's work has resulted in the Magna Charta Universitatum being incorporated in several of the EU's documents. Article 13 of the EU's Charter of Fundamental Rights, which is legally binding for the EU's member states, says that the arts and scientific research shall be free of constraint and that academic freedom shall be respected.⁶⁰ The charter specifies the rights that individuals, in this case researchers, have in relation to the EU's institutions, bodies and member states when they apply EU rights.

The Council of Europe, an international coordinating organisation with the task of promoting and safeguarding fundamental human rights that are prescribed in the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR), gave an extended significance to Magna Charta Universitatum in 2006 by interpreting the term academic freedom in ECHR article 10, which states:

Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authorities and regardless of frontiers.

The Council of Europe's interpretation embraces freedom of opinion and expression as an individual freedom for teaching staff and researchers to conduct education and research without limits, as well as to spread knowledge and research results.⁶¹ In addition, the Council of Europe advocates that the interpretation of university autonomy encompasses independence for the university. This can be seen in the context that universities today are regarded as independent intellectual actors in the governance and administration of society. The Council of Europe justifies the extended definitions

⁵⁹ See EAU, 2010.

⁶⁰ The European Union's charter 2000. The charter has been legally binding for member states since 2009.

⁶¹ Recommendation 2007, 1762 art. 4:1. The final on the Committee of Ministers to member states on "Academic freedom and university autonomy".

of academic freedom and autonomy in view of the new demands set by the transition to a knowledge society. The Council of Europe therefore advocates that a new ‘contract’ be agreed between universities and wider society. A ‘contract’ that not only secures universities’ and researchers’ *independence* and *freedom*, but a ‘contract’ that also considers universities’ *dependence on* and *responsibility for* society,⁶² but with a retained distance and critical approach.⁶³ The Council of Europe’s work for academic freedom has continued. In 2012, for example, the council adopted a further recommendation on how the countries’ public authorities are to work towards strengthening academic freedom and university autonomy,⁶⁴ but, as mentioned before, recommendations are just recommendations.

A review of Swedish legislation shows that up until the 1993 reform of higher education the government’s control of Swedish public universities was extensive. The reform gave universities greater possibilities to decide on admission of students, study organisation and the range of education offered.⁶⁵ Universities also gained greater influence over how allocated resources could be used and over the structuring of the internal organisation.⁶⁶ The latest reform, the so-called autonomy reform of 2011, aimed to further increase the autonomy of public universities with the objective of strengthening their independence and thereby improve conditions for conducting education and research of internationally competitive quality. The autonomy reform contributed to deregulation in areas such as the universities’ organisation, employment of teaching staff and education.⁶⁷ Through this, universities gained greater organisational freedom through increased possibilities to decide on how they are to organise themselves, how they are to compose boards, decision-making procedures and which principles and procedures are to be the basis for staff appointments.⁶⁸ Overall, the review shows that government control of Swedish universities has decreased over the past 20 years.

In the autonomy reform, the legislators highlight that research freedom is of great significance for a democratic society and express a hope that it is to contribute to the future development of society through university staff gaining better conditions for free thinking and search for knowledge.⁶⁹ Therefore, in connection with the autonomy reform, constitutional protection was introduced for research. RF 2:18: paragraph 2, prescribes that:

⁶² Recommendation 2007, 1762 art 6.

⁶³ Recommendation 2007, 1762 art 4:2, 4:3, 4:4.

⁶⁴ Recommendation 2012. On “Public authorities’ responsibility for academic freedom and institutional autonomy”.

⁶⁵ Bill 1992/93:1.

⁶⁶ Swedish Higher Education Agency, Report 2006.

⁶⁷ Bill 2009/10:149.

⁶⁸ Bill 2009/10:149.

⁶⁹ Bill 2009/10:80.

The freedom of research is protected according to rules laid down in law.

Consequently, it is research that has protection in Sweden, not academic freedom. The provisions established in law regarding freedom of research are to be found in the Higher Education Act (HL). HL 1:6 prescribes that:

The following general principles shall apply to research:

1. research issues may be freely selected,
2. research methodologies may be freely developed
3. research results may be freely published.

Accordingly, universities and researchers are prescribed the freedom to select research issues, develop research methodologies and to publish research results. The definition of freedom of research has similarities with the term ‘academic integrity’, i.e. the right not to be subjected to inappropriate political, economic, ideological or other influence regarding research issues, research methodologies and research results (see Lövkrona 1.4).

The term ‘academic integrity’ also includes freedom of education. HL 1:3 states that activities at universities are to be run so that there is a close connection between research and education. For example, university teaching staff should preferably have a doctoral degree and are thereby expected to contribute to the academic quality of the education.⁷⁰ HL 1:4 also prescribes that activities are to be adapted so that high standards are achieved in both education and research. However, the question of whether there is freedom of education is open to discussion.⁷¹ The legislators have not explicitly stated that there is freedom regarding education. However, from HL 1:8 it can be determined that any freedom is limited in that the first cycle of higher education is to be based on upper-secondary school education. In addition, it states what abilities, knowledge and skills the students are to be able to develop and assimilate in the first cycle. HL 1:9-9a states that second-cycle studies are to be based on first-cycle studies and that it is to contribute to students further developing their knowledge, skills and abilities. In addition, it states that third-cycle studies are to be based on first and second-cycle studies and contribute to students being able to develop the knowledge and skills required to undertake autonomous research. In other words, the possibility of freedom of education is curtailed by the provisions of the Higher Education Act.

⁷⁰ Bill 1992/93:1.

⁷¹ Swedish Higher Education Agency, Report 2005.

Limitations to freedom of research

Freedom of research may have been given constitutional protection, but looking back it can be seen that universities' and researchers' conditions for conducting research have fundamentally changed in the past 30 years. Financing of research has become competitive and politicised.⁷² Universities and researchers have not only been given the task of working for a high standard of research, but also to work for the results to be of benefit to society. Nowadays, research is to also be carried out in accordance with the ethical principles accepted by society regarding the choice of research objects, methods and the use of results.⁷³ The sources address not only the ethical principles of research, which in certain respects have been regulated by law,⁷⁴ but also the ethical principles that are established in legislation for Swedish society, for example those compiled in the common basic values for central government employees⁷⁵ and the goals indicated in the Higher Education Act regarding sustainable development, equal opportunities, and widening participation.⁷⁶

Historically, the concept of academic freedom has been individual, i.e. linked to the individual researcher's conditions for fulfilling their mission in their duties. Today, the scope for research in the position of senior lecturer is so limited that it is possibly only enough for developing and writing one or two research applications per year. From legislative history it is difficult to ascertain whether legislators meant that freedom of research is to be considered as individual or collective, or perhaps both.⁷⁷ Individual academic freedom is considered on one hand to give researchers better opportunities to achieve originality, quality and long-term perspectives in the production of scholarly knowledge. It also presupposes that there is freedom to argue and take initiatives based on individual professional judgements. On the other hand, individual academic freedom is limited regarding research by the fact that calls for applications for research funding are politically controlled, which can affect possibilities for originality. Allocation of funds is also affected by directives on allocation principles between universities. Freedom of research is also limited by the fact that research nowadays is expected to be conducted collectively in national and international research groups, a procedure which is assumed to contribute to higher standards of research. The competition-based financing model in which researchers apply for funding has also limited the long-term perspectives, as present-day grants usually run over three years.⁷⁸

⁷² Bill 2009/10:80.

⁷³ Bill. 2009/10:80.

⁷⁴ See SFS 2003:460, concerning ethical review of research involving humans.

⁷⁵ Bill 2009/10:80.

⁷⁶ SFS 1992:1434.

⁷⁷ Schwabe-Hansen, 2006.

⁷⁸ Swedish Higher Education Agency, Report 2004.

Further limitations of research are imposed by the fact that universities as organisations are to approve and take responsibility for applications for external research funding, which has contributed to internal procedures that entail that research ideas are screened and prioritised on the basis of limited resources.⁷⁹ The competition-based model for financing research has also entailed that the processing and decision-making procedures of funding bodies, which are governed by both political and academic priorities, have an effect on the opportunities to undertake research. The selection and assessment process is largely based on collegial peer review procedures. Possibilities to freely publish research results are also controlled by collegial peer review procedures.⁸⁰ In addition, evaluations of both education and research have been introduced in which colleagues at other higher education institutions, national and international, are engaged to evaluate their colleagues' work.

Two governance models – Objections to the autonomy reform

Universities are both a part of the public organisation of administration authorities that are governed according to line management principles (vice-chancellor, deans, heads of department, directors of studies, technical and administrative staff, and teaching staff who act as examiners) and a societal institution with academic influence in which teaching and research is governed through collegial (teaching and research staff) professional judgement. This means that universities are governed based on two different parallel models – line management and collegial governance. However, the expansion of the higher education sector has contributed to the differentiation of higher education institutions. It has, for instance, led to a difference in forms between 'old' and 'other' universities. The 'old' have retained decentralised governance in which the faculties and collegial governance still have a considerable influence, whereas certain of the 'other' universities have no faculties at all.⁸¹ This means that line management has a greater impact at 'other' higher education institutions than at 'old' higher education institutions. The differences in organisation contribute to differences in division of work. In general, however, it can be said that line management handles matters of funding, exercise of public authority and centrally determined goals such as sustainability, equal opportunities and equal treatment. In other words, tasks of public administration. In contrast, collegial governance handles matters concerning the

⁷⁹ For example, allocation of excellence funding, requirements for co-financing, see Rejmer & Sonander, 2013.

⁸⁰ Swedish Research Council, Report 2011.

⁸¹ SOU 2015:92.

content and quality of education and research, as well as quality and expertise assessments in employment and promotion matters.

Line management is based on the principle of hierarchical administrative governance in which all public organisations are expected to act in accordance with laws and ordinances, and to follow the financial guidelines (public service agreement) that are decided by parliament and government. The administrations' obligation of obedience and independence is regulated by RF 12:1-3, which prescribes that governance is expected to be conducted through the decisions of parliament and the government being implemented by the public administration authorities. At universities the management has responsibility for implementation in the operations of faculties and departments. It is therefore the public administration authority, in this case the university, that is responsible for the laws and ordinances being implemented. At the same time, the public administration authorities are prescribed independence in RF12:2, which means that neither the government nor any other public authority can decide how a public authority is to make decisions or apply laws in specific matters. In this case the public administration authorities are to exclusively follow the law and have responsibility for how it is to be applied in the matter in question. In order to guarantee that the public administration authorities follow the law and to strengthen the rule of law in the exercise of public authority, government employees are subject to liability for professional misconduct.⁸² In contrast to line management, collegial governance is based on decisions being made jointly in a collegial system via department and faculty boards on grounds of scholarly and professional judgements.⁸³ However, the areas of responsibility of collegial governance, teaching and research, are not covered by RF 12:2 and therefore lack protection for an independent application of laws in decisions on individual matters. This means that budget-related issues and centrally determined goals such as sustainability, gender equality and equal opportunities, internationalisation and widening participation fall outside the collegial system's assignment and area of responsibility. These issues are to be handled by the line organisation. This means that the line organisation is to ensure that collegial decisions also fulfil centrally determined goals that are established in laws, ordinances and budgets.

Those working in the line organisation are mainly civil servants with administrative duties. In contrast, university management roles such as vice-chancellor, deans, heads of department and directors of studies usually rotate among teaching staff and researchers. This means that the roles are staffed by employees who work under collegial governance and that the assignments are fixed term. There is also a requirement that teaching staff and researchers who take on these roles are competent to work in both line management and collegial governance. The line organisation's civil servants can of

⁸² SFS 1962: 700, Penal Code 20:1, law on state employees sections 14 and 15.

⁸³ SOU 2015:92.

course provide support, but university management (vice-chancellor, deans, heads of department and directors of studies) has ultimate responsibility for operations being conducted in accordance with laws, ordinances and budgets, which is why it ought to be of considerable importance that sound training is provided in line management.

Objections to line management and collegial governance

The critics of the autonomy reform claim that it has contributed to reducing the collegial system's local influence, as economic incentives such as allocation of funding and other resources for education and research are based on quality assessments and not on collegial critical review.⁸⁴ Another example put forward by the critics is that in conjunction with the autonomy reform a provision was introduced in Chapter 2 Section 6 of the Higher Education Act, which stipulates that decisions are to be made by people with research expertise if the decision requires an assessment of education or research. If the assessment is to be done by a group, a majority of the group are to have research expertise. However, the board may decide that such a majority is not required if there are special reasons. The local collegial system's right to decide matters of education and research is thereby no longer exclusive.⁸⁵ Evaluations of the autonomy reform have shown that local collegial governance has been challenged by the reform.⁸⁶ This includes the fact that present-day collegial decision-making powers cover several categories of staff at higher education institutions such as technical and administrative staff. In addition, the line organisation's managers appear to have gained increased power in matters of education quality, in appointment and admission matters, and financial issues.⁸⁷ Another example is that the collegial election procedure has been replaced by consultation processes and external recruitments. According to the critics, academic freedom exercised through collegial governance has receded, which may seem a paradox when considering that academic freedom is a principle that is passionately upheld by the UN, EU and Council of Europe and, with regard to research, by Swedish legislation. At the same time, it appears that the national and international collegial system and collegial governance has received an expanded mandate through the increased use of peer review procedures in the processing of applications for research funding and articles for publication. A possible explanation for the marginalisation of collegial governance is that the collegially composed department and faculty boards have been criticised for not being able to prioritise in strategic situations, such as in matters of resource allocation and organisational changes, as the collegial system's

⁸⁴ See Franke & Nitzler, 2008.

⁸⁵ See Ahlbäck Öberg, 2011.

⁸⁶ Sundberg, 2012.

⁸⁷ See Ahlbäck Öberg, 2011.

representatives feel that they represent specific interests that they protect and want to strengthen, which in turn leads to collegial governance working in a conservative and reactive way.⁸⁸

Summary

To sum up, the review above shows that there is no unambiguous definition of the term 'academic freedom' and its meaning is the subject of constant (re)negotiations. In a Swedish context, the definition of academic freedom is more circumscribed compared to international definitions. In reality, Swedish individual academic freedom means that researchers may freely draw up project proposals, but that the university as an organisation and colleagues in their capacity as members of assessment groups and decision-making bodies of research funders must approve the project proposal in order for it to be implemented. Colleagues also judge whether articles generated by research projects are of sufficient quality for publication and evaluate the universities' activities. The collective freedom of research is, in other words, quite extensive. However, it is no longer linked to colleagues from within one's own department, faculty or even university, but to a national and international collegial system.⁸⁹

Freedom of expression – academic freedom and the obligation to alert, whistle and inform

Academic freedom is considered to have a connection with freedom of expression. Freedom of expression, which is part of the right to free formation of opinion, is counted as one of the fundamental freedoms in a democratic society. This applies to all citizens, even government employees. Freedom of opinion and expression are also one of the six principles in the common basic values for central government employees. Freedom of expression, like academic freedom, is regulated in both political and legally binding documents at different levels of society, for example in the UN's Universal Declaration of Human Rights,⁹⁰ the UN's International Covenant on Civil and

⁸⁸ See SOU 2015:92.

⁸⁹ Berggren, 2012.

⁹⁰ A declaration is only a policy document stating how the regulation of human rights at different levels should be conducted. See Bring, 2011.

Political Rights,⁹¹ ECHR⁹² and in the Swedish Constitution.⁹³ ECHR also provides citizens with an opportunity to take action on violations of freedom of expression by prescribing a right to appeal to the European Court of Human Rights. The practice of the European Court of Human Rights indicates that ECHR article 10 on freedom of expression applies to working life in general and public employees in particular.⁹⁴ Freedom of expression is consequently wider in scope than academic freedom and the right to freely publish research results, and thereby contributes to strengthening the independence of research and education regardless of the holders of power in society. Freedom of expression is also important in the internal work at public authorities. Lennart Lundquist contends that government employees in their capacity as democracy's guardians have a personal obligation to speak out if ethical implications arise in their work when legislation, loyalty to superiors and consideration for citizens are to be coordinated. Lundquist writes:

The courage required of government employees is however of a very special kind. Public officials are namely to safeguard that public values are respected. I call this special form of moral courage, courage in public office.⁹⁵

Through employees raising the alarm, mistakes that could damage trust in public authorities can be avoided. Alarms should consequently be taken seriously and be seen as part of public authorities' efforts for continuous quality enhancement. There are different ways to raise the alarm, and Lundquist states that there are three preferred options:⁹⁶

- Alerting by turning to the line manager
- Whistle by quite openly turning to the manager's superior, a controlling body or the media
- Tipping off the media by utilising the freedom to communicate information, i.e. be an anonymous whistle blower

However, freedom of expression is not unlimited. ECHR article 10 second paragraph indicates that freedom of expression may be limited by law for reasons such as ensuring national security and protection of individual health, morals, standing and reputation. In a Swedish context, such limitations are stated in Chapter 5 of the Penal Code, which regulates defamation offences. This makes statements that cause exposure to the

⁹¹ International Covenant on Civil and Political Rights, 1966.

⁹² European Convention on Human Rights is, through incorporation, Swedish Law, 1953.

⁹³ SFS 1949:105, Freedom of the Press Act and SFS 1991:1469, Fundamental Law on Freedom of Expression.

⁹⁴ Fransson, 2013.

⁹⁵ Lundquist, 2001.

⁹⁶ Lundquist, 2001.

disrespect of others a criminal offence (Section 1, defamation), and a provision covers violations regarded as gross (Section 3, insulting behaviour). Other limitations on freedom of expression cover actions against freedom and the peace, such as unlawful threat. This refers to statements intended to harm a person, people close to them, or property (Chapter 4 Section 5) and actions against public order such as hate speech, which refers to statements or communications that are spread and contain threats or express “contempt for a national, ethnic or other such group of persons with allusion to race, colour, national or ethnic origin, religious belief or sexual orientation” (Chapter 16 Section 8). A recently tabled report proposes a reform of the criminal legislation with an aim to also give transgender people protection through provisions on hate speech and illegal discrimination.⁹⁷

It can be noted from the practice of the European Court of Human Rights, which is binding for Swedish courts, that freedom of expression has limitations in relation to the employer.⁹⁸ Among other things, it is considered that employees, by signing an employment contract, have committed themselves to an *obligation of loyalty* towards the employer that also comprises an internal *obligation to inform* and an external *obligation of silence*.⁹⁹ It means that employees are expected to raise the alarm (alert or whistle) about irregularities internally before information is spread externally.¹⁰⁰ The employer is consequently to be given the opportunity to rectify irregularities before such information is made public or is communicated to other public authorities.¹⁰¹ This procedure is considered to be a consequence of the employment contract including an agreement that the employer and employee work together and cooperate to achieve common goals.¹⁰²

Lundquist writes:

To alert is a completely self-evident measure that quite simply has to work. Managers who are unable to handle the objections of subordinates are bad managers, and their units can never be any better than they are themselves.¹⁰³

Another principle that has been developed is that it is to be in the *public interest* that information is spread externally.¹⁰⁴ The European Court of Human Rights has not, for example, provided judicial support for employees to raise the alarm externally on the grounds of personal dissatisfaction, antagonism or unfulfilled personal expectations. In

⁹⁷ SOU 2015:103.

⁹⁸ Fransson, 2013.

⁹⁹ Källström & Malmberg, 2013.

¹⁰⁰ See SFS 1994:79, Swedish Labour Court; SFS 1997:57, Swedish Labour Court..

¹⁰¹ See SFS 1994:79; SFS 2012:25, Swedish Labour Court.

¹⁰² Källström & Malmberg, 2013.

¹⁰³ Lundquist, 2001.

¹⁰⁴ See SFS 1997:57.

addition, there is a requirement that the information that is spread externally is to be correct and reliable.¹⁰⁵

In Swedish law, freedom of expression is protected by three constitutional laws: the Instrument of Government, the Freedom of the Press Act and the Fundamental Law on Freedom of Expression. In Sweden, freedom of expression consists of the freedom, in speech, writing, images, or in any other way, to provide information and express thoughts, opinions and feelings, as well as to gather information. According to the Instrument of Government 2:1 every individual is guaranteed freedom of expression and freedom of information in relation to public bodies (the Government, county councils and municipalities). This means that in the Swedish administration system, openness is the principal rule and confidentiality is the exception. Freedom of expression also applies in the public authorities' relations with employees. The right to express yourself in print is regulated by the Freedom of the Press Act, whereas the right to express yourself in constitutionally protected media (freedom to communicate information) is regulated by the Fundamental Law on Freedom of Expression. These laws give government employees the right to criticise their employers externally, without contravening the principle of loyalty in the employment relationship. Public authorities in their role as employers must have support in law to be able to limit employees' freedom of opinion and expression, such as support from confidentiality regulations.¹⁰⁶ This entails that the employment agreement and the loyalty obligation that is considered to follow with it, is not considered to apply to employees of Swedish public authorities.

In Swedish law, freedom of expression is protected by three constitutional laws: the Instrument of Government, the Freedom of the Press Act and the Fundamental Law on Freedom of Expression. These laws secure public employees' freedom of expression in working life and provide protection against termination of employment for raising the alarm internally, and, if the employer has not taken appropriate action within a reasonable time, protection relating to raising the alarm externally. However, Sweden lacks legislation protecting the person who raises the alarm, i.e. employees who alert the organisation, or whistle blowers, as well as legislation that sets requirements for employers to create channels so that staff have a real opportunity to raise the alarm internally. From previous research and the practice of the Swedish Labour Court it can be noted that raising the alarm comes with a cost.¹⁰⁷ Practice indicates that it is usually accepted that people who have raised the alarm about irregularities in the workplace are reassigned with the justification of cooperation problems or lack of trust of the employer in the employee.¹⁰⁸ It is also not unusual that employees who alert the

¹⁰⁵ Fransson, 2013.

¹⁰⁶ Fransson, 2013.

¹⁰⁷ Lundquist, 2001.

¹⁰⁸ AD 2000:76, 2011:15.

organisation and whistle blowers are 'bought out' by the employer choosing to pay damages for termination of employment without objective grounds.

The vulnerability of employees who alert organisations and whistle blowers and weak protection against harassment has been recognised and has resulted in a bill on strengthened protection.¹⁰⁹ In brief, the proposal means that a person who raised the alarm internally or externally about gross irregularities in the workplace and has been subjected to reprisals is entitled to damages. The term 'gross irregularities' means that the alarm concerns violations of fundamental freedoms and rights, failure to comply with relevant legislation, regulations and internal rules, or that the alarm concerns the risk of some type of damage, inappropriate use of public funds or other unethical circumstances. However, a precondition is that the employee alerting the organisation or whistle bower has good reason for their view that irregularities exist. The term 'reprisals', directed at the employee alerting the organisation and whistle bower, refers in the bill to termination of employment and dismissal, as well as less interventional active and passive measures such as ostracism, harassment and omission. The proposal to prohibit reprisals means that the employer could be ordered to pay damages to the employee who has raised the alarm and has been subjected to reprisals. In order for employees to receive damages after an external alarm, it is proposed that a requirement is introduced for the employee to have first raised the alarm internally, and that the employer has failed to take reasonable measures within a reasonable time. It is proposed that liability for damages covers both financial and general damages. However, it is unclear where the proposed bill stands in relation to protecting government employees' freedom of expression, and this is now the subject of a debate.¹¹⁰

However, it is not always the case that the information spread by employees concerns gross irregularities in the workplace. There are also employees who want to describe the everyday operations of a public authority to the general public. The practice of the Labour Court indicates that there are no grounds for termination of employment due to blog entries about the workplace, even if colleagues object to the content of the blog.¹¹¹ Practice also indicates that there are no grounds for termination of employment if a state employee sends threatening or vulgar emails from a home computer and base their views on the performance of their duties.¹¹² However, the employer can consider that the blog and emails cause cooperation difficulties or that the employee is no longer to be trusted and therefore argues for reassignment.¹¹³

The freedom to communicate information is in Swedish legislation a specially regulated part of the freedom of expression that concerns the relationship between individuals

¹⁰⁹ SOU 2014:31.

¹¹⁰ See, for example, Eriksson, 2016.

¹¹¹ AD 2011:74.

¹¹² AD 2007:20.

¹¹³ Fransson, 2013.

and the constitutionally protected media. The freedom to communicate information is regulated both in the Freedom of the Press Act Chapter 1 Section 1 and in the Fundamental Law on Freedom of Expression Chapter 1 Section 2. Through the freedom to communicate information, public employees have the possibility to inform, i.e. to anonymously publish information on public authority operations via TV, radio, magazines and newspapers. Only information that is classified as having the strictest secrecy, such as information covered by health and medical confidentiality, is excluded from the freedom to communicate information. The aim of the freedom to communicate information is to ensure free debate in society and comprehensive information for society. Public employers are prohibited from investigating who has informed the media and are also prohibited from carrying out reprisals, which means that a public administrative authority may not take actions against employees who have used the freedom of the press or their freedom of expression in the constitutionally protected media.¹¹⁴

From alerting, whistling and informing – to troublemaker

The practice of the European Court of Human Rights and Swedish Labour Court as well as the findings of previous research show that from an individual perspective it is best and safest to inform (to use the freedom to communicate information through raising the alarm anonymously and externally via the media). Research shows that people alerting and whistleblowing can be anybody¹¹⁵ employed in public or private organisations. Lundquist describes the whistle blowers, with reference to American research, as satisfied, productive, appreciated, dedicated and responsible employees. As people they have a conscience and a feeling of professional responsibility. They identify themselves with, and adjust to, the organisation's formal goals and have a belief in the system and thereby put the organisation before themselves. Despite this, they are often subjected to being discredited¹¹⁶ and marginalised¹¹⁷ which not only has consequences in private life, but also in working life.¹¹⁸

¹¹⁴ See SFS 1949:105, 3:4:2; SFS 1991: 1469, 2:5:2.

¹¹⁵ Henik 2008, 2015.

¹¹⁶ Brewer & Coleman Selden, 1998. Common judgements on people who have raised the alarm are that they have undergone personality changes, are ill, have a lack of expertise and difficulties to cooperate, are resistant to change and disloyal.

¹¹⁷ Thompson, 2012, Spangenberg, 1998. Marginalisation can manifest itself in ways such as silent dislike, reprimands, adversely affected salary and career, avoidance, ostracism, bullying, threats, reassignment, termination of employment and dismissal.

¹¹⁸ Thompson, 2012, Spangenberg 1998. For example: family problems, stressful media coverage, psychosomatic problems and suicide.

Lundquist writes:

What happens to the people who say “enough”? It can be said that they are subjected to two major waves of countermeasures from the powers that be:

In the first round they are *marginalised*, and in the second round (if marginalisation has not had the desired effect) they are *pushed out* of the organisation.¹¹⁹

Certain whistle blowers are even permanently marked as troublemakers and have therefore found it hard to find a new job.¹²⁰ One explanation for an alarm being perceived as a problem is that most employers lack channels for handling alarms in a constructive way. Lundquist explains this by pointing out that legislative demands on public administrative authorities, the *public sector ethos*, have “been lost” in favour of a silent administrative culture that is controlled by “made-up etiquette and norms” about the working environment and consideration for managers, who will perhaps be saddened by criticism, and is prioritised at the cost of the Swedish administrative *ethos*.¹²¹ Lundquist’s argument can be illustrated by the situation that legislators in certain cases have considered themselves compelled to legislate to ensure that irregularities are revealed. Lex Sara, for instance, was introduced to ensure that irregularities in medical care could be revealed. It can also be illustrated by the government’s assignment *Public sector ethos – a good administrative culture*.

¹¹⁹ Lundquist, 2001.

¹²⁰ Arvidsson, 2010.

¹²¹ Lundquist, 2001.

The conceived flow of a public sector ethos can be illustrated by the following figure:¹²²



Source: The original of this model was presented at the Core Values Delegation's forum on 1 June 2015.

The model shows that the basis for government authority activities is political statutory principles that also provide guidance for the role of the government employee. The public authorities' assignment-specific values, such as the universities' assignment to provide higher education and research with academic freedom, affect both the orientation of the organisation and the role of the government employee. Researchers have, for example, been assigned the right to freely select research issues, develop research methodologies and freely publish their results, a right that also embraces the right not to be subjected to pressure. From an individual's perspective it is assumed that personal values have affected the choice of career and workplace. On top of that, it is assumed that the public authority's specific professional ethics, culture and working environment influence the employee's choice of workplace and how they perform their duties. Specific professional ethics relate to clearly formulated and justified norms in society that provide guidance in the execution of professional duties. In the university context, this mainly concerns rules for research ethics i.e. specified and cohesive norms relating to research, such as that commercial interests in research are to be declared and that neither people nor animals are to be harmed.¹²³ Specific professional ethics can also concern norms that regulate the practical execution of research, for example that a critical approach is the basis of all research and that research is to be carried out systematically, objectively, honestly, non-judgementally and transparently.¹²⁴ The

¹²² The original of this model was presented at the Core Values Delegation's forum on 1 June 2015.

¹²³ Swedish Research Council, 2011.

¹²⁴ See Esaiasson et al., 2012.

professional ethics of higher education and the core values principles on *legality*, i.e. the adherence to norms that give rise to a systematic approach, that cases that are the same are treated in the same way, *objectivity* and *free formation of opinion*, which includes openness and transparency, therefore match each other well. Public authority culture, i.e. the authority's internal norms and conceptions that have become institutionalised and so self-evident within the authority that they are followed to the same extent as the law,¹²⁵ also affects how the organisation is governed and run.¹²⁶ In comparison with other public authorities, universities are fundamentally characterised by two parallel governance systems, collegial governance and line management. This dual governance system is a factor in universities being organised in a more decentralised way than other public authorities,¹²⁷ in which collegial governance, as conducted by researchers and teaching staff, is assumed to have a special position based on academic freedom. Collegial governance also gives rise to a special working environment, as research is quality-assured by critical review and evaluation procedures. The parallel governance system also gives rise to hierarchies between different staff groups even though they are mutually dependent on each other for operations to function.¹²⁸

Summary

To sum up, it can be said that freedom of expression gives all citizens the right to express themselves within the framework of the law. However, in the role of an employee, and in relation to an employer, freedom of expression is limited, as the employee is expected to first raise the alarm internally before information on irregularities in the workplace is spread externally. This is however counteracted in that few employers have functioning channels for raising an alarm, and this has the effect that those who are courageous enough to inform and whistle often find themselves in a vulnerable situation.

However, government employees' freedom of expression and freedom to communicate information is more extensive than that of private sector employees and is in effect only limited by secrecy regulations. Previous research shows that despite this it is better and less risky as a government employee to use the freedom to communicate information, i.e. anonymously raise the alarm externally by tipping off the media. In addition, it can be noted that freedom of expression is wider than academic freedom. Freedom of expression thereby contributes to strengthening the academic integrity of research and

¹²⁵ Lundquist, 2001.

¹²⁶ Fredriksson & Pallas, 2011.

¹²⁷ SOU 2015:92.

education, i.e. independent of power groups in society. However, in recent years a culture of silence has grown within public administration authorities with the result that whistle blowers can be seen as perpetual troublemakers. In view of this, legislators have taken measures to ensure that irregularities at public administration authorities are exposed and rectified, as exemplified by the introduction of Lex Sara. The intended flow in state organisations can be a challenge for universities due to the parallel governance systems that affect both control and management of the organisation as well as public authority culture and the working environment.

How did it work out ...? An evaluation of the assignment

Public sector ethos – a good administrative culture

The government assignment *Public sector ethos – a good administrative culture* was completed in 2012 and thereafter evaluated by the Swedish Agency for Public Management. The evaluation shows in brief that half of the public authorities that took part in the project have developed complementary core values with an aim to create a common approach, internally and externally. This means that core values have two functions, to market the public authority externally and to act as an internal governance instrument. As the core values articulate the behaviour expected of staff, they offer a subtle way of directing the behaviour of employees.¹²⁹ Core values therefore can be used to increase the public's trust in the authority and to develop the authority's working environment.

The common core values for government employees display key words that are linked to the core values principles, such as:

- Legality – *adhering to norms, sense of responsibility.*
- Objectivity – *independent, impartial, integrity and equal opportunities.*
- Free formation of opinion – *openness.*
- Respect for equality, freedom and integrity – *equal opportunities, gender equality, humanity and integrity.*
- Efficiency and service – *easily accessible, obligation to inform and facilitate, and achieving goals.*¹³⁰

In the work to develop complementary core values most public authorities have also developed their own public authority-specific key words. The three most common are

¹²⁹ Nyström Höög, 2015.

¹³⁰ Core Values Delegation, 2013.

openness, respect and commitment. Other common key words are *expertise, professionalism* and *results-oriented*.

The evaluation shows that work on the core values at the participating public authorities was usually carried out continuously through discussions on ethical dilemmas, seminars and training. The evaluation notes that it is mainly managers who have been involved in the work on core values. Several participating higher education institutions state that student representatives have also been involved. The evaluation also shows that work on core values was organised in various ways based on the public authorities' specific assignments, needs and conditions.

The evaluation indicates that openness for common state core values varies between the participating public authorities. The authorities that have their own clear values or professional roles were the least open to common core values. This included higher education and research institutes, which contend that core values compete with academic freedom.¹³¹ Support for this view has not been found within the framework of this review and analysis of the relation between common core values for government employees and Swedish academic freedom, which is reduced to freedom in connection with research. Similarly, it has not been possible to find particular obstacles to implementing core values. On the contrary, the results indicate that an implementation of core values and additions of core values to suit universities' specific needs can contribute to the development of the organisation. For example, an implementation of core values could help to clarify the governance of universities by elucidating the division of responsibility and mandates between the collegial bodies (committees and boards) and the line organisation, so that all employees gain knowledge on what they are responsible for, which ought to improve conditions for the organisation as a whole to function more effectively.¹³² When the division of responsibility and mandates has been clarified there is a basis for developing support for decision-making and guidelines etc. to ensure that core values and other legislation are implemented and observed, which ought to improve both the organisation's quality and the expertise and wellbeing of the staff, in that they gain knowledge on what is to be done and how it is to be done in the correct way.

¹³¹ Evaluation of the project, State Ethos, 2014.

¹³² See SOU 2015:92.

Processes of change within public administration authorities

Lennart Lundquist's research has demonstrated that legislators historically have introduced laws without taking care to implement them. The implementation has implicitly been considered the responsibility of the public authority.¹³³ At the Core Values Delegation's meeting in June 2015, the evaluator, the Swedish Agency for Public Management, issued a "lip service warning".¹³⁴ This stemmed from the fact that the support offered to the public authorities for implementing the common core values was deemed to be insufficient. The support offered was mainly information and education. The Agency for Public Management's lip service warning corresponds well with previous research, which shows that in a successful process of change, conveying knowledge needs to be complemented with further initiatives.¹³⁵ How then should successful implementation of common core values for government employees be carried out according to previous research? The basis for a successful process of change is that there is an idea about how an identified *need* to change and improve can be met. The need to change can be divided into implicit needs, such as dissatisfaction, and explicit needs, which are the expressed needs for change. Previous research shows that when a need for change is expressed explicitly, the chances of success increase. In addition, there is a need for a *decision* to be made that the changes and improvements are to be implemented. Previous implementation research also shows that all levels of an organisation must be engaged and involved in the process of change in order to achieve success. For Swedish public administration authorities, it is parliament or the government that defines the need and after a consultation procedure decides on changes or improvements. The public authorities and their staff are therefore first involved when the changes are to be implemented at the authority. The legislators' demand for change is in other words left in the lap of the authorities. According to previous research, the interaction between those who want to make changes, the intended users of the changes, and those who are to implement the change is also a decisive factor for a successful implementation process.¹³⁶ There is therefore a need for someone to lead the process of change. The scholarly term for these leaders is agents of change. Agents of change assist the organisation with support to

¹³³ SOU 2008:118

¹³⁴ Core Values Delegation Forum 1 June 2015.

¹³⁵ Fixsen et al., 2005.

¹³⁶ Guldbrandsson, 2007.

- make the entire organisation aware that there is a potential for development and enhancement and therefore a need for change.
- create a trusting relationship between those who want change and those who are to change their way of working or behaviour.
- ensure that all employees can participate in the analysis of why current procedures, methods or approaches do not work optimally.
- justify the selection of new procedures, approaches or behaviour in order to achieve desired changes.
- activate all levels of the organisation in order to go from words to action i.e. provide practical support in the implementation of the new.
- ensure that all levels of the organisation work for the assimilation of the new, so that it becomes a natural part of everyday work.

The communication of knowledge has, according to previous research, certainly been insufficient for successful processes of change, but remains of fundamental importance. There is a need for a description of the new way of working or behaviour that shows which core values it is based on and its intended function. The research also shows that the most effective spreading of knowledge is done through informal local networks, i.e. in discussions and cooperation between colleagues.¹³⁷ KRUS has offered support for implementing core values. However, the individual public authorities have had responsibility for local implementation i.e. to integrate core values by developing the expertise of staff and offering supervision and support via action plans, new routines and templates etc. Previous research shows that local integration and institutionalisation of changes in an organisation require that the forms of support – the new routines, templates etc. – are easy to use, and have clear and noticeable benefits when compared with the previous way of working, and that they are continuously followed up, evaluated and revised.¹³⁸

Summary

The aim of my review was to answer the following questions: What do common core values mean for government employees? What does the term ‘academic freedom’ mean? What does it mean in a Swedish context? What is the relation between core values and academic freedom? What, in turn, is the relation between academic freedom and freedom of expression and freedom to communicate information? I have reviewed the

¹³⁷ Fitzgerald et al., 2002.

¹³⁸ Guldbrandsson, 2007.

legal principles that are the basis of the common core values for government employees and clarified the fundamental meaning of the terms ‘exercise of public authority’, ‘administrative matters’, ‘academic freedom’, ‘freedom of expression’ and ‘freedom to communicate information’, and how they relate to each other. In addition, I have provided an overview of processes of change in organisations and the implementation of new ways of working.

In the common core values for government employees, the fundamental legal values for all state operations have been summed up in six principles and collected in one document. Higher education institutions are central public administration authorities and are therefore to implement core values in the organisation. The principles established in the core values are *democracy, legality, objectivity, free formation of opinion, respect for equality* and *efficiency and service*. However, Swedish public administration authorities have different assignments and activities, which entails that the meaning of the core values principles should be interpreted and adapted to the public authorities’ specific activities. Authority-specific core values can have two functions in the organisation, to market the organisation and to act as an internal governance instrument. Therefore, core values are to serve as a guiding star for how work at Swedish public authorities should be conducted. In tasks that involve exercise of public authority, government employees have an absolute obligation of obedience towards legislation. When tasks are of a general administrative character, such as teaching and research at universities, internal rules, directives and instructions of superiors are also to be followed. Universities differ from other public authorities, in ways such as being assigned academic freedom. However, the meaning of the term ‘academic freedom’ is unclear. According to the law, Swedish academic freedom is limited to freely selecting research issues, developing research methodologies and the freedom to publish research results. In reality, individual academic freedom consists of Swedish researchers being able to freely draw up project proposals and freely develop research methodologies, but both universities as organisations and colleagues in the capacity of members in the funding bodies’ assessment panels (the peer review procedure) and decision-making bodies must approve project proposals so that they can be implemented. Furthermore, colleagues judge if articles generated by research projects are of sufficiently high quality for publication. Individual freedom of research is, in other words, limited, whereas collective freedom of research is quite extensive through peer review procedures. It is, however, no longer connected to colleagues in one’s own department, faculty or even the collegial governance of one’s own university, but by a national and international collegial system.¹³⁹

Freedom of expression is a right that is considered to have a connection with academic freedom. It is, however, a right that entitles all citizens to express themselves within the framework of the law. For government employees and in relation to employers, the

¹³⁹ Berggren, 2012.

freedom of expression is limited by legislation. This is because government employees are required to perform their work in a non-discriminatory way and to behave in a respectful and humane manner. Another limiting factor is the general principle that employees who consider that there are irregularities at the workplace must first raise the alarm internally, so that the employer has the opportunity to take measures, before information is spread externally. This is counteracted, however, in that few employers have functioning channels for raising an alarm, which means that those who are courageous enough to speak out about irregularities often find themselves in a vulnerable situation. However, public authorities in their role as employers cannot limit their employees' freedom of expression without support in law, which is why the loyalty principle between employees and employers is mainly considered to apply to private sector employees. Previous research shows that despite this it is better and less risky as a government employee to use the freedom to communicate information, i.e. anonymously raise the alarm externally to the media about irregularities. In addition, it can be noted that freedom of opinion and expression is wider than academic freedom and thereby contributes to strengthening academic integrity, i.e. the independence of research in relation to the groups of power in society.

Do state core values limit the freedom of Swedish research? It has not been shown that the core values principles would entail any further limitations on the freedom of research. On the contrary, they strengthen the freedom to formulate research issues and to publish research results in that one of the principles of the core values establishes and further highlights the right to freedom of opinion and freedom of expression. Core values do not therefore appear to be negotiable with reference to academic freedom. However, the completed review indicates that an implementation of core values and additions to them for the universities' specific needs can contribute to the development of the organisation. For example, an implementation of core values can help to clarify both the division of responsibility and roles between the collegial bodies (committees and boards) and line organisation, which improves conditions for the organisation as a whole to function more efficiently.¹⁴⁰ When responsibilities and roles are clarified, conditions are also created for developing support for decision-making and guidelines etc. in order to ensure that core values and other legislation are implemented and observed within both collegial governance and the line organisations. This should also increase both the organisation's quality and the expertise and wellbeing of staff in that they gain knowledge on what is to be done and how it is to be done correctly. The review shows that line organisations are responsible for implementing legislation and thereby core values in public authorities' operations. More specifically, this means a responsibility to inform and educate employees on the demands that legislation sets and a responsibility for developing support methods and tools etc. that make it easier for staff to meet the requirements of the legislation.

¹⁴⁰ See SOU 2015:92.

Epilogue

The project *Public sector ethos – a good administrative culture* is completed and KRUS, which carried out the project, has been closed down. The government's work on the further development of Swedish administration is continuing through a working group within the Swedish Government Offices, called the Core Values Delegation. The delegation has the task of continuing KRUS's work by offering public administration authorities activities and initiatives and producing publications with an aim to maintain respect and understanding for state core values and the role of government employees in Swedish administration.¹⁴¹

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1.4 Core values and academic leadership

Inger Lövkrona

This text will expand on the experiences, issues and discussions from the leadership programme AKKA V (2013–2014), where the theme addressed core values at Lund University.¹⁴²

Core values at Lund University

The core values work at Lund University was initiated under the former vice-chancellor Göran Bexell. In his 2011 book *Akademiska värden visar vägen* [Academic values lead the way], Bexell writes that it was a natural step for him as an ethics professor to become interested in the values on which a university is based, and which values are to be realised. Together with the then pro vice-chancellor Ann Numhauser-Henning, he created an ethics document which was approved by the University Board and incorporated into the 2007–2011 strategic plan. Bexell refers to the discussions on ethics at American universities as his main source of inspiration.¹⁴³

The current core values are incorporated into the 2012–2016 strategic plan of Lund University under the heading ‘Core values’. These values have thus not been produced as a separate document or published on the University’s website among key policy documents which, according to one of the AKKA V projects, causes problems for those who would like easy access to them.¹⁴⁴ The University does not toot its own horn about

¹⁴² AKKA V 2015.

¹⁴³ Bexell 2011:91f.

¹⁴⁴ Darabi et al. 2015.

its core values, indicating that the University management fails to realise the governance and control potential of the core values.

It is uncertain how this relative invisibility is to be understood. We see a mounting criticism of core values and their significance, both within and outside the University. In an opinion piece in Swedish daily *Dagens Nyheter* (April 2015), Lund University Professor of Business Administration Mats Alvesson attacks government organisations' work on core values, calling core values "a surrogate for real improvements".¹⁴⁵ He warns of "empty" and "pretty" words, which easily pay lip service and risk glossing over real issues. Alvesson concludes that instead of wasting time discussing, developing, establishing, revising and implementing core values, the work is to begin with practice. "Focus on the things that are accomplished and the things that don't work, and fix them. Fancy talk about core values is to start at the wrong end". Similar objections emerged during the AKKA programme, and were expressed in some of the projects. In June 2015 the Swedish Agency for Public Management (Statskontoret), in its evaluation of the common basic core values for central government employees, issued a similar warning about "hollow rhetoric" (cf. Rejmer, part 1.3). However, my analysis shows that Lund University's set of core values is not a set of "empty and pretty words", "fancy talk" or even "hollow rhetoric". These values have a political, ideological and ethical base. As part of the University's strategic plan, they have a standing of a mandatory policy within the organisation. It is therefore important that the messages/values that are conveyed in the core values come across as comprehensible, relevant and important, and that there is (at least some) consensus with regard to their meaning.

The core values at Lund University follow the conventional model for core values, and their purpose is threefold – to govern the everyday activities within an operation or organisation, to serve as a platform for decisions, and to be a manifestation to the outside world (cf. Eldh, part 1.2). What values does Lund University want to convey, and why these values? Are they self-evident and understandable? How are the values to be applied in everyday work? What questions and issues can arise from their application? These are the main questions that the present text seeks to answer. The current core values are largely the same as the previous ones, and they have therefore been part of the organisation since 2007 and should by now have had time to 'settle'.

¹⁴⁵ Alvesson 2015.

‘Core values’ for Lund University

The complete section titled ‘Core values’ in the Lund University strategic plan 2012–2016 is as follows:

Lund University represents fundamental **human rights** and **democratic** and **academic values**. We shall operate in a context of **gender equality** and **ethnic** and **social diversity**. **Respect**, **tolerance** and **concern** shall govern all relationships, as well as the mutual acceptance of **responsibility** and **loyalty** to the core values, mission and goals of the University.

Rationality, **quality** and **commitment** permeate the activities of our University. **Academic integrity** is absolute. There is **ample room** for different opinions and for debate. **Respect** for different viewpoints and objectivity direct our activities. **Critical thinking** and **free access to research information** are promoted. We have an innovative and creative environment with scope for change and opportunities for professional development for employees. **Humour**, **curiosity** and **commitment** are key concepts.

The University is a critical voice and driving force in society. We cooperate with the international higher education community and carry out research and education in global issues of decisive import to the future of mankind. Higher education and research shall contribute to democracy, sustainable development and liberation from oppression. Our University stands for goals and visions that inspire hope!¹⁴⁶

“A university is both a statutory and a value-borne organisation. As institutions within society, universities are subject to both general and specific laws and ordinances, but the ultimate driving force and bulwark are the organisations themselves and the values on which they are based and communicate”.¹⁴⁷ This twofold ideological status that Göran Bexell describes in his book on academic values will here serve as a basis for my analysis of the core values. Below I will identify key concepts and words which I call ‘value words’, and discuss their meaning and application within the organisation. Furthermore, I will examine how these value words have been ‘translated’ into the Lund University policy for gender equality, equal opportunities and diversity (LU policy),¹⁴⁸ which is a practical application of some of the core values, and the tools that employees are obliged to use in their daily work to meet the requirements of the core values.

The value words represent a political, an academic and an ethical field, which together form the legal, ideological and ethical framework of the core values. The words in **red** belong in the **political field**, and are codified in conventions, laws, agreements, etc.; the words in **blue** belong in the **academic field**. The academic value words express an

¹⁴⁶ Lund University strategic plan 2012–2016.

¹⁴⁷ Bexell 2011:87.

¹⁴⁸ LU Policy, reg. no PE 2011/177.

academic ideology or (organisational) culture that is partly codified in the Swedish Higher Education Act and protected by the Swedish constitution (Instrument of Government 2:18:2). The academic values are also established in international conventions and agreements, as well as in academic practice (cf. Rejmer, part 1.3). The **green** ethical words are common in core values contexts, and they are examples of what Christer Eldh in his contribution calls “codes of conduct” (cf. Eldh, part 1.2). The fields of the framework are therefore not of equal legal status, and they represent different levels of compulsion. While legal values cannot (or should not) be negotiated away, academic values are (or should be) more or less negotiable and open to interpretation, and the ethical values prescribe a desirable moral behaviour, provided that they are understood by all employees. It is worth noting that the values that derive from the political and ethical fields apply to all employees, while the academic values are intended for academic staff and are about research and education. The final paragraph on the core values is a manifestation of the University’s role in society and is both politically and academically coloured. This part of the core values is not included in my analysis.

First, I will discuss the political values, followed by the academic and then the ethical values. The University’s role in society will thus not be addressed in this context.

Political values

Human rights and democratic values

By way of introduction, the core values signal that the University stands for “basic human rights” and “democratic values”. What does this mean specifically? On 10 December 1948 the United Nations General Assembly adopted the Universal Declaration of Human Rights (UDHR). The Declaration defines what the fundamental human rights are, and it was developed by the then Commission on Human Rights, headed by Eleanor Roosevelt. The UDHR contains 30 articles, of which Article 1 and 2 are about the equal value and rights of every human being.

Article 1

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Article 2

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.¹⁴⁹

The principle of equal rights for every individual is similar to the principle of democracy stated in the Swedish Constitution. Articles 1 and 2 of the UDHR are incorporated in the Swedish Instrument of Government (*Regeringsformen*, RF), Chapter 1, “Basic principles of the form of government”:

Art. 1 All public power in Sweden proceeds from the people. [...]Public power is exercised under the law.

Art. 2 Public power shall be exercised with respect for the equal worth of all and the liberty and dignity of the individual.

The personal, economic and cultural welfare of the individual shall be fundamental aims of public activity. In particular, the public institutions shall secure the right to employment, housing and education, and shall promote social care and social security, as well as favourable conditions for good health.

The public institutions shall promote sustainable development leading to a good environment for present and future generations.

The public institutions shall promote the ideals of democracy as guidelines in all sectors of society and protect the private and family lives of the individual.

The public institutions shall promote the opportunity for all to attain participation and equality in society and for the rights of the child to be safeguarded. The public institutions shall combat discrimination of persons on grounds of gender, colour, national or ethnic origin, linguistic or religious affiliation, functional disability, sexual orientation, age or other circumstance affecting the individual.

The opportunities of the Sami people and ethnic, linguistic and religious minorities to preserve and develop a cultural and social life of their own shall be promoted.¹⁵⁰

The observance of the ideals of equal opportunities and equal rights and freedoms are regulated through special legislation. The first law on equality between men and women at work was adopted in 1979. It was replaced in 1991 by the Equal Opportunities Act

¹⁴⁹ UN Universal Declaration of Human Rights (UDHR) 1948.

¹⁵⁰ *Regeringsformen* (The Swedish Instrument of Government) 2011.

(*Jämställdhetslagen*). The Discrimination Act (*Diskrimineringslagen*, DL) which took effect in 2008 (amended in 2014) is a merger of the existing gender equality laws and no less than seven different discrimination laws. There were several arguments in support of gathering all the discrimination laws into one common act – to bring order to the many Swedish discrimination laws, to implement the EU directives that had not yet been implemented, and to address the intersectional critique of existing laws.¹⁵¹ Sweden established its first anti-discrimination act in 1994, which prohibited discrimination based on race, religion and/or ethnic background. In the new DL, the RF grounds of discrimination were reformulated and changed to: gender, transgender identity or expression, ethnicity, religion or other belief, disability, sexual orientation and age. The purpose of the Discrimination Act is “to combat discrimination and in other ways promote equal rights and opportunities” for these categories, as well as promote a good work environment for all, both on the labour market and in the field of education (Chapter 1, Section 1).¹⁵² DL can be said to narrow the scope of the UDHR and RF in that it only applies to the labour market and the field of education, as well as by defining the seven grounds of discrimination. The reference of the core values to UDHR (and RF) is specifically about the University’s work to prevent discrimination in the workplace. The previous core values of Lund University (2007–2011) included the phrase “Offensive or discriminating treatment will not be accepted”. This practical application can now be found in LU policy.

What is discrimination? And how can discrimination be combated? DL clarifies what discrimination means in a legal sense: Direct and indirect discrimination, lack of accessibility, harassment, sexual harassment and instructions to discriminate. *Direct* discrimination means that someone is disadvantaged by being treated less favourably than others in a comparable situation, and the treatment is connected to any of the grounds of discrimination. *Indirect* discrimination refers to any disadvantage given by applying a provision, criterion or procedure that appears neutral but that may be particularly disadvantageous to persons of a particular sex, etc. unless the provision, criterion or procedure has a legitimate purpose, and the means used are appropriate and necessary to achieve that purpose.

The Discrimination Act’s distinction between “direct” and “indirect” discrimination has been criticised by intersectional researchers for only including forms of discrimination that can be linked to actions performed by individuals. Structural discrimination that enables individual action remains unregulated in DL. Instead they propose a division between “structural” and “individual” discrimination. *Structural* (or *institutional*) discrimination refers to society’s (or the workplace’s) institutional structure, values, norms, rules, forms of organisation, and practices that indirectly and often unintentionally discriminate against individuals and groups. *Individual*

¹⁵¹ Schömer 2014:29, 32; for the concept of intersectionality, see Lövkrona part 2.1.

¹⁵² Diskrimineringslagen (Discrimination Act) 2008.

discrimination means routine and unreflective or intuition-driven actions, enabled by societal power structures and ideological frameworks, i.e. it includes both the direct and indirect discrimination in DL, as well as the lack of accessibility, harassment, sexual harassment and instructions to discriminate. The concepts of structural and institutional discrimination are increasingly used synonymously to describe forms of discrimination that are rooted in the established regulations and norms in both society and working life.

The researchers argue that it is necessary to distinguish between individual actions and structural discrimination in order to highlight and combat the different dimensions of discrimination.¹⁵³ DL's definition of discrimination means that this law is unable to combat the power structures in society that generate such individual actions. Sociology of law scholar Eva Schömer observes that the idea of DL was clearly not to change workplace conditions. It appears as if the purpose of the law was to achieve harmonisation with European legislation.

To sum up, structural discrimination is about *equal opportunities*, and individual discrimination about *equal treatment*. This is an important distinction. The main purpose of a policy on equal treatment is to prevent discrimination, but it does not take into account the structures of inequality that people live in. Structural discrimination within academia that results in inequality must be addressed through a process for change.¹⁵⁴ While individual actions are covered in DL, there is a lack of regulations pertaining to structural discrimination. A great deal of research has been conducted on structural discrimination on the grounds of gender within higher education, but not as much on individual forms of discrimination. We still have very little knowledge of ethnic discrimination, and the other grounds included in DL.¹⁵⁵

Discrimination is a special so-called focus area of the LU policy. In terms of measures against discrimination, the policy refers both to action plans at the various levels of the organisation, as well as to specially designed training. The latter refers to the model *See the human beyond!* (*Se människan!*, part 3.3) and resource materials for protection against discrimination.¹⁵⁶ The former is based on DL, and primarily addresses individual discrimination, using norm-critical perspectives (see Lövkrona & Rejmer, part 2.2). The latter, similar to the leadership programme AKKA, also addresses structural discrimination, and advocates sharing of knowledge as a measure (cf. Lövkrona, part 3.1). These are the tools that University managers (and other staff) have at their disposal when working to fulfil the core values' requirement to comply with human rights. The relationship between the wording used in the core values that Lund University represents "fundamental human rights and democratic and academic

¹⁵³ de los Reyes 2007:1ff; cf. Lövkrona, part 2.1.

¹⁵⁴ Schömer 2014: 40f, 54.

¹⁵⁵ In Lövkrona, part 2.1, I provide a review of this research including examples.

¹⁵⁶ Resursmaterial 2014.

values”, and the focus area of “discrimination” in the LU policy calls for further clarification and practical application in order for it to be translated into daily work – something that became clear during the AKKA V programme.

How shall the University deal with structural discrimination? The Swedish minister for higher education and research Helene Hellmark Knutsson has, in preparation for the next government bill on research in 2016, appointed a group of experts who are to make recommendations on how gender equality in higher education is to be strengthened. For this purpose, an annual amount of SEK 5 million was added to the autumn budget in 2015. The strategy that is to be applied, and that both research funders and higher education institutions are recommended to use, is called ‘gender mainstreaming’, which the minister believes may serve as a tool to also combat structural discrimination.¹⁵⁷ The gender mainstreaming strategy (*jämställdhetsintegrering*) was adopted by the Swedish Parliament in 1994, and has since been introduced within government authorities, but not within the country’s higher education institutions.¹⁵⁸ Gender mainstreaming means that a gender perspective is to be integrated into all activities – from planning and decision-making to implementation and evaluation. Gender mainstreaming could serve as a tool to combat structural problems, but it is unclear which methods are to be used.¹⁵⁹ Similar to the work on core values, there is a risk that the method will face resistance within higher education, and for the same reason: Gender mainstreaming of academic affairs will be perceived as an infringement on academic freedom.

Whether or not gender mainstreaming is a way to actually combat structural discrimination remains to be seen. Its critics point to the method’s shortcomings in practice, having the opposite effect of what it set out to achieve: The power perspective formulated in the policy is in the implementation converted into an administrative procedure, to checklists and templates – similar to other gender equality initiatives.¹⁶⁰ This negative effect was also discovered during an AKKA project.¹⁶¹ Higher education institutions that comply with laws and policies, and where the work to promote gender equality is organised and incorporated in the formal organisational structure, have experienced a continuously increasing burden of documentation. Documentation affects the conditions of the organisation by shifting the focus from structures and frameworks to minor details.

¹⁵⁷ Genus, 8 May 2015, 27 September 2015.

¹⁵⁸ Jämställdhetsintegrering (Gender mainstreaming) 1993/94.

¹⁵⁹ Dahlerup & Freidenvall 2008:14f.

¹⁶⁰ Rönnblom 2011: 40ff.

¹⁶¹ Bjärstorp et al. 2015.

Gender equality, ethnic and social diversity

Lund University is to “operate in the context of gender equality and ethnic and social diversity”. So far, this is not the case, and the text should be interpreted as a goal for the future. Why is it important to the University to achieve gender equality and diversity? And is the University to reach these goals? The argument for diversity is the same as the one used for gender equality for a long time: Representational justice in accordance with UDHR and RF. Gender equality and diversity are also increasingly justified as “useful”. This argument refers to the notion that the more perspectives and experiences that are included in an organisation, the better are the results – that is, utility promotes quality. In higher education, the utility argument, unlike the argument from the perspective of fairness, has apparently without difficulty been embraced as a quality-enhancing factor, most recently in the Swedish Research Council’s report FOKUS.¹⁶² It is also included in the LU policy: “Gender equality, equal opportunities and diversity lead to improved quality in the University’s operations”.

The gender equality discourse on representational justice is problematic as it is considered to clash with the academic discourse on meritocracy. The meritocratic principle that controls the allocation of services and research funding is based on a different logic than that of representational justice. Meritocratic selection is based on the highest research (and teaching, when it comes to employment) quality, and appoints the ‘best suited’ person. According to the meritocratic ideology, career opportunities are not affected by gender, race, class or any other ‘extraneous’ factor. Research is to be assessed based on the research itself and not on the researcher as a person. In other words, the person who produced the research is less important. The best researcher is rewarded regardless of who they are and whether or not it would lead to, for instance, a single-sex world of researchers. Intra-disciplinary rules should govern operations and appointments, and the allocation of research funding is expected to be based on objective principles which by definition provide the highest quality and meritocratic justice. Trust that the best person is rewarded is part of the academic self-image and is firmly rooted in the academic culture, summarise Gothenburg researchers Kerstin Alnebratt and Birgitta Jordansson.¹⁶³ Accordingly, meritocracy does not recognise the existence of structural discrimination and bias, which also applies outside academia. A US study on the principle of meritocracy shows its discriminatory effects in terms of gender and ethnicity. Meritocracy creates unfairness and inequality – assessments are not governed by objectivity but by stereotypical notions of gender and ethnicity.¹⁶⁴

¹⁶² Forskningskvalitetsutvärdering i Sverige 2015, Lövkrona 2015: 18.

¹⁶³ Ref. in Alnebratt & Jordansson 2011:10ff.

¹⁶⁴ Castilla & Benard 2010, Powell 2016.

Within academia the political demands on representational justice are renegotiated with reference to academic freedom. The final report from the delegation for gender equality in higher education in 2011 firmly stated that higher education institutions cannot ignore the demand for gender equality that is generally placed on government authorities. Within academia, the starting point should therefore be equal rights and representational justice, similar to other government authorities.¹⁶⁵ There is a power struggle with regard to interpretational prerogative between political and academic values where academia has so far had a small advantage, and uses its existing space for negotiation.

Some of the AKKA V projects exemplify how academic appointments boards and others deal with the contradiction between gender equality and diversity requirements on the one hand, and meritocracy requirements on the other. The authors of the project report conclude that neither gender equality nor diversity are factored into the decisions that are taken purely on meritocratic grounds and/or on the grounds that the recruitment base does not allow gender equality and diversity to be taken into account, i.e. the political demands are negotiated.¹⁶⁶ In addition, DL has built-in loopholes that legitimise disregarding the political requirements. The measures required to correct the imbalance in terms of gender and diversity are conditional: They must be implemented “in view of [the employer’s] resources and other circumstances to ensure that the working conditions are suitable for all employees regardless of sex, ethnicity, religion or other belief”. DL here leaves room for (re)negotiation of what can be achieved.

The situation in higher education in terms of gender equality and ethnic and social diversity differs, as does the legal basis for measures to remedy the imbalance in these categories. The active anti-discrimination measures proposed in DL are mainly focused on gender relations, that is, gender equality, and gives the “underrepresented sex” – women or men – priority, followed by those who belong to an ethnic minority. Social background is not an established ground for discrimination. Outside the active measures there are also other groups: staff with transgender identity or expression, disability, sexual orientation (other than heterosexuality) or age. Working to create staff groups that are diverse in terms of age, and making sure that people with a transgender identity are included in the workforce, thus falls outside the active measures stated in DL. These groups are also excluded from the employer’s obligation to prevent and stop harassment or reprisals.¹⁶⁷ Consequently, there is no political requirement for higher education institutions to work with these grounds of discrimination specifically. However, the LU policy encourages the University faculties/organisations to have an action plan against discrimination, such as victimisation and sexual harassment.

¹⁶⁵ Alnebratt & Jordansson 2011:9.

¹⁶⁶ Filipsson et al. 2015, Genrup et al. 2015, Hultman 2015.

¹⁶⁷ Schömer 2014:35.

Gender equality

Gender equality (balance between women and men in all positions) has not been attained in terms of the highest ranked positions at Lund University, and, with some exception, not in any other Swedish or international higher education institution. Women are currently underrepresented when it comes to academic staff, mainly among professors (the national average in Sweden 2015 was 25%) following the principle that the higher the position, the fewer women – so-called vertical segregation. Among the other teaching staff categories, the average proportion of women falls within the scope of gender integration (40–59%). The same pattern can be seen among senior managers. In the category of administrative and technical staff, women are overrepresented. Among students, women are now also overrepresented (national average in Sweden 60%), but the proportion varies between faculties – so-called horizontal segregation.¹⁶⁸

The underrepresentation of women in academic positions, the underrepresentation of men among administrative staff, and the overrepresentation of female students generally have the same underlying explanation – the gender order of society – but differ in complexity and require different analyses and measures. An extensive study shows that women who want to pursue an academic career are measured according to a different standard than men in terms of recruitment and the allocation of research funds; they are lost from the system through the ‘leaky pipeline’, treated differently in terms of administrative support, and/or have a slower career path. This (mainly) structural discrimination has to do with the male-connoted academic culture, and the structure of the workplace.¹⁶⁹ As mentioned above, structural discrimination is not regulated by law and there is therefore no compelling legal instrument to rectify it.

‘Positive discrimination’ – a tool for gender equality, was enabled by a provision in the Swedish Higher Education Ordinance (HF) until the Autonomy Reform (*Autonomireformen*) took effect in 2012. This opportunity was then removed on the basis that each higher education institution has to decide for themselves on their gender equality work and needs. When recruiting, positive discrimination means that if two candidates have equal or almost equal qualifications, the underrepresented gender can be given priority – a situation that appeared to have been simply written off in the expert assessment. Set quotas when recruiting is prohibited under an EU decision after the Swedish government attempted to increase the proportion of female professors by establishing the so-called Tham professorships. Set quotas, which means establishing quantitative goals among professors and others that by a certain date 40% of them are to be women, is permissible in Sweden under special circumstances. Promotion policies that aim to promote women/men or people with different ethnic backgrounds do not conflict with EU regulations on equal opportunities. For the policies to be permissible,

¹⁶⁸ Rejmer & Sonander 2013:19ff, 27f.

¹⁶⁹ Rejmer & Sonander 2013, Lövkrona part 2.1.

however, they need to be included in the gender equality plan of the higher education institution.¹⁷⁰

The fact that men are underrepresented among administrative staff cannot be explained by structural discrimination against men. The explanation can rather be found in society's norms with regard to the gender division of labour, i.e. cultural beliefs about what type of work is female versus male. 'Office work' is considered a woman's job, and is low-paid, and therefore does not attract men, except for the highest ranked administrative positions. Technical work, however, is considered a man's job, which is reflected in the statistics.

DL proposes the same measures for the 'underrepresented gender' (or other group), irrespective of staff category: Adapt the working conditions, prevent harassment, etc., and when recruiting, give everyone the same opportunity to apply for vacant positions. The fact that both women and men can be the 'underrepresented gender' undermines the Discrimination Act, as this concept avoids involving a broader perspective and the perspective of power. The LU policy also tackles underrepresented gender in the focus area "Recruitment and promotion" with specific measures on how to achieve an equal gender distribution among all categories of teaching staff, technical and administrative staff and students. Proposals include strategic human resources planning, active recruitment measures and training initiatives, regardless of which sex is underrepresented and regardless of the category. Lund University has given special priority to the recruitment of female professors by, for instance, establishing the Hedda Andersson visiting chair in 2009, but it has not had the intended effect.

Over the past decade, the proportion of male students in the entire West has dropped. There is still not enough research on what caused this drop, but it is clear that boys/men are not discriminated against within higher education; rather, the cause must be sought in other conditions such as traditional gender-stereotypical patterns, 'masculinist culture', and class and ethnic backgrounds.¹⁷¹ In Sweden, several attempts have been made to set quotas for programmes in favour of men, but this approach has been rejected by Swedish jurisdiction. Higher education institutions have been found guilty of discrimination, and since 2014, there is a DL amendment that prohibits education providers from discriminating "against any child, pupil or student participating in or applying for the activities" (DL 2014:958). This rule is not negotiable in any respect.

How is gender equality to be achieved at Lund University? In the work for a gender equal University, it is not sufficient to implement measures to establish a gender balance within different positions. More women in higher positions, or for that matter, more men among the administrative staff, do not automatically lead to the elimination of structural discrimination. To achieve equal opportunities and eliminate gender bias,

¹⁷⁰ Schömer 2011: 48.

¹⁷¹ Rejmer & Sonander 2013: 25ff, Lövkrona 2014: 13f.

changes in the academic culture are required. Such work for change is, as mentioned earlier, still voluntary and requires gender awareness. Achieving sustainable gender equality (and diversity) also requires changes in the knowledge itself – in both research and education – by adding a gender perspective. The lack of a gender perspective in study resources contributes to the reproduction of gender and other stereotypes, which are well-established nationally.¹⁷² The LU policy has as a special focus area called “Gender and intersectional perspectives”, which shall have a “prominent place in the qualifying training in higher education teaching and learning [...and these perspectives...] in teaching and education will be intensified” – with no mention of research. Because the policy is not legally binding, these requirements or preferences can be negotiated and concealed. Gender studies has its own department at Lund University – the Department of Gender Studies – which conducts research, and first, second and third cycle education. Previously, this department was responsible for gender equality issues at the University. A lack of resources and a more active work on gender equality at the University prevented the department from continuing with this assignment.

There is no legal basis supporting a mandatory gender perspective in research and education, although there is broad national political support for this issue. It is unlikely that a government, regardless of party affiliation, will want to legislate on a gender perspective and risk an acrimonious debate from influential scholars, who are given priority on the opinion pages of major Swedish newspapers. Today the support for a gender perspective in research and education varies greatly among academic leaders – from active or passive resistance (the majority) to active work to disseminate knowledge (e.g. the AKKA participants).

In conclusion, when it comes to the University’s work on gender equality, the LU policy is an important but far from adequate tool for the academic leadership.

Ethnic diversity

Higher education in Sweden is essentially a mono-cultural ‘Swedish’ arena. There are no official statistics on staff in higher education with non-Swedish backgrounds, and the positions they fill. Most of the available statistics concern undergraduate and PhD education. Based on the sources available, the proportion of teaching staff and researchers in Sweden who were born abroad is estimated to have increased from 18 to 23% between 2006 and 2010.¹⁷³ Through research we have learned that people with different ethnic backgrounds are exposed to all forms of discrimination, not least individual discrimination, so-called everyday racism (discriminatory actions and

¹⁷² Lövkrona part 2.1.

¹⁷³ Mählck & Fellsson 2014:188ff.

behaviours). In several studies people with an ethnic background other than Swedish testify to the difficulty of being accepted. Ethnic discrimination is also a gendered practice and has different consequences for men and women. Structural discrimination can also be demonstrated, for example the requirement to be able to express oneself in correct written Swedish to qualify for an appointment or pass a course. The research has studied both staff and students.¹⁷⁴

The prevailing silence within academia on ethnicity is in stark contrast to the discussion on gender equality, which has a given place in the conversation carried out at a university department. In April 2015, the Norwegian Ministry of Education and Research appointed a committee to develop more knowledge about ethnic diversity within higher education. The inquiry is to examine the opportunities and challenges of individuals with an immigrant background, also with regard to gender.¹⁷⁵ The most recent Swedish government report, *Mångfald i högskolan* (Diversity in higher education), is now fifteen years old.¹⁷⁶ The government has not announced that there will be a new inquiry, but has called for input on how higher education institutions work with ‘widening participation’ in the narrow sense of social diversity (see below).

As for ethnic diversity, our knowledge is not only less extensive and more erratic than that on gender equality. DL stipulates that employers are obligated to carry out targeted work to promote equal rights and opportunities regardless of gender, ethnicity, religion or other belief. The LU policy contains no special measures to promote ethnic diversity, and the focus area “Recruitment and promotion” is limited to gender equality. It is uncertain where in the organisation the responsibility rests for recruiting an ethnically diverse staff and student body. It is, however, the responsibility of all employees not to discriminate against individuals of an ethnic origin other than Swedish, whether staff or students. In this respect, the DL as well as the LU policy’s focus areas of “Discrimination” and “Equal opportunities” apply.

Social diversity

How are academic leaders at LU to work for social diversity, and what does that entail? In an educational context, social diversity means wanting more students with a ‘working class’ background. Other terms used are ‘socio-economically disadvantaged groups’, or young people with a ‘non-academic background’. The structural obstacles primarily exist in wider society, not in higher education, but of course they are present within the academic culture as well. Higher education is and always has been an

¹⁷⁴ Cf. Lövkrona part 2.1.

¹⁷⁵ KVINFO 30 April 2015 – internationally, this is a major research field that appears to be avoided in the Nordic region, according to Paula Mählck, Stockholm University.

¹⁷⁶ *Mångfald i Högskolan* 2000.

upper/middle class arena – in terms of both staff and students – and the academic culture reflects middle class values and views on knowledge that young people from non-academic backgrounds do not identify with.

The term ‘social diversity’ is included in the UDHR, but has not been incorporated in DL as a ground of discrimination. In political and educational contexts the term is no longer used; instead, the concept is referred to as ‘widening participation’. The Swedish Higher Education Act requires higher education institutions to “actively promote and widen recruitment” (Section 5, 1992:1434). On 12 March 2015, the Swedish government commissioned the Swedish Council for Higher Education (UHR) to map and analyse how higher education institutions work with widening participation, clearly indicating that widening is to be understood as relating to ‘social’ background, i.e. class background. The inquiry found that the socially uneven recruitment to higher education remains, and that it is still three times more likely that people whose parents have studied in higher education go on to higher studies than those whose parents are upper-secondary school graduates at most. The requirement of widening participation is motivated by the argument of utility: “Society does not utilise all of its talents; meanwhile the demand for higher educated people is increasing. It is a waste that Sweden cannot afford”.¹⁷⁷

As a result of the government remit, widening participation has entered the central Lund University agenda. According to Lund University Magazine (LUM), the issue has been “dead” for a couple of years.¹⁷⁸ The efforts to widen participation took off with a seminar in April 2015 about the work on widening participation at other higher education institutions in Europe. Currently, Lund University applies its ‘old’ methods: “Flickor på Teknis” (Girls at the Faculty of Engineering), online introductory courses that are open for everyone (Faculty of Law), and visits to and from schools. The question is whether these methods attract more men into higher education, or young female upper-secondary school students with very good grades and a desire for education, and thus increase the proportion of female students. An increase of female students from a non-academic background is obviously desirable, but it creates a greater imbalance. The issue of how to attract young men from a non-academic background to higher education remains. Widening participation clearly has a wider meaning for the University than for the minister of education and research.

There are several good practices to refer to when working with (socially) widening participation, but they appear not to be sufficient, and recruitment is likely to differ from one area to another; from one study programme to another. Currently the University leaves the issue in the hands of the individual employees/managers.

¹⁷⁷ Press release 2014.

¹⁷⁸ LUM 4, 2015.

Responsibility and loyalty

The part of the core values that states that “[...] responsibility and loyalty towards the University’s core values, assignment and objectives” is taken from the common basic values for central government employees, which are extensively discussed in Annika Rejmer’s contribution (part 1.3). Responsibility, loyalty and commitment are qualities that should characterise the exercise of authority. ‘Responsibility’ is described in the principle of legality (*Legalitetsprincipen*) and is about responsibility in the exercise of one’s duties: A person who through an act or omission intentionally or negligently fails to execute what is involved in their duties is to be found guilty of professional misconduct.¹⁷⁹ ‘Loyalty’ falls under the principle of freedom of opinion and involves freedom of speech, ideas and communication. An employee has the duty of loyalty towards their employer – a duty that also includes the duty of disclosure and external secrecy.

Academic values

What is an academic value? Once again I turn to Göran Bexell, whose book deals with academic values as guiding tools. With the question “What is a university?” as his premise, he divides his response into four elements that constitute the minimum requirements:

- a) Universities are statutory institutions within society intended for the establishment and acquisition of new knowledge and dissemination of sustainable knowledge. This is done through research leading to higher education. A university uses rationality, testable arguments and critical scrutiny and debate and, when appropriate, artistic representation.
- b) Universities are also ideas-based institutions with academic values, mainly academic freedom, academic integrity and academic quality, at its core. With these values, the universities are included in the communities of values, from a global to a local level.
- c) Universities are also social and economic communities of colleagues and students, as well as socio-cultural sites, campuses, where people are allowed to develop across boundaries of generations and cultures. Universities also have networks outside the university, such as alumni networks.

¹⁷⁹ Common basic values for central government employees 2013: 8f.

- d) Universities have responsible community relations that provide society with a flow of ideas, critical analysis, knowledge, alternative views and innovations in various fields.¹⁸⁰

As Annika Rejmer demonstrates in her contribution, the understanding of what a university is, and what the major academic values are have a long history that dates back to the Middle Ages (Rejmer, part 1.3). They were made into an academic ideology in terms of *Lehrfreiheit* (academic freedom) – to be free to research and teach – by the Humboldt brothers in Berlin in the beginning of the 19th century. According to Bexell, the main academic values today are “academic freedom, academic integrity, and academic quality” – the two latter of which can be found in Lund University’s core values, while the first one remains unmentioned. Academic staff in Sweden are assured their academic freedom through the autonomy reform, and it is regulated in international conventions and Swedish legislation. According to the Magna Charta Universitatum from 1988, academic freedom also includes education. It is to be noted that the Swedish constitution does not explicitly protect academic freedom, but rather freedom of research, which could possibly explain why this value ‘went missing’ from the core values, or considered self-evident. Educational freedom, that is freedom to teach and learn, is not protected under the Swedish constitution, even if this is how it is understood within academia (cf. Rejmer, part 1.3).

Freedom of research means freedom to choose a research problem, develop research methods, and publish research results, and it is protected under the Swedish Higher Education Act (HL1:6). These requirements date back to the 1940s, and were formulated by Robert Merton in the classic study *The Sociology of Science: Theoretical and Empirical Investigations* (1973). Merton’s imperative, CUDOS, is still considered to be a normative base that should govern the scientific production of knowledge. CUDOS stands for: ‘Communalism’ (C) – science is created socially and collaboratively, allowing others to take part in the research results; ‘universalism’ (U) – science is assessed based on the research itself, not on the researcher as a person; ‘disinterestedness’ (D) – researchers are incorruptible and neutral in their relationship to research; and ‘organised scepticism’ (OS) – the researcher is to have a critical approach to the world around them.¹⁸¹

Merton’s imperative has been discussed, criticised, and redefined in relation to the changes that have occurred in terms of the academic landscape. There has been a transition from what is called Mode 1 to Mode 2 – from a highly intra-disciplinary paradigm to an increased social consciousness. Many believe that this change has led to a restriction in academic freedom.¹⁸² The increased social consciousness is considered a

¹⁸⁰ Bexell 2011: 86.

¹⁸¹ Merton 1973, C(ommunalism), U(niversalism), D(isinterestedness), O(rganized) S(cepticism), Alnebratt & Jordansson 2011:11f, Hermerén 2011:16ff.

¹⁸² Alnebratt & Jordansson 2011:12.

threat, and a sign that research is increasingly governed by politics. Academic/research freedom generates fundamental questions regarding political governance and research ethics, which are closely linked to the academic values of ‘academic integrity’ and ‘free access to research information’.

Are the academic values self-evident and unproblematic? Hardly! Although there is a general consensus within higher education on what the academic values are and what they stand for, academic staff hold many different views on what actually applies. The academic conception of the academic values is also not always shared by politicians. In connection with the discussion on gender equality, I have shown that there is a power struggle between politicians and scholars on the prerogative of interpretation – despite the fact that the academic values are protected under Swedish law and international conventions (see Rejmer, part 1.3) and should not be questioned and negotiated in everyday activities.

There is a recurring discussion among scholars and politicians about how much government control is to be considered acceptable, and where the line for academic freedom is drawn. Bexell explains this complex of problems by saying that the academic values are always superior, and that government control is unacceptable. If a government “[...] decides to stipulate that a certain, however commendable, ideology or socially beneficial aspect such as sustainable development, economic growth, gender perspectives and human rights is to control the activities and thus take precedence over academic values”.¹⁸³ Bexell describes the UDHR as a basis that modern universities both “[...] build on and are to promote and interpret”.¹⁸⁴ Therefore, an academic understanding of UDHR is that they are open to (re)interpretations (?) in the name of academic freedom!

Bexell finds the gender perspective to be an example of unacceptable government control that poses both an external and an internal threat to the freedom of research. Here he expresses the widespread academic view that gender research is politically motivated. When the demands on increased gender equality within higher education and gender research are mixed together, there is a risk that gender research is understood as being part of a political gender equality project.¹⁸⁵ This could explain the widespread resistance to gender research within academia, which also has a negative impact on the work to promote gender equality.

One question that should be asked in this context, and relates to the discussion on academic freedom versus government control, is whose interpretational prerogative is to apply when identifying a research problem. In the name of academic freedom, the University requires that it is to contribute to society on its own academic (and intra-

¹⁸³ Bexell 2011:101.

¹⁸⁴ Bexell 2011:89.

¹⁸⁵ Alnebratt & Jordansson 2011:10, 17.

disciplinary) terms. As a result, the issues that are not deemed important within academia are not open to research. The resistance within higher education towards gender research is an example of the risk that an important research area with direct bearing on democracy and freedom from oppression will not be looked at from all sides. The final paragraph of Lund University's core values, which is about the University's role in society, states as one of its visions:

The University is a critical voice and driving force in society. We cooperate with the international higher education community and carry out research and education in global issues of decisive importance to the future of mankind. Higher education and research shall contribute to democracy, sustainable development and liberation from oppression. Our University stands for goals and visions that inspire hope!

Academic integrity and free access to research information

Academic freedom can never be absolute, and can and must be negotiated between the government and academia. Academic integrity, on the other hand, is, according to Bexell, the inner core of freedom which is not negotiable for a university; it is absolute, as expressed in the University's core values. Academic integrity is about not letting oneself be influenced or controlled by employers or funders in terms of the results, methods and publication of research. It also includes freedom of education.¹⁸⁶ Nowadays, the problems pertaining to the actual craft are discussed as research ethics, and go back to Robert Merton's imperatives mentioned above. Research ethics means the responsibility of the individual researcher/research group in relation to the research and to the research community. It can be about the researcher's conduct in various roles, about responsibility in connection with publication, as well as problems with regard to so-called research misconduct. To facilitate navigation, the Swedish Research Council has published written guidelines titled *Good research practice*, 2011.¹⁸⁷

The Research Council's guidelines hardly cover the new research landscape that has emerged in the 21st century with continuously increasing external funding. The distinction between good and bad research ethics is not always clear. Every now and then, discussions take place on which funders and what research is approved. For example, are researchers allowed to accept research grants from dictatorships and tobacco companies? The issue of free access to research information becomes topical in relation to research funded by external stakeholders who have opinions on how and when the research results can be disseminated.

Academic integrity and free access to research information are matters for the University and the individual researcher/research group to consider. Are these matters

¹⁸⁶ Bexell 2011:89.

¹⁸⁷ Hermeren 2011:12, 16.

discussed throughout the University? How are they dealt with by academic leaders and University administration? Not that long ago, there were, for instance, discussions on who owns the research funding – the University or the individual researcher.

The issue of integrity and free access to research information is very much a core values issue that must be clarified. Where are the guidelines? What is the University's policy in these matters? These are questions that must be raised in the process of developing a specific set of core values for Lund University.

Academic quality

Quality is probably the most contested concept in higher education and research today – at least the most discussed concept. When it comes to education, the government has won the power struggle on defining what quality is by implementing quality assurance in accordance with specific methods. In 2016, a new quality assurance system will take effect – a system which has already been subjected to extensive criticism from the research community. In relation to education, 'quality' becomes controversial as a core value because higher education institutions strongly disagree with the government on what criteria are to apply, and how quality shall and can be measured.¹⁸⁸ As for the quality of education, academic freedom in terms of freedom of education therefore no longer applies.

When it comes to research, the power over quality remains with the researchers and, in theory, there is a great deal of consensus on what quality is and how research is to be assessed. In the publication *Good research practice*, quality is defined in terms of originality, external and internal validity, precision and ethics.¹⁸⁹ These are concepts that appear in the instructions to experts when assessing applicants for appointment (at least within the humanities). But in reality it is not that simple. The Research Council's guidelines also point out that the requirements of good research quality can be interpreted both in a wide and in a narrow way, depending on the discipline. Obviously the value word 'quality' does not mean the same for everyone in the organisation or in every situation, which is also pointed out by Lena Gemzöe in a publication on peer review, also published by the Research Council (*Kollegial bedömning av vetenskaplig kvalitet*, 2010).

The quality of research is assessed through peer review, which is perceived as fair and objective and supported by the meritocratic principles, that is, competition for positions and research funding where the most qualified 'wins', leading to increased quality. The objectivity has, however, started to be questioned because of the lack of gender equality in academic positions, and of how funding for excellent research is

¹⁸⁸ UKÄ (The Swedish Higher Education Authority) 2015.

¹⁸⁹ Hermerén 2011:24.

allocated. In her investigation for the Research Council, Lena Gemzöe notes that peer review tends to be conducted based on a variety of informal criteria, which she describes using the concept of cognitive particularism, partiality or bias. Quality, as demonstrated in this and international studies, is no neutral objective value, but largely permeated by cultural conceptions on, for example, gender, but also by considerations other than strictly academic ones. The study shows that there is no common definition of quality; rather, quality often becomes tantamount to the research of the reviewer. The peer reviewers, who are chosen based on their subject expertise, confirm the expertise they themselves authorise, and the entire system becomes a form of gate-keeping. The peer reviewers establish what legitimate knowledge is, which becomes identical to the knowledge they themselves produce. Because male researchers hold authoritative positions, this process favours men, and the quality assessment is controlled by so-called homosociality.¹⁹⁰ The role as a peer reviewer provides an opportunity to exercise academic power within the research community.¹⁹¹

The academic value of quality was incorporated into academic freedom through the concept of *Lehrfreiheit* by the brothers Wilhelm and Alexander von Humboldt in the early 1800s, and is codified in the Swedish Higher Education Act (see Rejmer, part 1.3)¹⁹². The concept is strongly gender-coded, to the extent that higher education has been – and still is – dominated by men and a male value system. There is still little knowledge of bias in peer reviews within higher education. The meritocratic idea of objectivity is firmly rooted in the research community – an idea that can be traced back to a positivist view on research.

Rationality

“In a university, rationality, testable arguments and free critical scrutiny and debate are used [...]”¹⁹³. Rationality is a value that characterises the research process. To be rational is to be efficient, purposeful, sensible, well-planned, astute, reasonable, impartial, justifiable, logical.¹⁹⁴ All of these synonyms are male-coded concepts and are part of the construction of masculinity but also of the ideal researcher.¹⁹⁵ Their antonyms are irrational and emotional – female-coded words. Rationality is a value that can be claimed to reproduce norms on the researcher as masculine, and be difficult for women to identify with.

¹⁹⁰ Gemzöe 2010, Alnebratt & Jordansson 2011:10ff, Jämställdhetsobservationer 2012, Fördelning eller förfördelning? 2015, Sandström & Vold 2015.

¹⁹¹ Langfeldt & Kyvik 2015:154f.

¹⁹² Swedish Higher 1992, I:4.

¹⁹³ Bexell 2011:86.

¹⁹⁴ Synonyms ‘rational’, for English see the Merriam-Webster Thesaurus.

¹⁹⁵ E.g. Jämställda fakulteter 2012:72ff.

Respect, ample room for different opinions and critical thinking

The phrases “Respect for different viewpoints and objectivity direct our activities”, “ample room for different opinions and for debate” and “critical thinking” refer to the (intra-)disciplinary communication. “Respect” and “commitment” (see below) are two of the most common value words used in the specific core values of government authorities, as shown by Annika Rejmer (part 1.3).

In an academic context, these values mean having the right to express an opinion, even if it conflicts with others, being listened to and respected, and having a duty to be critical of what other people say. There are plenty of scientific disagreements within higher education, which are not always respectful, and there is not always consensus in the research community on what objectivity actually means. Once again, gender research can be used as an example: The knowledge/findings that gender research produces are not faced with factual arguments, but comments such as “I don’t agree that gender has an impact on...”. The academic practice that researchers are schooled in during their education and their research is passed down like an undisputed guideline with regard to these values. It imposes a responsibility on the individual researcher to be on the right side, and assess how ample the “ample room” is in various situations.

Critical thinking during the research process is often confused with being critical of other people’s research. Conveying objective criticism against the work of others is a skill that not everyone masters, whether in peer review or seminar contexts. Doctoral students at Lund University have testified to a seminar culture that they experience as devastating, and which they do not perceive to be respectful and objective. They receive harsh criticism of their research texts, but no constructive feedback on how to proceed.¹⁹⁶

Humour, curiosity and commitment

Here I address humour, curiosity and commitment as academic values, but they could also be considered ethical value words. In the context of the core values I choose to see them as academic. The value word ‘commitment’ can be found in two places in the core values, but in different configurations: “Rationality, quality and commitment permeate the activities”, and “humour, curiosity and commitment are key concepts”. We must assume that commitment refers to approximately the same thing in both contexts – interest, involvement, participation.¹⁹⁷ ‘Commitment’ is frequent among the many value words that exist, and is not specific to any organisation (cf. above “respect”).

¹⁹⁶ LUM 4, 2015:9.

¹⁹⁷ Synonyms “commitment”, for English see the Merriam-Webster Thesaurus.

‘Curiosity’ has positive connotations within research activities, and has been codified in the research policy rhetoric as ‘curiosity research’ and refers to basic research. However, this is not how the word is to be understood in the context of the core values, but in its general sense, inquisitiveness. Curiosity is not a common core values concept, but organisationally tied – an academic keyword.

‘Humour’ is the most criticised and contested value word of the core values. This was the case during the AKKA V programme, and the participants asked themselves what it means. Rightly so. The fact that humour has been part of the police force’s core values until the 1970s, as noted by Christer Eldh, is as astonishing as the fact that it is included in Lund University’s core values today (cf. Eldh, part 1.2). But how does the University understand humour as a keyword for its activities? Humour is brought up in many contexts as a positive feature of the Lund University atmosphere, the ‘Lund sense of humour’ – something that distinguishes us from other universities (read Uppsala), and that is expressed through carnivals, spex theatre, fresher initiations, etc. Is this the humour it refers to?

Humour is often associated with laughter and comedy, but what generates laughter and comedy with which person and in what contexts is culturally and socially defined, explains Professor of Gender Studies Tiina Rosenberg, with reference to the notorious jungle theme student evening at Halland Nation in 2011.¹⁹⁸ The incident was probably (mis)interpreted by the participants as a slice of Lund humour – a student prank. Rosenberg points out that the incident was part of a long tradition of more or less open elements of sexism, racism and homophobia in Lund student life. It caused strong reactions not only from the University management but also from the Swedish minister for EU affairs, the minister for democracy, and the minister for education and research. “The racist spectacle at the respected university” was unanimously condemned. Their condemnation shows that what may have been perceived as funny ten years ago is today perceived as discriminatory and offensive. Similar to some of the ethical core values, which I will address below, there is no ‘correct’ interpretation of the concept of humour. Humour is perceived in one way by the person who uses it, but in a completely different way by the person on the receiving end.

There are many reasons to laugh; laughter is like any other freedom – relative. Rosenberg stresses that there is no ‘we’ who laugh, laughing situations are always culturally and socially defined. Who is permitted to laugh about whom and what at the University? Humour has a power dimension. Laughter can be a means to ridicule and humiliate the Other – the one who is different – as seen in the example from Halland Nation, and signals an exercise of top-down power. But laughter can also be a means to challenge the official culture and its oppressive seriousness, hence a political tool, which fights power from below. It is perhaps in this sense that ‘humour’ is to be

¹⁹⁸ Rosenberg 2011:39.

understood in an academic context. The value word ‘humour’ is highly debatable and should be excluded from the University’s core values.

Ethical values

In his contribution, Christer Eldh shows that the business community was the first to develop ethical rules for their operations, in the form of business ethics and morals (codes of conduct) – a phenomenon that emerged in the 1980s (cf. Eldh, part 1.2).¹⁹⁹ Somewhat simply explained, ethics stands for what is considered the ‘good’ and ‘right’ way for someone to behave; ethics teaches moral behaviour – applied ethics.²⁰⁰ The phrase “Respect, tolerance and concern shall govern all relationships” of the core values can be described as a code of conduct that all employees are expected to live by in order to establish a good work environment. The code of conduct indicates how the University would like each individual employee to treat and relate to others, regardless of where in the organisation they are, who they are, and what position they hold. The phrase is copied from the previous strategic plan (2007–2011). The three value words are common in the genre of core values, and do not relate to the University’s remit.

On an unexamined level, one can agree about what the three value words – respect, tolerance, concern – mean, and decide that they represent a good moral conduct and approach to one another, both in and outside the workplace. However, ethical values are culturally inscribed – they are social constructions that mean different things to different individuals and groups in different ages and contexts. Also within a workplace, the concepts can be interpreted differently. Work relationships are both hierarchical and equal, and are intersected by not only professional power structures, but gender, age, ethnicity, etc.²⁰¹

Respect, tolerance and concern

The word ‘respect’ has been previously discussed in connection with the academic values, where the word has been interpreted as regard for or recognition of others’ viewpoints and objectivity within research communication. Recognition is one possible meaning of respect also in a work relationship; another is trust. A work relationship is to be respectful in the sense of recognising another person’s professionalism and duties, regardless of their position. It could for instance be about the relationship between teaching staff and what is called the support functions (the administrative and technical

¹⁹⁹ Hermerén 1989: 12ff.

²⁰⁰ cf. Hermerén 2011:15f.

²⁰¹ cf. Martinsson & Reimers 2008:12.

staff, or TA staff). Those working within the University's support functions often find themselves to be treated with disrespect, if not exactly discriminated against. In an interview in Lund research Magazine (LUM), TA staff at Lund University say that there is a "wall" between them and the researchers.²⁰² This wall is a fact and stems from a lack of recognition. The staff survey that was conducted in 2012 revealed that individuals working in the University's support functions feel most miserable, and that they are not treated equally (cf. Eldh, part 1.2).

Respect can also mean consideration and appreciation – attitudes which indicate a power relationship between someone showing and the person being shown consideration/appreciation. Respect in this regard takes place top-down in a hierarchy, by the academic staff towards the TA staff and/or someone of another gender, ethnic background, or with a disability, etc. Respect can also be perceived as an expression of authority, power, command and prestige, or involve fear and dread of someone, depending on the situation and position.²⁰³

What does it mean to show 'tolerance'? Tolerance is also a word with multiple meanings: Forbearance, patience, endurance, open-mindedness and wisdom are the most common.²⁰⁴ In a work relationship, these conceptions of tolerance imply not a positive approach but, similar to respect, a power relationship: I will endure, forbear that you behave differently, make mistakes, or are not like me, but.... The concept of tolerance was tested in an AKKA project on a departmental conflict and how everyone responded to it.²⁰⁵ In such a context, tolerance becomes an impossible approach, regardless of what meaning is placed in the word.²⁰⁶

'Concern' – showing concern for someone or goodwill in a work relationship indicates a power relationship, similar to the above mentioned ethical words. Although showing respect, tolerance and concern in all (work) relationships is a nice thought, it is not certain that everyone understands these words or actions in the same way. In a power perspective, which can be found in all social relationships, values are not neutral and good, but refer to 'We' and 'Others'. The Other could be someone of another gender, ethnic background, etc., or who holds a subordinate position at work. Treating someone with respect, tolerance and concern in a work relationship can be, or be perceived as being, an expression of power.

Ethical values have no essential meaning; they are not universal, no more than humour, and they are not value-neutral. On the contrary, they are full of meanings and based on social and cultural norms. Norms are ideas, unwritten rules, about what is

²⁰² LUM 4, 2015:8.

²⁰³ Synonyms, "respect", for English see the Merriam-Webster Thesaurus.

²⁰⁴ Synonyms "tolerance, for English see the Merriam-Webster Thesaurus.

²⁰⁵ Sniegón et al. 2015.

²⁰⁶ In 2015 the Swedish Research Council funded a research project on tolerance as a concept in Swedish public late modernity, which indicates that it is problematic.

considered normal and abnormal in a community or at a workplace. Anyone who fits the norm confirms it; those who deviate from the norm risk being subjected to discrimination or unequal treatment. The ethical value words are therefore not self-evident in terms of their meaning and application. They also have no connection to the University's mission or to the academic culture, but consist of general moral behaviour. For most people, they have a given unexamined moral significance, such as good actions and approaches. In a norm-critical analysis, as I have conducted here, it is clear that they involve power relations. Therefore, my conclusion is that ethical value words that are assigned the function of 'codes of conduct' have no place in the University's core values.

Summary

The aim of my analysis of the University's core values has been to answer the following questions that were posed initially: What values does Lund University want to convey, and why these values? Are they self-evident and understandable? How are the values to be applied in everyday work? What questions and issues can arise from their application?

I divided the value words into three categories: Political, academic and ethical. The political value words refer to Swedish legislation; the academic ones are rooted in academic practice and organisational culture; and the ethical ones are an expression of the cultural norms in society. The political values are mandatory, regardless of whether they relate to the exercise of government authority or administrative matters. They are about gender equality and diversity, anti-discrimination and rules about professional practice, and they apply to all employees. The academic values communicate rules on how research and education are to be conducted; they are a concern of the collegial leadership, and only apply to academic staff. 'Freedom of research' is part of the Swedish constitution, while the other values are legitimated through academic practice. The ethical values are about the work environment and which moral principles are to apply in the workplace between one employee and another, and which responsibilities rest with the individual. They apply to all employees.

Going back to the introduction and Mats Alvesson's description, the University's core values are not a set of empty and pretty value words, or fancy talk or hollow rhetoric for that matter. The value words are not just any words. They are rooted in the UN Declaration of Human Rights, the Swedish Instrument of Government, the Swedish Constitution, the Discrimination Act, and the common basic values for central government employees. The core values are also inscribed into recognised academic principles on how research and teaching are to be conducted, and on the role of universities in society – United Nations, UNESCO, the Bologna Declaration, EUA

(European University Association), the Council of Europe, as well as in the Higher Education Act. The ethical value words are also by no means empty, but full of meanings – meanings that claim to be universal, and therefore can be problematic in the workplace.

This means that the Lund University core values cannot simply and in an obvious way be applied in everyday work as a basis for decisions and guidance. What seems self-evident harbours conflicting messages, can be subject to negotiations, interpretations and even resistance. The core values represent different value systems or ideologies – one political and one academic. The political system seeks representational justice; the academic system is governed by the principles of merit and skill. In certain situations, the political governance of higher education and research exercised by the state conflicts with the organisation-specific culture in terms of academic freedom. Laws are laws, but as I have shown, they are considered negotiable with reference to special circumstances; they can also be concealed or ignored with impunity. Academic values are changing and reinterpreted in dialogue with national and international politics or research. Even if they emanate from a common practice of academic staff, they are not undisputed, and can be applied in various ways. As an example, the value ‘academic quality’ is in no way neutral, but is heavily permeated with different biases. The research community cannot agree on how quality is to be measured and assessed. Academic integrity is further affected by the political decisions on governance. Also the ethical values lack a neutral or essential meaning on which everyone can agree. They are socially constructed and their meanings change contextually and in relation to power.

The message of the core values is, if not incomprehensible, complex and cumbersome in everyday activities. They require extensive knowledge, which is generally lacking within the various University organisations. I believe that this partly explains the bad reputation of the core values. It also partly explains the problems with their invisibility in the organisation, and the difficulties of applying them as a tool in everyday work. Lund University’s core values seem to suffer from problems with legitimacy. Another question that may be asked is why there is only a policy on gender equality and diversity, and not on issues pertaining to how academic values are to be handled within the organisation. I consider this to be the major challenge, as academic freedom and its meaning has no ‘discrimination act’ that regulates the understanding in more detail.

In order for the core values – current or future ones – to become the organisational tool they are intended to be, a lot of work on their implementation is required. Answers must be found to questions such as: What are core values? Why does the University have a set of core values, and what does it hope to achieve by it? What standing do the core values have? A future text on core values must clearly state which values the University considers to be essential for its operations, and why these values specifically. Why are these values important for the organisation to be able to carry out its social duty – primarily education and research – and to be a good place to work?

Finally, the AKKA V programme revealed that the core values

- are relatively ‘invisible’ within the organisation,
- can be negotiated, renegotiated or disregarded,
- are not perceived as important,
- have an unclear standing,
- are perceived as unclear (‘fuzzy’),
- are difficult to apply,

and that there is little knowledge of the core values and the work related to them.

In order for the core values to become a tool to govern everyday actions, provide a platform for decisions, and to be a manifestation towards the outside world, extensive dissemination of knowledge through training and discussions at all levels of the University is required. First and foremost, the University managers need to be trained as their responsibility is to lead, in accordance with the core values.

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1.5 Lund University towards a new set of core values – conclusions and advice

Tomas Brage & Inger Lövkrona

What is the purpose of having core values?

Core values are an important condition for a well-functioning organisation. They can serve multiple purposes, both internal and external and, as Christer Eldh puts it (1.2), create, demonstrate and promote values. This means that they can

1. support everyday activities within an organisation,
2. be a platform for decision-making, and
3. manifest the idea behind the organisation to the world.

Core values thereby serve as both a creator of values and a means to assess and develop an organisation. Their purpose can also be to provide guidelines for the relationship with recipients or stakeholders. Last but not least, they are a set of ethical guidelines – a sort of code of conduct.

As for core values of government authorities, Annika Rejmer (1.3) cites the Swedish Agency for Public Management's evaluation, showing that they are often used for both external marketing purposes and internal policy documents, that is, they are expected to increase public confidence in a government authority as well as improve the internal working environment of that organisation.

The essential function of the University's core values should be to support the organisation. It is important that they are consistent with laws and regulations as well as the common basic values for central government employees (hereafter referred to as the *common basic values*) that govern the University's activities from the top down. The

common basic values and their implementation, both externally towards our students and wider society, and internationally towards our employees, constitute an important starting point for local core values at Lund University (hereafter referred to as *local core values*). It is of particular importance to clarify how the common basic values are to be combined with the organisation-specific culture and values of the University, and the exceptional position of the University as a Swedish government authority. Universities are unique in that an extensive part of their activities fall outside the scope of government administration, in the form of research and education (1.3).

Inger Lövkrona (1.4) elaborates on this in her analysis of the previous set of core values at Lund University, in which she categorises the values communicated into

- a) *Political values*, reflecting what has been stipulated by lawmakers and are therefore non-negotiable
- b) *Academic values*, representing the values specific to universities and that describe our organisational culture, and
- c) *Ethical values*, which most closely resemble a code of conduct and are based on social and cultural norms, which enable recipients to interpret and reinterpret them.

These values represent separate value systems or ideologies. The political values are based on *representational justice*, the academic values are governed by *meritocratic principles*, and the ethical values by *moral principles*. The political governance of higher education and research sometimes conflict with the academic values.

It is important to clarify here that the common basic values always supersede any local core values. Universities are administrative authorities that, just like all other government authorities, must comply with the laws, and so must their staff. The common basic values are thus non-negotiable; as a government authority, the University must comply with them, contrary to the organisation-specific core values which are largely optional. At the same time it is important to realise that parts of the common basic values may conflict with the academic culture – something we will get back to later on.

Common basic values and academic values.

The common basic values are based on six principles:

1. *Democracy*, which means that all power proceeds from the people.
2. *Legality*, which together with the first principle states that employees, as the guardian of democracy, are required to *obey the law, show loyalty and respect* towards their fellow citizens.

3. *Objectivity*, which refers to how everyone is equal in the eyes of the law, and that their work is to be conducted objectively and impartially.
4. *Free formation of opinion*, which gives employees the right to their own opinions, as long as it doesn't affect their work.
5. *Respect for the equality of everyone*, which is about *equality and gender equality*, striving for an organisation that is free from discrimination, supported by the *Discrimination Act*.
6. *Efficiency and service*, which refers to accessibility, openness and good management of resources, among other things.

On the surface, the principles of the common basic values might be seen as practically self-evident. However, in academic practice, they may involve conflicts and appear to contradict the academic culture. A central task of the local core values is therefore to show how the common basic values are to be 'translated' into academic practice, and discuss the allocation of implementation responsibilities.

The academic values (see 1.3 and 1.4) can be summarised as

1. *Academic freedom*, included in international recommendations, but only supported in Swedish law in the form of *freedom of research*. It could be seen as an individual value, but in practice it appears to be more collective (1.3).
2. *Academic integrity* which, according to Bexell is "the core of freedom" (1.4), interpreted as the researcher being *insusceptible and not swayed* by, for instance, financial or political interests (note the difference in the meaning of the word 'political' here and before).
3. *Academic quality*, which includes quality assurance of both research and education. According to Inger Lövkrona, the government has partly taken over quality control of education from the universities. The quality of research is still largely controlled by the collegial peer review system. However, as Annika Rejmer shows, calls for applications and the allocation of funding now take policies into account, and must be approved by the University and the department. It is obvious that the assessment of research is dominated by collective quality assurance.

A further complication for academia is that it is controlled by two different models (1.3):

1. *Line management*, consisting of vice-chancellors, deans, heads of department, directors of studies, and above all university officials, together responsible for ensuring that the organisation complies with existing laws and regulations.

2. *Collegial management*, consisting of academic colleagues who are in charge of the content and quality assurance of education and research.

There is a potential for conflict between these two models, and core values can be used to clarify and allocate tasks and responsibilities. Annika Rejmer points out that the *line management* system is governed by a *hierarchical administrative system*, and is expected to comply with laws, regulations and public service agreements. Decisions by the Swedish Parliament and Government are to be implemented in all government authorities. The administrative authorities are responsible for ensuring that the laws and regulations are implemented. They do, however, have some autonomy, and can decide for themselves how to apply the laws in individual cases (see 1.3).

As for *collegial management, responsible for research and education*, there is no legal support in terms of the responsibility for implementing laws and regulations in specific cases. To quote Annika Rejmer,

budget-related issues and centrally determined goals such as sustainability, gender equality and equal opportunities, internationalisation and widening participation fall outside the collegial system's assignment and area of responsibility. These issues are to be handled by the line organisation. This means that the line organisation is to ensure that collegial decisions also fulfil centrally determined goals that are established in laws, ordinances and budgets.

Core values can be a support to a university in that they identify and clarify the allocation of responsibilities and their realisation.

‘Translating’ common basic values to academia

As shown in the previous sections of this report, academic freedom is often at odds with statutory requirements on gender equality, equal opportunities, etc. There is a strong belief in meritocracy and a common disregard of the fact that (also) decision-makers are biased, that stereotypes control our choices, and that a homosociality exists in assessments. There are methods that can help combat this bias, such as gender mainstreaming, aimed at integrating a gender perspective into all decisions and processes.

Bias is a problem when translating the common basic values into academic culture, because of the belief in the principle of objectivity and keywords that are linked to this principle: *independence, impartiality, integrity and equality*. Research clearly shows that ‘objectivity’ and ‘impartiality’ in academic practice is a chimera. What we perceive as objective and impartial is a matter of power and interpretative prerogative. Inger Lövkrona (1.4) illustrates this by showing that (gender) bias exists in, for instance, peer

reviews and perceptions of quality. The principle of objectivity must therefore be interrogated in relation to the academic values.

The principle of “respect for the equality of everyone” as explained by the keywords of *equality, gender equality, humanity and integrity*, can serve as another example of a similar translation problem. This principle ultimately refers to the UN Declaration of Human Rights (UDHR), which is manifested in the Swedish Instrument of Government and parts of which has been adopted in the Swedish Discrimination Act (DL). The DL clarifies the contexts in which respect is to be shown, and connects it to the seven grounds of discrimination, which narrows down the content of the UDHR. The DL also further limits the principle of respect for the equal value of all people in its definition of discrimination, by distinguishing between direct and indirect discrimination of individuals. The active measures proposed in this law apply to all government authorities, and appear to prioritise gender and rank the different grounds of discrimination. This means that the DL leaves some room for negotiation for the individual education institution/authority. In the context of a government authority, recognising the equality of everyone is transformed into equal opportunities for those who fall within the seven grounds of discrimination. Although equal opportunities, or anti-discrimination, can obviously contribute to a better working environment, which in turn is encouraging, it does not change the structures that cause discrimination.

In the academic context, as in all other contexts, there is structural discrimination, which is not covered by the concepts of direct and indirect discrimination which refer to acts against individuals. Structural discrimination refers to discrimination that is rooted in the rules and norms in society and/or working life, that violate the principle of *equal opportunities*, and is (usually) unintentional. Equal opportunities for all people in terms of recognising the equal right to respect of all people, does not lead to changing the unequal conditions that are caused by bias and partiality which, according to research, exist in the assessment of quality when recruiting employees or allocating resources. Change requires awareness of the ‘hidden’ unequal conditions related to bias with regard to gender, class, ethnicity, race, sexuality, etc., and how they are generated in power relations.

The principle of legality with the associated keyword of ‘normativity’ is also problematic. As noted above, the norms which the laws are based on are non-negotiable – they *are* the law. The principle does therefore not provide room for questioning, but rather it reproduces and preserves the traditional academic norm and a limited understanding of how discrimination operates. However, no norms, not even legal ones, are objective or natural – they are ultimately linked to power and hierarchies. They are national and cultural, and require contextual interpretation. Legal provisions are formulated in a general and abstract manner, to be applicable to different situations and in different contexts, but what is general and neutral has already been interpreted from the start. Core values work involves development and change management, and

the principles of the common basic values must be subjected to norm-critical scrutiny in order for them to be used to implement change. Normativity must always be accompanied by norm-criticism.

As such, we conclude that legal expertise on its own is not enough to ‘translate’ the principles and key concepts to the organisation-specific activities at the University. Therefore, in part 2 of this report, we have gathered support for this ‘translation’. Above all, the implementation requires norm-critical expertise and knowledge of gender and diversity issues. These ‘translation problems’ can be addressed in training and methods such as AKKA, the anti-discrimination training programme, and ‘See the human beyond’, as well as the gender certification project. We recommend developing additional support and training in norm criticism, inclusive teaching, and the understanding of master suppression techniques and bias. The Swedish Discrimination Act is an obvious starting point in this type of training, but can be complemented through University-specific core values – see below.

Academic freedom and freedom of expression – alerting, whistling and informing

Academic freedom is sometimes interpreted as freedom of expression, which of course is protected by the constitution and included in the common basic values. But the law is only the basis for a special form of academic freedom – the freedom of research. It can be important to interrogate and expand on this notion in the local core values.

There are limitations to the freedom of expression for all citizens, including staff and students at a university. Both the Swedish criminal code and the Discrimination Act stipulate that one must not threaten, offend or incite against other people. This means that not even freedom of speech is absolute.

Annika Rejmer (1.3) discusses in detail how this right can be limited for a government employee through the principle of loyalty to their employer – in this case, the University. Although we are encouraged to and have a strong freedom to alert, whistle and inform about any irregularities within the University, it could be a sign of a good workplace if the praxis is the same as for other employers – that the matter must be of public interest and that you first notify your line manager, and give them the opportunity to correct any wrongdoings. According to Rejmer, apart from employees who inform the media, etc. anonymously and are thereby protected by the freedom to disclose information, people who raise the alarm often end up in a very vulnerable situation and lack protection against reprisals in the form of a change in their work duties or job transfer, etc.

It is quite clear that the organisation benefits from having employees alert them – if there is good case management in place. Those who want to bring any wrongdoings to the management’s attention must be supported by an established process and feel safe that they won’t be subjected to reprisals. If this process is not in place, there is a big risk that employees will feel forced to air their concerns externally or, if they are still being ignored, become vocal troublemakers in the media. It should be in everyone’s interest that such issues are incorporated into quality assurance work and affirmed rather than silenced. The core values can be used to formulate the basis for how this is to be ensured.

Local core values and policy to improve and clarify.

As noted in previous sections of this report, legal support varies depending on the value. Political values often have strong support, while academic ones are more unclear or based on recommendations from the EU or the UN. Ethical values, which are common core values, have no real legal support, unless they fall under the Discrimination Act. These values can be tricky – they are open to interpretation and must be understood from a cultural and social perspective. In a norm-critical analysis with a power perspective, many of the ethical value words, which appear to be uncontroversial, are shown to confirm or support a power structure – words like respect, kindness or humour (1.4).

This creates room and a need for clarification of the core values. A future policy to complement the core values should therefore include gender equality, equal opportunities, and academic values (1.4).

Even among the political values, there are parts that are less supported. As noted by Inger Lövkrona, the Discrimination Act only discusses individual discrimination and focuses on the seven stated grounds of discrimination. Our firm belief is that a set of core values should be able to expand further, and cover known deficiencies by

1. acknowledging that *social* background is a ground for negative discrimination and victimisation at the University, and is therefore to be included
2. including all grounds of discrimination (and social background) in *preventive* and *active work*, not only those prioritised in the DL
3. working to counter *structural* discrimination and showing that it is the basis for the individual problems that arise within academia
4. implementing a *gender perspective* in both education *and* research to uncover existing structures and biases.

These are some of the ‘gaps’ in the legislation that can be filled with effective core values.

Implementing core values

How can core values work be conducted efficiently? Both Annika Rejmer and Christer Eldh have picked up on several pieces of advice from their sources. They stress that it is important that there is significant dissemination of knowledge about the core values, but it must be combined with other efforts, otherwise there is a risk that if the core values are not accepted, they are met with cynicism, resistance and believed to be empty rhetoric. It is therefore important that they are supported, and to allow them to be confronted with the values that exist within the organisation. One should apply a bottom-up approach, where workshops and discussions lead to summaries and support for management decisions. An important part of the approval process is to identify and explicitly discuss the changes and improvements that the core values are intended to generate, and to provide clear information on their implementation.

The importance of active *agents of change* within the organisation, who assist in making the entire organisation aware of the need for change, cannot be overstated. Their task is to build trust between those who are agents of change and who are to change the way they work, and to make sure that no one is excluded from the process. As stressed by Inger Lövkrona (1.4), this requires them to motivate, activate and integrate all levels of change management. University leaders here hold a key position, a special responsibility. Training academic leaders to become agents of change through gender-integrated leadership programmes such as AKKA, is an investment for the future.

In the words of Annika Rejmer (1.3):

The communication of knowledge has, according to previous research, certainly been insufficient for successful processes of change, but remains of fundamental importance. There is a need for a description of the new way of working or behaviour that shows which core values it is based on and its intended function. The research also shows that the most effective spreading of knowledge is done through informal local networks, i.e. in discussions and cooperation between colleagues.

KRUS has offered support for implementing core values. However, the individual public authorities have had responsibility for local implementation i.e. to integrate core values by developing the expertise of staff and offering supervision and support via action plans, new routines and templates etc. Previous research shows that local integration and institutionalisation of changes in an organisation require that the forms of support – the new routines, templates etc.– are easy to use, and have clear and noticeable benefits when compared with the previous way of working, and that they are continuously followed up, evaluated and revised.

Core values work is to be seen as an open-ended process, where the establishment and decisions lead to change, which will then be evaluated and may uncover new needs for improvement. To support this work, the Government has appointed a *Core Values Delegation*, to offer assistance to government authorities. However, as we have shown in this report, universities are unique government authorities, and to translate the national core values to the world of academia requires specific techniques and knowledge. We hope that this report will be used to support this work.

Summarised recommendations for core values work

The following list is a summary of our recommendations when working with core values:

1. Discuss and clarify the aim, objective and process of developing and implementing core values.
2. Use the common basic values as a starting point, and focus on how they are to be translated to apply to an academic authority such as Lund University.
3. Discuss and interrogate the conflicts and disagreements that exist between the political common basic values and the organisational values of the academic culture.
4. Specify the differences in responsibility between line and collegial management.
5. Interrogate meritocracy on the basis of bias, stereotypes and homosociality.
6. Provide educational support for how the academic culture is to live up to the superordinate principles of the common basic values, such as independence, impartiality, equal opportunities, equal treatment and gender equality.
7. Use the Discrimination Act as a starting point for upholding the principles of the common basic values.
8. Enhance and expand the Discrimination Act by
 - a) advancing the work to counteract structural discrimination,
 - b) including social background to the same extent as the other grounds of discrimination in the Act when widening participation
 - c) including all grounds of discrimination and social background in the requirements for preventive and active work,
 - d) implementing a gender and diversity perspective in all education and research, as well as all decision-making processes, through gender integration, etc.
9. Improve the core values work by drawing up clear administrative procedures, and combat reprisals for staff and students who wish to *alert* the University management of any irregularities, etc.
10. Have the core values work be based on norm-criticism, inclusive teaching, and increased awareness of how bias, master suppression techniques and discrimination can be counteracted.
11. Establish an implementation process that is based on knowledge dissemination to all parts of the organisation, and agents of change.



Photo by Jens Rydström

Part 2 Core values within academia – methods and support



Photo by Tomas Brage

2.1 Discrimination in academia – a research overview

Inger Lövkrona

Structural and individual discrimination

Professor Paulina de los Reyes at the University of Uppsala finds that discrimination is a very tangible reality for many people today, also in academia, and refers to several official reports by the Swedish government (SOU) from the mid-2000s. Discrimination is rooted in cultural stereotypes and notions that are embedded in basic social structures and power relations. Research aims to identify and explain these structures and relationships, their presence and manifestations, and the consequences they have for both individuals and society.

The problem of discrimination is addressed by using the concepts of structural and individual discrimination. *Structural discrimination* refers to systematic discriminatory effects of society's norms, values, rules and practices. With this concept, whether or not there is an intention to discriminate is of secondary importance. Rather than focusing on individuals as responsible for discriminatory attitudes and prejudices, it calls attention to the discriminatory practices that permeate the way in which societal institutions function. Discrimination is therefore not regarded as isolated manifestations or occasional reactions, but rather it represents a basic power structure that creates subordination by systematically emphasising and perpetuating differences between people. For this reason, stresses de los Reyes, it is important to identify the norms, values and practices that enable discrimination of certain groups while favouring others.

Research shows that routine and unexamined actions account for a considerable part of 'everyday discrimination'. These are the actions that are referred to as *individual discrimination*. Individual discrimination is enabled by the ideas, notions and values that permeate societal structures, institutions and organisations. This means that

discrimination cannot be reduced to exceptional actions or deviations from an order of equality, or be related to the attitudes of individuals. The Swedish Discrimination Act distinguishes between two forms of discrimination – direct and indirect – which do not cover structural discrimination, but only individual discrimination as they both only refer to individual actions.

Institutional discrimination is a form of structural discrimination, which is based on rules and norms of working life, that is, the specific regimes that arise when social norms, values, and rules are applied in workplaces and organisations. In physical institutional environments, certain groups are given advantages in terms of material and symbolic resources, status, positive attention, privileges, etc. A university is an institution with a distinct hierarchical power structure and with a specific system of norms and rules, where discriminatory practices are easily developed. The concepts of structural and institutional discrimination are here used synonymously and refer to the discriminatory structures and actions that can be found in academia and that can be related to its organisational culture.

This text presents and discusses current knowledge on discrimination within academia, at higher education institutions mainly in Sweden. The text is based on the seven grounds of discrimination listed in the Discrimination Act: gender, gender identity or expression, ethnicity, religion or other belief, disability, sexual orientation and age. Worth mentioning here is that researchers have primarily been interested in gender discrimination; to some extent, ethnic discrimination (which also includes religion or other belief); and to a lesser extent, discrimination based on age and disability. There is almost no research on the other grounds of discrimination included in the Discrimination Act – gender identity or gender expression, and sexual orientation.

Gender-discriminatory structures in higher education

Until 1873, university studies were reserved for men, and women were not appointed to positions in higher education until 1923. Nowadays, there is extensive knowledge of how women are and have been, historically speaking, treated differently in academia – knowledge that has been produced within the field of gender studies.

The issues that were first raised were about the unequal representation of women in research and in senior academic positions. Within this research, terms such as ‘leaky pipeline’, ‘sticky floors’, and ‘glass ceiling’ were coined, which accurately and metaphorically capture the fact that women disappear from academia (after obtaining their PhD) and get stuck or are stalled in their careers, i.e. a *vertical segregation* takes place. Although some positive changes have been noted, this type of segregation still

exists, however, not unambiguously. There is significant difference between various faculties and disciplines.

The answers to the question of vertical segregation in academia have been sought in the individual choices and preferences of women, not in discriminatory structures. The responsibility or blame is placed on the women themselves: they don't want to pursue an academic career; they choose family over work. The explanation is thereby found outside academia – in family and private life – in what is referred to as *work-life balance*, the lifecycle of women in which childbearing and qualifications continue to clash. In academia, the lifecycle of men remains the norm and controls expectations and opportunities. Men are believed to be more likely to embrace the demands and expectations of loyalty and commitment in the workplace; women, if they have children, are believed to have different priorities. The explanations are still used as an argument for, and the legitimisation of, discrimination of women, who are discouraged from pursuing a career in research, or encouraged not to have children. Studies at the University of Gothenburg show that 'informal' demands on adapting your private life to your working life effectively select who is willing and able to continue to do research. These individualised explanations reflect deeply internalised norms about femininity and masculinity within academia.

Gender research has shown that we can dismiss the notion of academia as a gender-neutral space of objectivity and meritocracy. The academic culture is permeated with physical and social gender, male dominance, but also class, heterosexuality and 'whiteness' which lead to discrimination not only related to gender. In more recent research, the underrepresentation of women in senior positions is studied within the organisational structure of the workplace – within institutional cultures. Contributing factors are also notions about the 'ideal' researcher and leadership. As an example, the researcher is modelled according to stereotypical characteristics of masculinity: always available, dedicated, aggressive, competitive, analytical, ambitious and objective, and completely able to identify with the task at hand, with no social commitments, etc. The stories by women about working within academia show that they experience themselves as deviant, and feel they do not fit into the template expected of them in the role as a researcher. This leads to a lack of self-confidence and trust in their own ability.

Discrimination against women takes on many forms – women are treated differently in terms of access to administrative support, they are given smaller and worse offices, have precarious employment, are assigned to perform unqualified work, and their chances of success are not least affected by a sexist seminar and meeting culture where domination techniques are present. Today, discriminatory features are also found in the formal and informal division of labour that takes place in a department. Furthermore, it has been shown that a double standard is applied to women and men in recruitment and assessment of qualifications.

In academia, there are several different types of non-transparent recruitment procedures; one is the direct appointment of professors without a previous call for applications. Another is when the awareness of gender equality legislation results in someone being prioritised over others through special procedures to ensure a desired homogeneity, whether with regard to their gender, research profile, social skills, etc. Harassment and discrimination on the grounds of gender is very effective when you want to exclude someone from the workplace community or prevent the inclusion of someone who deviates from the notion of who is fit to hold a position or title. Academia is described as a culture of co-optation (where the membership of a group is determined by the group itself), to ensure a homogeneous culture is maintained and not mixed with 'deviants'; this is also referred to as 'cloning'.

Lately, the *horizontal* gender segregation in higher education has changed. From women being underrepresented in most disciplines, men are now often underrepresented and only a few study programmes have a majority of men. Study programmes in which the proportion of women has increased are referred to in terms often used in a derogatory way such as 'feminisation'; for example the medical degree programme has a relatively even gender balance today – something that is not considered to benefit the medical profession. However, when it comes to nursing, the opposite applies – there is a desire to have a more even gender balance, that is, more men, which is considered positive for the status of the profession. There is an ongoing general discussion about men in minority positions in higher education. One explanation as to why boys and young men perform poorer in school is that they are marginalised in a school environment that is dominated by women teachers and 'female norms', suggesting that it has a negative effect on their interest in higher education. This is a strange but widely embraced idea where the cause is placed on negative femininity as opposed to positive masculinity. Other studies have tried to find the explanation by studying the 'culture of masculinity' where getting good grades in school is not considered to be compatible with a certain type of masculinity.

Other studies have shown that the social background (class) and ethnicity play just as big a role in how boys and girls perform in school. Here there is a lack of knowledge to explain the fact that young women – regardless of their social background and ethnicity – are more interested in education than young boys, and it is clear that dimensions other than sex are a factor. However, we can be certain that higher education does not discriminate against men at any level. On the contrary, the ideological change taking place within academia, similar to the changes in society at large and influenced by the new management ideology, has strengthened the male connoted meritocratic ideology which benefits men.

Discriminatory actions and behaviours

Gender-discriminatory actions and behaviours against women in higher education take place on all levels. Female doctoral students and postdocs are particularly vulnerable. These groups are at a delicate stage in their careers, and in a position of dependency towards their supervisor, research manager and other superiors, and therefore dare not talk about, and certainly not report, discrimination. In the 2008 national doctoral student survey *Doktorandspeglen*, 25% of the women and 6% of the men responded that they had been subject to negative discrimination by their fellow doctoral students and/or teaching staff, supervisor and/or administrative staff, on account of their gender. A study at Malmö University regarding middle management positions shows a similar gender pattern in terms of experiencing discrimination based on gender, and the women who were interviewed testified to the presence of a sexist jargon. A Lund University staff survey in 2012 on job satisfaction revealed that 7.1% of employees had at some point during the past six months been the subject of discrimination in the workplace, and 13.6 % had noticed someone else being subjected to it.

Professor Liisa Husu at Örebro University, in a study of Finnish higher education institutions, finds that while gender discrimination of women in higher education is sometimes visible, more often it is invisible and subtle. The concept of 'sex-role spillover' is used to describe situations in which women in professional contexts are treated primarily as women and not as professionals. Such subtle discrimination is referred to as *condescending chivalry* (giving praise to a woman if she does something that for men is considered regular procedure), *benevolent exploitation* (letting a woman do the job and then take credit for it yourself), *considerate dominance* (as a manager draw conclusions about what a female employee can cope with without asking her) and *collegial exclusion* (scheduling meetings at times when children are to be picked up from day care).

Discrimination can also manifest itself as *professional diminution* – to question women's professional identity, show more respect for male professors than female professors, ignore women in work-related social contexts, provide women with less resources in the form of work spaces, computers, lab equipment, etc. Furthermore, women are often neglected to be invited as key note speakers at conferences, are excluded from informal male networks, or face condescending and ridiculing comments. Other forms of subtle discrimination are *gate-keeping* (control or influence over who has access to certain areas, resources and information, and who is excluded) and *homosociality* (men supporting men in their careers while women are excluded from male networks). *Intellectual harassment* refers to the belittling of research and teaching about feminist or gender-related themes. *Master suppression techniques* (invisibilisation, ridiculing, withholding information, enforcing a double bind, blaming and shaming) are not

uncommon in seminars or meeting contexts (for master suppression techniques, see Lövkrona & Brage, part 2.3).

The actions and behaviours described above are often considered to be single and 'innocent' events, both by perpetrator and victim, but when seen as a process it is clear that they represent discrimination, that is, a systematic special treatment based on gender. It often involves pure harassment, i.e. behaviour that violates another person's dignity. A distinct trait of gender discrimination in higher education is that the incidents are often 'non-events', that is, what happens could be that nothing happens: not being seen, heard, read, referred to, cited, invited, encouraged, supported, validated, etc. Women in academia experience being given the silent treatment, excluded, passed over, ignored, made invisible, or not supported. Invisibilisation has a negative effect in that female scholars have developed strategies to survive in the system – survival strategies such as choosing 'appropriate attire', speaking in a 'suitable tone', letting their motherhood become a shield against sexual harassment, as well as to maintain an inner balance and decide not to give up.

Husu's study shows that experiencing gender discrimination affects the working conditions, career development, patterns of interaction and frameworks of interpretation for women, as well as their self-esteem, well-being, health, fitness to work, career expectations and plans. Some processes of discrimination result in that the researcher voluntarily leaves, or is kicked out of, the world of academia. Women and men appear to have diametrically opposite interpretations of the significance of gender. Female scholars observe and face something which their colleagues, who are men, neither see nor must face.

Sexual harassment

There is no clear distinction between sexual harassment and gender harassment. Both are usually hidden, subtle and elusive, and take place stealthily. Similar to victimisation based on gender, sexual harassment targets students and doctoral students as well as (mostly) junior female researchers. In both cases, it is about the exercise of power which sometimes involves explicit sexual expressions. Even women in senior positions are subjected, but less frequently, unless they openly challenge the structure. New forms of sexual harassment have occurred as a result of new technology, such as email and text messages, which have now been given the name of 'cyberbullying against women'. They can be severe and not always easily detectable to others, and they are rarely reported, even though they are usually not anonymous. The frequency within academia is not known, but there are some notorious examples of such threats directed against feminist researchers.

A report by the then Swedish National Agency for Higher Education from 2000 shows that at the nine Swedish higher education institutions in the study, 15% of the students stated that they had been subjected to sexual harassment – the majority of whom were women. *Doktorandspegeln* in 2008 indicated that a total of 9% of women and 2% of men had been sexually harassed at some point during their studies. Among the women, 3% had been sexually harassed by other students, 5% by teaching staff, 2% by supervisors, and 1% by administrative staff. Similar to gender harassment, this was most common on male-dominated programmes in mathematics, science and engineering.

Sexual harassment is complex issue. A study of how sexual harassment is perceived and handled within higher education reveals that an act involving sexual elements is not always considered to be sexual harassment. The way in which the action is interpreted is completely dependent on who is exposed and under what circumstances. In order for an offensive act to be perceived as sexual harassment, the subjected woman must be a 'credible victim', that is, she is not to be particularly provocative or intoxicated, not to behave in an uncontrollable way, and she is to have immediately objected. The act is also *not* perceived as sexual harassment if the man who performs it did not intend to offend. Furthermore, if the harassing man is Swedish and 'gender-aware', much older than the woman, beyond what can be considered 'normal' (a 'dirty old man'), or intoxicated, it is *not* perceived as an offensive act – in these situations, the action is not found to be an expression of what he is 'really like', that is, he is otherwise a 'good' man. Extremely few cases of sexual acts against a woman are therefore perceived as sexual harassment by women themselves; rather, they are renegotiated and excused, and not reported. These interpretations are often shared by the people around them.

The explanation for this view of sexual harassment can be found in the academic hierarchy, the sense of collegiality, and notions of gender. Male professors sometime form relationships with female students that are described as 'chummy', which suggests that they are established based on factors that are not purely professional. Through a cultural interpretation, these relationships have undertones of sexualisation and superiority/inferiority. In the context of heteronormativity, the relationship between a male professor and a female doctoral student is 'understandable', based on a heterosexual pattern of interpretation and desire. The male superior, in relation to the female doctoral student, is expected to relate to her as a sexual being, while the male doctoral student is interpreted from a supposedly gender-neutral professional order based on equality and kinship.

This means that a woman who is subjected to sexual advances and harassment faces numerous obstacles if reporting a male colleague/supervisor or even interpreting the act as sexual harassment. Subjected persons behave in accordance with the professional hierarchy, resulting in their inability to make the sexual harassment become a valid issue; rather, they are forced to quiet down and marginalise the events that took place. In accordance with the gender norm, women are expected not to speak up, not to take

the behaviour of men so seriously, but rather focus on understanding the man's 'true' intentions. Meanwhile, the gender equality norm says that women should speak up. Conflicting sets of norms on female availability versus gender equality create a dilemma, and herein perhaps lies an answer to the problem of the invisibilisation of sexual harassment in higher education.

Gender identity or expression

The Swedish Discrimination Act refers to gender identity or expression as persons who occasionally or permanently differ from the gender norm, such as transvestites, drag queens/kings, intersexuals and transsexuals, who express their identity in the form of clothing, body language, behaviour or other similar circumstances with regard to gender. Transgender is an umbrella term that includes a variety of identities and expressions, but is also a self-identified affiliation.

One of the Swedish terms for transgender ('könsöverskridande' meaning 'gender-transcending') has been criticised for being based on a norm that is transcended, rather than a person 'doing' gender in a new way, thereby establishing the differences and the binary gender perception even more firmly. In order to highlight the position of non-transgender without being normative and avoid identifying transgender persons as 'the other', the deviant, the term 'cisgender' is used. 'Cis' is Latin for 'on this side of' whereas 'trans' means 'the other side of'. A cis woman is a person who identifies herself as a woman, has the anatomy of a woman, and is registered in the population register as a woman.

Gender theory suggests that the understanding of gender as two distinct genders – woman and man – is not only hierarchical (a power relationship) but also dichotomous or binary (opposites). This insight has led to a critical review of gender research and gender policies, highlighting the limitations and especially the exclusion and invisibilisation made in the name of gender equality. Critics have also stressed that gender equality involves an assumption of dualism (and heterosexuality), and excludes identities other than men and women. The notion that there are two sexes and that these are opposites has implications for how gender equality work is defined and implemented. The norm in society of the dichotomous perception of gender leads to transgender persons being seen as deviant, and subsequently subjected to harassment in various contexts.

The establishment of trans studies as a field of research meant refocusing the research on transgender people. Transgender persons were previously studied from either a pathological (medical/psychological) or symbolic (literature) perspective. The focus is now on transgender experiences and living conditions. For instance, what does a

dichotomous view of gender mean for transgender people whose gender identity transcends such categorisations? Identity is a key concept, expressed in different practices where gender is 'done' in a different way and is not linked to a particular form of sexuality. The theoretical framework in which trans studies is included is *queer theory*.

Sexual orientation

Gender theory includes an understanding of heterosexuality as 'natural', and that living as a heterosexual is the normal thing to do. Heterosexuality is taken so much for granted that it is made invisible – not perceived as a sexual orientation – and is portrayed as normal and desirable. *Queer theory* questions the normality of heterosexuality, as well as the assumed relationship between gender and sexuality. Queer theory is a set of analytical perspectives that question heterosexuality as the norm in society – so-called *heteronormativity*. The premise is that individuals are socialised into heterosexuality, i.e. heterosexuality is neither natural nor essential but constructed by repeated everyday actions (performativity) to conform to our social gender. Heteronormativity is built into the institutions of society, history, culture, as well as our actions, behaviours and beliefs, and makes heterosexuality appear self-evident, while other sexual relationships and identities seem unnatural and incomprehensible, and are punished. Punishment partly takes on more concrete forms, such as imprisonment and violence, and partly more invisible expressions such as marginalisation, invisibilisation, stereotyping and homophobia.

The notion of a 'natural' connection between gender and sexuality affects both teaching and the established *doxa* and production of truth within academia. Heteronormative practices within higher education help maintain a hierarchical order within the university. The review of the heterosexuality taken for granted within the university interrogates invisible rules, subtle indications and implicit expectations that make heterosexuality a natural, normal and desirable behaviour. The hetero norm does not only construct homosexual, bisexual and transgender persons as deviant; it hinders the desire to 'come out' about one's sexual orientation, as well as increasing the risk of discrimination.

Studies show that the perceived risk of being subjected to discrimination on the ground of sexual orientation was smaller in workplaces where people were openly gay than in places where they were not. LGBTQ persons develop different strategies to cope with and avoid the perceived risk of discrimination; some by being open and asserting their legal rights, by trying to perform better than heterosexuals, and by adapting to the norms that exist. Others choose to hide and avoid discussions about their personal lives or homosexuality in general and adopt a 'professional' role, and/or avoid being seen with people who are openly homosexual.

Education and research at higher education institutions reflect and reproduce the heterosexual norms that exist in society at large. A student can go through their entire education without being confronted with knowledge about LGBTQ issues. To take one example, studies of gender and sexuality in the required reading of a study programme in psychology at Uppsala University show that heteronormativity is primarily asserted by the fact that non-heterosexuals are made invisible and marginalised. Homosexuality is described as a deviation with specific and definable underlying causes, such as a mental disorder. Heterosexuality is never problematised; rather, it is the implied norm. At least during the first half of the 2000s at Uppsala University, it was possible to study a five-year programme in psychology without “ever having to utter the word ‘homosexual’”, let alone discuss it or learn to relate to it.

As for the medical programme, studies show that the formation of knowledge is heteronormative, as well as sexist with a serious gender bias. A review of teaching material used on a medical programme at Karolinska Institutet showed that homosexuality is portrayed as “risky lifestyles” and specific medical conditions. Heterosexuality is tied to “natural selection” within the context of the theory of evolution, which indirectly makes other sexual orientations unnatural.

One consequence of the lack of a critical perspective on heterosexuality in education is that those who train for practical professions – teachers, psychologists, social workers, police, healthcare professionals, and so on – enter the workplace without knowledge of how LGBTQ persons are to be treated professionally. In the required reading, which rarely provides examples of sexual identities other than heterosexual, they are made invisible and occasionally negatively represented. Furthermore, deep-rooted stereotypes about what homosexuals are *like* – e.g. gay men as promiscuous, effeminate and snobbish and lesbians as butch, ugly and asexual – are never questioned or discussed. At work, the break room is a place where heterosexual norms are produced and reproduced, in talks about family, children and holidays.

Queer researchers analyse the norm rather than the ‘deviance’, meaning that heterosexuality becomes the subject to be explored and explained. Queer researchers ask questions such as: Why is this practice (heterosexuality) the norm and why is it regarded as desirable and natural? Why does society sanction heterosexual couples specifically? And why is the couple relationship the norm? By questioning the things we take for granted, our understanding of the non-acceptable is broadened – a so-called norm-critical approach – which can help change and combat discrimination (for norm-criticism, see Lövkrona & Rejmer, part 2.2).

Ethnicity

Institutional discrimination

Ethnic discrimination is a well-known phenomenon in virtually all areas of Swedish society and has been described in several government investigations and reports that highlight both structural/institutional and individual discrimination. Structural discrimination that takes place within the world of higher education is largely identical to that which occurs in the rest of society – individuals who are perceived as deviant are discriminated against. Empirical studies provide a fairly accurate picture of the ways in which ethnic discrimination can be seen within academia, sharing many similarities with gender discrimination. Higher education is not only a male-connoted arena, but also a Swedish, white and middle class arena, possibly to an even greater extent than the labour market in general. However, a significant number of students at Swedish higher education institutions have a different ethnic background.

One of the most common forms of institutional discrimination is the requirement of oral and written knowledge of the Swedish language. Students who lack Swedish proficiency experience that they are prevented from studying and the opportunity of getting into the world of higher education and its Swedish culture. The level of preparedness for accepting these students varies greatly from one department to another. Poor language skills and the lack of inclusion procedures complicate studies and sometimes lead to students not being able to complete their studies. Empirical studies provide many examples of precisely the significance of the language barrier in terms of exclusion within the study environment. Language proficiency may also be included as a required qualification when recruiting university teaching staff.

The world of higher education is monoculturally Swedish, making students and staff of international backgrounds into a deviant element. The ‘Swedishness’ norm places major adaptation requirements on those who are considered to deviate from this norm – requirements that are related not only to study and work but affect everyday life and relationships with others in academia. To be defined as being outside Swedish normality can lead to exclusion from self-evident resources, and the need to fight for rights that are indisputable to other students and staff. Researchers and students with an immigrant background are encouraged to find ‘Swedish’ collaboration partners, ‘Swedish’ contacts and ‘Swedish’ friends to have success in their research applications and employment, and to learn from us. Being an immigrant is linked to inadequacy, made up for by Swedish colleagues and fellow students.

Students, but also staff with immigrant backgrounds, are left in a situation where they must relate to the role as ‘deviant’ and ‘foreign’. Children of immigrant parents, even though they were born in Sweden, are also often reminded of their (separate) position

– corrected in their use of language, forced to answer offensive questions, expected to explain their presence at the university and relate to the environment from a position of defence. “Many people say: ‘Wow, your Swedish is great!’, then you respond saying: ‘Yes, but I have lived here for quite some time’. ‘Really? Are you adopted?’”. Language and ideas about language skills are constantly used as a sign of exclusion. What you wear and if you have a foreign-sounding name often give rise to (negative) reactions as well. Empirical studies provide examples of lecturers being ridiculed by students for their accent or for making a slip of the tongue.

Invisibilisation and silence is described as another problem. Highly qualified researchers report that they are never asked to be supervisors of doctoral students, to perform expert reviews, to serve as an external reviewer or on an examining committee of PhD defences. There is a systematic exclusion of researchers with an international background, as it is usually the same people at a department who receive these assignments. Invisibilisation can be linked to a lack of recognition of academic qualifications, e.g. by not being asked to collaborate with colleagues, which is important at the outset, because you are defined as ‘political’. The difficulties are reflected in the fact that the higher up in the academic hierarchy, the fewer people with immigrant backgrounds you will find.

Ethnic stereotypes can still be found in teaching materials and required reading. Specific patterns of illness are linked to non-Swedish people or immigration and explained genetically. The medical programme at Karolinska Institutet features teaching materials that use the example of the “tuberculosis-infected person from Southwest Asia”, “the oppressed young Muslim woman”, and the “HIV-infected African”. As another example, in anthropological courses, movies are shown where other cultures are portrayed very stereotypically, without being questioned.

‘Everyday racism’ – discriminatory actions and behaviours

Interview subjects in several studies report how the people around them repeatedly emphasise their position as being outside the Swedish norm. This creates frustration and despondency, as well as tensions and stress. Even if each action cannot individually be perceived as discriminatory, together they form the condition for keeping the ethnic distinctions alive. This is one of the processes and mechanisms that reproduce inequality, described by using the term ‘everyday racism’, which refers to repeated everyday behaviours that recreate historical structures and have consequences for individuals in their everyday lives. Everyday racism is about emphasising and signalling the difference between the Swedish and ‘the other’. It involves comments, reactions, corrections, the way in which you ask or refrain from asking questions, body language, glances, gestures, etc., which are often not deliberate or even conscious. Everyday racism

is not constituted by a single act, and does not necessarily need to be directed against a single individual; it consists of recurring behaviours that together form a pattern that may be related to structural conditions and inequality. Structural discrimination within higher education against people with immigrant backgrounds, particularly those from non-European countries, manifests itself by systematically signalling that they are different and inferior.

The silence on the topic of ethnicity is in contrast to an ongoing discussion about gender, which has a natural place in the conversations carried out at a higher education department. Gender equality has a major institutional presence as well as considerable resources, indicating its legitimacy as an issue that must be addressed at the institutional level. There is a language to refer to gender inequalities, and there are theories and concepts that explain the way in which inequalities are linked to the current gender power structure. A similar language and discussion of ethnicity does not exist.

Ethnic discrimination is a gendered practice, which has different implications for women and men, but gender theory is not able to provide a sufficient interpretative framework for research. Ethnicity studies designed to explain discrimination and unequal treatment are these days based on an intersectional perspective, where various simultaneous forms of power relations are taken into account.

Ethnic discrimination or racism?

The Discrimination Act defines 'ethnicity' as having a certain nationality or origin, skin colour or other similar condition. Many researchers argue that the term 'ethnic' is problematic, as it does not have a specific meaning but refers to a type of cultural, linguistic and historical community that is hardly consistent with the immigrant population in Sweden. In everyday speech, the term 'ethnic' is often used synonymously with 'immigrant', although many who have immigrated to Sweden have a difficult time viewing themselves as an ethnic group. Discrimination today targets a very heterogeneous group whose most obvious common denominator is that they are considered to be 'non-Swedes'. The underlying ground for ethnic discrimination are notions that being Swedish and being an immigrant are distinct and signifying categories in different parts of Swedish society. The concept of an 'immigrant culture' is maintained as an opposite to 'Swedish culture'.

Ethnicity and culture serve as euphemisms that may sound less harsh than race and racism. The question of which concept is to be used instead of ethnicity is not an easy one, and there is much disagreement within the academic community as well as within politics and popular culture. 'Race' and 'racism' are presented by intersectionality researchers as a more accurate alternative; however, the term 'race' is taboo in Sweden.

The silence on race and racism is total in policy documents, action plans and teaching materials on issues on equal opportunities. Race is also not stipulated as a ground for discrimination according to legislation, unlike 'skin colour', which is unmistakably associated with the concept. In Swedish society, ethnic discrimination and racism are treated as historically and spatially separate and independent social problems. Racism is portrayed as an isolated problem called xenophobia and associated with right-wing extremist groups.

Speaking about race in Sweden (and in many other countries in Europe) is considered to be racist, except when the word is used in media debates and research. In the United States and other English-speaking countries, the concept of race is more frequently used, and those in favour argue that it is high time also in Sweden to replace 'ethnicity' with 'race', thereby emphasising how skin colour is the main factor of discrimination and calling it what it is – racism. Using the term 'race' would make it easier to conduct research on power relations and discrimination. The concept of 'ethnicity' moves the focus from skin colour to migration – to the person's geographical origin. Swedish empirical studies suggest that persons subjected to discrimination often perceive themselves as particularly vulnerable because of their skin colour and their appearance, and sometimes use the word racism and racist to describe the action. The uncritical use of ethnicity with its connotations of cultural diversity has contributed to essentialising differences between people. According to researchers, the notion of a static ethnicity (and culture) is not consistent with the ongoing dynamic formation of identity that actually takes place.

Currently, in Sweden there is an *Institute for Critical Race and Whiteness Studies* – a field of research that emerged in the late 1980s in the United States. Race is here defined as a way to divide people by physical indicators and linking certain bodies to certain regions and continents, and provide them with properties that date back to colonialism and the age of a 'scientific' approach to race. Race is a social category that, like gender, is constructed in a process called 'racialisation'. Critical race and whiteness studies are about critical reflection and research on what belonging to the white majority population really means. 'Whiteness' has the same function as the concept of cisgender, namely, to expose the norm and the system of norms that govern the relations between different races. In this system of norms, whiteness is constructed as the superior and privileged position.

Biological racism is no longer the only racist ideology. Racist ideologies are also nurtured by for example notions about religious and cultural differences. The dominant type of racism in Europe and the rest of the Western world today is made up of a combination of biological, cultural and religious arguments, and is referred to as *cultural racism*. Cultural racism is a racism without races and an ideological construction where notions about cultural differences are used to explain inequality between countries in order to legitimise a policy of distinction.

Religion or other belief

When it comes to discrimination, the border between ethnicity and religion often gets blurred. When religion is used synonymously with ethnicity, it almost always refers to Islam. Discrimination and unequal treatment of, for instance, women who wear a veil is discussed in terms of religion, culture and ethnicity, depending on the specific context. Religion seems to be a more loaded concept than ethnicity, and being discriminated against because of one's religion awakens strong emotions. The issue of discrimination in working life, usually on account of dress code requirements prescribed by religion, has been challenged on several occasions and also ended up in court.

Acknowledging religion as a ground for discrimination has generated complex questions about the line between equal opportunities, anti-discrimination and so-called normative multiculturalism.

Normative multiculturalism is a position of which the overall objective is for policies to show particular consideration to minority groups who have been victims of racism and discrimination based on ethnic or religious affiliation. Normative multiculturalism connects cultural affiliation and cultural identity with assumptions about moral rights and obligations on a collective rather than individual level. It claims that we are all equal, and that there should be equality between cultures. Issues pertaining to equal opportunities and religion are not only complex but also controversial and their political explosiveness is unlikely to subside. How should demands for religious special rights be handled? Where is the line between equal opportunities and discrimination? When is the right of one an act of discrimination against another individual or group?

The Discrimination Act includes an exception to the principle of equal opportunities through a special rule to provide further protection against discrimination based on ethnicity and religion or other belief. However, this rule is only reserved for folk high schools and adult study associations, i.e. general adult education, and is about distributive justice and not admitting students based on their qualifications.

Within intersectionality research there has been a discussion about whether religion – but also disability and age – is an equally pervasive power structure as gender, class, race/ethnicity and sexual orientation. The argument is that religion is something that can be eliminated by choice and that, in the future, religion will play less and less of a role in increasingly secularised societies. Gender equality, rooted in modernity, has led to a secular position and a critical stance on religion. However, the secularisation thesis has been revised as religion apparently plays an increasingly important role in both Western and non-Western societies. It is argued that religion has self-critically and unreflectively been identified with female subordination, and patriarchal and/or non-Western oppression. This especially applies to beliefs that fall outside the Christian

tradition. However, religion has proven to be a source of female empowerment and to provide space for (political) opposition. Feminist religious scholars argue that religion characterises people's social life and sense of identity, whether they are religious believers or not. Religion interacts with other power structures and is therefore an important dimension in an intersectional analysis.

Impairment and disability

Disability studies was previously part of medical sciences, and constructed as a medical problem. The aim was to find curative, palliative and/or corrective treatments. Within the social sciences research that emerged in the mid-twentieth century, scholars were interested in the social consequences of being impaired. The disability studies we see today has emerged as an interdisciplinary field from social sciences and medical research. A common feature of this research is that it conveys knowledge based on the insight that people with impairments are a marginalised group, that a reason for this is the way society is structured, and that impairment involves a stigma.

A major issue within disability studies and policy is who is to be considered disabled and why? How is the group to be defined and how shall disability be measured? The criticism is directed at those disability researchers who refer to differences in living conditions between people with and without impairments, based on the non-impaired person's values of what a good life entails; usually classic welfare components such as work, healthcare, housing etc.

Oppression of impaired persons is described in both a material and cultural sense. The material oppression can be found in the economic and political system; in institutional processes that prevent certain groups from developing and applying their abilities in the social community. The cultural oppression consists of institutional processes that make it difficult for some groups to express their experiences in public discourse. Participation for people with impairments therefore requires both a redistribution of resources and recognition. There is still a lack of empirical research on impairment and the processes of subordination.

From American disability studies with a focus on identity politics, a new research field has emerged – *Crip theory*. Crip theory is inspired by intersectionality research and continues the norm-critical tradition, turning away from disability/impairment and questioning normality, that is, notions of a *fully abled body* as the basis for who is to be considered disabled and why. The aim is to dismantle the category of disabled/impaired that leads to stigmatisation and marginalisation.

Crip (cripple) is a pejorative term that is deliberately (re)used and given a new meaning. Crip theory is described as a subversive activity and a strategy to create a positive

identity (critical disability) to critically examine the distinction between abled/disabled. 'Critical disability' is an identity and political position from which the majority society and functional perfection can be questioned. Crip is not the same as being impaired; rather, it is a stand against *ableism* (discrimination and prejudice against the impaired). Being a crip is to identify and oppose ableism, comparable to being a feminist and opposing the gender power structure.

Other issues that are scientifically and politically discussed are which concepts are to be used and in what contexts. 'Disability Studies' is used to describe the field, while the terms 'handicap' and 'handicapped' are banned from public discourse. *Disability* is the general term used in an accessibility perspective, that is, the barriers to participation and equality that creates exclusion. *Impairment* is used when the obstacle is seen from the individual's perspective. These two terms are seen as two sides of the same coin.

Several researchers emphasise the need for an intersectional perspective, while others believe that impairment, like religion, is not a central power structure. Intersectionality analyses are considered to be a challenge in terms of research on disability, and expected to help develop a new way of viewing normality and disability as interacting power structures. Issues of power were previously discussed based on the individual's opportunities to influence their everyday situation. It is important to study how these opportunities are distributed among people with impairments in different social classes, ethnic backgrounds, and genders.

Age and ageism

Age was not given the status as a ground for discrimination until 2009, and age-based discrimination in working life and in higher education has therefore not received much attention. However, age-based inequalities, power and discrimination are studied in many fields, focusing on stages of life for an individual – from childhood to old age.

The terms *chronological age* and *social age* are used to highlight the distinction between temporal age and the perception of age. Chronological age indicates the amount of time you have lived, whereas social age is a social construction. *Subjective age* is the perceived age – the identity age. The chronological age is the principle for civil rights and institutional age limits. The chronological age is partly legitimised by norms on social age, and is defined in the Discrimination Act.

Age discrimination takes place against all age groups, and within research the term *ageism* is used as an analytical tool to understand and describe this type of discrimination. Ageism is defined as 'stereotypical conceptions or discrimination based on a person's age'. Ageism is controlled by *age norms*, that is, cultural beliefs and perceptions of the 'typical' roles individuals take on during their lifetime. Ageism occurs

when conceptions and stereotypes are institutionalised, either explicitly through laws, rules and regulations about the use and distribution of resources, or implicitly through habits and practices. For instance, we have established a legal age for purchasing alcohol and going to see certain movies, as well as a retirement age, etc. Ageism can be social exclusion, such as spatial segregation, i.e. that certain rooms and spaces are reserved for people of a certain age.

Age coding is those distinctive practices that are based on and maintain notions about actions, phenomena and characteristics that are associated with and appropriate for certain delimited age groups. Some sectors of the labour market and certain professions celebrate youth, others seniority. Within higher education, both seniority and youth are celebrated – researchers are to be either young and promising or senior and established. Discrimination against the elderly is otherwise one of the most common manifestations of ageism. The attribution of knowledge, experience and wisdom to higher ages, which is common in certain contexts, also means that people of a lower age are ascribed ignorance and lack of experience, which can lead to questioning their suitability for performing tasks requiring more responsibility. Age coding is used as a basis for political decisions and the structure of organisations, and may therefore have discriminatory effects. Age codes can also be formalised in policy documents, etc., where they contribute to upholding norms about age.

Age discrimination appears as both structural/institutional and individual/everyday ageism. The subjective age, the identity age and the social age have bearing on whether a person feels that they are discriminated, but, according to the Discrimination Act, only discrimination on the ground of chronological age can be contested. Scientific analysis and knowledge is needed about the structural differences in how resources and opportunities are distributed between different age groups.

Intersectionality researchers have not discussed age as clearly as class and ethnicity in terms of power. As a power structure, age differs from other categories in that it continuously changes. However, similar to impairment, several studies show that age always interacts with other power structures, especially gender. The consequences of age discrimination are different for women and men, as is the way it manifests itself. When analysing age discrimination, the categories of class and ethnicity must also be taken into account and are likely to be highly significant. The image that previous research has created of elderly people as a homogenous group with problems and special needs does not reflect reality and creates prejudice and discrimination of individuals in all age groups.

Theoretical perspectives

Gender studies (formerly women's studies) is an area of research where the different conditions for women and men in society are critically analysed – in terms of the significance of gender in the workplace (and in higher education) and in society as a whole. The research has placed issues of gender as a starting point and produced extensive knowledge of how women are treated differently, discriminated against and harassed because of their gender, that is, because they are women. Research on *gender equality*, which refers to equal opportunities between men and women, has become research on *inequality*, where the central theme is equal opportunities and equal treatment of all people. This new focus has led to new theoretical approaches, such as *queer theory* and *intersectional perspectives*, to highlight unequal power relationships that cause individuals to be treated unequally.

The concept of intersectionality and intersectional perspectives has been used repeatedly in this exposition. This perspective currently dominates as a scientific explanation for inequality in society and by extension for the existence of discrimination and negative special treatment. The perspective is based on the awareness that gender is not the only structure of subordination and oppression – or *power structure* – in society; the living conditions of individuals vary depending on class, ethnicity and sexual orientation as well. Gender theory cannot explain these injustices, as it was created to explain the gender power structure specifically – the structural inferiority of women and superiority of men in society – so they require a different theoretical framework.

The intersectionality perspective has shifted its focus from equality to inequality as the subject to be studied and combatted. It has its roots in the anti-racist feminist movement in the US, and has become an important theoretical instrument for problematising power relationships based on gender, class, race, ethnicity, etc. The basis of postcolonial theories is a systematic interrogation of cultural, linguistic, historical and psychological demarcations created by Western colonialisation of the world.

Intersectionality provides a theoretical framework for analysing how power is constituted on the basis of socially constructed categories which are embedded in one another and that change in different spatial, historical and social contexts. Gender, class, ethnicity/race, etc. are such created (constructed) *social categories* that are ascribed different contents and properties. The properties that are attributed to a certain category, such as 'ethnic/ethnicity', are created by an 'us' that designates a different category as 'them' or 'the other'. These distinguishing practices are based on notions of equality and inequality. Inequality is created in power relations; it is about how individuals are approached and treated based on notions of difference. The norms, values, behaviours and identities of 'us' serve as the criterion of normality, and the other is deviant.

All discrimination is based on categorisation, and the intersectionality perspective draws attention to the actions that create superiority and inferiority between social groups or classes in society. The categories create superiority/inferiority between individuals and groups, where 'whiteness' is a superior group based on skin colour; heterosexuality is another based on sexual orientation. Inferior groups include those based on 'blackness' and non-heterosexuality. Sorting individuals into particular groups means making them superior or inferior, depending on which group they belong to.

Individuals experience power and oppression differently depending on their place in the system of classifications, and they constitute their identity as an aggregate of different, not always synchronised, identities which are activated in different situations. Having to sort experiences of discrimination into established templates can be perceived as a problem. Is the incident based on my being a woman, my immigrant background, or the fact that I am gay or working class? Empirical studies show that an individual may have a hard time determining the power structure behind the offensive action – for example gender or skin colour – in a specific context.

Within feminist intersectionality research there is a discussion about what makes certain power structures/categories more relevant than others and why. For example, some researchers believe that religion, disability and age are not as pervasive categorisations as gender and ethnicity. This notion is rejected by others, as noted above. The criteria stated are that in order for a power structure to be pervasive, it must be stable, relentless, antagonistic and exploitative. There is also disagreement as to whether such hierarchies are relevant, emphasising that the most important aspect should not be how unequal categories relate to one another, but how they are created, legitimised and reproduced. For instance, on what grounds can one assert that gender is more important than other power structures? Several researchers also point out the difficulties in combining several power structures in empirical analyses without ending up in a jungle of inferior/superior relations.

Intersectionality opens the door to a critical review of the theoretical premises of gender equality thinking and, by extension, the political consequences it has on equal opportunities work. An intersectional perspective means that categorisations of people's gender, sexual orientation, etc. can never be considered separately, as they are part of the power structures of society. Different power structures create a society in which power and resources are unequally distributed, and shape the living conditions for different groups. An intersectional perspective is therefore considered necessary in studies of discrimination, both with regard to its causes and to preventive and counteractive methods.

Within the EU, intersectionality is seen as an opportunity to handle so-called multiple inequalities or double discrimination. It is also in this function that Swedish politicians have embraced the concept, and the intersectional perspective has been clearly assimilated by the Discrimination Act. The listed grounds of discrimination are to be

valued equally, which indicates that the legislators have taken the direction in research that opposes a hierarchy of power structures. All are to be judged as equally important. However, the question of how an intersectional approach to equality and discrimination can be translated from scholarly analysis to practice and action still remains. Can intersectionality become more than a descriptive term to express the awareness that an individual may be exposed to multiple forms of discrimination?

*The presentation is mainly based on the literature stated in the list below. The text was originally published in *Resursmaterial för diskrimineringskydd* edited by Bodil Ryderheim (Lund University 2014).

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2.2 Norm criticism – a method for working with core values

Inger Lövkrona & Annika Rejmer

Discrimination, harassment and victimisation are based on norms. By categorising phenomena, opinions, appearances, behaviours and people as ‘normal’ or ‘abnormal’, boundaries and hierarchies are created and maintained in society, in the workplace and in institutions for education.²⁰⁷

For example, imagine a five-year-old girl in kindergarten wearing a pink princess dress. Does that feel acceptable to you? Then imagine a five-year-old boy in kindergarten in the same dress. Does it feel as acceptable? If not, you have probably identified a gender-related norm on children’s clothing.

Then imagine that the five-year-old girl has grown into a fifty-year-old woman who is about to attend the Nobel Banquet and decides to wear a replica of that pink princess dress. Do you relate in the same way to a five-year-old girl as to a fifty-year-old woman in a pink princess dress? If not, you have probably identified an age-related norm on how girls/women should dress in public.

Also imagine that the five-year-old boy has grown into a fifty-year-old man who is about to attend the Nobel Banquet and decides to wear a replica of that pink princess dress. Do you relate in the same way to a five-year-old boy as to a fifty-year-old man in a pink princess dress? If not, you have probably identified a gender and age-related norm on how boys/men should dress in public.

Does your reaction change if you transfer that thought about the fifty-year-old man in a pink princess dress to a drag show? If so, you have also identified a contextual norm. Then imagine that the fifty-year-old man, dressed in pink princess dress at a drag show, is wearing a well-groomed beard in the style of Conchita Wurst. How does that sit with you compared to the thought of a fifty-year-old woman in a pink princess dress with a

²⁰⁷ Swedish National Agency for Education 2009, report 326.

beard at the Nobel Banquet? Is there perhaps also a social gender-related norm in terms of bodily hair?

The example above illustrates how norms are constructed in different contexts and how they tell us what constitutes normal and abnormal behaviour, and how we subconsciously reproduce them. Norms are culturally constructed. The fact that they are constructed means that they can change. The boundaries of what is considered appropriate or inappropriate behaviour shift and move based on the context, period in time and situation. Our initial example illustrates this in a good way. Norms also differ geographically (between countries and regions, between urban and rural), between different groups within a given geographical area, such as social classes, ethnic groups, age groups, gender groups, professions and between different organisations, families and circles of friends.²⁰⁸

From this introductory background it is clear that in the process of developing a set of core values for Lund University, there is the opportunity to create new norms to help reduce discrimination, harassment and victimisation.²⁰⁹ In such a process, knowledge and an understanding of what discrimination, harassment and victimisation consist of are central. Previous research has shown that a norm-critical approach is useful in identifying and illustrating what those norms are, where they come from and how they operate. The aim of this chapter is to describe what norm criticism is and how it can be used in work establishing core values.

What is a norm?

Norms are thus ideas, unwritten rules about what is considered normal and abnormal, and they are constructed by beliefs and values that create expectations on individuals' behaviour, appearance and lifestyle. Norms also affect how we perceive ourselves and how we identify or unidentify ourselves with the positions offered. Norms also contribute to 'us' labelling and attributing positions and group affiliations to 'them'. The notion of the norm as 'natural' is based on repeated actions through which the norm is reproduced, and as long as it is not reviewed and challenged, it cannot be changed. Anyone who fits the norm confirms it, while those who deviate from it risk being stereotyped, punished or made invisible. A person who lives in accordance with several norms (such as a white, Swedish, heterosexual, middle-class cisgender man of a working age without disability) is usually not going to notice the discriminatory effects of norms. However, those who deviate from the norm are constantly reminded of their deviation, and risk various forms of sanctions, ranging from subtly nasty comments,

²⁰⁸ Baier and Rejmer 2005; Baier and Svensson 2009; Rejmer 2014.

²⁰⁹ Bromseth and Darj et al. 2011.

humiliating jokes, ostracism, and violence to structural discrimination and victimisation.

To summarise, norms are the basis for discrimination, harassment and victimisation because everyone does not fit into the norms, due to social class, disabilities, ethnicity, age, sexual orientation, gender identity, gender, etc. Why do, for example, women make on average SEK 3 700 000 less than men in their lifetime? Or put differently, why should men have a city house or an expensive summer cottage on the coast, despite generally being less educated and only slightly more gainfully employed than women?²¹⁰ The example illustrates that norms are also connected to power in that social practices, i.e. the everyday knowledge and understanding of the world, our beliefs and common preconceptions, continuously create hierarchies that generate superiority and inferiority. If the objective is to reduce discrimination, harassment and victimisation, the work should begin with reviewing and if necessary change the norms that exist.²¹¹

Norm-critical methodology

Norm-critical methodology (and norm-critical teaching) is an integral part of the production of knowledge about norms. Norm criticism emerged from intersectionality research, which is an analytical and practical tool to study and highlight discriminatory power structures, and was developed within critical pedagogy, initially within school, but later in other workplaces as well.²¹² The method analyses norm-critical education based on four approaches, at different levels:

- Education for the *Other*
- Education about the *Other*
- Education that is critical of the construction of privileges and dual identities
- Education that helps change

The *Other* in this context refers to persons who feel that they are discriminated, harassed or victimised. Education for the *Other* (e.g. group divisions to empower women) and about the *Other* (e.g. occasional lectures or department meetings that raise the issue of gender or bullying) do not highlight norms; rather, they may contribute to the creation of an ‘us and them’ dichotomy, as well as to stereotyping.²¹³ Research shows that the greatest success is achieved by critical programmes aimed at changing the norms, where

²¹⁰ Rejmer and Sonander 2013.

²¹¹ Martinsson and Reimers 2014.

²¹² In this book, intersectionality is addressed in detail by Inger Lövkrona, part 2.1.

²¹³ Bromseth and Darj et al. 2011; Larsson and Rosén 2009

the focus is not on the *Other* but on how structures create oppressive norms through social practice. Structures, in other words, that contribute to the construction of power by the way we understand ourselves, others and the reality we live in. Accordingly, norms do not only form identities, but also institutions and institutional practices. As an example, core values signal values that generate norms that in turn shape both the identities of staff and students, as well as the culture and organisation of the workplace.

Norm-critical practices

Norm-critical knowledge strategies that challenge established power structures and the discursive framework that we relate reality to can help change norms through reflection.²¹⁴ Such a norm-critical strategy is used in the Lund University course *See the human beyond! (Se människan!)*, which will be presented later on in the book (Brage, part 3.3) and aims to make people aware of hidden norms. The method is used to turn our attention away from the 'other' to ourselves and the 'us', and examine our preconceptions. This can be done by creating situations where those involved must actively reflect on their own and other's expectations, beliefs and powers. Our very ability to see what our preconceptions are could be enabled by the strategy of turning the perspectives around.²¹⁵ This can sometimes be perceived as comical, as doing the opposite seems absurd. However, this approach really pinpoints the heart of the problem: People in a position of power do not need to explain or excuse themselves – they are natural and normal. Can we, for instance, ask an immigrant non-white person if they would be OK with contacting an administrator who is white and has a Swedish-sounding name? Or ask a heterosexual person what their parents said when they came out as heterosexual? From this perspective, the norms and powers that exist within a workplace should be studied closely and in the workplace as a whole, and not restricted to questions of how, for instance, to respond to Muslims and 'their specific culture'. This can be done by asking oneself questions about what type of food is to be served at office parties, or what opportunities there are to request time off for holidays that are not marked as such in the 'Swedish' calendar. This shifts our attention from 'them' and 'their' to a general examination of the norms that exist in the workplace, and how they affect future and current employees.²¹⁶ Another way of adopting a norm-critical approach in the workplace with regard to structure, procedures, etc., is to use the set of questions provided in the annex to this chapter. The questions are designed to identify normative unexamined values and practices in research group work, in the workplace as a whole, and in the work environment. To sum up, a norm-critical perspective creates

²¹⁴ Talburt 2000; Kumashiro 2002.

²¹⁵ For example, see Åkerlund, BRYT, 2011.

²¹⁶ Britzman 1995.

conditions for thought and reflection that lead to a change process of individuals by giving them the opportunity and support to start reviewing their own values and beliefs.

Norm criticism also includes a structural analysis of norms, which requires insight into the power relations that govern and construct individual organisations and society at large. In other words, a norm-critical perspective turns the work on equal rights and opportunities into a larger societal issue. Norm criticism can be said to be a way of seeing how power is produced and reproduced on different levels – from personal encounters between individuals, to a structural level where it is about the allocation of resources and access to public services such as employment and education. With the help of a norm-critical perspective, we can discover, and change, certain structures and norms, instead of trying to make individuals fit the mould. When structures, rather than individuals, are adapted and expectations change, there are opportunities for sustainable and long-term systemic change as well as a change in people's behaviours.²¹⁷

Norm criticism in the work on core values

A norm-critical approach can be used in work on core values at Lund University to a greater extent than has been done so far, and in a more deliberate way. The method has been successfully applied in the leadership programme AKKA (Lövkrona, part 3.1). Experiences from previous core values initiatives, such as the school curricula from 1994 that were aimed at protecting the equal value of all people, show that despite their good intentions, they include contradictions and thereby become problematic when the rhetoric is to be put into practice. Their focus is on the grounds of discrimination, conveying a message that those who belong to the norm are to tolerate (not victimise) those who are outside, thereby creating a power structure that assigns a superior position to those who fall inside the norm (norm consolidation). A norm-critical approach is also applicable for combatting the structural discrimination that is an integral part of the academic culture and expressed in the academic values that are included in Lund University's core values.

The common basic values for central government employees clarify that government authorities are obliged to protect human rights, regardless of the grounds of discrimination. Accordingly, they do not consolidate norms. Everyone – public, staff, and students – is equally entitled to have their case at Lund University processed in a respectful, objective and impartial, socially and gender equal, efficient and service-oriented way.

²¹⁷ Bicchieri 2006.

The basic values for central government employees thereby open the door for changing existing norms and creating new ones. When the aim is to implement the basic values for central government employees it is helpful to apply a norm-critical approach. The basis of norm-critical work is knowledge about how normativity is developed and how norms are maintained. Working for change thus requires knowledge about the norms that result in the failure to uphold human rights in the organisation. All staff and students must participate in this work so that not only those who fall within the existing norms are heard. Efforts to change existing norms also require an intersectional approach to explore how different norms are intertwined and reinforce one another.

How can the work to establish core values be conducted? Based on the article “Core values for government employees and academic freedom” and previous implementation research, a successful method for change when implementing a set of core values at Lund University should include the following steps (Rejmer, part 1.3):

1 Map and analyse the current situation – what are the problems?

The implementation of the common basic values for central government employees at Lund University should begin with a change process, conducted through norm-critical workshops at all levels of the organisation, in order to identify and highlight preconceived norms that enable the principles of the core values (on *democracy*, *legality*, *objectivity*, *free formation of opinion*, *respect for the equality of everyone*, *efficiency and service*) to be discussed and negotiated based on the perspective of the students and different staff groups. What does it mean to say that Lund University is working on behalf of the people (*democracy*) from the perspective of the public, students and different staff groups? What does *legality* mean based on, for instance, the Higher Education Act, which states that universities are to promote a sustainable development, gender equality, a better understanding of other countries and international circumstances, as well as promote widening participation at universities? What does *objectivity* mean in connection with admissions, examinations, etc., from a student perspective, and in terms of appointments and promotions from the perspective of different staff groups? What does *free formation of opinion* and *freedom of expression* mean to different staff groups? How does Lund University show *respect* to the public, students and staff? How do we treat people within and outside Lund University over the phone, via email, at meetings and seminars? Furthermore, the interpretation of the concept of academic freedom should be mapped and discussed among teaching staff and researchers to reach a consensus on its meaning and actual significance at Lund University. The analysis should also include discussions on how and why these norms have emerged, in order to understand which structures generate norms. In addition to the mapping and analysis of existing norms, the objective of the workshops is to convey knowledge about the core values and make students and staff aware of the need for

possible changes in order to meet its requirements, and the development potential of the organisation.

2 Draw up a set of core values that are adapted to the specific government authority – how should Lund University operate based on the common basic values for central government employees?

Based on the mapping and analysis described above, a proposal for a complementary set of core values for Lund University should be drawn up in which the principles of the common basic values for central government employees are adapted to the operations at Lund University, and where any additional specific value words are incorporated.

3 Justify the core values – how do we want to operate and what support do we need to implement the core values?

The next step should be to initiate support and justification of the core values throughout the organisation. This could preferably also be carried out by conducting workshops at different levels of the organisation, where the draft of the core values is norm-critically discussed from the perspective of the students and different staff groups. The objective is both to ensure that the design of the core values does not create new structures that will lead to exclusion or undesired normativity, and to identify the structural support needed when implementing the core values. This could involve clarifying the description of the allocation of responsibilities in the University's governance models, and the meaning of the concepts of exercise of public authority, general administrative matters, and academic freedom, as well as identifying the need for new procedures (e.g. decision support) and routines, in order to comply with the core values.

4 Develop structural support

The results of the justification efforts should then be compiled and analysed, and form a basis for developing practical, structural support for different tasks at different levels of the organisation and to different groups of staff, to incorporate the core values into the daily and strategic work at the University. Evaluations and regular revisions of the supporting structures ensure that they remain user-friendly and applicable regardless of any structural changes. In addition, channels for raising alarms about internal problems should be considered to support continuous evaluation and quality assurance of the activities at Lund University.

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<http://www.jamstall.nu/fakta/normkritik>

<http://www.jamstall.nu/verktygslada/normfragor/>

Annex

Questions for a norm-critical approach in the workplace

Concerning the research group

- What is the research group's composition with regard to gender, ethnicity, age, etc.? Is the composition functional and sustainable (e.g. in a 5-year perspective)?
- *Why* is the group composed in this way? *What* can be changed? *Should* anything change? In what time perspective?
- Who is the leader and what other roles are there?
- How does the research group (co)operate? How are collaborations going with other research groups?
- How is the work organised? What rules and procedures are in place? What practices apply?
- How is power (formal and informal) distributed?
- Are there different types of privileges? What are they? For example, who is allowed to attend conferences? Who is permitted to speak for the group? Why?
- How are conflicts and objections handled?
- How are ideas received? Are there forums for discussing this?

Concerning the research work

- What research perspective is encouraged? (Formally and informally?)
- Does it include research from a gender, intersectional and queer perspective?
- What is the group's stance on quality, skills and recruitment issues?
- Is the literature used gender-biased?

Concerning the workplace

- What is encouraged in the workplace?
- What social qualities are considered to be of little/much value?
- Who is the 'hero/heroine', i.e. someone to look up to with high esteem?
- What is considered normal/acceptable behaviour? Abnormal and deviant?

- What significance do academic traditions, rituals and ceremonies have for your organisation?
- How is the organisation perceived by other academic organisations?
- What opportunities/problems are there in the workplace with few men and many women?
- Where in the organisation/research group is the current gender balance significant/insignificant? Why there? What does this mean for the organisation? Is it important to change this situation? Why?
- What is it like being a man or a woman in a workplace with a lack of men? In what ways can this be seen?
- Is there a risk that male employees are excluded? Harassed? Victimised? Do men get more attention? Greater responsibility? Do women face more criticism, and are they forced to work more actively to have a voice in the group?
- Is your workplace mono-cultural? Why? How can this be changed?
- Does everyday racism occur? In what form?

Concerning the work environment

- a) Is there a particular jargon?
- b) Where is the line drawn between a joke and inappropriate behaviour?
- c) Do sexual harassment, gender harassment and victimisation take place?
- d) What can be discussed with a research group context? What cannot be discussed, and is considered inappropriate?
- e) Are many different opinions allowed in the group and at the department?

2.3 Master suppression techniques, counter strategies and affirmation techniques – concepts to understand and combat discrimination within academia

Inger Lövkrona & Tomas Brage

Master suppression techniques – introduction and background

Master suppression techniques are practised in everyday activities in the workplace, in meeting rooms and break rooms, in research groups, during seminars and other study situations. They are a form of individual discrimination (for the concept of individual discrimination, see Lövkrona in this book), and are a manifestation of gender inequality and social inequality in the workplace. Master suppression techniques are about the exercise of power against another person or group. They are a means to exercise or demonstrate power over others by putting someone down and thereby securing a superior position. They are a form of everyday discrimination, often routine and unintentional actions, but just as often intentional and deliberate. Master suppression techniques are enabled by hierarchical social and institutional structures, and by cultural stereotypes and norms.

The term ‘master suppression technique’ which was coined by the Norwegian psychologist and philosopher Ingvald Nissen in 1945, to explain the Nazi seizure of power during World War II in the book *Psykopaternas diktatur* (Dictatorship of

Psychopaths).²¹⁸ Some twenty years later, in 1978, Nissen's nine master suppression techniques were translated into five (and later seven) by the Norwegian peace activist, politician and professor of social psychology Berit Ås, and were assigned a radical feminist meaning – master suppression techniques (hereafter referred to as “suppression techniques” in the present text) are methods used primarily by men against women, and an expression of patriarchal structures. Ås calls them “discriminatory mechanisms in society against women”, hidden and interspersed in the societal structure. Suppression techniques are not only techniques to discriminate against women; they are also an analytical category and as such they have the potential of being (gender) political and aim to reveal and identify hidden mechanisms.²¹⁹ By formulating “counter strategies” and later “affirmation techniques”, Ås shows that suppression techniques have an inherently transformative power.

The original meaning of the concept of suppression techniques is thus discrimination against women in the workplace and in the public sphere. They are a means to exercise power against women to maintain a position of superiority that is perceived as threatened. In society, it is mainly men who hold positions of power, but also women in powerful positions can apply suppression techniques. The fact that also women protect their positions of power by assuming gate-keeper positions is well established in research.²²⁰ Suppression techniques are also present in other social relations practised by individuals/groups with power over individuals/groups with less power. Analysing suppression techniques can thereby help identify how power structures other than gender – such as race, class, ethnicity, sexuality, etc. – are upheld. However, as will be examined below, it becomes problematic when the concept of suppression techniques is used in popular culture contexts to mean ‘manipulation’, exercised in all social relationships by everyone, regardless of their position of power, and taken from their theoretical framework to describe everyone's oppression of everyone, in all situations. Suppression techniques are based on a theory of power, and lose their analytical and political potential if the power aspect is removed.

Berit Ås's suppression techniques/master suppression techniques are now general knowledge and well known far beyond the Nordic region, even though Ås has not written more than a few articles on the subject. Since the 1970s she has, however, been active in spreading awareness about them as a UN delegate, EU politician, and by giving lecturers and countless interviews. When meeting with women from all over the world, she believes she has discovered that the same pattern of treatment of women exists everywhere, because it is rooted in a patriarchal society with a global reach.²²¹

²¹⁸ Nissen 1945.

²¹⁹ Ås 1982:9.

²²⁰ E.g. Husu 2004

²²¹ Ås 1982:8; Lönnroth 2008:11.

Suppression techniques, counter strategies and affirmation techniques – methods to be used in the work on core values

Here we will describe in detail Ås's suppression techniques as well as the counter strategies and affirmation techniques developed by her (and others) to, as Ås puts it, "defuse" suppression techniques.²²² The first step in any work for change is *awareness*. An awareness and acknowledgement that something has happened gives us something to work from – an experience to feel and relate to. The second step is to respond to the suppression techniques with *counter strategies*. Counter strategies are a way to manage when faced with suppression techniques by exposing, intellectualising and criticising them. The third step is to set a good example and this is where *affirmation techniques* come into play. Affirmation techniques can be performed by not only those who are subjected to suppression techniques, and used to change the social climate in both the current situation and in the long term.²²³

Suppression techniques, counter strategies and affirmation techniques can be used in the work against discrimination to promote equality and diversity. The method can be used to, for example, deal with the psychosocial work environment problems that came to light in the employee survey in 2012,²²⁴ but also as a tool for structural change of the academic culture. In the AKKA programme, the method was successfully applied. Participants were asked to create role plays and cases where the techniques were illustrated based on their own experiences in academia. Berit Ås's five suppression techniques have many similarities to, and partially overlap, the discrimination of female scholars, which Professor of Sociology Liisa Husu at Örebro University, has identified at several higher education institutions in Finland, and which are presented elsewhere in this anthology.²²⁵

Berit Ås began by defining five suppression techniques, but has recently expanded them with an additional two. These, along with the relevant counter strategies and affirmation techniques, are presented in the table below.

²²² Ås 1982:36.

²²³ The descriptions are based on Jonasson et al. 2003; Widén 2014.

²²⁴ Cf.f. Eldh, part 1.2.

²²⁵ Husu 2005; Lövkrona, part 2.1

Suppression technique	Counter strategy	Affirmation technique
Making invisible	Demand attention	Acknowledge
Ridiculing	Question	Respect
Withholding information	Be honest	Inform
Double binding	Break the pattern	Enforce double reward
Blaming and shaming	Intellectualise	Affirm reasonable norms

Let us go over the different techniques and address some examples of what they could entail.

Suppression technique: MAKING INVISIBLE

Making someone invisible means acting as if the person weren't present, for instance, by ignoring what someone says during a meeting. It can be difficult to instantly detect when someone is being made invisible, as it often happens through body language and gestures. It could be to, in different contexts, not introduce a person by name, or even mention the person's name, but also to talk about the person's work and efforts in a way that diminishes them. More indirect techniques involve diverting attention from a person when he or she talks by creating disruptive noises, such as dragging your chair, shuffling papers, coughing and clearing your throat. But it can also involve a lack of gestures and response, for example, if no one takes notes or asks questions when you speak, indicating that they are not interested in what you have to say. It could also involve a person consistently turning their back to someone who is speaking.

The **counter strategy** is to demand attention, require respect and avoid ending up being a victim and feeling diminished. The perhaps most important aspect to remember in such a situation is to not show your anger or frustration, but rather in a calm and confident manner demand the right to be heard or seen. You should act immediately – if you wait, the damage may already be done. You have to take a stand, showing that the behaviour is unacceptable.

The **affirmation technique** is acknowledgement – listening to others, responding and providing constructive criticism. To help create an alternative culture where suppression techniques are not applied – a culture of mutual respect – it is important take people seriously and show that you are interested in what they do. By listening, responding and providing constructive criticism, you acknowledge and affirm others. This will generate mutual respect and indirectly give acknowledgment to you. A concrete example is that if someone has been deprived of attention for an idea they had, or ignored when something is proposed, return the focus of this person.

Suppression technique: RIDICULING

To ridicule someone is to, in different ways, express or imply that a person is ridiculous, incompetent or inadequate through jabs and jokes, etc. If the person who is subjected complains of being ridiculed, they are accused of lacking a sense of humour. Ridiculing women and traditionally female traits and characteristics is common in our society, so common that they are imprinted even in our language. Women “chatter” and “gossip”, and are called bitch, whore, silly girls, hysterical, hussy, slut, etc. The ridicule is reproduced through jokes that compare women to chickens (that cackle!), magpies, cows, muttons, etc. The ridiculing words for women appear to exceed by far the equivalent words for men.

The **counter strategy** is to question, to not fall back and simply take it, to not let bad jokes go unnoticed. A word of advice if you are subjected to a rude and degrading joke or comment is to simply make the person responsible for the joke explain themselves. The best way to do this is to avoid counter attacks; instead, calmly ask the simple question: “What did you mean by that?” Do not conform to the belittling framework provided, but rather stay calm and act according to your own definition of yourself as someone who is big and strong and demands attention. Own the room! Do not get caught in feelings of humiliation and shame triggered by the counterpart. Argue on the basis of your entire expertise; do not fall into the trap of reducing (infantilising) yourself. Do not let the joke go by unremarked. Put a hold to the conversation and demand that the ridicule is analysed. Stay calm and logical, and make it clear that you do not accept this treatment. Never laugh along!

The **affirmation technique** is to respect, take people seriously and support the person being ridiculed. Take a stand by pointing out that ridicule is unacceptable behaviour. In any situation, and not least in one as this, the right moment for affirmation is immediately when it happens – a comment a day later is worth very little compared to acknowledgement immediately when the ridicule occurs. The opposite of ridicule and infantilisation is to respect, respond seriously and support the person in question, so that they feel that they are important and treated as an adult. The person affected can be given the mental space they need by asking questions about their views and opinions. In a meeting it can be good to have several people supporting one another. It also helps being well versed in the relevant subject. Ridicule will then not as easily take root.

Suppression technique: WITHHOLDING INFORMATION

Knowledge and information is power, and not being included in this regard leaves far fewer opportunities for participation and democracy. Informal information is exchanged, and decisions are made in informal and invisible ways and settings, not least within academia. Having information and withholding it is a power that could mean

that a person or group is prevented from acting as they would have, had they known better. Not having access to news, meeting documents, minutes, send-outs or invitations could lead to the person affected not being able to act on time or in the right way. It is well attested that secrecy and lack of transparency is a threat to equality.²²⁶

The **counter strategy** is to point out that you have not received the information that seems obvious to others; to demand that important decisions are not to be made without preparation and explain that you need time for reading. Question why decisions (that require your involvement) are made over your head. If everyone else is discussing something as if it were obvious, let them know that you have not received all the information. If you are repeatedly subjected to the withholding of information, inform the person who is mainly responsible (e.g. a manager) that there is a structural problem that prevents you from receiving information that you are entitled to. No decision can be made in a working group where some or someone are absent or have not received sufficient information.

The **affirmation technique** is to inform and include everyone, and through words and actions show that you desire transparency and openness. To avoid withholding information yourself, you should make sure that all parties are involved in all decision-making processes. If you have discussed a project or similar outside working hours, and arrived at important conclusions, be prepared to present the discussion and how you reached your conclusions. Furthermore, you must be prepared that any decision must be postponed to a later date.

Suppression technique: DOUBLE BIND

“Damned if you do and damned if you don’t” – double bind means that a person is made to feel as if they are doing the wrong thing, regardless of what they do. It can manifest itself in the form of parents with small children being punished for being late or not able to attend a meeting – and if they do attend, being viewed as bad parents. If you are thorough you are told that you’re fussy – and if you aren’t you are careless; if you are firm you are called bitchy – and if you aren’t you are indecisive; and if you try to take other people’s opinion into account you are dismissed as being weak – and if you don’t you are nonchalant. The demands may accumulate, from your partner, children, manager and gym buddy, who become disappointed and angry when you don’t have time, or have other priorities.

The **counter strategy** is to break the pattern; to be aware of your own priorities and to yourself define what is most important. Considering your own priorities can make it easier to respond when faced with a double bind. The key is to break the pattern of negative projections by 1) demanding answers to questions such as how strict a deadline

²²⁶ Nielsen 2015.

is and what happens if it is missed, and 2) explaining your current priorities, and discussing the consequences of them and whether or not this is acceptable to the manager/family/friend. The choice will then be with you to define the things you find most important. When subjected to the feeling that everything you do is wrong, you can run a mantra through your head: “I know why I do what I do; I know what is important to me in life”.

The **affirmation technique** is a double reward – assume that everyone is doing their best based on their abilities, and let them know where you stand and provide support in the form of words and actions. Double reward means having the people around you place expectations and demands on you that are based on the valuation that whatever you do, you are doing the right thing. This perspective is easier to assume if you believe that everyone is doing their best according to their ability. This thought process also makes it easier to approach others, for although people try to do their best based on their ability, this does not mean that they can do no wrong – quite the contrary. Showing up late at meetings or when picking up your children at day care is not right, but by assuming the position that the person did their best to get there on time, you can explain the importance of being on time and discuss how to proceed in the future, rather than becoming upset or disappointed.

Suppression technique: BLAMING AND SHAMING

The fifth suppression technique means being made to feel guilty or ashamed about something you did, about a characteristic of yours, an incident or situation, even though you as a person were not the determining factor for triggering the incident or situation. This suppression technique is related to the fourth technique –double binding – and is also to some extent more unclear and elusive than the first three categories. Blaming and shaming someone can be described as the combined result of exposing someone to the four preceding suppression techniques – a person who is withheld information and made to feel invisible, ridiculed and subject to a double bind, in the end has no other choice but to internalise this message and feel guilt and shame: “I am a failure, everything is my fault”.

The **counter strategy** is to intellectualise – make yourself and others aware that your feelings of guilt and shame were applied by someone else. It is not easy to define a clear counter strategy, but an important first step is to become aware that someone else is responsible for blaming and shaming you. Putting your feelings into words is already a help. Whenever possible, try to take a step outside of yourself and intellectualise situations in which you most recently felt guilty and ashamed: What was the situation like specifically? Why did you feel guilty? Then consider your surroundings: How do you think others experienced the situation? Was it a situation that could be perceived as problematic or ridden with anxiety to others as well, and can it be that someone –

intentionally or unintentionally – was trying to dump their problems onto you? Was there a *hidden* message in what was conveyed to you, and how would you put this into words?

The **affirmation technique** is to affirm others but also yourself; provide backing and positive feedback; give praise and show that you want to support and encourage. The opposite of blaming and shaming someone is any type of behaviour that provides them with affirmation, backing and support. Through a broader understanding of cultural patterns, you can remove feelings of guilt and shame that were placed on you that are beyond reasonable. Because blaming and shaming someone takes place on a general level, and attacks from within, the affirmation technique must also start from within, by you seeing yourself and others with your own eyes, and define new, *positive* norms for the life that you have chosen. Affirming yourself also involves affirming others.

The two suppression techniques that were later added (1982) – OBJECTIFICATION and FORCE OR THREAT OF FORCE – have not been elaborated to the same extent as the other techniques, which is not to say that they are not as important. On the contrary, Berit Ås stresses that IF we could “offer resistance to objectification, the other suppression techniques would be rendered ineffective”.²²⁷

Manipulation?

During the 2000s, Berit Ås’s suppression techniques have been given a new ‘career’ within more or less serious training programmes and workplace manuals. In this genre of popular culture the suppression techniques are taken out of context, as a whole or in part. As an example, a handbook published in 2014 claimed that Ås’s definition of suppression techniques as something that men exercise over women is a thing of the past. Today suppression techniques can be seen in many different forms and contexts beyond those described by Berit Ås, where gender and positions of power are key. In texts like these, suppression techniques are mutually exercised by people who are professionally at a disadvantage or advantage; young against old, and vice versa; women against men, and vice versa, etc.²²⁸ Suppression techniques are reduced to a behaviour that is present in all social relations, regardless of their position within the organisation or in private life. Power is perceived as individual and situational, rather than relational and structural. While “ruler” – the person exercising power – is described as a gender-neutral word, it has a masculine connotation, as when it is used to describe women this is often specified. The power-neutral approach to the analysis is described as more complex in that it questions the conventional distinction between victim and

²²⁷ Lönnroth 2008:16f.

²²⁸ Ländin 2014:12.

perpetrator. Anyone can be both a victim and a perpetrator depending on the situation.²²⁹ This is the very point that Ås wishes to make, that the positions as the victim/perpetrator are structurally – not individually and situationally – determined. The suppression techniques become more of an annoying behaviour that anyone can impose and be subjected to.

On top of Ås's seven suppression techniques, there are (at least) seven so-called 'modern' suppression techniques or methods: Projecting, complimenting, using methods of hierarchy, time, stereotyping, being the victim, relativism, and other tricks and techniques. Looking at some of these examples, the person *being the victim* is said to "rule" by making themselves into martyrs, both privately and professionally, and this can be found in both men and women. *Other tricks and techniques* are kindness, femininity, masculinity, pregnancy, complicated language and finally a self-inflicted suppression technique, which means that the person who is subjected to the suppression technique have partially themselves to blame, and turn themselves into the victim.²³⁰ Similar techniques are described in several other books.²³¹

It is clear that the meaning of the analytical concept of suppression techniques and the theoretical framework of gender power have here been lost; in fact, any structural power theory whatsoever. The power concept has thereby lost its base, which is further reinforced by the exercise of suppression techniques being called "manipulation".

What happens to the potential for change inherent in the concept of suppression techniques as a tool to identify oppression of subordinates in the public sphere and at work, when they are redefined as everyone manipulating everyone in all settings? Manipulation is a technique to benefit oneself at the expense of another. Its original meaning is about gaining power. Even those who have power can manipulate, but usually don't need to as they, given their position, are able to exercise power.²³² Manipulation is a means to have it your way, and is generally selfishly motivated – exploiting others to gain an advantage. Manipulation as a concept has clear female connotations as women are stereotyped as being 'manipulative'.

We have come a long way from the original meaning of the concept of suppression techniques and its relation to the exercise of power in order to reproduce an often male superiority. Does it matter if organisational consultants have their own interpretation and want us to believe that suppression techniques are about manipulation and not discrimination? The authors of the present text participated in a training day at one of

²²⁹ Thomsson & Elvin-Nowak 2010/2014:248f.

²³⁰ Ländin 2014:55–92.

²³¹ Bergqvist 2007; Thomsson & Elvin-Nowak 2010/14; Eksvård 2015.

²³² The Swedish handbook "Vardagsmakt" (Everyday power) is published as a self-help book that lists 10 methods to help a person regain control of their life: Social power, financial power, power of authority, power of silence, power of sensation, power of truth, power of appearance, power of promise, power of intimidation, and power of knowledge (Eksvård 2015:277).

the University's administrative divisions during the autumn, where we presented the core values project. The same day, the management team had invited a consultant to conduct an exercise about suppression techniques based on a book they had written. As part of the presentation, the role of "being a victim" was discussed, recognised and condemned as being annoying. None of the participants reacted by finding that the individual/stereotype identified as being the victim was in fact a person with low self-esteem who should perhaps not be treated in the manner proposed in the manual, which appears to be more like bullying than help.²³³ The training was concluded with a game of "suppression technique Bingo" where participants were asked to answer questions about whether or not they themselves had been subjected to or exercised any of the suppression techniques, by holding up a red or green piece of paper. Don't take us the wrong way, it is important to use teaching methods that include an audience – to conduct case studies or stage situations, for example, have proven to be very successful when teaching about suppression techniques. People often find that it is much easier to dominate than to affirm or use counter strategies. This leads to awareness – the first step in combatting suppression techniques.

Conclusion

Suppression techniques continue to be a highly important tool when working against discrimination and for a better working environment. To be effective and remain relevant, it is important that the methods are based on research – not least within academia. In the spirit of Berit Ås, it is necessary to maintain the analysis of power and power structures, otherwise the work may even have the opposite effect and, as the example above, lead to bullying of people who happen to have poor self-esteem.

²³³ Ländin 2014:79f.

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Photo by Emma Krantz

2.4 Higher education in transition – inclusive teaching

Annika Rejmer

The role of universities in society has changed over the last 30 years. Among other things, the change has meant that the number of students has more than doubled.²³⁴ At the turn of the new millennium, the Swedish Government established that a well-educated population is a necessity for continued growth and welfare. The long-term objective was specifically that 50 per cent of individuals within each age group would have begun studying at a higher education institution by the age of 25.²³⁵ A condition for increasing this proportion of the population was to widen the recruitment base. Swedish higher education institutions were therefore instructed to reduce the social and ethnic bias through widening participation, and to continue the internationalisation of education (see Chapter 1, Section 5 of the Higher Education Act).²³⁶

This article discusses the legal demands placed on universities, who is responsible for upholding them, how well they are upheld, and the effect that widening participation has on gender equality. Because of their new role, universities have also faced new teaching challenges. In this article I will discuss an interesting teaching method – inclusive teaching – as well as the conditions for developing education by providing support to teaching staff in order for them to face and handle changes in teaching.

²³⁴SCB (Statistics Sweden), statistics on students registered at higher education institutions: academic year 1977/78: 176 000 students, 1987/88: 287 000 students, 1997/1998: 319 000 students, 2007/08: 382 000 students, 2010/11: 436 000 students.

²³⁵ Bill 2001/2002:15.

²³⁶ Bill 2004/05:162.

Widening the recruitment base

The goal of expanding the recruitment base was to have the potential abilities of all people benefit society, regardless of class or ethnicity (see Lövkrona 1.4). The idea was also that higher education would help people increase their opportunities for a richer life and secure their position on an increasingly global labour market.²³⁷

So what has happened in terms of widening the national recruitment base and combatting socially uneven recruitment? Statistics from 2010 showed that 38 per cent of the Swedish population age 25–64 had received some form of post-secondary education. Their level of education varied with age, however. Younger generations are generally more educated than their elders. The proportion of people who had begun studying at a higher education institution at the age of 24 was at 43 per cent, thereby almost achieving the 50 per cent mark. In terms of widening the recruitment base,²³⁸ research shows that policy initiatives to this end have not had any real effect. The connection between education and class affiliation thus still exists, which contributes to socially uneven recruitment to higher education. This means that the class diversity among students within higher education is roughly the same today as it was in the 1960s. However, there have been some changes within the higher education student body from a working class background – the proportion of women within this group has increased, while the proportion of men has decreased. This has been explained by working class women being increasingly and more inclined to study than working class men.²³⁹ The proportion of women from a working class background who study at higher education institutions at age 30 amounts to 31 per cent, while the proportion of men is at 19 per cent. As for the upper middle class, the corresponding proportion of women is at 70 per cent and the proportion of men is at 65 per cent.²⁴⁰ Previous research has also shown that the choice of whether or not to continue one's studies is more affected by class than ethnicity.²⁴¹ Against this background, on 12 March 2015 the Swedish Government appointed the Swedish Council for Higher Education (UHR) with the task of mapping and analysing the efforts of higher education institutions to broaden their recruitment. UHR found that socially uneven recruitment to higher education persists, and that those with parents who have a background in higher education are three times as likely to continue their studies, compared to those whose parents have no more than an upper-secondary school qualification.²⁴²

²³⁷ Bill 2004/05:162.

²³⁸ Parts of the following section have been previously published in Rejmer & Sonander 2013.

²³⁹ Hilding 2011.

²⁴⁰ Berggren 2008.

²⁴¹ Hilding 2011.

²⁴² Swedish Government, press release 2014. Retrieved 15 February 2016.

So what has happened in terms of internationalising education? The proportion of the student population in Sweden that consists of international students increased from 4 to some 10 per cent during the 2000s. During the academic year 2010/11 the actual number of international students amounted to 46 000, equivalent to an entire Lund University. Meanwhile, the number of Swedish students studying abroad has stayed the same. During the entire 2000s, the annual number of Swedish students studying abroad was approximately 25 000. Swedish students who study abroad consist mainly of women, and international students who come to Sweden to study consist mainly of men.²⁴³ Consequently, the goal of internationalising education can be considered fulfilled.

To sum up, universities have fulfilled the set goal to increase the proportion of people who continue their studies and contribute to continued growth and welfare, but the increase has not helped reduce the socially uneven recruitment to higher education. There has, however, been a significant increase in the internationalisation of education – in the sense that more international students are coming to Sweden to study. Widening the recruitment base appears to contain an element of gender, resulting in gender inequality.

Gender imbalances among students within higher education²⁴⁴

In 2010, 51 per cent of women and 36 per cent of men had begun their studies in higher education by the age of 24.²⁴⁵ The same gender distribution applies today.²⁴⁶ The gender imbalance among students should be highlighted and reviewed as both the common basic values for central government employees and their principle of the equal value of all, and the Higher Education Act, Chapter 1, Section 5, impose an obligation to *observe* and *actively promote* equality between women and men.²⁴⁷ In political contexts, there is considered to be a gender balance if the gender composition falls within the 40–60 per cent range.²⁴⁸ However, the following presentation of the gender composition within different university areas and subjects will use the more differentiated classification made by professor emerita Drude Dahlerup.²⁴⁹ This

²⁴³ SCB (Statistics Sweden) 2011/2012.

²⁴⁴ Parts of the following section have been published previously in Rejmer & Sonander 2013.

²⁴⁵ HSV (Higher Education Agency) 2011.

²⁴⁶ UKÄ (Swedish Higher Education Authority) 2015.

²⁴⁷ Bill 1992/93:1.

²⁴⁸ Bill 1978/79:175.

²⁴⁹ Dahlerup 2010.

classification entails that faculties and subjects where 80 per cent of the students are of the same gender are defined as *monogendered*, faculties and subjects where 60–79 per cent of the students are of the same gender are considered to be *moderately gender segregated*, and faculties and subjects where the distribution of gender falls within the 40–59 per cent range are defined as *gender integrated*.

Gender composition (%)	Classification of faculties and subjects
80–100	Monogendered
60–79	Moderately gender segregated
40–59	Gender integrated

Drude Dahlerup's classification.²⁵⁰

During the academic year of 2010/11, Lund University had 39 448 students – 54 per cent of whom were women and 46 per cent were men. Based on the political definition, Lund University as a whole would then be considered to have an even gender balance and, in accordance with Dahlerup's classification, be a gender integrated organisation. According to the national classification of subjects into areas made by the Swedish Higher Education Authority, UKÄ (formerly known as Högskoleverket), which is somewhat different from Lund University's classification, statistics²⁵¹ from the 2010/2011 academic year show that most Lund University students were registered for courses in law or other social sciences, humanities and theology, followed by science and engineering. UKÄ's statistics also show that the gender distribution of students varies between different areas. For example, the biggest areas in terms of volume are the most *gender integrated*, meaning that the gender composition among law, social sciences, humanities and theology students falls within the 40–59 per cent range. The same goes for the areas of medicine/odontology and the arts. The areas of science and engineering and other would, however, be defined as *moderately gender integrated*. Men are overrepresented within the faculties of science (62%) and engineering (68 %), and women are overrepresented within other areas (61%). Health and welfare would be defined as a *monogendered* area, as the proportion of female students amounted to 81 per cent. From my own experience, I know that the areas which either are or have been dominated by men have actively tried to recruit women since the early 1980s. However, I have not seen the same mobilisation and efforts to recruit men to areas dominated by women, which is quite remarkable. The goal of gender equality should reasonably apply to both male- and female-dominated education and professions.

²⁵⁰ Dahlerup 2010.

²⁵¹ UKÄ (Swedish Higher Education Authority) 2012.

Area	Number of students 2010/11	Proportion of women (%)
Health and welfare	2 082	81
Other areas	1 887	61
Medicine/odontology	2 317	59
Humanities and theology	8 729	58
Law/social sciences	18 501	56
Arts	1 835	52
Science	7 800	38
Engineering	6 996	32

Number of registered students at Lund University, academic year 2010/2011, in accordance with the UKÄ (Högskoleverket) classification of areas.

UKÄ's statistics also show that the gender composition of students varies between different subjects. For example, of the subjects included in the gender integrated Faculty of Social Sciences at Lund University, only three subjects – peace and conflict studies, human geography, and political science – can be defined as *gender integrated*. The subjects of media and communication studies, criminology, education, psychology, sociology of law,²⁵² social anthropology and sociology have a majority of female students and should be defined as *moderately gender segregated*. The subjects of gender studies, social work and social services have a female majority of 80 per cent, and should therefore be defined as *monogendered*.

Subject	Proportion of women (%)
Social work/social services	84
Gender studies	80
Sociology of law	76
Criminology	73
Psychology	70
Education	68
Media and communication studies	66
Sociology	66
Social anthropology	64
Peace and conflict studies	59
Political science	50
Human geography	44

Gender distribution, subjects at the Faculty of Social Sciences, Lund University 2010/11, according to statistics from UKÄ (Högskoleverket).

²⁵² The UKÄ (Swedish Higher Education Authority) statistics report on the subject of sociology of law together with law, so the documentation concerning the gender distribution among students in sociology of law during the academic year 2010/11 is retrieved from LADOK, 23 August 2012

Gender imbalance within higher education – a societal problem²⁵³

The above review shows that although the University as a whole is gender balanced, the different areas and subjects are not. From a societal perspective, a gender imbalance among students is problematic because it partly impairs society's ability to match the supply and demand of labour and thereby utilise the best expertise, and partly limits the individual's freedom to choose their education and profession.²⁵⁴ Previous research has shown that study choices linked to gender are generally a reproduction of the gender system that exists in society. When choosing what to study, students are mainly affected by their own preferences and the study background of their parents, but also by the gender-based stereotypes that exist for different subjects. According to the research, the stereotyping of study programmes into guy and girl subjects can be explained by the explicit stereotypes of subject representatives and teaching staff who serve as role models for students, affecting their choice of subject. Furthermore, the gender coding of different subjects is a matter of culture. In the Western world, for example, computer engineering is encoded as a guy subject, while in some parts of Asia it is considered to be a girl subject.²⁵⁵ The same applies to mathematics. Study choices linked to gender therefore have a further problematic effect on the societal level, in that they contribute to preserving gender segregation on the Swedish labour market. Sweden may be one of the world's most gender equal countries, but at the same time it has one of the most gender-segregated labour markets in Europe. In Sweden, there are only three occupations with an even gender balance – chef, physician and senior lecturer.²⁵⁶

Lund University's gender equality work

The fact that the gender coding of subjects is contingent on culture means that it can be changed. The political ambition is to achieve an even gender balance among students at the national level, but also within each higher education institution, area and subject. To rectify the gender imbalances that exist in higher education and push for change, the Swedish Government has not only adopted legislation but drawn up gender equality goals in its public service agreements during the 2000s, and tried to promote change through financial incentives.²⁵⁷ Are these efforts sufficient? Unfortunately,

²⁵³ Parts of the following section have been published previously in Rejmer & Sonander 2013.

²⁵⁴ HSV (Higher Education Agency) 2008, Prop. 2005/06:155.

²⁵⁵ Mellström 2009.

²⁵⁶ Rejmer & Sonander 2013.

²⁵⁷ Rejmer & Sonander 2013.

national evaluations show that the efforts to increase gender equality and equal opportunities within higher education institutions have not had any major impact.²⁵⁸

Lund University is no exception. For a long time the University has worked actively to promote gender equality and integrate a gender perspective in its teaching. The gender perspective was already a priority area in the 2001–2005 *Lund University Gender Equality Policy*. The gender perspective involves analysing society with regard to the power relations that exist between genders, and their significance in what appear to be gender-neutral contexts, such as courses and study programmes at higher education institutions. Perceptions about gender that contribute to creating systematic gender inequality are of particular interest. An example of such inequality is that students who belong to an underrepresented gender are less likely to complete their studies than those who belong to the overrepresented gender, due to feelings of marginalisation. This applies to both women and men, and on both female- and male-dominated courses and programmes.²⁵⁹ The living conditions of both women and men are therefore of interest when analysing issues from a gender perspective. Some recurring social analyses that are conducted from a gender perspective involve the study performances of girls and boys, differences between men and women in the use of parental leave and leave to care for a sick child, as well as analyses of the gender wage gap.²⁶⁰

The content of the 2001 *Lund University Gender Equality Policy* did not have any major impact. This may be explained by the fact that adopting and working from a gender perspective requires specific knowledge and skills. Against this background, the Lund University Board initiated a project aimed at gender certification of its activities through training and support. The goal was to introduce a gender perspective and gender-aware teaching at Lund University. A project group was assigned the task of studying how gender certification could be implemented. The vice-chancellor invited all departments to participate in the project, but only three of them actually signed up. These three represented courses and programmes at the faculties of science and engineering which usually attract men (see Brage & Lövkrona, part 3.2).

The lack of interest in, and strong criticism against, the gender certification project, contributed to the decision of the management group for gender equality, equal opportunities and diversity at the Faculty of Social Sciences in 2010 to study the underlying causes. The study was conducted through a questionnaire for all teaching staff at the faculty. The results of the survey showed that the different departments had made very different progress in terms of introducing a gender perspective and gender awareness in their teaching. These differences can generally be explained by the resistance towards gender perspectives and gender awareness in teaching, as the concept of gender is considered exclusionary. Gender is regarded as one of many perspectives to

²⁵⁸ SOU 2011, SOU 2014:6.

²⁵⁹ Rejmer & Sonander 2013.

²⁶⁰ Swedish Secretariat for Gender Research, retrieved 15 February 2016.

take into account when teaching. Other perspectives that were addressed in the survey concerned discrimination based on ethnicity, age and disability, as well as class and power.

The results from the survey showed that another explanation for the major differences was the absence of an explicit allocation of responsibilities regarding the implementation of a gender perspective and gender awareness in teaching. Each individual teaching staff member has a lot of opportunity to influence the content of their teaching, so it is up to them to base their teaching on a gender perspective and to apply a gender-aware approach in their work. Their influence is demonstrated by the fact that most of the required reading at the Faculty of Social Sciences is written by men, and mostly lacks a gender perspective – something which is rarely questioned. However, it does appear to be generally free from sexism, homophobia and racism. The survey also showed that the applied teaching methods are usually based on the personal preferences of the teaching staff, without a clear gender perspective, but that gender may be considered when dividing students into groups and when allocating time for the students to speak.²⁶¹ The overall results from the survey indicate that gender perspectives and gender-aware teaching require thorough knowledge, which many of the educators at the Faculty of Social Sciences seem to be lacking, that they are resistant to incorporating gender in their work, and that they teach independently. In summary, it seems as if gender – that is, the power relationship between men and women and thereby gender equality and equal opportunities – is a low priority among educators at the Faculty of Social Sciences.

What can be done to meet the legal requirements?

The fact that the gender imbalance does exist, contrary to the legal requirement that higher education institutions are to *observe* and *promote* equality between women and men,²⁶² can be explained by the tradition of academic freedom to teach, in other words, that it is up to each individual teaching staff member to plan and implement their teaching (distinguishable from the collegial influence over the content and quality of teaching). The fact that the notion of academic freedom to teach still exists can in turn be explained by the apparent lack of awareness that academic freedom in Swedish legislation is limited to the freedom of research. While teaching is to be linked to research, there is no express statement about academic freedom to teach. In connection with the Bologna process, the laws have regulated both the levels of education and their content, thereby limiting any possible academic freedom to teach (see Rejmer 1.3).

²⁶¹ Rejmer & Sonander 2013.

²⁶² SFS 1992:1434 (Higher Education Act), Chapter 1, Section 5

Moreover, teaching, from a legal perspective, is a matter of public administration. Altogether, this means that the line organisation is responsible for initiating and pursuing teaching development projects at the central, faculty and department levels. This also means that teaching staff must abide by the laws, directives, and guidelines as well as their superiors' instructions regarding the implementation of teaching (see Rejmer 1.3). Therefore, from a legal point of view, it is both possible and desirable to conduct teaching development projects aimed at increasing gender equality and equal opportunities to curb the gender imbalance within areas and subjects. For instance, the line organisation can (along with teaching staff and students) develop *general principles* to ensure a gender equal staffing on a course, that the required reading includes both female and male authors, gender equal group divisions, as well as principles on how to conduct teaching. It is also the line organisation's responsibility to (together with teaching staff and students) implement the potential results from any development work.

Teaching challenges – inclusive teaching and learning?

Systematic and targeted work on educational development can also serve as support for teaching staff to better respond to and manage the new conditions of universities as providers of education. This concerns not only educational tools to handle larger groups of students, but also tools to manage the fact that the student body has become more heterogeneous in terms of gender, class, ethnicity and disability. Some issues that educators are faced with today which must be addressed in a teaching situation include: How can and should I support the underrepresented gender to prevent marginalisation and dropouts? How can and should I support students who come from non-academic households? How can and should I support students who have difficulty with the Swedish academic language? How can and should I support international students? How can and should I support students with disabilities? When teaching is considered an academic freedom or a matter for the individual teaching staff member, they become solely or partly responsible for providing the students with the learning support that they need. It can be challenging and quite lonely when the line organisation does not offer support and guidance to educators other than in the form of individual courses, which seldom capture the problems involved in teaching a large, heterogeneous group of students, and the students' need for different types of support.

In light of the changes that have taken place, teaching staff have realised that further efforts are needed to provide and maintain a learning environment that supports more people in an increasingly heterogeneous student body. International research has shown

that a variation in teaching methods can generate successful study outcomes,²⁶³ which has resulted in the development of an inclusive teaching approach. What is inclusive teaching? The concept has several definitions. What they all have in common is that they emphasise that inclusive teaching extends beyond the statutory rights and principles of the equal value and respect of all people, as stated in the common basic values of central government employees, the Higher Education Act and the Discrimination Act. There is also consensus that inclusive teaching is designed to capture the differences between students, and considers them to be an asset to be used in teaching. Furthermore, diversity is fundamentally seen as the social capital and quality asset of the higher education institution. Based on an inclusive perspective, students should thus be seen as individuals who, through their different experiences, have specific knowledge that enriches them on a personal level, but that also benefits education on a group level.²⁶⁴ The concept of inclusive teaching can be summarised as individually adapted learning support²⁶⁵ that aims to make people's differences into a normal phenomenon and asset.²⁶⁶

The role of the educator when teaching inclusively is to facilitate learning for students by providing tools that enable them to use their individual strengths and differences to enrich their understanding, knowledge and skills, as well as the learning environment of their fellow students. Educators have so far not been particularly involved in the work to develop learning support for students, which can be explained by the notion that it is up to each teaching staff member to plan and conduct their own teaching. Inclusive teaching provides such an opportunity in that the design of this method takes the different learning styles of students into account. There are several theories about learning styles but a common basic assumption of all theories is that anyone can learn but that we have different ways of concentrating, processing and retaining new and complex academic material. The learning styles can basically be divided into *auditory*, *visual* and *kinaesthetic* learning. The learning process for most people involves a combination of learning styles, although one is usually more dominant. A person with a learning style that is

1. *auditory* will mainly learn by listening. Lectures, group work and seminar discussions are a big help to an auditory learner.
2. *visual* will most easily absorb new information through independent reading, studying diagrams, analysing pictures and writing memos. Drawing mind maps and compiling information into charts can also be helpful to a visual learner.

²⁶³ Boström 2013.

²⁶⁴ Griffiths 2010.

²⁶⁵ McLeskey & Waldron, 2007.

²⁶⁶ McLeskey & Waldron, 2007.

3. *kinaesthetic* will mainly learn by conducting practical exercises, for instance, through acting, role-play, lab work and experiments.

The theories about learning styles have been criticised, however. Critics maintain that the content of the teaching should determine the teaching approach.²⁶⁷ Advocates for inclusive teaching have responded to the criticism by asking: Who can learn how to drive a car, play ice hockey, or build a house solely based on theory? Instead they advocate varied teaching that gives the student the opportunity to acquire knowledge in different ways. The concept of learning styles has therefore also been defined as a way to develop teaching into a varied learning process where the different needs and conditions of the students are met and handled in an inclusive way.²⁶⁸

The following learning process is from the social sciences and is a well-tried example of how to apply inclusive teaching, which takes different learning styles into account:

1. Independent study of the required reading before a lecture (visual).
2. A lecture which is based, yet expands, on the required reading by connecting it to research and concrete examples (auditory).
3. Individual preparations of a seminar assignment linked to the required reading and the lecture (visual/kinaesthetic).
4. Independent group work (4–6 students) where the students discuss and solve a seminar assignment, and prepare an oral presentation of the group's solution (auditory/kinaesthetic).
5. Instructor-supervised seminar where the solutions to the seminar assignment from several groups are presented and discussed, then further abstracted under the guidance of the instructor (kinaesthetic/auditory).

This approach requires that the students are given reading instructions (pages or themes) prior to lectures, that the lectures are well-prepared, up to date and provide added value in relation to the required reading, that the seminar assignments are well-prepared and provide clear instructions, and that the seminar instructor prepares and solves the assignment in advance to be able to take the seminar discussion one step further and thereby bring added value to the students.

²⁶⁷ E.g. Pashler et al. 2008, Rogowsky et al. 2014.

²⁶⁸ McLeskey & Waldron 2007.

Conclusion

Management and support for educators enable them to meet and manage the changes in the student body, and support the students in their learning process. It can also limit the gender coding of subjects and programmes, which in turn can help reduce the gender imbalance that exists within areas and subjects at higher education institutions, and ultimately also help increase the individual's freedom to choose their education and thereby reduce gender segregation on the Swedish labour market.

Summary

This article discusses how the law has been reformed to enable and support the changing role of the university in a knowledge society. This includes higher education institutions being assigned the task of increasing the number of students through widening participation, thereby reducing socially and ethnically uneven recruitment and internationalising education. This objective has not been completely fulfilled. The proportion of male students with a working class background remains low. However, the internationalisation of education has significantly increased, in the sense that more international students, mainly men, come to Sweden to study. Widening the recruitment base appears to include a gender dimension that has led to gender inequality. Although Lund University appears to maintain an even gender balance on a central level, gender imbalances exist on the faculty and department levels, which in turn give rise to gender-based stereotyping of courses and programmes, labelling them as girl or guy subjects. Research explains these stereotypes through the subject representatives' position as role models for prospective students. Study choices linked to gender create several societal problems. They partly contribute to maintaining the gender segregation on the Swedish labour market. They also impair society's opportunity to match the supply and demand of labour, and thereby utilise the best expertise. Furthermore, they limit the individual's freedom to choose their education and profession.

The gender imbalance, which conflicts with the legal requirement that higher education institutions are to *observe* and *promote* equality between women and men, can be explained by the tradition of academic freedom to teach, i.e. that it is up to each individual teaching staff member to plan and implement their teaching (distinguishable from the collegial influence over the content and quality of teaching). In fact, there is no academic freedom to teach in Sweden; it is the line organisation's responsibility to initiate and pursue teaching development projects on a central, faculty and department level.

Coordinated, systematic and targeted educational development work can also serve as support for teaching staff to better respond to and manage the new conditions of the university as a provider of education. This means not only educational tools to handle larger groups of students, but also tools to manage the increased heterogeneity of the student body in terms of gender, class, ethnicity and disability.

In light of the changes that have taken place, teaching staff have realised that further efforts are needed to provide and maintain a learning environment that supports more people in an increasingly heterogeneous student body. International research shows that variation in teaching methods contributes to successful study outcomes, which has resulted in the development of an inclusive teaching approach. From the perspective of inclusion, the students are seen as individuals whose different experiences and knowledge enrich them on a personal level, as well as benefiting education on a group level. The concept of inclusive teaching can be summarised as individually adapted learning support aiming to make people's differences into a normal phenomenon and asset in teaching, by taking the different learning styles of the students into account.

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Photo by Ragnhild Möller

2.5 Diversity at the University:

Are equal opportunities a panacea?

Benny Carlson

A few years ago, I took part in gender equality, equal opportunities and diversity work at Lund University, centrally, at the School of Economics and Management, and at the Department of Economic History, which is my workplace. I was mainly interested in the issue of diversity, as it relates to my research covering refugee immigrants in Swedish society, among other things.

In the following text, I will address the situation of foreign-born people in society at large and at the University in particular. I will argue that equal opportunities and anti-discrimination efforts need to be complemented with other initiatives such as positive discrimination.

Equal opportunities – a panacea?

Internationally, Sweden is considered one of the countries in the world with the most advanced diversity policy, according to publications such as the *Immigrant Multiculturalism Policy Index*.²⁶⁹ Sweden is a close second to Canada and placed far ahead of the USA. At the same time, visitors from other countries are bemused when Swedish politicians and civil servants break out in a cold sweat at the very mention of ethnicity. A visitor from Leicester City Council observed, after a visit to Malmö: “Talking about ethnicity is taboo”. I can confirm this impression myself; politicians in Malmö do not want to hear about the needs of individual groups, and top civil servants in a city neighbourhood with a high proportion of immigrants have explained to me

²⁶⁹ www.mipex.eu

that “we are all Swedes” and that discrimination does not occur since “it is prohibited in Sweden”.

The attitude of politicians and civil servants at the local level is a reflection of the approach taken at the national level: The integration policy is to be implemented according to “general initiatives aimed at the population as a whole” and “special measures aimed at people born elsewhere, as a group, are not to be taken after the initial period spent in Sweden”, i.e. after the initiatives aimed at facilitating settlement in the first two years.²⁷⁰

My understanding is that this attitude is an expression of wishful thinking. People from different countries and regions have religions, cultures, languages and shared experiences which unite them. They also have different levels of education – ranging from professors to illiterates – and working life experiences which affect how long it takes for them to establish themselves. They are the bearers of both collective affinities and varying individual circumstances. I find it hard to see how equal opportunities could be a panacea for addressing all these affinities and differences.

In the traditional immigration countries, the immigrants often organise themselves in ethnic communities for considerably longer than their two first years in the country. Such communities, in which the more experienced and educated help new arrivals and those who are less educated, function as bridgeheads for the preservation of heritage as well as for advancement in the new country. In Sweden, we are proud that, even a century after Swedish emigration to America, there are still people in the US who refer to themselves as Swedish Americans and maintain a shared heritage; I have had the privilege of visiting the powerful American Swedish Institute in Minneapolis, Minnesota. Sweden, however, only prioritises individuals and general systems. Immigrants are certainly welcome to “cheer up” Swedish everyday life with their dancing and food, but when it comes to economic and social issues, assimilation is the rule. The Swedish language simply lacks an equivalent to one of the most common words in the old immigration countries: ‘community’.

At the local level, the prohibition against discrimination does not function as intended. Municipalities run projects with ‘targeted initiatives’ for various ethnic groups. As the projects are short-term, usually running for three years, the higher authorities can turn a blind eye to them. Their short-term nature is precisely one of the weaknesses of these projects. As soon as they start to show results, they are closed down and the knowledge generated is lost. Another weakness is that they have seldom developed ‘organically’ from the grass-roots, but are instead conceived and designed by public authority employees.

²⁷⁰ ”Egenmakt mot utanförskap – redovisning av regeringens strategi för integration”, skr. 2009/2010:233, s. 4].

Well, what has this exposition got to do with diversity in the university world? Perhaps not a lot, beyond pointing to an apparently widespread belief that, there too, all problems can be solved by general means, through equal opportunities backed up by protection against discrimination.

Positive discrimination is needed

My understanding is that equal opportunities, in the sense that no one is to be exposed to *negative* discrimination on the basis of his or her background, constitutes a sort of floor. In addition to this, *positive* discrimination is needed, as people with different backgrounds have different circumstances. Such discrimination should not, like the use of set quotas, aim to 'pull people up by their hair' and place them in situations which they may not be able to handle and which risk generating bad blood. Positive discrimination should aim to equip individuals with the resources they need to 'pull themselves up' (empowerment).

The people who have difficulties asserting themselves on the playing field because of their ethnicity (or gender, class, etc.) need measures which can improve their chances. Providing people with *equal opportunities* is different from practising *equal treatment*. On the contrary, equal opportunities can mean treating people differently, a view which should reasonably be considered relevant in the meritocratic university world.

Society has its rules of admission: As a non-EU citizen, in order to be allowed to immigrate to Sweden one must have grounds for asylum, be related to someone with a Swedish residence permit or have a job offer or study place. Most people who arrive in Sweden do so as refugees or to reunite with family. They arrive intermittently from a number of countries at war and in crisis. Many of them are poorly educated and automatically end up in an underdog position.

Academia has its own rules of admission. Those who arrive at the university from abroad – students and visiting researchers – have different circumstances and resources in their luggage compared to immigrants in general. They usually do not arrive in groups (even though there is surely an element of 'chain immigration' from certain countries) but rather one by one. They are – or are becoming – highly educated and meet an environment which in many respects, not least from the point of view of language, is internationalised. The Swedish language is not as essential a 'key' as for other immigrants. The difficulties shared by the recently arrived immigrant and the recently arrived researcher or student are to learn Swedish and to understand Swedish institutions and traditions.

Insiders and outsiders

The marginalisation of foreign-born individuals which occurs at the university is often more subtly expressed than in the rest of society. Even so, a colleague and I conducted interviews a number of years ago with foreign-born employees, whose collective presence at my own department amounted to 150 years. Just over half of them, mainly those who came from countries beyond Europe and the USA, felt marginalised on the grounds that they were not born in Sweden. They indicated problems such as – and I quote from the report (which is currently only in manuscript form) – “difficulties in being included in research projects and being assigned teaching and supervision, a lack of nominations for elected office, a shortage of information and informal decision-making structures, lack of introduction at the time of appointment, unpaid work, lack of an office, groups of friends who don’t want to ‘let you in’, not being invited to social activities”.

These problems do not seem to be specific to my own department – they are classic insider/outsider problems – and can be explained by people’s tendency to form ethnic ‘communities’. Such communities are created consciously or unconsciously – and believe it or not – even by ethnically Swedish academics.

Already at the time, several years ago, a number of measures were taken to address this marginalisation: more information, information in English via email and at staff meetings, gender equality and diversity issues as a standing item on the agenda of departmental board meetings, ambitions to get as many of the department’s employees as possible into various working groups, and regular staff appraisals between the head of department and employees.

By all means laudable ambitions, but what can really affect the picture is the shift of the balance of power which occurs when the composition of staff and students changes. Such a shift has taken place in recent years due to a major influx of Master’s degree and doctoral students from abroad. As far as it is possible to interpret, this influx has disturbed the regular Swedish procedures and made it necessary to increase information to everyone (in English) in order to ensure the good functioning of the workplace and maintain one’s place in increased international competition.

A lot remains to be done

The problem with the marginalisation of foreign-born individuals at the University seems to have been solved to some extent. But a lot remains to be done. If quantity (influx) is a determining factor for quality (functioning diversity) attention should be directed towards the base (first and second cycle education) as well as the summit (staff).

In the case of Master's and doctoral students, as mentioned above, an increased influx of foreign-born individuals has already occurred.

In the first cycle of study, however, a Master's degree project in economics from 2012 indicates, students with international backgrounds choose Malmö University over Lund University, even once the subject choice, differences in admission credits and the level of education of the applicant's parents have been taken into account.²⁷¹ There is also – if one considers for a moment the issue of social diversity – reason to believe that young people from homes with a lower socio-economic status are more likely to choose to study at smaller higher education institutions near their home towns rather than apply to Lund. Here, Lund University faces a delicate dilemma. On the one hand, it must emphasise the quality and status of the study programmes (brand, signal value). On the other hand, it must offer an environment which is open and welcoming to all (if their grades are high enough). This means communicating two messages simultaneously – exclusiveness and accessibility – without getting tongue-tied.

Increased international recruitment of employees also seems to be needed to create a dynamic interaction between lecturers and students, so that the University can assert itself in increased international competition, and because international evaluators of various university environments require it.

Increased recruitment of employees and students from other countries or with international backgrounds, meanwhile, also entail complications which must be managed. These concern primarily the students originating from countries with educational traditions unlike those in the western world. This can apply to issues such as the handling of sources – a problem currently addressed using methodology courses on scholarly procedures. However, these courses are usually offered at the Bachelor's or Master's level at the earliest, and more information is needed at the beginner's level about the rules governing academic studies in Sweden.

Students from abroad are assumed to master the English language. This prerequisite is not always met, however, placing supervisors and examiners in a difficult position. What to do with a paper which is practically unreadable? When I have found myself in that situation, the laconic comment from colleagues has been that I should “address the content and not the language”. But who will address the language, in that case? If, despite the language test, students prove to have insufficient knowledge of English, the University must give them a chance to improve and get their papers into readable shape, through personal advice and review of their written work. It is clear that much has happened in this area recently. From my limited horizon within the School of Economics and Management, I observe that students at the Master's level can get personal advice regarding their studies, presentations and paper writing and that

²⁷¹ Emma Lindqvist (2012), "Are immigrants choosing other universities than natives? – comparing the composition of students at Lund and Malmö university": [//lup.lub.lu.se/student-papers/search/publication/2158401](http://lup.lub.lu.se/student-papers/search/publication/2158401)

students at the Bachelor's level are offered the mentorship of a more experienced student.

In all contexts, information is fundamental for people to function optimally, and people who move from one environment to another need extra large doses of information. It is the responsibility of the University, the faculties, the departments and not least the individual lecturers and supervisors to equip foreign-born colleagues and students with such information. Of course a great deal can be delivered in the form of brochures and information meetings. But, ultimately, colleagues and teaching staff are those who possess the specific information that the individual needs in many everyday life situations. It is important to clarify that this responsibility rests on everyone's shoulders and cannot be delegated to special committees. What the committees can do is to remind each and everyone of this, with stubborn persistence.

2.6 Discrimination Act (2008:567)

Amendments incorporated up to and including SFS 2014:958. Transitional provisions omitted.

Chapter 1. Introductory provisions

The purpose of the Act

Section 1

The purpose of this Act is to combat discrimination and in other ways promote equal rights and opportunities regardless of sex, transgender identity or expression, ethnicity, religion or other belief, disability, sexual orientation or age.

The contents of the Act

Section 2

The first chapter of the Act contains definitions and other introductory provisions. The second chapter contains provisions on prohibitions against discrimination and reprisals. The third chapter contains provisions on active measures. The fourth chapter contains provisions on supervision. The fifth chapter contains provisions on compensation and invalidity. The sixth chapter contains provisions on legal proceedings.

Section 3

A contract or agreement that restricts someone's rights or obligations under this Act is of no legal effect in that regard.

Discrimination

Section 4

In this Act discrimination has the meaning set out in this Section.

1. Direct discrimination: that someone is disadvantaged by being treated less favourably than someone else is treated, has been treated or would have been treated in a comparable situation, if this disadvantaging is associated with sex, transgender identity or expression, ethnicity, religion or other belief, disability, sexual orientation or age.
2. Indirect discrimination: that someone is disadvantaged by the application of a provision, a criterion or a procedure that appears neutral but that may put people of a certain sex, a certain transgender identity or expression, a certain ethnicity, a certain religion or other belief, a certain disability, a certain sexual orientation or a certain age at a particular disadvantage, unless the provision, criterion or procedure has a legitimate purpose and the means that are used are appropriate and necessary to achieve that purpose.
3. Inadequate accessibility: that a person with disability is disadvantaged through a failure to take measures for accessibility to enable the person to come into a situation comparable with that of persons without this disability where such measures are reasonable on the basis of accessibility requirements in laws and other statutes, and with consideration to
 - the financial and practical conditions,
 - the duration and nature of the relationship or contact between the operator and the individual, and
 - other circumstances of relevance.
4. Harassment: conduct that violates a person's dignity and that is associated with one of the grounds of discrimination sex, transgender identity or expression, ethnicity, religion or other belief, disability, sexual orientation or age.
5. Sexual harassment: conduct of a sexual nature that violates someone's dignity.
6. Instructions to discriminate: orders or instructions to discriminate against someone in a manner referred to in points 1–4 that are given to someone who is in a subordinate or dependent position relative to

the person who gives the orders or instructions or to someone who has committed herself or himself to performing an assignment for that person.

Sex, transgender identity or expression, ethnicity, disability, sexual orientation and age

Section 5

In this Act the following terms have the meaning set out in this Section.

1. Sex: that someone is a woman or a man.
2. Transgender identity or expression: that someone does not identify herself or himself as a woman or a man or expresses by their manner of dressing or in some other way that they belong to another sex.
3. Ethnicity: national or ethnic origin, skin colour or other similar circumstance.
4. Disability: permanent physical, mental or intellectual limitation of a person's functional capacity that as a consequence of injury or illness existed at birth, has arisen since then or can be expected to arise.
5. Sexual orientation: homosexual, bisexual or heterosexual orientation.
6. Age: length of life to date.

A person who intends to change or has changed the sex they belong to is also covered by sex as a grounds of discrimination.

Chapter 2. Prohibition of discrimination and reprisals

Working life

Prohibition of discrimination

Section 1

An employer may not discriminate against a person who, with respect to the employer,

1. is an employee,
2. is enquiring about or applying for work,

3. is applying for or carrying out a traineeship, or
4. is available to perform work or is performing work as temporary or borrowed labour.

The prohibition of discrimination in the form of inadequate accessibility does not apply to a person enquiring about work.

A person who has the right to make decisions on the employer's behalf in matters concerning someone referred to in the first paragraph shall be equated with the employer.

Section 2

The prohibition in Section 1 does not prevent

1. differential treatment based on a characteristic associated with one of the grounds of discrimination if, when a decision is made on employment, promotion or education or training for promotion, by reason of the nature of the work or the context in which the work is carried out, the characteristic constitutes a genuine and determining occupational requirement that has a legitimate purpose and the requirement is appropriate and necessary to achieve that purpose,
2. measures that contribute to efforts to promote equality between women and men and that concern matters other than pay or other terms of employment,
3. the application of age limits with regard to the right to pension, survivor's or invalidity benefits in individual contracts or collective agreements, or
4. differential treatment on grounds of age, if there is a legitimate purpose and the means that are used are appropriate and necessary to achieve that purpose.

Obligation to investigate and take measures against harassment

Section 3

If an employer becomes aware that an employee considers that he or she has been subjected in connection with work to harassment or sexual harassment by someone performing work or carrying out a traineeship at the employer's establishment, the employer is obliged to investigate the circumstances surrounding the alleged harassment and where appropriate take the measures that can reasonably be demanded to prevent harassment in the future.

This obligation also applies with respect to a person carrying out a traineeship or performing work as temporary or borrowed labour.

Information about qualifications

Section 4

If a job applicant has not been employed or selected for an employment interview, or if an employee has not been promoted or selected for education or training for promotion, the applicant shall, upon request, receive written information from the employer about the education, professional experience

and other qualifications that the person had who was selected for the employment interview or who obtained the job or the place in education or training.

Education

Prohibition of discrimination

Section 5

A natural or legal person conducting activities referred to in the Education Act (2010:800) or other educational activities (an education provider) may not discriminate against any child, pupil or student participating in or applying for the activities. Employees and contractors engaged in the activities shall be equated with the education provider when they are acting within the context of their employment or contract.

The prohibition of discrimination also applies in cases where an education provider, by taking reasonable measures regarding the accessibility and usability of the premises, can see to it that a person with a disability who is applying or has been accepted for education under the Higher Education Act (1992:1434) or for education that can lead to a qualification under the Act concerning authority to award certain qualifications (1993:792), is put in a comparable situation to people without such a disability.

Section 6

The prohibition in Section 5 does not prevent

1. measures that contribute to efforts to promote equality between women and men in admissions to education other than that referred to in the Education Act (2010:800),
2. the application of provisions that take account of age with regard to preschool education, preschool classes, compulsory schools, compulsory schools for pupils with learning disabilities, Sami schools, special schools or recreational school centres, or educational activities referred to in Chapter 25 of the Education Act, or

3. differential treatment on grounds of age, if there is a legitimate purpose and the means that are used are appropriate and necessary to achieve that purpose. Nor does the prohibition prevent a folk high school or a study association from taking measures that contribute to efforts to promote equal rights and opportunities regardless of ethnicity, religion or other belief.

Obligation to investigate and take measures against harassment

Section 7

If an education provider becomes aware that a child, pupil or student participating in or applying for the provider's activities considers that he or she has been subjected in connection with these activities to harassment or sexual harassment, the education provider is obliged to investigate the circumstances surrounding the alleged harassment and where appropriate take the measures that can reasonably be demanded to prevent harassment in the future.

Information about qualifications

Section 8

If an applicant has been refused admission to an educational programme, or has not been selected for a test or interview if such a procedure is used in the admissions process, the applicant shall, upon request, receive written information from the education provider about the education or other qualifications that the person had who was admitted to the educational programme or who was selected for the test or interview.

Labour market policy activities and employment services not under public contract

Section 9

Discrimination against applicants or employees is prohibited with regard to labour market policy activities and employment services not under public contract.

However, this prohibition does not prevent

1. measures that contribute to efforts to promote equality between women and men or equal rights and opportunities regardless of ethnicity, or
2. differential treatment on grounds of age, if there is a legitimate purpose and the means that are used are appropriate and necessary to achieve that purpose.

Starting or running a business and professional recognition

Section 10

Discrimination is prohibited with regard to

1. financial support, permits, registration or similar arrangements that are needed or can be important for someone to be able to start or run a business, and
2. recognition, certification, authorisation, registration, approval or similar arrangements that are needed or can be important for someone to be able to exercise a certain profession.

These prohibitions do not prevent differential treatment on grounds of age, if there is a legitimate purpose and the means that are used are appropriate and necessary to achieve that purpose.

Nor does the prohibition in the first paragraph, point 1 prevent measures concerning support that contributes to efforts to promote equality between women and men or equal rights and opportunities regardless of ethnicity.

Membership of certain organisations

Section 11

Discrimination is prohibited with regard to

1. membership of or participation in an employees' organisation, employers' organisation or professional organisation, and
2. benefits that any such organisation provides to its members.

This prohibition does not prevent an organisation from providing benefits to members of one sex so as to contribute to efforts to promote equality between women and men.

Goods, services and housing etc.

Section 12

Discrimination is prohibited on the part of a natural or legal person who

1. supplies goods, services or housing to the general public, outside the private and family sphere, or
2. organises a meeting or event that is open to the public.

A person who represents a person referred to in the first paragraph in relation to the public, shall be equated with that person.

Section 12 a

The prohibition of discrimination in Section 12 associated with sex does not prevent women and men being treated differently with regard to services or housing if there is a legitimate purpose and the means that are used are appropriate and necessary to achieve that purpose.

With regard to insurance services, however, insurance premiums charged or insurance benefits paid to individuals must not differ between women and men on account of calculations based on sex. Nevertheless, if the conditions in the first paragraph are met, a person's sex may influence the assessment of other factors on which calculations of insurance premiums are based.

The prohibition of discrimination in Section 12 associated with age

1. does not prevent the application of provisions of an act in which a certain age is prescribed,
2. does not apply to the provision of insurance services,
3. does not prevent the application of lower age limits for admission to establishments where spirit drinks, wine, strong beer and other fermented alcoholic beverages which the business operator is licensed to serve are served on a commercial basis, and
4. does not prevent other differential treatment on grounds of age either if the differential treatment serves a legitimate purpose and the means that are used are appropriate and necessary to achieve that purpose.

Section 12 c

The prohibition of discrimination in the form of inadequate accessibility in

Section 12, first paragraph, point 1 does not apply

1. with regard to housing,
2. to private persons,
3. to businesses that employed fewer than ten employees at the start of the latest calendar year, or
4. if, with regard to the supply of goods and services, measures are required concerning properties and construction works that extend beyond the accessibility and usability requirements contained in the building permit or notification to begin work for the property or construction work in question under the Planning and Building Act (2010:900) or any older corresponding provisions and under regulations issued pursuant to these provisions.

Health and medical care and social services etc.

Section 13

Discrimination is prohibited with regard to

1. health and medical care and other medical services, and
2. social services activities, and assistance in the form of special transport services and national special transport services and housing adaptation allowances.

Section 13 a

The prohibition of discrimination in Section 13, points 1 and 2, associated with sex does not prevent women and men being treated differently if this has a legitimate purpose and the means that are used are appropriate and necessary to achieve that purpose.

The prohibition of discrimination in Section 13 associated with age does not prevent

1. the application of provisions of an act in which a certain age is prescribed, or
2. other differential treatment on grounds of age if the differential treatment serves a legitimate purpose and the means that are used are appropriate and necessary to achieve that purpose.

Social insurance system, unemployment insurance and financial aid for studies

Section 14

Discrimination is prohibited with regard to

1. social insurance and related benefit systems,
2. unemployment insurance, and
3. state financial aid for studies.

Section 14a

The prohibition of discrimination in Section 14, point 1, associated with sex does not prevent the application of provisions of an act concerning widow's pension, wife's supplement or payment of child allowance.

Section 14b

The prohibition of discrimination in Section 14 associated with age does not prevent

1. the application of provisions of an act in which a certain age is prescribed, or
2. other differential treatment on grounds of age if the differential treatment serves a legitimate purpose and the means that are used are appropriate and necessary to achieve that purpose.

National military service and civilian service

National military service and civilian service and other equivalent military training in the Swedish Armed Forces

Section 15

Discrimination is prohibited

1. in connection with enrolment procedures or other examination of personal circumstances under the National Total Defence Service Act (1994:1809) and in connection with enlistment for and during the performance of national military service or civilian service, and
2. in connection with admission examinations for and during the performance of other equivalent military training in the Swedish Armed Forces.

However, this prohibition does not apply to discrimination associated with age.

Further, the prohibition does not prevent the application of provisions directing that a person liable for national total defence service shall not be called for enrolment or called up for national military service or civilian service if he or she refers to her or his membership of a certain religious community.

Obligation to investigate and take measures against harassment

Section 16

If a government agency or an organisation covered by the prohibition in

Section 15 becomes aware that a person applying for or participating in training or other activities indicated in that provision considers herself or himself to have been subjected in this connection to harassment or sexual harassment, the government agency or organisation is obliged to investigate the circumstances surrounding the alleged

harassment and where appropriate take the measures that can reasonably be demanded to prevent harassment in the future.

However, the first paragraph does not apply to harassment associated with age.

Public employment

Section 17

Discrimination is also prohibited in cases other than those referred to in Section 5 or Sections 9–15 when a person who is wholly or partly subject to the Public Employment Act (1994:260)

1. assists the public by providing information, guidance, advice or other such help, or
2. has other types of contacts with the public in the course of her or his employment.

Prohibition of reprisals

Section 18

An employer may not subject an employee to reprisals because the employee has

1. reported or called attention to the fact that the employer has acted contrary to this Act,
2. participated in an investigation under this Act, or
3. rejected or given in to harassment or sexual harassment on the part of the employer.

The prohibition also applies in relation to a person who, with respect to the employer,

1. is enquiring about or applying for work,
2. is applying for or carrying out a traineeship, or
3. is available to perform work or is performing work as temporary or borrowed labour.

A person who has the right to make decisions on the employer's behalf in matters concerning someone referred to in the first or second paragraph shall be equated with the employer.

Section 19

A person who is alleged to have acted contrary to the provisions of Chapter 2, Section 5, 7, 9, 10, 11, 12, 12a, 13, 14, 15, 16 or 17 or Chapter 3, Section 15 or 16 may not subject an individual to reprisals because that individual has

1. reported or called attention to such actions,
2. participated in an investigation under this Act, or
3. rejected or given in to harassment or sexual harassment on the part of the person who is alleged to have engaged in discrimination.

Chapter 3. Active measures

Working life

Cooperation between employers and employees

Section 1

Employers and employees are to cooperate on active measures to bring about equal rights and opportunities in working life regardless of sex, ethnicity, religion or other belief, and in particular to combat discrimination in working life on such grounds.

Section 2

Employers and employees are in particular to endeavour to equalise and prevent differences in pay and other terms of employment between women and men who perform work which is to be regarded as equal or of equal value. They are also to promote equal pay growth opportunities for women and men.

Work is to be regarded as of equal value to other work if, on an overall assessment of the requirements and nature of the work, it can be deemed to be equal in value to the other work. The assessment of the requirements of the work is to take into account criteria such as knowledge and skills, responsibility and effort. In assessing the nature of the work, particular account is to be taken of working conditions.

Goal-oriented work

Section 3

Within the framework of their activities, employers are to conduct goal-oriented work to actively promote equal rights and opportunities in working life regardless of sex, ethnicity, religion or other belief.

More detailed regulations on the obligations of employers are provided in Sections 4–13.

Working conditions

Section 4

Employers are to implement such measures as can be required in view of their resources and other circumstances to ensure that the working conditions are suitable for all employees regardless of sex, ethnicity, religion or other belief.

Section 5

Employers are to help enable both female and male employees to combine employment and parenthood.

Section 6

Employers are to take measures to prevent and hinder any employee being subjected to harassment or reprisals associated with sex, ethnicity, religion or other belief, or to sexual harassment.

Recruitment

Section 7

Employers are to work to ensure that people have the opportunity to apply for vacant positions regardless of sex, ethnicity, religion or other belief.

Section 8

Employers are to promote an equal distribution of women and men in different types of work and in different employee categories, by means of education and training, skills development and other appropriate measures.

Section 9

When the distribution of women and men is not more or less equal in a certain type of work or in a certain employee category at a place of work, the employer is to make a special effort when recruiting new employees to attract applicants of the under-represented sex. The employer is to attempt to see to it that the proportion of employees from the under-represented sex gradually increases.

However, the first paragraph shall not be applicable if there are special grounds not to take such measures or if the measures cannot reasonably be required in view of the employer's resources and other circumstances.

Matters of pay

Section 10

In order to discover, remedy and prevent unfair gender differences in pay and other terms of employment, every three years the employer is to survey and analyse

- provisions and practices regarding pay and other terms of employment that are used at the employer's establishment, and
- pay differences between women and men performing work that is to be regarded as equal or of equal value.

The employer is to assess whether existing pay differences are directly or indirectly associated with sex. The assessment is to refer in particular to differences between

- women and men performing work that is to be regarded as equal, and
- groups of employees performing work that is or is generally considered to be dominated by women and groups of employees performing work that is to be regarded as of equal value to such work but is not or is not generally considered to be dominated by women.

Section 11

Every three years employers are to draw up an action plan for equal pay in which they report the results of the survey and analysis described in Section 10. The plan is to indicate the pay adjustments and other measures that need to be taken to bring about equal pay for work that is to be regarded as equal or of equal value. The plan is to contain a cost estimate and a time plan based on the goal of implementing the necessary pay adjustments as soon as possible and within three years at the latest.

A report on and evaluation of how the planned measures were implemented is to be included in the next action plan.

The obligation to draw up an action plan for equal pay does not apply to employers who employed fewer than 25 employees at the start of the latest calendar year.

Section 12

Employers are to provide employees' organisations with respect to which they are bound by a collective agreement with the information needed for the organisations to be able to cooperate in the survey, analysis and drawing up of an action plan for equal pay.

If the information concerns data on pay or other circumstances that relate to an individual employee, the rules on confidentiality and damages contained in Sections 21, 22 and 56 of the Employment (Co-determination in the Workplace) Act (1976:580) apply. In public sector activities, Chapter 10, Sections 11-14 and Chapter 12, Section 2 of the Secrecy Act (2009:400) apply instead.

Gender equality plan

Section 13

Every three years employers are to draw up a plan for their gender equality work. The plan is to contain an overview of the measures under Sections 4–9 that are needed at the place of work and an account of which of these measures the employer intends to begin or implement during the coming years.

The plan is also to contain a summary account of the action plan for equal pay that the employer is required to draw up under Section 11.

An account of how the planned measures under the first paragraph have been implemented is to be included in the next plan.

The obligation to draw up a gender equality plan does not apply to employers who employed fewer than 25 employees at the start of the latest calendar year.

Education

Goal-oriented work

Section 14

An education provider conducting education or other activities under the Education Act (2010:800), education under the Higher Education Act (1992:1434) or education that can lead to a qualification under the Act concerning authority to award certain qualifications (1993:792) is to conduct goal-oriented work within the framework of

these activities to actively promote equal rights and opportunities for the children, pupils or students participating

in or applying for the activities, regardless of sex, ethnicity, religion or other belief, disability or sexual orientation. More detailed regulations on the obligations of education providers are provided in Sections 15 and 16.

Preventing and hindering harassment

Section 15

An education provider referred to in Section 14 is to take measures to prevent and hinder any child, pupil or student who is participating in or applying for their activities from being subjected to harassment associated with sex, ethnicity, religion or other belief, disability or sexual orientation, or to sexual harassment.

Equal treatment plan

Section 16

An education provider referred to in Section 14 is to draw up a plan each year containing an overview of the measures needed to (1) promote equal rights and opportunities for the children, pupils or students participating in or applying for the activities, regardless of sex, ethnicity, religion or other belief, disability or sexual orientation, and (2) prevent and hinder harassment referred to in Section

15. The plan is to contain an account of which of these measures the education provider intends to begin or implement during the coming year.

An account of how the measures planned under the first paragraph have been implemented is to be included in the next year's plan.

Chapter 4. Supervision

The Equality Ombudsman

Duties of the Equality Ombudsman

Section 1

The Equality Ombudsman is to supervise compliance with this Act. The Ombudsman is to try in the first instance to induce those to whom the Act applies to comply with it voluntarily.

Provisions on the duties of the Ombudsman are also contained in the Act concerning the Equality Ombudsman (2008:568).

Section 2

Chapter 6, Section 2 states that the Equality Ombudsman may bring a court action on behalf of an individual who consents to this.

Obligation to provide information

Section 3

A natural or legal person who is subject to the prohibitions of discrimination and reprisals, the obligation to investigate and take measures against harassment or the provisions on active measures in this Act is obliged, at the request of the Equality Ombudsman,

1. to provide information about circumstances in their activities that are of importance for the supervision exercised by the Ombudsman,
2. to provide information about qualifications when the Ombudsman is assisting in a request from an individual under Chapter 2, Section 4 or 8,
3. to give the Ombudsman access to workplaces and other premises where the activities are conducted for the purpose of investigations that may be of importance to the supervision exercised by the Ombudsman, and
4. to attend discussions with the Ombudsman.

The obligations specified in points 1–3 do not apply if there are special grounds against their doing so in an individual case.

Financial penalty

Section 4

A natural or legal person who does not comply with a request under Section 3 may be ordered by the Equality Ombudsman to fulfil his or her obligation subject to a financial penalty. A decision to order a financial penalty may be appealed to the Board against Discrimination.

A financial penalty order under the first paragraph shall be served.

Section 5

A natural or legal person who does not fulfil his or her obligations concerning active measures under Chapter 3, Section 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15 or

16 may be ordered to fulfil them subject to a financial penalty. Such orders are issued by the Board against Discrimination on application from the Equality Ombudsman. They can also be directed towards the State as an employer or as the entity responsible for educational activities.

If the Ombudsman has declared that he or she does not want to apply to the Board for a financial penalty to be ordered, a central employees' organisation with respect to which the employer is bound by a collective agreement may make an application concerning active measures in working life under Chapter

3, Sections 4–13.

The application is to state the measures that should be required of the party that the application concerns, the grounds referred to in support of the application and what investigation has been made of the matter.

Prohibition against appeals

Section 6

No appeal may be made against decisions of the Equality Ombudsman under this Act other than decisions under Section 4 concerning the ordering of financial penalties.

Board against Discrimination

Duties of the Board

Section 7

The Board against Discrimination examines applications for financial penalties under Section 5 and appeals against decisions concerning orders for financial penalties under Section 4. In processing these cases, Sections 8–15a are to be applied.

Processing of an application for a financial penalty

Section 8

A natural or legal person who is the subject of an application for a financial penalty shall be ordered to comment within a certain time on the application and to supply the information concerning circumstances in their activities that the Board against Discrimination needs for its examination.

When an employees' organisation has made the application, the Equality Ombudsman shall be given an opportunity to comment.

Section 9

The Board against Discrimination shall ensure that cases are adequately investigated. When necessary, the Board shall arrange for additional investigation. Superfluous investigation may be refused.

Section 10

Cases before the Board against Discrimination are decided after an oral hearing, unless the Board considers such a hearing unnecessary.

Section 11

The Board against Discrimination shall call the party that has made the application to the Board and the party that is the subject of the application to a hearing. If necessary for the investigation, the Board may also call others to the hearing.

The Board may order the party that the application concerns or that party's representative to attend in person, subject to a financial penalty.

Section 12

A case concerning the ordering of a financial penalty may be decided even if the party that the application concerns does not comment on the case, does not cooperate in the investigation or fails to attend an oral hearing.

If the Equality Ombudsman or the employees' organisation that has made the application for a financial penalty fails to attend a hearing, the application for a financial penalty becomes void.

Section 13

In deciding a case concerning the ordering of a financial penalty, the Board against Discrimination may instruct the party that the application concerns to take measures other than those sought in the application, if these other measures are not obviously more burdensome for the party.

In its decision the Board shall state how and by when the measures are to be started or implemented.

The Board's decision shall be in writing and shall be delivered to the party that the application concerns.

Processing of an appeal against a decision to order a financial penalty

Section 14

In processing an appeal against a decision to order a financial penalty, Sections 9 and 10 shall be applied.

Service of documents

Section 15

The Board against Discrimination shall call the party that has appealed against the decision to order a financial penalty and the Equality Ombudsman to a hearing. If necessary for the investigation, the Board may also call others to the hearing.

The Board may order the party that has appealed against the decision or that party's representative to attend in person, subject to a financial penalty.

Service of documents

Section 15 a

An application for a financial penalty under Section 8, a summons to attend a hearing under Section 11 or Section 15, and other documents that an employer or some other party is required to provide shall be served.

Prohibition against appeals

Section 16

No appeal may be made against a decision of the Board against Discrimination under this Act.

Imposition of a financial penalty

Section 17

Proceedings for the imposition of a financial penalty that has been ordered under this Act are brought before a district court by the Equality Ombudsman.

In cases concerning the imposition of a financial penalty, the district court may also assess the appropriateness of the penalty.

Board of Appeals for Higher Education

Section 18

A decision of a university or other higher education institution for which the State is the responsible entity may, if it concerns education under the Higher Education Act (1992:1434), be appealed to the Higher Education Appeals Board on the grounds that the decision is contrary to

1. the prohibition of discrimination in Chapter 2, Section 5, if the decision concerns
 - a. admission to education,
 - b. credit for education,
 - c. deferment of studies or resumption of studies after time off from studies,
 - d. a change of supervisor,
 - e. withdrawal of a supervisor and other resources in third-cycle courses and study programmes,
 - f. grants for research students, or
 - g. a disciplinary measure against a student,
2. the prohibition of discrimination in Chapter 1, Section 4 , third paragraph, or
3. the prohibition of reprisals in Chapter 2, Section 19.

If the Appeals Board finds that the appealed decision is contrary to one of the prohibitions and that this can be assumed to have influenced the outcome, the decision shall be set aside and the case, if necessary, referred back to the university or other higher education institution for re-examination.

If a decision can be appealed under another statute, the appeal is to be made as prescribed there instead of as directed in the first paragraph.

If a decision can be appealed under another statute, the appeal is to be made as prescribed there instead of as directed in the first paragraph.

Section 19

No appeal may be made against a decision of the Board of Appeals for Higher Education under this Act.

Chapter 5. Compensation and invalidity

Compensation

Section 1

A natural or legal person who violates the prohibitions of discrimination or reprisals or who fails to fulfil their obligations to investigate and take measures against harassment or sexual harassment under this Act shall pay compensation for discrimination for the

offence resulting from the infringement. When compensation is decided, particular attention shall be given to the purpose of discouraging such infringements of the Act. The compensation shall be paid to the person who has been offended by the infringement.

An employer who violates Chapter 2, Section 1, first paragraph or Section 18 shall also pay compensation for the loss that arises. However, this does not apply to a loss that arises in connection with a decision concerning employment or promotion. Nor does it apply to a loss that arises as a result of discrimination in the form of inadequate accessibility.

If there are special grounds, the compensation can be reduced or set at zero.

Section 2

If an employer in activities referred to in Chapter 2, Section 9, 10, 11, 13, 14, 15 or 17 discriminates against someone or subjects someone to reprisals, the compensation for discrimination shall be paid by the employer. A person performing work on behalf of another person in circumstances resembling those in an employment relationship shall be equated with an employee.

If an education provider violates Chapter 2, Section 5, 7 or 19 the compensation shall be paid by the entity responsible for the activities.

Invalidity

Section 3

If someone is discriminated against by a provision in an individual contract or in a collective agreement in a manner that is prohibited under this Act, the provision shall be modified or declared invalid if the person discriminated against requests this. If the provision is of such significance for the contract or agreement that it cannot reasonably be demanded that the contract or agreement shall apply in other respects without material changes, the contract may also be modified in other respects or be declared invalid in its entirety.

If someone is discriminated against by termination of a contract or agreement or by some other such legal act, the legal act shall be declared invalid if the person discriminated against requests this.

If someone is discriminated against by a rule or similar internal provision at the place of work, the provision shall be modified or declared without effect if the person discriminated against requests this.

Chapter 6. Legal proceedings

Applicable rules

Section 1

Cases concerning the application of Chapter 2, Section 1, 2, 3 or 18 shall be dealt with under the Labour Disputes (Judicial Procedure) Act (1974:371). In such cases a person enquiring about or applying for work, a person applying for or carrying out a traineeship or a person who is available to perform work or who is performing work as temporary or borrowed labour shall be regarded as an employee.

The person at whose establishment the traineeship or work is being or would have been carried out shall be regarded as employer. This also applies when the regulations on negotiations concerning disputes in the Employment (Co- determination in the Workplace) Act (1976:580) are applied.

Cases concerning the application of Chapter 2, Section 5, 6, 7, 9, 10, 11, 12, 12a, 12b, 12c, 13, 13a, 13b, 14, 14a, 14b, 15, 16, 17 or 19 shall be examined by a general court and dealt with in accordance with the provisions of the Swedish Code of Judicial Procedure concerning procedures in civil cases in which out- of- court settlement of the matter is permitted.

Right to bring an action

Section 2

The Equality Ombudsman, or a non-profit organisation whose statutes state that it is to look after the interests of its members and that is not an employees' organisation referred to in the third paragraph, may bring an action, as a party, on behalf of an individual who consents to this. When the Ombudsman or the association brings such an action, the Ombudsman or association may also bring another action on behalf of the individual as part of the same proceedings, if he or she consents to this. In cases under Section 1, first paragraph the Ombudsman's action is brought before the Labour Court. For unmarried children under 18 years of age the consent of the custodian or custodians is required.

To be allowed to bring an action, the association must be suited to represent the individual in the case, taking account of its activities and its interest in the matter, its financial ability to bring an action and other circumstances.

When an employees' organisation has the right to bring an action on behalf of the individual under Chapter 4, Section 5 of the Labour Disputes (Judicial Procedure) Act

(1974:371), the Ombudsman or association may only bring an action if the employees' organisation does not do so.

Burden of proof

Section 3

If a person who considers that he or she has been discriminated against or subjected to reprisals demonstrates circumstances that give reason to presume that he or she has been discriminated against or subjected to reprisals, the defendant is required to show that discrimination or reprisals have not occurred.

Statute of limitations

Working life

Section 4

If someone brings an action on the basis of notice of termination or summary dismissal, the following provisions of the Employment Protection Act (1982:80) shall be applied:

- Section 40 concerning the time limit for actions for a declaration of invalidity,
- Section 41 concerning the time limit for damages or other claims, and
- Section 42 concerning the expiry of the right to bring an action on the grounds that it is time-barred.

If someone brings an action against an employer other than an action referred to in the first paragraph, the following provisions of the Employment (Co- determination in the Workplace) Act (1976:580) shall be applied:

- Section 64 on the time limit for calling for negotiations,
- Section 65 on the time limit for bringing an action,
- Section 66 on the extended time limit for a person who is not represented by an employees' organisation, with the difference that the time limit referred to in Section 66, first paragraph, first sentence shall be two months, and
- Section 68 concerning the expiry of the right to bring an action on the grounds that it is time-barred.

If the action concerns compensation on grounds of an employment decision announced by an employer in the public sector, the time limits specified in the second paragraph are calculated from the day on which the employment decision gained legal force.

Section 5

In cases under Section 1, first paragraph the Equality Ombudsman can toll the statute of limitations, except in cases concerning a declaration that a notice of termination or summary dismissal is invalid, by informing the employer in writing that the Ombudsman is making use of her or his right to toll the statute of limitations. If the running of the statute of limitations has been tolled by such a communication, a new statute of limitations under Section 4 runs from the day of tolling.

A statute of limitations cannot be tolled more than once.

Other areas of society

Section 6

A legal action other than actions referred to in Section 4 must be brought within two years from the date on which the act to which attention is called was performed or from the last date on which an obligation should have been fulfilled. Otherwise the right to bring legal action expires.

If the action concerns a person who was under 18 years of age when the act was performed or the obligation should have been fulfilled at the latest, the time limit specified in the first paragraph is calculated from the day on which the person reached the age of 18.

Litigation costs

Section 7

In cases under Section 1, second paragraph, each party may be ordered to bear its litigation costs, if the party that has lost the case had reasonable grounds for bringing the dispute to court. However, this does not apply when the Equality Ombudsman brings an action on behalf of an individual under Section 2.

In cases under Section 1, first paragraph, Chapter 5, Section 2 of the Labour

Disputes (Judicial Procedure) Act (1974:371) applies instead.

Other provisions

Section 8

If someone brings an action on the basis of notice of termination or summary dismissal, the following provisions of the Employment Protection Act (1982:80) are to be applied:

- Section 34 concerning the validity of a notice of termination etc.,
- Section 35 concerning the validity of a notice of summary dismissal etc.,
- Section 37 concerning suspension from work when a notice of termination or summary dismissal has been declared invalid,
- Section 43, first paragraph, second sentence and second paragraph concerning expeditious conduct of proceedings etc.

Section 9

An action for compensation based on a decision on employment that has been announced by an employer in the public sector may not be examined before the employment decision has gained legal force.

Section 10

The provisions of the Swedish Code of Judicial Procedure concerning parties shall also apply to a person on whose behalf the Equality Ombudsman or an association brings an action under this Act in so far as they regard disqualifying circumstances, ongoing legal proceedings and personal attendance, as well as hearing of witnesses on oath and other issues concerning evidence.

When an individual brings an action under this Act, the Equality Ombudsman or an association may not bring an action on the individual's behalf in the same matter.

Section 11

The decision of the court in a case where the Equality Ombudsman or an association brings an action on behalf of an individual may be appealed by the individual, if it may be appealed by the Ombudsman or the association.

When the decision of the court in a case referred to in the first paragraph has become final and non-appealable, the matter may not be reviewed on the action either of the individual or of the Equality Ombudsman or the association.

Part 3 Core values work within academia
– experiences from Lund University



Photo by Louise Larsson

3.1 AKKA – a gender-integrated leadership programme

Inger Lövkrona

AKKA (Akademiska Kollegors Ansvar, the accountability of academic colleagues) is a gender-integrated leadership programme offered to senior researchers and teaching staff at Lund University. Five training programmes have been conducted between 2004 and 2014 with 150 participating staff members. The first two programmes were offered to women only; the following programmes have included male participants as well. All five programmes have been presented in various reports. In the so-called AKKA white paper, “AKKA Vitbok”, 2012, the programme coordinators summarise their experiences and analyse the results and effects of the programme.²⁷²

Programme objective and concept

Leading change management

The overall aim of the AKKA programme is to educate academic leaders to become gender-aware agents of change, who are to work in accordance with the adopted policies on equality, gender equality and anti-discrimination, and thereby comply with the UN declaration on human rights and democracy.

The programme started as a special gender equality initiative in view of the University's election of deans in 2005. The situation at the time was that only one dean out of eight was a woman. When AKKA I started in 2004, the short-term goal was to give women the opportunity to develop their leadership skills and run in the forthcoming dean and vice-dean elections. In the long term, the programme was an active initiative to promote

²⁷² I 2006; II 2008; III 2010; IV 2012; V 2015; AKKA Vitbok 2012.

women as leaders at Lund University and to break the male power base. When the programme started welcoming men in 2010, it developed from a so-called women only (WO) to a mixed-gender programme. The justification for this development was as follows: the proportion of women in senior positions of power at Lund University had increased and therefore it was time to take the next step, namely, to educate men into becoming gender-aware leaders. Research has shown that having gender equality initiatives for women only is far from sufficient, and that including more women does not necessarily lead to sustainable gender equality. One in four (37/150) of the AKKA participants have been men.

As part of this overall objective, AKKA also aims to be a forum for discussion about the activities and assignments of higher education institution, and to create networks within and across faculty boundaries. As a further effort to create networks, the AKKA leadership academy was established in 2012, of which all participants in the programme are members. The AKKA academy offers continuous leadership training, and is to be a forum for discussion and the exchange of experiences.

Learning to lead – a process

The fundamental idea of AKKA is that leadership can be learned. People are not ‘born’ leaders, but rather become leaders through knowledge and experience. The focus is thereby shifted from the properties of a person to their expertise – something that is to be developed. The properties of a person do matter, but they are not innate in the sense that they are immutable and assigned to each person only once. The things we call properties are in fact cultural constructions related to gender roles, etc.

In research, leadership has been described as gender neutral, when in fact the leadership role is clearly male-connoted. The academic leader is to have decision-making ability, political talent, a strategic eye, readiness to take action against discrimination, courage, a competitive spirit, emotional intelligence, an even disposition, and a willingness to change and for personal development. Leaders are to be able to take criticism, be thick-skinned, able to express themselves, inspire others, have good health, interest in other people, and a driving passion for their university’s own good.²⁷³ Most of these qualities are traditionally associated with men and masculinity, and are by no means gender neutral. They are also not specific to academia. Women in leadership positions are portrayed in complementary terms, and gender-stereotypical patterns are spelled out: female leadership is described as ‘soft’, caring, responsive, etc. Such stereotypes have affected the expectations of the role as a leader, as well as the individual’s approach and identification.²⁷⁴

²⁷³ Bexell 2011:129.

²⁷⁴ Wahl 1997; Billing 1997; Wahl et al. 2001; Hearn 2010.

The AKKA participants undergo a conscious process designed to make them become leaders and override gender stereotypes and gender patterns within academia and their leadership formation. AKKA's message is that anyone can design their own leadership, irrespective of gender. It does, however, require knowledge about gender and the role of gender within academia. It also requires knowledge about one's own perceptions and values. The process of becoming leaders includes becoming aware of other power structures and cultural norms, and where one stands in relation to these – what is called norm criticism.

Leadership formation, that is, becoming a leader, is a process over time that requires both theory and practice, knowledge and reflection. Leadership formation occurs in the interaction between theory and practice, and has no real end point. Leadership (formation) is also a process that takes place in social and collegial relations, under certain established terms and conditions. The terms with regard to academic and/or research leadership can be found in the academic organisation and culture; the conditions vary depending on the level and who and what is to be led. Good leadership therefore also requires knowledge about the employees/colleagues.

AKKA is not a hands-on programme; rather, its main task is to communicate tools for thought on a meta level, with the aim of creating an understanding of one's own (future) practice and role. Both the content of the programme and the gender perspective are new to most people, and require time for reflection – personal reflection and reflection together with others. The programme, therefore, extends over one year, with monthly sessions. The participants have responded positively to this arrangement, and it helps them to get to know one another and create networks.

Gender and academic culture

Gender integration

AKKA's gender profile – what we refer to as gender integration – involves constantly and critically examining the academic organisation, and the content and assignments involved in academic leadership, from a gender perspective. Gender equality is not only about numbers – more women in leading positions. Sustainable gender equality requires changing the structures that discriminate women. The aim of gender integration is to bring gender equality issues up to a structural level, and expose the gendered power structure (an academic gender regime or culture) that creates separate conditions for women and men. Women aren't the problem, the structures are. The

following questions are discussed on the programme: Why are there so few women in leadership positions at Lund University (and other universities)? What is the role of gender in academic culture? How do gender structures affect the academic structure and organisation? In what way is leadership gendered? Do women and men have equal opportunities and conditions at the university? In the latest programme, AKKA V, gender integration has been expanded to also include gender perspectives in the production of knowledge, in actual research.²⁷⁵

Although AKKA focuses on gender, gender-aware leadership is by extension a leadership that works to change other discriminatory factors as well, such as class, ethnicity and sexual orientation. In other words, it helps create an intersectional understanding of the concept of gender. This understanding involves insight into and knowledge about discriminatory power structures in addition to gender, and how they interact and enhance one another.

Academic culture and gender

Gender research questions both the structure and content of higher education.²⁷⁶ In the same spirit AKKA critically questions the university as an institution, its rules, norms, values and leadership, and its power relationships. Academia presents itself as gender-neutral, value-free and objective, a ‘culture of no culture’. Gender barriers are often externalised as irrelevant, incomprehensible and invalid problems, depending on the gender balance of the academic staff – which is seen as random, or at best, as a historic “backlog, which will be corrected”.²⁷⁷ In reality, the academic culture and organisation – the ‘academic space’ – is permeated by gender, usually masculinity.²⁷⁸ The gender regime within academia is a context-specific version of the broader societal gender order of male dominance and interpretive prerogative.²⁷⁹ Even ‘academic freedom’ and its imperative of freedom of research, integrity and quality are gender labelled, as is the meritocratic ideology. By applying a gender perspective, the AKKA programme challenges the notion of academic values as objective and gender neutral.

²⁷⁵ Schiebinger 2007.

²⁷⁶ Wahl et al. 2008.

²⁷⁷ AKKA II 2008.

²⁷⁸ Wahl et al. 2008.

²⁷⁹ E.g. de Vries 2005; Husu 2005; Eduards 2007.

Programme design and content

The AKKA programme extends over one year with monthly sessions. Its basic structure – knowledge seminars, workshops and project work – applies to all five programmes. Several of the programmes have had a theme related to a current issue at the University. The theme of the latest programme was the University's core values and their significance with regard to leadership. Each programme includes 30 participants from all faculties, who apply and are selected by the programme managers on the basis of set criteria.

Knowledge seminars

The sessions usually start off with a knowledge seminar with one (or more) invited lecturers. This is then followed up in the afternoon with a workshop where the topic of the day is discussed, with or without the lecturer present. The lecturers are prominent gender researchers in leadership, gender equality and academic structure, securing the programme's connection to research. In addition, representatives of the University management and a few external consultants also participate in the programme. Over the years, we who manage the programme have on several occasions discussed the need for external consultants and what they can bring to higher education. At the time when the first programme was established almost all existing knowledge of leadership was in the hands of management consultants whose target audience was the private business sector. While these consultants partially lacked knowledge about academia and its leadership culture, they provided an important outside perspective. We have gradually limited our use of external consultants as knowledge about leadership has developed within the universities.

The topics of the seminars have been relatively consistent throughout all programmes: the University's structure and management; current University issues; the faculties' structure, management and activities; academic leadership; gender equality and diversity; academic culture; ethical aspects of leadership; rhetoric, debating techniques and communication with the media; as well as academic and personal leadership – everything from a gender perspective.

Workshops

The workshops take place in faculty groups or so-called cross-faculty groups (participants from several faculties). The composition of the cross-faculty groups has varied over the course of the programme, partly so that the participants could get to know one another, and partly to create new constellations with new perspectives. In

the latest programme we changed the composition of the groups prior to each workshop. This gave participants the opportunity to discuss with all other participants at some point. Another positive effect was that deadlocks and coteries could be avoided. The work in the faculty groups contributed with deeper knowledge about the faculties' work. The observations that took place at the faculty board meetings and the interviews with the faculty management, which was part of the preparations for the project work, was particularly appreciated. These helped generate reflections on power issues, not least within the 'meeting culture'.

In order to integrate a gender perspective to University issues, we steered the group work with the help of gender-related questions such as: What consequences will the new staff policy have on gender equality and diversity? Case studies and role-play, designed by the participants, were used as educational tools. For some workshops, participants from previous AKKA programmes participated as supervisors and gender support.

The workshops have served as a discussion forum where the participants have exchanged experiences and knowledge. They can be compared to what is usually called 'peer learning' – learning from each other – which means taking a multidisciplinary approach to a problem.²⁸⁰

Project work

A project is conducted in parallel to other programme activities, and is introduced at the introductory away day. The aim of the project is for participants to deepen their knowledge of their own faculty and how it is managed. The project is about identifying and analysing a problem within the organisation or faculty. It is to have a clear and integrated gender and diversity perspective and focus on the possibilities for change, that is, provide constructive solutions to the problems identified. The project is carried out individually or in groups and is published in the respective AKKA reports. So far 56 projects have been conducted on the programme, and several of them have already led to changes and thus had an impact on the organisation.

Impact and results

How did it go? Has the programme helped increase the proportion of women in leading positions? Which positions do former participants hold today? Has the programme helped increase gender awareness among participants? Have the participants become

²⁸⁰ Cf de Vries 2005.

the ‘agents of change’ the programme intended? Has interest in academic leadership increased? What were the short- and long-term effects of the programme? What did people think of the programme?

The AKKA programme has been continuously evaluated, both during the programme and after its completion. In spring 2011, a questionnaire was sent to all those who had by then participated in the programme. External evaluators have also been consulted to provide an outside perspective on the quality and effectiveness of the programme.

Academic assignments

Looking back to spring 2012, several AKKA participants held leading positions at Lund University – one deputy vice-chancellor, three deans, and two vice/pro deans. The University also had an additional female dean, and one more has been appointed since then. In 2014 there were five women (out of eight) deans, three of whom had participated in an AKKA programme. Lund University is thereby far above the 2010 national average of 30 per cent female deans.²⁸¹ The significance of the programme in encouraging wanting/daring to accept a position has been confirmed by the participating deans. The question is how sustainable this gender equality will be and what the development will be like in the long run. At the time of writing, in November 2015, the number of female deans has remained the same, but a female deputy vice-chancellor has been appointed – a former AKKA participant. The female deputy vice-chancellor has been re-elected for another three years. The glass ceiling in terms of deputy/pro vice-chancellors and deans at Lund University has been temporarily shattered, but not when it comes to vice-chancellors, however.

Otherwise, in spring 2012 we found that participants from the AKKA programme were represented in 76 different boards and equivalent (120 had then started the programme). The programme has irrefutably helped increase the number of women in leading positions, and generated interest in leadership among women. We can also expect a synergy effect from bringing the issue to the agenda, by discussing the lack of women leaders at the various levels of the University. In 2006, leadership development became a strategic issue for Lund University.

Another problem which has been discussed on several occasions is whether academic leadership can be combined with a career in research.²⁸² Is academic leadership an obstacle for survival as a researcher, and especially for women? Academia’s deliberate striving for an even gender balance in senior positions is believed to contribute to limiting women’s opportunities for a career in research. Studies show that women in higher education – but also men – have certain apprehensions about the difficulties in

²⁸¹ Peterson 2010; ds 2011a, b.

²⁸² Haake 2009; Peterson 2010.

combining a research career and academic leadership, and fear that they will lose their position in the research community. These apprehensions have not turned out to be true when it comes to the AKKA participants. In 2011 the AKKA participants consisted of 37 professors, 13 associate professors, and the rest senior lecturers or equivalent. When the AKKA programme first started, a very small number of participants were professors and associate professors, and research qualifications have been acquired alongside an academic management position.

Legitimacy as a leader is closely connected to academic qualifications. However, women and the academic society at large stress the importance of not taking on a leadership position too soon, before research qualifications have been acquired.²⁸³ Meanwhile, women within higher education face enormous pressure to accept leadership positions offered to them because “we must have a woman as well”. Interviews with women in leading positions show that some willingly accept the role as ‘quota hags’, while others distance themselves from gender equality efforts.²⁸⁴

Research qualifications are a prerequisite for an academic assignment – the title of professor is practically a must in order to be considered for a (higher) leadership position. This relationship is one of the explanations to why women hold fewer leadership positions than men: only 24 % of all professors in Sweden are women (2015).

Networks and contacts

An important objective with the AKKA programme is to create networks and to broaden the participants’ contacts. AKKA has generated both intra-faculty as well as cross-faculty and cross-University networks, the latter by including participants from other higher education institutions in the region on the programme. The participants find that exchanging experiences and working together with colleagues on the programme has been both valuable and educational. Different cultures and perspectives have challenged one another, and have at the same time resulted in a better understanding of and insight into their own and each other’s everyday lives. Due to a lack of time and a heavy workload, the formalised networks (with regular meetings) that were established during the programmes have been difficult to maintain. However, many people testify to the importance of informal contacts: contacting and asking each other for advice, and being able to refer to a shared experience and knowledge, etc. The AKKA academy was initiated as a result of the participants requesting a formal structure of support, but it’s too soon to tell whether it has fulfilled its purpose.

²⁸³ Selberg 2011.

²⁸⁴ Peterson 2010.

Gender – a controversial perspective

Resistance

The gender integration of the programme has been generally perceived as very positive, educational, and innovative – it has been an “eye-opener”, it has “legitimised a gender perspective at the faculty level”, “provided new angles of approach”, etc. In the first two AKKA programmes with only women, some of the participants initially expressed some ambivalence towards the gender perspective. The critics thought there had been “too much” focus on gender, or that gender did not affect leadership; those who were in favour of gender integration thought there had been “too little” focus on gender. However, the most controversial issue was not the gender perspective – it was the monogendered nature of the programme. “Why only women?” It was perceived as unfair to men, and the women questioned why they were to be given special treatment and advantages – objections that are not uncommon in other women-only contexts.²⁸⁵ We did not note any real critique or resistance against the gender perspective, and in hindsight, the monogendered nature of the programme was generally perceived as positive.

On the first mixed-gender programme, some of the participants were suspicious of and even resistant to gender issues, which had an impact on the tone of the conversation and took time away from other applicants to speak – as well as energy from the management group. The resistance came mainly from a small number of men, but also from participants who lacked previous knowledge about gender and gender equality issues. On the second mixed-gender programme there was also some resistance but less, while on the latest programme, AKKA V, there was no resistance at all. What is the explanation for this? Why was the resistance so strong and clearly articulated on the first mixed-gender programme? Was it because the group was now mixed-gender? That the men were the minority? Or that these AKKA participants specifically were so strongly opposed to the gender perspective? And why did the resistance subside, eventually disappearing completely?

We who managed the programme asked ourselves whether opening up the programme to men had caused the resistance. On AKKA III the men were a minority, after which the programmes were somewhat gender-balanced. Men are not used to being a minority in academia, and the situation was therefore unusual to many of them. Furthermore, several of the lecturers on gender were women in more senior research positions than them, which disrupted the ‘normal’ power relationship.²⁸⁶

²⁸⁵ AKKA I 2006; de Vries 2005.

²⁸⁶ Cf. Wahl et al. 2008.

Perhaps most surprising was the fact that the resistance against a gender perspective was so strong on a programme that has gender as its specific profile, of which participants were well informed. In the call for applications to the AKKA programme, the applicants were asked to explain why they applied to this gender-integrated programme!

Expressions of resistance – verbal and non-verbal language

There are numerous ways to show resistance within academia, and they revolve around claims of knowledge. The expressions of resistance can be categorised into verbal and non-verbal language, i.e. what is being said and using what body language. The authors note that there is a recurrent way of speaking of ‘deficiencies’ in feminist theory, a form of anti-feminist discourse. Biology and nature are highlighted and the message is that feminist research denies the order of nature. The content of this resistance through words describes gender research as: a denial of nature, too simple and too obvious, too complicated, unnecessary or peripheral, unethical, unscientific, not useful and untrue.²⁸⁷ This type of verbal resistance was especially noted on the first mixed-gender programme.

The most frequent expression of resistance was when the lecturer was interrupted by a participant (usually a man) who wanted to ask a question or make a comment that he believed could not wait. The question/comment was preceded by an intense and insistent waving of the hands and attempts to interject – no matter what the lecturer had said about when she/he would be taking questions. The most common questions and remarks consisted of: questioning the statistics, claiming that there are biological differences between women and men, accusing the lecturer of having an outdated view of academia, arguing that the issue of gender equality has been resolved and that discrimination against female colleagues does not exist anymore, and so on.²⁸⁸ The non-verbal resistance was more evident and clear in certain situations. Some of the forms of body language that we picked up on were: constantly raising their hands, shaking their heads, leaning back, exchanging of knowing looks, whispering to each other, leaving the room to accept a phone call or being on their laptops. The resistance demonstrated fits well with Professor Jeff Hearn’s lecture which took place at one of the seminars. He showed what usually happens in mixed-gender groups, namely: men take over (hog the show), they speak in ‘capital letters’, are defensive, and express their negativity towards gender issues. The discussions were clearly dominated by men, as noted by both programme directors and the majority of the participants, women and men.

It was mainly the invited gender researchers who were met with resistance, but also the gender expert managing the programme. The programme directors who represented

²⁸⁷ Wahl et al. 2008.

²⁸⁸ Cf. Wahl et al. 2008.

the University administration were not questioned in the same way as the researchers/scholars were. Rules and the application of policies and plans were accepted to a greater extent, while research presentations were criticised. This creates what is described in the book on resistance as a “division between legitimate gender equality and ‘extreme’ feminism” in that gender research/gender researchers are constructed in negative terms.²⁸⁹

We have also experienced what we would describe as passive resistance or ‘active non-affirmation’ of the gender perspective from some of the invited lecturers on the early programmes; lecturers who were not explicitly gender researchers but said to be very interested in gender issues, who agreed to communicate their expertise from a gender perspective but who didn’t, and thereby neglected the management group’s instructions and wishes. At best, these lecturers excused themselves afterwards; at worst, they would start their lecture by saying that they did not have a gender perspective, did not have time to include it, or said things like “yes, I know that this is not what we agreed...”.

Significance and functions of resistance

Resistance can have several meanings. On the AKKA programme it was obvious that it aimed to challenge the lecturers’ prior knowledge and methods. It was an expression of marginalisation of her (only female lecturers were interrupted) knowledge, thereby creating uncertainty among the other participants about the scientific content of the message. The knowledge that was conveyed was perceived as a threat to their own knowledge, and their actions helped devalue the gender perspective. It is not unusual that especially men feel aggrieved and accused by gender issues. “Not me!” or “I don’t do that!” are common reactions that show how people make gender into a personal and private matter, not a structural one.

Already during the first session, we could see that some of the participants found it difficult to accept gender as a social/cultural construction, and wanted to start a discussion about the gender-theoretical basis of the programme. They questioned how a gender perspective was relevant to leadership, that is, we faced resistance in the form of words at an early stage of the programme. We responded to this by saying that the AKKA programme was not the right forum to discuss the very existence of the gender perspective. We explained that the programme aimed to have participants learn about what applying a gender perspective to academia and academic leadership *could* be; that on the programme they would contribute to a critical review of gender as a structure within academia. We stressed that such a critical review from a gender perspective cannot start from a point of questioning gender as a perspective, but may very well lead

²⁸⁹ Wahl et al. 2008.

to such questions later on. A critical approach to gender perspectives in academia and leadership is to be based on knowledge, not on opinions and beliefs.

The questioning of gender as a social construction came up at yet another session towards the end of the programme. The role of biology came up during the presentation of anti-discrimination legislation and the 'sexual orientation' ground for discrimination, in terms of normative heterosexuality and homosexuality. This became a controversial issue for a couple of the participants, which shows that gender awareness can be difficult to relate to and trigger strong emotions. The resistance in the form of words, similarly to previous programmes, involved the interpretive prerogative of biology. Our interpretation was that gender awareness was perceived as a threat to critics' scientific claim of 'true' knowledge. Women's resistance can also be interpreted in the same way as men's: a way to create insecurity, marginalisation, etc. The resistance to gender is not tied to a (biological) sex.

Resistance towards the gender perspective complied with familiar patterns of *homosociality* and *heterosociality*. (Male) homosociality is about men supporting each other and thus contributing to the establishment of elites and the reproduction of gendered power relations. The resistance can therefore be interpreted as a means to create homosociality; by excelling and trying to outdo one another, they express their male affinity through resistance.²⁹⁰ It is interesting to note that the participating men with extensive knowledge about gender were excluded and ignored when they questioned the resistance. They were perceived as a threat to the established homosocial bonds, and were not allowed to become 'boundary workers' as the female gender experts were on the AKKA IV programme (more about this below). 'Boundary work' can be described as micro-political negotiations about what can be regarded as true or excellent knowledge. However, the success of a boundary worker depends on the person's professional status. The men who served as boundary workers held lower academic positions than the men who had questioned the gender perspective, which might explain why they were unsuccessful. The notion that it is easier for men to gain support for gender issues with other men depends not only on gender, but on academic status.²⁹¹ The female participants on the programme, however, paid close attention to the gender-knowledgeable men, and did not question them. On both single-sex and mixed-gender programmes, we noted that women in certain situations were loyal to men, i.e. they acted heterosocially. Some women showed loyalty to men (regardless of whether men were present or not) in that they wanted to downplay the significance of gender as well as support the men by being a (relatively) quiet and affirmative audience.

²⁹⁰ Wahl et al. 2008.

²⁹¹ Pereira 2011.

Strategies against resistance

Our overall strategy was to try and strengthen the gender integration of the programme, in cases when we believed the resistance was due to a lack of knowledge about gender. Our ambition was to have gender issues permeate the entire process – from the call for applications, selection and admission, to the structure, content, working methods and practices on the programme. As much as possible, we wanted to bridge the knowledge gaps and increase gender awareness so we introduced and implemented a mandatory textbook – a handbook on gender, gender equality and leadership.²⁹²

Our position has consistently been to not let the discussions and verbal resistance towards gender take up too much time at the seminars. Some participants perceived our firm stance as us not allowing an open discussion about these issues, and that they weren't discussed as often or as long as the participants would have wanted. By not negotiating the legitimacy of the gender perspective, we refused to confirm the norm of what legitimate knowledge is, and instead asserted the equal value of gender studies. An interesting observation is that the participants (here mostly women) who were already knowledgeable about gender, both legitimised the gender perspective and served as 'boundary workers', constructively contributing to communicating the gender perspective to the other participants.

In summary, the gender perspective was heavily introduced at the very start of the programme, and was followed up and integrated into all contexts. This strategy, or educational design, both strengthened the legitimacy of gender issues and increased the interest in learning more. The final evaluation is unequivocal in this respect. It clearly shows that the participants, apart from a few exceptions, believe they have acquired good knowledge of gender issues and that they will employ a gender-aware leadership. The strong focus on gender has been a successful strategy to increase awareness about gender perspectives and thereby reduce resistance. This does not mean that the knowledge is sufficient; the individual must also take an active and positive approach to this knowledge to make it meaningful.

The educational design we used also helped tie leadership and gender integration together at the workshops. The cross-faculty and varied group compositions increased the exchange of knowledge and experiences across faculty boundaries, thereby decreasing the importance of the different levels of knowledge and role-playing, case studies, analyses, etc., enabling the participants to learn more effectively from each other.

²⁹² Franzen et al. 2009.

Agents of change

A gender perspective on academic culture shifts the focus from individual leaders to how gendered cultures, norms and expectations restrict or enable the exercise of leadership of both women and men. The perspective exposes the practices, processes and principles that reproduce the gender imbalance, and can therefore contribute to change. The leader is the one who communicates this culture – and is also the one who can change it.²⁹³ Meanwhile, the critical AKKA programme opens the door to both individual and institutional resistance, and this is the reality that the AKKA participants will face in their work as gender-aware leaders.

An agent of change is to be able to read, understand, explain and change a gendered workplace culture, and this requires knowledge ('cultural literacy'), which is about "reading the play and reading the players". It also means seeing your own part in maintaining and supporting unwelcome aspects of the culture, and how to make them visible.²⁹⁴ The ability to change is contingent on the leader being able to identify gender bias, and that she/he does not deprioritise them in favour of what is perceived as 'gender-neutral' issues – an understandable approach as it is easier and less provocative to push such decisions through.

The evaluations show that the participants are prepared to apply the gender tools the programme had to offer. They want change and are or will thereby become so-called 'active breakers', knowledgeable about the gender regime in academia, and they have had time to reflect on their roles as agents of change and of their leadership formation. They are 'breakers' in a double sense: as women in a male-dominated organisation, and as gender-aware leaders (women and men). As active breakers, they do not need to feel like tokens, as they have undertaken an assignment because of their interest, commitment, knowledge and skills.²⁹⁵ The increased visibility can be positive, but also involves increased pressure. Women's performances are easily seen as symbolic of what women in general can achieve. Visibility decreases the propensity for risk-taking, compared to men who do not have to face the same spotlight.²⁹⁶

Those who have participated in an AKKA programme are exposed as potential leaders, and highlighted in their leadership roles. They are many and they have accepted positions at different levels of the organisation. Some, as shown above, have made it to the very top.

²⁹³ Peterson 2010.

²⁹⁴ de Vries 2005:34.

²⁹⁵ Selberg 2011.

²⁹⁶ Wahl et al. 2001.

In conclusion

The following conclusions can be drawn after conducting five AKKA programmes. The programme has:

- helped increase the proportion of women in leading positions
- helped highlight women as potential leaders
- helped make more women and men interested in taking on a leadership role
- helped increase gender awareness in academic leaders – both women and men
- helped establish networks and collaborations
- contributed to a discussion about the University's mission
- helped manage resistance towards gender issues
- helped create tools for change management
- helped expose (academic) power structures
- helped expose discrimination
- helped develop concrete projects for change
- put Lund University's work on gender equality on the map – nationally and internationally

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Photo by Gunnar Menander

3.2 Gender certification – experiences from working to promote change on a departmental level

Tomas Brage & Inger Lövkrona

Introduction

A recurring question when working to improve the environment and for a more gender equal University is why so little is happening when demands and objectives have long been included in policies and plans. Already at the start of the 21st century you could find phrases such as

The gender perspective is to be a natural element in all education

in the Lund University gender equality policy [1]. In 2007 [2] the Vice-Chancellor summarised by saying that:

Despite these declarations, the ambitions when it comes to applying gender perspectives and gender awareness in teaching have had a limited impact so far.

Why is that? The resistance – both active and passive – that can be expected has been well documented and discussed not least in books [3]. However, there is another side to it [4]. In one of the AKKA programmes (AKKA IV), interviews were conducted with people in senior positions at different levels of academia – from vice-chancellors to deans to heads of department – where they were asked what they thought of the gender equality policy at the University. There appeared to be a desire to follow it, but at the same time, a lot of uncertainty on how to do so. Some examples:

In general I can image that I have treated people differently because of their gender – at oral exams and such – but I can't really put my finger on it. What I mean is that I would love to have someone tell me when I make a mistake.

... I mean, it's hard to see why electron orbits would have anything to do with gender – but I could be wrong....

The quotes reveal a lack of knowledge, but at the same time a positive attitude and curiosity. They demonstrate that there is uncertainty about how the policy is to be applied, indicating that it is not enough to draw up policies and plans, or core values for that matter, and then turn them over to the organisation – they must be followed by measures and support.

This was one of the reasons why former Lund University Vice-Chancellor Göran Bexell initiated the Gender Certification Project. In 2007, he appointed a project group to:

...in an exploratory way, investigate and highlight the opportunities to, through some type of certification, accelerate and promote the work to apply a broad integration of relevant gender perspectives and gender awareness in teaching to courses and programmes at Lund University,[2]

The group consisted of representatives from all faculties, union representatives, student representatives, and representatives from Human Resources. The results from the group's work were presented in a final report in March 2008. The report explains the concepts of 'gender' and 'certification', and suggests which certification criteria are to apply. The report is made up of three parts, in addition to the introduction:

1. Gender – explained and discussed as an analytical concept. Over the past few decades, the concept has been used within humanities and social sciences research about social and cultural conceptions about women and men, that is, femininity and masculinity. Gender perspectives and gender theories offer a way to view, analyse and explain social and cultural phenomena that have to do with gender. However, notions about gender must be related to other social categories such as class, ethnicity, and sexual orientation – what we refer to as intersectionality.
2. Certification – involving quality assurance of a product, here using a certification model called *expanded self-declaration*. It means that the departments themselves report on their progress – something that creates activity and dialogue, but also requires a third party to evaluate the work.
3. Certification criteria – a list of proposals for how the self-evaluation is to be conducted, by answering questions within four different areas (checklist)
 - a. *Gender awareness* – which is about the culture at the department. Questions could include: Is everyone given the opportunity to be

seen and heard? Are exams anonymised? Does the department use different forms of exams?

- b. *Gender perspective* – which is about the subject itself. Questions could include: Are teaching staff given the opportunity to take in gender research available in all subjects? Are concepts and content critically reviewed from a gender perspective?
- c. *Plans and strategies* – where questions are asked about gender equality plans, and how they are followed up and implemented.
- d. *Protection against discrimination* – where questions are asked about the active work to prevent and forestall discrimination, and who follows up on that work.

The complete final report can be found in the last paragraph in this contribution.

Once the final report had been submitted to the Vice-Chancellor, the departments were invited to participate in the certification project. Three departments signed up: the Department of Physics, the Department of Geology and the Department of Energy Sciences. The project was initially funded by the departments themselves. Financial support was later received for a two-year pilot project from the Swedish national *Delegation for Gender Equality* (DJ).

Gender certification: Department of Physics

Gender certification at the Department of Physics started as a pilot project, before receiving the support from DJ. The department decided on three steps to achieve certification:

- Information, education and infiltration
- Implementation of ideas from step 1
- Evaluation

The practical meaning of each of these steps is described below, through examples of activities.

Step 1: Information, education and infiltration

When the project started there was a lack of understanding of how a gender perspective/gender studies could be applied to physics – a perception presumably

shared by most of the physics departments. It was therefore necessary to introduce the subject in different ways, using different methods:

- “See the Human Beyond” (see Brage, part 3.3) is an anti-discrimination training programme, developed at Lund University over several years. It is based on the Swedish Discrimination Act and includes a norm-critical discussion, a presentation of the results from surveys, value exercises, as well as an initiating debate based on cases. This method was applied in all divisions within the department.
- A symposium entitled “What does gender have to do with physics?” was held that included experts on both gender and science. Several of the participants were originally science scholars, and came to function as ‘boundary workers’.
- A reference group was created, with representatives from all divisions and staff and student groups at the department.
- Information meetings were held about the project and a survey was conducted on the Department of Physics prior to gender certification.
- A course on “Gender in Science and Technology” was initiated and offered to students and staff. The course is still conducted annually.
- Two half-day training sessions were held, titled “Gender perspective and gender awareness – how can we change the culture and the subject at the Department of Physics?” On the first day, the subjects were introduced and the participants were asked to immediately write down any ideas that had come to them about possible projects – without demanding their implementation. On the second, these project proposals were discussed and forwarded to be addressed in step 2 of the project.

Step 2: Implementation of ideas

In the second part of the project, the goal was to realise the ideas that had emerged from the training in the initial step. The examples included:

Students were given information about gender and physics, in the form of an information brochure the size of a credit card. It also contained information about whom to turn to if they felt subjected to offensive treatment or harassment.

A new type of questions, on gender and gender equality, were formulated to be included in the course evaluations. These questions were distributed to all teaching staff.

A mini-conference was conducted on “Gendered Innovations” under the management of Professor Londa Schiebinger (UCLA).

Book carts containing literature on gender and physics were set up, and circulated between the various break rooms at the department.

A gender coach was appointed at 25 % for one year, as a resource for the department when working on gender issues. The coach was invited to participate in the department's budget meetings, among other things, to analyse them from a gender perspective.

Doctoral students were offered a double extension of the time they spent on parental leave. (This means that if a doctoral student was on parental leave for 3 months, they would be given an extension up to 6 months). This was justified by the fact that parental leave – which is supposed to be gender-neutral – is largely used by women (76%).

Step 3: Evaluation

The final step included compiling a method book [5] and an external evaluation [6]. The results of the external evaluation, for all departments, will be presented below.

What happened at the Department of Physics?

Gender certification has clearly changed the atmosphere at the Department of Physics. Projects for change are initiated spontaneously, not least at the centres of excellence at the department; one of them is particularly interesting because of its clear transformation. It started as a mono-gendered division, in which all researchers and most of the students were men. Today, some years later, they have broken the barrier and appointed a female senior researcher and attracted a large number of female doctoral students. A simple analysis of the situation, based on techniques from the “Gendered Innovation” project [7], shows that:

1. The division has deliberately worked to identify gender patterns in education and research by organising workshops.
2. This made them reflect on and change the content and language used in their teaching.
3. This might also have had an impact on their research issues and priorities.

This development is currently being studied in a pilot project. The observed change process is to be analysed and described with the help of statistics and in-depth interviews, and can hopefully be presented as an example of good practice.

Gender certification: Department of Geology

Although we refer to the Department of Physics as a prime example, we also want to highlight the great variety of projects that were initiated at the other two departments (quoting “Metodboken” by Widén and Brage, 2012). As for the Department of Geology we can mention the following activities:

“See the Human Beyond” training [see part 3.3] was initially conducted.

Presentation on “Gender certification: experiences from the Department of Physics” – inspirational meeting with Professor Tomas Brage from the Department of Physics.

- “Gender studies: Theories and applications” – talk by Professor Jens Rydström from the Department of Gender Studies.
- Role play on diversity and gender by the forum theatre group PUMAN. The afternoon was concluded with a dinner.
- Literature on gender placed in the break rooms.
- Evaluation of all course syllabi at the department; participation by the reference group.
- Brief information about the aim and plans for gender certification at a doctoral student meeting.
- Reading seminar, part 1. Overview and distribution of literature on gender. This type of reading seminar was repeated in 2010 and 2011.
- Brief information about the aim and plans for gender certification at a department staff meeting.
- Reading seminar, part 2. Participants in the reading circle had read some of the literature that had been placed in the break room, and informed each other about the content.
- Visits to students in class at the majority of the ongoing courses at the department. Brief information about gender certification, invitation to students to participate as student representatives, invitation to the seminar “See the Human Being”.
- Information at the department teaching staff meetings about the ongoing reading seminars and PhD Fredrik Bondestam’s training day.
- In a Bachelor’s degree project, BA graduate Matilda Andersson at the Department of Gender studies at Lund University reviewed the gender certification project and the situation of the doctoral students at the

department with the help of questionnaires which gave all doctoral students the opportunity to respond. Four people were interviewed.

- A review of existing course evaluations to see how they were formulated. Design of a general course evaluation that can be applied to all courses at the department, and that includes some specific questions about gender. The reference group participated in the work.
- Oral presentation of the department's participation in the gender certification project at a conference, organised by the network WINGS (Women In Great Science) at Lund University.
- Information about gender certification at the election meeting of the Student Council for Physical Geographers and Geologists (SNG). The department received two new representatives from SNG who will participate in the meetings and activities during the autumn.
- Group discussions with staff at the department about gender awareness in teaching, based on the compendium "Genus i undervisningen" (Gender in teaching) written by Lina Nilsson and Karin Bengtsson, which contains advice and tools for how to integrate a gender perspective in teaching. This material was sent to all staff together with an invitation to participate, with the hope of giving everyone a chance to reflect on the content and discuss which issues are relevant for the department and what could be complemented by field work or lab experiments, etc.

Gender certification: Department of Energy Sciences

Here we can provide the following examples of activities:

- "See the Human Beyond" training [see part 3.3] was initially conducted
- Representatives from the department participated in activities within the project organised by the Department of Physics.
- Initial talks between the Head of Department Bengt Sundén and project manager Kajsa Widén.
- Some of the teaching staff at the department were interviewed by the University magazine LUM.
- Inspirational meeting for the entire department with Tomas Brage, Department of Physics, Lund University.

- Gender seminar for the entire department with Jens Rydström, Department of Gender Studies, Lund University.
- Seminar for the entire department with Jeanette Larsson from the Swedish Police in Malmö, among others.
- Gender training for TA staff with Kajsa Widén, Human Resources, Lund University.
- Gender training day for teaching staff and researchers, based on the theme: “How can we as teaching staff, researchers and doctoral students increase our knowledge about gender perspectives in teaching and education?” with Fredrik Bondestam, Centre for Gender Research, Uppsala University.
- Training day with Professor Boel Berner, Linköping University.

Evaluation

The aim of the pilot project was to test the previously developed certification model on a larger scale for two years. The intention was to test how the model of expanded self-declaration and checklist had worked, and how the model could be developed for future gender certification work. The expected outcome was that the departments had become more aware of aspects related to gender issues, and that the teaching and atmosphere at the departments had become more sympathetic to the differences related to gender, ethnicity, age and sexual orientation.

The evaluation shows that the departments that participated in the project were pleased with the model of expanded self-declaration and with the checklist. The conversation model was perceived as both practical and pedagogical. Furthermore, the checklist has served as a tool for structuring the work. At the time of the evaluation, not all of the participating departments had achieved as much in terms of the three steps. None of the three departments had been successful in having gender permeate the organisation – not even the Department of Physics which had advanced the most. Although the information and the training had certainly reached a significant proportion of the employees, the major impact that was expected had not been achieved, despite multiple activities having been organised during a period of two years at all three departments. The awareness that the members of the reference group claimed they had gained did not reach many others, although it has not been entirely limited to the group either.

Getting employees interested and active in the work on gender certification proved difficult for several reasons, one being the generally wide-spread resistance against gender issues within academia. The reference groups have faced resistance in the form of ironic remarks, questioning, ridicule and disregard. Another form of, more subtle,

resistance has been to refrain from participating in activities which the head of department has stated as mandatory. Initially, the students were left out of the gender certification project, and the departments have given different reasons for doing so. The students who were later involved have been very committed, but met by a certain lack of interest from their student body.

Gender perspective in teaching is the part for which it has been most difficult to gain acceptance and understanding. The arguments against it are that “it is not possible in my subject” or “I don’t know anything about it”. Including a gender perspective in teaching had never before been discussed at the department or among its teaching staff. The issue had simply not been on the agenda, and none of the departments have researchers that call themselves ‘gender researchers’. The Department of Physics which organised the course “Gender in Science and Technology” also showed the most interest in it; no one from the other departments participated. The interest in *gender awareness in teaching*, however, has been great. This positive interest can be explained by a desire for being good teachers and wanting to develop their professional skills, and that this can be linked to the certification work. The negative reactions have been found in that teaching staff have felt criticised and questioned in their professional role. All of the departments put a lot of effort and time into formulating additional questions about gender, equal opportunities, etc. in the course evaluations, but with little success. The questions appeared to be highly controversial, and they obviously channelled a hidden resistance, also found in the argument that standardised forms cannot be changed.

All the departments that participated state that gender certification has had a positive impact on the atmosphere at the department: how employees treat each other, speak to and about each other. The blockish jargon, which at the start of the project was present at (at least) two of the departments, has partially, if not completely, disappeared. Furthermore, there has been a change in how staff and students with non-Swedish ethnic backgrounds are treated. The knowledge and curiosity about how foreign-born staff and students live, feel and do is still surprisingly limited.

The work on gender certification has also appeared to have significant synergy effects. It has created points of contact and exchange of experiences within and between the departments involved. During the initial phase of the project, representatives of the Department of Physics visited the other two departments and informed them of their work. Some of the activities organised by the project management were open to all three departments and helped create contact. Apart from that, there was no collaboration between the department reference groups during the project, which in hindsight is regrettable as it would have been valuable. The reason for it was explained as a lack of time. In May 2012 a conference was organised at which the respective departments participated in a panel debate and presented their work, which resulted in the participants getting to know one another on a personal level. This will probably facilitate future collaboration and dissemination of the project. Another valuable

synergy effect is that the project has generated a collaboration with the University's support functions, specialists within staff and student organisations, and the Department of Gender Studies. Through this, knowledge about the project and its implementation has been utilised and benefited the departments themselves.

Conclusion

Having a goal – in this case certification – clearly helps focus and intensify the work on introducing a gender perspective in teaching and research. The fact that the criteria that were established to achieve this goal served as a significant support for the organisation made the project feasible for a larger group. This can be compared to certification systems found in other countries, such as the Athena-Swan charter in the UK [9].

It is interesting that in the end, the reward in the form of certification was not considered to be particularly important – the focus had shifted to changing the departments and the stimulation it generated.

Appendix: Final report from the project group on gender certification

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Appendix



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Gender Certification Project Group

Professor Tiina Rosenberg, Chair

Final report from the gender certification project group

Assignment

The Gender Equality Policy for Lund University 2006–2010 states that relevant gender perspectives and gender-aware teaching are to be a natural part of all education. In the policy, gender perspectives refer to the specific content of courses and programmes, and gender awareness to the methods of teaching. A gender perspective is to illustrate how social factors contribute to the different conditions for men and women. Education that includes a diversity perspective, as well as gender perspective, is also addressed in the 2006–2010 Lund University Policy for the Equal Treatment of Students. The task of monitoring relevant gender perspectives and gender-aware teaching, and integrating them into all education at Lund University rests primarily with the faculties; meanwhile, they are to have a prominent place in the qualifying training in higher education teaching and learning offered at Lund University.

Gender perspectives were already a priority in the Lund University Gender Equality Policy 2001–2005. It stated that a gender perspective is to be “a natural element in all education”, and that the courses and programmes that fully or partially lacked a gender perspective were to present, during this period, how this perspective was to be applied to the teaching, forms of examination, reading, etc. Despite these declarations, the ambitions when it comes to applying gender perspective and gender awareness in teaching have had a limited impact so far. Therefore, the University Board, on 9 May

2007, decided to appoint a project group to work on the “gender certification” of courses and programmes.

The Vice-Chancellor decided to appoint the following members to the project group:

Professor Tiina Rosenberg, Faculty of Social Sciences, Chair

Educational development officer Björn Badersten, CED

Director of studies Tomas Brage, Faculty of Science

Lecturer Anneli Carlsson, SACO

Reader Anna-Karin Dykes, Faculty of Medicine

Reader Agneta Gulz, Faculties of Humanities and Theology

Senior lecturer Magnus Pålsson, Faculty of Engineering

Reader Maria Stanfors, School of Economics and Management

Reader Mats Tjernberg, Faculty of Law

Senior lecturer Barbara Wilczek Ekholm, Faculty of Fine and Performing Arts

Human resources consultant Kajsa Widén, Human Resources

Student representative Lisa Malmberg elected by the Lund University students’ unions, and Karin Bengtsson appointed as the project secretary.

The assignment of the project group has been to, in an exploratory way, investigate and highlight the opportunities to, through some type of certification, accelerate and promote the work to apply a broad integration of relevant gender perspectives and gender awareness in teaching to courses and programmes at Lund University, as well as enable comparisons between departments (or equivalent) and faculties. The work was inspired by many different things, including the Swedish Government report (SOU) 2002:30 titled Märk-värdig jämställdhet (Note-Worthy Gender Equality), the Swedish National Institute for Working Life’s material titled Socialt index (Social index) (Stockholm 2002), ongoing certification work at Umeå University, as well as the experiences with environmental certification at Lund University. The assignment also included proposing criteria/methods for a possible gender certification of activities at Lund University.

Gender certification – introduction

Gender certification is a compound word consisting of both ‘gender’ and ‘certification’. The project group has defined both concepts in relation to the assignment to “in an exploratory way, investigate and highlight the opportunities to, through some type of certification, accelerate and promote the work to apply a broad integration of relevant gender perspectives and gender awareness in teaching to courses and programmes at Lund University, as well as enable comparisons between departments and faculties”.

All certification systems require goals in order to be implemented and an ethical base, a set of core values, to stand on. As for the gender certification project, these values can be found in the UN Declaration of Human Rights (UDHR):

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status... (UDHR, article 2).

In addition to the UN Declaration of Human Rights, the Swedish legislation on equal opportunities for students in higher education served as an important guiding principle in the work on gender certification:

Section 1 – The purpose of this Act is to promote equal rights for students and applicants in the higher education sector and to combat discrimination in higher education on grounds of sex, ethnic affiliation, religion or other belief, sexual orientation and disability (Equal Treatment of Students at Universities Act 2001:1286).

It is important to emphasise that gender certification is not the same thing as true gender equality at higher education institutions, which is primarily about the numerical imbalance between women and men. It is also not the same as gender mainstreaming, which means having a gender perspective permeate all policy areas and government authority working methods. Gender certification can help create a better understanding of gender in higher education, in the same way that gender mainstreaming is intended to result in equality within organisations (cf. SOU 2002:30).

Gender as a concept

The concept of gender has in recent decades been used in the humanities and social sciences as a relational term for the social and cultural processes that shape perceptions about both women and men. In gender-theoretical contexts, ‘female’ and ‘male’ are considered to be social and cultural phenomena, evolving in time and space. Gender is therefore an analytical concept that forms the basis for an area of knowledge that dwells on issues of how perceptions of gender are constructed and reproduced in a social context. These notions are of fundamental importance for understanding the

conditions we live, and have lived, in. At the same time, these notions should be put in relation to other social categories such as class, ethnicity and sexual orientation (cf. Lewander & Jordansson 2000:10). The concept of gender has replaced the older and narrower terms 'gender roles' and 'socio-cultural gender'.

Gender research is based on the understanding that gender as we know it is created in an ongoing social process, in which the individual, organisational and community levels interact. The power relationship between the sexes is central to the understanding of gender. As with anything else, science is characterised by a gender order, which affects the forms and content of the tone and language of conversation, etc. Gender certification is a way to move forward with issues that specifically deal with activities at higher education institutions.

Gender is a multifaceted concept. Gender perspectives and theories of gender provide a way to view, analyse and explain social and cultural phenomena that have to do with gender (cf. SOU 2006:42). The project group chose to primarily focus on gender, but is open to an intersectional understanding of the gender concept. Intersectionality means taking additional factors into account, such as ethnicity, class, sexual orientation, age, disability, religion, and other interacting and reinforcing power structures.

Certification

The basis for certification is that a product or service must meet the requirements and criteria defined in a normative document. When it comes to environmental matters, certification processes have been used for a long time, and can be divided into two categories: the producer's self-declaration and third-party certification. Self-declaration means that the producer vouches for the accuracy of the declaration. This method has been criticised, especially with regard to optional mechanisms, as it is difficult to ascertain whether the producer's declaration reflects the reality of the situation. Third-party certification is a more resource-demanding approach. With the help of the criteria, the organisation is reviewed by an independent and qualified reviewing body, which generates greater confidence in the certification (SOU 2002:30, 201 ff).

In light of this, the gender certification project group proposes implementing a so-called expanded self-declaration certification model. Having the departments report on their own progress is practical for the University and has the advantage of being educational. As there are major differences between the different faculties, it is important that each department reviews and (partially) develops their own way to integrate the criteria in the organisation. Therefore, the project group has primarily focused on developing draft criteria to be used as an inspiring and practical tool for the departments. Meanwhile, there should be some sort of third party control unit to ensure credibility and support for the work on gender certification at the departmental level.

The project group decided to propose a certification model that specifically concerns teaching, and has thus not drawn up criteria that covers all activities at the University. This corresponds to the way in which the group was established – as a measure linked to the evaluation of the University's work to promote gender equality. The ambition when it comes to applying a gender perspective and gender awareness in teaching proved to have made a very limited impact during the 2001–2005 period.

Criteria for gender certification

In its efforts to formulate criteria for gender certification, the project group has presented proposals that have been discussed and reworked at several meetings. A central issue has concerned the form and articulation of the criteria. The two main proposals were, first, to formulate the criteria as questions, and second, to list the criteria in the form of a checklist. The present report has applied this structure as well.

A key dimension of gender certification is the issue of whether quantitative or qualitative aspects should be considered. In order to effect real change, a combination of the two is often required. It is especially important to avoid a system that reduces quality to quantitative criteria exclusively. Although such a system is easy to manage, it cannot be interpreted without a qualitative analysis. After the project group formulated the criteria as questions, its main working method on gender certification has been based on conversations and discussions, creating space for qualitative aspects of gender certification. The conversations and discussions must be held at both a faculty level and a department level, and must involve students, teaching staff and management. It is of utmost importance that the students' views and experiences are utilised in the gender certification work, with the help of well-executed course evaluations, among other things.

Gender certification should start with an overall assessment based on these discussions and conversations. A conversation-based gender certification model allows taking into account what the teaching staff and students think about the established criteria. It is important that the basis for assessing the gender certification process is discussed and developed collectively at the department level.

In conclusion, the project group finds that a model of something as complex as gender certification must be developed over a long period of time. It is of great importance that the gender certification project is properly supported. We suggest the University initiates a pilot study to test the certification model on a smaller scale, followed by an overall implementation of gender certification. Such a project should give opportunity to teaching staff, students and TA staff to contribute with their views and experiences. Another suggestion is that each department selects two key persons (certification representatives) to be in charge of the gender certification work, who should be given

the authority, training, time and financial resources they need to develop a local structure for the work.

The project group also believes that it is important to, in different ways, motivate departments to implement gender certification. This should be done with the help of financial incentives. Another method is some form of public ranking system where the departments' improvements and practical initiatives to introduce gender perspectives and gender awareness in teaching are made visible.

The fundamental position when working with gender certification should be constructive and inspiring rather than controlling, even if certification always includes an element of control. This can be accomplished by offering support to departments in such work, for instance, by highlighting success stories, providing practical tips, hands-on checklists and inspiring method materials.

The project group has chosen to organise the criteria under the following headings:

Gender perspectives in teaching means establishing a critical perspective on the subject in question, focusing on gender and other power structures, as well as making use of existing gender research that relates to the subject. Gender perspectives refer to the specific content of the course or programme. The project group emphasises the importance of utilising gender research, which has been an established and important part of the academic production of knowledge for a long time.

Gender-aware teaching is about having the knowledge and awareness of how gender plays a role in teaching situations, as well as teaching methods to combat discrimination. Gender-aware teaching refers to the forms of teaching.

Plans and strategies is about the work of the organisation to increase the overall expertise about gender.

Combat harassment and victimisation focuses specifically on the work to combat gender-related and sexual harassment.

Gender perspectives in teaching

Course syllabi

- Are quality criteria and learning outcomes problematised with respect to gender?
- Have the syllabi and other policy documents been reviewed with respect to gender, and have the students been made aware of this?

Reading lists

- Do the reading lists include both female and male authors?

- Does it include reading that explicitly analyses the subject from a gender perspective?
- When texts that lack a gender perspective are used, are they critically discussed in teaching?
- Is the required reading free from expressions of sexism, homophobia and racism?

Teaching expertise

- Have teaching staff received training with regard to gender perspectives and gender awareness in teaching?
- Do teaching staff have knowledge about gender as a concept, perspective and area of research?
- Are teaching staff familiar with gender research that relates to the subject taught?

Content of the course/programme

- Is the teaching permeated by gender perspectives?
- Are the established concepts, theories and methods problematised with regard to gender?
- Are specific examples that illustrate issues of gender used in teaching?
- Are relevant issues about gender addressed in exams?

Students

- How do students experience using a gender perspective in teaching?

Gender-aware teaching

Setting

- Does the manner of discussion (tone and opportunity to speak) take gender aspects into account?
- Is there a deliberate and systematic strategy to achieve a varied composition of groups?
- Are students encouraged to identify gender issues (through e.g. gender representatives)?

Teaching

- Do teaching staff reflect on their and the students' role from a gender perspective? (Who they are in relation to the students, and what power and opportunities they have to affect power structures in teaching situations?)
- Do teaching staff reflect on how they respond to questions and comments by women and men respectively?

Form of teaching

- Are different forms of teaching used to accommodate the students' different ways of learning?
- Are the experiences of the students utilised in teaching?
- Are both "she" and "he" used when giving examples?
- What type of language and choice of words, metaphors and models are used in teaching?
- Is there opportunity for teaching staff and students to address and discuss e.g:
 - How is the time for students to speak allocated between women and men?
 - How are questions and comments by women and men respectively received?
 - Master suppression techniques and affirmation techniques?

Students

- How do students experience the use of gender awareness in teaching?

Examination

- Are the exams anonymous?
- Are different forms of examination used to accommodate the students' different ways of learning?
- Do the examiners consist of both women and men?

Course evaluation

- Do the course evaluations take gender into account?
- Do they ask questions about gender?

- How are the comments and requests from students followed up?

Plans and strategies

- Is there an action plan for gender equality and equal opportunities?
- Are the students informed about the regulations on equal opportunities, and whom they can turn to in case of discrimination?
- How is the work on gender equality and equal opportunities issues conducted?
- Does the department management actively pursue an even gender balance in terms of its teaching staff?
- Gender training for teaching staff:
 - Does the training in teaching and learning in higher education include courses on gender?
 - Is there faculty-specific gender training for teaching staff?
 - Does the training for heads of department/directors of studies include a gender perspective?
 - Does management training include a gender perspective?
 - Who is responsible for developing and establishing gender training for teaching staff?
 - Who is responsible for making sure that teaching staff receive gender training?
 - Is the expertise available at the Centre for Gender Studies utilised?
 - Does the department management encourage its teaching staff to participate in training in gender-aware teaching?

Combat harassment and victimisation

- Are teaching staff familiar with the existing research on harassment and victimisation?
- How does the department work to combat gender-based and sexual harassment?

- Do the faculties, departments or equivalent offer and use the training package that the action group against sexual abuse and sexual harassment have developed? (Contact human resources consultant Kajsa Widén at Human Resources for more information!)
- What are the procedures for handling harassment cases?
- Are staff and students informed of whom they can turn to in case of harassment?

Summary

In the 21st century, the gender perspective has been a prioritised focus area at Lund University; however, the impact has not been sufficient. In this report, the project group has tried to, in an exploratory way, investigate and highlight the opportunities for gender certification at Lund University, in accordance with the Vice-Chancellor's decision.

The project group starts by defining the concept of gender and explain the rationale of the proposed certification model. The proposed gender certification criteria are organised under the headings: Gender perspectives in teaching, Gender-aware teaching, Plans and strategies, and Combat harassment and victimisation. Given the differences between different faculties, the project group finds that the criteria, to some extent, can be modified and adapted to each organisation, but without the departments establishing their own alternative criteria. We recommend consistency in the use of gender certification criteria to avoid arbitrariness and to enable comparisons.

With this report the project group concludes its work and submits the proposal to the Vice-Chancellor to be forwarded to the different faculties. On behalf of the project group, the undersigned project chair would like to thank the Vice-Chancellor for the initiative and confidence, giving us the opportunity to work on a proposal for gender certification. It has been a great learning experience for all of us.

On behalf of the project group

Tiina Rosenberg

Chair

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Photo by Anders Frick

3.3 See the Human Beyond

– an anti-discrimination training programme

Tomas Brage

Introduction

The “See the Human Beyond” method originated with a group set up around ten years ago to devise measures against harassment and victimisation, on the initiative of the deputy vice-chancellor of Lund University at the time. The group drew up an action plan but some of its members wanted to pursue operational work, so they took the initiative to design a training programme to reach out to employees and students at the University. The first version was ready around 2006 and, since then, the method has been continuously developed and upgraded.

Although I am writing this presentation as sole author, the development of the method is clearly the result of a collaboration between several people. Throughout the process, human resources consultant Kajsa Widén and I worked together until her retirement; I estimate that we have implemented the method at several hundred departments and equivalents within Lund University, but also at other higher education institutions and public authorities around Sweden. For a large part of the project, head of division Christel Berg from Student Affairs also participated in the development and implementation of the training programme.

See the Human Beyond has been disseminated even further in recent years – for example, we have worked closely with several schools in the municipality of Malmö with ‘gender pilot’ training. The training programme is requested several times per semester by separate departments and divisions, an interest which shows no signs of waning.

In this presentation, I will briefly describe the method, “See the Human Beyond”, both with regard to content and educational concept. I will conclude by presenting an example of choice of methodology, namely a norm-critical discussion of the Swedish Discrimination Act.

Presentation of the method

See the Human Beyond is a three-hour long training programme, which aims to

- a) initiate discussions about discrimination and its causes
- b) disseminate knowledge about discrimination, particularly within academia
- c) point out tools for analysis and measures which can be used
- d) generate awareness of how common discrimination is

The art consists in doing this without creating victims or attributing blame, while avoiding the resistance which is so often encountered. We have chosen to approach the subject by taking the Swedish Discrimination Act as our starting point [see 2.6], which is often perceived as safe and stable even by those who are initially anxious or prone to resistance. Participants are curious to know what the law says, which can be strictly explained and perceived as fact. This approach generates a feeling of security in the room, even though we are dealing with sensitive issues.

After that, research on discrimination and its various expressions is presented. The analysis of master suppression techniques and discussion of counter-strategies and affirmation techniques are examples of tools used throughout the method [see 2.3].

The next step, to get closer to and involve the participants, is to present and discuss studies and surveys on discrimination. Here we focus on studies of students [Wendel 2013] and doctoral students, examining the latter group through the results of so-called doctoral student barometer surveys. Several of the grounds for discrimination are dealt with in these investigations, giving us an opportunity to introduce the concept of intersectionality, [see 2.1], used to comprehend situations in which various grounds for discrimination interact, collide or counteract one another.

The third step consists of values exercises. For these, we use mentometers (vote counters), a common element in the training programme, to get a picture of the participants’ views and positions on various issues – such as how easy it is to ‘come out’ as a homo- or bisexual person in ‘our’ division or what disabilities are covered by the Discrimination Act. After a vote, the discussion becomes more open as a feeling of participation is generated and helps increase activity. The values and voting exercises are a good example of inclusive educational methods [see 2.4].

The fourth step includes group discussions of actual cases – which have of course been anonymised. The aim is to get even closer to the participants' own experiences. After the discussions and coffee break, the participants gather once more to discuss the cases which have been raised, starting from certain leading questions such as "What happened? Was someone offended? Who is responsible? How should people have reacted? Do you recognise this situation?"

The final part involves a simple workplace survey. The idea is to gain an understanding of how the participants perceive their workplace – is discrimination common and is the management able to deal with the cases which are revealed? The result is analysed and briefly discussed before being handed over to the present manager (we try to enforce a requirement that the manager in charge attend the training programme). The idea is that the result can be a motivation and a starting point for the work which must continue after the training programme.

The See the Human Beyond training programme is implemented by and can be requested through the author of this article, Tomas Brage. Thus the programme takes place on invitation by a group, usually via their manager.

I will conclude this presentation with an example of a working method from the training programme. Under the section in which the Discrimination Act is discussed, we apply a norm-critical approach. This working method has proven to be very interesting and rewarding for participants, who often find it surprising and eye-opening. It provides an opportunity to raise many aspects of research on discrimination.

Thoughts on the grounds for discrimination

In this brief presentation, I have gathered a few thoughts on the grounds for discrimination, based on the experience of several years' discussions about discrimination and work to counteract it. This is not intended as a scholarly review of discrimination, such as the one in Inger Lövkrona's contribution to this anthology [see 2.1]. Instead, I want to review the Discrimination Act with a simple norm-critical approach and ask the question: Can the Discrimination Act itself offend or exclude? Are there definitions, word choices, assumptions, etc. in the Act's formulations which can be questioned?

The Discrimination Act indicates seven grounds and defines six of them. Section 5 of the Act says the following:

In this Act the following terms have the meaning set out in this Section.

1. Sex: that someone is a woman or a man.
2. Transgender identity or expression: that someone does not identify herself or himself as a woman or a man or expresses by their manner of dressing or in some other way that they belong to another sex.
3. Ethnicity: national or ethnic origin, skin colour or other similar circumstance.
4. Disability: permanent physical, mental or intellectual limitation of a person's functional capacity that as a consequence of injury or illness existed at birth, has arisen since then or can be expected to arise.
5. Sexual orientation: homosexual, bisexual or heterosexual orientation.
6. Age: length of life to date.

The Act leaves the seventh ground for discrimination, *religion and other belief*, undefined. Of course, these brief definitions are insufficient to generate understanding for how individuals are classified. The issue I wish to raise is to what extent the law itself can give rise to structural discrimination by being excessively norm-affirming? [For the concept of structural discrimination, see Lövkrona 1.4, ds. 2.1].

It can be noted that only one of the definitions is 'absolute' – that of age. For all the other grounds, the definition has to be left to the potential victims of that form of discrimination. The grounds also collide with one another, as we shall see below. Furthermore, the Act works from the premise that there are two separate genders: for example discrimination on the grounds of transgender identity presumes the existence of two clearly defined genders, man and woman.

Previously, the term handicap was used rather than disability, which was unfortunate as the impairment resided in the surroundings rather than in the person. We who have never learnt to read Braille would be disabled in a situation where all information was only available in that form. Perhaps we should go one step further and talk about functional ability?

Let us go a little deeper into each of the grounds for discrimination and attempt to understand how individuals are 'constructed' according to the law.

Gender

How do we 'become' male or female according to the law? Gender can be defined at various levels, each of which has their problems and ambiguities:

- a) *Biological sex* is defined by chromosomic composition – the well-known XX for women and XY for men. Various combinations exist in which people have

more than two chromosomes, making a binary definition of gender more difficult and excluding some individuals. The chromosomes control the body's growth through hormones. But this signalling system can function in unexpected ways, which means that the result is not always an obvious male or female. It is common to come across norms stating that biological gender is easily defined, but this is not the case in reality. Intersexuality is a concept used to describe this.

- b) *Legal sex* is defined by our population registration and assigned at birth – if possible. The penultimate figure in a Swedish personal identity number reveals our legal gender, which we are obliged to live with unless we opt for gender reassignment. Legal gender is defined simply by assessing whether the infant's genital organs are male or female. In approximately one per cent of cases, this is not obvious (as common as twin births).
- c) *Social gender* is socially constructed and continuously created through various processes. The concept is used to explain that which shapes the behaviours of men and women.
- d) *Psychological gender* takes us to the next basis for discrimination, defined as the gender experienced by the individual – the gender a person feels they belong to and with which they identify.

The question of why we need to be classified as male or female in the population registration can be asked – when is there a need for it? Not long ago, it was possible to detect whether a person was born outside the country from their Swedish personal identity number – this is no longer the case. Perhaps it is time to do the same thing with sex or gender.

The binary definition of man or woman is problematic – many do not want to define themselves as one of two polar opposites and feel that gender can be defined on a scale between the two extremes. Others feel that gender can be defined temporarily according to the situation. It is obvious that discussions about gender discrimination can end up on a collision course with other grounds for discrimination, such as transgender identity and sexual orientation, which are defined in relation to an idea of what is abnormal. For further discussion of these issues, I recommend the standard work by Connell [2009] or the more accessible book by Killerman [2014].

Identity

Trans people are individuals who distance themselves from their legal sex and identify with the 'other' sex. Not having a term for those who identify with their 'own' sex is clearly a problem, which is why the concept of cisgender has been introduced by queer research to designate a person in whom all gender definitions (biological, legal, social

and psychological) coincide. The term does not feature in the Discrimination Act, however.

Under the umbrella concept transgender, we include two relatively different groups – ‘transsexuals’ and ‘transvestites’. Transsexual people experience that they have been born in the wrong body. Their identity does not coincide with their legal-biological sex. In Sweden, this entitles the person to a *sex reassignment*, after an investigation. It is remarkable that, until recently, transsexuals were obliged to undergo sterilisation (!) in order to access treatment and surgery for gender reassignment. Attention has recently been drawn to a new form of discrimination, in which men who are to give birth are more or less excluded from the healthcare and support to which women are entitled in the same situation [Dagens Nyheter 23 May 2015].

Transvestites use the attributes of the ‘other’ sex – clothes, jewellery, make-up, etc. – to express their identity. It is important to point out that this does not define the person’s sexual orientation. It means that a man who wears a skirt in a culture where this is considered feminine is given a label – transvestite. At the same time, there is no term for a person dressed in typically male attire – it is clear that the norm has the ‘interpretative prerogative’. It is also interesting to discuss why it appears to be more accepted for women to dress in a ‘transgender’ style than men.

Sexual orientation

According to the law, all adults have a sexual orientation which is defined as follows:

1. Homosexual = a person who is attracted to and falls in love with people of the same sex
2. Heterosexual = a person who is attracted to and falls in love with people of the opposite sex
3. Bisexual = a person who is attracted to and falls in love with people of both sexes

The starting point is clear, the property of being attracted to and falling in love with people is considered general to all humans, and covers all possibilities. It is often objected that a person can be *asexual*, i.e. they are not attracted by other people – at least not in a sexual way. The legal text can be interpreted to mean that asexuality is a diagnosis, entitling a person to ‘treatment’ to elicit the latent sexual orientation.

Here it is important to distinguish between orientation and behaviour. There are many terms to define human sexuality, but which only describe what we *do*, such as gynephilia and androphilia – having sex with women or with men, respectively. In the debate, orientation is often confused with terms for various behaviours, probably because of what we consider normal and deviant, respectively.

Ethnicity

The definition of discrimination on the grounds of ‘ethnicity’ is interesting in several ways. In order to explain what is meant, the legal text uses the concepts of “national origin” and “ethnic background”. The latter can well be considered a circular argument, but the implication is that individuals are defined according to geographical origin, in the broad sense.

The third part of the definition – skin colour – becomes more problematic. One can feel ambivalent towards this definition of ethnicity. We should perhaps be proud that our legislators in Sweden avoid the term ‘race’, which is very common in the USA, for example. The choice of term is aligned with the fact that races in the biological sense do not exist among human beings. Attempts to divide humans into races, according to skin colour for example, leads to groups which are considerably more diverse within themselves than between the groups, with regard to other properties. It is probably also politically important to distance oneself from the negative associations which the concept of race has acquired in Sweden throughout our twentieth century history.

It is interesting nevertheless that the legislators chose skin colour – why not hair colour, height, build or eye colour? Is it to draw attention to a problem? Isn’t there a risk of singling out skin colour as an important distinction between people? Or are there socially constructed races which justify the need to specify discrimination on these grounds?

There are objections to eliminating the concept of race, not least among black people in the US. The objections are based on the notion that race exists as a social construct – people act as though races do exist, based mainly on skin colour. One can discuss whether it is not more important to understand discrimination, than focusing on someone’s origin. How is a white immigrant from France treated, compared with a black immigrant from the same country, for example?

Concluding reflection

At one session of *See the Human Beyond* I got a strong reaction from a female participant. She explained that although she was born outside Sweden, she no longer felt like a person with a different ethnicity. She wanted to define herself as ethnically Swedish, nothing else. This brings us to the core of many of the definitions – individuals must be entitled to define themselves – their gender, their orientation, their ethnicity, their religion and their identity. As mentioned in the introduction, only age is defined absolutely and does not allow for individual interpretation (it is not a question of how old one feels). Some disabilities are based on medical or other diagnoses (e.g. dyslexia, cancer or HIV). For the other grounds it is neither possible nor useful to make biological or other determinations of who the person really is – attempts to

identify a sexual orientation gene or racial origin are not relevant. This entails greater difficulty in working to counteract discrimination, but also makes it significantly more interesting and intellectually challenging.

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3.4 Core values work at Lund University

Bodil Ryderheim

Since 2007, Lund University's core values, as stated in the Strategic Plan, have served as guidelines for employees in their work. The faculties are responsible for disseminating and implementing the core values. The aim of this chapter is to briefly describe how the core values are managed at the faculty level, as well as highlight a couple of good examples – the Faculty of Engineering (LTH) and the Lund University Libraries (LUB). The chapter ends with a commentary on how Lund University works with the Swedish common basic values for central government employees.

Core values work at the faculties

Based on Lund University's core values, several faculties have developed their own version, adapted to fit their individual profile and visions. The core values are usually presented as part of a similarly adapted strategic plan on each faculty website.

The *Faculty of Medicine's* Strategic Plan for 2012–2017 includes a section titled “Core values”, which largely correspond to those that are common to the entire University:

“Our core values are defined in harmony with those of Lund University – we stand for fundamental human rights, democratic and academic values and a commitment to sustainable development. The Faculty of Medicine safeguards academic freedom, integrity and quality. All research is conducted according to current principles of research ethics and is always centred on the human being. We work purposefully and systematically with gender equality, equal opportunities and diversity. There is a zero tolerance policy towards victimisation and discrimination. Respect, openness and consideration are always to apply in encounters between staff, students and our

cooperation partners. Our common work is characterised by participation, curiosity and commitment”.²⁹⁷

The Faculty of Medicine particularly emphasises the human being as the centre for research and “current principles of research ethics”. What they are and how they are communicated to students and staff is not formulated in any (visible) guidelines – at least not on the website. The faculty further states that it works purposefully and systematically with gender equality, equal opportunities and diversity, and has a zero tolerance policy against victimisation and discrimination. However, the website (4 Dec 2015) does not link to any separate action plans or policies on gender equality, etc. A previous action plan for equal opportunities and the gender equality plan from 2007–2011 still apply. The ethical value words ‘respect’ and ‘consideration’ have been expanded with the word ‘openness’, and refer explicitly to the interaction between staff, students and collaborative partners.

The School of Economics and Management (LUSEM) website links to a page that includes the University-wide core values, and describes the faculty’s efforts in that regard. It also provides a link to the faculty’s Action Plan for Gender Equality, Equal Opportunities and Diversity (2013) as well as the Guide to Discrimination, Harassment and Victimisation for Students at LUSEM (n.d.). This guide, which is explicitly directed at students, gives examples of specific actions related to the grounds for discrimination, such as:

- “If someone treats you differently because of your gender.
- If someone calls you ‘slut’, ‘bitch’, ‘whore’, ‘pussy’, ‘poof’, ‘retard’, ‘wog’ or any other disparaging term.
- If someone puts up pictures, notes or symbols with a racist, homophobic or sexist meaning or message.
- If someone disparages you as a person with a disability.
- If someone paws you or otherwise exposes you to unwelcome sexual references.
- If someone writes disparaging comments about you on social media, such as Facebook, Instagram or Twitter.
- If you are systematically ridiculed or ignored”.²⁹⁸

The Strategic Plan 2013–2017 of the *Faculties of Humanities and Theology* (HT) does not mention the core values. The faculties do, however, have an action plan for gender equality, equal opportunities and diversity, which is based on the LU policy. The

²⁹⁷ http://www.med.lu.se/english/about_the_faculty/vision_mission_and_goals

²⁹⁸ <http://www.lusem.lu.se/media/ehl/omehl/guide-discrimination-victimisation.pdf>

faculties have allocated resources for appointing a contact person with the task of following up on its implementation.²⁹⁹

The Strategic Plan 2014–2017 of the *Faculty of Science* contains a set of core values that differ from the University's by adding three items that concern epistemological issues and the objectives of research within the field of science:

Lund University represents fundamental human rights and democratic and academic values. We shall operate in a context of gender equality and ethnic and social diversity. Respect, tolerance and concern shall govern all relationships. Academic integrity is absolute. There is ample room for different opinions and debate, and respect for different viewpoints and objectivity shall direct our activities. Naturally, the Faculty of Science supports the University's core values, but also wishes to stress the following three points:

We want to understand the world

Science seeks new knowledge of how the world works and strives to formulate unambiguous descriptions of reality with clear causal connections that can be verified or rejected. The link between theory and empirical evidence is fundamental. The knowledge generated by science research is of vital importance to the construction and development of our society.

We dare to question and scrutinise reality

Critical thinking is in constant focus, and scientists continually scrutinise both their own and others' results. The methods used to generate new scientific findings are described openly and in sufficient detail that the experiments can be repeated. The scientific approach also entails respect for the views of colleagues, even on controversial issues.

Our curiosity contributes to human development and culture

Science research is curiosity-driven and creates fundamental understanding of natural processes – an understanding that both forms part of humanity's cultural heritage and is of vital importance to the development of society. Our research and education play a key part in passing on this knowledge to coming generations and enable it to be used to help solve important issues in society".³⁰⁰

²⁹⁹

http://www.ht.lu.se/fileadmin/user_upload/ht/dokument/Fakulteterna/Jamstalld/Gender_equality__equal_treatment_and_diversity_plan_2015_for_the_Joint_Faculties_of_Humanities_and_Theology.pdf

³⁰⁰ http://www.science.lu.se/sites/science.lu.se/files/strategisk_plan_eng.pdf

The faculty also has an action plan for gender equality and equal opportunities.

The Faculty of Social Sciences has adopted both a research strategy and an education strategy. The faculty also has an Action Plan for Gender Equality, Equal Opportunities and Diversity 2014–2015. The action plan includes seven focus areas, five of which are identical to those of the LU policy and two that are the faculty's own additions: discrimination, equal opportunities, recruitment and promotion, leadership, and salaries and terms of employment. The faculty's two additions are: integration of gender equality, equal opportunities and diversity in teaching, and follow up of action plans. The former appears to be a revision of the focus area included in the LU policy called "Gender and intersectional perspectives", which was for some reason not considered relevant.³⁰¹

The Faculty of Fine and Performing Arts has only adopted an Action Plan for the Equal Opportunities of Students (2015).

The Strategic Plan 2012–2016 of the *Faculty of Law* quotes the University's core values almost verbatim:

The Faculty of Law adheres to fundamental human rights and democratic and academic values. We shall operate in a context of gender equality and ethnic and social diversity. Rationality, quality and commitment shall permeate all activities. Critical thinking and accessibility of research information shall be promoted, as well as an innovative and creative environment with scope for change and opportunities for professional development for all employees.

Respect, tolerance and concern for others shall govern all relationships, as well as mutual acceptance of responsibility and loyalty to the core values, mission and goals of the University".³⁰²

The faculty also has the following plans, which it links to on its Swedish website:

Action plan for gender equality and diversity 2015–2017

Information about the work to promote gender equality and diversity and combat discrimination and victimisation

Action plan for the equal opportunities of students 2015–2016

Action plan for widening participation³⁰³

³⁰¹ www.sam.lu.se/sites/sam.lu.se/files/handlingsplan_jlm_20131114.pdf

³⁰²

[http://www.law.lu.se/WEBUK.nsf/\(MenuItemByDocId\)/IDB70CCD27B43B562DC1257E06004E3481/\\$FILE/Juridiska%20fakultetens%20strategiska%20plan%202012%20-%202016%20fastst%20av%20fakultetsstyrelsen%20den%2030%20maj%202012%20ENGELSKA%20SLUTLIG.pdf](http://www.law.lu.se/WEBUK.nsf/(MenuItemByDocId)/IDB70CCD27B43B562DC1257E06004E3481/$FILE/Juridiska%20fakultetens%20strategiska%20plan%202012%20-%202016%20fastst%20av%20fakultetsstyrelsen%20den%2030%20maj%202012%20ENGELSKA%20SLUTLIG.pdf)

³⁰³ <http://www.jur.lu.se/#!jamstalldhetmangfaldlikabehandlingochbreddadrekrytering>

The Strategic Plan 2012–2016 of the *Faculty of Engineering (LTH)* includes a rephrased section on the core values:

CORE VALUES

IN ACCORDANCE WITH LUND UNIVERSITY'S core values, we defend human dignity and freedom, all people's equal worth, and human rights.

DIVERSITY, GENDER EQUALITY AND EQUAL OPPORTUNITIES AMONG staff and students help to ensure job satisfaction and high quality in the faculty's activities.

OUR ORGANISATION is characterised by continual development to create a good working environment where all staff and students have the best opportunities to develop.

ALL MEETINGS BETWEEN staff and students, and all contact with the world around us, shall be characterised by respect and integrity.

OUR OPERATIONS SHALL BE CHARACTERISED by openness, international cooperation and a critical approach that contributes to the democratic and sustainable development of society.³⁰⁴

This plan also addresses the students and, as I will demonstrate below, efforts to communicate the core values to the student body are underway.

Campus Helsingborg has its own Strategic Plan 2012–2014, but otherwise refers to the University-wide strategic plan.

To sum up, the University's core values are published on the faculties' websites without commentary, as well as links to any plans and guidelines concerning gender equality and equal opportunities that they have. As far as I can tell, there appear to be major differences between the faculties in the way they communicate information about the core values to their employees. Some faculties address the core values in the introduction given to new employees; other hand out information flyers; and some do nothing. The person/s responsible for informing the students has not been made clear – in some cases it is done on the faculty level; in some on the course level. Both the faculties and the central administration have requested a joint platform and tools for implementation and dissemination. As for the action plans concerning gender equality and equal opportunities, they contain more or less detailed information about how to work with these issues, and who is responsible. The implementation of the latter is to be presented in the so-called Gender Equality Report, which the faculties are required to submit to the Management Team for Gender Equality and Equal Opportunities

³⁰⁴ http://www.lth.se/fileadmin/lth/omlth/strategisk_plan/StrategiskPlanENG_3.pdf

each year. There is no available compilation and/or evaluation of these gender equality reports.

The LTH student project

LTH, together with the students' union at the faculty (TLTH), is conducting a core values project in connection with the training of the so-called *phös* and *phadder* (*phös* are the people who organise and plan the students' initiation activities for each division, and *phadder* are those who welcome and introduce freshers to studies at LTH). During the students' first week at LTH, a lecture on the core values is held which students are required to attend. The aim of the training is that the new students will be received and introduced in accordance with the core values of Lund University and LTH, to

- increase the throughput of students
- make all students feel welcome and involved, and experience a sense of community
- provide students with the best possible conditions to benefit from their studies
- convey LTH's values and by example show what is expected of a student at LTH
- assert LTH as an international environment

The training also includes discussions on the subjects of equal opportunities, group dynamics, management, alcohol policy, and conflict resolution. This gives students an opportunity to reflect on their role as *phös* or *phadder*, the importance of peer support and social interaction for new students, as well as the values that LTH stands for and wants to convey to all students and staff.³⁰⁵

According to the evaluations conducted at the end of each course component, the training is highly appreciated by the students. It is a collaboration between LTH and TLTH where the faculty's study advisors, welfare officers, and equal opportunities coordinators plan and carry out all course components in close collaboration with TLTH's *Nollegeneral* and *Øverstar* (the *Nollegeneral* and *Øverstar* are responsible for the students' initiation at TLTH). The national networks among the engineering programmes in Sweden have shown great interest in LTH's training programme.

³⁰⁵ <http://www.student.lth.se/studievagledning/mottagning-och-utbildning/>

Collegial and customer relations project at the Lund University libraries

In 2013, a “Collegial and Customer Relations Project” was conducted at the Lund University Libraries (LUB). LUB consists of approximately 30 libraries that are linked to a faculty, department or research centre. They are responsible for the daily service to students and researchers. The University Library (UB) provides service to everyone within the University and manages the University’s shared systems.

The project was intended for all LUB staff, and concerned both the treatment of library users as well as relations between staff members. The aim was to raise awareness about the importance of treating others in a good way, and introduce the topic into daily conversation. The objective was to create a common set of core values concerning collegial and customer relations to be used as a tool and support. All employees were to be involved in the discussions to create a strategy for the future. The aim was also to take a holistic approach to strengthen collegial cooperation and a sense of community to create a better working environment.

Different methods were used to raise the issues regarding collegial and customer relations – inspirational lectures, blogs, reading, weekly exercises, role play and debate clubs – to generate thought processes and reflection. The activities were focused around three main themes: to make colleagues and library users aware of how they should treat and be treated by others, provide collegial feedback and manage difficult encounters and conflicts.

During the course of the project, a number of suggestions and ideas were brought forward about how to continue the work on the project, both within LUB and at the individual workplaces. The concept of core values was raised and discussed at the debate club meetings, finding that although it is important to have a common set of core values to fall back on, the most important thing is the process leading to the formulation of the core values. The same was found in the research on core values (see Eldh, part 1.4).

The project has been characterised by a strong commitment from all the participants, regardless of whether they appreciated the work, or experienced it as it as superfluous. In one way or another, all employees were affected by the project. Project manager Jessica Nilsson writes in the introduction of her report that the project has faced both praise and opinions such as “we know this already”.³⁰⁶

³⁰⁶ For the entire report, see:

<http://lup.lub.lu.se/luur/download?func=downloadFile&recordId=4360296&fileId=4360305>

The common basic values for central government employees and Lund University

In 2012, the government appointed a Core Values Delegation – a working group within the Government Offices – which, through activities, publications and other outreach efforts, is to promote respect and understanding to ensure that the national core values are maintained at all levels of government. The task of the working group is, in collaboration with other stakeholders within the government administration, to help attain the Swedish government’s intermediate goals concerning its employees’ knowledge and understanding of the core values, and their role as public servants. The working group will remain in office until 2016 (see Rejmer part 1.3).

Among other things, the Core Values Delegation offers all government employees training on the national core values. The aim of the training is that participants will, after completing the course, support the authority where they work in its efforts with regard to core values for government employees. I participated in one of these courses, titled “*Core values forum – treatment and respect*”, which discussed the difference between victimisation and discrimination, among other things, and explained what the common basic values for central government employees stand for and why they exist. Some Swedish government authorities made a presentation about their ongoing core values work, and what it involved within their organisation specifically.

So far, Lund University has not taken any initiative to implement the common basic values for central government employees into its activities. For some time, information about being a government employee has been made available on the Lund University Staff Pages under the heading “Working for a public authority”. It states that working for a public authority means being in the service of citizens and having both rights and obligations and certain benefits.³⁰⁷ The text includes information about a set of core values for all employees, where the six principles of the common basic values for central government employees are included without commentary (see Rejmer part 1.3).

³⁰⁷ <http://www.staff.lu.se/employment/terms-of-employment/working-for-a-public-authority>

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Tomas Brage & Inger Lövkrona

What are core values and what use are they? How can the central government core values translate to academia? Why do the 'statutory', political values end up in conflict with academic values based on the specific culture of universities? What methods and what examples exist for active and effective core values work at a university? And how do you implement core values so that they are present and meaningful within the organisation?

This report from the "Core values project at Lund University" attempts to answer these questions, problematise various values and provide support for core values work at a 'typical' university. The book contains the history of core values, their legal and cultural background in general and at Lund University in particular. It provides examples of methods

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Translated into English by the Lund University Translation and Language Services office (Sally Erisman, Lennart Nyberg, Bryan Ralph and Nicole Tyszkiewicz).

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Core values work in academia

– with experiences from Lund University

EDITED BY TOMAS BRAGE AND INGER LÖVKRONA
LUND UNIVERSITY 2016



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