Diverging paths?
Institutional autonomy and academic freedom in the European Higher Education Area

Liviu Matei, Julia Iwinska

Central European University

CEU CENTRAL EUROPEAN UNIVERSITY

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- One of the most remarkable developments of this period is the emergence of a European concept (model?) of institutional autonomy.
- Important lessons learned –for the present and the future. Things might not be as they look at the surface.

1. The state of academic freedom and university autonomy

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2. Why bother

- Surprising lack of systematic research. Academic freedom and university autonomy neglected?

Taken for granted in Europe?

- To influence reflection and action

in institutions and in public policy

- Diverging path of AF and UA feed

into new, unexpected/unknown trajectories of

all our activities in HE.

- AF and UA not just tools, technical concepts,

fundamental conditions/parameters

for the work of HEIs. Part of governance, speak

to freedoms and the (forgot) value of freedom, and to the

exceptionality of universities

Freedom as independence

To perform its mission in the society, a university must sustain an extraordinary environment of ***freedom of enquiry and maintain an independence from political fashions, passions, and pressures****…It is not a club, it is not a trade association, it is not a lobby"*

Kalven Committee Report on the University's Role in Political and Social Action, 1967

THE UNIVERSITY OF CHICAGO

Pursuit of truth in freedom

"... a university should be pervaded by the love of truths, and among its walls should safeguard the air of intellectual freedom without which all cultures wither away."

Albert Szent-Györgyi

3. Synopsis of developments in institutional autonomy and academic freedom since the launch of the Bologna Process and EHEA.

4. Evidence suggesting diverging paths of development within and between these two areas of university governance.

Bologna impact on HE in Europe

- Thorough, although not exclusive
- Includes impact on governance, on AF and UA/IA (not an action line)
- What impact on AF and UA? Elements of specificity?

No pattern?

- “there is no uniform trend towards autonomy in Europe” (Pruvot and Estermann, 2017)

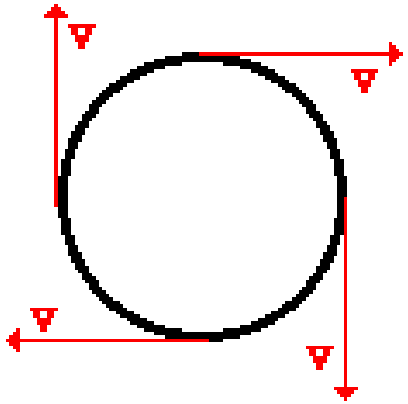
Diverging trends indeed –but a clear pattern, helping to draw important lessons

Towards a pattern. What are paths of development?

- Direction
- Speed
- Substance

$$\vec{v}_{average} = \frac{\vec{D}}{t}$$

Warning! The average velocity is not given by $\cancel{\frac{\vec{v}_1 + \vec{v}_2}{2}}$ since the velocities are vectors in different directions and the acceleration is not constant.



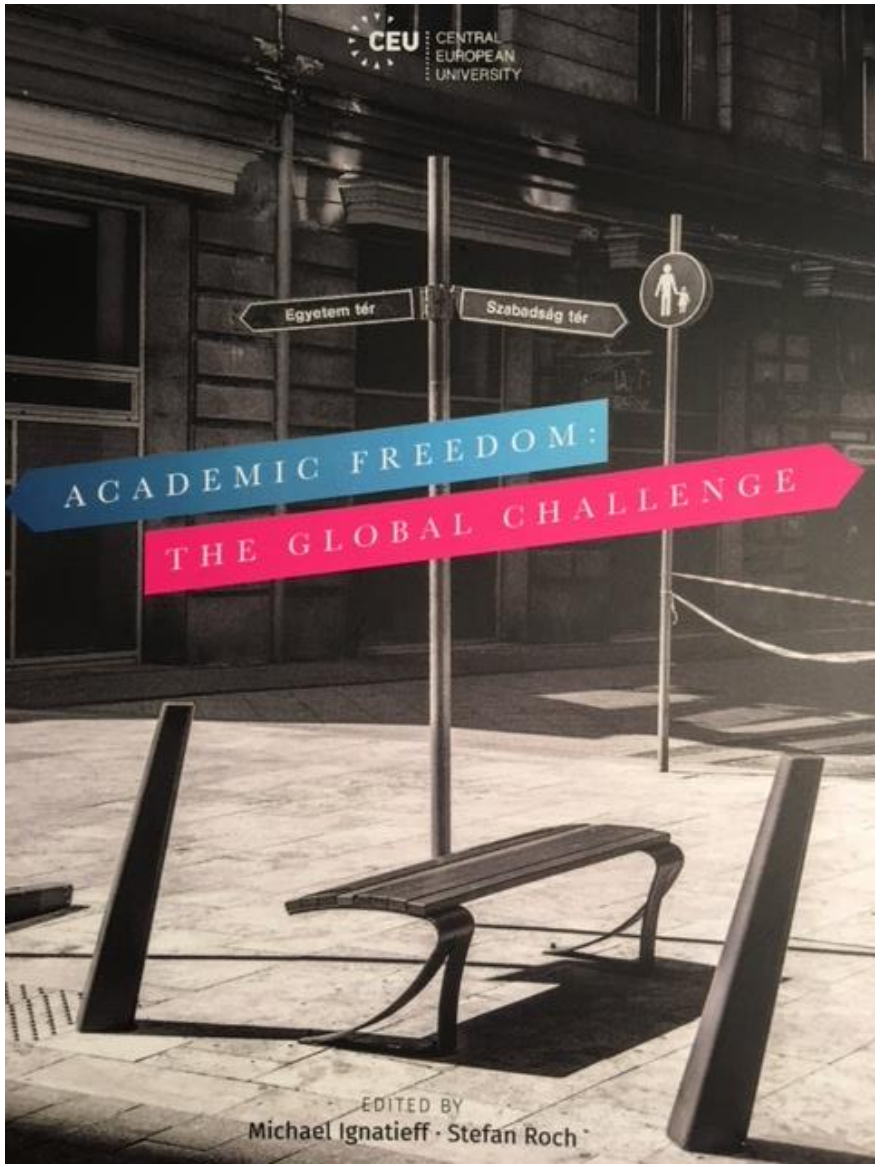
The direction of the velocity vector at every instant is in a direction tangent to the circle.

UA & AF

- Distinct concepts?
- Part of governance –speak to the exceptionality of universities (see Russia)
- Instrumental or moral concepts?

Or defining characteristics of universities?

- US/Western Europe vs. fSU?
- CEU case
- What matters ? UA as a precondition for AF(see Myanmar).
- Matter of degree, not binary, unidimensional/ the IA-AF mix
- Need to re-think, clarify the concepts?



Diverging paths of UA and AF in EHEA

a. Disjunction between university autonomy and academic freedom (different paths: speed, direction, substance).
b. Development of institutional autonomy at the expense of academic freedom. Expanded autonomy apparently, but less in reality?
c. Disjunction between instrumental aspects in the development of institutional autonomy and moral or human rights aspects.
d. Diverse geographies. Scattered geographic picture within EHEA.

a. Disjunction between university autonomy and academic freedom.

- Less discussion about academic freedom in EHEA, more emphasis on university autonomy.
- No European or national institutions dedicated to the defense of AF

(role of courts; Magna Charta Universitatum?)

- US: dedicated institution (AAUP), AF is codified (unlike in Europe)
- No Bologna/EHEA contribution to AF (new institution or codification)
- EUA –powerful organization acting in defense/promoter of UA, codification of UA (of an interesting kind, not like AUUP) but no AF!

No codification of AF?

- International organizations/codification:
  - European Convention on Human Rights (1950)
  - International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights (both of 1966)
  - UNESCO Recommendation concerning the Status of Higher-Education Teaching Personnel (1997).
- National legislation (constitution, HE laws)
- International courts

b. Development of institutional autonomy at the expense of academic freedom.
Expanded autonomy apparently, but less in reality?

- Bologna and Lisbon promoted UA forcefully, less so AF
- But what notions of UA?

  - Freedom from the state

" Member States value their universities highly and many have tried to "preserve" them at national level through detailed regulations organising them, controlling them, micromanaging them and, in the end, imposing an undesirable degree of uniformity on them." (European Commission, 2006)

  - More freedom - or less freedom for individual academics vs. institutions? (e.g. hiring, funding)
  - Managerial autonomy vs. strategic autonomy
  - regulatory autonomy (tool for gov. gontrol)

Actors: EU (modernisation agenda), Bologna (new space for freedoms), states, EUA, who else?. All UA not AF

- "sacrificing AF at the altar of UA"

c. Disjunction between instrumental aspects in the development of institutional autonomy and moral or human rights/legal aspects.

- How have the concepts of AF and UA evolved in Europe? Linked to instrumental efficiency only (achieving goals define from outside)?
- Need to re-introduce the moral/human right aspect (right to education, right of freedom of opinion, pursuit of truth for public good, legal protection of academics –for this purpose)
- Preserve elements of exceptionality of universities? Link to efficiency and responsibility
- A discussion about governance and institutional models is needed.

d. One or several continents?

- Diverging paths. Centrifugal movement?
- Study and close monitoring important not just for the extreme cases (for that too: see Turkey or CEU/Hungary).
- Cannot understand developments unless we consider detailed configurations (the mix) and are aware of diverging paths.

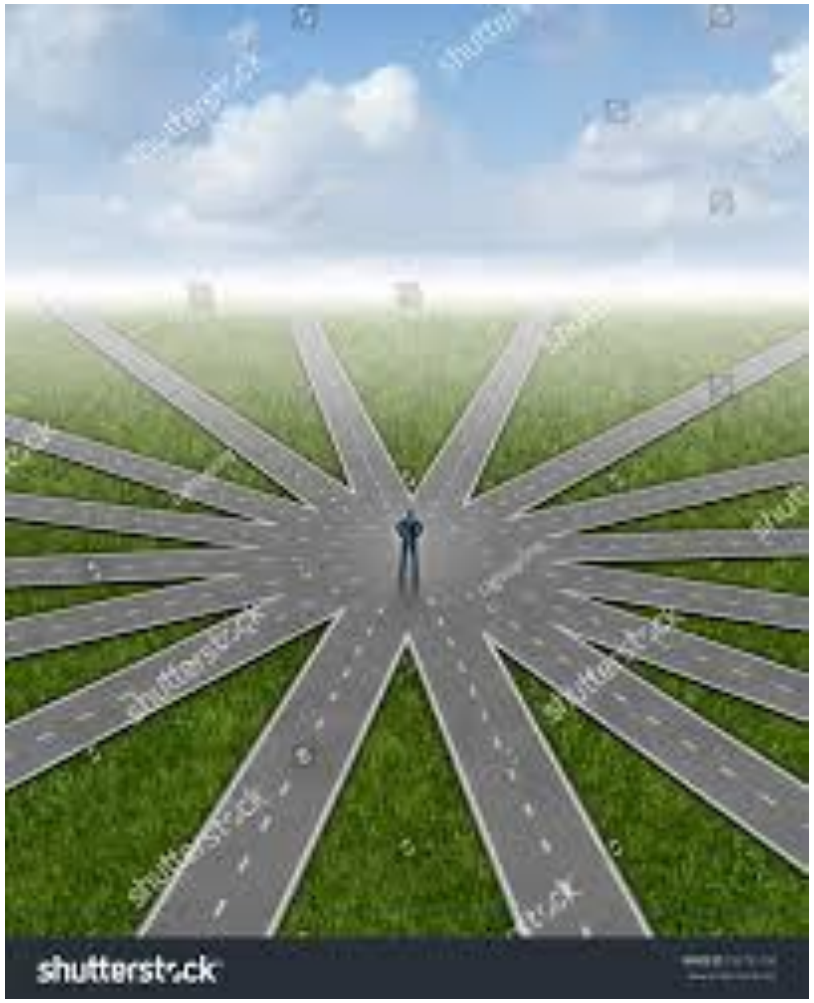
5. A European model of UA

- Models (US vs. Europe?)
- Used outside Europe (Kazakhstan, Myanmar, South East Asia) and within (Hungary)
- What is remarkable about it: substance, process, impact
- European model=EUA
  - Technical and perhaps policy exercise, about measuring? Measure what we treasure or treasure what we measure? “sacrificing AF at the altar of UA”
  - Conceptual assumptions and implications.

6. Lessons learned, for now and for the future.

- More work needed towards a conceptual and policy map
- “Paths” might be an useful concept, rather than assuming that a single model exists.
- Need to bring back into the discussion AF –or freedoms more generally (not to be taken for granted)
- Need for conceptual scrutiny/concepts, codification/regulations, dedicated institutions or initiatives within EHEA

- Are diverging paths dangerous?
- What is dangerous?
- What do we need to know, to do?



Divergence is a reality.