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Observatory for Fundamental University
Values and Rights

The Politics of European University Identity

Political and Academic Perspectives

Proceedings of the Seminar
of the Magna Charta Observatory
14 September 2006

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Foreword

Prof. Fabio Roversi-Monaco, President
Magna Charta Observatory, Bologna

The topic of our meeting this year, 'The Politics of European University Identity' raises important issues and in my opinion comes at the right time. Indeed, the political place of the university was at the core of the Magna Charta proposal when it was first conceived and drafted almost twenty years ago. Time passing, however, the Magna Charta Universitatum is showing certain limits and uncertainties, and it is an opportunity to discuss today its present situation, conditions and constraints.

Indeed, in spite of the continuing validity of the main principles laid down in the Charta, there seems to be good reason to reconsider certain definitions in order to respond to developments in society, the scientific world and the economy, taking account of the rapid changes that occurred since 1988.

The Magna Charta is a document of principles that I was closely involved in drafting, and I am not arguing now that it needs rewriting after twenty years. Yet, at the same time, we have to recognise that in some cases

there is a gap between the declarations of principle in the Magna Charta and the reality of higher education systems in many or – should I say – very many countries of the world. The time has come for a new phase, characterised by an assessment that is less generalised and theoretical, and more pragmatic and political.

The experience of the Magna Charta Observatory over the past five years, since it first came into existence, is particularly significant, as it enabled us to identify the points where relations between the university system today and certain principles of the Magna Charta show a lack of convergence.

As show the efforts of our colleague Prof. Jarab, in particular at the Council of Europe[1], there is a difficulty to conciliate the overarching principles and the effective functioning and practical needs of university institutions in political action. And I agree with him when he argues that it is not sufficient to be academics and scholars with important political and/or parliamentary duties at a national and international level to find the solution to the problems that continue to concern us.

In drafting and signing the Magna Charta we gave expression to ideas and ideals in which we still firmly believe, although we are now grey – or white-haired, and our numbers are depleted. We based our work on ideas and ideals that had been developed by others before us. In some cases we managed to identify the signs of changes that were taking place, or about to take place. For example, when we stated the need to promote and protect *cultural, scientific and technical development that takes place in centres of culture, knowledge and research as represented by the universi-*

[1] See below, p. 27.

ties; when we argued that the role of universities is *to serve society as a whole, and that the cultural, social and economic future of society requires a considerable investment in continuing education*; when we underlined that *universities must give future generations education and training that will teach them to respect the great harmonies of the natural environment and of life itself*.

In other cases we did not manage to detect the signs of change, although they were fairly evident, and it must be said that for many people, especially young people, the ideas and ideals that we proclaimed appear in certain respects not to have kept up with the times.

I am alluding here to a certain amount of oversimplification when we considered the interconnection between teaching and research, when, without indicating the means, we stated the need to follow the evolution of society as a whole and of scientific knowledge at the same time. I am also thinking of the principle of freedom of research, on the basis of which universities were required to provide all the members of the higher education community with the resources necessary to carry out both research and teaching in complete freedom. Finally, I am referring to the recruitment and selection of academic staff, and the regulation of their status, where there is a lack of adequate provisions on the duties that academic staff have *vis-à-vis* their students and society.

Perhaps there was a degree of presumption in believing that ideas and ideals that were of central importance for our generation (and for those before us) would necessarily characterise higher education systems in the future.

Today by means of the instrument that we ourselves created, we need to recognise that certain objectives are not entirely feasible as we conceived them.

Organisational structures and objectives that were adopted by the universities in the past, by faculty members and students, in agreement with sectors of society that played a key role in the life of the nation, appear at present in a different light due to the emergence of new requirements. This has led to major changes in the organisational structures that we helped to construct and administer, but which now appear to be inadequate.

Higher education for the masses rightly demands a renewed commitment on the part of important actors operating differently from the past: actors such as institutions, professional bodies, enterprises, and families, which we claim to understand but which today are distant from the concerns of the university, or rather reveal a limited interest in working towards common objectives with the university.

Undoubtedly the Magna Charta upheld important principles and ideals: the University was born in society, acts in the service of society, and is a fundamental instrument for its evolution (as shown in the Preamble of the Magna Charta), but it is very difficult to claim today that the traditional safeguards of academic freedom and respect for university autonomy are the right instruments to guarantee the lasting vitality of fundamental principles and their effective application.

In 1988 we had the presumption to claim that the principles descending from the glorious history of European universities could be directly and successfully applied in the future, satisfying the social needs of all the countries in the world.

Today we have frankly to admit that this is not necessarily possible, when universities are not sufficiently understood or safeguarded by the policies of many countries. Above all, academic institutions have changed gradually and almost by chance, in most

countries without the adoption of an overall plan by Parliaments and governments.

Concepts that we carefully laid down when drafting the Magna Charta, such as that of 'true universities', or that of the necessary link between teaching and research, would lead us to the conclusion that two-thirds of the universities operating in the world today cannot claim to be true universities in the light of the fundamental principles contained in the only document drawn up and signed by the universities of the world.

Society needs new objectives, new concepts and at times even new words that can be shared by all the universities whose Rectors have signed, or intend to sign, the Magna Charta. This is an important task for the future and I believe it is the only way, after the memorable gathering of 18 September 1988, to safeguard the Magna Charta and promote the role of the Observatory in Europe and the rest of the world.

As those responsible for the Observatory, we need to adopt a strategic plan that will safeguard academic principles, but which is firmly rooted in reality. Probably we will need to ask the universities that have signed the Magna Charta to provide greater continuity of support and commitment in order to achieve these objectives.

Academic freedom and the autonomy of the University as an institution, matters on which the Magna Charta expresses concepts of the utmost importance in a language that is without equal, are at the basis of the progress that has characterised the societies and nations that uphold these freedoms.

Our friend Prof. Jarab speaks of trust, but the need for transparency and accountability linked to this concept gives rise to objectives for which the relation between society and the higher education system needs to be reconsidered.

We need to bear in mind that the European system of higher education has encountered major difficulties as a result of its increasing impact on society and its stronger presence in society. As a result of this impact, the demand for higher education has risen at an alarming rate in a society that is increasingly prosperous and dedicated to consumerism, while matters that are fundamental for our idea of the University tend to be given a lower priority, due to some uncontrolled expansion.

There is therefore a need to work towards a redefinition of a series of principles and at the same time to explain the importance of providing universities – if we wish to continue to be true universities – with particular conditions of autonomy and independence, an autonomy and independence that over the past two centuries society has safeguarded and supported also from an economic and financial point of view.

Today in Italy – and not only in Italy – young people are enrolling in the arts faculties in an indiscriminate manner. This does not reflect the needs of society, and a significant number of students should be encouraged to enrol in the scientific faculties, as was the case until a few years ago.

Why should the political system provide unconditional support for a system of higher education which, instead of contributing to solving the problems of society, tends to aggravate them?

I do not support the view of the University as an essential public service, but there is no doubt that the legislative and economic support that the State gives to higher education means that the universities, faculty members and students need to contribute to self-regulation, in all senses, in an awareness that they are an indispensable part of a complex system. Indeed, there is a need to show unequivocally that higher education

is able to meet the needs of development of society in the long term, and not simply in response to momentary needs.

That is why this conference has been convened to explore further the dialogue universities should develop with politicians and other stakeholders who represent the community higher education is part of. This year, the Observatory has been involved in discussions on the political presence of universities that have been organised at the Council of Europe and we are very glad that the Parliamentary Assembly is both endorsing the aims of the Magna Charta and willing to engage with the Observatory in a deeper dialogue on autonomy and academic freedom – seen as conditions of university achievements.

The conference organisers decided to set up that dialogue in its post World War II context and asked Anne Corbett[2] to prepare a study of the growing place of higher education in EU policy from 1957 to the present. On that basis, my friend, Prof. Luigi Berlinguer[3], one of the founders of the Bologna Process, agreed to revisit the theme of European integration in universities from a militant, i.e., political point of view. This booklet then presents some of the interventions[4] made during the conference by participants who had been invited to react to this various interventions, written or oral. Finally the Deputy Secretary General of the Council of Europe, Mrs. Maud de Boer-Buquicchio[5], places these discussions under the

[2] See below, p. 63.
[3] See below, p. 107.
[4] See below, p. 129.
[5] See below, p. 171.

light of the present efforts at European integration, be it political or cultural.

In concluding these remarks, I would like to thank all contributors for helping us to reflect further on the use of and need for a common grounding in university understanding – today and for tomorrow. Thus, I wish to turn once again to the Magna Charta, the promise made by the Rectors its original signatories to show commitment to an ideal every State and supranational organisations here present have agreed to review since the Magna Charta represents for us all the unanimous expression of the autonomous will of the universities.

Highlights of the work of the Observatory

Dr. Andris Barblan, Secretary General
Magna Charta Observatory, Bologna

Launched officially five years ago in September 2001 – after pilot work and founding organisational activities begun in 1998, when the Association of European Universities and the University of Bologna decided to set it up –, the Magna Charta Observatory monitors the *implementation of the university fundamental values and rights*. In other words, it looks into the translation into organisational action of the principles of the *Magna Charta Universitatum*, the document that another 26 university leaders will sign this year, thus bringing to 552 the number of universities that have endorsed this 'constitution' of academic institutions around the world since 1988 and the 900th anniversary of the University of Bologna.

Over the years, the Observatory has developed in four directions:

– as a *think-tank* that takes stock of the debates on the obligations of institutional autonomy;
– as an *advisory body* intervening in national debates on the future of higher education;

– as a *centre monitoring* the balance of links between the universities and their stakeholders;
– as an *advocate* of university values and identity in society.

Last year in September the Observatory, as a *think tank,* discussed what leeway universities have to balance their two basic functions, teaching and research, and how this equilibrium shapes institutional identity. The discussion had been prepared well in advance by a study that revisited *the Research-teaching nexus in a Post-Humboldtian environment*. This paper had been commissioned from Ulrike Felt, University of Vienna, and had been sent in Spring already to all signatories of the Magna Charta together with the invitation for them to attend the yearly conference in Bologna in September. The question of the *changing university identity* was also picked up in May this year when, in Luxembourg, the Observatory convened a taskforce to look into the features thought essential to the academic enterprise of the future. This was the second meeting of that group – following a session organised in Reykjavik a year earlier. The conversation on the defining traits of tomorrow's university should come to an end next year, and lead to a publication outlining how the university pictured in the Magna Charta can evolve to fill best its role in society. Other areas of concern were the problem of *academic malpractices* – insofar as they undermine the credibility of the institution –, a project that represents a joint venture between the Observatory and ESIB, the student unions of Europe, a project presented early September in Paris at the OECD conference on the institutional management of higher education (IMHE). The question of *academic boycotts* was also broached to discuss the consequences on universities of the political difficulties met in the Middle East: can the Observatory, on the basis of the

Magna Charta, indicate if and how academic communities may keep true to their fundamental values – truth and integrity – in inter-university cooperation? Earlier this year, members of the Collegium proposed guidelines for reflection on this matter at the occasion of conferences held in Israel and planned in Bellagio: the Observatory should soon decide if it can draw from this material a position paper on political exclusion and academia.

In its *advisory function*, the Observatory facilitated discussions between academic leaders and university stakeholders – political and economic – both in *Georgia* and in *Turkey* – the opportunity for such a debate being given by evolving laws of higher education, already voted in Georgia, still in early definition in Turkey. How do the principles of the Magna Charta reflect in the legal and administrative structures of higher education? In other words, how can the university meet the needs of the community it belongs to both in a *responsive* way – fulfilling the social agenda of the time and day –, and in a *responsible* manner – offering a critical view of that same agenda ? The Observatory does not bring answers but points to common references that could frame a national discourse, that is very often focused on the urgency of change rather than on the desired long term transformation of the country and its institutions.

This year, when *monitoring* the links between the universities and their stakeholders, the Observatory was particularly interested in being of help to institutions in South East Europe – keeping a keen interest in EU political involvement in the region through the Austrian Presidency of the Union earlier this year and collaborating with the EUA on the academic environment in Kosovo at a time of negotiations on the political status of the area. The Secretary General was also

involved in the three Summer Schools organised by the *Academic Training Association* in Kosovo and in Tetovo, Macedonia. Academic leaders from South East Europe were also invited by the Greek government to join the third *Summer School organised in Corfu* with the support of the Observatory to explore the conditions of university services in areas of inter-community tensions.

In 2006, the *advocacy* function was central to the activities of the Observatory as it evoked in particular the theme of this year's conference: 'The Politics of European University Identity'. The matter was studied through discussions with the Parliamentary Assembly of the Council of Europe, its *Committee on Culture, Science and Education* organising in Prague, at the end of March, a public hearing on university autonomy and academic freedom; in that session, the Magna Charta was a key 'witness' – so much so that it was asked to help in the drafting of the recommendation passed last June by the Parliamentary Assembly[1]. This link with the Council of Europe is to be stressed at the signing ceremony of the Magna Charta, when Ms de Boer-Buquicchio, the Deputy Secretary General of the Council, addresses the participants, pointing to the possibility for common action with the Observatory in the monitoring of the principles of the Magna Charta[2].

In other words, the Magna Charta Observatory, in the past year, has increased and developed its presence in Europe and in European university circles: it has been asked to present its work not only in this part of the world – to student meetings in Serbia or

[1] See below, p. 27.
[2] See below, p. 171.

the rectors of the Danubian region in Slovenia – but also to US universities meeting in Bologna, to Arab higher education institutions convening in Egypt or to Asian universities meeting in Thailand to discuss today's new forms of institutional autonomy. Indeed, the *Magna Charta Universitatum*, from its early beginning, has added an international dimension to its core interest, the universities of Europe: at present, more than a quarter of the universities that have signed the 1988 document are from non-European countries, a way to recognise that, basically, the universities of the world are all part of the same community of belonging and purpose. Hence the need to rethink the role and conditions for success of higher education institutions able to support the development of a sustainable and peaceful knowledge society – throughout the world – as suggested by the President in his words introducing the 2006 conference. This effort at revisiting the role and function of universities could be the mid-term aim of the Observatory when, in 2008, universities will be asked to join in the celebration of the 20th anniversary of the Magna Charta.

Introductory Remarks

Prof. Josef Jarab
Czech Senate, Parliamentary Assembly of the Council of Europe and member of the Magna Charta Observatory, Olomouc

I am supposed to set up the framework for our conference, for the debates in which we should concern ourselves with relevant issues and problems pertinent to political and academic life as well as with the nature of relations between the worlds of politics and education, both in individualized and institutionalized forms and modes.

If I can be personal and dare to be immodest for a while, I could think of myself as someone accidentally qualified for such a task by fate, by my not always freely chosen life experience. For decades, when being a teacher of English and American literature and culture in communist Czechoslovakia, I thought I knew exactly what was wrong in the world around me; I was convinced I had the recipes for changes, for amendments and adjustments both in the school environment and in the society at large, to say nothing about the all-pervasive totalitarian regime. All I dreamed of was to get one day the opportunity to act.

In 1989 the 'velvet revolution' arrived and I became the first freely elected university administrator in my country. It was then that I had to realise that however more rewarding and humane our life had become in the liberated society it also proved to be more complicated and more demanding. When trying to introduce liberties we had craved for at times when they were painfully lacking - such as principles of democracy, academic freedom and university autonomy –, we certainly did so enthusiastically but also felt that we had lost our previous certitude of how to proceed. And, as a matter of fact, even years later, now that the democratic transformation of our society is considered basically completed, we are still troubled with a number of uncertainties. Furthermore, it was hardly comforting for us to find out that colleagues from the historically luckier part of Europe or from the larger world were not necessarily in possession of a set of perfect and definite answers to all questions and problems either.

In the 1990's, this led to a common debate – within the organisations of the CRE (the predecessor of the EUA), the Danube Rectors' Conference, within the project called the Transatlantic Dialogue, and at numerous seminars, sessions and meetings throughout the continent and beyond. The discussion made it clear that academic liberties have to be recognised and protected in the interest of societies, nationally and internationally, as well as for the benefit of mankind at large. Those of us who came from the former Soviet-bloc countries could amply testify that wherever and whenever those liberties were violated societies suffered stagnation. But we also learned that such liberties are never absolute; that the price to be paid back to societies is some reasonable restraint; that limitations to privileged academic rights ensue from the principles

of responsibility binding individual researchers and research teams, as much as from the accountability of educational and research institutions and their governing bodies.

Obviously a fine and workable balance between requirements for academic freedom and university autonomy on the one hand and accountability on the other is not easily achieved. When discussing the current situation in the European Union, the European Commissioner for Education and Culture, Jan Figel, had to admit in his contribution to a conference at Oxford University last Spring, that in some countries legal independence of universities is 'no more than a fig-leaf'. And he went on in his rumination based on observed reality: 'I do not believe that we shall ever get the best from our universities if Ministries keep control and spend their time trying to guess better than academics what is the right area to invest in. There is no evidence that they do it better – and considerable evidence that they do it worse.'

A desirable balance between rights and responsibilities is best established on the basis of mutual trust between universities and society. Such trust can only be built when the society has faith in the specific and unique role of the academic world as a decisive agent in shaping the future and when the quality of the performance can be judged openly and transparently. Such faith cannot be and does not have to be a blind faith. If we look at the history of that genuinely European institution, the University, we can state that it mostly proved capable of answering demands and challenges of the days as they came; that, at the same time, it maintained the historic role to preserve and further spread the accumulated knowledge and pursue its development and enlargement, while cultivating critical thinking. As the times change, academic liber-

ties may be in need not just of redefinitions but they may even require occasional re-justification – all that, however, best as an outcome of open and qualified dialogues with the societies they serve and help shape, of dialogues carried out in a spirit of partnership. Should a 'new contract' between universities and societies be drafted, the partners would need to enter negotiations with mutual respect while minding the public good as an ultimate objective. This, of course, is easier said than done, as we know, because the parties involved do not necessarily think in the same time categories, on compatible frequencies.

If I go once again back to my personal experience, a professor and rector who decided to also enter the world of politics, namely serving two terms as a parliamentarian, I had to observe great differences in the way the two sides think and act: I tried as much as I could to understand both - and to serve as a bridge. For those whose existence depends on the decisions of the electorate in the next elections, it is more logical, and perhaps even natural, to think in shorter terms, looking for immediate solutions, for responses to what appears to be a problem of the moment. Educationists, however, should not just think of how to be responsive to the needs of the day but should responsibly follow objectives of a longer-term perspective. This is not to say that responses to the needs of the day could not be harmonised with a future oriented vision. As a matter of fact, they should but, oftentimes, such a compatibility is not necessarily the most observed criterion of action. Besides, the temptation to interfere with the work of the universities and their independence is too tempting when individuals or groups follow their ideological (including religious), political or economic agendas as priorities. To resist and challenge such attempts is one

additional task for independent universities – and again, the institution and the academic community have proved to be such guarantors of freedom many times through history, which a number of cases when academicians were persecuted and universities closed down can testify.

All that, the awareness of a lasting struggle, should be constantly brought to a public debate, in which the media could play a vital role. From my own involvement in public life I have to confess that it is not easy to attract the interest of journalists to university campuses (unless something scandalous happens), and I feel that we are thus missing a substantial part of the public as a potential partner in the needed dialogue, also as a possible voice of support. There is little doubt that people believe in education – in my country even in the communist past, when salaries of university graduates were regularly lower than those of blue-collar workers, families were anxious to send their children and grandchildren to institutions of higher learning. And the massive growth of student numbers worldwide confirms the assumption that people attach value to education and universities should learn how to use this fact as an argument in debates on their own future and the future of the societies they serve and help form and constitute.

The general picture is not and never was black and white. It is not academic individuals and institutions vs. politicians and political authorities; as a matter of fact there are members of university communities whose minds are basically 'political' and there are politicians manifesting a thinking of a long-term educational and cultural vision, as academics should. Decision-makers and policy-makers in both worlds should be able to reach agreement on how to best educate the future generations of human beings, professionals and citizens

ready to actively practise and develop a democratic culture. The history of our civilisation and the treatment of liberties, including academic liberties, throughout the centuries, should provide useful lessons, a guideline for wise steps to be taken.

Such, in my mind, could be the framework for discussing the theme of our conference here in Bologna, on the premises of the oldest university in Europe.

Academic freedom and university autonomy

Report of the Parliamentary Assembly of the Council of Europe by Josef Jarab, Committee on Culture, Science and Education
2nd June 2006 (Doc. 10943)

Summary

The academic mission to meet the requirements and needs of the modern world and contemporary societies can be best carried out when universities are morally and intellectually independent of all political or religious authority and economic power. Accountability, transparency and quality assurance are pre-conditions for granting universities academic freedom and institutional autonomy. Continued observation of these values is essential.

The Assembly resolves to co-operate with the Observatory of the Magna Charta Universitatum in monitoring the observance of the principles of academic freedom and university autonomy in Europe, thus adding a European parliamentary dimension to the work of the Observatory.

A. Draft Recommendation

1. The Parliamentary Assembly of the Council of Europe recalls the Magna Charta Universitatum opened

for signature by universities in 1988 on the occasion of the 900th anniversary of the University of Bologna (Italy), which has since been signed by some 600 universities from all continents with new signatories every year.

2. The Magna Charta Universitatum reflects the vital role universities played in the development of the European humanist tradition and in the development of human civilisations. It also reiterates that the fundamental principles and rights of academic freedom and institutional autonomy are essential for universities and that continued observation of those values is for the benefit of individual societies and humanity in general.

3. In 2000, the University of Bologna and the Association of European Universities, as depositories of the Magna Charta Universitatum, founded the Observatory of Fundamental University Values and Rights to which the Council of Europe has delegated a representative. The task of the Observatory is to monitor the observation of the principles and initiate an open debate on the values these principles represent.

4. In accordance with the Magna Charta Universitatum, the Assembly reaffirms the right to academic freedom and university autonomy which comprises the following principles:

4.1. academic freedom in research and in training should guarantee freedom of expression and of action, freedom of disseminating information, as well as freedom of unrestricted inquiry in the pursuit and distribution of knowledge and truth;

4.2. the institutional autonomy of universities should be a manifestation of an independent commitment to

the traditional and still essential cultural and social mission of the university, in terms of intellectually beneficial policy, good governance and efficient management;

4.3. history has proven that violations of academic freedom and university autonomy have always resulted in intellectual relapse, and consequently also in social and economic stagnation;

4.4. high costs and losses, however, could also ensue if universities moved towards the isolation of an "ivory tower" and did not react to the changing needs of societies that they should serve and help educate and develop; universities need to be close enough to society to be able to contribute to solving fundamental problems, yet sufficiently detached to maintain a critical distance and to take a longer term view.

5. In the course of history, universities have been confronted with deep changes and challenges coming from transformations of the societies and the institutions themselves. They have mostly proved capable of answering necessary external and internal demands simultaneously to meet their historic role of the pursuit of free and universal knowledge.

6. With the advent of the "knowledge society", it has become obvious that "a new contract" has to be reached between university and society which would reflect and recognise the new developments. In such an understanding, the social and cultural responsibility and accountability of universities to the public and to its own mission are to be considered as the unavoidable other side of academic liberties.

7. It may be true that academic freedom of researchers, scholars and teachers and institutional autonomy of universities need to be re-justified under contemporary conditions, but these principles should also be reaffirmed and legislatively, preferably constitutionally, guaranteed. As testified by frequent assessments and evaluations carried out internationally, the academic mission to meet the requirements and needs of the modern world and contemporary societies can be best performed when universities are morally and intellectually independent of all political or religious authority and economic power.

8. The social and cultural responsibility of universities means more than mere responsiveness to immediate demands of societies, to the needs of the market, however important it may be to take these demands and needs seriously into account. It calls for a partnership in the definition of knowledge for society and implies that universities should continue to take a longer term view and contribute to solving the fundamental issues of society as well as to finding remedies to immediate problems.

9. The traditional vocation and full potential of universities for the 21st century include, besides independent inquiry and free advancement of acquired knowledge (but also through these activities), steady contributions to developing social order and a sense of basic values in societies, cultivation of national identity as well as an open-minded understanding of international and universal merits, promotion of democratic citizenship and sensitivity to human and natural environment both locally and globally, setting of academic objectives, training for practical flexibility as well as teaching in critical thinking.

10. To grant universities academic freedom and autonomy is a matter of trust in the specificity and uniqueness of the institution, which has been reconfirmed throughout history, and yet the notion should remain a subject of a continued and open dialogue between the academic world and the society at large in the spirit of partnership. Universities could be expected to live up to certain societal and political objectives, even to comply with certain demands of the market and the business world, but they should also be entitled to decide on which means to choose in the pursuit and fulfilment of their short-term and long-term missions in society.

11. Accountability, transparency and quality assurance are pre-conditions for granting universities academic freedom and institutional autonomy. Only under such a contract between society and universities can it be expected that universities will serve the societies well and will, through freedom of choice of how to do it best, be proactive, meaning that they will not just respond to changes but will be leading agents in initiating and accomplishing desirable developments.

12. Through the power of the Parliamentary Assembly and its responsible committees as well as through the Committee of Ministers and the activities of its intergovernmental Steering Committee on Higher Education and Research (CD-ESR), the Council of Europe should act to the effect of reaffirming the vital importance of academic freedom and university autonomy and contribute to an open political dialogue on the understanding of the concepts in the complex and changing reality of our modern societies. Goals and criteria must be realistic and well defined, which is often lacking in the emerging "audit society".

13. The Assembly resolves to co-operate with the Observatory of the Magna Charta Universitatum in monitoring the observance of the principles of academic freedom and university autonomy in Europe, thus adding a European parliamentary dimension to the work of the Observatory.

14. The Assembly recommends that the Committee of Ministers strengthens its work on academic freedom and university autonomy as a fundamental requirement of any democratic society. The Assembly invites the Committee of Ministers to require recognition of academic freedom and university autonomy as a condition for membership of the Council of Europe. In this respect, the Assembly calls on the Committee of Ministers, specialised ministries of member governments in charge and universities in member states, to set up a multilateral programme for European student and faculty exchanges with universities in Belarus and the Belarusian "European Humanities University" in Vilnius (Lithuania).

B. Explanatory memorandum
by Mr Jarab, Rapporteur

I. Foreword

1. As Member of the Czech Senate, former Rector of Palacky University of Olomouc (Czech Republic) and rapporteur of the Assembly's Committee on Culture, Science and Education, I was glad that the Committee held its colloquy on university autonomy and accountability in the Czech Senate in Prague on 30 March 2006. The results of this colloquy nourished this report. I wish to express my special gratitude to Dr Andris Barblan, Secretary General of the Observatory

of the Magna Charta Universitatum, who prepared a background report on this subject in a broader historic and European perspective.

II. Introductory remarks

2. European universities are presently faced with demanding challenges as societies undergo political, social, economic and cultural transformations. The continuous expert and public debates concerning the value of traditional principles of academic freedom and institutional autonomy testify to the relevance and necessity of respecting and protecting those rights in the interest of an unrestricted pursuit and free dissemination of knowledge for the benefit of societies nationally and internationally.

3. The Committee's colloquy on university autonomy and accountability in the 21st century (Prague, 30 March 2006) confirmed the importance of an open dialogue between societies and universities on the matter of a "new contract," combining in a useful and harmonious way the demands of academic liberties and the requirements of responsibility and accountability of universities to society at large.

4. It is also understood that universities can best fulfil their traditional long-term and manifold mission as well as live up to some more immediate expectations of the society, or even the market, when their scholars and students are granted freedom of choice of means to be used to perform effectively, and when the institutions can decide with an advantageous degree of autonomy.

5. It will be proper for the Council of Europe to help create an international forum in partnership

with the Observatory of the Magna Charta Universitatum in Bologna, which will follow the safeguarding of academic freedom and institutional autonomy at universities in the European academic space while the policy of the 1999 Bologna Declaration and the Bologna Process aiming to establish a "European Higher education Area" by 2010 are implemented. It will also be appropriate to monitor further the state of higher education in Council of Europe member states and, for useful comparison, in the larger world, and to register the impact universities will have as agents of desirable change in societies.

6. *'The university is an autonomous institution at the heart of societies differently organised because of geography and historical heritage; it produces, examines, appraises and hands down culture by research and teaching. To meet the needs of the world around it, its research and teaching must be morally and intellectually independent of all political authority and economic power.'* So reads the first of the fundamental principles in the text of the Magna Charta Universitatum, a relevant document confirming the nine centuries of existence of the first university, namely the University of Bologna, on 18 September 1988.

7. Among the numerous signatories, there was also the Rector of Charles University, Prague, an exponent of the communist regime in occupied Czechoslovakia who, not surprisingly, had no difficulties signing a document that he, or the political authorities who appointed him to his position, never seriously considered to comply with.

8. On the contrary, it was the long-lasting and brutal violation of the principles of academic freedom and

institutional autonomy from which universities and scholarship in general suffered not only in Prague but all over the country; through dogmatic ideology and rigid personnel policy the system and quality of research and higher education was continuously crippled.

9. Immediately after the Velvet Revolution of 1989, a straightforward and sincere reading of the Magna Charta started at universities in the country – teaching and research was being freed from dogma and necessary organisational reforms were introduced into the area of higher education. What came as an unnecessary surprise was the fact that with the faculty inherited from the old regime the application of the principle of autonomy was not always helpful in the transformation process, on the contrary it proved sometimes a hampering element.

10. This remark should manifest the subtlety of the matter of reaching a beneficial balance between academic freedom and the public responsibility of universities.

III. Europe, its universities and the Magna Charta Universitatum

11. After World War II, the movement for European integration considered that cultural and educational matters would be better catered for at national level considering the historical and linguistic variety of the many states of the region. The Western European Union, however, developed in the fifties an interest in higher education since universities were the depository of the European intellectual traditions and scientific know how. At its instigation, more than a hundred university leaders from 15 European countries convened in Cambridge in 1955 under the chairmanship of the

Duke of Edinburgh. This led to the setting up, in the sixties, of the Standing Conference of the Rectors, Presidents and Vice-Chancellors of European universities, the non-governmental organisation for interuniversity collaboration better known under its French acronym CRE (Conférence Permanente des Recteurs, Présidents et Vice-Chanceliers des Universités Européennes).

12. In parallel, the Council of Europe inherited the cultural activities of the Western European Union and, in 1960, created a Committee for Higher Education and Research (CHER) that brought together university and political leaders, one each per member country – the university delegates being chosen by university associations. Until 1969, CHER university representatives were also the members of the CRE permanent committee. In other words, the political dimension of university activities – i.e., their role in structuring the life and development of the community – seemed evident until the student demonstrations of 1968 and 1969.

13. Then, the CRE broke its organic link with the Council of Europe and decided to stand alone as an association of academic interests, as if higher education leaders felt somewhat at odds with politicians trying to reshape universities along utilitarian – apparently a-political – lines. It was also considered important by the CRE of the time to open windows of cooperation with universities from Central and Eastern Europe under communist regime, a strategy that did not enjoy great support in governmental circles in Western Europe.

14. As for the European Communities, since the Treaty of Rome did not consider education as a European affair, they took an indirect interest in higher

education through its impact on employment; indeed the required free circulation of labour could be helped by specific policies of convergence.

15. In the eighties, with the discussions leading to the Single Act and the Maastricht and Amsterdam treaties, higher education and research came to be considered areas inviting long-term European strategies that would frame the national policies in those fields. Universities, as institutions of shared learning, could again become partners in the shaping of European integration. So, after the 1985 decision to move to a single European space by 1992, universities and parliaments pushed for the creation of common programmes for student mobility, in particular the ERASMUS programme that began in 1987. Several of the large and old universities of the EU lobbied actively to become key contributors in the development of a European mind and culture by committing to mobility as well as staff and student exchanges. Taking advantage of the 900th anniversary of the University of Bologna, the oldest in Europe, due to be commemorated on 18 September 1988, several of the academic leaders active in the movement for European integration joined the Rector of Bologna, Prof. Fabio Roversi Monaco, to draft a document outlining the long-lasting principles and values that substantiate the claim for autonomy of academic institutions. The group was presided over by the President of the CRE, the former Rector of the University of Genova, Prof. Alfredo Romanzi, and included a delegate of the Parliamentary Assembly of the Council of Europe, Prof. Manuel Nuñez Encabo.

16. Giosué Carducci, the organiser of the 800th anniversary in 1888, had insisted on the uniting function universities played in the shaping of Italy when the

country was to be reminded it was a single community, although with a diverse past, that shared a culture disseminated by one institution similar all over the provinces of the peninsula, the university. In 1988, at a time of 'Europhoria', the idea was enlarged to another community in the making, Europe: all states of the region hosted and funded institutions of higher learning very much similar in their purpose, structures and activities, so similar indeed that they could be considered as the existing 'arteries' of the shared culture of the continent. Universities do not have a European dimension, they *are* the European dimension of the region.

17. That was the message proclaimed in Bologna on 18 September 1988 by more than 400 rectors – from Europe and beyond – who solemnly signed the *Magna Charta Universitatum* in the presence of the universities' social partners, the nation state, represented by the President of the Italian Republic and members of the Cabinet, as well as high delegates from the Army, the Church, local and regional authorities not to mention economic and union leaders – and the people and students of Bologna. In 1988, after years of questioning and anguish due to the mass transformation of higher education, universities were in fact asking for the full recognition of their role in the adaptation of Europe to the complex challenges of the incoming knowledge society.

18. That is why the *Magna Charta Universitatum* re-asserted the common role universities play in the shaping of living communities of intelligence and culture, insisting that academic freedom and institutional autonomy – the individual and collective aspects of the liberty of expression – were but tools of belonging to the European society at large: politicians and economic

decision-makers all need intellectual partners to support the development of the region, partners who can be trusted in their independence rather than servants used to meeting efficiently given objectives they have little say in designing.

19. The European function of universities was made clear from the preamble of the document that said '*Four years before the definitive abolition of boundaries between the countries of the European Community; looking forward to far-reaching co-operation between all European nations and believing that people and States should become more than ever aware of the part that universities will be called to play in a changing and increasingly international society*'. The text went on stressing the opportunities for European development brought about by the universities as *'centres of culture, knowledge and research'* at a time when *'the future of mankind depends largely on scientific, cultural and technical development'*.

20. To ensure the successful commitment of universities to social change, the charter also described the basic principles of higher education and research (see para. 6 above). The document also insisted on the common obligations of states and universities in intellectual development: *'Freedom in research and training is the fundamental principle of university life, and governments and universities, each as far as in them lies, must ensure respect for this fundamental requirement'*.

21. From the political point of view of furthering European integration, the charter also suggested that '*Universities – particularly in Europe – regard the mutual exchange of information and documentation, and frequent joint projects for the advancement of learning, as*

essential to the steady progress of knowledge. Therefore, as in the earliest years of their history, they encourage mobility among teachers and students … with a general policy of equivalent status, titles and examination.' By calling on the collaboration of public authorities, the Magna Charta proposed a political contract that could commit all partners in the development of the region: were not all of them sharing responsibility in the transformation and integration of Europe?

22. This was a programme of intellectual coherence and cultural cohesion for a continent promised to become by 1992 a single European space where people, goods and capital would move freely. The universities' function in this context was to 'uncover' Europe as a reality of thought and purpose by rediscovering their old European focus both in the exploration and the dissemination of ideas. In a way, universities could *make European sense* of the Europeans' community of belonging – beyond the usual national references they had cultivated over the last two or three centuries.

23. In 1989, however, this ideal of active integration had to be postponed when *the Berlin wall* fell which had divided Europe into two since 1948. A series of countries, moving away from communist patterns of government, were challenging the scope and depth of integration in the Western part of the continent by asking also to be recognised a European identity. European urgencies changed: rather than developing new forms of common identity, the agenda stressed the re-integration into the concert of nations of those countries whose recent past had been levelled by communist ideologies. The European Union, as early as 1990, thus launched the TEMPUS programme to help

the reorganisation of higher education in the central and eastern parts of the continent.

24. As for the Council of Europe, it accepted as members all these countries: one after the other, they signed the European Cultural Convention that pointed to new modalities and objectives of intellectual collaboration. They also joined the Steering Committee for Higher Education and Research (CDESR) of the Council of Europe. The latter focused its help on the legislative reorganisation of higher education in all these countries – dealing with the fundamental links that, in Europe, should shape the collaboration between states and universities; in other words, the CDESR was ready to define the institutional responsibilities brought about by the universities' *rediscovered 'autonomy'*.

25. However, moving away from an 'internationalist' perspective, the people of the old 'communist' block had first to go through a re-appropriation of their cultural past, thus rediscovering their historical continuity before envisaging new forms of European integration. Universities in Central and Eastern Europe then emphasised their pre-war roles as nation builders while pressing also for a modernisation on American lines; this would help them enter the globalisation process determining the consumer society they hoped to access. In the 1990's, 'Europe' had thus become more of a means for social re-appropriation than an end to a new community of belonging.

26. This period of 'European latency' lasted for a few years; when the conflicts in former Yugoslavia showed that the drifting of nationalism towards ethnical identity could put in danger the whole idea of common belonging, the need for European references

became obvious again. In the higher education world, it translated in the call made in Paris in May 1998 for the harmonisation in Europe of teaching modalities and curricula – an idea launched by the Education Ministers from France, Germany, Britain and Italy at the occasion of the 800th anniversary of the Sorbonne. Political authorities were now urging universities to rediscover their European identity, thus 'uncovering' the shared references of all Europeans.

27. Building on the Magna Charta, this idea of co-responsibility in a changing society was picked up again in the *Bologna Declaration* of June 1999 when the Ministers of 29 European countries – East and West – called for a harmonisation of higher education learning structures in order to build up, by 2010, a *European Higher Education Area*; this was a reference to the old expectations of European integration implied in the 1988 ceremonies for the 900th anniversary of the University of Bologna. The Declaration indicated that, '*taking full respect of the diversity of cultures, languages, national education systems and of University autonomy, Ministers expect universities to again respond promptly and positively and to contribute actively to the success of the European area of higher education*'.

28. For its initiators, the Declaration was indeed a call to a new European community of belonging where intelligence and culture were to become the 'political glue' of the continent and its people. Claude Allègre, the French Minister of Education, claimed that: '*after the adoption of a European currency, … time will pass, long time indeed, before the countries of Europe …build a closer political union. There will be many conferences, many speeches, but progress will be very*

small because a political threshold has been reached: to pass it would mean for the present leaders of our nations to lose a good part of their power. … Heading for a new stage of stagnation … thus represents a big opportunity to explore other areas of European integration, moving forward in the fields of culture, … moving towards a universities' Europe. This is the best way for our children to become real Europeans and not to feel blocked, like the present generation, by some secondary objectives. Hence our call to harmonise the structures of higher education in Europe.'[1]

29. If, in 1988, the initiative had been taken by the universities, in 1999 the impulse for change came from the governments – the least probable supporters of the European ideal; however, they were all facing problems of academic size, finance and prestige that lowered the international capacity for competitiveness of their systems of higher education. Europe, again, had to become more than a geographical reference, a platform of shared identity that would help face common problems; the universities were called to explain and experiment in their structures and activities this shared specificity vis-à-vis the rest of the world. Political leaders had launched the process but universities were also partners, if the European Higher Education Area was to become a reality by 2010.

30. When the Bologna Process was formalised in 2001 in Prague, the Council of Europe became a permanent member of the follow-up group that brings

[1] Allègre Claude, 'University Autonomy, Academic Accountability and European Integration', in *Autonomy and Responsibility: the Universty's Obligations for the 21st century,* Magna Charta Observatory, Bologna, 2001.

together the political, academic and international partners interested in the transformation and adaptation of higher education – and now of research, after the Berlin meeting of 2003 – to discuss and steer the process of convergence. At the Berlin meeting in 2003, the European Cultural Convention of the Council of Europe became the framework of the Bologna Process, which was thus enlarged geographically. The idea was to make European sense of the exploration and dissemination of knowledge in the countries that had joined the process, some 45 of them after the Bergen Conference of Ministers in 2005. At present, apart from Belarus, Monaco and San Marino, all states in Europe are taking part in the process – although at different levels of commitment on the way to the EHEA. Geography has caught up with the widest understanding of what makes Europe a historical community of belonging with a future – the community represented by the European Cultural Convention of the Council of Europe.

IV. The Council of Europe's recent initiatives concerning universities

31. In its effort to support the Bologna process, and following its earlier emphasis on legislative reform, the Council of Europe stresses the importance of better definitions of *the public responsibility* both of governments and of higher education institutions in shaping tomorrow's European society. And, on the basis of a Forum organised in September 2004 in Strasbourg on the 'Public Responsibility for Higher Education and Research' and a second Forum on higher education governance in September 2005, the Steering Committee for Higher Education and Research (CDESR) is preparing a *recommendation* on that topic.

32. As for the Committee on Culture, Science and Culture, on the basis of a proposal made in February 2004 by Prof. Josef Jarab and some of his colleagues also members of that Committee, a public hearing was organised at the Czech Senate in Prague on 30 March 2006 on 'University Autonomy and Accountability in the 21st century'. This meant taking up the problem of public responsibility *from the higher education point of view* rather than from the governmental one, the CDESR approach being also presented at the colloquy as a necessary reference not to duplicate efforts.

33. Can the universities of Europe 'uncover' the shared identity that turns the people of the region into a community? Can the politicians, as partners and stakeholders of that integrative venture, support the universities' European identity and how? In what way would such support translate into a *contract* between public and academic authorities, a contract that would define the boundaries between states and institutions so that higher education and research have the autonomy to meet best, on their own terms, the objectives of a re-engineered European society; such a society, when helped to face the challenges of knowledge distribution and development, would *make sense to the Europeans* of their intellectual, scientific and cultural belonging in a shared community of purpose and action.

34. In Prague, the debate started from the Magna Charta, especially as it claims that *academic freedom* – at individual level – and *institutional autonomy* – at collective level – are the *sine qua non* of a full response to society's fundamental needs to *survive* and *prosper*, to *adapt* and *renew*.

35. Uncovering the European dimension of such development was then analysed in a comparison of the Bologna process and the Lisbon agenda; the transformation towards *Euro-compatibility*, for the universities from former communist countries, has become the main objective for change – a concept often difficult to grasp for Western European partners since they take Europe for granted. However *'uncovering' Europe can be dangerous*, when institutions – using their autonomy or capacity to dissent – point to the hidden European specificity of their country, as in Belarus, putting at risk the national understanding of the prevailing forms of political organisation.

36. Indeed, Europe becomes a threat when, referring to its fundamental tenets – openness, tolerance, democracy – it calls for the reframing of curricula, pedagogy and history, thus endangering the qualification and reward system in the country, i.e. the positions of an Establishment first interested in its national continuity. When unsure and questioned, the powers usually react by stifling dissent – jailing the students and professors daring to assert their European identity or provoking the exile to Vilnius of the European Humanities University of Minsk – an institution that, in its very name, claims its European belonging.

37. The CDESR focuses on society's multiple expectations: sustainable employment, preparation for citizenship, personal development, advancement of the knowledge base, all these being elements of the universities' service to society. The issue is to *'make' Europe,* thus ensuring its long-term welfare through innovation. Indeed, the tooling of Europe requires means and support: that is what the recommendation on public responsibility outlines in detail.

38. The discussions at the Committee on Culture, Science and Education tend to look at latent or patent European expectations as to the intellectual explanations that can make sense of the integration of the continent's many parts; the university is perceived as the catalyst of changed individual and collective self-understandings. When 'uncovering' Europe, national routines are questioned and individual viewpoints transformed: as a result, universities become instruments of disturbance. They should be protected in this role. The issue in this case, rather than to 'make' is to *'state' Europe*. This represents a different but complementary service to the integration of the continent.

V. The political functions of universities [2]

39. Any 'collective' needs structures to become a society – which is an ordered community of people accepting the rules that establish their life in the group. For centuries, the university has been training the decision-makers who define the *ways of social behaviour*, from small elites designing the power structures of medieval society to much wider groups of citizens engaged in the structures of democracy. Law – the founding discipline of Bologna University in the 11th century – is the tool that brings rationality in the customs that make people act and react as a community. In this ***search for order***, the university also represents a '*qualifying agency*': it selects the students allowed to take advantage of its

[2] Section V of this memorandum consists of excerpts of an article on *The European dimension of the Bologna process* prepared by Andris Barblan, for Raabe Verlag, a text to be published by the end of year 2006 as the introduction to section 6 of the *Bologna Handbook* drafted under the responsibility of the European University Association (EUA).

teaching, it recognises their acquired skills and competences by degrees that open certain jobs, lead to given positions, thereby offering *social status*. Social mobility explains the obsession and sacrifices people enter to have their children join a university: the degree is a pass to better life! This implies a filtering role for universities that 'condition' social belonging – a power rarely considered in today's world.

40. Society also expects knowledge to make sense, to become even 'common sense'. The *search for meaning* implies that the university is not only there to provide information but also direction. Each generation revisits the treasure of information accumulated by its predecessors to re-organise data in function of its own perspectives. This search for new meanings is often called *'scholarship'*, an effort at sorting out the wheat from the chaff in order to explain our day and time. This implies proposing unexpected hierarchies of knowledge since some 'know-how' and some 'know-why' must be marginalised – or even forgotten by successive generations – to consider new understandings of man's place in the world. Universities are not the archives of the world – an accumulation of all the data collected under the sun – but its memory, i.e., a platform for differentiating between the meaningful and the meaningless so that original new developments can occur. That is what the Encyclopaedia did in the 18th century, 'enlightening' knowledge. The universities still help reorganise the 'known'.

41. Indeed, these first two functions call for the subject, in this case the European citizen, to make choices about the modalities of social and intellectual organisation. The disciplines of meaning – the arts, the humanities, social sciences – and of order – law or economics,

in particular – are relative to the conditions of their time and to the ability of people – staff, students and the public – to grasp them as a whole. These sciences – claimed to be 'soft' – are basically 'subject-centred' and thus call for a debate on the values on which their progress is based, such values varying from one group to the other.

42. Man is not only a *politikon zoon* (cased in a social order) nor simply a *homo sapiens* (built on various forms of knowledge); he is also a *homo faber*, who draws from nature the means of his daily existence. In the *search for well-being*, information is then used to construct better infrastructures, to create more efficient machines, to develop safer drugs – on the basis of the sciences of nature *(physis),* said to be 'hard' (from physics and chemistry to biology), or on the ground of nature's opposite *(techne),* the technology that aims at the 'tooling' of mankind. Such *prostheses* ease the conditions of humanity's survival, contribute to the welfare and prosperity of mankind by helping transcend the natural limitations of the individual, add to social wealth by reducing to little the 'malediction of labour'. At the heart of the process, objects, from the very large to the most minute, are being made, earned and exchanged. Their invention is said to be 'objective' in so far as it builds on the inner logic of science, somewhat independently from man's subjective choices. '*In-novation*' (putting the new into the existing) is the driving force of welfare and today's universities often tend to give priority to development growth and innovation support in order to justify their existence.

43. Rolling back the frontiers of knowledge, exploring the unknown to bring it to human consciousness

represents the fundamental quest of humanity in search of its essence, when it asks about the 'why' rather than the 'how' of its existence, when it interprets the 'why' of its belonging to the wider cosmos. In the medieval university, this *search for truth* was elaborated in the 'Queen Faculty', that of theology. Secularisation has not suppressed the basic query on the deeper values that shape man's understanding of the world and his place in it. Humanism, on the contrary, gave man full responsibility for this search for his own essence. Today still, the unknown calls for exploration through continued questioning and permanent doubt, thus reshaping the tools of intelligence and humanity's accepted truths. Any 'truth' still to be uncovered keeps the system open to the unexpected, and also to the 'uncomfortable' since *dissent* – the willingness to stand back – is the motor of change, of transformed values that could shake and shape new forms of 'living together'. This is no easy function to meet as it is grounded in the desire to go 'beyond' what is. Universities consider themselves to be the forum where society can *keep the future open* on the beyond, the place for the unpredictable. *Wilhelm von Humboldt* banked on such a search for the open to revive institutions that – with *Napoleon* – had become simply the service stations of nations in the making.

44. The last two functions – providing the 'making of Europe' – depend much more on logical reasoning based on factual elements of hard science – and thus can be felt as more objective than the first two, which could be seen as rather rhetorical, since they require convincing about the appropriateness of the choices made in order to 'state Europe', thus framing the soft sciences that point to order and meaning.

45. All four, however, express the basic functional needs of any society, needs that can be combined in various ways over time or space. Indeed, each function could have its own institution dedicated to its intellectual requirements; *laboratories* for innovation, *academies* for truth, *schools* for order or philosophical *think-tanks* (if not churches) for meaning. Cross-fertilising the four – that is, living by the paradoxical tensions that contrast these four approaches of intelligence – is the bet taken by the European society, as the word 'uni-versitas' has been saying since the origins of the institution: by combining UNUM (one) and VERTERE (turn to), the word defines the fundamental dynamics of university work, TURNING TO THE ONE. So were told European rectors convened in 1996 in Olomouc when addressed by Vaclav Havel, the then President of the Czech Republic.

VI. The university ideal and European reality

46. The institutional mix of the four kinds of intelligence that makes *the university as such is a gift of Europe* to world evolution. School, academy, laboratory and think-tank, the university is indeed more than the sum of its parts since its development towards harmony includes and uses them without fusing them into a common whole. An orchestra is all the more of a unity when its musicians play best their own parts. The same is true of the university understood as a community of varied interests expressing different approaches to intellectual development. The same is also true for Europe as a political grouping where nations echo each other in their diversity to affirm the commonality of purpose that builds on their shared identity – in theory at least.

47. When universities abandon their training function, refuse to make sense of social change, or marginalise the quest for truth – for instance focusing on economic growth through applied research, development and innovation – they are betraying their full identity. This does not mean that all universities should weigh their activities the same way: on the contrary, each institution can develop a cross-fertilisation model of its own while being aware of its basic polyvalence. Institutional profiles can evolve to answer local or regional circumstances. Basically, however, the universities of Europe are of the same family, even while giving varied expression to their 'institutional genome'. Implementing Bologna at institutional level makes an evidence of the fact that universities share their belonging to a wider Europe – as states do.

48. When uncovering their European identity, universities point to the intellectual commonality of the societies they come from – regional or national. As such they make obvious the common 'blood and life' that reveal their communities' European intelligence – using the dynamics of visibility that were exemplified in Bologna, both for Italy in 1888, and for Europe in 1988. Universities, as a group, are a preview of a common Europe – as well as of its possible failure when, like academia, Europe risks sabotaging its own identity by investing in one of its basic functions only. Political health consists in balancing state strategies for survival and prosperity, for adaptation and renewal – or, better, to keep alive the tensions between these four functions to feed the dynamics of change, as in institutions of higher learning.

49. In present day Europe, 'there is a growing disenchantment with the self-referential discourse of

managerialism advocating efficiency, excellence, cost reduction, output indicators, performance and quality control, etc … while the champions of new public management seem unable to explain the rationale for streamlining organisations in other then crude economic terms. Have institutions and their stakeholders forgotten the fundamental truth that governance is a means to an end and that the discussions about the end(s), i.e., the purpose of organisations, must precede the decisions about the means to pursue given objectives?'[3]

50. This applies to higher education as it does to states and governments since all seem to bank today on the search for well-being only in order to re-engineer social development. The growing gap between noble ideals – all the more distant that they are repressed – and the daily institutional experience of groups and individuals turns justice, equality or democracy into sacred cows asking for lip service, at best, or lost illusions not to say targets for cynicism, at worst. Considering the size of problems created by mass education, the advent of the knowledge society, or the lack of resources that exacerbates rivalries and undermines trust and cooperation – the so-called paradigmatic shift –, people are everywhere confronted by powerlessness and loss of confidence in their own future. One usual way to cope is to insist on networking and communication, transparency and flexibility – however, for what? When effectiveness takes over from purpose, despair – or at least insignificance and resignation – is around the corner.

[3] Fried Jochen, in *Higher Education Governance,* Strasbourg, Council of Europe Publishing, due in 2006.

51. In 1999-2000, the Council of Europe discussed universities as *sites of citizenship* – insisting on the subjective choices that should give meaning to social development. CDESR studies thus challenged universities to show 'democratic attitudes of openness, accountability, transparency, communication and feedback, critique and debate, dispute resolution, thus proving an absence of idiosyncrasy, arbitrariness and privilege'[4] And Meira Soares, the former rector of Lisbon University, to wonder: 'does it still make sense for universities to be sites where education for democratic citizenship is part of their mission when they become mainly market-driven organisations?' Are not contradictions becoming so apparent that turning away from society's fundamental *searches for meaning and order* would be justified in institutions focused on the practical use of knowledge?

52. As for the *search for truth*, universities, when rolling back the frontiers of knowledge, now often ally with industry, sometimes accepting to withhold results from public knowledge. 'How far can these restrictions go? Should academics abandon their right to publish their research work? Is this a case of violation of academic values? The question turns around property terms; who owns the rights of research results: the research group, the university, the contracting company?'[5]. Such temptations at abdication come again from the focus given only – or largely – to the economic role of higher education and research, as if the other functions of the institution were forgotten.

[4] Meira Soares Virgilio, in *Higher Education Governance*, Strasbourg, C.E.P., due in 2006.
[5] *Ibidem*.

53. Such questioning in CDESR publications is symptomatic of a deep *malaise* in university circles when they feel pushed by governments and industry – if not by students – on a path of social relevance whose appropriateness is defined by the 'customers' and 'patrons' of higher learning institutions mainly – in terms of economic well-being essentially. When their other roles are being marginalised – or enslaved to the needs of objective growth – universities fall into institutional disarray, the prey to temptations of regression and introversion that can lead to functional mutilation. The rosy picture of universities at the heart of the knowledge society, rather than balancing the main functions of higher education and research, develops to its ultimate consequences the utilitarian discourse. Thus, the repeated calls made by the European Commission in Brussels to meet the Lisbon objectives, i.e., turning the Union into the most vibrant knowledge economy in the world[6], reduces continental integration to the search for material wealth. Such an ambition, shared by policy-makers in Brussels, Moscow and other European capitals, by considering ideas as factors of production, turns academic institutions into key agents for the *exploration*, *innovation*, *assimilation* and *activation* of the knowledge that simply leads to a coherent, cohesive and sustainable *growth*. That is symptomatic of the deep crisis of purpose that affects university systems in Europe. Are academic institutions only worth their impact on professional training and on research for development?

[6] Interestingly enough, the original documents spoke of a knowledge *society*; this has been replaced, in the European Commission's present discourse, by the need for a knowledge *economy*.

VII. University freedom, a path to European identity

54. In '*Mobilising the brainpower of Europe by enabling universities to make their full contribution to the Lisbon Strategy*'[7] – very much an appeal to joint collaboration between political and academic decision-makers –, the EU April 2005 Communication shows that political prioritisation – next to money – is not enough to become the most vibrant region of the world in terms of the knowledge society. First, countries and institutions have to be made aware that the system of higher education in Europe suffers from *insufficient differentiation*, from *insularity*, from *overregulation* and from *under-funding*.

55. To counter such deficits – and deficiencies – universities and governments should then insist on the '*imperative of quality and excellence*' – which means flexibility, transparency, broader access and better communication. As said, this very much corresponds to the call for public responsibility the CDESR requires to 'make Europe'.

56. Interestingly enough, the European Commission deals with the universities as tools that can be used better, whose efficiency as knowledge providers can be improved – as if the key to change was a simple reaction to a given environment. The universities, however, could also be considered to be *pro-active partners* that can transcend a given situation since they represent communities whose talent and leadership in knowledge creation must be unleashed if Europe is to build up

[7] *Mobilising the brainpower of Europe by enabling universities to make their full contribution to the Lisbon Strategy,* Communication of the European Commission, April 2005, Brussels.

and strengthen its own future. Autonomy is not elbow room – a condition of responsiveness –, it is the capacity to manœuvre, change course, even to err as much as the ability to accompany, support and transcend change – thus meeting specific ends. Autonomy leads to dialogue – an uneasy dialogue sometimes as it builds on the unexpected to meet new realities. To steer the unexpected, however, the governments have tended to set rules allowing for easy administrative development, since they are the universities' paymasters.

57. Historically, 'until the setting up of the modern nation state, there was no direct connection between the economic development of countries and their university systems. In the 19th century, the dissemination of skills and the organisation of research became means of strengthening 'productive powers'. The challenge to institutions was to become 'national' universities. Little by little, states offered their only legitimacy to the national systems of higher education even if some parliaments did give constitutional guarantees for universities to speak unrestrictedly of unorthodox views of the world and society. The 20th century was a period of growing regulation with the increased importance of universities for an economic development strengthened by mass higher education and its rapid internationalisation[8].

58. Yet, when problems exceed the level of national higher education systems, the responsibility for higher education tends to become international – or, for that matter, European. As Fabio Roversi-Monaco said in

[8] Pavel Zgaga, in *Higher Education Governance*, C.E.P., Strasbourg, due in 2006.

1991, when presenting the Magna Charta in Bologna: *in the name of the unity of culture, the needs for supra-nationality of the universities could once more confront the difficulties ensuing from the birth of national states and nationalisms*. In other words, universities could claim to be both *of* their countries – partners in nation building – and *in* their countries – the representatives of interests and ideas transcending the nation. Is this not another way of pointing to the necessity of 'uncovering Europe'?

59. To be *of* a country implies consenting to its social arrangements, accepting to duplicate the system in an effort at continuity of purpose and action. To be *in* a country allows for dissenting views on the existing development of the nation. At individual level, university members thus claim for *academic freedom*; at collective level, this translates into *institutional autonomy*. This dual role is essential for meeting the basic needs of any community in terms of survival and order, of social meaning and renewal. All the more so since, today, 'modern society is characterised not only by a high degree of complexity, but also by *an extent of bewilderment and lack of overview*.

60. In (European) societies, characterised by technological complexity as well as wide participation, the ability of political decision-makers to guide and steer the overall development of society is far less obvious than it was a generation or two ago. Why is higher education politically significant then? Because society is built on quality education and advancing knowledge, on a combination of economic development with democratic achievement, on intellectual discovery and on learning as a pleasure, on individual belonging to communities based on self-development,

a coherent discourse and long term views.'[9] The tension between dissent and consent then becomes the motor of the dynamics of change in Europe. It allows to uncover the Europe that hides in the people's unconscious as well as to assert the reality of its identity as the reference for tomorrow's new dimensions of action. Indeed, 'governance nowadays implies a DYNAMIC CONCEPT OF UNIVERSITY AUTONOMY – a concept that sees the meaning of *autonomy in a state of flux* as constantly being shaped and reshaped by adopting or declining the various options for institutional development put forward by different constituencies and stakeholders'.[10]

61. University autonomy expresses itself differently, of course, when it takes in the objectives of its social partners – *consent* – or when it questions the purpose and means of the community – *dissent*. That is what universities in communist states realised before 1989 in Europe: they enjoyed a margin of manoeuvre to expand technological progress, a recognised aim of the government, but could not dissent, especially when studying the political choices of public authorities. All the more so as the search for meaning and for order requires *subjective* choices, that can be rationally explained and responsibly defended. But these choices, the result of the cultural development of people at a certain time in a certain space, are always relative. As such, they are debatable – open to arguments. *Autonomy for dissent* thus requires the tolerance that makes a society strong because it

[9] Sjur Bergan, in *Higher Education Governance*, C.E.P., Strasbourg, due in 2006.
[10] Fried Jochen, in *Higher Education Governance*, C.E.P., Strasbourg, due in 2006.

can question and review the accepted features of its collective identity. If the group is insecure – unsure about its basic commonality of purpose –, people in political charge feel threatened and react accordingly by suppressing or muting the 'questioner' – as the Belarus case recently showed. That is why university autonomy thrives in societies made of autonomous partners where collective responsibilities are conscious and shared.

62. The universities' dual role – convergence as much as divergence from national consensus – does not indeed make easy the relations with the powers that be, especially in a state of political and social flux. That is why the Observatory of the Magna Charta has been called in the last five years not so much to advise governments and institutions on the legal framework for higher education (a task fulfilled by the legislative project of the Council of Europe mainly) but to act as *a catalyst in the building of trust* between the partners in charge of their communities' intellectual development – even if this could find an expression in law making. Thus, in *Kosovo,* mistrust was making impossible the relations between the Ministry of Education and the University of Pristina, rules becoming reasons to disagree rather than pointers to consensual behaviour. In *Georgia,* the pace of change was so fast after a law of December 2004 completely reorganised the system of higher education that actors needed some breathing space to understand and adjust to radical transformations. In *Turkey*, the 1982 organisation of higher education and academic research – after two decades of considerable growth – calls for a review; this means searching for the most suitable levers of change in a country whose European dimension needs to be spelt out and explained, espe-

cially by the universities. In all these cases, the Magna Charta Observatory represents a neutral space where social partners can review their own and each other's certitudes, thus initiating a spiral of trust allowing for a real debate on possible solutions to reputedly untractable problems. In other words, rather than 'making Europe', the effort is at 'stating it' – in fact, the necessary counterbalancing to an expected growth of wealth.

VIII. Conclusion

63. The contract between institutions of higher education and research implies a *negotiated* university, i.e., an institution with an 'open future' that is constantly re-engineered by reflections shared with partners on what makes appropriate academic behaviour; appropriate both in terms of responsiveness to the making of Europe and in terms of responsibility for stating the values that can support the integration project of the Europeans. This means the liberty to choose, the freedom to be – for all the partners entrusted with the future development of the continent; they are very much the people now defining the content and methods of the European Higher Education (and Research) Area developed through the Bologna Process on the premises of the Bologna Magna Charta: the universities are already the common blood of Europe. They may reveal to Europeans their common identity.

64. If 'stating Europe' is a common affair, the Parliamentary Assembly could urge public authorities and universities to set up a *joint think-tank* where – on the basis of the partners' recognised autonomy – they could negotiate the cross-fertilisation between the 'making' and the 'stating' of Europe. Rather than

looking at the euro-compatibility of strategies converging into a common whole, the idea would be to determine the *euro-specificity* of the policies ensuring the Europeans' commitment to Europe. Such a body reflecting on the deep features of the Europeans' shared identity could become a platform where states and institutions could mediate a better definition of the unique balancing between the functions structuring the development of a region still to be invented, 'Europe'.

Key Moments of the European Political Debate on Higher Education

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Introduction

If, as is widely said, the Bologna Process, and the concomitant activities of the EU in higher education, represent a key moment in European education policy, would it not be useful for those closely involved in the policy process of higher education to clarify their ideas as to how and why this is so? For a Magna Charta audience, a particular question must be whether such developments underpin or constrain the social and intellectual contract of universities as 'responsible', and not simply 'responsive', institutions.[1] I take the Bologna Process, that

[1] I thank Andris Barblan for the distinction between responsible and responsive institutions. The contract is expressed in the following terms on the preamble to the Magna Charta Declaration of 1988: 'that the universities' task of spreading knowledge among the younger generations implies that, in today's world, they must also serve society as a whole…'.

follows from the Bologna Declaration of 1999, to be an embodiment of 45 governments' desire to achieve some structural convergence and to agree some common policy objectives in order to underpin a 'European brand' of higher education. I take the Lisbon Agenda and the associated higher education activities of the EU to be relevant, not only for its aspiration to stimulate the EU's knowledge economy but also because of the leverage it has provided to EU institutions, and in particular the Commission, to further a primarily EU agenda for higher education and research.[2]

A way of approaching the question of 'key moments' is to ask whether there are not useful policy lessons derived from past experience of European policy directed at the university world. In political science, influential voices urge us to take the past seriously in order to illuminate the present.[3] Whether such a process is fruitful does, I suggest, depend on how history is approached.

We have in the realm of higher education a number of works that show history as 'progress'. The Commission has recently produced a substantially documented history of European educational cooperation.[4] This is a work which can be recommended as filling out, with much telling historical detail, a story of education as a 'taboo' subject for the Community until the early 1970s, and a delicate issue thereafter, since education is among the policy sectors deemed by member states to be a matter of national sover-

[2] I will not be looking at the EU research policy.
[3] Castles 1989, Skocpol 1984, Weir 1992, Allison and Zelikow, 1999.
[4] Commission 2006: *Histoire de la coopération européenne dans le domaine de l'éducation et de la formation.*

eignty.[5] The new Commission account reinforces the story that the 1957 Treaty of Rome setting up the European Economic Community, and committing its member states to the free movement of labour, and to the freedom of establishment, did point the way in legal terms to some of the developments of the 1970s and 1980s, and, notably, the creation of Erasmus and the other mobility programmes in the late 1980s.[6] The high points of recent achievements are, first, the Treaty of Maastricht, 1991, defining EU competence in education for the first time and giving the EU the right to contribute to 'education and training of quality and the flowering of cultures'.[7] In this version we then see the years 1993-1999 as steps towards the Europe of Knowledge, with the Treaty of Amsterdam committing the EU to the promotion of 'knowledge' policies. The years since can then be described as those in which education and training have moved to the heart of the EU's economic and social strategy. In this version of history, the European strategy revolves around the commitment of the Lisbon European Council of 2000 to make Europe the most advanced knowledge economy in the world, capable of generating sustainable economic growth and greater social cohesion.

I am not decrying the achievements of those who have promoted a higher education dimension to EU

[5] Guy Neave, author of the first attempt to look at EEC policy on education (Neave 1984) memorably compared the issue of education in the EEC to Léon Gambetta's exhortation to the French after the loss of Lorraine in 1971: *'Always think about it, never speak about it'*.

[6] Treaty EEC Article 57, 118, 128, and also Article 7 on non-discrimination (de Witte 1989, 1993).

[7] Treaty of European Union (Maastricht) Articles 3, 126.

policy-making. They are substantial, given the apparently unpromising start for education within the European Community. But an account which focuses on the achievements, or decisions, as many such accounts do, does not necessarily enlighten us about the battles for ideas and the different stands of the actors involved which precede any decision. What we have in the progress-based accounts is, to coin a phrase, the history as written by the victors. As such we risk passing over events that are significant for the participants involved. Yet these are of crucial importance for the kind of understanding, or sense making, valued – and needed – by those who both make and implement policies.[8]

So I shall argue that if political lessons are to be learned, and if our understanding of the dynamics of the European policy process in higher education is to be deepened, we cannot be content with simply an account of outcomes. We need to know about the ideas that have driven the process, and the institutions and actors behind them, and the mechanisms within policy-making processes, which may have some causal force.

A conceptualised way of doing this, which makes sense to those active in the policy process, is to think of decisions as outcomes of a policy cycle in its pre-decision phase. This is a cycle in which at some point an agenda is set, policy solutions are argued over (a process which some authorities call alternative specification) and choices are made.[9] We may gain further

[8] Weick 2001, Wenger 1998.

[9] The concept of analysing the policy cycle in terms of the discrete activities of agenda setting, alternative specification and choice is taken from John Kingdon's influential *Agendas, Alternatives and Public Policies* (1984).

insight if we pay attention to how the ideas are treated as issues, the venue in which policy-making happens, the concept of the policy domain, and what makes these interlock.[10]

This paper starts with some concrete examples. It provides an account of three decisions that I believe, on the basis of my research, were key moments in the history of higher education policy-making in and around the European Communities and the EU. These are the 1961 Declaration of the Bonn Summit which followed on from an initiative of General de Gaulle in February 1961 to curb Community powers; the 1971 resolution of Ministers of Education, meeting for the fist time as Ministers of Education of the Community's member states, and the 1987 decision of the EEC to create the Erasmus programme.

Though these three decisions have not been hitherto treated as such, this paper presents them as being the outcomes of policy cycles, and thus a starting point for uncovering the battles around ideas and resources and rules which make up the policy process.[11] The argument then moves to whether we can make generalisations about the processes driving EU-related higher education, and whether these might be relevant in clarifying the concepts of 'responsibility' and 'responsiveness' as they are exemplified within the Bologna Process and EU Lisbon-related higher education policy.

[10] The concept of an equilibrium between 'issues', 'venues' and 'domains' comes from Frank Baumgartner and Bryan Jones' *Agendas and Instability in American Politics* (1993).

[11] The historical material for this paper comes from my recent book: *Universities and the Europe of Knowledge: Ideas, Institutions and Policy Entrepreneurship in European Union Higher Education Policy, 1955-2005* (Palgrave Macmillan, 2005).

Three 'turning point' decisions

1961: The Bonn Summit

In 1961, heads of government ended the power of the EC over education.

It may seem surprising to declare 1961 as the moment at which heads of government decided to *end* the power of the EC over education given the earlier reference to education as 'taboo'. The general view is that the history of EU higher education began in 1971 with a meeting of the ministers of education of the then six member states,[12] or the second meeting of ministers in 1973.[13] However we have the evidence of a meeting in Paris of heads of government called by General de Gaulle in February 1961 and of the Summit held in Bonn on July 18, 1961. At the first, heads of state and government – the Community's political leaders –, agreed that education and culture (and *inter alia* the supranational European University) should be treated as matters for national, not supranational policy-making – just like foreign affairs and defence. At the later meeting in July, heads of state and government made two decisions affecting education. The first one, made over the head of the Italians, was that a project for a European University should be their exclusive responsibility, i.e., they would have to shoulder any costs and all the responsibility – not a *bonne décision* for the Italians, as their ambassador remarked.[14]

[12] The authorities on the 1970s are Neave 1984, de Witte 1989, Field 1998, Shaw 1999.

[13] This is the version of Hywel Ceri Jones, a major actor as we shall see – and it coincides with the enlargement of the Community to include the UK – and also his arrival in Brussels. See Commission 2006, 39.

[14] The words of the head of the Italian foreign office are quoted in Palayret 1996, 121.

The second one was that the ministers of education of EC member states should meet periodically to negotiate intergovernmental conventions on issues affecting higher education.

I suggest that we will understand the significance of those 1961 intergovernmentalist decisions much better if we see them as the outcome of a political conflict that had split countries and universities ever since June 1955. That was when the foreign ministers of the six states of the European Coal and Steel Community (ECSC) met at Messina in June 1955 to recommend to their governments ostensibly quite different projects – whether or not to pursue efforts to create two new supranational European Communities, following on the success of the ECSC set up in 1953, the European Economic Community (EEC) and the European Atomic Energy Community (EAEC), more familiarly known as Euratom.

At Messina, a paper had come in late, supplementing the views of the government of the Federal Republic of Germany and proposing the establishment of a European University on the grounds that the 'Federal Government hopes to show that tangible testimony to young people of the desire for European union through the foundation of a European University to be created by the six ECSC states'.[15]

Most of those present thought the proposal misplaced. Nevertheless the idea survived to the Treaty stage. Since the Belgian chairman, Paul-Henri Spaak, did not rule the proposal out of order, it became formally an issue for negotiation. Faced with the

[15] Palayret 1996, 43; Palayret, director of the ECHA, gives an archive-based account (Palayret 1996), of Messina and the early years as they affected the European University Institute, an account for which all students of these years must be grateful.

determination of the chief German negotiator, Walter Hallstein – who was to become the first president of the EEC Commission – the French lost out. They neither achieved their preferred alternative, a proposal for a training and research institute for those working on atomic energy at European level,[16] which would have fitted well with their national preoccupations, nor could they quash the idea of a supranational university institution. For bureaucratic convenience, however, the issue was linked to the Atomic Energy Community rather than the Economic Community. We have all forgotten the Euratom Treaty. Yet its Article 9 (2) is crucial to the story. It indicated that 'an institution of university status shall be established, and the way in which it will function shall be determined by the Council acting by qualified majority on a proposal from the Commission.' Moreover, Article 216 called on the Commission to submit proposals within a year of the treaty coming into force.

Once the Treaty was operative, the fudged idea of Article 9 (2) was difficult to turn into a concrete proposal. In May 1958, in a first discussion showing some goodwill, the Council of Ministers went on record agreeing that it was 'planned to found a European university as an autonomous institution for teaching and research, bringing together professors and students coming chiefly from the Community countries',[17] but that it required further study. Two policy proposals were made during 1958 but divided the Six. While Germany and Italy were in favour – Italy had been disappointed not to have already been the base for a prestigious Community institution – the rest were

[16] Similar to that set up under the ECSC, see Palayret.
[17] Corbett 2005, 39, Palayret 1996, 53.

against the idea, or cool about it, arguing against the cost or, in the case of the French, claiming that there was no Treaty competence.

One reason for the political lack of enthusiasm was that their own universities had been fiercely against the proposal from the beginning. Within Germany – the proponent country – there was powerful opposition from the West German rectors, indeed.

But attitudes shifted somewhat between late 1959 and spring 1960 in response to events. An inspirational and hardworking new chairman of the European Atomic Energy Commission, Etienne Hirsch, and in addition a Frenchman and a friend of Jean Monnet, made a new attempt to find a solution. He headed a committee which came up with a plan for a model European university to be at the centre of a web taking in all Europe's university and research institutions. The committee went public in April 1960 with much ceremony in Florence.[18] Their aim, they said, was to strengthen 'the common heritage of European cultures and civilisations, of high-level institutions which the Community needs, and of universities extending their brilliance and influence beyond national frontiers. In adding to the existing structures, the original and essential characteristic of the European University would be its role in reinforcing Europe's cultural and scientific potential'.

Hirsch had got officials representing all the Six signed up to such a plan. Even the French had taken an active part, persuaded by their director of higher education that Europe was an opportunity to improve their national research institutes. If there were to be mobility of professors and students between the research insti-

[18] Hirsch 1988, 163, Muller Armack 1972, 178.

tutes of Europe, national institutions could become more dynamic, opened up to new ideas. Hence a proposal that a 'European label' should be awarded to institutions on the basis of their scientific standing and taking account of their commitment to exchange deals for students and professors. This commitment would be backed by EC funding. Furthermore all universities should encourage their students to be more European by undertaking part of their studies elsewhere.[19]

But what we now regard as a commonplace, failed to sway the 1960s decision-makers to fill in the crucial elements. They would not decide what sort of legal base the EAEC or EEC could provide, or what Community resources might be available. One reason was that, by 1960, de Gaulle had become an implacable opponent of a supranational university as symbolising the Community's unquenchably expansionist ambitions. He refused to back the strategy that French officials had developed on the Hirsch committee.[20]

As other governments grew nervous about activities with a tenuous Treaty base, the European University project unravelled. On 22 October 1960, at the joint meeting of the Councils of Ministers of the EEC and the EAEC, the French suggested a counter-ploy which, in effect, called for suspending Community involvement in the European University. They suggested the question of the University should be tackled in the framework of the cultural cooperation agency – should it be set up.[21] That is how, in February 1961 – one of the key dates in this history – the French came up

[19] Palayret 1996, 57-59.
[20] Officially this was the *Interim Committee on the European University: Report to the Councils of the EEC and EAEC*, Florence, 1960 ECHA: CECA (ie EAEC).
[21] Palayret 1996, 109.

with a counter proposal for education, to be included in a strategy of strengthened intergovernmental cooperation that would also include foreign affairs and defence.[22] There were no dissenters. A personal battle between de Gaulle and Hirsch gave the story a further twist.[23] When the French discovered that Hirsch was advising the intergovernmental sub-committee designed to put many of his committee's proposals into effect, de Gaulle used the Bonn Summit dinner to 'punish' Hirsch. He got backing from the German chancellor, Konrad Adenauer, to push the other leaders to agree that the European University should be the exclusive responsibility of the still enthusiastic Italians.[24] It was to take the Italians ten years to devise a project which could command assent – as we shall see in the next section.

If we think of the events just described as a policy cycle, albeit incomplete, we can uncover the political battles that dogged the proposal to develop a supranational university. We can see how the 1960 supranational higher education plan for Europe was developed as an alternative. We can see also why the proposal failed. Member states could not agree on the rules which would have legitimised Community intervention.

But we can also see something which has been hidden from history but which is highly relevant today. Leading figures in the European Community, from its earliest days, saw a role for universities – or a special Community university. We may think the significance of these years is that they could not reach a consensus on what the Community might be doing it for, let alone

[22] This was the Fouchet Plan after the chairman, the French diplomat, Christian Fouchet, Dinan 1999, 43.
[23] Hirsch 1988.
[24] Palayret 1996, 118-19.

how to do it. Was there pressure on Community institutions to educate and train European elites in a supranational university? Was there need to develop European research and manpower capacity in the nuclear sciences? Or more generally to the benefit of Western Europe's economies? Was there interest, as the later events suggested, to give a new dynamic to national institutions through researcher and student mobility? Without a viable policy option to consider, Community leaders turned their attention to other matters. But maybe the lesson to retain from this period is that ideas which are current today have roots which go back decades.

1971: The first Resolution of EC Ministers of Education

On November 16, 1971, the Ministers of Education of the then six member states met for the first time on EC premises, with EC staff support and the Commissioner's help. The meeting was under intergovernmental rule, however. Its aim was to strengthen cooperation, and, as a first step, produce the resolution that, as mentioned earlier, has traditionally been seen as the starting point of the EU interest in education.[25] At this meeting ministers agreed they would co-operate on education within the EC since they were already cooperating on training. Taking the view that European integration was a cultural project, they committed themselves to a broad and cultural view of education. Such an understanding of educational cooperation foreshadowed developments in the late 1980s. In line with universities that were regretting the division of Europe by the Cold War,[26] the ministers wanted cooperation to take place in the wider Europe.

[25] This the first item in the collected education policy statements issued by the Council of Ministers in 1987. See also the official history Commission 2006.

[26] *CRE 40th Anniversary Review*, CRE-Action 115.

But to get to that point, ministers had to resolve two problems. Though the fact is not mentioned in the standard version of the history of EU educational policy, the 1971 agreement on cooperation was the outcome of not just one policy choice but of two.[27] The immediate cause of the resolution passed on November 16, 1971 was a deal between the French and Italian ministers of education. The French wanted support for a new initiative on cooperation, the Italians wanted to settle the old problem of the European University.

During the 1960s, different bodies had worked to keep the idea of a supranational university alive. Initially a sub-committee of the intergovernmental Fouchet committee, chaired by a jurist who had worked closely with Hirsch,[28] put forward the Interim Committee report. The mayor of Florence was closely involved too. Hirsch, in the midst of the crisis over competence, had secured a commitment from the member states that any future European University would be sited in Florence.[29] The city council had set aside a property for the future institution. The EC was also involved through the European Parliament. Its committee for research and development chaired by a German MP[30] kept the issue on its agenda. These objective alliances did not lead to positive policy advances however.

[27] See Council of Ministers' collection of policy documents, Commission history and much of the literature (Neave, Field, Shaw).
[28] Pierre Pescatore, later a long-serving judge in the European Court of Justice.
[29] Hirsch 1988, row with de Gaulle 168-72.
[30] Key actors were Hugo Geiger, who had been rapporteur for the European University issue, and was chairman of the Parliamentary Assembly Committee for Research and Development, and Enrico Medi, an Italian member of the Assembly who had earlier chaired an EEC/EAEC Council's working party on the European University.

By the end of the 1960s, several events had changed the political climate. The French government, shaken by the university revolts of 1968, was in need of effective ideas for reform. The Council of Europe – traditionally interested in education – was not proving much help: the French Minister of Education of the time complained that despite its heavy programme of research and development 'no precise or concrete notion has been engendered'.[31] Furthermore, General de Gaulle had left the scene. New leadership in Germany as well as in France had fuelled general interest in a re-launch and expansion of the Community: this offered an opportunity for new initiatives in higher education – and education more generally.

In this more dynamic atmosphere, the European Parliament passed a resolution urging the implementation of the Bonn declaration on educational cooperation and calling for a meeting of the Ministers of education of the EC. They should meet in a Council of Ministers of National Education which, like other EC Councils of Ministers, would work closely with the Commission. Another resolution urged the preparation of draft conventions on exchanges between Community area universities.[32] This created a dynamic which inspired a number of university teachers and professors to create or expand university associations supportive of European integration.[33]

Olivier Guichard, the new French Minister of education, seized the opportunity of the Bonn reference to urge a meeting of EC Ministers of education to back a European Centre for Research and Development, main-

[31] Guichard in *Le Monde,* 9 July 1971, translated and quoted in Jarvis 1972, appendix 3.
[32] EC Bulletin 12-69 records the resolutions.
[33] Hirsch archives ECHA EH-26.

ly for the exchange of information. Being intergovernmental, it was to be managed from within the Council of Ministers. The Italians realised they might benefit too, and a few months later called two intergovernmental conferences to try and resolve the issue of the European University. They had put various proposals forward including an institute for the third world. The one that got support – from all but the French – was extremely modest compared with the original idea. It would be a postgraduate institute in the humanities though not able to award its own doctorates.[34]

However, this concession was enough to get a deal. The Italians had the procedural advantage of holding the presidency. But Guichard, the French Minister, had been expecting to rally all ministers to his cause, maintaining that every system in the late 1960s was 'in the grip of an intellectual and institutional crisis'[35] He withheld his support until he was sure the Italians would back his proposal. The ploy worked. On November 16, 1971, the Italian Minister, Riccardo Misasi, chaired a first meeting of national ministers of education at which it was agreed that a convention would be drawn up with the idea of a European University Institute to open in 1976. He then chaired a second meeting of national ministers wearing their hats as ministers in EC states.[36] The ministers agreed the historic first resolution of the EU on education policy, which also institutionalised meetings of EC ministers of education.[37]

[34] Palayret 1996 on the Italian proposals The doctorate question was finally resolved in the 1990s.
[35] Guichard, *Le Monde* in Jarvis 1972.
[36] Palayret 1996.
[37] Jarvis 1972, who reproduces the 1971 documents, is among the rare sources to make the connection.

Overall we can see the years 1969-1971 as two interlocking and interdependent policy cycles. Both involved reframing old issues. The European University Institute, as it was proposed in 1971, was modest in comparison with the original aims. But the political climate of 1969-1971 offered a rare opportunity to find a viable policy solution that closed a contentious file, and to carry a decision alongside a new policy for which ministers of education had real enthusiasm. Indeed, the issue of a European dimension to higher education policy had been reframed, unburdened by the issue of the European University, or of a European grouping of all universities and institutes. Cooperation was an issue on which all felt 'Europe' in some form could help. With many systems in crisis around the events of 1968, cooperation to help solve national problems was an idea that found easy acceptance among the ministers of education. In part, the acceptance can be linked to the fact that the idea was being discussed by more appropriate actors than the foreign ministers and officials who, until then, had dominated the European University discussions. But the venue they had used for nearly a decade also had its attractions. Working through the intergovernmental Council of Europe precluded the battles over supranational processes that had hung over the European University. Furthermore the Council provided an easy meeting ground for other members of the policy community. European rectors had also made it the base for meetings of their Conference. But the pressure for change also came from actors' dissatisfaction with the venue. In 1969, in a context of renewed optimism on European integration, ministers of education were also persuaded of the argument that a motor was needed to drive educational cooperation. A possibly abiding lesson was

that pure intergovernmentalism was not sufficient to progress a policy.

1987: The Erasmus decision

On June 15 1987, the twelve ministers of education of the EC agreed for the first time to use exclusively EC law and EC funding for an education project.

This was the famous Erasmus programme for student mobility. The programme envisaged broader and more intensive cooperation between universities of the member states, and more academic mobility, hoping this action would produce 'greater interaction between citizens' as well as a pool of graduates for the European labour market who would have direct experience of intra-Community cooperation. The Commission also slid in a proposal for experimental credit transfer (the future ECTS). This decision was possible despite the fact that there had been no Treaty modification to change the agreement that education was a matter for intergovernmental cooperation only, an agreement going back, as we saw, to the Paris Summit of February 1961, later reinforced by the Bonn Summit of June 1961, and the ministers' resolutions of 1971 and 1974.

The legal solution was a masterpiece of ambiguity. The deal that carried the day with ministers was that they should use two Articles of the Treaty of Rome setting up the EEC instead of the normal reliance on a single legal base, in particular Article 128 of the said Treaty – an article that was suppressed when the Maastricht Treaty was drawn up. This enabled the Council, acting on a proposal from the Commission and after consulting the Economic and Social Committee, to lay down general principles for implementing *a common vocational training policy*. Its interpretation had been somewhat expanded by a Council Decision of 1963

on implementing vocational training policy, which assumed training to include some elements of general education.[38] But its chief attraction for the Commission and the expansion-minded Mediterranean states was that by using its simple majority rather than qualified majority voting procedures, they could, for once, outnumber the usually blocking and generally unenthusiastic combination of Britain, France and Germany.

However, concern for legitimacy in relation to the Treaty, and fear that they would be outmanoeuvred on the budget for the programme, drove other states to insist that the proposal be put to the test of unanimity voting under the *reserve powers* of Article 235. This allowed the Commission to make a proposal on an issue not covered by the 1957 Treaty of Rome, if it could be judged necessary to the attainment of one of the objectives of the Community; and it allowed the Council to adopt it after consulting the European Parliament. Such a vote had to be unanimous.

The Commission was historically opposed to double jurisdiction. In its role as guardian of the Treaties, it sought to have the clearest possible legal base. It warned the Council it would challenge the Decision, as it eventually did. But what the Council presidency wanted was a solution, short-term if necessary, which allowed the programme to get off the ground. They succeeded.

This complex and unstable legal outcome had, I suggest, its origins in events back in the 1970s. Much had happened on education in the EC in the years since the EC Ministers of education passed their first resolution on education in 1971. A summit in Paris in Octo-

[38] That the 1963 decision was a significant step for jurisprudence although the decision remained a dead letter.

ber 1972 celebrated the coming accession to the Community of Britain, Ireland and Denmark[39] in January 1973. The euphoria surrounding this first enlargement had produced a summit communiqué proclaiming that the EEC was not simply a common market and implying there was a role for it in education and culture: 'In the European spirit special attention will be paid to non-material values'.[40]

A wily Commissioner, Altiero Spinelli, and a wily Secretary-General, Emile Noël, foreseeing the general direction the Community was going to take after the re-launch summit at The Hague in 1969, and indeed encouraging this trend, had contrived to get Commission approval to set up a rudimentary education bureaucracy. It was little more than a couple of offices, but it marked the development of some policy capacity. Spinelli had also got the Commission to appoint an eminent sociologist, Henri Janne, to get the views of intellectuals and education experts on possible education policy options for the Community.[41]

In 1973, when enlargement became effective, there was thus a consensus within the Commission to make education a portfolio of the Research and Science Commissioner, and to set up a directorate for education, training and youth. A young new recruit from Wales, Hywel Ceri Jones, became the desk officer with responsibility for defining the EC role on education. Jones arrived from an administrative job in the office of the vice chancellor in the new and innovative University of Sussex. He was an enthusiast for UK membership of the EEC. He himself saw the Community

[39] The Norwegian people refused the offer.
[40] Neave 1984, 7.
[41] Beukel 1993, Corbett 2006, 71-81.

not as a regulator but as a resource – a resource which could inspire innovation in national systems. But, once in Brussels, on being told to develop a policy paper to present to a second meeting of EC Ministers of education, the risk of failure was high. One trap his paper had to avoid was of running into the sand, like the Guichard initiative. The other was to avoid frightening those, including his Commissioner boss, Ralf Dahrendorf, who wanted minimal action from the Community, and opposed anything which looked like the harmonisation or convergence processes as advocated by Henri Janne.[42]

The conundrum, as to how education could be both a sovereign issue and a policy sector in which the EC could intervene, was brilliantly solved by Jones and his colleagues. Their double strategy – accepted by the Commission, and by the Council of Ministers (Education) – was to extend EC activity in education beyond ministers and officials, by involving a large number of practitioners; and to devise a dual policy-making committee (the Education Committee) which, as a body of the Council, formally reflected the intergovernmental status of education, yet had the Commission as a full member. The Commission stressed in public utterances that the aim was common action, not the conventional Community common policy, which operated for Treaty issues and was underpinned by binding and non-binding legislation. However, in order to make cooperation dynamic, the Commission wished to be well placed both to feed in expertise and ideas, and to find ways of getting Community funding. That needed a mixed EC/intergovernmental process. The Ministers of education, though making some amendments, accepted the

[42] Corbett 2005, 76-97.

innovative principle of dual membership of Council and Commission. This decision had important policy-making consequences.

In June 1974, the Ministers of education signed up to the Commission proposals for a programme of cooperation, stressing that 'on no account must education be regarded merely as a component of economic life'.[43] In February 1976, they endorsed an Action Programme of pilot projects and studies for which the Commission had obtained funding.[44] Among the elements of the programme was a project to strengthen cross-border links between universities – the famous Joint Study Programmes which provided the policy experience for the future Erasmus programme. But the policy-making novelty laid in its packaging of 'soft' or intergovernmental issues such as improving mutual understanding of each other's education system, with 'social' issues such as the education of migrant workers' children, a matter that had a Treaty base, and hence access to Community funding. Legally the Action Programme was a mixed process resolution of the Council and of the Ministers of education 'meeting within the Council' – as the intergovernmental formulation had it.

However, within 18 months of the resolution, a conflict erupted involving the Danish government and the Commission. The Danes believed that the Commission was going beyond its Treaty competence, mainly in its action in education but also in other areas. This had three consequences. The education ministers refused to meet for two years, and then refused to meet in the 'mixed process' until the Erasmus Decision was taken nine years later. The Commission's education

[43] Neave 1984, 7.
[44] Council of Ministers 1988, 21.

directorate and the other policy directorates involved were ordered by the Commission presidency to restrict their action to what the Treaty unambiguously made possible. Jones, faced with this unpromising situation, manoeuvred to get his directorate switched from its base in the Research Directorate General to the more accommodating Social Affairs DG, where – as he put it – Ministers were used to taking decisions.[45] His strategy became one of equating education *and* training to bring education closer to Community opportunities, and to align education initiatives with Community priorities. It was the opposite of what the Ministers had wished for in their resolution of 1974.

In such a situation we can understand the difficulties of getting the Erasmus Decision agreed in 1987 after a contentious year both within the Council, and between the Council and the Commission.[46] It is no surprise that there were further political tensions involving heads of government, the Parliament and the European Court of Justice between 1987 and 1989. Each institution was involved in its different way in trying to define the limits of Community powers in education, without destroying the Erasmus initiative.[47]

[45] Corbett 2005, 106-10 for an account based on internal documents.

[46] See Corbett, Chapter 8, for the full account.

[47] The Commission challenged the Council on the legality of the Decision, and the European Court of Justice delivered a 'judgement of Solomon' which made the Council technically right to consider Article 128 alone an inadequate base, but allowed the Commission and the Council legal services to work together (such is Brussels!) to achieve the Commission's political ends of having a revised Erasmus Decision in 1989 under Article 128 alone. A shared concern of member states in the intergovernmental conferences preceding Maastricht was to end these ambiguities and define the EU role clearly.

It took the opportunity provided by negotiations for a new Treaty to reach agreement on a definition of the place the EU could occupy on education. As we have seen, the Treaty of Maastricht, in 1991, enabled the Union to make a contribution to the development of quality education by encouraging cooperation between member states, and with EU institutions, while recognising national control of the content of teaching, the organisation of education systems and the underpinning of cultural and linguistic diversity.[48] The equilibrium established by the Treaty, and, for various internal reasons, the weak position of the relevant sections of the Commission, meant little innovation on education and training issues in the 1990s.[49]

So seen as a sequence of events, the Erasmus Decision is significant for emerging from deep roots in the past, and precipitating, by its contentious passage, a Treaty settlement on the limits of EU competence in education and training. That signals how much of the EU policy process in its mature pre-decision phase is concerned with how to win under the rules, rather than the substantive decision. In the case of Erasmus, this notably involved 'tweaking' the rationale for the programme to be compatible with the maximum number of ideas favoured by Community policy. Hence the university arguments in favour of broadening students' experience, importing a new dynamic into teaching, and encouraging European integration were complemented by examples making the case that the Erasmus programme would benefit the scheduled

[48] Articles 3 and 26 of the Treaty of Maastricht: under the consolidated treaty of European Union, Article 26 is now Article 49.
[49] An exception should be made for the first Socrates programme (1995-1999), providing an umbrella for Erasmus, and for school and vocational training programmes (Comenius and Leonardo).

single market and raise the skills of the workforce by accustoming students to work in a broad European context. The 1989 legislation, revising the Erasmus Decision, had as its base the politically ambiguous but legally respectable argument that universities were vocational training institutions.[50]

However, other aspects of the policy-making behind the Erasmus Decision are less ambiguous and possibly more relevant today. The 'alternative specification' period in 1973-76, leading up to the Action programme in education, illustrated how in fact the Commission could think in terms of being a resource rather than a regulator. Faced with the challenge of inventing Community action in an area of national sovereignty, it responded creatively. It was not the only one. Others with a creative role in the events covered here include the European Cultural Foundation, in supporting development work in the early years. There were almost all the time, political members of the Education Committee and national officials developing jointly ideas on how to turn the 'wish list' item into viable political action. One example from this period gives the flavour of Community problem-solving. How could student and academic mobility be developed given that every country had different admission systems for its universities? That problem was the spark for the 1970s Joint Study programmes. The creative idea was that those programmes could work if based on trust. Trust

[50] Those favouring the 'training institution interpretation' – notably the Commission – had to overcome the problem that universities are also obviously research institutions. The procedural device that allowed the Erasmus Decision to be framed in terms of universities as training institutions was that Community support for research was covered elsewhere in the Single European Act (Lenearts 1989).

between academics was the commodity which enabled study periods on an exchange basis to be set up initially for students outside the national rules on admissions, funding and recognition. Trust provided the basis for experiment. And, in addition, the Community was able to finance the action on a scale, which if it was insufficient, was much more generous than anything else in existence.[51] Joint Exchange Programmes were the template on which so much else was to develop until the Erasmus Decision gave the process a whole new boost and made a cross-border higher education experience a reality for hundreds of thousands of students.[52]

Having uncovered some of the battles around ideas and resources and rules in 'key moments' between 1955 and 1987, let us turn to the wider question. Are general conclusions to be drawn that could have relevance for the Bologna Process and the parallel EU policy drive?

What do we learn about EU higher education policy-making?

Taken together, the events which led to the three 'key moment' decisions of 1961, 1971 and 1987, show that even if European higher education policy has moved over past decades from the margins to the centre of EU concerns,[53] it has not been an ordered story of 'progress' in policy-making: resources have been minimal, political commitment weak. Ministers did

[51] Cerych, 1980.
[52] The Commission claimed a million students had participated by 2002. At present, it suggests a target of 3 million students by 2010 – though in fact organised student mobility of the Erasmus type appears to be decreasing.
[53] Shaw, 1999.

not want to take a Community policy forward in 1961. They did in 1971 but the option was cost-free. In the case of Erasmus in 1986-1987, in support of a proven policy, they were reluctant until pushed by heads of state. In the sequence of events described here, there have been interlinked battles, or at least debates, about the issues which participants would like to see on the agenda, the policy venue in which such issues are discussed and the conception of a policy domain in which a space for EU action has been severely limited.

	1961	1971	1987
Agenda	No consensus on issues as a problem to be resolved	Issue reframed and problematised	Underlying policy issues stable. Consensus on contingent policy issue
Alternative specification	No agreement on legislative or financial resources	Consensus on policy goal	Policy capacity issues agreed
Choice	Withdrawal from Community competence	Favouring more, and EU, policy capacity	In favour of EU legislative framework

These policy-making processes can be compared and contrasted with those in national systems. The EU shares many of the attributes of a modern political system.[54] But there are aspects of the European experience which merit particular attention. The first is that the issue which has gained decision-makers' attention – and been placed on governments' agenda – has

[54] Hix, 1999.

emerged from a constant competition of ideas which takes in the policy community of university, government and NGOs.

Furthermore, except in the case of the European University proposal in the 1950s, promoted in the teeth of opposition from the university community, the Commission has constantly looked to the policy community to give it support and to contribute ideas. In each case those down at desk level associated university participants. Even back in 1960, when the Euratom President Hirsch was trying to reformulate the European University plan, he wanted university representation on the key committee, though at the time it was not forthcoming.

A third aspect is that since EU decision-making on higher education is essentially intergovernmental, with no recourse to law and suffering from the limited institutional leadership of the changing Council presidencies, policy leadership may well devolve to those who manipulate best the mechanisms of persuasion and policy management. It is notable – in the higher education events analysed here – that there have always been tenacious individuals determined to advance issues on a government agenda toward decision. These policy entrepreneurs[55] may be ministers where a member state has a well-defined policy line. But they are very often officials, with longer professional lives than ministers. They are not necessarily in the Commission, although that is a likely base. They will though be policy 'insiders' with networks linking other entrepreneurial individuals in the policy community. Characteristically their emergence has often more to do with their personal characteristics and the respect they inspire in others than their

[55] Kingdon, 1984.

institutional position. They are, in an entrepreneurship jargon, 'certified' to exercise such leadership.[56]

Ideas

There have been, it seems to me, just two broad groups of ideas that have linked universities with the European integration project in and around the EU and its predecessor communities. One broad grouping consists of the ideas on what Europe can do for the universities, including in national systems. The other consists of what the universities could or can do for Europe, with sometimes an important sub-division depending on whether the sources are politicians or the universities themselves. That said, in the political process, many of the most powerful advocates have moved between the different rationales. In the past, as we have seen, both elements have been present.

Alfred Muller-Armack, professor of economics and adviser to the German Finance Minister, Ludwig Erhard, and the man credited with the idea for the European University, spoke in 1955 for a pioneer generation of Germans in the Community, in looking to Europe to solve national problems. Europe, he suggested, might provide a remedy for the fact that

> *German universities were too conservative, too separated from the big political issues of the day. Disciplines were too specialised, too linked to national culture*.[57]

A French official, Gaston Berger, was to use something of the same terminology about French research institutes a year or two later in advocating a European

[56] McAdam, Tilly and Tarrow 2001; Barzelay and Gallego 2006.
[57] Muller-Armack 1972, 173.

network of research institutes – to give the French establishments a new dynamic.[58]

However, at the time, when international cooperation in higher education was largely a matter of Cold War propaganda, there were few outlets to do what the Dutch official Dr Reinink was advocating:

> *To pick the brains of their partners for specific educational aims of their own.*[59]

Once there were institutional opportunities for common discussion, in the Council of Europe and in the EC, a crisis could be followed by ministers advocating to their European colleagues the use of Europe to solve national problems. It was the case with the university upheavals of 1968. The Gaullist Minister, Olivier Guichard, took the lead in 1969 in indicating why member states should

> *use Community's institutional resources and common knowledge for member states' [benefit].*

But while making the case for offering a collective dynamic to stimulate national universities to new heights, many of the advocates were arguing that Europe should also be driven by its knowledge communities to be at the technological forefront and beat the most advanced economies in existence. Before the 1955 meeting at Messina, Muller-Armack records that

> *We talked of our favourite idea… The European Community should be completed by a Community of the Intelligence. We were convinced that German universities*

[58] Cited by Corbett 2005, 41-45.
[59] Haigh 1970, 54.

> *would be the immediate beneficiaries of a European community with a strong cultural dimension… A European University would provide a base for European research that would help overcome the gap with the US and would act as a model for innovation*.[60]

Walter Hallstein was convinced the Community needed to set up a framework which would help the young and the universities and the economy. He wrote in his book of reflections, *The Unfinished Federal State*, that

> *the Community would need a Common Market of the Intelligence to exploit the electronics-based industries of the future and to close the technology gap with the US. A free market liberating the movement of workers, as well as that of students and academics would make a reality of the Community's decision to strive for competition rather than protectionism… Would not such a market – more than anything else – accord with the concept and the tradition of a university, the most magnificent institution created by the European mind?*[61]

The case for the European University as an institution that would create a Europe-minded elite was not limited to the 'founding fathers'.[62] By the mid-1980s, a time we think of economic arguments for EU higher education as dominant, the political argument was being heard in key policy making venues. In 1985, Michel Richonnier, a Frenchman and Commission official, was persuading the Commissioner Peter Sutherland of the case for drafting the Erasmus Decision. He was in post for prophetic

[60] Cited by Corbett 2005.
[61] Hallstein 1972, 199.
[62] Hirsch 1988: Hirsch was astonished that the creator of the atomic bomb, Robert Oppenheimer, thought that even a university created under the Euratom Treaty should focus on educating for leadership rather than on the nuclear sciences.

words he had previously been directing at his own government, as an official in the French Plan. He warned:

> *There will not be a second generation of Europeans – as opposed to the heroic first generation [of the founders of the Community] – if the youth of today does not acquire a sense of Europe, the reality and usefulness of the Community construction.*[63]

Alan Smith, director of the technical agency which managed the Joint Study programmes for ten years and analyst of EC progress in education with his colleague and former boss, Ladislav Cerych, made the integrationist case explicit in an early draft for the Erasmus programme, saying that it

> *would meet the need for people to be able to communicate, cooperate and comprehend each other, for future decision-makers to regard joint ventures as natural, and a positive line of action rather than a potential source of danger… Mobility was an effective means of combating emotive campaigns aimed at promoting narrow national interests to the detriment of the Community as a whole.*[64]

Jacques Delors, President of the Commission and an enthusiast for the Erasmus programme, emphasising the equal opportunity which the EC support of education might bring, said:

> *Our policies on education and training must help everyone to a better understanding of the way the world is going and enable everyone to make best use of his talents and resources in the service of society.*[65]

[63] Interview with author. Cited by Corbett 2005, 121.
[64] Hallstein 1972, 199.
[65] *EC Bulletin*, Supplement 1/85.

Those making the case for a Community of the Intelligence, an object of suspicion for university rectors in the late 1950s and much of the 1960s, included eminent academics who argued that it was in the nature of universities to contribute to the economy and society at large as well as to reinforce their intellectual role. The words of the Magna Charta preamble are familiar here whose authors, in 1988, were:

> *looking forward to far reaching cooperation between all European nations and believing that peoples and states should become more than ever aware of the part universities will be called on to play in a changing and increasingly international society.*

However, in 1970 already, a conference of Europe-minded academics in Grenoble had made similar recommendations for inter-institutional cooperation between the universities in Europe. Their rapporteur, André Lichnérowitz of the Collège de France (and a key figure in the modern maths movement) expressed their view that:

> *If an EC of universities could be constructed of universities that were both compatible and diverse, each institution would better fulfil its role. Universities would be committed to cooperation in a new and intense way to meet their varied obligations. But they would also be anchored in their regions, where they have a public role, the boundaries of knowledge being global and their students not limited to nationals. Initiatives needed to come from the universities with students among the artisans of reform.*[66]

In the build up to the Erasmus Decision, Roger Dillemans, one of the moving figures behind the Magna

[66] Alan Smith's private papers made available to the author.

Charta, spoke for the rectors of the universities of the time pointing to the need for active EU support for mobility:

> *University education contains much more than just training for the practice of a profession… After 30 years of Europe's existence the public thinks the study of other people's language culture, religion, scientific achievements is relevant to everyone of us and a necessary part of university education, of common interest to the peoples of Europe*.

This points to a remarkable continuity of the key ideas in competition.

Policy entrepreneurs and other resources

Ideas need resources of all sorts to advance. What does the account above tell us about possible linkages between resources, policy capacity and possible outcomes?

Most obviously the account here suggests that the most crucial resources reside in the institutional rules, formal and informal. It is they that justify the use of legislative and financial resources. It is they that socialise participants.

Legislative and financial resource implications came to the forefront as soon as the proposal for a supranational university in the form of the European University was made. As we have seen, the lack of a solid legislative base or the manner of its funding was the institutional cause of the early failure of the European University. To its opponents it was not legitimate to create a supranational university, let alone under a Treaty to share nuclear energy. The Hirsch variant of trying to set up a supranational network, incorporating 'European label' research institutes and universities in general, failed for

the same reasons, although potentially the EEC Treaty would have been used in justification.

The experience of the Council of Europe as a policy venue in the 1960s illustrated a different limitation of institutional resource. In depending exclusively on inter-governmental approaches, it did not have serious policy capacity. The purpose of ministerial engagement was to exchange views, not to develop action. For ministers it was a lesson that if their ideas were worth pursuing, they needed supplementary policy capacity. In that instance, the ministers of the EU changed venues, to come under a Community umbrella, in the knowledge that Commission capacity to produce ideas, and possibly funding, could be valuable.

The breakthrough in showing how the Community could be used as a resource, and not simply a regulator, came with the 1976 Action programme. This was maliciously described by the Council official, Jones, as not being policy-making on the model of ministers meeting for lunch and going back to their capitals afterwards. The Commission's astute packaging of Community and non-Community issues for action, and its recourse to a mixed process, was a creative move which gave access to funding and hence could be used to involve all the relevant actors in policy development.

The Erasmus programme decision did achieve the apparently unthinkable in process terms of being able to use the Treaty to back an educational programme. But as we have seen, it did so with the help of the jurisprudence which treated university education as training. Though the jurisprudence gave those governments suspicious of Commission intentions the opportunity to revive Gaullist fears and point to the Community's 'creeping competence', it did also drive them to demonstrate their political will for the programme, and to support a place for education within the Treaty. Fur-

thermore the policy development that had preceded the decision was so solid that the legal 'fix' did not cause any problems at ground level. Alan Smith, director of the Erasmus technical agency recalled that *'we just let Hywel [Jones] get on with it'*.[67]

These developments in the 1970s and 1980s also show how important individuals within the institutions are in advancing policy ideas through to decisions. If we think of what happens within the policy process, we can interpret the agenda setting as a period of constructing or re-constructing a policy problem which needs executive attention and the building up of momentum in favour of a preferred issue. We can think of policy formulation – or the term I have used here, alternative specification – as a period of making sense of policy choices and designing policy initiatives, and building up consensus and commitment to lines of action and/or specific proposals. We can think of decision making as a period of choosing between policy alternatives within institutional and political settings in conditions of more or less ambiguity and risk, and above all as a period of bargaining and reconciling possibly conflicting parties to the choice.[68]

If we think in this way, an immediate question is who brings these diverse actions together? Who links what others have called the problem stream, the policy stream and the political stream?[69] The default answer is a policy entrepreneur. The policy entrepreneur is a person who makes a difference to the process, a tenacious and politically skilled individual who is determined to manipulate the dominant understanding of an issue in

[67] Interview with author, 23 March 1998.
[68] Barzelay 2003.
[69] Kingdon 1984.

his or her preferred way, or who wants a specific policy alternative to be chosen. That person is willing to give untold time and effort to achieving the desired result. Observers in a different context – that of the negotiating the treaty of Maastricht – identified them as 'flesh and blood people whose motives are complex and preferences by no means fixed; whose likes, aversions, ambitions and manners *(sic)* play an important part in the dynamics of the process'[70].

But these individuals are not totally loose cannons. Policy entrepreneurs do not operate in a vacuum. They need a window of opportunity. This may be a favourable political context. It may be some factor in the institutional rules. It may be an unexpected event that focuses attention on what an entrepreneur might want to deliver.

In the events discussed above we saw Walter Hallstein taking advantage of the opportunity offered by the 1955 Messina meeting to propose the European University; and Olivier Guichard, the French minister, using the political dynamic of the 1969 Hague conference, to make the proposal which made educational cooperation a matter which could be discussed in a Community setting. We saw Jones benefiting from the institutional rules which gave him some distance from political masters and hierarchical superiors, and thus the opportunity for some almost 'blue skies' thinking about the substantive proposal, and the mechanisms to deliver the Action programme of 1976. We saw Richonnier acting as advocate on education to the Commissioner in 1985, determined to get the Commissioner's attention directed towards a minor part of his activities. We saw Jones at the same time deliver-

[70] Dyson and Featherstone 1999.

ing a thoroughly worked-out policy idea before the Commissioner, Sutherland, had himself conceptualised the problem. We also saw some effective teamwork between the three, as the officials developed the proposal and Sutherland sold it to the Commission.

The literature tells us such activities are typical. And indeed, as I pursued my own research, I found that in all the policy events I investigated, there were these committed individuals, linked to the Commission but not necessarily within it, some coming from national governments, others from the associations. Although these individuals are motivated by their personal beliefs, some would say their self-interest, it is in my view a fact to be celebrated that they are a flourishing species and, in providing a dynamic, that they fulfil an essential function. In the instance we are considering here, they were instrumental in providing the higher education policy linkage between universities and the EU.

Looking forward to the Bologna Process and the Lisbon Agenda

The Bologna Process and the EU's education and research activities associated with the Lisbon Strategy are of a scale and complexity that go well beyond the scope of the Erasmus programme. But policy processes and the mechanisms associated with policy dynamics are generic.

I have already made the case

> (i) that outcomes must be explained by multiple factors, not simply by one type of argument, like the spread of capitalism or communism, the globalisation and commercialisation of higher education, or the supposed creeping competences of the Commission;
> (ii) that historical factors and day to day processes are part of the explanation.

> (iii) so is the force of ideas;
> (iv) that there is no automatic progression to a golden dawn. Policy events are driven by issues that need a solution, that is by problems set in a particular context, and, in order to interlock, they need committed individuals to drive an agenda forward, and to give policy leadership – people I have called policy entrepreneurs.[71]

While it is outside the scope of this paper to discuss in any detail the current context and how far political trends observable in the 1990s have been reinforced, I would like to conclude with the thought of how some of the developments of the Bologna Process and the Commission DG for Education and Culture can be grouped in terms of the way they fill the policy process streams I referred to earlier: the problem stream, the policy stream and the politics stream.

Taking the *problem stream*, the prime issues identified by the Bologna and Lisbon initiatives for government attention are different. The Bologna Process arises out of the desire, driven by national ministers responsible for higher education and supported at the collective European level by the European Universities Association and ESIB (the European Students' unions) to raise the quality of universities and make European universities more attractive world wide. The Lisbon Agenda arises from the consensus among the heads of government of European member states that it is urgent to extend the scope and quality of Europe's knowledge economy. In both processes, however, we see some of that duality of thinking about what

[71] I trust that scholars and commentators already at work on the origins of the Bologna process analysing the contributions in this regard of such as Claude Allègre and Luigi Berlinguer at ministerial level, and from the university association world, Andris Barblan, Guy Haug or Barbara Weitgruber.

Europe can do for universities and what universities can do for Europe.

In what we might see as a *policy stream*, there is both rapid acceptance and unresolved issues. Bologna has got off to a rapid start in encouraging governments to undertake the reforms that will result in a universal three cycle structure, with national flexibility as to how that will be interpreted. The forthcoming ministerial summit in London in May 2007 will tell us more about how the 45 signatory countries are progressing on national frameworks for quality assurance and for qualifications, and whether and how these overlap with the parallel activities promoted within EU higher education policy. The common work of the Commission on education and training in 2010 and that of the Bologna Follow Up Group on a European Qualifications Framework and on Quality Assurance may potentially reflect the Commission's role as a norm-setter where other policy leadership is weak[72], a kind of balancing act conducted between autonomy and dependence.[73]

The Lisbon related agenda, which covers the EU's research responsibilities, as well as its 'value-added' capacity in higher education, has spurred the Commission to produce a series of communications about the need for change. Its policy solutions include recommendations which may find favour with some governments but do not appeal to universities collectively. These include the need for private funding and the need to concentrate excellence.

The *politics stream* flows fast, quite unlike anything that has gone before in the domain of European higher

[72] Soysal 1993.
[73] Lequesne 2000.

education policy. Overall, there is unprecedented rhetorical support for the idea that universities are central to the future of European social and economic stability, a 'solution' to a 'problem'.

Under the Bologna Process specifically, there is political commitment to university core values and to the way universities have interpreted them, for instance in the Magna Charta. Notable are the Magna Charta emphasis on universities as institutions interlinking teaching and research, and its endorsement of universities as a public responsibility. It is evident that present efforts to shape academic culture are understood to take into account the size and diversity of national university institutions and their actual relationship with national government.

Furthermore ministers have agreed that the ways of problem-solving under Bologna should underpin national legitimacy through participative policy making, processes that are both evolutionary and open, involving widespread processes of consultation[74] with such policy actors as the CRE/EUA and ESIB. While this has always been important, the recent enlargement of the EU, and Bologna's openness to almost all the governments of a greater Europe, make respect for diversity imperative. The worldwide image of Bologna as an innovative and trend-setting operation in terms of trans-national intellectual cooperation will tend to reinforce the dynamic within Europe itself.

On the other hand the Bologna process is weak in policy capacity, lacking even a permanent secretariat.

[74] Commentators since the 1990s have noted the open agenda setting of EU processes (Peters 1994) and the power of 'lobbies' (Mazey and Richardson).

This increases the political pressure to operate a rapprochement with the Lisbon strategy – as the Commission and the EUA have it.[75] Here we can only wait and see how ministers will respond in London.

The Lisbon political stream has become increasingly fragmented with time. While we can expect the political climate to favour the measures which appear most in harmony with globalisation, competition is a concept more favoured than cooperation. This leads to anxiety in much of the university world about marketisation.[76]

My own conclusion is that much will depend on *how* the policy processes are used as well as on the energy universities put in to substantiate their claim to be responsible institutions in both agenda setting and implementation. The climate and the institutional rules are, I repeat, favourable for initiatives consistent with university aspirations to claim 'responsible' status. When so many of their stakeholders, political and economic, see universities as a trump card for Europe's future, there is indeed an opportunity for stating, or re-stating, the necessary conditions for their most effective contribution to social change, on the way to the projected Europe of Knowledge. An actor, if not a researcher, might quote the Nike slogan: *Just do it!*

[75] Cf Reinalda and Kulezsa 2005.

[76] Ulrike Felt, on a previous Magna Charta occasion, described the characteristics in the context of the partial retreat of the State as the main supporter of the university 'science' system, of an increase in the entrepreneurial character of research and higher education institutions, the growing flexibility of personnel structures, the diversification of financial resources, the adaptation of curricula to labour market requirements and above all the call for new forms of quality assessment.

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European Views on the Political Future of Universities

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There can be no higher education, no research and no teaching without academic freedom and institutional autonomy. Today we cannot even have democracy without these two prerequisites. In the knowledge economy, development would be seriously undermined without them. On many occasions we have seen that when freedom and autonomy have come under attack – in various forms, brutal or more subtle – even economic prosperity has ground to a halt, leading to social and economic stagnation.

It does not seem to be out of place to underline these principles also in the twenty-first century. Because centres of power – whether political, economic or bureaucratic – always have an agenda of their own, and attempt to expand even when constitutional provisions and democracy have drawn certain boundaries. There is a tendency for authoritarianism to emerge, and this has been the case even in recent decades, with tragic consequences. Freedom of thought is a nuisance, an irritant for centres of power, that place no value on dissent.

For this reason the Magna Charta did well to underline those principles in 1988, and the Observatory performs a useful task in periodically reminding us that academic freedom and institutional autonomy are the *sine qua non* of a full response to society's fundamental needs to survive and prosper, adapt and renew. It is a positive development in this connection that the Parliamentary Assembly of the Council of Europe approved a draft recommendation[1] on the topic. In this field we can take nothing for granted, nor consider achievements to be permanent and consolidated once and for all.

The Council of Europe recommendation restated a number of principles that are part of the great heritage of liberal thinking. The continuing search for truth is – at times inconvenient – the driving force of intellectual and social change, with unexpected desires to move forward, to keep the future open, and leave room for the unpredictable.

Actually if we look at modern times academic freedom – or liberty of thinking – comes before the construction of university institutional autonomy. This distinction is particularly significant in continental Europe, where extremely centralised countries have reached wide recognition of university institutional autonomy in recent times only. It is also due to an influent bureaucracy in these countries, even if in these same countries the concept of freedom of thought had been accepted. Today, however, we will look at the two aspects together, from a single point of view.

We are not just dealing with an important principle. We have to ask ourselves why, and above all how, it

[1] See above, p. 27.

can be justified and explained. And we find that what has become a right – academic freedom and institutional autonomy – has in fact always been a need for the University, a basic requirement for it to function. Without it, the University cannot carry out research or teaching, or produce results. The creative process is blocked, its *raison d'être* is undermined, its productive imagination paralysed. The truth cannot be arrived at because research and teaching are the search for truth, research into what happens in the world and why. When researchers have to be accountable to an external authority, they cannot arrive at the truth, which cannot be predicted and even less predetermined. We discover that which we do not know, and this cannot be preordained by others.

Freedom and autonomy are therefore a fundamental element, and not a luxury, for higher education. They are its oxygen. They are a condition for its existence, a justification for its function, which the legal order has laid down as a right and a fundamental principle. As a result, in human history this fundamental need, that has become a right, reveals its ethical dimension. The principle of freedom and autonomy is transformed – from a functional, almost instrumental, factor – into an absolute principle, a value. It is transformed and enriched, in a moral dimension, becoming one of the fundamental elements of social existence. It has now become an essential feature of democratic society and as such it is to be understood, in its entirety.

I do not agree with those who consider it to be only an instrument for change, since it is a universal value. It is however important to bear in mind that since it is a necessity, a fundamental element, Universities could not exist without it, and any attempt to curtail it would not just be an attack on freedom, but would also deprive the Universities of their significance, and

destroy their creative capacity. As a result, the contribution that the Universities make is great, safeguarding one of the essential elements of society: freedom.

It therefore becomes clear that there is a close connection between the ethical and the functional dimension, between equity and efficiency, that both need to be safeguarded in policies supporting and developing higher education.

In recent times another aspect has emerged, that is a new development compared to the past, that substantially supports all that we have said so far. In the knowledge society the functional dimension of freedom and autonomy comes to the fore, without diminishing the ethical dimension, because in society today it becomes the basis of social organisation, and takes on an increasing importance. This is the new development. Society is now founded on knowledge, that increasingly becomes its driving force. It is the continual discoveries, the constant innovation, the increasing role of culture, education and training, and the increasingly specialised nature of the professions that lead to the expansion and development of the knowledge society. Therefore knowledge is the foundation of society, it becomes an essential component of a structural kind. Since knowledge is produced to a considerable extent in the universities, for whom freedom and autonomy are like oxygen, freedom and autonomy become not just an ethical value, but also structural factors in the Universities and in society as a whole.

Not only in moral terms, then, but also in structural and functional terms, society works better and prospers thanks to freedom and autonomy in the universities. This is not just a declaration of principle, but also a logical and empirical statement, that is both factual and theoretical. It is the great innovation of today. This is another reason for the topical importance of the

Magna Charta, and the validity of the document of the Council of Europe, that need to be read and interpreted in the light of the structural changes that are under way. In a moment we shall consider the consequences arising from these changes. But first of all, mention should be made of another development. In contemporary societies – that are more complex, articulated and flexible, more mobile and subject to change than in the past –, a system of autonomies has emerged, that is institutional, social, cultural, professional, self-promoting and self-regulating, enjoying legal protection and widely supported by the leading actors, who are not prepared to give up their prerogatives.

The active presence of various autonomous bodies enhances democracy in society and the level of citizens' participation, thus reducing the risk of authoritarian tendencies. Clearly in a social and institutional environment of this kind, various forms of autonomy are reinforced, including the traditional forms, such as university autonomy. It is evident that university autonomy is more widespread in countries where autonomy in general is valued. It is evident that autonomy is changing, as a result of extraordinary developments that have taken place in contemporary society, due to various factors including the rise of the knowledge society: the discussion in the Council of Europe that resulted in document 10943 correctly restates a dynamic concept of university autonomy, that is at present in a state of flux, and for this reason can facilitate a direct contribution by the universities to social change.

The goal is 'rejustify freedom and autonomy under contemporary conditions' (Recommendation, 7). Let me refer briefly to the most well known and significant factors of change: a change on the demand side especially in quantitative terms; higher education for the masses and a changing social composition; the

expansion of research activities with an enormous rise in costs; the need for internationalisation and increased mobility for students and academics. These changes have been under way for some time, but are particularly rapid and marked in the knowledge society, precisely because the increase in the demand for knowledge means that Universities now have to perform substantially different tasks, at least in terms of social substance.

In these conditions there is a change in the kind of pressure that is exerted on universities, with the constant risk that freedom and autonomy will suffer as a result. There are various risks: it is possible that there will be a degeneration of relations with centres of political power, even though it is the least likely, especially in the more brutal and violent forms. However there is a rise in bureaucratic power, particularly strong in certain countries, in which ministerial authorities adopt numerous forms of procedures limiting the powers of autonomous choice of the universities.

There is no need to go into detail but it is well known that the power to exert influence in this area is particularly significant, and this can have devastating effects on teaching and research.

Another factor is the vast increase in costs, which means that research and even teaching institutions need vast amounts of funding, with the risk of a permanent state of dependency. Freedom from need is an essential aspect of the overall framework. To be financially dependent on others means to be free only in formal terms, to be free to be inactive, or to be tempted to accept funding for work that is of little or no scientific merit. I am not referring here to a brutal state of dependency, but rather to the existence of requests, various kinds of pressure. and siren voices that can lead scientific organisations to set up research programmes

that are largely subordinate to the demands of the business world and of those providing funding, responding to immediate interests, egotistic, lacking in scientific content, and designed to respond to short-term needs. Exactly the opposite of what document 10943 describes as the 'long-term view' or 'mission'. We can all think of numerous examples of university institutes that have been reduced to service centres for business, leading to a progressive sterilisation of research and a tendency to abandon their proper research function. In this way the relation between higher education and business, that is of course necessary and that may be stimulating and creative for research and teaching, is reduced to a form of limitation of freedom and autonomy. Many examples can be found.

Let me mention just one, cited by Meira Soares[2], who asks whether it is right to prevent the timely publication of research results if they are found to be in conflict with the interests of the company funding the research, and not to publish results that could be of benefit to competitors of the enterprise. This is an aspect of autonomy that should not be underestimated: the political solution is to be found in the need for a significant share of funding to be provided by the public sector. Higher education must be considered to be a public good and a public function (even though at times it may be managed by the private sector). Clear procedures must be laid down governing relations with those providing funding, particularly funding from the private sector. All this must be properly regulated (Recommendation 7), both in constitutional terms and in terms of loans and regulations, but also by means of other measures to be considered in a moment.

[2] See above, p. 54.

We are faced with a crucial question, which raises the issue of autonomy, both in general terms, in principle, but also in practical terms. The university cannot live in an ivory tower (Recommendation 4.4). It must be open to exchanges with the rest of society, it must take part in a dialogue on social needs and respond to the demands of society, both strategic and specific. The problem is not whether exchanges should take place, but how. And this is particularly relevant in Europe, where applied research has long been neglected, in comparison for example with the United States and Japan. This is the reason why the European Union has urged us to rethink the European tradition of higher education, requiring closer and more continuous relations between universities and business. In the spirit of the Lisbon Strategy for Employment we can consider this matter also with a critical analysis of the defects of European Universities. The objective of development becomes a priority, and universities need to make a major contribution to overcoming their shortcomings in this respect.

The Explanatory Memorandum for Document 10943 expresses concerns about the position of the European Union (Section 54 and the sections that follow). I only partially share these critical observations on the inspiration of the European Union, though I appreciate the balance that has been struck in the proposals in the Recommendation of the Council of Europe. It is true that higher education cannot be considered only as an instrument for development: universities also need to be pro-active partners, and there is no reason to doubt their capacity. It is also true that the primary task of the universities must be to search for truth, whereas the European Union seems to give less importance to this objective.

For this reason, with Bologna and Strasbourg, I see the need to underline the centrality of autonomy

and freedom. However, the European Union and the European economy have an enormous need for applied science, that has always been lacking in our continent. There is a need to mobilise more resources for research and development in the private sector, to involve private enterprise on a large scale in the 'great effort to construct the knowledge society'. It would be risky for Europe to underestimate these aspects. Europe cannot afford to do so, also because both the universities and European enterprises would not move in that direction.

The situation is very different from that of the United States. I will come back to this in a moment, but I wish to make one further point in this connection. There is also a need to overcome one of the shortcomings of the European system, relating to the high degree of fragmentation, that is to say resistance to the integration and construction of a unitary (but not monolithic) system of European research and higher education. This means that universities cannot isolate themselves from society and the economy, but rather need to cultivate relations between higher education and business, on the basis of proper regulations, to safeguard the primary aims of scientific and teaching institutions in the search for truth and the defence of freedom and autonomy.

For this reason, a basic matter needs to be resolved. Knowledge is a right, a resource, a joy for those who construct and possess it. It is an absolute value. In present-day conditions (the knowledge society, in which the need for culture becomes more and more widespread) we need to take account of social demands, the role of the beneficiaries, the stakeholders in other words. We need to bear in mind that knowledge and higher education do not belong only to educators. The demand from society today is a significant factor with wide-ranging implications, calling for the constant

expansion of knowledge and skills. This may lead indirectly to a conflict between the programmes, the planning and the choices of the producers of knowledge on the one hand, and the right and need for knowledge on the part of the beneficiaries on the other.

What emerges is a need for the social transmission of knowledge, and to respond to the right and the duty to knowledge, the definition of those responsible for this transmission. It becomes clear how the original liberal idea of freedom and autonomy of research and teaching, which is an exclusive right of the academic, comes under critical scrutiny on the part of the society of the masses and the knowledge society. In other words, it is possible to speak of an undermining of the concept of the ownership of knowledge on the part of the university, on the part of the producer of knowledge, and of an elitist conception that gives rise to the risk of corporatism, with an exclusive claim to teaching and research, responding primarily to egotistical interests.

A key role in undermining this conception is played by the social and structural relevance of knowledge, a determining factor for prosperity and development. This monopoly is today the prime cause of marginalisation and social discrimination. Those in possession of knowledge are – or have the potential to become – a significant centre of power. However, they depend on social prosperity, due to the changing conditions already mentioned (the rise in costs, higher education for the masses, and so on). The universities are beginning to produce wealth, but they are also dependent on it, to some extent, because they can function only if they receive a significant allocation of resources, to which they are entitled if they are to be free and efficient, but they need to be accountable, at least in terms of the utilisation of the benefits associated with knowledge.

Certainly in this connection there is a risk of political or economic control to the detriment of freedom and autonomy. We spoke about this when we considered freedom from need. This risk is to be avoided at all costs, safeguarding the economic conditions for university autonomy. The production of knowledge, however, due to the fact that it consumes social wealth, but above all because it performs a social function, gives rise to the need for measures that alongside autonomy provide for accountability, as underlined by the Recommendation of the Council of Europe. We need to strike a balance between these two values that may come into conflict, making provision for transparency, quality assessment and accountability, that we shall discuss in more detail in a moment.

Moreover, in this connection the need for management and efficiency becomes evident, and governance becomes decisive. We need to take the interdependence between higher education and society as our starting point. Society and the centres of political power have a strong need for universities today, and it is necessary for them to promote and support knowledge as a primary social asset. For their part, universities need social wealth in increasing quantities. This interdependence can work in favour of a balance that safeguards university autonomy and academic freedoms, while at the same time curtailing elitist and corporatist tendencies.

In this overall framework, who is to be the interpreter of social demand and therefore of the general interest? If a role of this kind were to be played only by the university in an autonomous manner without a sense of responsibility, it would be impossible to counterbalance corporatist privilege. On the other hand, control on the part of centres of political and economic power would seriously diminish academic freedom and autonomy. Who then is to interpret the social demand

for knowledge? How is this delicate matter to be dealt with? The Council of Europe mentions social dialogue and a contract (10 and 11) between society and higher education many times, underlining the need for mutual trust. This may be a solution, but I believe we should make plain that the interpretation of social demand should not be left to one of the two main parties. In a complex society such as ours, it should be entrusted to a balance between the various institutions and mechanisms, such as elected political authorities, autonomous social bodies, and academics themselves (the source of knowledge). Clearly, overall policy is the task of the State, but knowledge workers need to make their own contribution in order to define scientific and teaching needs and objectives, on the basis of their own competences. For this reason there is need to strike a balance that cannot be achieved by a joint body with equal representation, nor by a single authority, but by means of various procedures that are regulated by various bodies, with separate tasks, and different authorities, from forward planning to management, from the allocation of funding to the monitoring of performance. Democracy is a system of checks and balances, not of overlapping functions, but of clearly defined procedures, in an institutional process that is also capable of ensuring efficiency. A significant role is to be played in this process by the students themselves, who represent a significant sector of social demand, a social patrimony, an investment. They represent interests that are different from teacher's ones, not disciplinary interests but general interest. Another aspect concerns the radical changes in the governance of our universities, in which a balance is required between the right to freedom and autonomy and the requirements of efficiency and development of the university and its activities in their entirety.

In this framework we have to consider Europe as a whole. The development of globalisation and of the knowledge society render Europe's need for universities all the more acute. Europe is a natural window on the world, a formidable resource for the transmission of knowledge. Europe clearly supports our attempts to develop international perspectives and programmes, but at the same time can help us to defend our identity and traditions, to prevent them being weakened or air-brushed out of the global picture. Moreover, in the wider context, it becomes more difficult for centres of political power to remove academic autonomy, which is still a risk in certain member states of the Council of Europe.

Europe is therefore an extraordinary opportunity but also a significant problem. The states that are part of Europe have a formidable history that is rich and consolidated, and has produced a strong, well established identity for the various communities. They have great national literary traditions, that have consolidated their national languages, that are no longer local dialects but languages circulating at a global level, and it would be difficult, wrong or impossible to think that we can supplant them. They constitute a great cultural resource, the expression of our identity, out customs, our national heritages. But at the same time they also constitute a barrier, with a permanent risk of the Tower of Babel. In Europe we do not understand each other, unlike in the United States, Japan, India or China. It is unthinkable that any nation should give up its national language: it would be a form of mutilation. But the problem exists and we need to move forward from the Tower of Babel.

Each of the States with a great political and institutional history has set up a highly developed democratic system, with its own characteristics, that has been

tried and tested over time, and which nobody wishes to give up: each of these systems represents part of the wealth of our European heritage. This has led to strong national institutions, without a central European structure. The US, China, India and Japan have strong central and unifying institutions on a large scale, increasing their capability to compete internationally. In contrast, Europe does not: each country has its own national structure, that is in many cases reluctant to give up a part of its powers in favour of a central European structure, capable of achieving economies of scale and rationalisation. This leads to the creation of barriers. But this is Europe, and this is our starting point.

Moreover, in recent times, the process of integration, the vitality of Union institutions has not been particularly encouraging. This is not the time or the place for examining the causes of this phenomenon. But I believe that we have to decide one way or the other. Do we wish to go forward or grind to a halt in the process of European integration? I am sure that Member States and the national higher education systems cannot do everything by themselves, as they cannot afford it, and are not able – relying only on their internal forces – to respond to the challenges of a modern world, the emerging Asian countries, the US, and the demand for culture in a knowledge society. Too many obstacles prevent our traditional academic systems from innovating and developing in an effective and adequate way. We need Europe, its framework, its breadth, as a window on a globalised world, as an engine in a modernizing society. We need Europe, a different and harmonised Europe, however. Thus, learners will be equipped – in a way that is without equal in human history – to understand the world around them from a multitude of points of view. They will be prepared for an innovative and creative professional life. They will be able to see

problems and solutions on a European and world scale – not because they live in a homogeneous 'globalised' world, but because the experience of European diversity will give them an appreciation of human differences and practices in cooperative interaction.

Let us not forget, these 'students', these 'learners' will be the European citizens of tomorrow. They are our children and grandchildren. They are ourselves. They are the real resource of Europe, in which we must invest today – not only financially, but also using to the hilt our resources of culture, knowledge, foresight, information and imagination.

I am not referring only to higher education, but to the whole of European society, to which the universities can and must make an effective contribution, because it will increasingly be a knowledge society. For this reason, for the 800th anniversary of La Sorbonne, for the first time in the recent history of our continent, four European Ministers – I had the honour to be one of them – made a joint Declaration in Paris calling for the 'harmonisation of the structures of the European higher education institutions' and for all the other European ministers to join in this effort. And so they did!

Only a year later ministers from 29 countries joined the invitation in Bologna, signing the better known Bologna Declaration. Let me recall the background to these developments: the Erasmus programme, that gave many students full recognition for studies abroad; and the ECTS: two important steps towards European cooperation in higher education, to be highlighted later in the Sorbonne Declaration. We believed that the European Commission's drive towards harmonisation was too timid and slow, in relation to the needs of a Europe of knowledge. That is the reason why we pro-

moted that initiative. Later we were able to see higher education cooperation programmes gradually move from individual academics to the central institutions. Also some governments began to show an interest in a European higher education area at a practical level.

Why should we consider these developments today? Because I believe that higher education can be a key factor in the process of change, if it places itself in this perspective and has the ambition to move forward. This means continuing resolutely on the path of European integration in higher education, contributing, directly and indirectly, to the process of European integration as a whole. Even more than other social actors, it has the potential to interpret the European identity. This means creating – over and above our national identities – a European identity properly speaking, in our economic structures, our cultural traditions, and our political foundations. It means defending the freedom that we have fought for, our Constitutions, the rule of law, and political safeguards as well as social solidarity, as part of the well-being that we have created, even in terms of security (if it is properly managed).

In the European identity of William of Orange, of Voltaire and Beccaria, we find no trace of the *burqa*, nor of Guantanamo. And our great heritage – albeit with a variety of traditions – includes a shared and indispensable identity, that has been consolidated and extended in the course of history and at the end of a very long journey, on the part of the European institutions of the Community, from the single currency to the Schengen agreement, a process that we now consider to be irreversible. Particularly now that we begin to promote the idea that even in the Middle East there is a chance for peace. Most Europeans are not prepared to give up the achievements of freedom and prosperity

that are part of the European heritage and identity, but which might not be consolidated forever. Rather, it may be said that they should be consolidated and extended not in a purely defensive manner, solely with a view to conserving existing conditions in a perspective of autarchy, if we intend to grow and develop, and this is now possible if we wish to play an active and influential role in the world, if we achieve an international position as a leading player. Only a united Europe can achieve this outcome. The individual states are not capable of doing so. In Europe this is the conviction only of an elite, including many intellectuals. Many of them are to be found in the universities. They do not form a great mass, and perhaps not even a sufficiently influential lobby; but they are capable of making their views known, and above all of providing a clear lead, that can become a driving force.

Universities need to set an example of how European integration can be developed and strengthened in a key sector, demonstrating, in practical terms, that a more advanced stage of harmonisation and European integration can function more effectively, offering concrete advantages, as well as promoting an important ideal.

Naturally the example of a sector such as higher education that is more integrated and more Europeanised is not just a way to contribute to Europe. The university is an élite, of course, but a decisive élite in the knowledge society. It can only benefit from further integration, since integration favours the development and expansion of knowledge, and is its natural international vocation. Academics at national level can more readily be integrated into a wider supranational community of knowledge, due to their shared mission and aims, with a widening of the area of freedom but also of their role in the production of knowledge.

In effect the production of knowledge leads to research in all possible areas where it can be carried out, therefore favouring wider perspectives in which the exchange of ideas is more stimulating and productive. National borders tend to be something of a constraint. It is therefore the case that higher education is potentially a factor for supranational integration, and it can therefore play a key role in European integration.

I mentioned before that the rights of freedom and autonomy are also a key factor for development. Europe is their true home, and they represent a shared heritage that is indispensable. However, it would be mistaken to believe that all this can take place automatically, that the presence of freedom and autonomy in itself will lead to European development. They are only the preconditions, the fundamental preconditions, but in themselves they are no guarantee of success. Development in this direction must be promoted and supported not only by the universities but also by those with political and institutional power, urged into action by those engaged in university teaching and research. They must adopt measures and allocate the resources necessary for this purpose. The process must therefore be encouraged by providing incentives, and regulated in political and economic terms, particularly with reference to the Lisbon agenda.

Let us take one example. One of the weaknesses of European research compared to the United States is the fragmentation of scientific institutes, and the lack of large-scale infrastructure. CERN and EMBO, two leading institutes, are exceptions, that serve as an example of what can and must be done, while showing just how few such institutes there are. There is also a lack of centralised European institutions, a lack of policy coordination and insufficient bilateral and

multilateral cooperation providing coordinated action to attract academics and students from countries outside Europe, from developed and developing countries alike: in other words, there is a need to move beyond a piecemeal approach, that gives rise to a wasteful duplication of functions, and to allocate resources for major scientific ventures.

In order to achieve the Lisbon objectives we need to believe in them: both Universities and the politicians need to believe in them, and to understand above all that they are dependent on progress in European integration. For their part at national level, and by 2010, the member states need to achieve the objectives laid down by the European Council, if these objectives are to have any meaning; it needs to be underlined, however, that they are also the objectives of the EU as a whole, and achieving them depends on European integration. They represent an ideal of strategic importance, and should be seen as an opportunity for Europe to acquire the weight that it should have in the world, in order not to be marginalised by international competition. But they are also a practical objective for improving the material conditions of every European citizen, including university lecturers and students: one more reason why political leaders, governments and the EU should invest in research and learning, the foundation of the knowledge society.

European citizens need to see some advantage in the EU. It is not scandalous to think that without the presence of material incentives and advantages, there can be no real movement of opinion and behaviour. This applies to citizens in general and to university students in particular. There is need to show that acquiring a European university education and being a European citizen offer more advantages than just belonging to one state. It must be clear that in Europe we do not

lose our national roots, our environment, our traditions, but we have the benefit of an extra dimension which is the product of a wider community, with greater safeguards for our rights, social cohesion, and benefits in our professional and intellectual lives. We should not feel that we are outsiders, but rather that we are moving towards a future in a global context that is far more open to Europe as a whole than to individual states.

Naturally, to act coherently and effectively, we need to 'Europeanise' the world of higher education. We need to provide strong support for the Bologna process, the construction of a European Higher Education Area, and a European Research Area.

The objectives to be reached by 2010 include: making degrees, qualifications and skills easily comparable and transferable; giving the best chances of attaining the highest level of educational achievement; putting in place effective lifelong learning; achieving a higher level of employability and a common area for workers; removing obstacles to mobility; enhancing the attractiveness of Europe to the rest of the world; and enabling Europe to become one of the most competitive and dynamic knowledge-based economies in the world, though these are not the only goals of the Bologna process. Successful implementation of the process can provide the right conditions for their achievement: it is a prerequisite of the Lisbon Agenda.

In order to facilitate the Bologna process, a range of measures can be proposed, to promote mobility by means of legal recognition of qualifications and administrative support; to obtain European cooperation on quality assurance, and therefore to achieve a European dimension for higher education. The key words and issues include recognition, quality assurance and accreditation systems, the overarching framework

of qualifications, the diploma supplement, Bologna promoters, Dublin descriptors, tuning projects, thematic network projects, and national academic contact persons.

We can move forward from the Tower of Babel if we proceed resolutely in supporting higher education in the process of European integration. To this end we need a decisive intervention on the part of national governments and the EU institutions, to promote mutual knowledge of higher education systems and mutual trust in their quality.

We have to promote bilateral and multilateral cooperation between universities and with the private sector for joint projects, and to invest in large-scale facilities to endow Europe with the resources needed to engage in research at the highest levels. We also have to disseminate best practices as a driving force for harmonising the various systems: in short, to adopt a pro-European policy. At the same time Europe cannot become a fortress, self-referential, self-sufficient and self-centred, because it would deny its very nature, and academics and intellectuals would never accept such a policy. Rather, Europe has a vocation and a particular awareness for the needs of developing countries. It has a spirit of solidarity in its DNA, and for this reason can play a leading international role, particularly in the field of knowledge, based on an awareness of the fact that a monopoly on knowledge produces new forms of social exclusion.

We should not forget that knowledge and scientific and technological development can also serve to emancipate people from the 'malediction of labour' and from chronic underdevelopment as the cause of inhuman living and working conditions. We should not consider this to be an ideological but rather an idealistic approach. It is above all an outcome of the knowl-

edge society that, thanks to higher levels of income and technological innovation, can enable us to move forward from outdated systems of production and the inhuman living conditions of the past: i.e. freedom. By its very nature this approach is compatible with solidarity. It was the Council of Europe, among others, that urged universities to become 'sites of citizenship', and 'sites where education for democratic citizenship is part of their mission': a decidedly pro-European policy, and profoundly democratic.

This is where the issue of freedom and autonomy resurfaces, that in a European framework certainly finds more space and justification in each member state. At the same time a process of integration of a 'Eurocratic' kind, with power transferred to Brussels and the Eurocrats, would give rise to the risk of diminishing freedom and autonomy, that I mentioned in connection with bureaucracy.

The remedy consists of maintaining the level of safeguards in political terms while widening and strengthening the representative base of EU institutions. This means striking a new balance – and promoting mutual trust – between centres of political power and universities, while promoting responsible behaviour by means of transparency and accountability in the governance of our academic institutions.

I've heard the bitter, pessimistic, but realistic words of Fabio Roversi-Monaco[3]. My words do not want to be a feeble light in the dark, but only an energetic hope that we have the means to and must come out of the tremendous problems of the present time.

[3] See Foreword p. 7.

Some Reactions and Comments from the Participants

1. Dr. Garret FitzGerald
Former Irish Prime Minister, Dublin

Our panel is to consider the politics of higher education from the public authorities' point of view but, despite my past political career, I will be speaking from an academic perspective since I have been an academic most of my life – always strongly oriented towards universities and towards protecting their autonomy.

Indeed, Irish universities, like British ones, are autonomous public bodies: they have never been State-owned or controlled but, in Ireland at least, they are still financed by public funds as to about 80% of their budget.

From the mid 1960's onwards, Irish governments have understood the key role education can play in economic growth. They financed the expansion of private as well as public sector educations and have raised the secondary education completion rate from 21% to 87% and the entry rate to higher education from 7% to 60%. Well over half of these students are being catered

for by seven public universities, four of them being federated in the National University of Ireland – of which I am the Chancellor. My role, presiding over the Senate, is to ensure the maintenance of academic standards and their comparability within our four universities, where the drop-out rate is very low. About one third of our age-cohorts are now being graduated from seven universities.

The autonomy of universities from government is guaranteed by the 1997 University Law. This was passed because the government of the day had no majority in the Senate and was thus forced to endorse the autonomy principle. Following an earlier government decision of 1995 to abolish university fees, 80% of current funding now comes from the State and is being allocated to institutions by a buffer organisation, the Higher Education Commission.

Universities, however, can come under pressure from the government and public service to assist in promoting social and economic policies. Even if some of these social pressures are legitimate, this can have a negative impact on the universities in several ways. For instance, the government may shift spending *within* the educational sector from one area to another: we suffered for the last five years from such a shift – actually involving a reduction in *real* resources taken from universities and transferred to primary education. There were good reasons for a change of emphasis in educational spending, but its scale and suddenness damaged the university system, which suddenly found its funding in real terms actually reduced. A government may also legitimately shift the provision of resources in favour of the less well off in society e.g. resources for means-tested maintenance grants; soft loans for our students; specific grants to assist the access by the least well off in society who may need help to make a transition into

higher education. Universities are expected to facilitate this process and our universities have been very positive about their social responsibility in this respect.

The problem really arises with the government's economic agenda that affects the European policies designed to promote the mobility of students and teachers – such as the Bologna Process – although all these can be seen as generally positive elements of induced change. There are aspects of these discussions, however, that point to the fact that there could be possible losses from some forms of harmonisation in the European Higher Education Area, should the benefits of diversity in our European university system be weakened – especially since the system operates against contrasting backgrounds of civil and common law – a problem which we in Ireland have had within the EU in other areas as well.

But political pressures mainly arise when governments seek economic growth, perhaps in conjunction with the business community; they may do so by influencing the balance of resources going towards particular university activities, offering extra resources for particular faculties or courses, such as business studies or science. Or they can provide extra resources for research as against teaching. Pressure can also be exerted by withholding resources, thus forcing universities to seek finance elsewhere, from the business community for example. And all this can have a distorting effect on the balance of university studies or, in certain circumstances, could really impinge on the independence of university research.

These are problems we should be concerned with and the Magna Charta Observatory could play a crucial role in this respect – that is why I am glad to have the opportunity to be associated with this organisation.

Funding difficulties are truly acute: they arise from the understandable economic concerns of governments

and call for political action. But public authorities tend to think in the short rather than in the long-term. Governments are appointed for three to five years and want to be re-elected. That is why politicians and public servants often adopt a simplistic approach that may be designed to achieve an urgent purpose but may be rather ineffective in doing so: as a result, these approaches are sometimes misjudged.

At other times, government priorities gradually evolve as problems change. An incremental transformation can also affect universities when public authorities tailor their influence to evolving concerns. Currently, there is strong emphasis in my country – and in others – on financing research, and governments sometimes believe that they know best where research should be concentrated. It is important, however, when governments finance research, that they do not eliminate or reduce the research provision arising from academics' own interests. It is good to have extra research funds coming from government and flowing into specific scientific areas but it is also very important that this does not prevent researchers from getting support that will allow them to do what they know they can do best – not only in natural sciences but also in other areas.

There also exists a danger of overemphasising research at the expense of teaching. I have the impression that governments are taking teaching for granted while putting all the pressure on research. As a result, they may divert so much resources away from teaching as to weaken the educational role of the university – which remains, of course, of fundamental importance. The balance of teaching and research and their reciprocal interaction, a question that was discussed here last year, is of crucial importance and any government action distorting it must be resisted – and the Observatory has an important role to play there too.

May I stress the danger that universities suffering from inadequate state funding be tempted, by financial over-dependence upon business, themselves to concentrate on areas such as business studies and technology to the detriment of many other fields that are also important for the institution. This underlines the dependence that research may suffer if it becomes too close to business, with academics ending up working for a particular industry – thus jeopardising their claim to independent research!

Finally, I would like to allude to a somewhat different problem that does not involve State policies distorting university studies, directly at least. A fundamental principle of the Observatory should be safeguarding and promoting the right of students to the development of their individual talents to their full capacity. This is sometimes overlooked in public policy because of short-term misguided efforts directed exclusively at economic growth. The right to personal development should push universities to challenge the pressures placed on students' choices, not only by the State but also, in Ireland at least, by parents who, sometimes, allow their concern about the future careers of their sons and daughters – or their hoped-for financial income – to press them into university studies that may not be suited to their particular interests.

At one stage in Ireland, we had three out of eight students taking up business studies, not only in universities but also in colleges of technology! Important as business studies are (and there will always be some students genuinely interested in the field), I do not believe that so large a proportion of students are more inspired by business education than by any other discipline! In other words, you can get distortions from parents as well as from the State.

2. Prof. Jaak Aaviksoo, Rector
Tartu University

Universities are functioning in a social-economic context characterised by growing social pressures, a phenomenon that increased over the last ten to fifteen years until today. As a result, the higher education sector as a whole faces across Europe major challenges for the coming future. This is made explicit by the new visibility of higher education in the European agenda – universities as actors of the knowledge society, as participants of the Bologna Process, as supporters of Lisbon objectives, and so on.

Despite these political priorities, universities are left with increasing financial difficulties, a serious problem whose solution is far from being clear considering the complexity of the social environment. Different stakeholders ask from universities a number of solutions – not only to academic problems, in training and research, but also to various social pitfalls, a new obligation for academia. Indeed, expectations have grown: universities are supposed to do more – but with less. Such a challenge is good for our institutions and good for higher education in general. But I am afraid that, in different national contexts, universities as institutions are unable to respond to those pressures. If universities are required to change, they are not willing or able to move in many cases. Such hesitations are a part of the problem – sometimes with good reasons when the institutions are constricted by different limitations, for instance by over-regulation.

Rules and principles of management, in many places, have not changed much since the first half of the twentieth century or even the late nineteenth century, when academic institution were tools of nation-building, often centred on national economic growth and cultural

interests. At the time, the university was supposed to care for a small age group only – some 5 to 15% –, people trained to become the political and social elite of the country; this represented a set of objectives much more narrow than today when mass higher education is the rule. Despite the explosion of student numbers in Western Europe over the last fifty years or, in Eastern Europe, over the last ten to fifteen years, organisational structures have remained much influenced by past requirements. Paradoxically, higher education has changed completely after World War II but the government of institutions has not followed. This means structural conflict in the world of higher education.

Indeed, university systems, national university systems that is, were neither designed nor fit to become open and competitive European communities, a part of the global democratic civil society. To meet today's challenges – that are political – universities must go through structural transformation. This means liberating from bureaucratic shackles the universities as institutions, to allow them to respond to external requests, to outside expectations. That is why the European University Association chose for slogan the motto: "Strong universities for a strong Europe". The request is for strong institutions empowered for action – both within the institution and outside, in the society at large. Initiative capacity – the main criterion of university 'status' – is one of the biggest differences contrasting the universities in Europe and in the US. In a 'diverse' Europe the Anglo-Saxon tradition is clearly different from the Mediterranean and French traditions; in a number of East European countries, universities refer to a modified German tradition that was later influenced by Soviet ideology. Despite, or because of this cultural variety, the focus in years to come should be the empowering of universities as institutions.

This would lead to a renewed sense of autonomy, a basic principle of the Magna Charta. Autonomy, in its original academic form, is the freedom to teach and research. And this freedom, well addressed in Professor Berlinguer's excellent presentation, is a key component of freedom at large. But fundamental human rights must translate into institutional terms. Concretely, for universities, this means more legal rights, i.e., institutions endowed with legal identity – which is still not yet the case in a number of national systems in Europe; economic rights are also required – for instance, the university should possess its own facilities where are carried research and teaching. Again, this is not allowed by several national legislations. Financial rights should also be enlarged: in a number of countries, the salaries of professors are still fixed by state legislature or the Ministry. Such a strengthening of the universities' capacity to regulate their development needs political will, that of the governments supporting higher education, that of the institutions itself.

As a result, indeed, and this is less often said, universities need political freedom, not in terms of party politics, but to devise strategies allowing them to develop independent educational and research policies, also within the institution, thus differentiating from other universities. Each institution is entitled to a profile of its own - made possible by self-regulation i.e., autonomy, in order to respond to outside expectations. This could mean a dual system of higher education, with vocational institutions, the so-called 'universities of applied sciences', developing next to the classical university. The liberty to organise by sector is not enough, however. Diversity must be more general and allow *each* institution to meet the requirements and constraints of its own environment. How to achieve

that? Through the unshackled development of universities as institutions, at their risks!

At the core of this freedom, and that is my last remark, there is the freedom from need that permeates our contemporary society. In terms of funding, this will be guaranteed through the diversification of income streams. The more a university depends on one concrete partner, be it the State, tuition fees or industry, the weaker is its sustainability. Indeed, the diversification of funding streams, including tuition fees, – and there students will perhaps disagree – is essential for safeguarding the political role of universities in the transformation of society.

3. Dr. Justin Fenech, President
ESIB, Brussels

Politics imply values around which society is supposed to develop. What are the values Europe is working with nowadays? They can be defined in two ways: first as an amount of goods, services or money considered to be a suitable equivalent for something else; value in that case means a fair price or return. Secondly, value may be a principle, a standard of quality considered worthwhile or desirable. Likewise, when one discusses the value of education, one is confronted with a similar contrast.

The value of education has long been discussed in Europe and around the world; Plato, in one of his many discourses, expounded that maintaining a good and sound system of education produces citizens of good and sound character. The reason is that education trains for values whose potential helps citizens and society to grow; such an ability to mature is still fostered by many academics, philosophers and politicians. Nowadays, however, the value of education is differently interpreted by experts in the field.

The question is: has there been a shift in the values of education from a social to a more economic importance? When, today, European politicians speak about education, they tend to refer to financial resources, economic progress and profit as well as to the concepts of workforce, employability, efficiency, ranking, commodity or students as customers – all notions used in the context of achieving the most competitive economy in the world. Sometimes, politicians are oblivious of the fact that the same talk about profit, resources and progress is of equal importance in another light – a light that has been shining on education from the beginning of time: societal growth. For Michel de Montaigne, the profit of studies is improvement and wisdom. For John F. Kennedy, progress as a nation cannot be swifter than education since the human mind is society's fundamental resource. So, what I am saying is: yes, a knowledge-based economy is not a bad thing; having a flexible employable workforce may be a significant aim for society. But this aim can also be achieved by taking in the *true* value of the education. Unfortunately, it is difficult to sell these values since they are not tangible contrary to financial values. Probably if you were to tell a politician that Aristotle said that study helps appreciate beauty, his or her reply would be that Aristotle did not try to get elected, or did he? To counteract utilitarianism, there is need for a quality education that fosters the intangible, that is the values of dialogue and mutual understanding, of open-mindedness and critical thinking, of honesty and respect, of democracy, the rule of law and active citizenship, of peace, freedom and the respect of human rights. These are the values that we should all foster outside of education also, be we students, academics, parliamentarians or politicians. Unfortunately these values tend to be lacking in many of the current affairs

in today's world. We should not simply strive to have a workforce but a society made of individuals able to contribute both socially and economically, i.e., a *creative society* rather than a simple knowledge economy. Surely it is hard to admit that, with all the money in the world, it is impossible to buy the values people need to live peacefully together.

If we agree that such values are important indeed – and thus should be fostered –, the next question is: how can we achieve this? Answers could differ when devising relevant policies, thus evoking conflict between their various proponents. In any case political reflection is needed from academics, politicians and students to envisage how universities can promote such values. In such reflections, we should not forget that policies are not to be taken for granted, ever; in other words we should always be willing to question any proposed strategy for action. We should also realise that we *all* have a role to play because, in an economy perspective, the demander is in charge; as people demanding for education, we should thus all agree on the kind of education we require. Likewise, if democracy is the use of vote power, such a vote is in the hands of the people, a tool people can use for the benefit of change. In a way, these are three conditions that set the political dialogue.

Thus questions must be asked about the so-called '*commodification*' of education. In Europe, the trend is now to consider education as commodity: my intention is certainly not to debate this issue here and now but rather to wonder whether anybody has studied the impact that the market orientation of education is having on the psyche of students and academics. So we live in a day and age when people – referred to as *consumers* of education – enjoy personal gains from the consumption of learning that are supposed to be

higher than the advantages such individual improvement may bear on society. How does such an understanding of educational benefits centred on the learner affect the students? If we bring up students to believe that, in order to be successful, efficiency consists in taking immediate advantage of their personal time and human capital – as opposed to striving to fulfil their true human potential and thus aid society in the process –, societal activities such as voluntary and community work or the study of arts, philosophy or history could easily be seen as ineffective uses of time and resources. Should then academic leaders bend the core academic values defended by the Magna Charta to ease the pressures exerted by governments when they ask for cost reductions and profit increase? Would more students graduate when providing the extra money needed in education systems until now financed on the basis of the number of graduates produced? Would student representation in institutional organisation be challenged by the implementation of business models in university governance? In other words, the aligning effects of 'commodification', ethical and real, should be clearly taken into account when defining policies for university development.

The next point is here *pro memoria*; it concerns *academic corruption*, a matter that needs to be tackled by politicians, students and academics, if malpractice is not to disfigure the higher education we want to strive for and for which the support of the public is being asked. ESIB and the Magna Charta Observatory are together working on this question.

My final point has already been mentioned by other speakers: it concerns *access* to higher education, obviously one of the hottest topics in terms of political decision-making all over the continent. In the organisation of society, the European Union claims that the

way forward for a competitive Europe *is* education – certainly a deliberate political choice. Therefore, to achieve a knowledge-based economy leading to a knowledge-based society, universities are key factors of success. Yet the Union does not seem ready to provide the finances implied by such strategies of action. Who then should pay for the development of a knowledge society? Who should invest and how in the knowledge economy? An answer often heard in this context is: have the direct beneficiaries of that new society pay for it – that is the students! This is a bit of a paradox because, if the best thing for Europe is knowledge, and if the politicians recognise this, why is it that they are pushing for such a burden in knowledge development to be carried by the students? Surely, students are not the only beneficiaries of the future society of knowledge… Linked to this question of the so-called beneficiaries of higher education, there is the thorny issue of the tuition fees. Some have argued that owing to the private advantages which graduates derive from higher education, due also to the under-representation of marginalised and poorer groups in universities, participation would be significantly increased in several countries by the reintroduction of tuition fees – at least for some students. There are serious ethical and philosophical questions pertaining to such a strategy, however. If we are to accept the claims of higher education to be a transformative force, an engagement between students and ideas, or among students and their teachers, how can a participation fee reflect the benefits of such interactions? Very few leaders or decision-makers in Europe would say that higher education is an optional or trivial pursuit. Therefore an ethical funding policy, applying to diverse individuals, should value the contact of their minds and not their bank account.

Today, we are mostly led to believe that full funding of higher education is impossible but, if we look at certain countries – *inside* Europe for that matter – there are systems of knowledge that do not only propose free tuition but also study grants. In my very small country, Malta – certainly not as rich as north European nations with similar aid strategies –, there is free education for all – and everybody is also entitled to financial support, the grants being higher for those students coming from underprivileged social or economical background. That results from a clear political decision taken by a government who considers the country main resource to be its people. Other countries in Europe certainly share such an analysis of their comparative advantages and could, in my view, decide on similar support policies.

As a conclusion, I would like to mention a few aspects of the communication the European Commission has released early September. Again, this is a political statement and it is carrying a political ideology. What is unfortunate in this message – that tries to address the quality of and access to higher education – is that the only proposal the Commission comes up with is the introduction of tuition fees. I suppose that we all have heard of other policies to support university finances but they are certainly not mentioned in that document! A couple of comments: the communiqué states that the 'traditional assumption has been that a free system of higher education entirely funded by the State is of itself equitable'. The Commission proceeds to claim that this is not so – and that thus tuition fees should be considered. As students, we can agree that there exists problems in publicly financed education in terms of equitable access but we doubt that private education fares better in that context. Though some universities are cost-free, the real problem is that quality assurance issues – that need to be addressed at

national level – have discouraged people to enter higher education, be it publicly or privately funded. This is a correlate of other barriers limiting university attractiveness such as family background, peer group culture or, even, the employment opportunities universities can open to their graduates. All this is part and parcel of the choices made by potential students, part and parcel of the access issue which the Commission would like to tackle through private financing mainly, all the more since they state that 'evidence seems to suggest that the market effects of tuition fees *may* improve the quality of teaching and of university management, and also reinforce student motivation'. So, Brussels is basing its assumptions on that '*may*' although this '*may*' also implies that such expected consequences are not for sure. In late September, I will be addressing the issue of free access to the students in Hungary who, at present, are protesting against the introduction of tuition fees in their universities.

To conclude, I see lots of problems, even clashes of ideas, when it comes to the economical side of education. If one looks at the Bologna Process, why is there agreement? Because agreement is being sought on principles discussed with politicians who want to take education forward, the Ministers of Education. When it comes to the Lisbon agenda, there are unfortunate clashes, however. Therefore, an important step would consist in inviting the financial Ministers to attend the Bologna meetings so that they can really see what their education colleagues would like them to invest in. Another fundamental clash of cultures exists and is reflected by the use of the term 'stakeholders'. This notion should be replaced by that of 'social partners' in education: the problem is not having a stake and defending it; it is rather for politicians, people from parliament and government, for academic representa-

tives, be it staff or students, and for economic leaders to come together and envisage as a group the ways to develop a knowledge economy that fosters a *creative* society. And this is certainly a set of political issues we can all address.

4. Prof. Dionyssis Kladis
University of the Peloponnese, Corinth

The key issue appearing in the Draft Recommendation of the Parliamentary Assembly of the Council of Europe was the idea of 'a new contract' between university and society. One of the questions arising throughout the Recommendation is whether the new contract may function as a constraint leading to restrictions regarding the fundamental values of academic freedom and institutional autonomy.

In my short intervention I will try to touch upon some related issues, which may be considered as requirements or terms for this 'new contract' and I will also try to give some answers to the questions raised.

My first point is that the new contract should be positioned in a well defined political context. For European higher education, this context is determined primarily by the Bologna Process and by the Lisbon Strategy. The Recommendation of the Parliamentary Assembly of the Council of Europe is also moving along the same lines, but I would say with satisfaction that it is moving closer to the Bologna Process than to the Lisbon Strategy. However, we should be in a position to distinguish between the various components of the political context and their distinctive features, so that we can have clear views in the debate with the society.

What I mean is that, since the new contract is actually a social contract, thus related to the social dimension of the political context, we should have a clear

view of the way in which the social dimension appears now (or has appeared historically) in the various components of the political context. For example, it is widely known that, seven years ago, here in Bologna in 1999, the social dimension of the emerging European Higher Education Area was not present at all in the Bologna Declaration. The Bologna Declaration dealt primarily with the competitiveness of the European Higher Education Area in the worldwide higher education landscape. The social dimension appeared for the first time two years later in Prague, but mainly in Berlin in 2003. The key statement in the Berlin Communiqué was that 'the need to increase competitiveness must be balanced with the objective of improving the social characteristics of the European Higher Education Area, aiming at strengthening social cohesion and reducing social and gender inequalities both at national and European level'.

It is also known that the famous statement of the Lisbon European Council in 2000, which stressed the necessity to make Europe 'the most competitive and the most dynamic knowledge-based economy in the world', has a second part, less often quoted, that Europe also needs 'sustainable economic growth with more and better jobs and greater social cohesion'.

It should be clear, therefore, that our political context is based on the balance between the two poles 'competitiveness' and 'social cohesion'. Since the debate between universities and society must be based on mutual trust, the partners in this debate should have clear views, they should come to the debate with clear intentions concerning the balance inside the above dipole, and they should be honest in communicating these views and intentions.

I will try to make my thoughts more explicit. As I mentioned earlier, the Lisbon statement has two parts,

with the second one (the one referring to social cohesion) less often quoted. However, the real problem is not the frequency of the quotes but the fact that the European Commission focuses strongly on the first part of the statement, i.e. the one related to competitiveness. At the level of higher education, this means that the European Commission focuses on excellence issues. This is something clearly seen in the basic Communications of European Commission related to the European universities since 2003 (the 2003 Communication on the role of the universities, the 2005 Communication on the full contribution of universities to the Lisbon Strategy and the 2006 communication on the modernisation agenda for universities). Moreover, there are European countries, for example Germany, the United Kingdom, the Netherlands, where the excellence issue prevails strongly on their national agendas.

These thoughts bring me to the question whether we, in Europe, have clear views regarding the balance inside the dipole 'competitiveness – social dimension' or, even more, what is the content of the term 'competitiveness' for each one of us. We have agreed that our competitors are in general the other strong higher education forces at global level (US, Asia, Australia etc.), but we have not clarified something very important: Do we consider competition at systemic level or do we consider competition in excellence terms? In other words, do we want the European Higher Education Area as such to become competitive to the corresponding Higher Education Area of the US or do we want the top-10 or the top-50 or the top-100 European universities to be competitive to the corresponding top-10, top-50 or top-100 US universities? These are two quite different approaches.

I will give a concrete example regarding the various aspects of competitiveness and how there does not

seem to be a clear policy at European level on the matter. Five years ago, in December 2001, the French Presidency of the European Union organised a Ministerial Conference in Paris with the participation of Ministers of Education (or their representatives) from the countries of the European Union, of Latin America and of the Caribbean, aiming at the creation of the European Union, Latin America and Caribbean Higher Education Space (known as the EULAC Initiative). The establishment of the EULAC Higher Education Space was indeed the outcome of this Conference and it was the response of Europe to the expressed wish of the Southern American countries to establish direct, close and concrete links with Europe instead of being dependent on the United States in matters of academic and higher education cooperation. If we speak about competition between Europe and the US at systemic level, this was indeed a great opportunity for Europe. However, five years later, Europe has actually withdrawn from this initiative which is continuously downgraded. In this way, Europe has lost a significant comparative advantage against the US, in other words, Europe has lost the opportunity to win an easy victory over the US at systemic level. The vital question therefore remains whether our strategy is 'competitiveness at systemic level' or 'competitiveness in excellence terms'. These are two quite different strategies and we must have clear views about them in our debate with society.

The second point I would like to raise is actually an exercise on university autonomy and academic freedom in view of the new (social) contract. I will use the example of curricula reform and restructuring as required or recommended by the Bologna Process. This policy is aimed at two major objectives: the first objective is socially oriented and aims at better employability of the graduates of all cycles. The second objec-

tive is academically oriented and is aimed at the famous educational shift, i.e. the shift from teaching oriented to learning oriented educational approaches.

We see that the same reform is meant to serve simultaneously two different purposes, which may not necessarily be compatible. The first one (employability) should undoubtedly be one of the terms of the new contract, while the second one is more or less an internal academic affair to be dealt with in the interior of the university community. However, the interrelation of the two purposes and the interdependence of the potential solutions lead to an obvious restriction of institutional autonomy and of academic freedom if we need to take employability into account.

Of course one should raise the question: Why do we have to take employability into account? To answer this question, we have to touch upon the issue of the responsibilities for the unemployment of university graduates throughout Europe. Does unemployment derive from insufficient or inefficient relationships between higher education and the society? And who is to blame for that? Is it higher education or is it the society? Undoubtedly, we have to do with difficult and complicated questions which should be answered through the 'new contract'.

And I come to my final point. Contracts imply and presuppose at least two partners. In our case, the university is the one partner, and this is one thing we know for sure, but who is the other partner (or the other partners)? Is it the society? Who defines the needs of society? In other words, who represents society in the debate for the 'new contract'? We can use the term 'social partners' instead of the term 'stakeholders', according to the views of ESIB (the National Unions of Students in Europe). But who are these social partners and how can they express their views and debate on them?

The experience so far shows that the most pragmatic approach should be that the one of those to co-sign this new contract is the respective government (the politicians, according to the terminological distinctions made in this conference). However, I believe that we should speak about a triangular relation, the three parts being the institution (including the students), the government and the social partners (including the labour market). Only if internal balance in this triangle is achieved we may be led to efficient and progressive new contracts. On the contrary, any disturbance of this balance is certain to lead to pathological phenomena, like for example the phenomenon of the universities behaving as 'ivory towers', or the phenomenon of the restriction of institutional autonomy through strict state control on the universities, or finally the phenomenon of a market-driven higher education.

5. Prof. Jürgen Lüthje, President
University of Hamburg

Thank you for the possibility to indicate the conditions for a fruitful dialogue between politicians and academics. Personally, I have made the experience and I am convinced that accusations and polarisations are not the best approach to common understanding. Nor should a dialogue serve only the immediate needs of universities. Could then exchanges be more constructive if based on the description of threats, dangers and challenges? Perhaps. However, this would not be sufficient since we would need to find points where politicians and academics share a common responsibility. A common responsibility for the public welfare of mankind may help us converge, all the more so as such a goal implies a rational organisation of society and a

reasonable relation to the environment. Indeed, reason is the purview of both academics and politicians.

In this sense, when I think about the *Magna Charta Universitatum* and about the Bologna Process, I am afraid that this process is in danger of being misused. Indeed, the three cycles of education had been thought as an offer for more choices given to students, as a way to enhance mobility by creating compatible systems of higher education; at present, the risk in the prevailing modalities of implantation of the three cycles is restriction rather than openness, restriction of financial resources, restriction of change potential. To counteract this unfortunate trend we need to rediscover the rationality of the Bologna Process and Magna Charta. If we do that, the dialogue between politicians and academics can make sense. Considering that we are now speaking together in a university that is more than 900 years old, academics can hope for the respect from their political partner as much as politicians can demand understanding for their burden and social duties. Why speak of respect in these circumstances? Simply because the university as an institution is more than three times as old as the modern state. Moreover, in more substantial terms, universities represent an institutionalisation of human scientific and intellectual activities that proved rather successful considering it developed and grew as a social function over more than nine centuries. That is why the prestige of the university is still high, so high that industrial companies name their learning centres 'universities'. In other words, universities fulfil functions that other institutions cannot do better.

What is so specific about universities? Looking at history we notice that the first step on the way to institutionalisation was made when universities incorporated as small teaching entities with a strong international

dimension. The first 'national' academic institution appeared only in the 13th century when the Emperor created Naples University as a tool of his power. Much later, with the Reformation, some universities became the crucible for enlightened thinking – Leyden, Halle or Göttingen for instance. Such an enlightened rationality brought about, in the second half of the 18th century, the conditions of development for the democratic societies of today. Such a historical continuum does not spell as progress optimism; rather it points to the constant fight for better solutions to scientific and social problems, i.e., the urge for solutions with a rational content able to convince all social actors. Today still, politicians should be persuaded, as people responsible for the democratic and rational development of society, that they cannot dismiss the universities since they try, again and again, to rationalise thinking about social duties and community developments that affect us all. That is why the academic freedom of individuals coupled with the autonomy of institutions remain the boundary conditions for the rational organisation of thinking and social responsibility i.e., the *sine qua non* of productive relations between politics and academia.

At that point we academics have to re-think our role in society. The ivory tower is not the place where knowledge, science and academic thinking have developed most successfully – on the contrary. Think of the scholars of the Renaissance: they did not refuse developing machines to try and solve practical questions; it is only in the past 150 years that academics have attempted to retire into thinking that fundamental research is opposed to applied research or that free academic teaching contradicts professional training. All this is not at all convincing and we have to recognise openly – and tell politicians that such a polarised view of academic and practical duties is not productive nei-

ther in terms of social growth nor in terms of knowledge and scientific development.

So, we should try to convince politicians that academic teaching *is* also professional training: indeed the best professional training consists in teaching a methodology of innovation in which critical minds search for new aspects of the unknown, of the unforeseen, of the unexpected: thus the best academic teaching does balance teaching with research by combining them in one institution, if not in one person. That is the basis for the Humboldtian University idea which, from that perspective, is far from being out-fashioned. Therefore, our knowledge and information communities must be 'learning societies' and that is why politicians – as the providers of the conditions of social success – have the duty to organise a system of education where young people can learn how to learn, can develop methods for the rational solving of problems – with university support. In today's globalised world, our best chance to internationalise is to discover patterns of common behaviour by looking to science and to universities. Indeed, as systems, they have been throughout history beyond national constrictions, thus pointing toward a successfully developed international and, at present, globalised organisation.

In terms of dialogue, this means that politicians are right to ask for innovation from universities but, at the same time, universities should insist that such innovations are no contradictions with tradition. As a matter of fact, real innovation with forward looking contents needs the continuity of tradition in thought development to produce new ideas. New ideas indeed cannot flourish away from existing thought processes, away from past discoveries. That is why in the dialogue between politicians and academics we have to stress the importance of academic freedom and institutional

autonomy so that universities are, at the same time, the lucid witnesses and the responsible actors of social welfare and of the rational organisation of our relations to the environment – a key obligation for politicians as well: hence the importance of the recommendation made at the Council of Europe last June on the needs to protect university specificity to allow for better European integration.

6. Professor Bernard King, Principal and Vice-Chancellor University of Abertay Dundee

Peripheral Vision: Inflection Points, Boundaries, Competition And Survival

For those of us who are rectors and vice-chancellors, charged with seeing into the future in a global context and planning how best to take our institutions forward into that future, it has been somewhat salutary in the last year to see that company failure to do just that has cost the chief executive officers of Nokia, Sony, Hewlett-Packard and Merck their jobs. In the latter case, Merck failed to foresee that, in the highly litigious society of USA, that company's future lay in the health, not illness, agenda; the company failed to see it, the CEO is gone. Similarly, and more interestingly, 19 of 27 European finance ministers lost their jobs last year for failing to secure their nations' futures (at least in somebody's eyes), and it has recently been reported that the average length of tenure of Chief Executive Officers in global companies has fallen by 50% in the past 5 years – a situation not seen since World War II.

Why should this concern us as rectors, presidents, or vice-chancellors of stable, timeless institutions – our universities? Well, for reasons I explore below, universities – especially in Europe – must start seeing them-

selves and their futures in different ways and in different contexts, and recognising that their stakeholders can and probably will become as demanding and unforgiving as those of the companies I mentioned. Lest anyone think that the analogy with international business cannot apply to universities, let us remember that the American company AT&T has more Nobel prizes than most universities: it is not a university, but it is better than most of us at doing something against which we measure our own achievements – getting Nobel Prizes. Consider also Hewlett-Packard – possibly, until recently, one of the best values-based organisation in the world in terms of having established behaviours that determined the ways in which its high level workers act to help each other to achieve their objectives. Can Europe's university sector boast of organisational structures with similar attributes? How does the collegiate university compare?

Furthermore, European universities are not separate from universities around the world. They compete with them for academic prestige, they and their graduates are increasingly regarded as potential drivers of the economy of the states in which they reside and many are serious sinks for state investment. With science and technology infrastructure costing more and more, academic freedom and institutional autonomy, subsidised by the state, become more ephemeral in the technology driven competitive national and international landscape of universities.

The concept of 'inflection points' has been described by Gordon Hewitt, Distinguished Professor of International Business and Corporate Strategy at Michigan, one of the world's best universities for executive management education. He describes them as being points at which complexity, volatility and speed of change coincide to produce unanticipated developments in

totally new directions. I believe that we are now experiencing such inflection points in the global mass higher education world.

The first inflection point is the *information revolution*. I do not mean the knowledge society so often talked about – I mean the ways in which young people use technology for communication and networking in ways most of us in older generations do not even understand and the consequences of which, I believe, are as yet unpredictable. There has not been a more significant revolution in terms of information distribution since Gutenberg's invention of the movable-type printing press. People communicate in new ways: communicate with hundreds or thousands of people simultaneously; communicate in nanoseconds through new electronic social institutions of podcasts, MySpace and YouTube. Knowledge is now created by consumers and distributed locally by communities, not only through formal academic processes, and as a result, the boundaries between social and working life, formal and informal learning, have been blurred. How will we, as traditional owners and deliverers of knowledge, deal with the paradigm of consumers as owners, producers and distributors of knowledge disconnected from any university structure?

Second, is the issue of the cost of *mass higher education*. A high quality mass higher education experience is expensive in terms of both financial and human capital. In financial terms, it is generally recognised that a significant majority of universities in Europe are under-funded to meet their, and their governments', aspirations and it is clear that the costs of mass higher education have not been fully taken into account in government thinking. We produce a great deal more graduates than we ever did in previous generations, some argue also a great deal worse, and certainly at a

much lower cost per graduate. More importantly, for employers, a university degree is no longer a proxy for high intelligence or high culture. The massification of higher education is testing the social boundaries in our societies, and creating the danger that we inadvertently build into our higher education system a new stratification of provision that prepares new and aspirant generations of students to only restricted levels of work in the knowledge economy. The value of a university degree has therefore been brought into question which, if we are to generate adequate funding to sustain a high quality mass higher education system, is a question which must be resolved. This issue of value is increasingly raised by government agencies and as a consequence the regulatory world in which universities live is becoming increasingly more extensive and restraining. Moreover, for those of us in Europe, there are serious issues with regard to securing the best and brightest to join our next generation of university academics. And perhaps, most importantly, the purpose of massification – social inclusion – has not been achieved; it simply means more and more of the less rich getting into university, which is an entirely different thing.

The third inflection point is illustrated by the *Shanghai league table*. Originally a device to enable China to benchmark those universities it considers to be the world's best, the table, the upper reaches of which are dominated by the United States, has taken on an international significance as the authoritative measure of perceived global excellence among universities. This is an inflection point because it encompasses the *teaching-research nexus* in terms of the drivers that pull us in different directions: a quality educational experience for our students versus the need to have a global reputation for having a 'world class' research ranking. The Shang-

hai league table has thereby shifted sector boundaries and removed the protection of geography, demanding that we reconfigure the research-teaching link.

Governments and university leaders conspire to have Shanghai league table status because we are all ambitious for the kudos and funding we separately hope it brings. Governments, university leaders, and also many academics, prioritise research in a hierarchy of academic esteem irrespective of its distorting effect on the nature of universities as learning institutions, ignoring the fact that a world class research reputation is at variance with the nature of universities committed to the education of the young. Most recently, Alison Richard, Vice-Chancellor of Cambridge University, publicly aired her 'grave concerns about the neglect of undergraduate teaching in research-intensive universities and the problems of combining research and teaching'. Frank Rhodes, the President of Cornell, has written elegantly on the nature of the university, arguing that: 'research has distorted the undergraduate experience'; undergraduates, for example, very seldom see any of the good research professors, because all the teaching has been delegated to postgraduate PhD students. And it all comes back to cost.

The big issue, of course, is that a high quality mass higher education is enormously expensive, not only for universities, but also for the state. In a world of low taxation, it is debatable whether any state can afford to fund universities to the extent that is required without distorting other services. But, in Europe especially, we sometimes forget that many of the best universities in the world are not state institutions, but private ones. Harvard, Yale, Dartmouth and Vassar are examples of universities that are excellent at learning, teaching, scholarship and research without reliance on core public funds. And there is another, potentially more

momentous trend that European higher education must consider – the development of a genus of institutions both within Europe and beyond providing services that match ours in professionalism, delivery, quality and learning. And they are doing it for profit. Sir John Daniels, the President of the Commonwealth of Learning and former Assistant Director General in charge of Education at UNESCO, has recently published a paper on Lifelong Learning showing that university providers from the private-for-profit sector now comprise an industry worth $350 billion and growing rapidly. For those worried by the unfettered and rampant momentum of the private sector, Harvard's president Derek Bok provided some consolation in his insightful book on the nature of universities. He considers that commercialisation, i.e. the seeking of money for research from industry, has actually gone too far in the United States and is destroying the nature of the university institution. One might argue that this is easy for him to say with Harvard's endowments of something like $22 billion – something no European institution can match. But that would be short-sighted – there is much we might usefully learn from the success of many American universities in terms of developing bolder and more imaginative fiscal and endowment policies.

Massive investment is also taking place in the wider international field. China, for example, has decided to award additional funds to a limited number of elite universities to support the nation's drive for genuine global excellence, rather in the manner of the UK, which for years has awarded disproportionately greater funding to Oxford and Cambridge for much the same reason. India is pursuing targets of 200 million graduates and 500 million trained technicians in its work-force by 2020, and many positive outcomes of this drive are already becoming apparent. The promotion of higher education

as a major economic and social good within society is further exemplified by the Indira Gandhi Open University, which has now amassed a student population of something like 1.5 million students who are willing to pay to gain the educational advantage that they now recognise is needed to take them into the future. The scale of this new competition is enormous and the way in which mass higher education is developed in these nations will be a benchmark for the development of our own institutions here in Europe.

The real cost of mass higher education is best illustrated by the American Council of Education which has recently estimated that the threshold cost of supporting a world class university (such as Harvard or Cornell) is around $1.5 billion per year and $2 billion in cases where the university also includes a medical faculty. In this context, the private sector described by John Daniels represents the equivalent of 175 world class universities, more than 30% of the top half of the Shanghai League Table. How many of our European institutions are genuinely thinking on this scale? The total higher education budget for Scotland is not yet $2 billion per year.

Finally, there is the issue of universities as public bodies. As universities, we regard ourselves as autonomous even if we take public money. However, by taking public money, we contractually engage with mandatory regulatory frameworks which intrude into our autonomy. Therein lies the conundrum. If we do not take the money, we do not have to have the regulation, and we preserve our autonomy. But we need the money. Perhaps now we have to think of a university world of private, private for profit, and state funded institutions. But whither autonomy and academic freedom?

The Magna Charta states that 'the university is an autonomous institution at the heart of societies' and that

'it produces, examines, appraises and hands down culture by research and teaching'. We all espouse this traditional ideal of universities as repositories for the creation of knowledge. But as we look around, we can see that there are other institutions that are equally important as knowledge repositories and centres of knowledge creation, and these too may emerge as major providers of research and teaching in higher education, i.e. the corporate university world. In the UK, for example, we have already seen the establishment of a British aerospace university and Sir Philip Green's Fashion Retail Academy, and there are more to come.

In conclusion, if we are to protect our ideal of European university heritage we must not allow any boundaries to our thinking about the nature of universities. C.K. Prahalad, Distinguished Professor of Corporate Strategy at Michigan and an advisor to the President of India, said with regard to higher education globally: 'If we keep on doing the things that we always did, we will keep on getting the things that we always got'. In fact, considering the rapid changes taking place around us, I think we'll be lucky to get 'what we always got' if we continue to run our higher education systems the way we currently do. The world of advanced communication technology, Shanghai league tables, and mass higher education into which we are entering, requires serious strategic thinking and rapid action if we are to survive and prosper in the face of the challenging agenda we have before us.

7. Morten Østergaard, MP
Danish Parliament, Copenhagen

Setting the agenda is at the core of political action and I thank Prof. Jarab for his tenacious work to draw the attention of the Council of Europe on university fun-

damentals, institutional autonomy and academic freedom. I hope that the governments will now apply the Parliament's recommendation, although I understood from Anne Corbett that there is no automatic progress toward a golden academic dawn.

The difficulty is that we know, or can agree on, the problems but lack the people ready to struggle for their solution. And the shortage of 'doers' is rather obvious in the European political world that, for fear of action, pauses to think – which is of course better than just to have a pause! This shows, however, that at a time when we probably need European integration more than ever, a time of global competition, we hesitate on the moves spelling progress for our continent. It is a sign of dawning crisis.

Therefore, I will begin by reflecting on some of the challenges I see for us Europeans, as a basis for the discussion on your call for a new mission for the universities – or maybe not so new.

To my experiences – in terms of political reflection rather than political campaigns – I find the discussion on the social function of universities climbing up the ladder of political importance, thus getting a higher priority on the agenda. This could be positive or, as we have just heard, negative when more attention translates into over-regulation.

Universities have other constraints – like many other social actors. In Denmark, like in Europe in general, one of the challenges is an *ageing population*. By 2030, the country will have twice more pensioners than today: to make up for that, some propose to push students faster through education, and have them join the labour market earlier. This would certainly represent a challenge for higher education institutions and, should this happen, universities would have to make sure that such pressures on the young would not

damage their maturity or restrict the quality of their education. Maturity and quality are the pillars of social development – and are essential to make it possible for the new graduates to create the growth required to support the widening group of senior citizens.

The second political challenge – and a key item on Europe's agenda – is how to increase the *funding for research*. Many governments bet on the availability of private funds to reach a target of 3% of the GDP, certainly a feasible option but it could jeopardise autonomy and academic freedom in case universities become simple service providers to external money-makers. To counteract such a temptation, consciousness and transparency are needed; thus, politicians and academics in particular would need to know where the funds come from.

The third challenge is *globalisation* – several speakers have touched on this already. Danger lies in the 'pick the winner' strategies that governments, across the board, seem to consider fitting to meet global problems. This translates into a drive for more applied research – especially if it promises early gains – rather than into a push for curiosity-driven basic research of universal interest. Such a choice turns governments into 'glob-alikes' – agents of immediacy – rather than 'globalist' actors of long-term transformation. The trend then is for everybody to do the same as other people do, to jump on the bandwagon of fashionable ideas (competition becoming indeed the justification of followers); in other words, the policy consists in running behind the winner who is not necessarily the best inspired proponent of world leadership.

And, of course, there are still the traditional challenges sitting in our own backyard: knowledge regarded as a danger in so far as it opens and prepares for the unknown, a 'defect' long considered risky for the pow-

ers that be: recently in Belarus, a country bordering the EU, students have been expelled from the university for being involved in politics – a traditional challenge that calls for solutions by the Europeans united.

So we, politicians, will continue to breathe down your necks – expect no less – because building the *polis* is a crucial task for us all; since this is a common mandate, indeed, the tasks at hand present risks for academic freedom and university autonomy. Therefore the Observatory will still have a role to play in the years to come.

But what is the university's mission then or what should it be? In my opinion, it must build on *excellence*, *cohesion* and *enlightenment*. Starting with *excellence*, it is a pre-requisite for universities, should they become the engines of the knowledge economy or of the knowledge society. In the context of innovation, even if the EU is 'pausing' at the moment, the setting up of the seventh research framework programme aims to create a knowledge environment where the Union research funds are allocated in function of excellence rather than geographic criteria.

As for teaching, the Bologna Process implies global competition also in order to achieve an education of the highest quality. By 2020, it seems that 75% of youngsters studying abroad will be Asian. They do so because they prefer receiving an education outside of their national borders, where it meets their quality expectations. European students seem less inclined to leave their home base. Is the restricted mobility a sign of reduced interest in the quality of their education?

An expert of the international education market, the former Danish ambassador in Singapore, recently pointed out that everywhere training is practically based on the same core of knowledge. The difference comes from the teachers' ability to empower students

in the best use of that knowledge throughout their life; that is where universities should compete, the capacity to transfer and disseminate best the 'known'. Such a focus on the excellence of the teaching process is still marginal in many institutions where performance is judged by the research capacity of the professors, rather than their commitment to the spread of knowledge. This should change.

Yesterday, I visited the European University Institute that, we heard today, is a major achievement of the common European education policy over the last fifty years. I found it most interesting to visit and talk to students who are in Florence to interact as partakers in the movement of European integration, people whom the Institute has selected on the basis of excellence only, people diligently working towards a doctoral degree of European relevance. Maybe it is time that we revoke the old decision to restrict such high level studies to the social sciences only and that we create at European level other graduate institutes for the sciences of nature or for other fields of knowledge. Maybe be it is also time to decide that no European student can graduate without having studied abroad, in a European country or further away, thus making sure that internationalisation is not the preserve of Asian students. That should follow from the Bologna process, if we are serious about it. With the consequence of demanding from professors that they improve their pedagogical training: maybe it is indeed time to offer academic staff development programmes focused on their excellence in teaching.

A second key aspect of university mission is *cohesion*. In my view, one of the major European challenges is the weight in our countries of what could be called the negative social heritage. By this, I mean the sons and daughters of people with no higher education,

who are much less inclined or ready to benefit from higher education. To engage in the struggle against the negative impact of such a social heritage is really an area where universities could play a major role. The discussion on values is heated all over Europe and we have had our fair share in Denmark, for instance around the cartoon crisis and the description of Mahomet as a warmonger. Interestingly enough, where we find tendencies towards intolerance, xenophobia or religious supremacy, they tend to correlate very much with the lack of higher education. People with higher education tend to be less intolerant, less xenophobic than people without. For that reason we need really to get more people into higher education, thus combating the consequences of a negative social heritage. We also need, I think, to create bridges between long-term higher education and vocational training or other forms of professional education; to bridge that gap, we have to make sure that, after a shorter focused education of maybe two years – up to four, in some cases – that there is a sure and clear path towards increased knowledge acquisition leading to the Master's degree – usually the result of full time higher education.

Maybe it is time to measure and reward the institutions' ability to bring students of less fortunate backgrounds forward to higher levels of education, indeed making that a parameter of their success.

Enlightenment is the third key aspect of the mission of present day universities especially as it affects life long education, an important focus, in my view, of the new contract societies have to pass with their universities. The Danish textile industry produced a lot of clothes and textiles not so many years ago. Today all production has been outsourced to India and China but, although we practically no longer produce any clothes in the country, Denmark has never had so

many people working in the textile industry – thanks to design. That shows what we need to do when lower paid production is outsourced to the Far East or other places: giving the jobless the education and lifelong training that will bring them back to the labour market, to occupations they can again contribute to.

So maybe it is time to widen the university gates, thus proposing training for new competences, perhaps in the shape of short-term education able to upgrade the skills of those people who, in the beginning, did not benefit from better training.

The same argument could be enlarged to global perspectives: would it not be time to train for better jobs the jobless in developing countries, perhaps with the help of specially created European university based institutes, for instance in Africa, the universities of Europe sharing training tasks in order to ensure in developing nations high calibre faculty able to train their people and ensure their countries' progress.

Others speakers have talked about accountability. In this context, I would like to add that no matter where universities put the emphasis – be it on excellence, on cohesion or on enlightenment – they will be required to show accountability in function of their priorities. But the contract between universities and society should be more comprehensive and ask for responsible academic action in areas other than the knowledge production I pointed upon. Hence, there is a need to change somewhat the focus that universities put on being world class. Rather than centring the universities' new social contract on just being the best *in* the world, the first requirement should be to be the best *for* the world, thus outlining both the university commitments to society and the concomitant responsibilities societies have for the university – a true political act.

Closing Remarks

Prof. Josef Jarab
Czech Senate, Parliamentary Assembly of the Council of Europe and member of the Magna Charta Observatory, Olomouc

The topic of the conference was 'Political approaches to university identity'. This did not necessarily mean the approaches politicians have when identifying the role or the mission of the university; indeed political approaches can also be a university concern when we, academics, try to define the social functions and identity of our institutions. On that basis, and in order for universities and their stakeholders to share common references, we academics need not only to educate the public about university work but also to involve them in the debate on the future of the institution. Such a dialogue is essential if academia and society are to outline a contract defining their rights and obligations. Politicians, however, often utter critical remarks about universities and this will not be changed easily. That does not mean we should stop trying to commit them to dialogue. However, political activity and political systems refer to perspectives that develop on a different level than ours.

That political dialogue is possible still, beyond our differences, is proved by one of the documents distrib-

uted at this conference, the recommendation on academic freedom and university autonomy that could be drafted by politicians and academics – in their role of parliamentarians at the Council of Europe. The document points out that the academic mission – in order to meet the requirements and needs of the modern world and contemporary societies – can be best carried out when universities are morally and intellectually independent of all political or religious authority and economic power. Academic freedom and university autonomy are the necessary conditions for university achievements. Accountability, transparency and quality assurance are, however, the counterpart to the granting to universities academic freedom and institutional autonomy. The continued observation of both freedom and responsibility is thus essential.

And that is what the parliamentarians of forty-six countries did agree when sending their recommendation to the Committee of Ministers who will have to decide how to implement it. Ministers are most likely to say: 'Indeed, this is important' and, drawing on the parliamentarian discussions, they could decide to cooperate with the Observatory of the *Magna Charta Universitatum* in monitoring the observance of the principles of academic freedom and university autonomy in Europe.

This would mean adding a European parliamentarian dimension to the work of the Observatory, i.e., having in the same forum both academia and political authorities, the two players who often contradict each other. Institutionalising their dialogue, in a constructive way, would certainly be a political success. Should this happen, we – as academics – can have hope for the future both of our universities and of our societies. Indeed such a dialogue would lay down the basis for the contract putting on paper our common

understanding of the future, be it social or intellectual. Even if the devil is in the details, the willingness of all partners, academic and political, to confront their ideas – also here in Bologna – represents our hope for times to come: many spoke about the contract that needs to be drafted if politicians and academics are to move in the same direction for universities' and societies' sake. The future of both is our justification to act.

Universities between autonomy and accountability: the search for a balance and its guarantees

Dr. Maud De Boer-Buquicchio, Deputy Secretary General
Council of Europe, Strasbourg

The search for a balance between autonomy and accountability has generated passionate debate, sometimes even conflict between public authorities and the academic community. Although university autonomy is hardly questioned in Europe, its practical implications and the rules governing its application in complex, changing societies, are not so easy to establish.

It is of course legitimate that universities be accountable to the public – and not only as long as they depend on public funds. Even if they do not draw a penny from the public purse, universities are bound by policy and ethical choices such as, for instance, a ban on stem cell research or the requirement to ensure equal opportunities for both staff and students. Autonomy is a matter of legal status but also a question of practice. How do legally autonomous institutions react if the Minister makes an informal phone call to the Rector suggesting the university take up a programme in bioethics, increase the number of students in information technology or abstain from criticising the government's

activities in the Middle East? For that matter, how would individual academics react to a similar phone call, or one made by the Rector, regardless of whether she would call at the behest of the government or not? Would they evoke their institutional autonomy or individual academic freedom, or would they toe the line? What would be the personal and institutional cost of either alternative?

University should be accountable also to students who bear an ever higher share of the cost of their education. Interestingly, this conforms to the ancient tradition of universities such as Bologna which was at the origin a community of students who hired teachers at their own discretion.

Finally, university autonomy raises the question of relationship to private sponsors who have become indispensable in modern academic research. Most of the scientific and technological inventions today are the fruit of government, industry and academia working in partnership. But what if a company which finances an important research programme at a university wishes to have a say in the university's recruitment policies? Does the piper call the tune, or will the university dare march to the beat of its own will?

These questions are a challenge to individual academics as well as to those who govern universities. How can university governance meet two potentially opposite concerns: on the one hand ensure that universities solve short-term problems in the societies of which they are a part, and on the other hand maintain sufficient distance to those societies to take a longer term view and work not only to solve short term problems but also to solve the fundamental concerns of societies – the concerns that define us as societies and human beings and not only as consumers and economic actors?

These are complex and critical issues and universities must share experiences and develop common strategies for advocacy and negotiation, build a system of values and agree on a set of standards which will ensure the free movement of knowledge, ideas and people. This is the motive behind the adoption of Magna Charta Universitatum.

Those who sign the Magna Charta Universitatum commit themselves to a system of principles – but also join a community of solidarity in the pursuit of common goals. The goals and principles embodied in the Magna Charta are also those of the Council of Europe – an organisation created to safeguard European values of human rights, democracy, rule of law, tolerance, social justice and respect for diversity. Academic freedom and institutional autonomy are the fundamental principles which enable universities to preserve and transmit these values.

The Observatory is the hub of the Magna Charta community, although the term 'Observatory' does not perhaps reflect appropriately the active role and importance of this body. In a relatively short time, it has established itself as *the* main voice for academic freedom and institutional autonomy in Europe, and its willingness to address concrete cases of possible abuse has strengthened it in its role.

The Council of Europe has been involved in the work of the Magna Charta Observatory from the outset. It participated in the first annual session of the Observatory in 2001 and is represented on the Collegium of the Observatory by Professor Michael Daxner, who is a former member of the Bureau of the Council of Europe's Higher Education and Research Committee. Professor Josef Jarab represents the European University Association on the Magna Charta Collegium, but he is also a member of the Council's Parliamentary Assembly.

The Council of Europe also contributes to goals of the Magna Charta by supporting the Bologna process and helping to modernise higher education policies in the 49 counties party to the European Cultural Convention. The Council of Europe has helped many European countries to adhere to the principles of the Magna Charta and participate effectively in the Bologna process. Its work on the equivalence of diplomas, higher education governance, democratic culture, and quality assurance, has contributed to the development of modern concepts and practice of higher education and research.

I would mention only a couple of recent examples.

In June, Mr Jarab presented an important report on academic freedom and university autonomy in which he advocated the need to find an adequate balance between the role of universities as economic actors and their essential social and cultural responsibility. The Parliamentary Assembly endorsed a set of recommendations, including a requirement for legislative or even constitutional guarantees for university autonomy.

Last September, participants in the Council of Europe Forum on 'Higher Education Governance between democratic culture, academic aspirations and market forces' made similar recommendations and underlined that the legal framework concerning governance should apply equally to both public and private institutions. They emphasised that while avoiding micromanagement and leaving reasonable scope for innovation and flexibility, higher education governance systems and practices should facilitate the elaboration and implementation of coherent institutional policies. The Forum also concluded that democratic governance in universities is not only important in terms of good governance. It is also important in terms of universities' role as builders of democratic culture without which democratic institutions cannot function.

The Council of Europe is currently working on a draft recommendation on the public responsibility for higher education and research which should be adopted by the Committee of Ministers in early 2007.

Many of these threads come together in a new Council of Europe project on 'The University between humanism and market: redefining its values and functions for the 21st century', which will run from 2007 through 2010. The objective of this project is to provide new insights into the values and functions of higher education and research which are both complementary to the EU Lisbon objectives and attentive to the human dimension of European construction as outlined in the Declaration adopted by the Third Summit of Heads of State and Government of Council of Europe member states.

The key to finding an answer to common challenges facing the academic community is to share experience, exchange ideas, and learn from the successes and mistakes of others – and the Magna Charta community is a perfect framework for this exchange. Many universities have developed complex governance systems to reconcile autonomy over teaching and research choices with managerial responsibility. Many show firm commitment to the principles of democratic governance, genuine respect for equality and non-discrimination and responsiveness to the needs of all members of the academic community, including students and the administration. Personal accountability of leadership, performance management based on peer review and student satisfaction, independent audit – these are some of the tools which can ensure that universities fulfil their public service function while remaining intellectually independent and economically viable.

Universities have survived over nearly ten centuries because they have been able to adapt to social change,

but also because they have been mostly left alone to do their job without having to constantly justify their decisions and struggle with red tape. The collective wisdom of the Magna Charta community is there to help its members to adapt to new challenges and stay around for many more centuries.

Personal presentation of speakers

Aakviksoo Jaak, trained as a physicist at the University of Tartu, Estonia was its Vice-Rector when he was appointed Minister of Education of his country, a position he kept from 1995 to 1997. In 1998, he became the Rector of the University of Tartu, a mandate he still holds today. In 2001, he joined the first Board of the European University Association, that had just been created out of the merger of the CRE and the Confederation of Rectors' conferences in Europe. He was re-elected in 2005 for the period 2005-2009. He has been also Chairman of the Board of the Estonian Rectors' Conference since 2004. Moreover, he is a member of the Estonian Academy of Sciences and of the Academic Council advising the President of Estonia.

Barblan Andris, Swiss national (1943), was educated in English and History in Lausanne and received a PhD in political Science in Geneva in 1973. First youth secretary for Europe and Asia of the Wold

Council of Churches (1968-1971), he was Denis de Rougemont's assistant at the *Centre européen de la culture* (Geneva) (1973-1976) before becoming Secretary General of the CRE, Association of European Universities (1976-2001) and of its successor, EUA, the European University Association (2001-2002). Since then, Secretary General of the Magna Charta Observatory on University Fundamental Values and Rights, Bologna, he also consults the Mario Boella Institute, Turin, on knowledge development strategies in European cities.

BERLINGUER LUIGI, trained as a lawyer at the University of Sassari, taught the history of Italian law at that University before moving to Siena where he founded the department of political science and history of law before becoming the Rector of the University of Siena in 1985. First elected to Parliament in Sardinia in the 1950's, he represented Tuscany in the Lower House from 1994 to 2001 following in particular constitutional matters at legislative level. In 1993, he was appointed Minister for the Universities, Science, Research and Technology (MURST); from 1996 to 1998, he was in charge of the Ministry of Education – and, ad interim, of the MURST – keeping the Ministry of Education only from 1998 to 2000. At present, he chairs the European Network of Councils for the Judiciary.

DE BOER-BUQUICCHIO MAUD, first trained in French language and literature at the University of Leiden, also completed studies in international relations and labour law. In 1969, she started working for the European Commission for Human Rights at the Council of Europe, took part in the setting up of the European Court of Human Rights – where she was appointed Deputy Registrar in 1998. In June 2002, she was the

first woman to be elected Deputy Secretary General of the Council of Europe. Particularly committed to the cause of vulnerable groups in society, she has launched a three-year programme of action on children and violence, supported the creation of a new 'Roma and Travellers Forum' and is actively involved in the promotion of the Council of Europe Convention on action against trafficking in human beings.

CORBETT ANNE, a former teacher in international relations at Paris I-Sorbonne and a regular contributor of English media on French and EC education and public policy, is now a Visiting Fellow at the European Institute of the London School of Economics and Political Science, deputy chairman and trustee of the Franco-British Council (British section) and a co-opted member of the committee of UACES (University Association for Contemporary European Studies). She recently published 'Universities and the Europe of Knowledge' (Palgrave Macmillan 2005), which sets the Bologna Process in the context of attempts over the last 50 years by the EU, and other European bodies, to create and develop a policy for higher education.

FENECH JUSTIN (1979), is Doctor of Laws from the University of Malta, now completing a Masters in Financial Legal Services at the same University. Representing students in various university structures and student organisations, he was for two years an Executive Member and then the President of the National Union of students in Malta (KSU). In 2006 he was elected as the Chairperson of ESIB – The National Unions of Students in Europe – following a one year mandate within the Executive Committee where he dealt in particular with the Financing of Higher Education and with e-Learning.

FITZGERALD GARRET, a Dubliner with a multiple career in economics, journalism, academia and politics, was trained at University College Dublin and at Kings Inns, from where he was called to the Bar. After a number of years at *Aer Lingus*, he began a new career in 1958 as an Economic Consultant while also lecturing in Economics and in the Affairs of the European Economic Community (EEC) at his *Alma Mater*. In 1959 he was elected as the first Chairman of the Irish Council of the European Movement. In 1965, he entered politics by being elected on the National Senate but, in 1969, joined the Dáil, the lower House in Ireland. He was the leading spokesman in favour of joining the EEC in the 1972 referendum (82% voted yes); in 1973, he was appointed Foreign Minister in a new coalition Government; in 1975, as Foreign Minister, he led the first Irish Presidency of the European Council of Ministers; in 1977 he was elected the Leader of his Party (Fine Gael); in 1981, he became Prime Minister – for nine months – and came back to power for four and a half years in 1983. In 1985 he successfully negotiated the Anglo-Irish Agreement with the British Prime Minister, Margaret Thatcher, whereby the Irish Government secured an unprecedented role in relation to the protection of the interests of the Nationalist Community in Northern Ireland. In 1987 he resigned as leader of the Fine Gael party, and in 1992 retired from the Dáil. Dr FitzGerald is currently Chancellor of the National University of Ireland, elected in November 1997.

JARAB JOSEF, professor of English and American literature and director of the Centre for Comparative Cultural Studies at Palacký University, Olomouc, is the author, co-author or editor of many publications on modern poetry, African-American culture and on issues of higher education. First chairman of the Czech

Fulbright Committee and Czech and Slovak Association for American Studies, he is currently president of the European Association for American Studies. From 1989 to 1997, he was rector of Palacký University, before being appointed from 1997 to 1999 the rector and president of Central European University, Budapest and Warsaw. He is a founding member of the Magna Charta Observatory. He holds a seat in the Senate of the Czech Parliament and in the Parliamentary Assembly of the Council of Europe.

KING BERNARD, educated in Dublin, worked in industry and research prior to taking MSc and PhD degrees from the University of Aston in Birmingham. He joined the University of Abertay Dundee, when it was The Robert Gordon University, at which he became Assistant Principal and Dean of the Faculty of Health and Food - following a career as Head of the Department of Molecular & Life Sciences and as Dean of the Faculty of Science. He is now the Principal and Vice-Chancellor of the University of Abertay Dundee and, among other academic duties, is on the Council of the Association of Commonwealth Universities (ACU).

KLADIS DIONYSSIS, trained in Physics at the University of Athens where he taught until 1992, left then for the Democritus University of Thrace. In 2003 he joined the University of the Peloponnese as Full Professor in Higher Education Policy. Next to his scientific career, he developed interest in educational management and policy making, becoming Secretary General of the Ministry of Education from 1986 to 1988 and, from 1998 to 2004, Secretary for Higher Education at the same Ministry. As such, he was in charge of all the higher education actions organised by the Greek Presidency of the EU in 2003; he also represented Greece in

the Follow-up Group for the Bologna process, chairing it in 2003. From 1994-2004, he was on the Directing Group of the OECD programme on Institutional Management in Higher Education (IMHE). At present, he is also a member of the EUA committee managing that association's programme for the institutional evaluation of universities.

LUTHJE JÜRGEN, trained as a lawyer in Cologne and Düsseldorf, developed a career in university management, first in Bochum, then in Oldenburg before becoming the President of the University of Hamburg in 1991, a mandate he has held until October 2006. He published on higher education policies and university development, his areas of research.

ØSTERGAARD MORTEN, trained in political science at the University of Aarhus, he became in 2001 market manager for e-government in a Danish communication firm in Aarhus and got involved in the Social Liberal Party joining the national Parliament as a temporary member at various moments from 2001 to 2004, before being elected in February 2005 as a full time member representing Aarhus County. In 2004, he published a book on 'Digital Calcification'.

ROVERSI-MONACO FABIO, Doctor in Law of the University of Bologna, taught at the Faculty of Political Sciences and the Faculty of Law before becoming in 1978 the Director of the School of Administrative Science of the University of Bologna. Between 1985 and 2000 he was Rector of that institution and, as such, presided over the 900th anniversary of the University of Bologna at the occasion of which the Magna Charta Universitatum was drafted and signed. In 1998, he proposed to the Association of the European Universities to create

the Observatory of the Magna Charta and became the President of its Collegium when the organisation was set up in 2001. Currently he is the President of the CARISBO Foundation in Bologna, Director and member of the scientific committee of numerous magazines of public law, member of the committee of the Italian Academy of Advanced Studies in New York as well as President of the European Secretariat for the Scientific Publications (SEPS).

MAGNA CHARTA OBSERVATORY PUBLICATIONS

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Managing University Autonomy
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