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Serbia's Paradox: *De jure* vs *de facto* Academic Freedom within the EHEA

ABSTRACT

This paper examines the tension between structural reforms and value-based governance in the European Higher Education Area (EHEA), with a critical focus on the erosion of academic freedom in Serbia. While the Bologna Process successfully standardised degree systems, credit frameworks, and quality assurance – positioning the EHEA as a globally competitive model – its initial emphasis on technical harmonisation marginalised core academic values. The 2020 *Rome Communiqué* marked a belated shift toward value-based governance, yet the EHEA lacks effective mechanisms to monitor *de facto* compliance, rendering its commitments largely symbolic. Serbia exemplifies this paradox: its “Law on Higher Education” provides robust *de jure* protections for academic freedom, autonomy, and integrity, but political interference – including smear campaigns against critical academics, repression of student protests, and institutional capture – reveals a systemic gap between legal frameworks and reality. The paper argues that Serbia's academic freedom is worse than what research shows.

KEYWORDS: Academic freedom, EHEA, Bologna Process, Serbia, Higher education governance, Authoritarianism, Democratic backsliding, Institutional autonomy, Political interference

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INTRODUCTION

The European Higher Education Area (EHEA) is a global model of standardisation – but its success in harmonising degrees and credits has come at the cost of its founding values. Nowhere is this clearer than in Serbia, where progressive laws coexist with systemic repression of academic freedom. Established in 1999 with the Bologna Declaration, the EHEA was designed as a space of higher educational harmony, fostering mobility, competitiveness, and, crucially, a democratic foundation for European society (European Higher Education Area 1999). Yet, as this paper argues, the Bologna Process's early emphasis on technical harmonisation crowded out its commitment to fundamental academic values. The result is a system where universities may share standardised frameworks but operate under wildly divergent conditions of freedom, autonomy, and integrity.

The 2020 *Rome Communiqué* marked a belated attempt to correct this imbalance, formally recognising six core values: academic freedom (AF), institutional autonomy, academic integrity, public responsibility (for higher education and of higher education), and participatory governance (European Education and Culture Executive Agency 2024). However, until now, this shift has been largely performative. The EHEA still lacks mechanisms to monitor *de facto* AF, reducing its commitments to rhetorical aspirations rather than enforceable standards. Meanwhile, the erosion of AF across Europe – from Hungary's expulsion of Central European University to Italy's proposed surveillance of scholars – reveals the fragility of legal protections without political will or institutional independence (Matei 2020; CILD 2025).

Nowhere is this disconnect starker than in Serbia, a hybrid regime where progressive laws coexist with systemic repression. On paper, Serbia's "Law on Higher Education" guarantees AF, institutional autonomy, and protections against discrimination (Službeni glasnik Republike Srbije 2025). In practice, however, the ruling Serbian Progressive Party (SNS) has weaponised legal and extra-legal tools to silence dissent: smear campaigns against critical professors, retaliation for revoking plagiarised degrees, and violent crackdowns on student protests (N1 2021; Danas 2023). Despite these violations, Serbia maintains a deceptively stable score on the Academic Freedom Index (AFI) – 0.76 in 2025 (Kinzelbach et al. 2025).¹

This paper examines the tension between structure and values in the EHEA, using Serbia as a case study to illustrate how legal frameworks fail without practice. The first section outlines the Bologna Process's structural reforms and their unintended consequences, including the casualisation of academic labour. The second section critiques the EHEA's belated turn toward

1 The data used in this chapter were collected up to February 2026. It should be noted that additional data may have become publicly available by the time of publication.

value-based governance, highlighting its lack of monitoring and enforcement mechanisms. The final section analyses Serbia's paradox – where laws appear progressive but practice reveals authoritarian encroachment – and argues that without binding reforms, the EHEA risks complicity in the erosion of its own founding principles.

STRUCTURAL REFORMS UNDER THE BOLOGNA PROCESS

Born from the Sorbonne (1998) and Bologna (1999) Declarations, the Bologna Process emerged as Europe's response to globalisation and the pressures of the knowledge-based economy, strongly shaped by the EU's Lisbon Strategy (2000) (St. John 2021, 100). This period reframed higher education through a neoliberal and neo-conservative lens, emphasising efficiency, market orientation, and human-capital development (Pagliarello 2022, 142–150; Zajda & Jacob 2022, 2). Its primary objective was to enhance the global visibility and competitiveness of European higher education by improving coherence, compatibility, and transparency across systems (European Higher Education Area 1999). To achieve this, six operational areas were established: degree and curriculum reform, quality assurance and qualifications frameworks, recognition policies, mobility, flexibility, and the social dimension.

Degree and curriculum reform represents one of the most significant achievements of the Bologna Process, laying the architectural foundation of the EHEA. The introduction of a coherent three-cycle structure created a common framework across participating states (European Education and Culture Executive Agency 2024, 52). Central to this reform was the adoption of the European Credit Transfer and Accumulation System (ECTS), originally developed through an Erasmus pilot. ECTS shifted higher education from a teacher-centred to a learner-centred model, emphasising learning outcomes and student workload to promote flexibility and transferability (CHEPS et al. 2012a, 13–15). Challenges remain, particularly in disciplines requiring long, integrated programmes such as medicine, veterinary science, dentistry, and pharmacy, where the three-cycle structure is not fully implemented (ibid., 14). Moreover, while the Rome Communiqué encouraged flexible learning paths, only ten education systems currently incorporate smaller, flexible units into their National Qualifications Frameworks (CHEPS et al. 2012a, 13–15; European Education and Culture Executive Agency 2024, 166).²

The development of *Quality Assurance (QA) and Qualifications Frameworks (QF)* are crucial objectives underpinning the EHEA, aimed at building

2 Serbia has introduced three-cycle structure, although limited in mentioned fields. Also, ECTS is in full operation, while curricular reforms are still on modest level.

transparency, comparability, and trust in higher education outcomes. By 2005, most participating countries had successfully introduced accreditation systems for higher education institutions (CHEPS et al. 2012a, 8). In the same year, a major achievement was reached by the adoption of the European Standards and Guidelines (ESG) for quality assurance (ibid.). The current QA system is now well-established, focusing on external, ESG-compliant standards and increasingly emphasising student involvement (European Education and Culture Executive Agency 2024, 77–89). In parallel, the QF, comprising National Qualifications Frameworks (NQFs) linked to the overarching QF-EHEA, was developed to ensure that qualifications are comparable and understandable across systems (CHEPS et al. 2012b, 41–51). This mechanism uses learning outcomes, credit systems, and QA measures to ensure transparency (CHEPS et al. 2012b, 69). The ongoing challenge for QA is ensuring that assessment processes are robust and uniformly compliant across all diverse national systems. For the QF, the main difficulty lies in effectively translating and comparing learning outcomes achieved under various national parameters³.

Recognition policies focus on implementing of the *Lisbon Recognition Convention* (LRC) and the *Diploma Supplement* (DS). The LRC is a legally binding multilateral agreement designed to facilitate international recognition of qualifications and study periods by establishing core assessment principles (CHEPS et al. 2012b, 44; European Education and Culture Executive Agency 2024, 70). A key principle is that recognition should be granted unless substantial differences can be demonstrated, shifting emphasis from programme content to learning outcomes (European Education and Culture Executive Agency 2024, 71). Furthermore, applicants are guaranteed the right to a fair assessment and the right to appeal a negative decision, requiring the competent authority to demonstrate clearly the existence of any substantial difference (ibid.). As of 2022/2023, nearly all EHEA countries have adjusted their legislation to align with the five key principles of the LRC, a step identified as crucial towards achieving fully automatic recognition (ibid.).

The Social Dimension (DS) complements this by providing graduates with transparent information about their qualification, programme, and the issuing institution (CHEPS et al. 2012b, 46). Most countries now issue the DS automatically, free of charge, and in a widely spoken European language. Despite this progress, automatic recognition across the EHEA remains incomplete and requires further harmonisation.⁴

3 Serbia has established National Qualifications Frameworks.

4 Serbia ratified the LRC in 2004, but there is no automatic recognition of a university diploma that is obtained outside Serbia; a person needs to pass through a complicated system (cf. UNESCO n.d.; University of Belgrade n.d.). DS is not free of charge, and it is issued only in the Serbian language.

The *Social Dimension* (SD) of the Bologna Process initially represented an area lacking clear goals and targets, which made the assessment of its implementation difficult until 2010 (CHEPS et al. 2012a, 23–27; CHEPS et al. 2012b, 52). However, the commitment to social inclusion has gained substantial emphasis in recent years, leading to significant legislative developments (Jalbout 2020, 16). Historically, the early social goals focused on promoting access to higher education for all social groups, increasing participation through the recognition of prior learning, and reducing student dropout by enhancing flexibility in the academic path (CHEPS et al., 2012a, 23–27; CHEPS et al., 2012b, 52).⁵

A major achievement came with adoption of the *Rome Communiqué*, in which the member states committed to social inclusion and approved the “Guidelines to Strengthen the Social Dimension of Higher Education in the EHEA.” These guidelines outline ten areas for action, highlighting the need for strategic commitment regarding diversity, equity, and inclusion to be central to educational strategies (European Education and Culture Executive Agency 2024, 119–138). Progress is notably visible in policies concerning sustainable funding, which aims to enable institutional autonomy to enhance equity (ibid.).

Despite this strategic progress, the implementation of the SD remains uneven across the EHEA. Persistent problems include the slow progress on social inclusion amidst high income inequality (Jalbout 2020, 16). Furthermore, only eight education systems currently meet the standard for providing flexibility in higher education, such as part-time study and distance learning (European Education and Culture Executive Agency 2024, 126). A particularly weak area is policy dialogue, which focuses on ensuring dialogue between public authorities, higher education institutions, and stakeholders concerning the implementation of the guidelines (ibid., 152). The ongoing challenge is adapting universities to serve society and meet the needs of vulnerable populations in the face of declining public funding (Jalbout 2020, 17).

Mobility is a core commitment of the Bologna Process, viewed as essential for academic, cultural, political, social, and economic development within the EHEA (CHEPS et al. 2012a, 27; CHEPS et al. 2012b, 65; European Higher Education Area 2010, 5). It aims to foster mutual understanding across cultures and enhance the EHEA’s global competitiveness. The Process has been highly successful in attracting international students: within its first decade, the EHEA drew approximately 30% of the world’s foreign students (CHEPS et al. 2012a, 7; CHEPS et al. 2012b, 78). However, internal mobility remains a challenge. The 2009 Leuven Communiqué set a target that 20% of EHEA students should have international experience abroad. This target had not been met by 2020/2021:

5 SD in Serbian higher education will be explained in more detail later in the chapter.

only 8.4% of students achieved mobility, comprising 4.8% credit mobility and 3.6% degree mobility (European Education and Culture Executive Agency 2024, 187). Significant imbalances also persist between incoming and outgoing students across member states (*ibid.*, 32).

While structural reforms successfully standardised degrees, credit systems, and quality assurance, they also laid the groundwork for the value-based crises now confronting the EHEA. By prioritising competitiveness, efficiency, and measurable outcomes, the Bologna Process accelerated the neoliberal recalibration of higher education, framing universities as service providers in a global knowledge economy (Giroux 2002; Zajda & Jacob 2022).

This shift produced three major consequences. First, it casualised academic labour, replacing secure positions with precarious contracts that encourage self-censorship and weaken institutional loyalty (European Education and Culture Executive Agency 2024, 97). Second, it narrowed the mission of universities, reducing their democratic and cultural roles to quantifiable metrics – rankings, employability, and patent outputs – while sidelining vital functions such as fostering critical public discourse (Waite & Waite 2021). Third, it created an illusion of harmonisation: uniform degree structures and credit systems masked deepening inequalities in access, funding, and academic freedom, revealing the limits of structural reforms in the absence of strong normative safeguards.

THE EMERGENCE OF FUNDAMENTAL VALUES: A SHIFT TO VALUE-BASED GOVERNANCE

By the late 2010s, the limits of the Bologna architecture had become increasingly visible. Authoritarian backsliding in Hungary, Türkiye, and Serbia demonstrated that legal guarantees alone could not protect AF from political interference or market pressures. At the same time, stagnation in the social dimension – persistent inequities in mobility and participation – showed that structural standardisation had not produced genuine inclusivity (Jalbout 2020). These developments exposed a deeper flaw: the EHEA's early focus on harmonisation had sidelined the ethical foundations of higher education. The 2020 *Rome Communiqué* acknowledged this gap and marked a shift toward value-based governance, recognising that without safeguarding AF, institutional autonomy, and public responsibility, the EHEA risked becoming a hollow framework.

However, this shift has been largely symbolic. The EHEA's monitoring mechanisms only capture *de jure* protections, such as constitutional or legislative guarantees, leaving *de facto* conditions unaddressed. Without a framework to track violations, the EHEA's commitments to academic freedom remain rhetorical rather than enforceable. This gap is particularly evident

in hybrid regimes like Serbia, where legal protections coexist with systemic repression.

Critics had long warned that the Bologna Process's neoliberal orientation risked reducing universities to market actors, undermining their role as autonomous communities of knowledge (Giroux 2002; Waite & Waite 2021). The emphasis on rankings, measurable outcomes, and quality assurance narrowed the purpose of higher education to quantifiable indicators, marginalising its democratic and cultural functions.

These pressures, combined with broader political and social risks, prompted the EHEA to articulate a clearer commitment to fundamental values. This shift was strengthened in 2020 with the endorsement of the *Guidelines to Strengthen the Social Dimension* and the establishment of a framework to protect six core values: AF, academic integrity, institutional autonomy, student and staff participation, and public responsibility for and of higher education (European Education and Culture Executive Agency 2024). Before turning to AF – the focus of this chapter – it is necessary to briefly outline the other five values – institutional autonomy, student and staff participation, academic integrity, and public responsibility *for and from*.

Institutional autonomy is considered essential for higher education institutions (HEIs) to develop their profiles and fulfil their missions. Most EHEA countries define it in legislation, emphasising independence from public authorities and external interference. It encompasses academic, financial, organisational, and staffing autonomy. Effective autonomy requires strong internal governance, making *student and staff participation* central to self-governance and accountability. Moreover, promoting democracy within HEI governance structures is viewed as key to cultivating democratic citizens and fulfilling broader public responsibilities (European Education and Culture Executive Agency 2024). *Academic integrity* – grounded in honesty, transparency, fairness, trust, responsibility, respect, and courage – is vital for maintaining public trust in education and science. Threats include misconduct, corruption, academic fraud, contract cheating, and emerging challenges linked to artificial intelligence. Across EHEA member states, plagiarism is universally identified as a burning issue, although phenomena like academic fraud and contract cheating receive comparatively less attention from public authorities. Increased policy attention is being given to academic integrity throughout the EHEA (ibid.). *Public responsibility for* higher education refers to the obligation of public authorities to safeguard fundamental values and ensure sustainable funding. *Public responsibility of* higher education concerns HEIs' duty to serve society, treat knowledge as a public good, and foster civic engagement. This value is closely linked to the *social dimension*, which aims to ensure that the student body reflects societal diversity. The *Rome Communiqué* reaffirmed commitments to equity, inclusion, and flexible study pathways, including part-time, blended, and distance learning, recognition of prior learning, and targeted guidance and funding mechanisms (ibid.). The successful promotion and protection of these interconnected fun-

damental values are critical for the EHEA's long-term success in fostering an inclusive, innovative, and interconnected European society (ibid.).

Despite *AF* having foundational status within the Bologna Process, it received limited attention until recently (Matei 2020). Its integrity has come under significant threat both globally and within Europe: by December 2022, *AF* was in decline for more than half of the world's population (European Education and Culture Executive Agency 2024, 97). This erosion manifests through both overt political interference and more subtle infringements. Across Europe, threats are visible from Türkiye, Serbia, and Hungary to Italy and the Netherlands. The EHEA defines *AF* as:

“freedom of academic staff and students to engage in research, teaching, learning and communication in and with society without interference nor fear of reprisal... an indispensable aspect of quality learning, teaching and research’ and ‘a necessary condition for higher education institutions to produce and transmit knowledge as a public good for the benefit of society” (ibid., 6).

Although most member states include *AF* in their constitutions, education laws, or related legislation, its meaning varies. Some definitions focus narrowly on teaching and research, omitting the freedom to communicate results or the freedom to learn (ibid., 98).⁶ In others, *AF* is geographically restricted to university premises, limiting communication with society (ibid., 99).⁷ Importantly, *AF* is never absolute; its exercise is limited by ethical standards, strict scientific and professional criteria, and respect for the constitutional and legal order. In Germany and Türkiye, for example, constitutional provisions require that academic activity not conflict with state integrity (ibid., 99). More comprehensive definitions include the right of academics and students to express critical opinions about their institutions and the wider system, reinforcing internal accountability.⁸

Regardless of its formal protection, the EHEA has confronted a recognised *AF* crisis. Threats range from direct political pressure to structural vulnerabilities linked to market dynamics. A notable example of subtle political interference occurred in the UK, where a member of parliament requested the names and teaching materials of academics discussing Brexit (Matei 2020). Structural threats arise from the marketisation of higher education and reliance on

6 For example, in Azerbaijan, the law mentions freedom to teach and research but does not mention freedom to learn or to exchange research results (European Education and Culture Executive Agency 2024, 98).

7 For example, in Greece and Romania, *AF* applies only within the university premises (ibid., 99).

8 For example, in Croatia, the Act on Higher Education and Scientific Activity (2022) states there is freedom to express opinion about the system and institutions in which they operate (ibid.).

precarious short-term contracts, which foster job insecurity and self-censorship (European Education and Culture Executive Agency 2024). Furthermore, direct administrative and political interference, such as the attempted removal of specific books from reading lists or the banning of degree programs in certain disciplines (like Gender Studies), further illustrates AF's fragility (Matei 2020).⁹ Even in countries with constitutional protections, AF is vulnerable: Italy's proposed security law would enable cooperation between universities and intelligence services (CILD 2025); Hungary expelled the Central European University – a clear intentional violation; and the Netherlands has proposed limits on English-language instruction – a controversial, open discussion (Thorpe 2020; ICEF Monitor 2024).

These examples highlight a structural weakness: the EHEA lacks a functional monitoring framework for AF. Existing mechanisms capture only the *de jure* situation, leaving the *de facto* conditions largely unknown. This gap is unsurprising given the size and diversity of the EHEA and the broad set of values selected for monitoring. This fact cannot be surprising if the structure and number of states participating in the EHEA are taken into account.

In contrast, the European Parliament has adopted a more targeted approach by focusing specifically on *de facto* AF in the EU. *De facto* AF refers to the real, lived conditions under which AF is exercised (Kováts & Rónay 2023, 31). It emphasises practical protection rather than formal guarantees, recognising that legal provisions alone do not ensure actual freedom (Maassen et al. 2025, 51). The monitoring framework distinguishes essential elements – triptych of freedom to research, freedom to teach and learn, and freedom of expression and dissemination – from supportive conditions, such as institutional autonomy, academic self-governance, and adequate labour and financial conditions (Maassen et al. 2025). Violations of essential elements constitute direct infringements of AF, while weaknesses in supportive conditions create environments where violations are more likely (Kováts & Rónay 2023, 11).

Before turning to Serbia, it is useful to note the general findings of the “Academic Freedom Monitor 2024.” The report concludes that AF in Europe remains stronger than in most global regions, yet erosion is evident across all EU member states (Maassen et al. 2025; Maassen & Elken 2025, 13). Key trends affecting *de facto* AF include censorship or banning of academic activities by institutional leadership, erosion of academic self-governance, the growing influence of social media, rising intra-academic tensions, political interference, and the impact of geopolitical conflicts and government responses (Maassen et al. 2025).

9 In 2018, the Hungarian government officially erased Gender Studies for all levels of study degrees from the list of accredited subjects in the country without official explanation (Prager 2019).

CONTEXTUALISING SERBIA AS A CASE STUDY COUNTRY

Before discussing *de facto* academic freedom, it is important to contextualise Serbia's political trajectory. Democratic backsliding in Serbia began in 2013 under the Serbian Progressive Party (SNS) and Aleksandar Vučić, the current president, marking a shift from the party's initial moderate, pro-European profile to increasingly authoritarian practices (Bieber 2018)¹⁰. Serbia therefore offers a useful case for examining the paradox of *de jure* versus *de facto* academic freedom within the EHEA.

Unlike Hungary or Türkiye – where authoritarian tendencies were evident early in the regimes of Orbán and Erdoğan – Serbia's academic sphere remained relatively insulated from direct political interference during the first decade of SNS rule. However, as highlighted in *Backsliding: Democratic Regress in the Contemporary World* (Haggard & Kaufman 2021), Serbia's democratic backsliding intensified after 2013, culminating in a reversion to authoritarian practices by 2017. This shift was catalysed by the rise of student-led protests, such as those following the 2023 mass shootings and the Novi Sad railway station canopy collapse in 2024. As Jerkov, Bešlin, and Radeljić (2025) argue, these protests not only challenged the political establishment but also disrupted prevailing assumptions about youth activism and civic engagement in the post-socialist Balkans, exposing the regime's growing intolerance for dissent¹¹.

The justification for selecting Serbia lies in its paradoxical status: despite maintaining a stable AFI score of 0.76 in 2025, the country exhibits clear evidence of erosion in practice (Kinzelbach et al. 2025). While Serbia's "Law on Higher Education" provides robust legal protections for academic freedoms, its implementation is systematically undermined by political interference. This includes smear campaigns against critical academics, violent crackdowns on student protests, and institutional capture – all of which have gone unpunished. Serbia's hybrid regime status (Freedom House: 56/100, "Partly Free," and 43/100 in *Nations in Transit 2024*) and the SNS's incremental consolidation of power – through both legal and extra-legal means – illustrate how democratic decay often unfolds gradually, exploiting gaps between formal institutions and

10 Aleksandar Vučić is a Serbian politician who began his career in the early 1990s as a member of the far right Serbian Radical Party. Following the 2008 split, he co founded the Serbian Progressive Party and later became its leader, presenting a shift from radical nationalism toward a more moderate, pro European profile (see Bieber 2018).

11 Pre-canopy-collapse cases of attacks on the academic community include the University of Belgrade's revocation of the Minister of Finance's PhD diploma for plagiarism, as well as attacks on Prof. Jovo Bakić. Additionally, Rio Tinto and the government targeted professors for opposing the lithium project (N1 2021; N1 2024; Danas 2023). These incidents represent breaches of academic freedom and autonomy that went unpunished.

lived experience (Freedom House 2025a). Thus, Serbia exemplifies the EHEA or other platforms' failure to monitor *de facto* compliance.

SERBIA: BETWEEN *DE JURE* AND *DE FACTO* ACADEMIC FREEDOM

This section aims to present the state of *de jure* and *de facto* AF in Serbia. Evaluation of the situation in Serbia is based on presenting the results or findings of the *Academic Freedom Index* (AFI), the Freedom House, the European University Alliance and the World Bank. Beforehand, seeing the *de facto* situation, the section discusses the *de jure* protection of AF and fundamental values in Serbia. The discussion on *de jure* is done by assessing the law on higher education, as Serbia did not provide a report from 2015 to the EHEA, although it has been a full member since 2003 (European Higher Education Area 1998). This presents a reflection on the political and social situation in the country over the past 10 years.

Serbia's "Law on Higher Education" provides a comprehensive *de jure* framework for AF and related values, yet recent events expose a stark gap between statute and practice. Article 4 enumerates fourteen guiding principles – among them AF, institutional autonomy, academic integrity, the unity of teaching and research, public openness, non-discrimination, mobility, student participation in governance, equality of institutions, competition to improve quality, and protection of intellectual property (Službeni glasnik Republike Srbije 2025). Article 5 defines AF as the liberty to pursue and publish scientific, research, and artistic work and to choose methods of interpretation in teaching. Article 6 grants autonomy across nine domains, notably the right to determine study programmes, set internal rules, organise institutional structures, elect academic staff and associates, and publish institutional documents. Article 7 affirms academic integrity as a professional and ethical duty.

Crucially, Article 8 restricts law-enforcement access to campuses: police may enter only with institutional consent except where there is an immediate threat to public safety, life, health, or property. That safeguard was tested in July 2025 when special police units attempted to enter the Faculty of Law of the University of Belgrade – an incident widely reported as a breach of university autonomy and a vivid example of enforcement practices undermining legal guarantees (K.S. 2025).¹²

Shifting to the *de facto* situation, academic freedom is formally maintained, yet political influence remains evident – particularly after the 2017 "Law

12 The event took place during the protest on the 2nd of July 2025, when police used excessive force on peaceful protestors. During this intervention, between 30 and 40 students have been arrested, and some have been hospitalised at the Military Medical Academy due to injuries sustained from police abuse of power (Cvijić 2025).

on Higher Education,” which expanded the role of state-appointed members on the National Council for Higher Education and the national accreditation body (Freedom House 2025b).¹³

Government critics, including university professors, have faced retaliation ranging from smear campaigns in pro-government media to criminal investigations and other punitive measures (ibid.). Students have also played a prominent role in civic mobilisation, notably through their participation in the *Serbia Against Violence* protests following the May 2023 mass shootings.¹⁴ Student-led demonstrations against corruption and electoral irregularities have been met with repression: after a December 2023 protest, several students were charged with “calling for a violent change of the constitutional order,” with some accepting suspended sentences to avoid imprisonment (ibid.).¹⁵ Despite documenting these pressures on scholars and students, Freedom House ultimately concludes that AF remains relatively stable, underscoring the persistent gap between Serbia’s formal guarantees and the political dynamics that shape their implementation.

The AFI 2025 places Serbia in the top 30–40%, categorising it as mostly free (Kinzelbach et al. 2025). The relatively stable AFI can be explained by the fact that higher education and the academic community did not face direct attacks by the ruling party in the first ten years of power, which was not the case in Hungary. The shift in authoritarian rule followed the rise of the student-led protest in late 2024. The AFI assesses five dimensions: freedom to research and teach, academic exchange and dissemination, institutional autonomy, campus integrity, and academic and cultural expression. Serbia’s overall score has

13 Article 11 of the “Law on Higher Education” (2017) stipulates that the National Council for Higher Education consists of 17 members, a structure that enables significant influence by political actors. The members are appointed as follows: six by the University Confederation, two by the College Confederation, seven by the Ministry of Education, and two by the Chamber of Commerce and Industry of Serbia (Zakon o visokom obrazovanju 2025).

14 The first mass shooting occurred at the Vladislav Ribnikar Model Elementary School in Belgrade, Serbia. On 3 May 2023, a 13 year old K.K. opened fire in his school, killing eight classmates and a security guard, and injuring six other students and one teacher (BBC News 2023). Just one day later, on 4 May 2023, another mass shooting took place in villages near Belgrade, carried out by a 20 year old U.B. He randomly targeted young people socialising outdoors on a spring evening, resulting in nine deaths and twelve injuries (AP Correspondent 2024).

15 On the 17th of December 2023, early parliamentary and local elections took place in which the ruling party confirmed their leading position. Elections were followed by a student-led protest demanding revision of the voters’ registry. The protests culminated on the 24th of December when 38 people were jailed, of whom 18 faced heavy charges (Gočanin & Martinović 2024; Sabljaković 2023).

remained relatively stable over the past decade, as shown in *Figure 1*.¹⁶ *Figure 2* illustrates the situation in 2012, when the current ruling party first came to power, and contrasts it with Serbia's highest recorded scores in 2001 and 2003, when the AFI reached 0.87 (P. D. 2022). Today, Serbia's score stands at 0.76, only slightly above its lowest value of 0.78 in 2000. The most significant decline – 0.71 points – has occurred in the indicator for academic and cultural expression, which measures “captures academics’ freedom of expression in relation to political issues” (Spannagel & Kinzelbach 2023, 3978).¹⁷

On the other side, the Scorecard shows Serbia with consistently low to medium-low scores across four autonomy dimensions: staffing, financial, academic, and organisational (Pruvot et al. 2023). Staffing autonomy is weakest (39%): universities cannot freely recruit senior academics, a nationwide ban limits hiring of administrative staff, and salary and promotion rules are rigidly prescribed by law. Financial autonomy (40%) is constrained by a restrictive funding model in which the ministry or parliament pre-allocates funds to specific cost items, institutions cannot own real estate, and they may not retain surpluses from public funding. Academic autonomy (49%) is partial—universities control admissions but must obtain prior accreditation to introduce programmes, cannot choose the QA agency, and face limits on teaching in foreign languages. Organisational autonomy (56%) allows internal selection of heads and legal entities, but ministerial approval of structures ties governance to funding. Even though Serbia has a highly restrictive regulatory framework for higher education and its autonomy, the conclusion once again is that *de jure* guarantees for AF exist.

Scholars at Risk's “Free to Think 2025” names Serbia among 16 countries with worrying trends, documenting a sharp government backlash against scholars and students (Laifer 2025). From November 2024, a nationwide, student-led protest movement won broad faculty support, with over 5,000 academics signing an open letter by February 2025. The state mounted a campaign to discredit protesters that helped fuel public violence and heavy-handed policing, including reported LRAD use and widespread pepper-spray and baton deployments (Border Violence Monitoring Network 2025). Authorities signalled impunity for attackers, including presidential pardons, and threatened institutional autonomy by withholding university funding and salaries from striking professors. A regulation cutting scholars’ research time from twenty to

16 The value for the AFI is between 0 and 1, where 1 represents maximum freedom. The values for freedom to research and teach, academic exchange and dissemination, institutional autonomy, campus integrity, and academic and cultural expression are measured on a scale between 0 and 4, where four is maximum (Academic Freedom Index 2025).

17 Detailed explanation of each indicator can be found in “The Academic Freedom Index and Its indicators: Introduction to new global time-series V-Dem data” by Janika Spannagel and Katrin Kinzelbach.

five hours per week prompted over 450 faculty members to challenge it in the Constitutional Court.¹⁸ In addition, the rector of the University of Belgrade was summoned for questioning over his support for the protests, though no further action had been taken at the time of reporting (Laifer 2025).

Finally, the World Bank's "Serbia: Education Human Capital Review" highlights three interlinked weaknesses: governance, financing, and labour-market relevance. It notes low institutional autonomy and a pre-allocated funding model that entrenches stakeholder interests and fails to reward performance (Gresham et al. 2022). The report also documents a weak link to employers – only 69% of recent tertiary graduates are employed – attributing this to outdated teaching methods, obsolete curricula, and limited practical training (ibid.).¹⁹ Finally, the review flags a skewed social dimension (budget-funded versus self-financed places) that advantages wealthier students and a critical lack of data systems to track employability, persistence, and dropout rates – preconditions for effective, equitable reform (ibid.).

Serbia's AF embodies a stark contradiction between legal guarantees and lived reality. On paper, the "Law on Higher Education" establishes a comprehensive framework – protecting autonomy, integrity, and scholarly expression – yet its implementation is systematically undermined by political interference and institutional capture. While Serbia maintains a stable ranking in indices like the AFI, the erosion is evident in the government's retaliation against dissent: criminalising student protests, slashing research hours for critical faculty, and weaponising accreditation bodies to enforce loyalty. The 2024–2025 crackdown on student-led movements – marked by state violence, defunding threats, and pardons for pro-government assailants – exposes how legal protections collapse under authoritarian pressure. Even structural critiques from the World Bank reveal how bureaucratic constraints further stifle autonomy. This paradox reflects a broader democratic backsliding, where AF survives in statute books but suffocates in practice. Without urgent reforms – depoliticising governance, shielding dissent, and enforcing transparency – Serbia's higher education risks becoming a tool of regime consolidation rather than a pillar of critical inquiry. The resilience of student activism suggests potential for resistance, but meaningful change demands confronting the systemic gap between law and justice.

18 This decision remains in force and contradicts both national and European standards for research grant eligibility. For instance, the European Research Council requires researchers to dedicate at least half of their working hours to the project, while grants funded by the Science Fund of the Republic of Serbia require a minimum commitment of 30% of working hours (Tatalović 2025).

19 The percentage of recent graduates between 20 and 34 years old is 17% lower than the European Union average (Gresham et al. 2022, 5).

CONCLUSION

The Bologna Process succeeded in standardising degrees, credit systems, and quality assurance, positioning the EHEA as a global model of harmonisation. But that success was structural, not normative: technical convergence was never matched by mechanisms to protect the values it was meant to serve. The 2020 *Rome Communiqué* named academic freedom, autonomy, and integrity as foundational, yet it created no instrument capable of verifying whether states actually uphold them. The result is an architecture that can certify *de jure* compliance in detail while remaining structurally blind to *de facto* conditions.

Serbia demonstrates why this blindness matters more than it appears to. Its AFI score has held near 0.76 through the very years in which the government cut research hours by three-quarters, defunded striking faculty, and met student protest with sonic weapons and mass arrests. This is not a contradiction the index will simply correct in time; it reflects a structural feature of how these measures work. Composite indices aggregate slow-moving formal indicators – legislation, constitutional guarantees, accreditation rules – that change far less quickly than the informal retaliation, media smear campaigns, and selective enforcement that actually constrain scholars day to day. A regime that consolidates power gradually, as Serbia's has since 2013, can therefore sustain a stable score for years while the lived experience of academic freedom deteriorates well ahead of any measurable decline. If this dynamic holds beyond Serbia, it suggests the EHEA's existing monitoring tools are not merely incomplete but systematically biased toward optimism in precisely the cases – gradual, hybrid-regime backsliding – where vigilance matters most.

This has implications beyond Serbia. Hungary and Türkiye showed the EHEA what to watch for when authoritarian pressure on universities is abrupt and visible. Serbia shows what it must learn to detect when that pressure is incremental and legally camouflaged – the harder, and arguably more common, case among its member states. Without a monitoring mechanism built to register informal reprisal and enforcement gaps, not just statutory text, the EHEA risks certifying academic freedom in exactly the states where it is being hollowed out. Addressing this is not a matter of urging Serbia alone toward reform; it is a test of whether the EHEA's value-based turn is anything more than the rhetorical gesture this paper has argued it currently is.

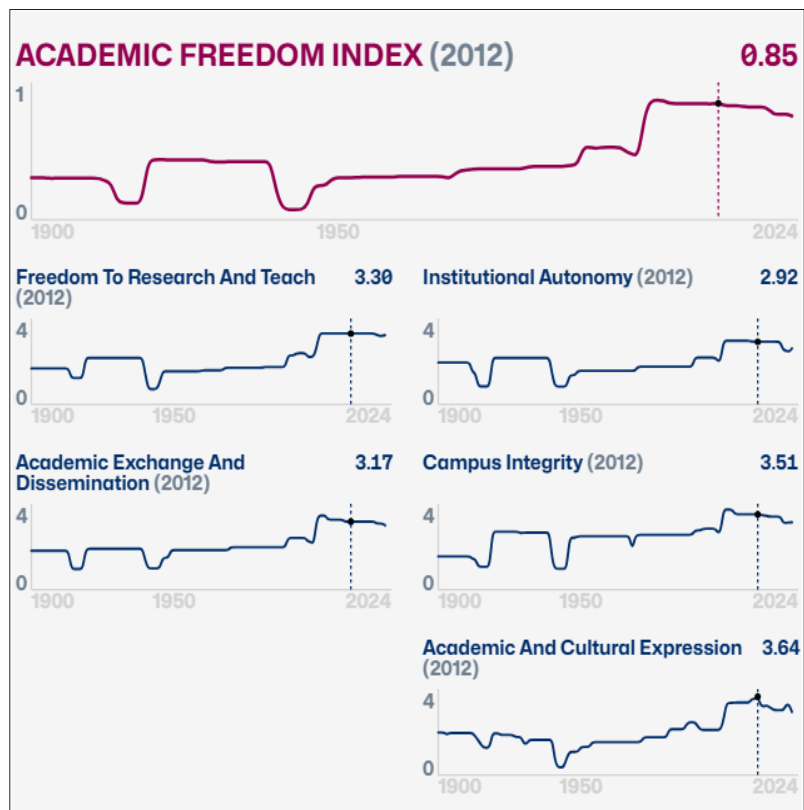


Figure 1. Values for Serbia in 2012

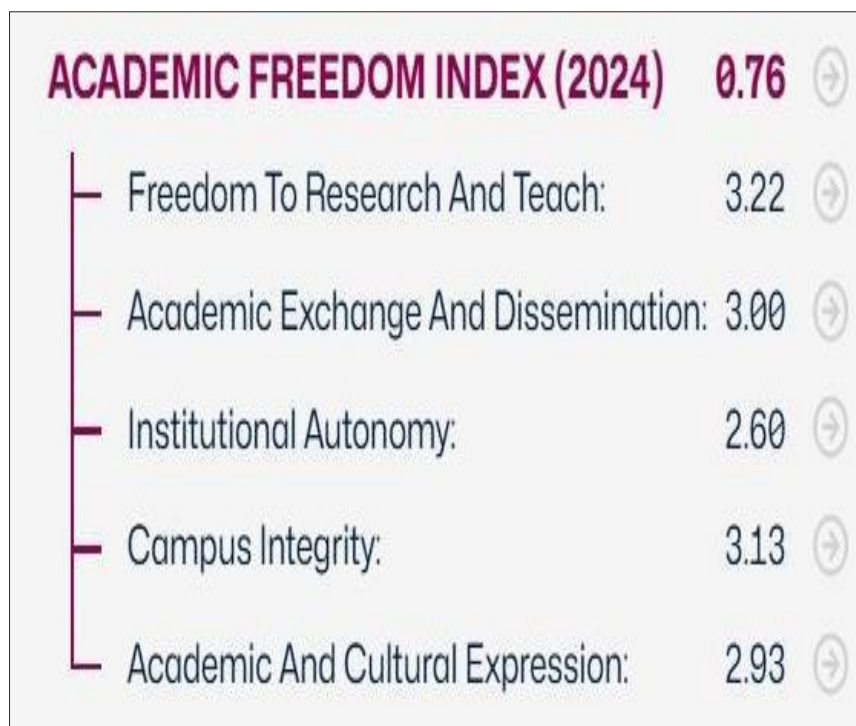


Figure 2: Values for Serbia in 2024

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PARADOKS SRBIJE: *DE JURE* NASUPROT *DE FACTO* AKADEMSKOJ SLOBODI U OKVIRU EPVO

APSTRAKT

Ovaj rad ispituje napetost između strukturnih reformi i upravljanja zasnovanog na vrednostima u Evropskom prostoru visokog obrazovanja (EPVO), sa kritičkim fokusom na eroziju akademskih sloboda u Srbiji. Iako je Bolonjski proces uspešno standardizovao sisteme diploma, okvire kredita i osiguranje kvaliteta – pozicionirajući EPVO kao globalno konkurentan model – njegov početni naglasak na tehničkoj harmonizaciji marginalizovao je osnovne akademske vrednosti. Rimski komuniké iz 2020. godine označio je zakasneli pomak ka upravljanju zasnovanom na vrednostima, ali EPVO nema efikasne mehanizme za praćenje *de facto* poštovanja propisa, što njegove obaveze čini uglavnom simboličnim. Srbija je primer ovog paradoksa: Zakon o visokom obrazovanju pruža snažnu *de jure* zaštitu akademske slobode, autonomije i integriteta, ali političko mešanje – uključujući kampanje blaćenja protiv kritičnih akademika, represiju studentskih protesta i institucionalno zarobljavanje – otkriva sistemski jaz između pravnih okvira i stvarnosti. Oslanjajući se na postojeće izveštaje, rad tvrdi da je akademska sloboda u Srbiji gora od one koja je prikazana u istraživanjima.

KLJUČNE REČI: akademske slobode, visoko obrazovanje, Srbija, EPVO