OBSERVATORY
MAGNA CHARTA UNIVERSITATUM

Bononia University Press

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Observatory for Fundamental University Values and Rights

Case Studies

Academic Freedom and University Institutional Responsibility in Portugal

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Contents

Foreword

Eduardo Marçal Grilo
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Over the last decades, various laws passed at different times have addressed the problems of higher education in Portugal, leaving however some loopholes, overlaps or contradictions in the general conditions framing the extension and expansion of the system. Before revising the law, the present Minister of Education decided to launch a national debate on the place of teaching and research in the country and invited – during the first part of year 2003 - contributions from all groups and citizens interested in the intellectual and scientific future of Portugal. To structure the debate, a paper was commissioned from the CIPES, a research centre on Higher Education Policies based in Porto, to outline the key areas that would need to be covered should a full reflection develop on such a global topic. This text was then posted for reference on the Ministry's website.

In this context, in December last year, the Gulbenkian Foundation planned for the first semester 2003 a series of three workshops that would explore in greater details a few of the main issues now being faced by Portuguese higher education, in particular by the universities. The first workshop, in April, dealt with the mission of the university, a theme that was introduced by Prof. Maurice Kogan, from Brunel University in England. The second one, in May, focussed on governance and the debate was launched by Judith Eaton, from CHEA, the Centre for Higher Education Accreditation in Washington. The last one, in June, was facilitated by Prof Josep Bricall, the former Rector of the University of Barcelona and the author of an important report on the changes needed to reinforce institutional autonomy and university social responsibilities when modernising Spanish higher education.

At each of these workshops around twenty-five Portuguese scholars were asked to join the debate: indeed, the discussions proved extremely interesting and fruitful as will show the proceedings,

soon to be published with the general conclusions prepared by Prof. Julio Pedrosa, former Rector of the University of Aveiro and former Minister of Education, with the help of Prof. Joao Filipe Queiro, from the University of Coimbra.

Next to these closed sessions, it was decided last January to invite the Observatory of the Magna Charta to debate autonomy and academic freedom, in Portugal also, but in such a way that the results of the discussion would immediately feed a press conference, thus publicising early the general topics studied in the workshops. The Board and Collegium of the Magna Charta represent a group of European experts long accustomed to dwell on the fundamental values of higher education as implemented in today's society. At the difference of the workshops, they represented the main group of participants in their meeting, five Portuguese participants only joining them as resource persons in order to explain and discuss the problems met by the reform programme now taking place in the country. In other words, this session of the Observatory in Lisbon, at the Gulbenkian Foundation, should be considered as an external contribution to the present debate on Higher Education in Portugal.

More precisely, on 22nd and 23rd April, the five scholars and representatives of entrepreneurial sectors joined members of the Observatory to discuss, on the basis of the reference document prepared by Prof. Alberto Amaral, a series of issues considered essential for the future of the Higher Education System in Portugal. Out of these few hours of intensive debate came a document that was disclosed to the media at the end of the meeting. This paper was also integrated as relevant material in the development of the workshops and will be used in the final conclusion of the series.

In the following pages, the Observatory has decided to publish elements of the dossier that made the discussion so worthwhile in the last few months in Portugal, the reference paper by Prof. Alberto Amaral, as well as excerpts of the introductory papers presented during the three workshops, as they substantiate the

Collegium opinion – also published below - that was presented to the media at the end of the meeting on 23ʳᵈ April. This booklet thus does give an English account of a much wider debate in Portuguese – while focussing mainly on one specific aspect of the problem, institutional autonomy and its management in higher education institutions. If this "appetizer" evokes the reader's interest, people should also turn to Prof. Pedrosa's full report, which is to be published soon as the Gulbenkian Foundation's contribution to the public discussion before it draws to a close by the end of the year.

We are very grateful to the Observatory of the Magna Charta for the opportunity that was given to the Gulbenkian Foundation to co-organise an event allowing for a contribution not only to academic strategies in Portugal but also to higher education development in Europe as a whole; indeed, so many similarities among different countries were made explicit in the process that we can hope that the general debate on reform will widen and that more comparative analyses of transformation in European university systems will be undertaken: in fact, in May, the Portuguese experience proved very useful in a discussion of the conditions for the success of university reform held in Novi Sad with the leaders of Serbian higher education. May the following pages help the many on-going changes in Europe to find a common language for a common vision of the knowledge society as it develops on our continent !

A Collegium Statement on:
Autonomy and the Re-engineering of Higher Education in Portugal

Magna Charta Observatory Collegium

At the invitation of the Gulbenkian Foundation, on the basis of a rich and synthetic documentation and with the help of renowned academics and experts from Portugal, the Magna Charta Observatory on Fundamental University Values and Rights joined the debate on the reform of Portuguese higher education.

They noted the expansion of tertiary education in the country, from some 60,000 study places 30 years ago to more than 400,000 today, a huge effort for a small European country. They understood, however that provision is now too high as demand is on the decline due to demographic factors: for decades, growth was the aim in government and institutions; at present, mentalities have to change to cope with restrictions and unpredictability. As perspectives change, the function of higher education and of academic institutions needs reassessment; using existing strengths in innovative ways to accomplish new tasks: hence the proposed revision of the legislative framework for science and education.
Such legislation, for the Observatory, should determine the general conditions of development in Portuguese research and education; it should bet on the institutions' capacity to act and propose, thus allowing for flexibility and timely answers to very diverse social needs, public or private. Clearly defined roles for government and institutions, making them partners in the evolution of society, should give vigour to institutional autonomy not only as a tool of management but also as a vital element of universities as powerhouses of knowledge. Such autonomy needs to be taken advantage of by the institutions, on a permanent basis, if the concept is not to lose its value.
The Observatory recognises in the Portuguese situation many

similarities with academic transformation in other areas of Europe. Drawing on such comparisons, the Collegium would like to point to five "zones of turbulence" needing attention by the legislators when re-defining the rules of higher education in this country.

1. Public Interest

With the reversal of expansion trends, the temptation consists in turning on oneself at the risk of losing sight of long term ends, innovation, integration of knowledge and creativity within the European Higher Education Area. How can institutions be encouraged to search for partners, public or private, in order to offer efficient service to students and economic stakeholders? How much is this public service of general interest, justifying strong governmental support? How much does this point to complementary funding from the beneficiaries of academic activities, in training and research? Indeed, institutional autonomy is shaped by the checks and balances between intelligence as a private and/or a public good; the better the definition of the roles of institutions and of their stakeholders, the stronger will be the universities' strategies for long term social interaction and development.

2. Role of State

With growing unpredictability linked to declining demand, the temptation consists in urgent interventions of short-term nature. To meet that risk, there is a need for a strong and durable frame of references common to government, stakeholders and institutions, references that make rules, funding and information transparent and open, so that confidence is being strengthened. Thus, the State should provide conditions that encourage institutions both to compete and collaborate with rivals and partners, not only at national but also at European and international levels. Differentiated answers tailor-made to local needs in function of

institutional strengths should re-inforce specific profiles of activities, making sense of autonomy, as supported by the Observatory.

3. Governance

Governance is at the core of legislative change all over Europe and the temptation consists in adopting rather than adapting corporate practices to academic institutions of collegial traditions, a process often encouraged by public authorities at supranational (EU), national, regional or local level. How can these varied interests be taken into account in function of the size, nature, heterogeneity and capacity of different institutions of higher education and research? This calls for leadership – from inside and outside the institutions, i.e., for the development and support of those steering the university so that they feel confident enough to develop accountability and the use of evaluation and quality assessment to measure, compare and strengthen the contribution of their institutions to intellectual growth, knowledge dissemination and social development in Portugal and in the world, as a whole.

4. Diversification

To meet the demand, the system, over the years has diversified with the creation of Polytechnics and a private sector of higher education, at the risk of fragmentation. Like in other European countries, the temptation consists in blurring differences – a trend that could be re-inforced by declining demand in the number of candidates. How to stay relevant to social needs – those of students, employers, local and regional authorities -, i.e., how to be specific, timely and innovative is essential. Not all institutions can do the same and no country can live without universities with international commitments, institutions focusing on the "know why" of education and science, thus offering a critical appraisal of knowledge, its use and dissemination: Other institutions, much more centred on the "know how", applied research and develop-

ment, are more specifically agents of social convergence and require different strategies of presence in the community. It is the system as a whole that should provide for diversity of purpose, scope and stakeholders in a differentiated society.

5. Europe and networking

In the reflection on the changed rules of the game, the temptation consists in keeping to Portuguese borders, at the risk of remaining on the periphery of Europe. Flexibility, comparability, compatibility and mobility require the wider context of the European Higher Education and Research Area. It means adopting not only a two/tier architecture of curricula but also using ECTS, common quality references as well as developing the European dimension of courses – not to speak of lifelong learning provisions and the social responsibility towards students, objectives added to the Bologna Declaration in 2001. How can the law define conditions propitious to networking so that Portuguese institutions can join with foreign partners (from Europe and elsewhere) in the development of research or the provision of teaching (for instance, through integrated curricula) – with institutions of similar nature (in size or activities) or of a complementary type (more specific, larger, more prestigious or less) so that stakeholders, be they students in Europe or other parts of the world, are offered a sample gamut of education, at various levels, in one group of collaborating institutions? Can institutions be encouraged to take up their future with all challenges involved in terms of salaries, compensation or status of staff and students.

For the Observatory, a positive answer, here too, means trusting the institutions, strengthening their adaptation and timely reactions through what amounts to re-inforced autonomy, i.e., the capacity to contribute to their further integration in society, be it in Portugal, in Europe or beyond, a bet they all have to take if they want to live up to their expectations and those of society.

Consolidation of Higher Education's Legislation: An Appraisal and Revision of the Legislation in Force

Alberto M. S. C. Amaral, Cipes,
Fundação das Universidades Portuguesas

Several years went by after some legislation on higher education had been passed. One may refer for instance to the Educative System Fundamental Act (Law 46/86, of 14th October), the University Autonomy Act (Law 108/88, of 24th September), the Statute and Autonomy of Polytechnic Higher Education Institutions Act (Law 54/90, of 5th September), the Evaluation of the Higher Education System Act (Law 38/94, of 21st November), the Funding of Higher Education Fundamental Act (Law 113/97, of 16th September), the Statute of Private and Cooperative Higher Education (Decree-Law 16/94, of 22nd January, which was subsequently altered (Law 37/94, of 11th November and Decree-Law 94/99, of 23rd March), and by the law on the Flexibility of Public Universities Management (Decree-Law 252/97, of 26th September).

The experience derived from practical implementation of the legislation on higher education demonstrates that, in parallel with many positive features, there were also some negative consequences or objectives not completely fulfilled. Moreover, there have been very important changes in the higher education system's context: massification, decreasing number of candidates, funding stringency, increased expectations of society on higher education, increased emphasis on the relevance of higher education for their graduates' employability, increased emphasis on the role of knowledge in the societies economic competitiveness, and so forth..

The aforementioned arguments indicate that it is time for doing a critical appraisal and consequent revision of the legislation in force, with a focus on elimination of the less positive features and better harmonisation with societal changes.

The objective of this paper is only to provide a modest contribution by emphasising some of the most important features that should be the objects of public debate. It is believed that this objective will be fulfilled if this paper contributes in some way to the raising of attention to this important initiative and to pinpointing the interest of higher education's participants in what is believed to be some of the key questions in the harmonious development of the system of higher education.

1. The Structure of the Higher Education System

As higher education systems moved from elitism to massification, diversification assumed an increasing role in the management and steering of the systems and the institutions. In general, diversification is seen as a positive asset. Several authors list arguments in favour of diversification, such as:

- •   Responding better to the needs of students
- •   Promoting social mobility
- •   Responding better to labour market demands
- •   Responding to demands of very diversified groups
- •   Increasing higher education institutions' efficiency

This explains why in, general, governments assume diversification as a positive characteristic of higher education systems. However, there are no clear recipes for implementing or increasing diversity, and governments in different countries have used a myriad of policies for reaching this objective. Those policies fall mainly into three different categories:

• Implementation of binary systems with universities and polytechnics (or their equivalents), the latter offering shorter degrees with more vocational emphases.
• Unification of binary systems followed by measures that aim at implementing diversification through the use of market type

mechanisms (competition), most specifically in the allocation of research funding.

• Creation of diversity inside already existing institutions (universities) by allowing them to simultaneously offer traditional long degrees and shorter, more vocational degrees.

All those policies offer some advantages, but they also generate problems. Policies of the first type may be unstable in the medium term, both because of academic drift of polytechnics in search of social standing vis-à-vis universities and due to professional drift of universities responding to societal pressures to become more "relevant" and to respond to increasing demands for employability of their graduates.

Policies of the second type, instead of promoting diversity, may result in the stratification of higher education systems between first and second-class institutions.

Policies of the third type apparently have a good tradition in some countries such as Spain. Their implementation in other countries, however, has been fraught with difficulties.

Available statistical data show that in Portugal approximately 30% of those students completing secondary education enter the labour market directly. Students abandoning the educational system after completion of secondary education are in general older than the average 22 to 24 years old, and their families have a lower relative education background (75% of those students come from families where parents at most have completed primary education). The decision to impose minimum marks in the examinations for access to higher education will increase the number of students unable to enter directly into traditional higher education, thus raising the need for new short cycle, post-secondary and strongly vocational study programmes.

Within this context, there are some pertinent questions:

1.1 Does the present binary structure of the higher education

system with universities and polytechnics offer an adequate answer to the future needs of higher education?

1.2 The 26/2000 Act (recently revoked) established a very rigid separation of the two sub-systems (universities and polytechnics). Taking into account the pros and cons of the different policy options for increasing diversity, should a more flexible system be implemented?

1.3 The University of Aveiro and the University of Algarve integrate some polytechnic schools. Should the regional association of a university with polytechnics in its area of influence be encouraged, even without formal integration, as in the case of those universities?

1.4 Should any higher education institution be allowed to offer the new short cycle technological programmes[1]? Alternatively, should these short cycles be reserved for polytechnics?

1.5 What kind of mobility mechanisms should be implemented between both sub-systems and also the technological programmes?

2. Degrees and diplomas

The Bologna Declaration recognises an organisation of higher education essentially based on two main cycles, undergraduate and graduate. The first cycle must be internationally recognised as conferring appropriate qualification for the labour market. The second cycle has two variants, a shorter Masters' program and a longer that is equivalent to a doctoral degree. Some instrumental objectives of the Bologna process are the adoption of a system of easily readable and comparable degrees, and the establishment of a system of credits – such as European Credit Transfer System (ECTS) - as an appropriate means for promoting student mobility.

The Bologna process presents two obvious challenges to the

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[1] This refers to short cycle vocational education leading to level 4 qualifications.

Portuguese higher education system. First, there are four degrees: bacharel, licenciado, mestre and doutor; second, there is an enormous anarchy in the names of study programmes. There currently exist an excessive number of different programmes. Even worse, in many cases, the name of the programme has much more to do with 'marketing' (attracting students with appealing designations such as Engineering of… or Management of…) than with the legibility and transparency of educational provision, which is one of the Bologna's objectives.

This raises the following questions:

2.1 What kind of degrees should be offered in the future?
2.2 What kind of institutions can offer the different degrees?
2.3 What should be the structure of educational provision – with regard to its duration in order to comply with the Bologna process?
2.4 Is it acceptable that different institutions can offer similar study programmes, but with different durations?

3. Governance of higher education institutions

The University Autonomy Act (Law 108/88) and the Statute and Autonomy of Polytechnic Higher Education Institutions Act (Law 54/90) regulate the governance of Portuguese public higher education institutions. In universities, governance is characterised by collegiality and democracy, with the full participation of academics, students and non-academic staff. Election is the source of legitimation for the use of power, and the presence of external representatives is optional. In polytechnics, the idea of a closer relationship to the national industrial and economic situation and of stronger regional emphasis prevails. As such, participation of external representatives is compulsory in the General Council and for the election of the president, but is optional in the Scientific Councils. However, legislation still sees polytechnic institutions as

an association or federation of schools rather than as a real insti-
tution.

As both laws were passed more than a decade ago, it is important
to analyse how far the governance modes and structures are ade-
quate for the present situation. Over the last years criticisms beca-
me frequent, originating from different sectors, and mostly from
inside the institutions. Some believe that the autonomy acts
restrict excessively the models of internal organisation of institu-
tional governance. Some hold the position that management
should be left to professionals, intimating that higher education
cannot be left in the hands of academics without management
training. Others believe that the election of the Rector makes him
or her hostage to electoral commitments and promises. There are
also those who consider it inappropriate to allow participation in
institutional governance of non-academic staff, and mainly of stu-
dents. A recent case at the University of Coimbra has reinforced
this trend. There are people supporting a stronger participation
from society, but also those who remind us that "boards of tru-
stees" are alien to our traditions. There are people favouring a
stronger market intervention, but also people warning that mar-
ket regulation leads to short term strategies, which are not suited
to the more stable, long term environment of higher education
institutions.

This raises the following questions:

3.1.   The Rector or President of the institution
3.1.1   Who is eligible for the position? People from outside the
        institution? Which ones? Why?
3.1.2. Should one keep the present electoral system?
3.1.3. Should the election have a more universal character?
3.1.4. Should the election be replaced by appointment, using a
        'search party'? What should be the composition of the
        search party? What should be the role of institutional
        governing bodies in selecting the candidates?
3.1.5. What   powers   should   be   conferred   upon   the

Rector/President?

3.2.   Participation of society
3.2.1. What kind of meaningful participation and accountabi-
        lity should society have in the governance of higher edu-
        cation institutions?
3.2.2. Do you favour the establishment of "boards of trustees"?
        With what powers?
3.2.3. Do you favour a bicameral system (as it is characteristic in
        Anglo-Saxon institutions) with a Senate for academic
        matters, and a Council with external representation for
        input regarding matters such as financing and strategic
        orientation?
3.2.4. Should the external representation hold a majority?

3.3.   Management of Schools/Faculties/Departments
3.3.1. Do you favour a uninominal management system, for
        instance a Director?
3.3.2. The Director is elected? Or appointed by the Rector in
        consultation with the School?
3.3.3. Should some collective decision-making bodies be main-
        tained? Which ones?

3.4.   Participation of institutional bodies
3.4.1. What should be the relative weight of the different bodies
        (academics, students and non-academic staff)?

4. Access

The government has used access to higher education as a regula-
tory tool. The total size of the system is controlled by changing the
rules of access with the effect of governing the total number of
candidates permitted to enter higher education. Over the last
years, there has been a consistent decrease in the number of can-
didatures to higher education as a result of the combined effects

of a persistent decrease in birth rates with more difficult requirements of access to higher education. The fall in demand has initially affected the private sector, but is currently impacting public polytechnics and some public university sectors. In the 2002/03 academic year, after the second phase of students' placements, the public sector had 16 study programmes without candidates and about 200 study programmes with less than 50% of the available openings filled.

The recent passing of legislation aiming at creating even more demanding access rules – minimum marks of 9.5 in all access exams – will increase and exacerbate the decline in demand. A simulation made using the data of the 2002/03 candidatures after the first phase of students' placements and imposing the minimum marks reveals drastic consequences for some institutions and some study programmes, with special significance for polytechnics.

Within this context of excessive offer relative to falling demand, the following questions are raised:

4.1. Does the present context favour the elimination of the *numerus clausus* system in most study programmes, being maintained only for some special areas such as Medicine, Dental Medicine or Architecture?

4.2. How can those institutions located in the interior be protected from the results of eliminating the *numerus clausus* system?

4.3. Are the present requirements for access to higher education adequate and reasonable?

4.4. Does access to short technological programmes (level 4) represent an adequate alternative for students prevented from competing directly for access to higher education?

4.5. Should more vocational study programmes taught in higher education institutions lead alternatively to granting level 4 diplomas?

5. Autonomy and regulation

The Constitution of the Portuguese Republic explicitly protects the autonomy of universities. However this constitutional protection has never been extended to polytechnics.

The University Autonomy Act (Act 108/88) confers statutory, scientific, pedagogic, administrative, financial and disciplinary autonomies to public universities and identifies their assets. It is considered that pedagogic autonomy is very complete in that public universities are allowed to initiate, suspend and cancel study programmes. The role of the Ministry is specifically limited to registration of new study programmes in such a way that real pedagogic decision power lies with the universities.

The [Public] Polytechnics Autonomy Act (Law 54/90) is far more limited than the University Act. It overlooks the scientific and pedagogic autonomies and leaves with the Ministry all decisions about institutional proposals to initiate, suspend, and cancel study programmes. The private sector has very large administrative and financial autonomies. It does not have pedagogical autonomy, since these institutions still need ministerial approval of their proposals to initiate, suspend, and cancel study programmes.

The fact that the autonomy of public universities is granted by the Portuguese Constitution has allowed for an important development of their financial autonomy authorised by Decree-Law 252/97 of 26th September. In this Decree's foreword, it is stated that "…the lack of complementary legislation to the University Autonomy Act, which was actually referred to in the Act, …" has resulted in a situation of blockage of the universities' financial management. This must be solved by specific solutions adequate to each institution's particularities as recognised in the Constitution and in the University Autonomy Act. These solutions, without putting at risk the national budgetary policy, which by definition lies within the prerogatives of Parliament following a Governmental proposal, will allow those institutions to fully pursue their aims as determined by Constitution and law. Article

2 of Decree-Law 252/97 states that "The legal provisions of the present decree constitute special law and as such will prevail over opposite provisions of general laws". However, it must be pointed out that the objective of this legal provision - to grant stability to the provisions of the Decree – has not been a success.

The Law 26/2000 of 23rd August, determines that no new study programme may be initiated before publication of a Ministerial decree granting that the programme has been registered, in effect decreases the pedagogic autonomy of public universities to the level of autonomy of public polytechnics and private institutions. More recently, the Law 1/2003, of 6th January, has revoked the Law 26/2000, while maintaining the conditions for registration. The new Law creates a system for accreditation of study programmes and implements measures that may result in cancellation of funding or vacancies for study programmes without demand.

Under these circumstances it is important to define the future equilibrium between institutional autonomy and regulation:

5.1   Is the present level of scientific autonomy adequate?
5.2   Is the present level of pedagogic autonomy adequate?
5.3   Is the present level of administrative autonomy adequate?
5.4   Is the present level of financial autonomy adequate?
5.5   What assets should be transferred to the institutions and under what legal provisions? Were the results of the application to public universities of Decree-Law 252/97, of 26th September satisfactory? Should this Decree be extended to other institutions?
5.6   What model and forms of regulation should be implemented in the future? Is it possible to rely solely upon institutional self-regulation capacity and market regulation?
5.7. Can the CRUP, the CCISP and the APESP[2] play a role as

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[2] CRUP – Council of Rectors of Portuguese [Public] Universities; CCISP – an equivalent Council for Presidents of Public Polytechnics; APESP - an association of the presidents of the co-operative societies which own private higher education institutions.

regulation bodies?

5.8. A new regulation body should be established? A body representing established institutional interests (CRUP, CCISP, APESP, etc.) or representing also the broader interests of society and/or representing professional organisations? What degree of dependency on the Government should that body have?

5.9. Does one run the risk of establishing a new body that in the medium term will reveal itself as extremely conservative or alternatively as a body with a vision of immediacy, and of short term instead of long term strategy?

6. Funding sources

Higher education has the responsibility for educating the total individual — intellectually, aesthetically, ethically, socially and physically. It is obvious that, to do this, education has a cost and that someone has to bear this cost. It seems also evident that costs should be shared by three main sources: taxpayers (as higher education is a strategic component of the country's economic development), parents (they share a responsibility in the upbringing of their descendents) and students (as for many students higher education is a profitable private investment, offering them real economic returns above those of many other long term investments). A basic corollary of these hypotheses is that decreasing the contribution from one source needs to be met by an equivalent increase from the other sources, otherwise the situation will result in more fundamental changes, such as reducing the size or quality of the system, reducing students' social support or changing the socio-economic profile of enrolled students.

The problem consists of finding a fair allocation of costs between parents, students and taxpayers. This is an equity problem, a concept that economists associate with the way resources are allocated by society. It is common practice to distinguish between horizontal equity, meaning granting equal treatment to equal individuals,

and vertical equity, meaning granting different treatment to individuals who are different. This last concept is very meaningful for education, since one of its missions is offering equal opportunities to children and youngsters from different socio-economic backgrounds.

But there is also an intergenerational equity, meaning the allocation of resources and the sharing of burdens between generations. This is relevant for the sharing of costs of education, and this includes the wretched problem of tuition fees. This is obviously another difficult dilemma because on the one hand the public contribution to higher education is a burden supported by those who are active workers today in favour of future generations, and on the other hand new generations will be asked to pay the pensions of those who are active today.

Some relevant questions are:

6.1. Should the contributions from parents and students towards the costs of higher education be increased?

6.2. In case of an affirmative answer to the previous question, should those additional contributions be compensated by grants or tax exemptions?

6.3. Should grants be replaced by loans or should both systems coexist?

6.4. Should loans be paid through additional contributions in the IRS or through additional contributions to Social Security?

7. Allocation of funding

There are three traditional models for allocation of funding:

• The historical model.
• The use of funding formulae.
• The signature of contracts.

The historical model is not convenient, as it tends to perpetuate an

allocation of resources that does not follow institutional change. The use of a funding formula has the advantage of transparency, while preventing the emergence of distortion due to political factors or to the different lobbying capacities of institutional leaders. However, funding formulae need to be periodically revised to take into account changes in the systems' development and in general are more adequate for running expenses than investments.

The signature of contracts has the advantage of allowing for better matching of funding to the negotiated development of institutions, particularly with respect to investments. However, it may create distortions due to political factors or to the different negotiation abilities of institutional leaders and further, may not be compatible with the idea of inter-institutional competition.

The following questions are raised:

7.1. Should the funding allocation be based on a funding formula?

7.2. If the answer to the previous question is affirmative, should funding be given for each institutional activity (education, research, service, etc.)? What parameters should be included in the formula? Should the level of funding be linked to the results of quality evaluation? Should the level of funding be linked to performance? Should the level of funding be used to encourage good institutional management, even if it produces a budget surplus[3]? Should the level of funding be used, for instance through matching funds, to encourage the search for alternative funding?

7.3. Should funding be allocated by contract? Or alternatively, should contracts be signed only for defining the medium term expansion of institutions and investments, while current funding continues to be defined on a yearly basis by a formula, which would depend on the quantitative (and qualitative?) development of the institution?

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[3] This refers to the fact that in general the Ministry of Finances usually considers that a budget surplus reveals situations of overgenerous public funding.

8. Research

Education and research, specifically at the level of higher education, are today recognised not only as factors of social equity, but also as vectors of micro and macro-economic efficiency. The concept of endogenous development has induced the European Commission to consider education and research as very efficient tools of a macro-economic policy indispensable for solving the European unemployment problem. Today, it is taken for granted that the improvement of education's quality has had an important effect over the rate of return of education in terms of expected salaries for each additional year of education, and that the national investment on education and research is fundamental for granting social and economic development.

The Committee of Ministers of the Council of Europe has recently approved a very important recommendation to member states on research and higher education (recommendation R (2000) 8 of 30th March 2000). Considering that universities "…while sharing the responsibility for academic research with industry and specialised institutions have a particular responsibility for the development of knowledge through free and fundamental research, for the training of new researchers and for the maintenance of a healthy balance between the different types of research…", the Committee proposes amongst several others the following recommendations:

• Universities should conduct research in a broad range of disciplines and ensure well-organised contacts with active research in disciplines in which they offer study programmes without a strong research base

• Governments should seek to develop and maintain trust between the state and society on the one hand and the universities on the other and, notwithstanding the fundamental principle of university autonomy, to leave the universities with the responsibility for their choice of research priorities

• Governments should aim at creating conditions for universities

where teaching and research are equally integrated into their organisation and structure

- Governments should ensure that permanent academic staff have duties in both teaching and research
- Governments and universities should be encouraged to design their study programmes with a view to bringing students into close contact with research as early as possible
- Joint appointments and part-time employment should be facilitated. Research theses could be prepared in co-operation with industry and public administrations
- Governments and universities should be encouraged to base the recruitment and career advancement of teachers on competition and good performance in both teaching and research, and
- Funding of research should as a general rule be subject to independent expert evaluation

Questions on the theme of research:

8.1 What is the desirable relationship between higher education institutions and scientific research?

8.2 What measures should be taken for promoting cooperation between public, private and co-operative institutions in order to foster the development of science, technology and culture with particular emphasis in the interest of society? What measures should be taken for promoting post-graduate education with good quality?

8.3 What measures should be taken for promoting the establishment of inter-institutional partnerships?

8.4 What degree of flexibility should be allowed for employment of people linked to research contracts?

8.5 What level of matching funds should be granted by the State relative to research projects funded by the community?

8.6 What strategy should be implemented by the State for promoting the participation of national institutions in the new EU research framework programme?

9. Evaluation and accreditation

The evaluation of Portuguese higher education institutions is
regulated by Law 38/94 of 21st November. Later the CNAVES[4]
was established and evaluation became widespread to all higher
education institutions. The concept of accreditation was introdu-
ced in Portuguese legislation by Law 1/2003 of 6th January but
still needs further regulation before being implemented. So far,
evaluation has only been used for study programmes. Although
the law also implies institutional evaluation no steps were yet
made in this direction, with the exception of some pilot exercises.
The present evaluation of study programmes has been well recei-
ved both by institutions and the public at large, although there are
demands for increased clarity of the evaluation reports' conclu-
sions, thus allowing for further transparency and comparability of
the evaluation's results.

Within the present context of great multiplicity of higher educa-
tion institutions, it is urgent to establish a system for evalua-
tion/accreditation of other academic degrees, such as masters' and
Ph.D.s. Most countries that have relations with Portugal have
established [quality] systems, sometimes very demanding, and the
credibility of our system will depend on the introduction of these
kinds of systems. Since its introduction in Portugal around 1980,
Masters' have in practice been downgraded from a very deman-
ding programme for full time students into a part-time programme
me with very dubious academic standards. There are obvious
exceptions but this is the general rule. Although the legislator's
intention aimed at 90 to 120 units (in terms of ECTS), current
practice has reduced academic demands to 45 to 60 credits. (60
ECTS units are equivalent to the normal yearly workload of a full-
time student). Although there is still some decorum in the case of
Ph.D.s, Portugal needs to follow the general trend towards more
formal standards as are in place in other countries. This need is

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[4] This council was established for coordinating the three sub-systems of qua-
lity evaluation: public universities, public polytechnics and private sector.

reinforced by the fact that there are now large numbers of Ph.D. holders, some of them not always scientifically active, who may be tempted to supervise dissertations and participate in academic juries.

The so-called post-graduation programmes are now proliferating, both in higher education institutions and in other kind of institutions that have discovered a new "calling" for this new area of "services". It is important to decide if "post-graduation" stands for an academic degree "above" the first degree [graduation], or if it only implies any kind of training offered by any agent with the aim of attracting whatever student market is most seducible and available at the moment.

Questions for consideration:

9.1. What proposals will increase transparency and legibility of the evaluation system?

9.2. What should be the concept of post-graduation?

9.3. Should a mechanism for Masters' evaluation be established?

9.4. Should a mechanism for Ph.D.'s evaluation be established?

Autonomy and Change in Portuguese Higher Education

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Introduction

The government has recently disclosed its intentions to revise the legal framework in force for higher education in Portugal. To set this effort in context, we present a brief description of some relevant aspects of the Portuguese Higher Education System, with special emphasis on institutional autonomy and some recent policy developments.

The current situation will be analysed from the standpoint of higher education policy researchers. For a researcher, the present times are indeed fascinating and trying to understand what is behind the present reformist impulse is quite stimulating. For rectors and presidents, however, the present times of uncertainty are probably not very comforting, and even more so when uncertainty is associated with financial stringency.

Constitutional guarantees

The new 1976 Constitution guarantees the right to education to all the Portuguese, as well as the freedom to teach and to learn. By sanctioning the freedom to teach and to learn as a fundamental right, the Constitution opened the way for the development of private higher education. The fundamental law also protects the autonomy of public universities - that is explicitly mentioned in article 76.

Article 76

University and access to higher-level education

1. The rules governing access to universities and other institutions of higher education shall guarantee equal opportunities for all and the democratisation of the system of education; they shall take into account the need for qualified graduates and the enhancement of the educational, cultural and scientific standards of the country.

2. Universities shall be autonomous in the making of their regulations and shall enjoy scientific, educational, administrative and financial autonomy, in accordance with the law, without prejudice to appropriate assessment of the quality of education.

However twelve more years elapsed before the University Autonomy Act was passed by Parliament.

Autonomy acts

The University Autonomy Act passed in 1988 and the Statute and Autonomy of Polytechnic Higher Education Institutions Act passed in 1990 conferred considerable autonomy to public higher education institutions, including financial and administrative autonomy. Public universities were also conferred full pedagogic autonomy allowing them to create new study programmes, while public polytechnics and the private sector still have to submit proposals to government for prior ministerial approval.

The pedagogic autonomy of public universities has been the source of bitter resentment from other institutions of higher education, be they public polytechnics or private schools and universities. While public polytechnics always expressed indignation against what they consider to be second-class treatment relative to public universities, private institutions have also been voicing their complaints against what they consider to be an unfair treatment relative to public universities that seriously damages their capacity to compete for students.

The autonomy acts, however, contain hybrid elements as they also provide for government intervention through the Ministry in charge

of higher education - as the main regulator of the system. But, at the time the acts were passed by Parliament, the conditions for their successful implementation did not exist. In South Africa, the National Commission on Higher Education (NCHE) - having a very clear vision of the essential ingredients for successful implementation of new modes of State supervision (Neave and Van Vught 1994) - stated in a policy paper that four capabilities were absolutely necessary at the Ministry's level:

> … organisational capacity (a corps of competent 'planning' civil servants); a long-term growth orientation (the development of a coherent socio-economic and human resource development plan); autonomy and independence from powerful private social interests; and being the honest broker in co-operative relations across public and private domains. (NCHE 1996: 59).

None of these capabilities were available in Portugal at the time the acts were passed. Consequently, one may argue that all appropriate conditions for disaster were present from the very outset of the process.

The problem of weak regulation

After passing the Autonomy Acts, the government was unable to adjust its role to the new legal framework. On the one hand the Ministry did not have a corps of civil servants able to make the transition to a new form of relationship with institutions, assuming instead a posture in favour of the old traditional modes of operation. On the other hand, the government initially assumed too relaxed a behaviour towards the private sector, allowing the mushrooming of private institutions without sound academic and financial criteria. Indeed, the fast increase in demand[1] for higher education induced a strategic answer

[1] In 1989 the Minister of Education, Roberto Carneiro increased artificially the demand by loosening the requirements for entering higher education (entrance examinations were to be used only for ranking students in the national tender for vacancies, without any minimum required levels) thus creating very favourable market conditions for an explosive development of the private sector.

of uncontrolled expansion from higher education institutions, without proper care being paid either to quality or to relevance in terms of the adequacy of higher education provision to the needs of the labour market.

According to the law, however, the Ministry had to approve all the proposals for the establishment of new study programmes from the polytechnics and the private sector. This resulted in overburdening the Ministry's services that had not the adequate technical expertise needed to inform political decisions. Sometimes institutions had to wait several years for the approval of study programmes and in several cases decided to initiate them illegally, thus forcing the hand of the Ministry by an accomplished fact. In any case, there was also the feeling that some decisions were taken at random or in function of the lobbying power of each institution. It is also interesting to notice that, despite the emergence of a large private sector, no real market for higher education has developed in Portugal: market regulation did not play any effective role – as it is obvious from the fast expansion of areas without any demand from the labour market, and without any visible relevance for economic and social development. The fact that the market regulation of the system has not been effective is not very surprising, and, in this respect, Portugal converges with most of its Continental European partners. As Trow (1996: 310) recognises:

> Markets are still a relatively minor factor in Europe, which on the whole does not provide a market for higher education, and whose governments rather dislike the idea of a market for higher education and its potential effects on quality and status.

The reasons why the Government, through the Ministry of Education, did not have appropriate capacity for dealing with autonomy, i.e., to regulate the system, can be found in some characteristics of the Portuguese society.

Portuguese peculiarities

Geert Hofstede (1991) suggests that the Portuguese society has a very high 'uncertainty avoidance' score, combined with a very strong 'feminine' character[2]. In his view this implies, on the one hand, a perceived need for a wide range of precise laws and regulations and, on the other hand, a desire for consensus, a preference for resolving conflicts by compromise and negotiation, and, in general, a permissive and tolerant culture. Consequently, although there are many laws of strong regulatory character, they are not always taken very seriously.

This political characteristic is the reflection of what the Portuguese sociologist Santos (1990, 1993) designates as the "Parallel State", in order to characterise the double-dealing attitude from the State, which on the one hand assumes a progressive legality pattern, but on the other hand tolerates the systematic violation of the *corpus juris* in force. Moreover, the 1976 Portuguese Constitution passed after the Revolution had many characteristics of extreme socialism but after the first general elections neither the Communist Party nor any other extreme left-wing party came into office. The result of this was a mismatch between the Constitution and the policies implemented by successive governments - that led to the concept of 'parallel state'. Sometimes the contradictions were overcome by cunning interpretations of the Constitution while, with the passing of the years, several constitutional amendments trimmed the most visible inheritance from socialism.

Against this sociological background the lack of effective state regulation does not come as a surprise.

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[2] Uncertainty avoidance is related to the extent to which individuals within a given society try to avoid uncertainty – in law, in employment, in business, etc. – and to the relative level of intolerance in the society. The masculinity/femininity dimension reflects the extent to which consensus is sought in resolving conflicts, the degree of sympathy for the weak and the fallen, the quality of working life, the approval given to modesty, etc.

The crisis of higher education

The lack of effective regulation – both by government and by the market – produced serious and disturbing consequences resulting in a crisis for the Portuguese system of higher education. The private sector was allowed to develop without control and in areas that were not a national priority (see Amaral and Teixeira 2000), little attention being paid to quality standards or to the relevance of educational provisions for the labour market.

The private sector could only develop as it did because the artificial increase of the number of candidates – a policy of Minister Roberto Carneiro – left many students without alternative as they could not find a place in public institutions. The private sector was "characterised mostly by its low-risk behaviour, and its peculiar responsiveness in terms of market *stimuli* that favoured a concentration in low-cost and/or safer initiatives" and "it was more frequent to observe either a duplication of public supply, or a rapid expansion (but not its launching) of low-cost disciplines, in both cases in areas with a strong demand" (Teixeira and Amaral, 2002).

The lack of organisational capacity – a corps of competent 'planning' civil servants – may also explain why the government was unable to foresee that - due to demographic conditions - the number of candidates to higher education would start decreasing already some ten years ago, thus taking by surprise higher education institutions which were fully committed to a strategy of expansion. Today, institutions are facing fierce competition for students, although this affects mainly the private sector as well as some public polytechnics and a few public universities located inland: indeed, it is possible that some private institutions will go bankrupt.

The fact that the total number of available vacancies today clearly exceeds the number of candidates, the forecast of continuing decrease of students completing secondary education and the change from a relatively comfortable economic situation to a

situation of economic recession have strongly influenced the change in governmental priorities from unfettered expansion to holding back or even reducing enrolments, using quality as the new banner for higher education.

Although the problems are evident, the government has not recognised that they result mainly from its own lack of capacity to regulate the system, and there are voices blaming the mess on the excessive pedagogical autonomy of public universities. However, as the major problems originate in the polytechnics and in the private sector – just those institutions that need formal permission from the Ministry before they start new study programmes – it is rather obvious that public universities are taking the rap for the politicians' incompetence.

The academic drift of polytechnics

There are also strong pressures resulting from a clear academic drift of polytechnics that might result in a unification of the binary system.

Decree 513-1/79 - that established the polytechnic subsystem - made a clear statement of intentions: polytechnics are to provide a good match between education and the demands of the economy by producing technicians able to act at intermediate level of industrial, service and educational (first cycle of basic education) organisations. Most polytechnics, however, instead of defining a distinctive profile aiming at gaining a strong position in the training market for intermediate level human resources, have made the choice of copying the model of the new universities, which had organised around closer connections with local communities. The Comprehensive Law of the Educational System (CLES – Law n° 48/86) reasserts the polytechnics' vocation to train human resources for professional activities by teaching based on scientific knowledge transfer, both theoretical and applied. However, the legislator did not have the courage to draw a clear distinction between polytechnics and universities. For example, commenting on

the 1986 CLES, Simão and Costa (2000) argue that the law (…) "shows great embarrassment in drawing the distinction that it intends to make, almost limiting itself to a mere semantic exercise, expressing similar ideas in non-coincidental times and modes". The fact that the Portuguese Constitution only refers to the autonomy of universities led to developments seen by polytechnics as giving them a less prestigious public image, which - combined with the homogenising effects of the Bologna process - reopened the debate about the nature of the binary system. The Bologna process may help this reunification. Indeed, the Prague Communiqué adopted by the European Ministers in charge of Higher Education on 19 May 2001, tries to safeguard the binary structure of some European Higher Education Systems from the homogenising effect of a single graduate cycle by stating that "programmes leading to a degree may, and indeed should, have different orientations and various profiles in order to accommodate a diversity of individual, academic and labour market needs." However, this is just the kind of dubious terminology that does not contribute to clear up the confusion.

It is a fact that public polytechnics have always complained against what they consider as second-class treatment when compared with public universities. The different levels of autonomy conferred to both kinds of institutions have always been a thorn in the polytechnics' pride. The present decrease of the number of candidates to higher education has exposed the low capacity of Polytechnics to attract students, who see them as a second choice, and gave new impetus to the fight for convergence towards a status similar to that of universities.

Loss of pedagogical autonomy

The public universities' pedagogical autonomy has been the first casualty of the problems faced by the system. Confronted with complaints from public polytechnics and private institutions about unfair treatment relative to public universities, and being

unable to regulate the system, the former socialist government, instead of increasing the pedagogic autonomy of those institutions, decided to curtail the autonomy of public universities. That government passed Law 26/2000 which reduced the pedagogic autonomy of public universities to the level of that granted to polytechnics and the private sector. The new government in office since March 2002 revoked that law and passed a new one (Law 1/2003), but it maintains similar provisions regarding the loss of pedagogic autonomy of public universities.

The lack of capacity of the State to control the expansion of the system has motivated the new government to develop also new tools that would allow the Ministry to close down institutions and/or study programmes, either because there are no candidates or because of low quality.

Law 1/2003 thus establishes a system of 'academic accreditation' to be implemented by the same agencies now responsible for the quality evaluation system. It is true that the final reports of quality evaluation exercises, because they must be made public, are in general carefully drafted so that the public in general and the media in particular cannot easily draw league tables out of them. This means that those reports very seldom offer a clear basis for drastic decisions that would lead in practice to the cancellation of study programmes. If the quality evaluation agency is forced to produce accreditation-type conclusions – a yes or no answer –the Minister would have a much more sound basis for action.

Attacks on collegial governance

The new government in office since 2002 apparently espouses some of the values and objectives of New Public Management (Keating and Shand 1998: 13), such as a focus on results in terms of efficiency, effectiveness and quality; a management environment which better matches authority and responsibility; the creation of competitive environments within public sector organisations and with non-governmental competitors; and an increased

emphasis on accountability for results.

Indeed, the traditional form of collegial governance in public higher education institutions has been under attack for some time. There are critical voices that consider traditional governance as inefficient, very corporative, incapable of being responsive to societal needs and demands, and unable to sustain the long-term quality of education and research.

Such pressures could result in the adoption of management practices and techniques imported from the private sector – for instance the replacement of the elected rector by an appointed rector or even by a professional manager, or the establishment of 'boards of trustees' as a form of ensuring a stronger voice from outside social partners– thus implementing a 'managerialist' ideology - as was the case in other countries, a policy that has not always met with consensual applause.

From Autonomy to State Interference

However, despite the recent popularity of a rhetoric derived from New Public Management and related concepts, such as new managerialism and reinventing government (Osborne and Gaebler 1992), what is apparently emerging in Portugal is more in line with a model of 'State Interference' (Kraak 2001) that "… is based on control in higher education that is neither systematic [model of State control] or 'regulation through steering' [model of state supervision] but which is based on arbitrary forms of crisis intervention. These interventions are "either sporadic, or they become an attempt to control through a fairly narrow and rather crude set of measures aimed at establishing quiescence" (Moja, Muller and Cloete, 1996).

What we see in Portugal is that, being unable to acquire the level of sophistication needed for steering the system, successive governments have resorted to legislation granting increased power of intervention to the Ministry in charge of higher education, while blaming institutions for the crisis that affects the higher

education system. Thus, instead of a more market-friendly attitude, the government is reinforcing bureaucracy and direct control - which is contradictory with its proclaimed neo-liberal rhetoric. Therefore, in Portugal there are signs that can be seen as elements of a movement towards a model of State interference and we may interpret this governmental attitude by referring to Kraak (2001):

> … a view of the state as weak and unable to attain the sophistication required for 'steering', and, as a consequence, necessitating a reversion back to a conception of the state as bureaucratic and prescriptive. This is the only perceived route in which the (weak) state can gain some control over what is perceived to be a crisis-ridden and highly dysfunctional sector.

What lies in the future

It is in this environment of instability that the government has decided to open a public debate on the main aspects of the higher education system, such as its structure, access of students, institutional governance, funding, autonomy and regulation, and research, aiming at passing new legislation that eliminates some of the more negative aspects of the legislation presently in force. However, the results of this exercise are beyond the prophesising capacity of the authors.

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The Mission of
the University

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The historic mission

The mission of the university as it developed in modern times, that is from the late nineteenth century onwards, was to advance and disseminate knowledge and to train leaders in government, the professions and science. These were consistent with what was considered to be society's needs to the point that in most countries, excepting those cast under the curse of political dictatorships, universities benefited from a corporatist bargain with the state, in which they provided knowledge and training of elites in return for resources and autonomy and a reasonable degree of protection. They were, in John Searle's terms, a specialist institution and not open to every social and political demand.

That arrangement lasted well until participation in higher education became a more general social expectation, deriving from the wider bourgeoisification of society. Taken as total systems they are now required to cater for those whose primary interests are not in the advancement of knowledge or recruitment to an elite but in being equipped for better employment. Here, of course, the USA long led the way with the title of university being available to institutions which seemed to provide preparation offered elsewhere in upper secondary education or further education institutions. But, at the same time, US higher education has been the lead example in providing higher education that was multi-modal. Increasingly it has led in all areas of research and scholarship, and if we take the whole teaching sequence of undergraduate and graduate education together it offers what must be among the best and the worst teaching at the post school levels.

Developing multiple missions

So taken as a whole, universities have changed enormously. They used to be somewhat exotic institutions, catering for elites and rejoicing in the specialist nature of their institutions. Some parts of some systems in the UK and USA and France remain the same, but the system everywhere has expanded to cater for mass rather than elite clienteles. Most are no longer exclusive institutions wholly concerned with establishing truths and preserving and transmitting the culture. Most are also public service institutions intended to cater for social and economic needs and for a far wider proportion of the population, whilst sustaining some of their traditional functions. That social and academic multi-modality is a feature that we have all learned to copy.

These discernible changes in the higher education's landscape make it necessary to ask some fundamental questions. What are HE's boundaries and purposes? When we talk of the need to connect teaching and research, what forms and levels of teaching and styles of enquiry are to be included? Where does schooling end and higher education begin? What is the difference between higher education and training? Is there a higher education 'essentialism' offering irreducible and defining characteristics?

So what are now the perceived tasks of higher education? It is those tasks that constitute their missions. The word' mission' is a social construction implying intention and commitment to what one is being compelled to do anyway. It is a word mainly favoured by politicians and systems leaders though they often seem to me to resemble the chorus in Puccini's *Turandot* who agreed with the last person who spoke – particularly if he held an axe in his hand.

First, the traditional mission of universities remains. **The creation and testing of knowledge, its dissemination and the formation of qualified human resources** remain key tasks, although the intensity of them varies enormously among institutions. French universities do not have research as a primary function. In the UK

the majority maintain that research excellence is a primary aspiration. And so on.

Secondly, governments and universities with varying degrees of willingness insist that they will perform their functions in such a way as **to increase social equality and mobility.** In the UK this has led to recent government policies that will enforce such policies.

Third, a subset of the equality function is the support of **life long learning.** This also is argued to advance the belief that universities, in their research and development and in their teaching, will **support economic development.**

Obviously some of these elements of mission might be thought to be in conflict with each other. Thus a university concerned to rescue its neighbouring city population from the educational effects of social deprivation may not find it easy to simultaneously breed top class science. Some of the doctrines associated with life long learning – that learning should start with students' life experiences, for example, - may seem to run counter to strong disciplinary formation- can one become a physicist that way? Questions of both resource priorities and educational ideology are thus aroused by the multi-modal form of mission statement.

The changes in more detail

The broadening of the range of knowledge

Let me now look at some of the elements of mission in more detail. The concept of mission remains an abstract consideration of what it might mean for the actual work undertaken in the university. First, the broadening of the range of knowledge is testing the traditional mission. What is in and what is out? I would like to note two positions here. First, there is the widened range of knowledge, objectives and styles that has long been with us and entailed a shift from the traditionally conceived missions of universities. Secondly, there are yet further radical appraisals of the knowledge scene and the legitimacies that underpin it.

The definition of 'research' had undergone changes. In considering the range of knowledge generation required in US educational research, two American scholars, Cronbach and Suppes,1969 developed the term *disciplined inquiry*. This would allow for different emphases on different types of knowledge in different subjects, which might also defer to different reference groups, including some outside academe.

Disciplined inquiry may take several forms:

- *research*: the discovery and testing of new knowledge. It may range from highly technical laboratory science to research with the function of sustaining collective memories of a people's culture and history;

- *research and development (R&D)*: the systematic application and testing of knowledge for use;

- *scholarship*: the reworking and redefinition of existing knowledge and concepts. This is an activity often associated with research, but in some subject areas may be the main activity, for example in classics or philosophy or the humanities;

- *other forms of knowledge* - may be different forms of R&D targeted on different purposes, such as curriculum development. They may contribute to the solutions of practical concerns by helping public authorities and industry to solve problems. They may be motivated by a belief in meeting the need for knowledge in social, political and economic construction as much as intellectual curiosity. **But these knowledge seeking activities remain within the covenant of higher education only if they observe the criteria stated above in demonstrating the logic and evidence for conclusions reached.**

This broadening of definition of knowledge seeking and use gives important room for legitimising the new style of university. The Humboldtian vision of disciplinary based knowledge seeking does not disappear but remains as the bed rock on which applications and working out of knowledge consequences could be based.

There is also a somewhat different formulation which allows for a distinction between *disciplines*, in which the starting point is exi-

sting, tested knowledge and which defers to the disciplinary reference groups, - the invisible colleges- and *domains*, in which the knowledge seeker starts from a problem which may have a social or practical dimension and then raids the disciplines and the world of practical knowledge for concepts and information. The reference groups are equally multiple. There may be testing of and feedback to discipline based knowledge from domains. Trist's distinction, later echoed in Gibbons *et al* 's Mode 1 and Mode 2 of knowledge, again helpfully extends the academic mandate whilst not destroying its core.

Turning now from categories of knowledge to their use within the university, I would argue that not every university teacher need be an active researcher but could and should be a committed intellectual who joins the academic discourse reflecting and testing the knowledge base of their teaching. No institution calling itself a university, with people calling themselves professors or Rectors, should employ anybody to teach who is not contributing to disciplined enquiry. All teachers should be encouraged to state how they are using their mandate and their time - nobody teaches all week all year - to make some contribution to knowledge, in a way best suited to their preferences and abilities.

But if that is our mandate, how does it differ from other sorts of knowledge, such as that produced by journalists, preachers, consultants or marketing experts? It has to be marked out by a respect for the evidence, for the logic, both internal and external of a position and for its demonstrability in a forum where it can be criticised on both logic and evidence. We have to stand up to review of the most public kind. Our work is demonstrable and testable by a wider audience than one's own students and one's own immediate colleagues. This kind of ethic is one which we do well to communicate to students, the best of whom, too, will have to operate on difficult tasks, and be prepared to be accountable for them.

In both research and teaching and participation in the wider debates about society we might bear in mind the prescription of one Australian Vice-Chancellor and power broker, Chair of the

Australian Research Council and Vice-Chancellor of one of their
new universities. Aitken remarks, 'to be an academic is to be not
just a teacher but also an intellectual of a certain kind' (Aitken,
1991).The university is part of the advancement of human kno-
wledge as well as a communicator of it and a central actor in
society. Research keeps able academics motivated by making it
possible to sustain their intellectual curiosity. ' There are things we
want to say. There are arguments that we want to advance. There
are hypotheses that we want to knock down . We live in a world
of ideas, and that means we have to contribute, not just borrow
or recite.'

None of this means that academics should not engage in journa-
lism or consultancy. Some do it very well. But they should distin-
guish their statements as scholars from those made with extra-aca-
demic objectives.

Let me take yet another construct relevant to interpretation of the
mission. The attempt to define institutional missions has meant
that emphasis has moved away from the practitioner base of the
system – that of the individual academic. He/she has certainly
been omitted from most British policy statements. Yet the profes-
sor and academic staff are the quality setters and prime actors and
producers, and any mission statement that is not compatible with
the best elements of academic identity will be incompetent.

The quality of individual faculty depends on the concept of aca-
demic identity*. The constituents of identity are

- *the distinctive individual* who has a unique history,

- who is located in a chosen moral and conceptual framework,

- and who is identified within a defined community or institution
by the goods that she or he has achieved. Esteem and recognition
are important and so are the institutional settings where one seeks
them.

These three elements of individual identity are what makes an aca-
demic an effective professional. They are strengthened and matured
through the processes of professional education and experience.

But the distinctive individual is also an *embedded individual*. The

individual has roles which are strongly determined by the communities and institutions of which he or she is a member.

This disciplinary background is still the foundation of being a good university teacher. Expertise makes it possible for them to stand up to the pressures of bureaucracy, government and commercialisation. This is a constituent of the unique individual. It also give a sense of belonging to an international network of expertise.

So, I sum up the university mission as being 'to sponsor work *undertaken within higher education that is demonstrable and testable by a wider audience than one's own students and one's own immediate colleagues. It is based on, and is tested by its respect for logic, evidence and demonstrability'*. It legitimately does other things – advances equality and the economy, but its differentiating core must rest in its knowledge creating and testing functions. In doing so, it must ensure that the objectives of its research and teaching are in its own hands even though some of them may have to be negotiated with external sponsors including government.

The wider mandate

Let me now go into some of the detailed aspects of the widened mandate. *The widening of client groups* has been an inevitable concomitant of general expansion. In the UK we have increased the participation rate of school leavers from 3 to 15 and now to 32% and the government wants it eventually to reach 50%. Similar accounts can be given of other countries.

The increases in participation have not meant that the social policies associated with it have been successful. So in the UK and elsewhere, gender equality in recruitment has almost been achieved, but social class remains a powerful discriminator in recruitment of students. This can be tracked down to obstinate family characteristics, to a desire to enter early into the labour market, and to uneven preparation offered by schools.

In addition, we have EU and government policies, often backed by words rather than deeds, to promote *life long learning*.

Obviously these shifts affect much of what goes on in universities. The effects differ according to overall structure. Thus in those countries where there is no real difference between universities in academic status they are being faced with the need to educate a very wide range of students in terms of their prior preparation and motivations. In the UK there is a steep hierarchy of esteem which corresponds not only to research ratings but also to the quality of grades earned in public secondary school examinations. There is some de *facto* differentiation, although that must not be exaggerated.

But, again, if we take universities as a whole, catering for multiple client groups, including those who enter at ages well above 18-20, they are compelled to think seriously about their curricula and methods of teaching and learning. There is, therefore, a widening of teaching styles, including those for life long learning, to which I now turn.

Widening of teaching styles.

There is now increased attention to modes of learning and teaching, partly because those systems, such as the British, where small groups and individual tutorials used to be possible but no longer are, have had to rethink their techniques, partly because the range of abilities and interests of students has widened.   In Britain, different forces pull in different directions. Increased numbers mean some surrender to more impersonal methods whilst the increased power of teaching and learning specialists, operating partly through quality assurance, and because of the perceived needs of those engaged in life long learning, proclaim the need for more interactive and hermeneutical modes of learning.

Some of the developments in pedagogy resulting from the widening of the mission can be only briefly epitomised here. They are:
- *Changes in curriculum structure, eg modularisation.* These schemes are intended to increase both flexibility and accessability in the curriculum. In the UK they arouse anxieties about reduced

coherence and threats to 'the growth of wisdom' afforded by traditional disciplinary patterns.

- *Modes of curriculum delivery.* Work based learning through sandwich and part-time courses, distance learning with extensive use of IT are all major changes or additions to the repertoires of teaching patterns in many universities. There is thought about the best modes of teaching and learning – the balance to be struck between lectures – still indispensable for demonstrating to students how a trained mind brings material together-, seminars, tutorials, lab work and so on. What will excite students' interest? What can be managed in the time? What processes help student development, as students, as both intellectuals and as future members of the society and the employment scene?

- *Curriculum content and process.* For some life long learning has involved major changes in values and aims. But there are conflicting views about its implications for the balance between discipline and domain based curricula, between substantive content and the learning process and between experiential learning and academic conceptual structures and methods. There is disagreement about the relative importance of knowledge and skill development in curricula. Although hardly present in practice, life learning advocates claim that curriculum should centre on 'learning how to learn' ' and on developing a new level of consciousmess about personal capacities for, and modes of, learning.

These developments in education in universities may be more aspirations than actualities. But note how they epitomise the widening missions of universities, based upon the assumed needs of new client groups.

- *Community and economic development functions.* One aspect of widening missions is the belief that there should be changed relationship between universities and the community. The word 'community' is one that we should treat with distrust simply because too much reliance is placed on it.   If instead we think in terms of the relationship between universities ands the outside world and their environment we might make better progress.

There may have been a time when universities could live in a solipsist world of their own but that was before they were inhabited by engineers, medical professors and lawyers. Harvard has had a business school for quite a long time. Quite obviously universities must make a bargain with society to be useful and to be attentive about its needs and claims.

That leaves over the question on what terms. If the outside world of government or industry or employment is too powerful, it will be reducing the usefulness of what it can acquire from universities. So the university has to have positions from which it can negotiate. Here are the conditions that it must specify:

- Each university should identify its own mission and ensure that it is related to its competencies are strong. This will enable it to enter into negotiation and partnerships from positions of strength whilst creating and advancing its own identity.
- Relationships with external bodies and sponsors should be based on negotiation and exchange of quid for quos.
- External connections must always be compatible with the academic functions and standing of the university which is primarily entrusted to its academic components.

Recent developments in the UK

Finally, I have been asked to refer to recent developments in the UK. I find it difficult to do this, for two reasons. First, we have recently had a *White Paper* on HE policy which seems likely to radically change our system, and our system has endured so much change already. I confess that I and many others find it difficult to be sure what the outcomes will be. Secondly, many of us are unhappy about what is being created for us in the UK and it is not easy to see what can be recommended to the attention of colleagues in other countries.

Going back now some 20 years, our universities were amongst the most free in the world. Then successive governments decided they needed reform. This was based on no evaluation of what they were

doing but was part of the general move to weaken the power of free professions and make them subject to the power of the market and of an increasingly dominant state. Their power was also weakened by the granting of university status to many non-universities so that we now have 105 of highly variable quality.

We are now the most evaluated universities in the world. Our teaching is subject to inspection, bench marking and outcome analysis. There is to be a Regulator who will ensure that students from lower socio-economic classes gain admission to the best universities with lower entry qualifications. The system had already created a steep hierarchy of research statuses, with seven grades. Now it is to accentuate that hierarchy and if we are to believe the newspapers three universities are to receive 80% of central research funding, though all can still compete for funds from research councils and private foundations.

Government has swallowed whole the concepts of a few big scientists that, first, we must compete in the world competition for scientific greatness, and that, second, enormous means best. It is unclear what that will do to the rest of our universities, some of which are well acknowledged for excellence. The whole issue of whether we want academic enquiry to be the foundation of higher education teaching and widely diffused in the society is thus overlooked. The natural history of higher education has always allowed for spontaneous growth from the bottom. That is to go by the board.

I greatly hope that Portuguese universities will not be made to follow the British example. We had a good system that needed improvement, not distortion.

* M.Henkel (2000) Academic Identities, Jessica Kingsley Publishers

University Institutional Autonomy

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Autonomy and other concepts

University autonomy needs to be distinguished from concepts it is often confused with, such as university self-management, collegial governance or academic freedom.

Autonomy refers to an institution's external relations. It defines a large degree of legal independence in decision-making. I mean legal independence because autonomy does not protect from social inequalities, outside, or from politicking, within, both phenomena being no real help in opposing strong competitors and external pressures.

So autonomy embodies linkages to the world outside, the way an entity deals with external partners, i.e., the manner an institution proceeds to optimise its freedom to make strategic choices and enlarge its ambit for independent action. As a result, for a higher education institution, implementing autonomy means the setting up of strategies that not only protect but also enlarge the scope of its activities, thus reinforcing its presence in society.

Autonomy - towards the outside - thus entails decisions being taken inside. Henceforth, the institution bears responsibility for its decisions and for the success of its external policies. This means accounting for one's social behaviour, even if the entity is a public institution funded according to very routine rules – as is usually the case in higher education world wide, and particularly so in Europe. Institutions need to deal with other entities, be they universities, non-university institutions of higher education, or corporations and research institutes, to mention but a few. Therefore universities need to consider diversifying their contacts and activities as firms do, in ordinary business.

Interfaces with social partners are provided in two ways mainly, competition and co-operation.

The university, indeed, can compete with other entities according to market rules. This leads to a division of labour among institutions. It can also co-operate with other entities and organise as a network of partners. In that case, each university sets up its own strategy, to be agreed with, in the long term, by the network of other members - among them the government, when public authorities decide or encourage academic activities through research funding or through contracts supporting institutional targets and missions – which implies a kind of negotiated division of labour.

Both behaviour patterns are compatible, competition prevailing in some areas, networking in others - such collective autonomy contributing to institutional competitiveness. Recent evolution in the university world, however, has sometimes offset or reduced the room for competition as well as the need for co-operation. I am referring to the cases of surplus of demand – by students, for example - , or of restricted mobility and of too rigid a system of public funding.

Autonomy is different from self management
An academic entity can be autonomous even if its internal decision-making system is not based on self-management procedures. For instance, British and Dutch universities are not exactly self-managed institutions but, nevertheless, they are probably more autonomous than many of their peers in Europe. It is obvious that increasing autonomy for universities has meant transferring power from parliament and ministry to the institution's central bodies, with no immediate repercussions on the working structures inside the university that link central organs with the faculties, departments and teachers.

Autonomy is different from collegial management
In university history, collegial governance has long prevailed allowing for a high level of academic staff participation in management procedures. Collegial governance, in some de facto aspects,

expresses the essence of the university as an institution characterised by "interests embodied in the customs and practices, unwritten rules and conventions defended by ad hoc groups and individuals in the system"[1] That is why, in a sense, collegial structures are often considered basic elements of academic organisation. In a more formal way, referring to their academic nature, universities all need some kind of collegial practices - even in authoritarian political regimes where some degree of collegiality has usually been accepted, occasionally at the price of firing some teachers.

Therefore university management by the *collegium* of professors is no sufficient criterion to characterise full institutional self management, a more recent practice that was generalised after May 1968. In that system of organisation, all members participate equally in decision-making, so that students and non academic staff are full partners in institutional management - even when their influence has been weighted in the Senate, Council or in the Board so that academic staff, full professors in particular, are being given an advantage.

Autonomy is different from academic freedom

"While autonomy is a key notion in current debates about the reform of higher education system, academic freedom seems to be taken for granted in Western industrialised societies and is thus not very high on the agenda"[2]. Often, however, institutional autonomy has been considered as a shield for the protection of academic freedom.

Medieval tradition can justify such a position. In spite of many disparities medieval universities had common attributes[3]:

- firstly, scientific discovery and knowledge transfer depended very much on an institution which members joined on a *volun-*

[1] "Managing University Autonomy" Magna.Charta.Observatory - B.U.P.- 2003.
[2] Ibid., page 31
[3] A History of the University in Europe.-W. Ruegg, ed vol.1.- CRE-CUP- 1992

tary basis;
- secondly, that institution was organised as a *guild*, in the traditional corporation style;
- thirdly, the university enjoyed *pedagogical autonomy*, independent of external powers;
- fourthly, the university was able to ensure the *continuity* of academic activities.

Later, academic freedom became a particular case of the various freedoms which pervaded liberal societies after the French Revolution. The development of scientific rationality and that of experimental science indeed required that the production and dissemination of knowledge would be free from any kind of political, religious or philosophical prerequisites.

Today, academic freedom is understood as an essential feature of those liberal and democratic societies which recognise teaching and research as a public good. A recent example can help to understand this link. In 1998, a law passed in former Yugoslavia - that provided for the Ministry to appoint university authorities - was considered to be a serious threat to academic freedom. Actually, the mistrust was not so much in the rule than in its implementation by a political regime deemed to be authoritarian and not particularly democratic. As a matter of fact, similar rules in western countries – for instance, in the Netherlands where, since 1997, the members of the Overseers Board (nominated by the Minister) appoint the Executive board including the Rector of all Dutch universities - did not raise any misgivings at all. In other words, social conditions and political institutions give value to academic freedom. Its protection lies therein.

Furthermore, the traditional concept of academic freedom needs to be revisited or at least nuanced. In our times academic freedom is being threatened because political demands – often of a military nature - and business demands are influencing the institution's intellectual targets in such a manner that academic authorities will take strategic decisions that tend to determine greatly the individual work of teachers and researchers. "The increased involvement

of academia in corporations and the growth of privately sponsored research is gradually transforming academic work and also has a significant impact on academic freedom; some key domains of basic research depend very much on the choices of the government funding or are largely financed by private firms". Thus a new approach has been proposed in order to define academic freedom as "the absence of dependence upon a single or narrow base of support".[4]

In other words, autonomy does not protect from outside interferences coming from the market, let alone from politicians' priorities. It is also possible to conclude that traditional management, the administrative way as the French do, is as compatible with research freedom as are systems of full autonomy as exist in America: there, the end of the Cold War caused reduced funding for federal government sponsored research, either in science or in technology, with the result that grants to institutions of higher learning grew smaller; because of these general trends , the prospects for the employment of new Ph.D.'s to fill professor positions in higher education have been severely limited.

The frame of institutional autonomy

Autonomy has always been part of the social and political fabric. In the long history of our institutions, the universities' agenda has been set by external powers, usually the Church or national governments. Accordingly, the scope and meaning of autonomy has changed in function of each university's specificity as well as of the views of those responsible for university policy.

As mentioned, the Church has long kept power over the universities. But, interestingly enough, the autonomy then bestowed to educational institutions developed different features to accommodate the peculiarities of specific universities - as defined by their surrounding communities. Thus, in Paris, where theology was the main field of teaching and where students were young clerics, tea-

[4]   Managing….page.24

chers and professors had to account for their institution's autonomy to local ecclesiastical authorities; the matter was settled in 1231, when Pope Gregory IX recognised academic autonomy for the first time ever in the bull *Parens Scientiarum*. At the Bologna *Studium Generale*, however, autonomy meant self management by the students, a fact made possible considering that they were older than in Paris, especially because of the vocational dimension of their training, law and medicine being the main areas of teaching in Bologna.

Since the nineteenth century, national governments have exerted a strong supervisory role in fixing their universities' status and policy, thus defining the level of studies, the degree of administrative autonomy, the regulations organising the selection of students, the make up of academic curricula – at least in some areas of national importance -, the general frame for internal university structures, not to mention the selection of academic staff or, more fundamentally, the timing and rules of public funding. Academic freedom, however, was considered to be the individual right of academics who, to produce science, needed special independence from all kinds of external prejudice.

Over the last twenty five years, things have changed dramatically. First of all, continental governments enlarged the universities' institutional autonomy by releasing institutions from the routines imposed by Napoleonic or Humboldt traditions, as different as they are. In Britain, however, where universities had long enjoyed full autonomy, authorities opted for an increased control of academia. That contradiction is more superficial than substantial as both trends can be said to converge - as indicated below.

Post-war official policy progressed apace with the universities' longing to master their own development; this led to the drafting of the *Magna Charta Universitatum* that was signed in Bologna by some 400 university leaders on 18 September 1988. This document stated as a first fundamental principle that:

> "The University is an autonomous institution at the heart of societies differently organized because of geography and

historical heritage; it produces, examines, appraises and hands down culture by research and teaching".

But the matter was not to stress an abstract interest in the reassertion of some kind of proud autonomy, but rather to set this freedom in its social context. Thus, the *Magna Charta*, in the following paragraph, adds that

"To meet the needs of the world around it, university research and teaching must be morally and intellectually independent of all political authority and economic power".

If we look into the text carefully, it becomes clear that the *Magna Charta Universitatum* conceived of autonomy as a functional principle allowing for teaching and research to meet the needs of society, the decision and the means about meeting social requirements remaining the responsible duty of the internal bodies of academic institutions. Moreover, the required independence is not only referred to political institutions, but also to economic powers.

This concept of autonomy was later accepted by the European Ministers of Education when they met on 19 June 1999 to sign the "*Bologna Declaration*" that aimed at creating a European Higher Education Area by year 2010. In one of its first paragraphs, the *Declaration* thus mentioned the *Magna Charta* principles:

> "European higher education institutions, for their part, have ... taken up a main role in constructing the European area of higher education, also in the wake of the fundamental principles laid down in the Bologna Magna Charta Universitatum of 1988. This is of the highest importance, given that Universities' independence and autonomy ensure that higher education and research systems continuously adapt to changing needs, society's demands and advances in scientific knowledge."

Recent evolution is also marked by the fact that the globalisation of society has blurred States' national borders in a double way. Firstly, national references are no longer sufficient to define higher

education. Thus, a recent Communication of the Commission stated that "responsibilities for universities lie essentially in the Member States at national or regional level: the most important challenges facing the universities, by contrast, are European, and even international or global. Excellence today is no longer produced or measured at the national level, even in the biggest European countries, but at the level of the European or world community of teachers and researchers".[5]

This EU quotation is interesting because it does not only mention the insufficiency of national policies, but also the end of institutional sufficiency for each university, thus calling for some kind of specialisation among universities as far as their teaching and research are concerned. The obvious result of such specialisation would be for the universities to compete further or to co-operate better - through networking -, thus encouraging a division of labour among them. Indeed, "at the European level, no member State being able to achieve excellence in all areas, universities must specialise and achieve excellence through transnational cooperation arrangements".

Secondly, the blurring of national borders has led to the emergence of a stronger role of universities in the economic and cultural development of the territories where they are situated. Moreover, the traditional frontiers of historical regions are in some cases being replaced by a more diffuse spread of local and territorial interests. As it has been pointed out, one essential aspect of the information society at large is that ideas retain their value independently of the physical medium containing them, thus highlighting the need to transfer technology from one geographical area to another by dwelling mainly on the patterns of interaction and communication that develop between different areas and territories.

[5] Communication of the European Commission-February 2003.

Social needs as limits to autonomy practice

As mentioned, autonomy has a functional character, thus linking the survival of university traditions to the flexibility required by social changes induced by growing devolution.

In other words, "autonomy has to be defined in terms of its limits, the range of freedom of action within which independent or differentiated objectives can be set, and the way in which responsibility and accountability are exercised"[6]. The adaptation to social needs marks the afore-mentioned limits.

It seems to me that the knowledge society is the contemporary stage of a long evolution, maybe recently accelerated, that has deep roots in the 18th century Industrial Revolution. The major productive activity of humankind was then being information processed in order to ensure control of its development. After the Industrial Revolution, the real contribution of human labour was and still is the control of the means, be they machines or equipment, that actually ensure most of the physical production of goods. Of course, the function of human control has not always been easy to divide from that of work. This separation of functions has happened slowly over the centuries. Progressively external – non human - energy was substituting for the strength of human arms and legs in the operation of machines.[7]

The influence on university life of technological development – i.e., the need for abstract control of production forces - has been enormous. The vocational training embedded in university activities since the origins – in law and medicine for instance - spread to technical fields such as engineering or business administration. At the beginning, only highly qualified skills were to be offered in the higher education institutes making up the new technical universities of the 19th century; later, almost all levels of jobs started to require the more sophisticated training offered only in higher education institutions. In the 1980's, a new stage of technological

[6] Summary of the Seminar - in "Managing…"
[7] R.U. Ayres in "Technology and Productivity" OECD-1991

progress began. In turn, the changes in information and communication technology recently introduced into the economy deeply modified the scope of education and research. At work, human activity is less and less linked to physical labour. Moreover, in traditional control and organization activities, man himself is now being increasingly substituted by machine, at least in routine tasks, thus giving individuals space for creativity, change, innovation – i.e., phenomena that all require the development of critical views about our technical and social life.

Social and economic globalisation was also required by enlarging markets and decreasing production costs. Networks of communication – railways, cars, new communication technologies - have slowly stretched the limits of modern societies.

The present stage of such an evolution is the so-called knowledge society. "The knowledge society stems from the combination of four independent elements: the production of knowledge, mainly through scientific research; its transmission through education and training; its dissemination through the information and communication technologies; its use in technological innovation. At the same time, new configurations of production, transmission and application of knowledge are emerging, and their effect is to involve a greater number of players, typically in an increasing internationally network-driven context".[8]

Let me underline some key consequences of the knowledge society:

- information and communication technology allows for the services to be organised as business activities - and education and research as services;
- vocational training in new and more sophisticated skills requires an expanded learning period that leads to lifelong learning;
- research - mainly applied research - is constantly required to improve input innovation in costs and products.

[8] Communication…

Some final remarks

The social needs of the emerging knowledge society - seen as a
whole - set the boundaries of the exercise of autonomy. Let me
indicate two of them in particular.

The first set of such limits covers the role of learning and of
research application for individuals, i.e., the members of the
society of knowledge. It is accepted wisdom that firms and social
organisations require *ad hoc* training for their employees in order
to improve income and status. In the population aged 25-64, the
rate of employment of persons holding higher education qualifi-
cations was 84% in 2001, almost 15 points above the average
taken from all education levels put together, and nearly 30 points
above the group of those people having completed secondary edu-
cation only. Looking at these statistics from another angle, the rate
of unemployment among those holding higher education qualifi-
cations stood at 3.9% in 2001, one third of the rate among peo-
ple with low qualification level..

As a productive input, research can also renew firm processes or
induce larger demand. Therefore, even if education remains a
public good, training and research can become private goods.
More precisely, the growth of lifelong learning and research appli-
cation explains why there are people ready to pay for access to
knowledge. As an important share of this demand is solvent., this
induces, on the supply side, an offer in education services by insti-
tutions willing to provide them for money. This creates the pre-
conditions for a higher education market, higher education - as a
part of the education system – becoming a branch of productive
activities, i.e., a sector that can provide those inputs used by
society to innovate and change. Such unpredicted developments –
at least by academics - pressure the management of universities
that are supposed to react to the new environment. One way to do
so is to diversify autonomous higher education institutions so that
they select specific niches of activity. Such new reality is a real
challenge for every university as the traditional demand for higher

education is dwindling relatively to new kinds of training.

The second set of limits to the exercise of autonomy refers to the changed university policies pursued by governments. Politicians - at local, regional, national or European level - cannot indeed remain unconcerned by higher education considering its key importance in a knowledge society. Indeed, universities employ 34% of all researchers in Europe, a continent where academic institutions are also responsible for 80% of fundamental research. The future being unforeseeable, however, political decision-makers, in order to support flexibility and adaptation, tend to refrain from detailed *ex ante* regulations, thus encouraging auto-nomy. However, governments consider adequate to influence, although indirectly, university decisions by setting priorities - for instance in funding - and by pointing to a number of targets, indi-cators and benchmarks, not only to value but also to foster per-formance. Thus, higher education units are being audited, asses-sed, evaluated and made accountable to students, governments and stakeholders in general.

Such sets of limits are also *key internal references* for university action in the promotion and selection of staff, in funding, in admittance of students and in defining studies and curricula.

For academic management, these sets of limits can be deemed dangerous in so far as they seem to encourage:

a) the *centrifugal drift* of departments and professors, as far as market-driven activities and/or political priorities link mem-bers' activities to the outside world directly. Moreover, in coun-terpoint, stakeholders tend to have a growing influence in uni-versity affairs, a trend manifested by their higher proportion on university boards.

b) the *introduction of managerial practices* in institutional working processes - as teaching becomes a service that can be organised like in a firm.

Some universities will tend to react to this evolution in a defensi-ve way by trying to resist these "new winds" - which is perhaps not the best way to survive. Other universities, on the contrary, will

try to be pro-active and to develop a more constructive behaviour – for instance by setting up reforms in order to turn potential dangers (like managerial practices, stakeholder participation, or social priorities imposed from outside) into opportunities.

In that case, three characteristics of action could turn pro-active attitudes into a smart choice:

a) the setting up of a *decision core group* in order to strengthen the universities in "their organisation and in their ability to act at university level and at networking level"[9];

b) the adoption of *long term strategies* in order to choose the university's specialisation profile in teaching and research – thus inducing cooperation with other universities at regional, national, European or worldwide levels - in order to improve the education and research offer in key areas or to complete it in non-priority ones.

c) The *inclusion of new types of students* requiring a different organisation of studies, i.e., the development of innovation in training and research that should lead to the expansion of lifelong learning.

This analysis of long term changes in the practice of autonomy seems pertinent for European universities in general – and, I hope, for Portuguese institutions of higher education in particular.

[9] "The Role of the Universities in the Europe of knowledge" EUA-May 2003