CHAPTER 5

AN INTERNAL REPRESENTATIVE SYSTEM: THE DEMOCRATIC VISION

Harry de Boer and Bjørn Stensaker

INTRODUCTION

In this chapter the focus is on the University as a representative democracy. Universities are also highly politicized institutions – they can be seen as arenas for vested interests and various stakeholders. Such a university characterization – as well as others such as the Republic of Science (Polanyi 1962), the organized anarchy (Cohen et al. 1972; Cohen and March 1974), or the enterprise university (e.g. Marginson and Considine 2000) – refers to the dominance or illumination of particular organizational features. It means that under certain events and conditions specific institutions – formal and informal rule configurations – temporarily repress other value systems. This is also our analytical point of departure. Sometimes institutions collide and a new equilibrium with other prevailing institutions may arise where "a possible outcome of collisions is the fall and rise of institutions" (Gornitzka and Olsen 2006). With respect to such collisions not just external factors but also organizational processes are relevant. In this chapter we focus on the internal aspects of the University.

Institutional change happens because of the emergence of mismatches among existing institutions. As a consequence their legitimacy and performance may be questioned. Usually institutional change is incremental, but because the rate and pace of external change every now and then exceeds the rate of adjustment to it, there are occasional periods of rapid change (see, e.g. March and Olsen 1989: 171). The rise of new institutions does not mean that the new (set of) institutions establish an efficient equilibrium. Usually there are several competing options, none of them perfect. The outcome of this "collision of institutions" requires careful investigation.

This chapter analyses these "collisions," and the possible rise and fall of the University as a representative democracy, with the aim of trying to identify where a possible new equilibrium might appear due to the supposed moral and instrumental benefits of the democratic university (see next section). We would argue that there are good reasons to examine the relevance of such an institution in a policy context in which the future university is seen as a key organization in and towards the knowledge society. In order to see to what extent the University as a representative democracy could still be a relevant and viable mode of organization in an era where universities have to meet a battery of expectations, we will address the rise of this mode of organization and, through reviewing its "performances," its current perceived decline. After that we will discuss the current conditions for and legitimacy of the University as a

P. Maassen and J. P. Olsen (eds.), University Dynamics and European Integration, 99–118.
© 2007 *Springer.*

representative democracy, particularly in the context of the European Higher Education Area, before concluding by pointing to possible future aspects of the democratic university.

THE UNIVERSITY AS A REPRESENTATIVE DEMOCRACY

The concept of democracy is obviously highly contested. Based on earlier work (de Boer and Denters 1999), we suggest that a University should have the following characteristics for being called a representative democracy:

- Affected interests should have the right to elect their representatives and should be eligible for such positions.
- These representatives should have substantial powers (otherwise the university demos cannot effectuate its voting right).[107]
- Decision-making powers should not be concentrated but fused or separated among the several; ideally, in a system of horizontal checks and balances the representative council has the upper hand.

In theory "affected interest" means that students, academics, non-academics, parents, the (national) government, industry, and other stakeholders should elect their own representatives for university governing bodies. These representative governing bodies should have legislative powers (including budget power), fused with or separated from an executive (e.g. the rectorate). These executives should be directly elected from and by the university electorate or should be elected members from the representative councils (monistic fusion of powers), or being elected by the representatives.

Olsen has portrayed this kind of university as an interest group allowing representation of university members on governing boards and councils (chapter 2). In his eyes such institutions have a strong focus upon formal arrangements of organization, more than on the special characteristics of work processes. Procedural and authority rules are important. Decision-making is organized through elections, bargaining, compromises, voting, and coalition-building among the organized groups with the aim to pursue their interests. The basic mechanisms for change are shifts in coalitions and successful internal bargaining. The model rests upon the assumption that actors have conflicting norms and objectives and that university operations and dynamics are governed by internal factors and causal beliefs. Hence, it should be underlined that the model is first and foremost a vision of how a university may function, and that it should be understood as an ideal which in practice may have been incomplete or poorly implemented – a point we will come back to in our conclusion. The ideal of the University as a representative democracy is also highly paradoxical in that it

[107] Of course one can take this argument further by discussing the different roles representatives (should) play. Burke's well known distinction between trustees and delegates comes to mind here. Trustees, entrusted by their voters, have autonomy to deliberate and act in favor of university interest. The delegate speaks more directly for its constituency, has far less autonomy and is supposed to consult his constituents more frequently before taking a decision. This representation issue will be left aside.

downplays the importance of the authoritative academic hierarchy while at the same time emphasizing that academic voice is important (Kallerud 2006).

However, the model of university democracy has also similarities with the University modeled as a political organization, full of dispute and contention (Baldridge 1971; Cohen and March 1974; Altbach 1992: 1438). The political model of universities stresses the diversity of interests, the lack of consistent and shared goals, and the continuous internal power struggle (competition). Plurality and heterogeneity are emphasized in comparison with collegial university models that stress consensus and collaboration. Resource mobilization and utilization (power, prestige, information, authorities) relative to competing groups determine the actor's potential to be successful. The existence and underlining of interests, values, power and status almost automatically lead to conflicts between the groups: between governors and academics; between students and non-students; between faculties, institutes, schools; and between cost and profit centers. Kinship, solidarity, and intimacy are unlikely to exist. In Middlehurst's concluding words, "The organization itself is seen as no more than a coalition of different individuals and groups, kept together in dynamic tension, but with the potential break as soon as resources and power become unbalanced, or as dominant groups choose to strike out independently" (Middlehurst 1993).

What is the appeal of the University as a representative democracy? In principle, there are two answers to this question. First, the normative view which sees democracy as an end in itself. It is a kind of moral right to give employees a say in decisions that affect them. A representative democracy has an intrinsic value that may contribute to individual growth, feeling of self-worth, or, at macro level, good citizenship. Second, there is the instrumental view that sees an organizational democracy as a means to an end. Democracy may create greater support for institutional policies, for example, by reducing resistance. It this respect it facilitates decision-making, also because of a better use of information available within the university community. Thus, the instrumental view assumes that a democratic system ultimately leads to superior organizational performance through a better utilization of its human potential (chapter 4). Taken together, advocates of organizational democracy argue that influence sharing has potentially positive consequences at three levels: it is good for the individual members of the organization, it is good for the organization, and it is good for society (Heller 1998). However, at the same time both in academia and elsewhere the results of organizational democracy have been largely disappointing, among other things, due to unrealistic expectations and the neglect of necessary antecedents such as adequate laws, experience, skill and trust. In the next two sections we will explicitly address these issues.

THE HISTORY OF THE REPRESENTATIVE UNIVERSITY

The Rise of the University as a Representative Democracy

The origins of the University as a representative democracy stem from the midst of the 1960s and were primarily the consequence of student activism (Altbach

1992: 1438), although younger professors and faculty at a number of universities also can be identified as being active partners in reforming university governance in this period (see, e.g., Olsen 1976b: 334). The reasons for the political activism and waves of rebellious student revolts varied between countries as did their intensity. In some countries it had serious political repercussions (in France and Germany), whereas other countries were to some extent "followers of reform fashion." Apart from the differences, the developments during the late 1960s and their consequences have also common features.

As regards the "revolution" in internal university governing systems a key element often noticed is the resistance and reaction against plans to reform higher education systems in various countries. In many countries the government and the university sector were looking for possibilities to deal with the problems of the *massification* of higher education.[108] In this context advisory committees were installed to study the problems of university governance. Students and junior academics usually played no role in many plans and reform proposals before 1967 (except for some countries). For example, in the Netherlands the Maris Committee, composed of members from the national body of academics (Academic Council), went into this issue and proposed a business-like approach that would certainly fit the "NPM-ideas" of the 1990s. These "managerial ideas *avant la letter*" were critiqued by both the professoriate ("the Maris committee denies the University as a professional organization") and students (missing all the element of democratization). It was so to speak the worst possible proposal at the worst possible time. As a consequence students became even more focused to (loudly) voice their demands for emancipation and democratization, the government started to get more involved, and the old regimes within the universities got increasingly confused.

Key question in these discussions, in the Netherlands as elsewhere, was how to increase the efficiency and effectiveness of the system in order to cope with the large number of students. It meant not only more students but also a more diversified student body pressurizing traditional habits and organizing themselves in different ways, for instance, through new unions (Daalder and Shils 1982). As de Boer et al. (1999: 331) indicate:

> "(S)ince 1963 a new student unionism had begun to develop with the aim of ending the more isolated position of traditional student associations. The Dutch student union launched its program in 1964 in the form of a 'Democratic manifesto' promoting the material and social interests of students (…) In 1967 the student union published the 'Syndicate manifesto,' as a spur for protest activities oriented towards democratizing the university."

The massification of higher education also meant a growing academic staff, looking for career opportunities and influence, not at least an increased interest of junior staff to participate in decision-making bodies and to be appointed to management

[108] De Boer et al. (1999: 332) also indicate that the student action provided an important breeding ground for thoughts on a new university governance structure, but "it would give the student movement too much credit to claim that the reorganisation of the university was due only to their action. Historically, this is too much a one-sided perspective."

positions. This process was not always opposed by the established professors. For example, Halvorsen (1967), a university director at the time, pointed out that the opening up of non-professors to take on the role as department head also could be viewed as a move that could increase time professors spent on research and decrease time they spent on administration.

But the massification also painfully demonstrated the dysfunction and outdatedness of the prevailing structures. This dysfunction of the old university elite also became embarrassingly clear in the disordered response of the universities to the new challenges imposed by the students in 1967–1969. Daalder (1982: 497) argues that this was one of the reasons for governments to interfere themselves: "universities were unable to settle their affairs without external intervention." And of course an expanding system requires more financial means. The financial claims of the universities started to bear down heavily on the education budget. As a consequence the government became increasingly concerned about the allocation of resources and started to look for possibilities to rationally restructure higher education. Thus, before the real democratic waves in the late 1960s, in many countries discussions were already going on to see what kind of substantial changes in the university organization were needed. In terms of real outcomes these discussions were not very productive. However, this changed radically by the democratization movement that really speeded up the discussion and geared it into a new direction by adding demands such as "one man, one vote."

This student activism focused on both internal and external democratization. It is important to note that the (organized) students were having quite different opinions on these issues. It is, just as the other groups such as the professoriate and the government, a rather heterogeneous instead of a homogeneous group. However, due to limited space we cannot avoid this oversimplification in our description below. One aspect underlying the student protests in this period was, for example, the argument that universities should not loose their critical role in the larger society. There was protest against the Vietnam War, protest on the exploits of the Third World, campaigns against "repressive" authorities as well as use of (neo) Marxist writings, all to create a "better world." As such, student activism was also a revolt against the University being used as an instrument for national political agendas (chapter 4). Paradoxically, the protests were often targeted against national ambitions that, among other things, were enabling more students to attend the University.

In the 1960s student movements, encouraged by media, philosophical intellectuals and Marxist ideologists, developed ideas about the academic organization that were alien to the then-existing university. Students as a political force came completely unexpectedly (Daalder and Shils 1982). This new ideology was taken up by others, such as politicians and junior academics, which sensed an opportunity of gaining power. A collision of institutions was the result. These movements revolted against the feudal authority structure of universities, which were run by the senior academics (teaching and research) and the state (matters of finance and personnel). Universities were greatly decentralized, powers were diffused and there was virtually unlimited power of the professorial "lords" in limited realms.

After the years of agitation the years of codification followed (Pedersen 1982). New laws, in the beginning often as experiments, on internal university governance were put into effect. They introduced various forms of representative democracy (instead of the radical demands for direct democracy). An important event occurred in August 1967 when the *Sozialistischen Deutscher Studentenbund* put forward a new slogan: democratization, worked out in *tripartite representation* in all academic governing bodies (Hennis 1982: 11). This slogan on "parity" left its imprints on the student actions in 1968 as well as ultimately in the internal university governance structures in many countries. For example, in Germany the *Ordinarienuniversität*, governed by full professors and the state, was transformed into the *Gruppenuniversität*, governed by representatives of the various university constituencies. In the period 1968–1976 new laws on university governance passed national parliaments, for example, in Belgium (1971), Denmark (1970), France (1968), Germany (1969–1973 and 1976),[109] the Netherlands (1970), and Norway (1976). In the first half of the 1970s the University as a representative democracy was born and spread all over Western Europe. The costs of implementation were enormous and caused serious problems at both the macro and the micro level (see next section). One of the side-effects of massification and the rise of the representative university was a growth in the number of university administrators during the 1970s and 1980s. These administrative experts took increasingly part in the governance of the university, sometimes adding "*separate sets of roles and interests*" to those of the academic staff and students (Clark 1983: 89), while at other times attending the conflicting interests caused by increased representation (Dill 1992: 1326).

These kinds of changes occurred especially in countries with "state-controlled" university sectors. According to Daalder (1982: 496), Denmark, Germany, and the Netherlands went furthest in meeting the demands for a democratic reform of university governance. In countries that traditionally had less (direct) state interference, for example, the UK and the USA, universities were largely left to themselves to cope with the challenges of that time. According to opponents of democratization, such as Kielmansegg (1983: 47), by and large university management "did better than the politicians and the bureaucrats, simply because they were less willing to embrace the follies of the day." In fact, many "despised" politicians for their lack of knowledge and vision. The University as a representative democracy was far more the result of ideology, prejudices, and political fashion than of decisive, vision-based political action (Hennis 1982: 26).

The Fall of the University as a Representative Democracy

The fall of the University as a representative democracy has basically two reasons. The first general reason relates to the changes in society, that is, the social, technological, socio-economic and political changes, to some extent exogenous to the University,

[109] In the years 1969–1973 new legislation was introduced in the German states and after that in 1976 a new comprehensive federal law was put into effect.

that have affected university governance. Such exogenous factors can create new opportunities and expectations or may reveal problems in existing institutions. In other words, they can cause mismatches among institutions. The emergence of mass education was the example mentioned earlier. Other examples that more recently stimulated new modes of governance, in the University and elsewhere, are the fiscal crisis (since the late 1970s), internationalization and globalization, and the dominance of neo-liberal ideologies, including strong preferences for market-oriented values and behaviors. These external factors have contributed to the fall of the University as a representative democracy, since, arguably, they require universities to respond swiftly and flexibly. The widely expressed view is that the democratic university is unable to respond timely to external changes and to satisfy societal demands and for that reason should be abolished.[110] The incapability of representative bodies, such as university councils, to take strategic decisions, particularly in times of headwind, has seriously harmed the "case of the representative university."

The second general reason relates to perceived shortcomings of the democratic university itself. As described in the previous section, the introduction of the University as a representative democracy was a clean break with the past and was in many cases explicitly regarded as an experiment. How successfully did these new authority structures operate? What have been the side effects? In the remainder of this section we address point by point some side effects, expressed worries and perceived shortcomings of the university as a representative democracy. Again we stress that this is the general picture; local situations will differ. We address three general issues: the tensed relationship of a representative democracy (as a political organization) and features of the academic profession (e.g., academic freedom), the difficulty of designing transparent rules and procedures, the qualifications needed to take good decisions, and the commitment of staff and students for university "politics."

One of the consequences of the University as a representative democracy was the emergence of a politicized organization. Especially during the peaks of the democratic university in the 1970s, the politicized nature emphasized competition and conflict instead of consensual decision-making. Obviously, conflicts of interest did also exist in the old regimes, but due to a completely different power distribution and a culture of "decision-making among equals" this was dealt with in a different way. Points of view differ with respect to the desirability of having turned into a real political organization. It is argued that particularly when differences in opinions, interests and positions do exist – and they do! – it is better to be explicit about them and to try to channel and resolve disputes through "politics." On the other hand, it is frequently said that politicized structures in universities have accentuated differences and have lead to more conflicts than necessary. Of course, one should not underestimate that conflicting interest or seemingly consensus also could be the result of different interpretations or misinterpretations of vital issues, lack of participation in decision-making due to the

---

[110] See, for example, Meek and Wood 1997; Askling et al. 1999; Currie et al. 2003; de Boer 2003; and Mignot Gerard 2003.

"cost" side of involvement, or shared academic values leading to "socialization" with respect to how problems should be solved (Olsen 1976a: 310). Still, distraction from teaching and research and extensive fights over rules and procedures have at least for part of the academic staff contributed to de-motivation and non-optimal performance.

One of the consequences at German universities was, for example, increased mutual distrust and hard feelings among the various parts of the institution (Hennis 1982: 19). In France the politicization of university decision-making has been the source of unethical and openly illegal behavior in many areas (Salmon 1982). Councils have gone beyond their sphere of competence and discussed issues that they were not empowered to consider. On these lines Salmon (1982: 83) speaks of "collective misbehavior." Such behavior seems somewhat "odd," but could be observed in other countries too.

In such troublesome contexts academic excellence suffers, or put more mildly, does not flourish. Particularly professors complained that instead of upholding academic standards, or being places for excellence in teaching and research, universities tried to become small democracies or instruments for the democratization of society (Lobkowicz 1983: 27). Academics were increasingly preoccupied with organizational and political questions instead of with scholarly ones, leaving aside the "brain drain" in the 1970s of professors who left their university, even though, seen in retrospect, this was very much a minority phenomenon (Altbach 1992: 1444).

Related to this issue is the supposed threat, or at least tensed relationship, of the democratic university and academic freedom. Particularly professors saw the internal constellation of competing interests as problematic. In the German context Kielmansegg (1983: 48) states that academic freedom was much more severely threatened from within than it had ever been from without. It "was a façade behind which countless serious and sometimes even brutal infringements of academic freedom took place." In the Dutch context Lijphart (1983) analyses the, in his eyes, lamentable deterioration of the universities as a result of the internal democratization: weakening of academic control of teaching and research, politicization of the University, and the gradual decline of academic standards. One of the main reasons for this abominable situation was in Lijphart's eyes the firm institutionalization of "student power" at all levels, in the beginning partly related to the at the time outspoken Marxist ideological driven behavior.

Another consequence of the functional representation has been that professors lost their dominant position, at least in terms of numbers. Of course, this was exactly the meaning of much of the new legislation. However, it was not the intention that professors would "completely" withdraw from formal decision-making. In countries such as Denmark and the Netherlands many professors lost interest in taking a seat in the representative councils. Consequently, many constituencies were formally represented in the university's decision-making, except for the "most important group" (Pedersen 1982; de Boer 2002). This does not imply that professors no longer had any influence. Non-participation in formal decision-making can be explained as an outcome of alternative ways to influence decisions (Olsen 1976a: 283–286). Hence, professors were still influential, but in a more subtle and informal way (de Boer 2003).

After all, equality of participation is not the same as equality of professional tasks and of (external) status (Pedersen 1982). However, it does contribute to the transparency of university decision-making. While democracies intend to be open (e.g. having public meetings) important decisions in the universities were taken elsewhere.

The University as a representative democracy has also had serious problems with establishing clear distributions of authority. Moreover, practice was even tougher than paper. In the Netherlands the division of powers between the legislature and the executive caused many problems and needed adjustments (achieved after more than ten years) (Commissie Polak 1979). This unclearness caused many (procedural) conflicts and bitter fights that have seriously damaged institutional policies, teaching and research as well as people's individual careers. Moreover, unclear divisions of authority paralyzed decisive decision-making, created opportunities for not taking responsibility and blaming the other side; not only inside the institution but for the outside world too. For external parties, such as the state, it was sometimes difficult to find the right "addressee," since, if deemed necessary, the legislating body and the executive were hiding behind each other's back. In other words, it was hard for external parties to "do business with" the University. Similar unclearness in the power structure existed in Denmark between the rector and the senate. The position of the German rector was also troublesome but for different reasons. The intention was to strengthen the position of the rector who should be elected from a university-wide audience. However, the result was that the average rector was in a weaker position as he wanted to please all constituencies at the same time which did not particularly contribute to strong decision-making (Hennis 1982: 18–19).

Another major concern is related to the participation and engagement of the members of the university community themselves. It was argued from the beginning that equal distribution of power throughout the university would increase staff and student involvement. However, after some years it became clear that the "average" member's involvement and commitment are somewhat limited (Schuster 1989). The majority of staff and students are indifferent or keep contemptuous distance, not or hardly being interested in university politics at all. Most of them are not willing to take a council seat. Many of them do not vote. Turnout rates for council elections are low. With the advent of the enterprise university, by and large after the midst of the 1990s, this problem may have grown, but it already existed during the heydays of university democracy (for France, Denmark and the Netherlands, see Salmon 1982; Pedersen 1982; de Boer 2002).

The model of the University as a representative democracy was meant to increase transparency and equality; it became at many places a model of disintegration, irrationality and inefficiency. Concerning the French situation, Salmon (1982: 81) argues that feelings of frustration probably increased among all categories. "All of them have felt that they were not really or sufficiently represented or influential, compared with their expectations."[111] Nasty qualifications as "mud-slinging," "manipulation" and

[111] Obviously this says also something about the high expectations of some groups in the beginning.

"inconsequential squabbles over spurious problems" accrued to the "democratic university" (Hennis 1982). Though several of such qualifications may be exaggerations, they can be found in nearly all West European countries at the times of the "democratic university" and this university has never gotten rid off this image.

Also the (lack of) skills and competences of the representatives of the democratic university have traditionally been criticized. This in fact brings the old issue to the surface of what kind of expertise one has to possess for good rulership. Students were, for instance, blamed for a lack of knowledge both with respect to non-academic matters (can we let them decide on multi-million budgets?) and academic matters (do they have to decide what kind of books and how many pages they read?). This amateurism might well be related to another "fact." The University as a representative democracy is not particularly known for its efficiency, that is, it is a very time-consuming system to take decisions, if they are taken at all. There are several studies that indicate the excessive use of time (e.g. frequent and long meetings) (Daalder and Shils 1982; de Boer et al. 1998).

Another aspect of the democratized university was the intention of the abolishment of the Ivory Tower. Universities should be part of the real world. They should be adaptive and respond to societal needs. One way of doing this was to give external members a seat in representative councils. In 1982, Daalder (1982: 508) concluded there is no evidence that university "democracy" has made European universities more adaptive than they were under exclusive professional rule. In the 1980s and 1990s universities as representative democracies were frequently accused of being inward looking ("navel gazing") instead of being external oriented. In 1990s, one of the reasons to strip the representative councils from some of their substantial powers (through legally imposed reforms) was to strengthen the external orientation of the University, that is, to encourage them to behave as "public entrepreneurs" and to strengthen their ties with society. The strengthening of executive leadership aimed to further strategic decision-making and to make the institution more adaptive as the democratic university had failed in that respect.

International studies of faculty participation in university decision-making also disclosed disappointing results concerning the perceived effects of participation. An analysis of academic involvement in institutional governance in England, Germany, the Netherlands, and Sweden (based on Carnegie survey data) showed that those academics that were most involved in administrative matters (faculty from England) also were most dissatisfied with the influence they had over policy processes at their institutions (Geurts and Maassen 1996, 2005). Even though one should be open for the possibility that dissatisfaction also may trigger participation due to an increased mobilization, in all four countries, the general conclusion reached was that although much faculty time was spent on administrative issues, faculty's perceived influence on policy making in their institutions as well as their departments was marginal (Geurts and Maassen 1996: 81).

Hence, the momentum of the "democratization" movement as Daalder (1982: 509) named it was gone in the 1980s. However, in many countries the concept of functional representation in governing bodies with substantial powers would by and large last

till the last decade of the previous millennium. After incremental changes in the 1980s and early 1990s, we have witnessed real changes in internal university governance. In a number of countries we saw, at least in a formal sense, a clear weakening of "work-place" democracy within the University, and the introduction of elements such as appointed managers, external representation in boards and governing bodies, and the assignment of increased weight to individual responsibility rather than collective decision-making (Currie et al. 2003; Larsen et al. 2005). As a result, new forms of representation – the rise of, and the inclusion of unions in various governance arrangements – were emerging due to an increased conflict level within universities (see e.g. Kirp 2003). Was such a shift in internal governance inevitable? Could it easily be justified because of bad performance of university decision-making through representation? And has the University as a representative democracy completely vanished?

Whatever the shortcomings of the University as a representative democracy are and apart from the more recent changes towards more managerial-run universities, there is still a substantial amount of influence sharing among the various constituencies in universities. The decline of the democratic university should not be confused with a university in which staff and students hardly have any voice in or impact on institutional policy making. They still have "democratic rights," are still influential and are still represented. In most universities, for instance, staff and students still elect their representatives, and have university councils not been abolished. Moreover, as a practice many university decision-makers tend to consult staff and students before they initiate real action. Some powers are exerted through informal channels instead of through formal procedures.

At the same time, we can observe that the power of representative bodies has declined. They have become advisory bodies instead of decision-making bodies. And power has become more concentrated into the hands of a few executives. Generally, persons on such key positions are appointed instead of elected. Horizontal structures of checks and balances have been replaced by vertical ones. But not, as some would argue by vertical chains of command. In other words, some of the conditions mentioned above are no longer met while others are. These kinds of changes in internal university governance do not imply a return to the *Ordinarienuniversitat*, while at the same time the *Gruppenuniversitat* in its full growth seems history as well.

THE DEMOCRATIC UNIVERSITY AND THE EUROPEAN HIGHER EDUCATION AREA

Does this mean that the vision of the democratic university is fading away, or will we witness new institutional "collisions" arise as a result of the next phase of governmental reforms in Europe – the realization of the European Higher Education Area? By looking into the changes during the last decades with respect to how universities are managed, there seems to be less belief in the democratic vision of the University (de Boer 2003; Maassen 2003). Looking at the Bologna process or the Lisbon strategy, one is struck by the tendency to overlook the institutional fabric of decision-making

structures in universities, while there, at the same time, is a strong tendency to refer to universities as "partners" in the realization of the European Higher Education Area (Nyborg 2002).

"Good Governance" in a European Perspective

Governance is an important topic in the realization of the European Higher Education Area, but the term is nowadays often used to indicate a new mode of governing that is distinct from the hierarchical control model. Rather, it is interpreted as a more cooperative mode where state and non-state actors participate in mixed networks (Enders 2004: 372). In other words, governance in a European perspective is often linked to the relationship between different institutions and European macro-politics, where the development of autonomous institutions responsible for their own future is seen as a key for the future (van der Wende 2003; Commission 2006b).

For those belonging to the university sector, governance often has another connotation, relating more to issues concerning academic freedom, even if organizational autonomy does play a significant part in their understanding of the concept. The "predecessor" of the Bologna Declaration (chapter 7), the Magna Charta Universitatum, signed by the university rectors present at the 900th anniversary of the University of Bologna in 1988, emphasized that the University was an autonomous institution, where academic freedom is a key factor, and that "*To preserve freedom in research and teaching, the instruments appropriate to realize that freedom must be made available to all members of the university community*" (Magna Charta Universitatum 1988).

A reasonable interpretation of this statement is that one of the potential instruments that should be made available to members of the University is access to decision-making structures. In principle, participation in governance structures seems to be supported by the European Commission. In a 2001 White Paper, the Commission (2001) presented five principles that should in general underpin "good governance" in all sectors: *openness, accountability, effectiveness, coherence* and the fifth principle being *participation.*

However, if one consults the European Charter for Researchers (Commission 2005), ambiguity rather than clarity characterizes the EU position concerning participation in higher education governance. While again emphasizing academic freedom as an important condition for academic work, it is argued that participation in governance structures is not, and should not, be a fundamental right for researchers: "*Researchers should, however, recognize the limitations to this [academic] freedom that could arise as a result of particular research circumstances (including supervision/guidance/management)*" (Commission 2005b: 11). Moreover: "*Researchers should be familiar with the strategic goals governing their research environment and funding mechanisms*" (Commission 2005b: 12)

In other words, according to this statement there is not an opening for participation in the development of strategic goals; researchers should "only" have knowledge of the existing goals. Still, the ambiguity is disclosed when the European Charter describes the principles and requirements employers or funders have with respect to researchers: "*Employers and/or funders of researchers should recognize it as wholly*

legitimate, and indeed desirable, that researchers be represented in the relevant information, consultation and decision-making bodies of the institutions for which they work, so as to protect and promote their individual and collective interests as professionals and to actively contribute to the workings of their institution" (Commission 2005b: 22)

While the latter statement appears quite positive towards the idea of the democratic university, ambiguity is yet again displayed in a recent Communication from the European Commission on the modernization agenda of European universities. The importance of academic representation in university decision-making is considerably toned down, and a link is created between innovation and organizational autonomy, with the Commission arguing that universities will not be innovative and responsive to change unless they are given real autonomy and accountability (Commission 2006b: 11). The instrument also "*(...) requires new internal governance systems based on strategic priorities and of professional management of human resources*" (Commission 2006b: 11).

As an illustration of what this might mean in practice, the new Danish University Law is mentioned as an example where universities are governed by a self-renewing governing board, where the board appoints the rector, who in turn appoints the deans. Staff and student representation is in the Danish University Law only related to the existence of an Academic Council at each university. However, the latter body is only consultative without any real decision-making powers. Hence, the argument seems to be that change is about establishing more hierarchical lines of command, and creating a more visible management and leadership structure. As Burquel (2005: 4), in one of the conferences leading up to the new Communication from Brussels concluded, there is a request for "strong leaders" and "professional managers" to develop a university vision, a mission, and to implement these.

Organizational Autonomy, Academic Freedom and the Democratic University

Although one could argue that formal documents display ambiguity concerning how universities should be managed in the European Higher Education Area, there is a tendency to emphasize leadership and professional management as a necessity to foster change within the sector. Does this mean the rise of a new equilibrium with respect to democratic governance within universities, or the end of the vision of the democratic university?

Even though one might be tempted to give a confirmative answer to the latter part of this question, the conditions for the democratic university should be discussed more broadly before coming to such a conclusion. However, in a broader discussion, the conditions for the democratic university need to be related to the two concepts it seems to be strongly connected to, organizational autonomy and academic freedom.

Traditionally the relationship between organizational autonomy and academic freedom is seen as two sides of the same coin and mutually dependent (Nyborg 2002: 1; see also Berdahl 1990). Tight (1992: 1384) has noted that it is quite possible to have organizational autonomy without academic freedom, or vice versa as historic examples of Oxford University in early nineteenth century and Prussian universities

in the Humboldtian era have demonstrated. Tight concludes that in practice the two concepts tend to be mutually supportive (Tight 1992: 1384). However, when adding a democratic dimension to this relationship, the situation becomes more complex. In their definition of organizational autonomy, Ashby and Anderson (1966: 296) provide a list of areas: freedom from non-academic interference in the government of the institution, freedom to set standards and determine methods of assessments, etc. But in the democratic university, freedom from non-academic interference is rather difficult as representation often includes both administrative staff and students in decision-making bodies. Furthermore, the freedom to set standards and determine methods of assessments becomes limited with the increased institutional responsibility for developing quality assurance systems, often subordinated to external standards and criteria set by external quality assurance agencies emerging partly as a result of the Bologna process. Clearly, even in practice organizational autonomy does not necessarily link up with either academic freedom or the vision of the democratic university. One could rather note that stronger autonomy might mean less freedom for those working at the University. The classic paradox appearing is that "*entrepreneurs justify the privilege of voluntary action and association for themselves, while imposing upon all subordinated that the duty of obedience and the obligation to serve their employers to the best of their ability*" (Perrow 1984: 53–54).

The link between academic freedom and the vision of the democratic university is further complicated if acknowledging that academic freedom also implies duties towards the institution, duties that also should include participating in administration, in elections to decision-making bodies and positions, and volunteering to participate as a representative to such bodies and positions (Tight 1988: 117; Shils 1997: 156). Empirical studies show consistent low levels of engagement and unwillingness of rank and file staff as well as students to participate in university decision-making. For example, in the Netherlands this becomes particularly clear in poor turnouts at university council elections. Turnout rates of between 10 and 20% are common in student elections. The staff electoral turnout rates are usually higher, but still low. Figures also show that the situation in the 1970s, the peak of university democracy, was not rosy and promising. In the Netherlands, a 1978 questionnaire revealed that only 20% of the academics were willing to take a seat in the university council (in those days the most essential powers resided in the council) (Commissie Polak 1979: 84). This percentage was even lower for non-academic staff and students (14 and 10% respectively). The main reasons for this were that it would take too much time or that others would do a better job. A national survey in 2005 showed no improvement. University community members are not enthusiastic to invest in a university as a representative democracy. As Tight (1988: 122) has argued with respect to students "*it would seem that many present-day students do not want academic freedom, or [...] would not know what to do with it if they were suddenly given it.*" Hence, it might be argued that in practice the emphasis on stronger leadership and management in university governance will not lead to a university governance structure that is significantly different from the current situation.

Here, one should also notice the fact that even though the "representative revolution" in the late 1960s and early 1970s often has been interpreted as the rise of the democratic university, one should still acknowledge that there are, and have always been limitations to the democracy in that, for example, students often hold a substantial yet minority number of seats on governing bodies. In other words, seats in decision-making bodies have never been distributed according to numerical strength. Hence, the democratic principle of one person one vote has never been the norm in higher education (Bergan 2003). For administrative staff, the number of seats available in governing bodies is also traditionally in minority while the academic staff in general has elected a majority of the members of a given decision-making body. Seen in this perspective, the representative university has never been truly democratic.

This can further be illustrated by a US study on "the University as a site for citizenship," which suggests that there is a general belief among both faculty and students that decision-making within universities has always been concentrated in the hands of an elite few. Consultative processes, anchored in an elaborate and multi-layered committee system, often function and are accepted as legitimate surrogates for direct democratic participation or representation in decision-making (Plantan 2002: 57). In this context, the vision of the democratic university is a concept that conceals more than it clarifies, with the idea of the democratic university being more symbolic (Bergan 2003) than a reality. As reported by the above mentioned US study, often university administrators and academic staff consider aspects of citizenship and democracy to be entirely a personal matter, and not an integrated part of their duties as teachers or scholars (Plantan 2002: 9). Based on this, one could argue that the interesting questions should not be centred around democracy or formal changes in governance structures, but more focused on whether and how various groups of actors are influenced by prevailing models of governance, and on the limits of formal structures (Rhoades 1992: 1381–1382). While the idea of the democratic university holds strong promises concerning participation and representation, the irony is that leadership seems quite critical to foster engagement and involvement by staff and students in decision-making processes (Plantan 2002: 56).

Related to this, one might argue that the emphasis given to new leadership and management structures in European universities actually could be seen as a change where formal structures are more reflecting the empirical realities of university governance where power and control often goes beyond the existence of formal structures, and where influence is determined by informal structures, agenda setting skills, the ability to define the issues of importance, or the solutions that are legitimate (Rhoades 1992: 1379). One could even argue that this is a process that has been going on for a number of years. As Dill (1992) has pointed out, mechanisms for stronger coordination in university governance were established already in the 1970s in a number of countries. Hence, the general tendency is the blurring of distinct governing models into a collection of integrating mechanisms to be applied as appropriate (Dill 1992: 1327). Clark (1998: 137) is only one example of this when he advocates the need for a strengthened steering core of universities combining "*new managerial values with*

traditional academic ones." This suggests that "representation" in the knowledge era is less about physical presence, and more about the presence of ideas in the decision-making process. Maybe the new equilibrium concerning representation is found in "*new forms of academic-administrative relations*" (Clark 2004: 173)?

Interestingly, those defending the more traditional view on the need for a democratic university seem to have changed their lines of argument recently for promoting representation in university governance. For example, while the Council of Europe (2004: 6) is "*supporting innovative practices in the democratic governance of educational institutions [...] including participation in decision-making,*" the new rationale for such decision-making structures is "*(T)hat education for democratic citizenship is a factor for innovation in terms of organizing and managing overall education systems, as well as curricula and teaching methods*" (Council of Europe 2004: 4).

Suggesting a relationship between innovation and democratic governance is an interesting twist when trying to defend the vision of the democratic university in the European Higher Education Area. However, the argument could be empirically defended. As Blau (1955) showed in a classic bureaucracy study, employment security and autonomy are conducive to a positive attitude towards organizational change as well as social change in general (see also Tabatoni et al. 2002: 8).

CONCLUSION

The opening up of the governance structures in the University to others than professors exposed university conflicts to a greater extent than before, triggering studies on participation, power and the people in the new governance system, not least concerning election processes with respect to managerial positions, and how group conflicts were negotiated and solved in the new system (Baldridge 1971; Cohen et al. 1972; March and Olsen 1976). In sum, a picture of universities as loosely coupled systems was introduced (Weick 1976), where the new actors involved in governance sought to deal with the translation of problematic goals, unclear technologies and fluid participation (Cohen et al. 1972). The empirical studies of choice and decision-making in these kind of situations paved the way for an understanding of university governance as a garbage can process where "*various problems and solutions are dumped by participants*" (Cohen et al. 1976: 26).

Partly related to some interpretations of these processes as being poor in effectiveness and low in efficiency (also non-rational), Europe saw the emergence of reforms "inspired" by New Public Management in the latter part of the 1980s and throughout the 1990s. The new governance models that appeared in universities in this period were a result of a changing relationship between the higher education sector in general and the state (van Vught 1989). Stronger self-regulation, increased organizational autonomy and a more "managerial" university were parts of the new recipe prescribed with voices emphasizing the need for a strengthened steering core of the University

(Clark 1998), with increased weight given to individual responsibility rather than to collective decision-making (Larsen et al. 2005). As mentioned before, an often noticed (side) effect of this trend is the emergence of new forms of representation, this time by unions and student organizations having formal rights in the governance structure of universities (Kirp 2003).

Even though the effects of these changes are complex and allow for different interpretations, not least with respect to the practical implementation of more "managerialism" in the university, one could argue that the Bologna process with the ambitions of realising a European Higher Education Area in 2010 (chapter 7) as well as the broader Lisbon strategy (chapter 8), make it important to study and analyse the conditions for university governance as a form of representative democracy. There are several reasons for this.

To start with, one could argue that the Bologna and Lisbon processes are first and foremost structural in nature, and that both are processes in need to be filled with content. Agreeing with Enders (2004) in that much attention so far has been focused on macro-politics and meso-structures, it could be argued that (studies of) new forms of representative university governance are a necessity for establishing and also understanding the micro-processes needed in the implementation process. If universities are supposed to be "partners" in the implementation process one could, especially given our knowledge about implementation in higher education (Gornitzka et al. 2005), question the wisdom of not allowing for more diversity in university governance where the "citizens of academe" could play key roles (Bergan et al. 2004), even in a period where strengthened leadership is seen as a central success factor (Reichert and Tauch 2005: 43).

Second, emphasising and arguing for the need for greater professionalism in university governance does not mean the end of some of the drivers behind the rise of the representative university. Power struggles, battles for influence and control over resource allocation are processes that do not disappear even in the era of "managerialism", and are also issues that could be further fuelled by the Bologna process and its implications. One can easily agree with Altbach in that

> "Activism by both students and professors is inherent in the nature of the academic community. The combination of academic freedom and autonomy in universities, the role of ideas (and sometimes idealism) in higher education, the power instilled by the universities' expertise, the relative ease of organizing campus-based activism, and the increasing central role of the academic community mean that academic activism will continue to be a powerful force"
> (Altbach 1992: 1444).

Hence, to conclude, one could offer three different interpretations of the future of the representative democratic university. First, one can make the point that "university democracy" was a wrong term describing the changes in the 1960s and 1970s. The University has never been truly democratic, representation was not according to numerical strength, and the system was still open to manipulation by those with power and influence (based on academic expertise). As indicated in our introduction and our analysis, it can be argued that the implementation of the underlying ideas of the

University as a representative democracy has been rather poor. But if this is a viable explanation, then the democratic university cannot be blamed for the perceived lack of efficiency and effectiveness with respect to university governance. Daalder's (1982) argument that increased "bureaucratization" accompanied the "democratization" of universities is in this respect interesting. If university inertia can be related more to university bureaucracy than to university democracy, this opens up for a rethinking of the efficiency aspects of representation in university governance. From this perspective faculty dissatisfaction with their involvement in administrative processes, that is, the more involved they are in administrative decision-making processes the more they seem to be dissatisfied with their involvement (cf. Geurts and Maassen 1996, 2005), can be explained by the bureaucratic "side-effects" of participation, and not by democratic failures.

Related to the first point, could university democracy actually be seen as a necessary condition for innovation as the Council of Europe has suggested? Observing the "Management Revolution" in US higher education during the last three decades, Keller has strongly argued for the virtues of ambiguity as one of the main reasons for the success and the adaptiveness of US higher education pointing to that "an ironclad and historically developed scheme of strictly correct governance procedures would probably have stymied campus changes" (Keller 2001: 318). What he observes is that despite the conservatism of representative governance bodies, reluctance in accepting change and allegiance to established privileges, universities do still change, and continue to adjust to new conditions and external demands. According to Keller, representative democracy in governance creates the necessary equilibrium between the two indispensables of academic life: tradition and innovation (Keller 2001: 320). In this perspective, representation in governance may be efficient in that it secures more "voices" in decision-making processes, providing more information, better decisions, and a smoother implementation when the decision is taken.

There is also a third interpretation concerning the future of the representative democracy. This perspective sees representation as a channel for and the voice of the "powerless" (students and administration) in university governance. If the University continues to have informal power structures which will find their way despite the emergence of a more visible and stronger leadership, then one could expect that the difference between the formal and informal decision-making structures in universities will be even greater than those that might exist today. Somewhat paradoxically, the key to representative influence will in this perspective be in the hands of the new breed of university leaders (see also Plantan 2002).

It is perhaps in the "grey zones" between the three interpretations that the future of the University as a representative democracy is to be found. In the current innovation era where new ideas have to be turned into actions more rapidly, participation in decision-making will still be needed by those controlling important knowledge (Clark 2004). This might likely result in new forms of representative governance, perhaps in more informal settings avoiding some of the bureaucracy associated with the former procedures, and administered by a more professional (but still quasi-elected)

leadership. Hence, despite all the discontent and the decreasing interest in representative governance structures in universities, there are strong reasons to keep up our attention to this aspect of university life. Even if the vision of the democratic university currently might seem rather blurred, this might well be because representation in university governance is in a process of establishing a new equilibrium.