

**The Lisbon Agenda's effect on Governance  
and Autonomy of Higher Education Institutions**

**LISBON AND HIGHER EDUCATION GOVERNANCE**

**or**

**“CHERCHEZ L'ETUDIANT”**

*by Lea Brunner und Christian Schneijderberg  
written for the 25<sup>th</sup> anniversary of ESU the European Students' Union<sup>1</sup>*

**When it comes to Lisbon...**

few students will think of the marvellous ideal city of the enlightenment, which was built after the plans of Sebastião José de Carvalho e Melo, Marquês de Pombal. Instead, the feeling evoked in most of the students is fear: Fear of losing the dear and treasured ideal of the Humboldtian university, sacrificed on the altars of Efficiency, Downsizing, Excellence and all the countless gods of neoliberalism.

Given the close relationship of the age of enlightenment and Lisbon on the one hand, the rise of fears that the name of this beautiful city provokes in students all over Europe on the other hand, this text would like to have a closer look at the - possible and real - effects of the Lisbon strategy of the European Union (EU) on governance structures in higher education institutions (HEI) and their relative consequences for the students.

In their everyday life, students try to find their path through the newly implemented three-cycle system of the Bologna reforms, access difficulties and the adequate choice of courses; they struggle with the credit system at their *alma mater*, mobility options and the recognition of credits awarded outside their home HEI. Moreover, there are problems like the collision of courses in overloaded and badly structured modules of their study subjects, the lack of supervision and counselling and last but not least their marks and diplomas. In addition to these everyday challenges, a student in today's Europe is forced to look beyond one's own nose to be able to act -not only react- and understand the mechanisms that determine his or her living- and study environment. Therefore we welcome the ongoing attendance of the European Students' Union (ESU) and the national student unions with the encompassing processes elapsing the bounded period of being a student and scrutinise the goals of the Lisbon-Strategy.

**Lisbon and higher education**

Higher education (HE), perceived to be a main link between “knowledge” and “economy” is seen as a key issue to reach the goals set by the European Council in March 2000 in Lisbon, that “the Union must become the most competitive and dynamic knowledge-based economy in the world capable of sustainable economic growth with more and better jobs and greater social cohesion.”<sup>2</sup>

According to the European Commission (EC), the HEIs were, three years later, not ready to fulfil their task and play up to their role, defined as follows.

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<sup>1</sup> The article was written for the call for papers and got selected by the anniversary committee. Lea Brunner was invited to Lisbon to present the paper.

<sup>2</sup> European Council, Lisbon, March 2000. We do not leave out the second part of the sentence; it is done too often...

The role of the universities covers areas as diverse and as vital as the training of teachers and that of future researchers; their mobility within the Union; the place of culture, science and European values in the world; an outward-looking approach to the business sector, the regions and society in general; the incorporation of the social and citizen-focused dimensions in courses.<sup>3</sup>

The number of reasons given for this malaise was legion: lack of efficiency, quality problems, heterogeneity of the systems – you name it. Either real or not, the EC actually defined the shortcomings of the HE-systems and the institutions, and is ready to “mobilise the brainpower” – means, tackle them. A main obstacle to reach the set aims is seen in the non-existent or weak separation of a sound strategic planning and an efficient operative execution of these relative plans by the institutions. The strategic planning shall thereby be defined by the political agenda, and set a kind of framework for the different fields of EU-defined social or political “construction sites”. A prominent construction site in the eyes of the EU consists of the education systems in Europe, wherein this text, the focus shall be on HE-systems.

### **Governance - why does it matter?**

Governance of HEIs is a key battlefield in deciding the future of Europe’s HE-Systems. It is a crossroad where different perceptions and even ideologies meet. Sometimes they crash, as will be developed further below. Students analyse the interpretation of the European Commission of the Lisbon strategy and the reasoning behind it. Where the commission does not stop to outline a “bright new world”, the students feel the end of the same world being near.

This is not so much due to the unknown results of reforms and fear of losing a good old system in general. Many self-designated reformers use this argument to annihilate any discussion on alternative means and aims, and declare all opponents to be iron-hard conservatives. With the Lisbon strategy, economic cures are entitled by some to cure all aberrations pushed close to medical conditions. This is where the threat the students feel derives from.

There are many causes of alarm to be found on the Lisbon strategy. One of the most outstanding we find in the arguments of the EC with a typically modernistic black and white, respective good and bad scheme:

The over-regulation of university life hinders modernisation and efficiency. Nationally defined courses and employment rules for academic staff tend to inhibit curricular reform and interdisciplinarity. Inflexible admission and recognition rules impede lifelong learning and mobility. Unattractive conditions encourage young talent to seek elsewhere for quicker access to independence and more rewarding salaries. Minute *ex ante* control hinders universities’ capacity to react swiftly to changes in their environment. Where change is always a matter for legislation, reforms are bound to be few, disruptive and uniform.<sup>4</sup>

As the EU does not have the power to induce changes of the national education systems directly, there have evolved heterogeneous means to direct the member states in the wanted direction within the boundaries of the so called Open Method of

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<sup>3</sup> Commission of the European Communities: Education and Training 2010. The success of the Lisbon Strategy hinges on urgent Reforms, Communication from the Commission, (Draft joint interim report on the implementation of the detailed work programme on the follow-up of the objectives of education and training systems in Europe), Brussels, 11.11.2003, COM(2003) 685 final.

<sup>4</sup> Commission of the European Communities: Mobilising the brainpower of Europe: enabling universities to make their full contribution to the Lisbon Strategy, Communication from the Commission, Brussels, 20.4.2005, COM(2005) 152 final, p. 4.  
[http://ec.europa.eu/education/policies/2010/doc/comuniv2005\\_en.pdf](http://ec.europa.eu/education/policies/2010/doc/comuniv2005_en.pdf) (15.08.2007).

Coordination (OMC). Therefore, the EC has endorsed a ten year work programme "Education and Training 2010" and issues recommendations and communications in diverse fields of HE.

Another instrument consists of financial incentives for Member States and, a level below, HEI's directly. In this context, the Union significantly enlarged its activities in the near past. Since the beginning of 2007, the EU joint its formal education programmes, in the framework of one single programme, the Lifelong Learning Programme (LLP)<sup>5</sup>. Its sectoral sub-programmes and their relative actions are impressively doted with the enormous sum of 6'970'000'000<sup>6</sup> Euros from 07-13. The launch of the LLP is linked directly to the achievement of the Lisbon Agenda (like many other soft- and hard-law texts since 2000). It entitles HEIs to run directly for EU-funds. Even though 80% of the ERASMUS and 60% of the LEONARDO DA VINCI sub-programmes are reserved for mobility actions, there are other actions enabling the HEI, teachers, students and their respective organisations to get money for – inter alia- structural projects.<sup>7</sup> Whereas the effects of these financial incentives are still hard to evaluate, we will mainly analyse the more philosophical steering means: the papers of the EC and the discussions they are animating.

### **Mobilise the brainpower by soft law**

To be honest, some of the text passages in the communication "Mobilising the Brainpower of Europe", -a paper that, besides, has a title that sounds like being copied out of a second class motivation seminar booklet- regarding the state of the art in the HE-landscape of Europe, rather sound like a description of the situation in North Korea than of European HEIs in 2005. Nevertheless, be reminded, that all the actions of the EC in this field are limited by the OMC, and all the communications and recommendations are, at their best, soft law - relying on the support and action of the member states. A recommendation is not a law. In this respect, all the measures have to be voluntarily implemented by the single states. Furthermore, this method implies a procedure of "*longue durée*", with the possibility for various interest groups to contribute to the discussion. The multilateral and by definition "open" nature of these processes may explain to a large extent the very direct wording of these soft-law papers. They raise the tempers, but at least they do not hide their driving force and where their ideas come from.

Furthermore, critics of the OMC emerge from circles, which criticise the lack of power of the European Parliament when it comes to set the policy agenda of the EU, currently the competence of the European council and the EC. Students themselves are loudly complaining about this lack of separation of powers. Nevertheless, students, too, were very active in fighting the reform treaty or – maybe a bit more clumsily named – the constitution of the EU, which would have given the parliament much more competences in the legislative procedures.

When it comes to the financial support of institutions, individuals and organisations in the member states through the commission in the framework of the EU-programmes, student organisations are beneficiaries themselves. Keep in mind, that

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<sup>5</sup> Decision Nr. 1720/2006/EC of the European Parliament and the council of the 15<sup>th</sup> of November 2006.

<sup>6</sup> Nr. 1720/2006/EC of the European Parliament and the council of the 15<sup>th</sup> of November 2006, Art. 14.

<sup>7</sup> e.g. "to improve the quality and to increase the volume of multilateral cooperation between higher education institutions in Europe, to increase the degree of transparency and compatibility between higher education and advanced vocational education qualifications gained in Europe; to improve the quality and to increase the volume of cooperation between higher education institutions and Enterprises." Nr. 1720/2006/EC of the European Parliament and the council of the 15<sup>th</sup> of November 2006, Art. 21.

ESU itself is relying greatly on these funds, and the very project that enables to write this paper is named "Lisbon and Students", financed by the EC.

The papers of the EC denounce the respective driving forces which are far from being heterogeneous. They reflect themselves a broad range of ideas, more or less ideologically coloured. Focussing specifically on one EC proposed necessary reform field regarding governance of HEI explained in the paper "Mobilising the Brainpower of Europe", we leave the level of purely political statements and ideological exchange of blows. The battlefield therefore is to be found not on the European level, but on the level of the single states and their respective HEI. The aim is to try to define concrete effects of the Lisbon Strategy of the EU on governance on HEI level and describe its consequences.

### **Autonomy of HEI, financing and decision making**

Governance discussion turn around the notion of autonomy of HEIs. In addition to the interpretation of autonomy as the freedom of self organisation and freedom of research and teaching HEIs -namely universities- enjoyed historically (at least in theory), it has nowadays become a synonym for a main element of the flexible adaptability of the universities. The HEI's should focus on their strengths and develop an autonomous profile. Decisions and responsibilities should lie within the steering bodies of the universities instead of a state authority.

Behind that reasoning stands the idea of the HEI's to bear the consequences of their decisions, and linked to that, an increased competition between the HEIs. A very essential responsibility a truly autonomous institution has to face, is the administration of its financing. The commission emphasises the need to annually increase the human capital investments per capita – but this should, given the notorious lack of state funding into HEI, mainly happen through an increase of private financing: HEI's are called to diversify their sources of income. This means, HEIs have to rather search for private sources of financing. Recommended are: Sponsoring from companies, the commercial use of research results and an increase of the "contributions" from the students (e.g. tuition fees). The HEI's are responsible for allocating those diversified financial sources within the institution. With regards to the chronic lack of money in HEI's, autonomy can well better be described as "administration of penuries".

These demands are not only to be met by the steering body of the HEI. Each faculty and single professor has to live up to this request for delivery. Therefore s/he has even less time to contribute to academic self-government. This leads to a tight management system with a powerful rector and chancellor at the top of the HEI and a powerful dean at the top of the faculty. The division into strategic and operational decisions comes with a loss of democratic mechanisms and powerless traditional bodies like the senate or the faculty assembly. Economy leaves no time for this and quite a few professors welcome these developments with leaving them more time for the rewarding research, publications and congress activities.

### **Contracting – what kind of contracts?**

So it comes quite as a surprise, that the EC stressed, that "the call from universities for more autonomy is not a call for the withdrawal of the state" and that in 2005 there was "a near-consensus in Europe that the state should retain or even strengthen its responsibility for higher education". This, according to the EC could be reached through the means of "a fundamentally new type of arrangement (or "contract") with society, whereby "they [HEIs] are responsible and accountable for

their programmes, staff and resources, while public authorities focus on the strategic orientation of the system as a whole".<sup>8</sup>

In history there are quite a few "contracts" to be found. One of the most prominent is Jean-Jacques Rousseau's *contrat social*. For reasons of cooperation and benefit, dependency and independency reasonable people bind together to give up on their claims of natural right and manage frequent competition for the well being of all. Therefore they collectively become authors and bearers of the law, get rights and duties. But while Rousseau puts sovereignty in the hands of the people, he also made a clear distinction between sovereign and government which has to implement and enforce the general will.

Although the *contrat social* is undoubtedly to be seen as a document of democracy, the government is composed of a smaller group of citizens, known as magistrates. These magistrates are wise men and autonomous in their decisions for the people. The magistrates are a clear sign of mistrust of Rousseau towards the sovereign and an elected assembly as well. It is not to forget that Rousseau's model was not meant to function in rather small and not France-sized contexts. There were, of course, some more factors that prevented Rousseau's social order from coming into force. A fundamental one was the static order of governance through magistrates which could be called managers in nowadays wording. They were autonomous, had their own concepts and ideals and their own system of responsibility. To calm the treasured reader, we would like to assure not to put forward a bashing of voracious managers or demonise autonomy as such. The rousseauian excursus is a tightrope walk and a successive approximation towards the intermingling and overlapping demands and dependencies in the steering of public services as whole and autonomous HEIs specifically.

So lets turn back to the expressed will of the EC to continue to finance HEI mainly through state funds. It is clearly visible in the communications, but there are proposed new ways to exercise state control on the HEI's. Autonomy means more lump-sum investments, and the shift from the state to the HEI to define how to manage these funds. Research priorities must be set in a way that they bring money to the universities. Sponsoring is twofold useful for companies, if a proper reward is provided – for example a mandate in the steering body of the university.

Even though the theory has not become reality in the same extent in all the European countries, the model as such seems quite appealing to many governments. The human capital theory that attributes a certain private return on investment to each type of education is another very appealing model for political authorities. The shift of responsibility for the true autonomous choice is here given to the individual, and not an institution. In its latest communication<sup>9</sup>, the Commission again pointed out that governments should introduce tuition fees, arguing that they – coupled with student loan systems – increase the participation of people from lower socio-economic backgrounds. Such statements of the EC are well received by the national authorities, and it is fair and right, that students are incessantly stressing the fact, that tuition fees hinder the access for socially and financially disadvantaged people. And, frankly speaking, there is an urgent need for a contract on these issues. Instead of contributing to social cohesion the Lisbon strategy leaves the ones behind who can not afford to obey to human capital gains.

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<sup>8</sup> Commission of the European Communities: Mobilising the brainpower of Europe: enabling universities to make their full contribution to the Lisbon Strategy, Communication from the Commission, Brussels, 20.4.2005, COM(2005) 152 final, p. 3.2.

<sup>9</sup> Commission of the European Communities: Efficiency and equity in European education and training systems, Communication from the Commission to the Council and to the European Parliament, COM(2006) 481 final, Brussels 8.9.2006.

## **The role of universities according to students vs. the role of universities according to the EC**

These explanations tried to illuminate the bundle of concepts and reasoning behind the word "autonomy". On the one hand, it sounds like freedom and self-determination, on the other it is seen as strengthening the dependence on economy and market mechanisms.

But let's try to go even a bit deeper, and examine the context of the student sphere. Not to say that all students think the same way, but student unions and their umbrella organisation on the European level ESU, have issued countless discussion- and position papers regarding the issue. There is a general trend, and the fears can be named. The main line of the concerns can be summarised in the following way: The disarming demand of the EC for a "contract" will lead to HEI's managed outside society, where the customers might seek training without being a part of it. The HEI will get a contract including funding for a certain period of time, invest in marketing, establish fancy study programmes, double accredited study programmes, report on what it did, highlight the achievements, negate the failures, bargain on a new contract and so on. Its products will help the economy to flourish, bring wealth to the society and if not so, the management will be replaced and a new one can give it a try: Trial and error, no sanctions, no responsibilities, and no long term goals. In conclusion, they express the fear that we would arrive at quite the opposite of a state-run HE-system.

Students, them, too, are sometimes trapped in the above mentioned black and white scheme. Their critiques often come from a very traditional, not to say conservative, student group, mainly based in universities. And, to be a bit polemical, they often share with their respective home HEI a very elitist view on HE.

By stressing how much HE changed in the last decades and how important the opening of HE to non-traditional and diversified groups of the population is, students often enough forget that besides massification of HE and diversification of the student body, HE itself changed a great deal since the sixties. Plead and scope of this paper go in the direction to abolish uncertain fears of change. Students should ask themselves why they defend traditional structures of participation that have not changed for at least twenty years, that often enough do not even get the active support of the students themselves. To be more concrete, there are dozens of bodies on the various levels of HEI's administrative levels (mainly universities), where even students do not go to and invest their time and energy, or where time-consuming endless discussions take place with no outcome at the end. Isn't it a fact -maybe a pitiful one, but nevertheless a fact, that traditional participative structures, existing more or less since the sixties and grown ever since, are overcharging teaching and other staff and students with various tasks. This leads to the reality, that more and more only those bodies are well visited, where money is allocated.

Could there not be a chance of revival of those participative structures in redesigning structures in HEI in the scope of centralisation and professionalisation of HE-governance? Rather than reacting with a Pavlovian effect of fears and general rejection, the students have to actively take part in giving new momentum to those structures. It is the students' task to demonstrate and claim loudly that reforms of higher education governance structures must not lead to a process of abolishing democracy in higher education institutions. Efficiency in governance structures might be a useful goal, but effectiveness and efficiency must never mean that students, teachers and staff are being excluded in favour of corporate steering models for HEIs. Students have to denounce the increasing pressure to incorporate representatives of the non-academic world within universities' management and governance structures, and the negative effect this process might have or already has. This includes the demonstration to show, that autonomy of institutions can be

designed in a way that gives a collective responsibility to all stakeholders of the higher education community, and does not lead to transferring all decision-making powers to the university leadership.

### **Opening up the structures of HEI to non-academic persons**

To focus on the actual governing of HEIs, we cite a remarkable quote of the EC on the indeed difficult challenges met by relatively autonomous HEIs within a public HE system:

A condition is that the governing structures of a university must respond both to the varied needs of that institution and to the expectations of society - those who provide its core funding. That implies that they should have an effective decision making process, a developed administrative and financial management capacity, and the ability to match rewards to performance. Equally, the system should be designed with issues of accountability clearly in mind. Managing a modern university is a complex business, and one which should be open to professionals from outside the purely academic tradition, provided that confidence in the university's management remains strong. It should also be said that freedom of funding will of itself change the financial culture of a university; but it will not by itself increase the quality of that management.<sup>10</sup>

In the cited paper the EC turns out to be a true university whisperer, emphatic and understanding towards the needs of the institution as such. This provokes the question about the same qualities of the EC towards the expectations of society, which are rather unqualified and solely based on the fact of society providing the core funding. Of course at other parts of the communication the EC mentions social and cultural aspects of HE, without giving further details.

Therefore it is to no surprise that the involvement of society in the effective decision making process is rather unilateral. With calling for professionals from outside to increase the quality of management, the reflection of the EC are tangent to society only at one side, the side of economy and business. This is to be gathered in the council of the HEI to strengthen the forces calling for an economic reasoning in the decision making process of the HEI. If we take a closer look at some of these councils, for expecially in Switzerland, we find a majority of members being recruited from national or regional business leaders (with their own interests in the closest provider of skilled workforces), some politicians, sometimes medical doctors or journalists, and the representatives of the HEI steering body (rector, vice-rector). At some HEIs, not even the participation of students is to be found. This varies from being not awarded a seat at all to being present but without the right to vote. People from workers organisations or NGOs are even less probable to be present in these hand selected councils.

This short sighted action is more like a smoke screen of society than a representation of the provider of core funding. This leads to a contradictory logic and understanding of academia and, to be a bit dramatic, a sacrifice of social and cultural aspects of education and its institutions on the altar of economy. Economy has its own reasoning and needs which are quite different to the academic realm. This does not mean to keep economy and its means out of the HEIs at the financial organisation at all, it means that pure numbers and relations of numbers are not primary parameters for quality of neither education nor academia. If the EC is really interested in representing society or giving society a closer look on its HEI, its definition of non-academic professionals has to be upsized and democratized. No doubt that wider participation puts forward more individual interests which lead to

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<sup>10</sup> Commission of the European Communities: The role of the universities in the Europe of knowledge, Communication from the Commission, Brussels, 05.02.2003, COM(2003) 58 final.

more diverse discussions. But with this step – and it is a pleasure to say – the inclusion of professionals from outside becomes a real academic issue. This has to be taken into account intending to increase the quality of that management as well.

### **The renewal of the academic community of teachers and learners**

History shows that the thoughts and ideas of Humboldt needed almost one hundred years until they were as widely perceived as they are in recent times. The fragmented set of well orchestrated and philosophical thoughts show that good slogans help to develop a basic set of something people can relate to. Especially the ideal of a community, people of different kind living and working together, is a very strong one. In the academic realm the idea of the community of teachers and learners has still a strong momentum. The idea that a teacher will always be a learning subject whereas the learner can become through dedicated study a teacher while continuing to be a learner is striking, foremost but not only for academia. This symbiosis of teachers and learners, being the heartbeat of the HEI, can not be left out when looking at governance structures. Although having a sometimes troublesome, sometimes revolutionary and unfortunately at most times hierarchical relation, this mutual relationship will continue to exist.<sup>11</sup> Another aspect of the cooperation between learners and teachers is the struggle when going beyond educational aspects, although HEI governance can be very educational.

First, students were fighting to be accepted as participants in the academic self governing bodies. In some countries, it went so far that students were given one third of the seats on any HEI board. In Germany the political will to do the same was stopped by court in the 1970. In most European countries, student representatives in the academic self governing bodies are awarded only a few seats, in most cases with a professor/student ratio of 4:1 to 5:1. So it is rather ironic that professors are in the same position with the initiation of the HEI council. At least in Switzerland there are councils with a cast of externals only. Even the rector is a consultant to the council without the right to vote. Professors and students are not present at all. Once more professors and students are reunited in quite a different community: the community left outside.

With the handover of power to the HEI council the academic senate has succumbed to be a rather powerless prehistoric creature. Scrutinising the characters of the Lisbon Strategy and further communications of the EC unveils this to be the will of Lisbon. The city of enlightenment has given its name for an economic strategy which turns out to be the efficiency, downsizing and excellence bulldozer colliding with the European ideal of a democratic society, reflected in its institutions. Especially outstanding institutions of education of a society like universities and polytechnics have to live up to this ideal. HEIs in a democratic society have to deliver more than just individualised human capital - a fast track knowledge-based proletariat released into the never ending circle of life-long-learning. Therefore participation is a concept of excellence in a democratic society. And therefore democratic bodies are an efficient investment for society giving the core funding for HEIs. Of course access to HEIs has to be democratised as well and not to be reserved for a socio-economic well-off elite and the few brilliant minds which are awarded excellence-grants sticking out from the broad mass of society. Otherwise social cohesion being an exposed aim of the Lisbon Strategy will not be accomplished. It can not be accomplished simply by economic means as well.

There are other arguments for participation and democratic organisation of HEIs as well. They are based on the concept of learning of another strategy or process

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<sup>11</sup> A rather exceptional period in the student-professor relationship was in the middle of the twentieth century, when for example in Germany, students paid professors for writing their thesis.

making its way across Europe: the Bologna-Process. Students are meant to be educated and trained according to pre-defined competences. These competences are not mere job focused modes of qualification. These generic competences include soft skills like the ability to work and cooperate in a team, diplomatic aptitude, rhetoric, presentation skills and so on. Why not keep them practiced in the academic realm because HEIs are educating and training their future employees and leaders as well?

## **Conclusion**

The question if the Lisbon Strategy of the EU has impact on the HE system and the single HEI's level can be answered clearly with yes. But how effective these measures are, how far their scope is, what range they have, this is not to be answered so directly. Importance lies in the way it will have effect, and the range of its influence.

Important is the fact, that the process is ongoing, and will by far not be finished by 2010. The battlefields are to be found in all the countries and even more specific, in all the single HEI's. There is a need for strong arguments and convictions, but never have there to be taboos, thinking borders or blinders. There is a need for academic and diverse thinking in society and HEI instead of unilateral one-fits-all economisation of every human and institutional aspect. There is a desperate need for student input and participation in the processes, on all the levels, with all the competences. Without them, there will be not enough questions asked, not the right way to be found.

Students are in a very privileged situation when it comes to HE governance: Their dependencies are, compared to that of the other stakeholders, minor. They are the true, autonomous spirits that can and have to think further, reinterpret concepts, scratch on the surface, and give momentum to the idea of the knowledge based society. They are, indeed, its base and future. The challenge will be to find a path out of the blocking ideologies, and have a new, critical look on the existing and changing HE-landscape for a democratic society.