

European University Models

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Introduction

This background paper¹ provides an overview of institutional models of public European universities, focusing on countries included in the Systemic Action for Gender Equality (SAGE) project - France, Ireland, Italy, Portugal, Turkey and the United Kingdom (information is limited in the case of the SAGE partner Bosnia and Herzegovina).

The Gender Action Plan tool (GEAR)² developed by the European Institute of Gender Equality highlights the importance of considering the institutional context when developing and implementing a Gender Equality Action Plan (GEP) in a specific university setting. Given the diversity of higher education models in Europe, this short working paper aims to inform the next steps to be taken in the context of the SAGE project.

This paper places a special emphasis on institutional autonomy, since this aspect can determine the range of actions to be considered for inclusion in a GEP. Thus, Higher Education (HE) institutions where the recruitment, promotion and salaries of its academic staff are regulated by the state and where most employees have a civil servant status will be more constrained when implementing GEPs in those areas than those where such matters are regulated by private law. This does not necessarily imply that institutional autonomy is a predictor of gender equality, since countries where HE institutions are heavily regulated by the state, an important part of the normative framework for GEPs will rest with national legislation. In such cases, significant cross-country variation (rather than cross-institutional variation) is likely to be found, depending on how well or poorly developed is the corpus of public policy and law on gender equality.

This overview draws on two main sources of data and information. The first one is a study on university autonomy in Europe conducted by the European University Association.³ The study

¹ This paper was written by Sara Clavero with inputs from Eileen Drew, Tony MacMahon and Yvonne Galligan

² Available at: <http://eige.europa.eu/gender-mainstreaming/tools-methods/gear>

³ Both the exploratory study and the Autonomy Tool are available at: <http://www.university-autonomy.eu/>

analysed and compared different dimensions of institutional autonomy (organisational, staffing and academic autonomy) in 29 Higher Education Systems in Europe with a view to developing a University Autonomy Tool, which ranked countries according to the level of autonomy in each of the dimensions mentioned above. The second source is the Academic Careers Observatory, a resource developed by the European University Institute, which provides information on academic careers in 28 European countries (EU Member States), including general characteristics of HE institutions, recruitment procedures and career advancement.⁴

1. Four models of higher education

Scholars categorise higher education institutions in Europe according to three ideal models: 'Continental', 'Anglo-Saxon', and 'Nordic' models. More recently, this typology has been expanded to include the 'Transitional' model illustrated by universities in Central and Eastern European (CEE) countries (Anderson 2004; Rinne & Koivula 2009). These models mainly refer to the relationship between the State and the HE sector. While they are still traceable, they can no longer be found in their pure form, among other reasons because universities across Europe are undergoing significant reforms (Olsen 2005).

The Continental model integrates two distinct traditions of higher education -the Napoleonic and the Humboldtian traditions. In the Napoleonic model, the university is a highly centralized, secular, and national body. State regulation is rigid and the system is formally homogeneous. Traditionally, this model can be found in European territories of Napoleonic influence (i.e., France, Portugal, Spain, Italy). Universities in these countries have low levels of institutional autonomy. Most academic staff have civil servant status and the central government decides on general personnel policies, including recruitment and promotion structures, appropriate workloads, and salaries (Anderson 2004). On the other hand, the Humboldtian model dates back to the university reforms of the early 19th century and to the university ideal formulated by the German diplomat Wilhelm von Humboldt. This ideal was constructed around the principles of institutional autonomy of HE institutions and the principle of academic freedom, despite their being financed exclusively by the state. The Humboldtian tradition is still prominent in Germany, although traces can also be found in universities in Nordic as well as CEE countries (Holm and Liinason 2005; Keskinen and Silius 2005; Widerberg et al 2005).

⁴ Available at: <http://www.eui.eu/ProgrammesAndFellowships/AcademicCareersObservatory/Index.aspx>

While the State traditionally appointed and paid professors and also dictated curricula, universities within this model also enjoy some level of institutional autonomy, as they govern their own affairs and make their own decisions on academic matters (Nybom 2003).

The Anglo-Saxon model, can be described as a diversified, quasi-market system, where competition between institutions is general. This has been most characteristic of the university system in the United States and, since the 1980s, of that in the UK although universities in Ireland have some features of this model. Another distinctive feature of Anglo-Saxon universities is their high levels of legal and financial independence. The reason is that, while at the beginning of the nineteenth century traditional university systems across Europe became 'State institutions', this change did not happen in the UK and therefore HE institutions in that country are still governed as private bodies. Thus, in contrast to their European counterparts, universities within the Anglo-Saxon model employ their own staff and pay them on terms created by themselves rather than on terms devised by the state. They are free to adopt their own criteria for appointments at professorial, reader, senior lecturer, and lecturer levels. Academic promotions are not tied to the achievement of particular qualifications or to predetermined numbers, unless this is decided by the institution itself (Anderson 2006; Tight 2009).

The Nordic model of higher education applies to the five Scandinavian countries: Denmark, Finland, Iceland, Norway and Sweden. Universities under this model have been almost entirely publicly funded and degree level education is free of charge. Even though these are centralised institutions managed by the State, the level of institutional autonomy is relatively high in comparison with their European counterparts, with most restrictions found in financial autonomy. Moreover, in recent decades, higher education institutions in Nordic countries have been subject to a variety of reforms. These have focused on expanding university autonomy from the state; institutional mergers; university leadership and outside representation on governing bodies, and the drive for income from sources other than the public sector, including charging tuition fees to students from outside Europe (Kivinen and Rinne 1998).

The transitional model applies to countries of Central and Eastern Europe where, prior to the fall of the Berlin Wall, the state strongly controlled higher education institutions. Under this model, higher education institutions were highly centralized and ideological. Prior to 1945, different traditions could be found in CEE. While the Humboldtian tradition was prevalent in Czechoslovakia, Hungary

and Poland, the Napoleonic tradition was prominent in Romania and the Anglo-Saxon in Bulgaria. Since the beginning of the 1990s, universities in these countries have undergone important institutional changes in multiple directions -from restoring elements of their pre-1945 models to market-oriented reforms (Dobbins 2011).

2. Institutional Autonomy: general trends

Despite the diversity of higher education in Europe, there is a trend towards greater institutional autonomy, especially in the context of the Bologna process, which is aimed at establishing a European HE area (Nokkala 2012; Nybom 2008; Olsen & Maassen 2007). The Bologna Declaration of 1999 set out the goal of enhancing the international competitiveness of the European system of higher education, ensuring that it acquires a world-wide degree of attraction.⁵

Following the Bologna Declaration, institutional autonomy was presented either as a value in itself or as instrumental to reaching the Bologna goals. At the European Universities Association Glasgow Convention of 2005, European Rectors called on their respective ministers of research and education to take immediate and decisive measures in order to radically increase the legal, administrative and financial autonomy of European universities. In that same year, the Bergen declaration of European Ministers responsible for HE stated that:

*As we move closer to 2010, we undertake to ensure that higher education institutions enjoy the necessary autonomy to implement the agreed reforms, and we recognise the need for sustainable funding of institutions.*⁶

The importance of university autonomy in responding to societal demands has been emphasised by both the European Commission and the European Council. Thus, in 2011 the European Commission called on Member States to:

⁵ The Bologna Declaration of 19 June 1999. Joint declaration of the European Ministers of Education. Available at : http://www.magna-charta.org/resources/files/BOLOGNA_DECLARATION.pdf

⁶ *The European Higher Education Area - Achieving the Goals* , Communiqué of the Conference of European Ministers Responsible for Higher Education, Bergen, 19-20 May 2005, available at: http://media.ehea.info/file/2005_Bergen/52/0/2005_Bergen_Communique_english_580520.pdf

Ensure that higher education institutions have the autonomy to set strategic direction, manage income streams, reward performance to attract the best teaching and research staff, set admissions policies and introduce new curricula.⁷

The trend towards enhanced institutional autonomy means that the Anglo-Saxon model is diffusing into the other higher education models in Europe, as calls from the European Union in this regard have been incorporated in recently introduced legislation at the national level. For example, in France, the Universities Freedom and Responsibilities Law of 2007 ceded control from the state to the universities in matters such as the management of budgets and human resources, including staff recruitment, salaries and bonuses, as well as other areas that were previously the responsibility of the state.⁸

The principle of institutional autonomy has also been incorporated into Spanish law, with the 2007 modification of the Organic Law of Universities.⁹ In Italy, a series legislative acts aimed at reforming the HE system enacted in the late 1980s and throughout the 1990s introduced the principle of institutional autonomy with respect to university regulations (1989) financial management (1993) and educational offer (1997). In 1995, universities were given freedom of choice in deciding upon the composition of their academic and non-academic staff and in 1998 the system of centralised competitions of jobs was decentralised. However the latter measure was reversed in 2005 by a law which recentralised the process of academic appointments. (Luzzatto and Moscati 2005, Moscati 2017).

However, the trend towards increased autonomy has not been in one direction. In Ireland, there has been a reversal since the 1997 Higher Education Act which enshrined academic freedom (section 14) in the functioning of the University. The autonomy of the HE sector has been eroded through austerity cost-saving measures instituted by the state since 2008, and through proposed measures on pay, collective agreements and provisions for Inspectors under proposed amendments to the Technological Universities Bill 2015.

⁷ COM(2011) 567 final - *Supporting growth and jobs – an agenda for the modernisation of Europe's higher education systems*. Available at: <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52011DC0567&from=EN>

⁸ LOI n° 2007-1199 du 10 août 2007 relative aux libertés et responsabilités des universités. Available at: <https://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000000824315&dateTexte=&categorieLien=id>

⁹ LEY ORGÁNICA 4/2007, de 12 de abril, por la que se modifica la Ley Orgánica 6/2001, de 21 de diciembre, de Universidades. Available at: <https://boe.es/boe/dias/2007/04/13/pdfs/A16241-16260.pdf>

Institutional autonomy in relation to staffing (recruitment, promotion and salaries of academic staff); as well as academic autonomy, may be a facilitating factor in the implementation of gender equality in academia. For example, if important gender pay gaps among staff are identified in a university, the opportunities for correcting this at an organisational level will depend of its degree of autonomy in these matters. However, while limited institutional autonomy in relation to hiring, recruitment and promotion procedures and regulations has been cited as an obstacle to implementing gender equality action plans (for example, in the GEAR toolkit) the link between institutional autonomy and gender equality is far from clear, as it can also be claimed that state regulation of the recruitment and promotion of academic staff (e.g., through competitive examinations or external accreditation procedures) may be a protection against gender bias and result in less gender inequalities in the first place. In sum, this is a debate that remains to be settled.

The next section describes and compares levels of institutional autonomy in these areas (staffing and academic autonomy) in the countries covered by the SAGE project, with the exception of Bosnia. It draws on the observatory of the European University Institute and the study of the European University Association cited above.

2.1 Staffing

With regards to the recruitment of academic staff, there are significant differences in the procedures across Europe, ranging from a large degree of independence in the recruitment of staff to formalised procedures that necessitate the approval of an external authority. The two countries that enjoy more freedom in this respect are the UK and Ireland¹⁰. In these countries, HE institutions have primary responsibility for the recruitment, retention and development of their own staff, including decisions on the number of academic staff and the qualifications and criteria involved in each case. In other countries, institutional independence in recruitment practices is much more limited.

In Italy, staff recruitment is covered by national law. Universities are free to implement individual staff recruitment practices, but they need to abide by national regulations with regards to the qualification requirements and recruitment procedure for some or all categories of staff.

¹⁰ Note, however, that in Ireland a moratorium on staffing across the state-funded sector was implemented in response to the economic crisis from 2008-2015. All universities were required to implement a 6% reduction in staff numbers and a ban on promotions and permanent positions.

In France, Portugal and Turkey, universities may only partially decide on staff recruitment practices, as the numbers of posts in certain staff categories (usually professors and/or senior administration) are set at national level. In France, the appointment of certain categories of staff (usually professors) must be confirmed by the relevant public authority. In Turkey, the Council for Higher Education allocates a specific number of vacancies to universities, which may then carry out the recruitment process on their own.

A common feature of most countries included in the SAGE project is that academic staff, or a section of it, have civil servant status. In such cases, universities have less flexibility as an employer (regarding the employment contracts of their employees) in their human resource management compared to those where staff do not have such status. In Turkey, all members of university staff have civil servant status. In France and Italy, and Portugal HE institutions have mixed academic staff – those hired as civil servants and those hired on a contractual basis. In France and Italy, the status of civil servant is related to the organisational hierarchy and applied often to senior academic positions.

In Portugal, the status of civil servant is limited to specific categories of university staff. In this country, employees who have been serving the longest tend to have civil servant status, whereas those who have been employed more recently do not qualify as civil servants, which is to a certain extent the result of recent autonomy reforms. In Ireland, all staff are employees of the universities, with terms and conditions set by the universities. However, rates of pay and pay policy are set by government, and university staff come within the remit of public sector collective agreements which are negotiated between government and trade unions from time to time..

In France, Italy and Portugal, the definition of categories of staff as well as the respective eligibility and recruitment criteria is set at a central level. In France, academic staff are recruited from a list of candidates drawn up by a national committee of academic peers. This committee, whose membership is partly decided by academics and partly nominated by the ministry, decides on applications and universities then fill open positions with candidates included in this list. In Italy, the selection of senior academic staff involves scientific evaluation panels, which typically comprise one internal and four external members. External members are usually full professors working in a pertinent scientific field at other Italian universities. Evaluation panels assess scientific merit based

on previous research and publications. In Portugal, candidates for full professorships must undergo personal accreditation by a jury, which involves the evaluation of an applicant's scientific output.

In many of the countries included in this action, the main recruitment method is via competitive examinations, except for Ireland and the UK. The procedures for organising these competitive examinations are generally subject to criteria defined at central level. In France, institutions must follow procedures established at central level and monitor compliance with these procedures. In Portugal, recruitment via competitive examination applies to certain specific categories of staff, namely professors (tenured professors or associate professors)¹¹. In other countries, such as Italy, the organisation of competitive examinations is based on a mixed decision-making process. In this country, the institution proposes a competitive examination, which must be approved by the board of governors and ratified by the rector. The formal request for a competitive examination is then submitted to the ministry, which posts an advertisement in the official journal for 60 days. The institution designates a selection committee made up of internal and external members, in which there is central-level involvement.

In relation to salaries, with the exception of the UK and Ireland, defining salary scales is based mainly on legislation and other official documents at the national level. In those countries, the State also determines the individual annual gross salary, bonuses and additional increments. Nonetheless, universities in France, Italy and Portugal may freely decide on the salaries of contracted staff or newly employed staff who do not have civil servant status. In Portugal, only some academic staff members have civil servant status with set salaries. In Ireland scales are negotiated by the state and trade unions. In Turkey, salaries are decided by an external authority and higher education institutions have no control over salary costs.

Turning to promotion procedures, all countries except the UK and Ireland are unable to promote senior academic staff freely. In Turkey, career advancement for both academic staff is only possible if a post is available at a higher level. In Portugal, promotion procedures are contingent on types of contract, although the majority of staff members has civil servant status and can only be promoted if there is a post available at a higher level. In Ireland, universities can promote staff freely although, due to the financial crisis, there was a moratorium on all promotions between 2008 and 2010, and

¹¹ This recruitment method is, however, not always used for university professors, who may also be recruited for a similar position directly from another institution (i.e. without a competitive examination).

promotions are now subject to certain parameters in relation to senior: junior ratios. In France, promotion quotas are imposed by the State. For senior academic staff, half of all promotions granted are determined at the national level. The same group of academic peers that sets up the national recruitment list decides on these. For non-civil servant staff, promotions are freely decided by the university. However, these cases currently make up only a minority.

2.2 Academic autonomy

Academic autonomy is important in facilitating the introduction of gender perspectives in the curriculum as well as supporting specific gender/women studies programmes. This is an important consideration for the SAGE project. In most European countries, responsibility for the design of curricula generally rests with the universities themselves. However, the introduction of new programmes usually requires some form of approval by the relevant ministry or by another public authority and must pass some type of accreditation, although there are some exceptions.

In Italy and Portugal all new Bachelor programmes must undergo accreditation to be introduced. In France, programmes must be accredited in order to receive public funding. In Turkey, all new Bachelor programmes must be submitted to and approved by the ministry or higher education council, respectively. At Bachelor level, universities in the UK and Ireland can introduce programmes without prior accreditation.

In the majority of systems, procedures for opening new study programmes at Master's and Doctoral level are more or less the same as those at Bachelor level. In France, however, requirements for doctoral programmes are more stringent, as they must be accredited before introduction (whereas at Bachelor and Master's level, accreditation is only necessary if programmes are to be publicly funded). By contrast, the requirements for opening programmes at a postgraduate level are more flexible in Italy as evaluations of doctoral programmes in this country are only necessary if the university intends to obtain public funding for the programme in question.

Conclusions

This background paper has provided a 'mapping' of cross-national differences in the levels of institutional autonomy among SAGE partners.

The level of institutional autonomy determines the range of actions to be included in a university Gender Equality Action Plan (GEP). While recent trends in Europe point to the introduction and expansion of the principle of autonomy in universities, different traditions coexist in the European HE area and, therefore, important cross-national variation exist in this regard. It should also be noted that HE autonomy can also be reversed in the context of general economic imperatives, and thus the trend towards autonomy cannot be taken for granted.

High levels of institutional autonomy give universities more freedom to correct gender inequalities, when compared to those which are subject to heavier state control. However, greater autonomy and flexibility also carries a gender equality risk, as there is no external oversight of the gendered profile of appointments and promotions.

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