

# Chapter 6

## Academic Careers During the Massification of Austrian Higher Education

### Radical change or persistence of long-standing traditions?

Hans Pechar and Elke Park

#### 6.1 Introduction

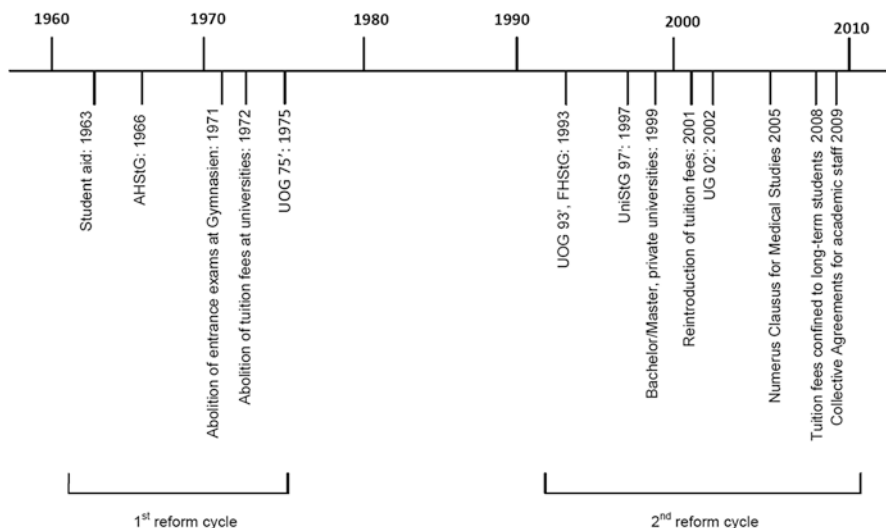
Academic careers at Austrian universities are structured along the Germanic pattern with a hierarchical division between full professors and academics below professorial status. Starting with the massification of higher education this pattern was subject to major changes. The central theme of this paper is the balance between radical change and the persistence of long-standing traditions in the structure of Austrian academic careers. It will also be shown how academics' working conditions and career progression have ultimately been shaped and determined by the surrounding legal framework and socio-political context.

Over the last five decades Austria has experienced a series of higher education reforms. From an analytical point of view, two reform cycles are visible, each with very different underlying policy paradigms. Both periods implemented a variety of measures, following a coherent background philosophy (see Fig. 6.1). These reform cycles also represent transitional periods separating distinct organisational models, or incarnations, of the university: the 'chair-university' (up to 1975), the 'group university' (from 1975 to 1993/2002) and the 'managerial university' (from 1993/2002 up to the present day).

- The 1st reform cycle had its peak in the mid-1970s and can be characterised as an inclusion of higher education under the umbrella of welfare state policies. The policy catchwords referred to the 'opening-up' and 'democratisation' of higher education (emphasising student participation, integrating junior faculty into decision making, and broadening the fields of research).

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**Fig. 6.1** The two reform cycles in Austrian higher education, 1960–2010

- The 2nd cycle follows the international policy trends that emerged in the 1990s and has peaked with a governance reform transforming universities from state agencies to ‘public enterprises’. The buzzwords of this cycle are ‘deregulation’ and ‘efficiency’.

Reforms regarding the career structure of academics reflect the background philosophy of these two reform cycles. We will summarise the changes in the academic workplace during the post-war period that culminated in an improvement of the legal status and the employment conditions for the “middle rank” of Austrian academics (Mittelbau). We will then discuss the changes during the 2nd reform cycle – these reforms led to a radical break with the long-standing tradition in Austrian higher education, with the government leaving behind its philosophy of a ‘cultural mission’ in favour of a contractual relationship with universities. One implication of the change is that academics are no longer civil servants but now have private employment contracts with their universities.

## 6.2 The Chair Structure and the Dominance of the Academic Oligarchy

In the period after 1848 Austria adopted the Humboldtian concept of the research university, including the organizational structure of the chair system. The university was basically an assembly of chair holding professors, each in charge of their own specialized field of research. Originally, no other academic staff were employed by the university. Private docents who had already completed their habilitation (the

second thesis that serves as a gatekeeper to the professoriate) had no regular salary but did receive income from the fees of students enrolled in their lectures.

The growth of laboratories and other service intensive research infrastructure together with an increase in student enrolments meant that the chair system in its original form could not be maintained. Professors increasingly needed ‘helping hands’ which they found in the new category of ‘assistants’ who were increasingly employed by universities (Busch 1963). Since their employment conditions were rarely satisfactory, social rights issues emerged for this new category of academic staff (Bruch 1984). Chair-holders for the most part reacted in a very hostile manner towards this union like movement, which they considered a threat to the German tradition of the research university. Consequently, the different academic status groups developed their own organizations representing particular interests.<sup>1</sup>

Over the years, academic staff below the professoriate were able to successfully increase their social rights and the conditions for their academic work. However, they remained a kind of ‘foreign body’ in the chair structure that only recognized the full professor as a true academic position. Hence, they were not represented in collegial bodies and could not participate in collegial decision-making. We will now explore the situation of academic staff in more detail with a special focus on attempts to establish a ‘middle-rank’ of academic staff and to develop appropriate career paths for sub-professorial positions.

### ***6.2.1 Status and Working Conditions of ‘Middle-Rank’ Academics***

The first phase of post-war higher education in Austria (1955–1975) is characterised by a revival of the traditional ‘Ordinarienuniversität’ (chair-university). The HE Organisation Act of 1955 (HOG 55) did not bring about structural change but reinstated and consolidated the traditional, pre-war chair-system characterised by strongly hierarchical structures and the dominion of ordinary professors (academic oligarchy) within the university. Professors held the decision-making monopoly (Preglau-Hämmerle 1986, p. 223) at universities and they ruled via collegial bodies (in ‘professorial commissions’ and the senate). This restoration of traditional power and personnel structures was not to change until the mid-1970s. University staff in this period consisted of two main groups: the professoriate on one side, and their ‘assistants’ on the other.

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<sup>1</sup>Contrary to this development, at the same time academics in the United States founded the American Association of University Professors, encompassing all academic ranks. The driving initiative came from established professors; this was unlike the German speaking countries, where junior academics were fighting for their social rights. ‘The fact that this initiative was assumed by the academic elite in this country points to the special context in which the call for professional unity arose. Here professors were not members of autonomous guilds or of a high and privileged stratum of the civil service; they were employees of lay governing boards in private and public institutions.’ (Metzger 1987, p. 168).

Until 1972/1975 there were two types of professors at Austrian universities: ordinary and ‘extraordinary’ professors. Both were considered ‘chair holders’ and followed the same appointment procedures (a competitive ‘call’). Their civil servant positions differed only in terms of remuneration and benefits. Also, extraordinary professors, despite belonging to the ‘professorial estate’ in professorial commissions (the collegial decision-making bodies below the senate), were not eligible for membership of the senate (as the senate was comprised of deans which could only be recruited from the group of ordinary professors). However, these extraordinary professors only made up a small part of the professoriate and their numbers continued to decline until 1972.<sup>2</sup>

Alongside – or better, below – the professoriate existed the second and by far the largest group of academic staff in this first phase of university organisation in Austria: the group of so-called ‘university assistants’. This reflected a two-tier structure, with no direct means of progression from one tier to the other.

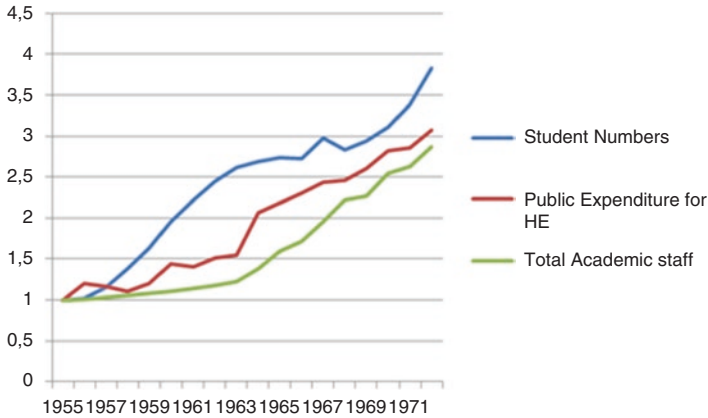
In 1948 and then 1962, the University Assistants Act laid down and codified the role, career path and obligations of university assistants. The Act, which remained in force until 1988, foresaw a supporting role for assistants in relation to the professoriate. They were to aid and support professors in carrying out their duties in teaching, research and administration. While they were to ‘participate’ in professors’ lectures, their job profile did not extend to an independent teaching (and/or research) function, although teaching duties could be assigned to them by the professoriate via externally remunerated lecturing contracts. Assistants were also not represented in collegial decision-making bodies.

With growing student numbers, and thus increased teaching responsibilities, this setup became increasingly problematic. Assistants had to take on an ever-growing workload (exploitation without representation) and personal allegiance often demanded that they would carry out teaching assignments for professors without extra remuneration. The administrative workload was also increasingly devolved to university assistants: in 1969, for example, 23 % of all departments had no administrative support staff and thus had to rely on the work of university assistants alone (see Hochschulbericht 1969). In the ‘take-off’ phase of HE massification (from the 1960s to the mid-1970s, see Preglau-Hämmerle 1986, p. 202), public interest, investment and expenditure in HE – along with student numbers – all grew. The tasks at hand increased drastically and so did the numbers of university assistants (1955: 1456, 1962: 1720, 1969: 3353, 1972: 4484). In the 5 years between 1962 and 1969 their numbers almost doubled, over the period from 1955 to 1972 they tripled. Still, the legal framework acknowledging the contributions and work of assistants was not changed to increase their independence or participatory rights.

Assistants were strongly dependent on and hierarchically subordinated to professors. They had to rely on the professoriate (especially on the one professor they were assigned to) for positive assessment and thus career advancement (‘unbearable personal dependencies’, see Pechar 2005). However, if in turn they were supported

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<sup>2</sup>Chair-holders in 1955: 336 ordinary and 121 extraordinary professors; in 1964: 502 ordinary and 113 extraordinary professors; in 1970: 806 ordinary and only 100 extraordinary professors at all Austrian universities; Source: BMWF, Hochschulberichte.)

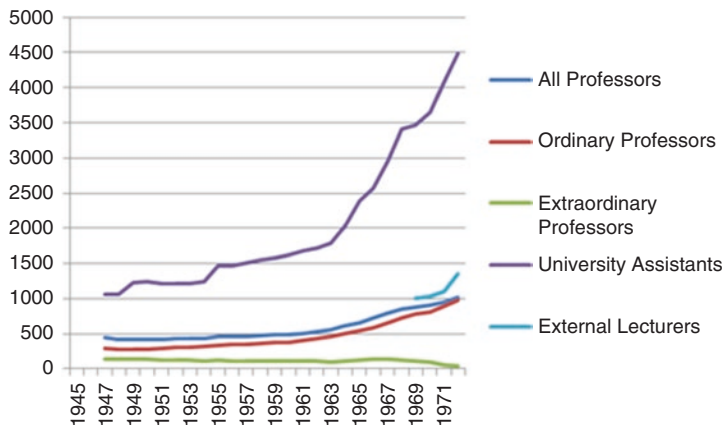


**Fig. 6.2** Student numbers, HE public expenditure (as a percentage of total public expenditure) and total academic core staff at universities, 1955–1972; Index 1955 = 1 (Source: Austrian Federal Ministry of Science and Research, Report on Higher Education 1969, 1972 and 1975)

and rewarded by their professors, their career path was quite clear and stable. Once a professor had selected a university assistant for a position, their career followed a pre-determined path. All assistant positions were first offered on a fixed-term basis for a period of between 10 (2 + 4 + 4) and 14 years; during this phase prolonging the contract was merely a formality if the assistant showed ability and progress. If the assistant had completed his habilitation (or an equivalent achievement) at the end of this period, he or she could apply for a tenured position as a university assistant and, following approval of the collegial bodies in charge (i.e. the professoriate), the contract was made permanent. This led to obtaining tenure and a ‘definitive’ (civil servant) employment status as a ‘university assistant’. Thus, habilitation practically provided the entry ticket to permanent civil servant status and lifetime of tenured employment. The existence of a ‘track’ below the professorial level is a peculiar feature of the Austrian HE system within the Germanic pattern. With growing numbers of assistants and budget restraints, this quasi-automatic career progression would prove increasingly problematic in later years. However, public expenditure and investment in HE grew rapidly in the years between 1955 and 1972 and the university budget continued to increase steadily.

### 6.2.1.1 Quantitative Developments 1955–1975

From 1955 to 1972, student numbers in Austria tripled (with especially high growth rates in the early 1960s and early 1970s) along with public expenditure for higher education in this period (measured both as a percentage of the total national budget as well as a percentage of GDP, see Fig. 6.2). Academic staff numbers also increased. However, the new teaching burden was mostly absorbed by a drastic increase in assistant positions: Although professorial positions grew mildly, assistant positions



**Fig. 6.3** The quantitative development of different categories of academic staff at Austrian universities, 1955–1972 (Source: Austrian Federal Ministry of Science and Research, Report on Higher Education 1969, 1972 and 1975)

tripled from 1955 to 1972 in line with student numbers and budgetary expenditure (see Fig. 6.3). This was how the traditional chair university coped with the demands of mass education.

In 1969, the ministry’s HE Report deplored ‘the lack of an institutionalised middle-rank’ to be able to officially and independently take on increased teaching obligations, and highlighted the necessity of creating a ‘true middle-rank’ between assistants and professors. The attempt to define and establish a middle-rank, to determine its role and function and to identify its position in the hierarchical structure of the university (as a status group) is ultimately the central issue of Austrian university staff reforms in the last 50 years. There have been various attempts and phases of reform designed to restructure the professional division of labour at universities: on the one hand, by steering away from the traditional chair university while, on the other hand, adamantly refusing to give up the specific status and role of the (ordinary, full) professor. What followed in the next 40 years were various attempts to establish and integrate the ‘middle-rank’ into the structure of the university, without abandoning the distinct and detached role of the professoriate: the direct link between a full professorship and other academic positions – and thus a true career track that allows for regular promotion – has never been established in Austria.

### 6.2.2 *The ‘Group University’: The Status Increase of Middle-Rank Academics*

The governance reform of the 1st reform cycle brought a radical change to the decision-making patterns of the chair system. The University Organisation Act of 1975 (UOG 75) established a collegial decision-making system based on the tiered

participation of students and ‘middle-rank’ academics (assistants with and without habilitation).

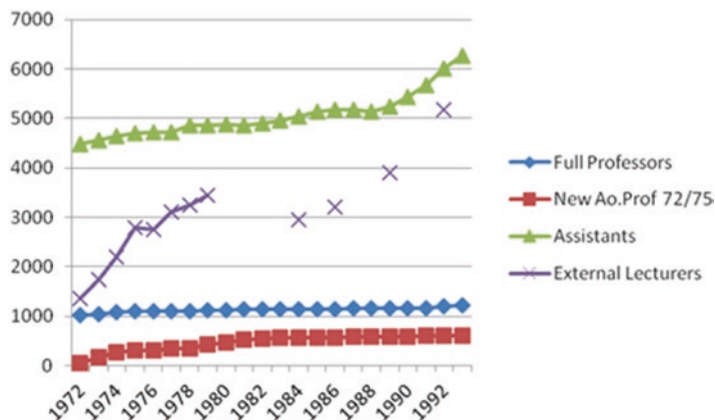
The UOG 75 represented a stark departure from the chair university and the dominance of ordinary professors within the institution. It aimed to increase staff participation and initiated a certain democratization within universities by integrating all three newly defined ‘status groups’ into the decision-making process (hence ‘group university’): ordinary professors, university assistants and the student body were all represented and had to cooperate in newly defined collegial bodies (albeit with different voting powers). Also, the institutional levels below the senate (i.e. the ‘faculty assembly’ and the so-called ‘institute’s conference’), gained in influence (especially regarding decisions on personnel or open positions).

### **6.2.2.1 Academic Career Structures 1975–1993**

The increased necessity acknowledged by policy makers to create a middle-rank with independent teaching duties had ultimately led to the creation of a new type of associate professor in 1972 (§10a professor). This amendment to the HOG in 1972 was later incorporated into the University Organisation Act of 1975 (UOG 75) as the Act’s ‘new associate professor’ (§31). Both the 1972 amendment and the UOG 75 stipulated that these associate professors should concentrate mainly on teaching in order to ease the increased teaching load. In addition, he or she can be assigned research and – with limitations – management tasks (for example, acting as substitute to the head of the institute). In carrying out his/her teaching duties, the associate professor enjoys the same professional autonomy as ordinary professors. The creation of this new position, as an independent academic teacher, is also significant as it changed and challenged the ‘chair’ principle: previously only professors as chair-holders were able to teach independently. For the first time, the new Act allowed permanent positions to exist outside the chair system (i.e. not directly linked to a chair-holder) for university assistants with habilitation.

However, the appointment procedures for these positions differed from those of full (or ordinary) professors, thus maintaining a clear delineation between ordinary and associate professors. A competitive call and professorial appointment procedure was not foreseen for associate professors. A university assistant with habilitation could apply for a position – if a vacancy arose – and was promoted to associate professor after a hearing. Associate professors were merely ‘nominated’ (‘ernannt’), no longer ‘appointed’ or ‘called’ (‘berufen’) in the sense of the chair tradition.

In establishing the various groups, the UOG integrated all formerly ‘extraordinary’ professors into the group of ordinary professors, as their equals. The new associate professors occupied an intermediary position: while they became part of



**Fig. 6.4** The quantitative development of the different categories of academic staff at Austrian universities, 1972–1993 (Sources: Austrian Federal Ministry of Science and Research, Report on Higher Education 1975, 1982, 1984, 1987, 1990, 1993 and 1996)

the (voting) group of full professors at the faculty<sup>3</sup> and institute<sup>4</sup> level, in the university senate they still belonged to the group of university assistants as only ordinary professors could be part of the professorial status group in this top ranking collegial body. Thus, the UOG75 associate professor was situated between the professoriate and university assistants.

### 6.2.2.2 Quantitative Developments 1972–1993

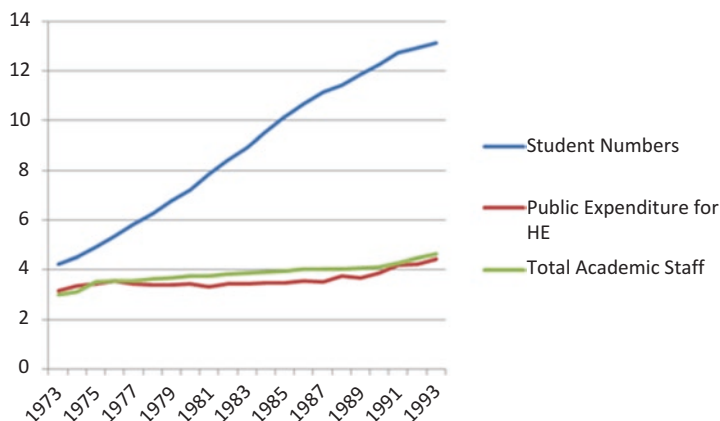
After a rapid expansion in the first years, associate professorships doubled between 1975 and 1993. As such, they grew more rapidly than ordinary professorships.<sup>5</sup> However, the group of associate professors still made up only a minority within the professoriate and the growth of both positions stagnated during the 1980s. The continuing rise in student numbers during the late 1970s and 1980s was absorbed by a different group which had already seen a drastic increase in the years leading up to the UOG 75: the group of external lecturers. From 1972 to 1993 their numbers increased almost fivefold (see Fig. 6.4). HE reports in the second half of the 1970s and then again at the end of the 1980s made frequent reference to the problem surrounding the situation of external lecturers and the increasing reliance that the sys-

<sup>3</sup>The faculty assembly was composed of: 50 % professors (all associate and ordinary professors of the faculty), 25 % assistants and 25 % students; this body decided the demand for new staff and sanctioned the creation of new posts.

<sup>4</sup>The three groups (professoriate, assistants and students) were represented in equal numbers in the so-called institutional conference.

<sup>5</sup>Associate Professors UOG 75: 172 in 1973; 305 in 1975; 540 in 1986; 608 in 1993;  
Ordinary Professors: 1093 in 1975 to 1201 in 1993, Source: BMWF, Hochschulberichte.





**Fig. 6.5** Student numbers, HE public expenditure (as a percentage of total public expenditure) and total academic core staff at universities, 1972–1993; Index 1955 = 1 (Source: Austrian Federal Ministry of Science and Research, Report on Higher Education 1975, 1982, 1984, 1987, 1990, 1993 and 1996)

tem placed on them. The further student increase in the late 1980s was also accompanied by an increase in assistant positions.

Student numbers continued to climb at a rapid pace throughout the 1970s and 1980s (in 1977 there were around 100 000 students, hitting around 200 000 in 1991). This second phase was characterised by unabated growth in student numbers while the numbers of core staff increased only slightly and budgetary expenditure remained relatively stable (see Fig. 6.5). As a result the teacher-student ratio deteriorated: in 1969 there were 55 students per professor and 14 students per assistant. In 1986 these numbers increased to 92 students per professor and 31 per assistant. This trend has continued until today: in the year 2000 there were around 120 students per professor, rising to 147 by 2011 (three times as many as in 1969); meanwhile the ratio of assistant positions to students has remained the same since 1986 (around 30 students per assistant).

The independence and responsibilities of university assistants as teachers and researchers was strengthened in 1975. However, it took until 1988 that legislation newly regulating their career path finally passed following more than 12 years of heated debates on the subject.

Now, after a fixed-term entry period of 4 years, a ‘provisionally permanent’ period of 6 years was introduced. After 4 years (mostly leading up to the doctorate) the assistant was moved to a ‘provisionally permanent’ tenured contract and had a clear employment prospect if he or she fulfilled certain criteria (apart from habilitation, experience and other professional criteria were added). The appraisal and review of the candidate thus shifted to an earlier stage, in practice taking place after the first 4 years (as opposed to after 10 years in the old system) before entering the ‘probationary’ or ‘provisional’ period. After completing the doctorate, university assistants had a clear perspective regarding their future employment situation. They

were on a track leading to tenured sub-professorial employment. In the words of a contemporary: ‘if you were in [even at a pre-doctoral stage] you were in’.<sup>6</sup> This quasi-automatism of promotion or advancement into a tenured civil servant contract eventually led to an increase of permanently tenured (assistant) staff. In 1969, around 6.5 % of university assistants were permanently or ‘definitively’ employed as civil servants, in 1980 this had risen to 14.8 %, standing at 14.7 % in 1986 – by 1990 the numbers of permanently employed university assistants had climbed to 31.4 % of all university assistants.

As a result, this kind of ‘career automatism’, enjoyed by all those junior academics who were successful in getting a foot into the university, led to a significant split between insiders and outsiders: Insiders enjoyed a high level of job security without necessarily being academically evaluated in a rigorous manner. Since all available positions were occupied by insiders, young researchers who were not already part of internal networks had little chance to get an academic position. This began to be problematic in the late 1990s.

### 6.3 The Managerial University: Radical Change

#### 6.3.1 UOG 93 – Transition to Managerialism

While the unions were successful in further increasing the job security of junior faculty during the 1980s, the shift of power moved in the opposite direction during the 2nd reform cycle. This wave of reform began to gain momentum in the early 1990s and eventually culminated in a fundamental governance reform that was to change the legal nature of universities (University Act of 2002).

As a first step in that direction, the University Organisation Act 1993 (UOG 93) strengthened and encouraged university autonomy. However, the new Act did not contemplate any drastic departures from the previous model in terms of academic careers and career progression. In fact, in the period leading up to 2001, the above mentioned career automatism leading to tenured employment even expanded.

The 1993 Act evolved the position and role of associate professors, following a similar pattern to that observed with the changes of the 1975 Act compared to the HOG 55. All associate professors under §31 UOG 75 were from now on to be integrated with ordinary professors in all collegial bodies. Both were to carry the new title of ‘university professors’, (old) associate professors were thus (again) integrated into the full professoriate. In a similarly repetitive mode, the UOG 93 created its own, new type of associate professor. However, these new associate professors no longer belonged to the group of professors in any collegial assembly; they were represented only in the group of university assistants. In fact, they were university

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<sup>6</sup>Quote from an interview with an Austrian associate professor in the framework of the EuroAc project: <http://www.uni-kassel.de/einrichtungen/en/incher/research/research-area-change-of-knowledge/euroac-academic-profession-in-europe.html>

assistants, as from now on all (permanent) university assistants with habilitation (having thus successfully completed the 'provisionally permanent' period) were to carry the official title of 'associate professor'. The career automatism at Austrian universities was at its height: it was now possible to advance directly from doctoral student to associate professor. Even if a candidate did not complete habilitation, there was still the possibility of remaining a tenured 'assistant', carrying the title of 'assistant professor'. The intermediary position held by associate professors (of the type envisaged under the UOG75) was thus dissolved, reviving the old division between ordinary professors and assistants, albeit with different titles.

Including staff in 'provisionally permanent' positions, 63.4 % of university assistants were tenured civil servants in 1999 (excluding provisionally permanent staff this number was 45 %). By the year 2000, UOG 93 associate professors had outnumbered ordinary professors. The increase in permanently employed positions was the main development during this time, in fact somewhat counteracting the trend the UOG 93 envisaged. Progression often became a formality and staff were able to stay at the same institution for an entire career.

This pattern of automated, non-competitive career advancement into tenured civil servant positions continued until the late 1990s. It then became clear that the relatively easy access to tenured positions and a subsequent increase in permanent civil servant positions meant that departments were increasingly 'blocked' to young researchers, with funds failing to keep up with the growth in student numbers and staff.

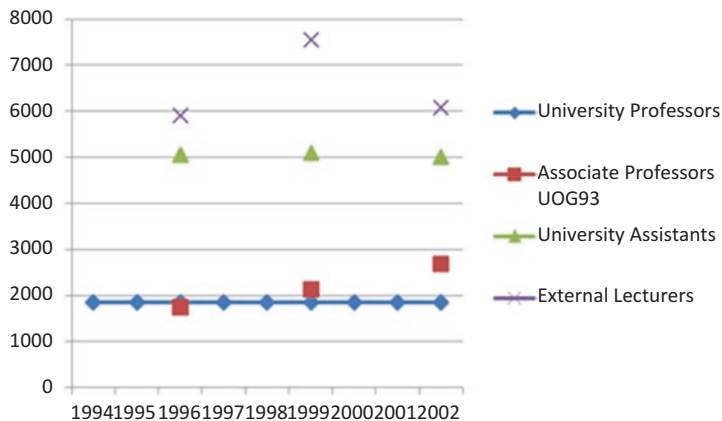
As a strong- reaction to this quasi-automated career progression at one institution the government passed the Provisional Employment Act in 2001 at the height of the controversy about the new governance structure. The Act eliminated all permanent positions below the professoriate. All sub-professorial staff and thus the entire middle-rank was to be employed on a fixed term basis.<sup>7</sup> The entry position, as an 'assistant in training' (pre-doctoral), was limited to 4 years; the following position as a postdoc university assistant was limited to 6 years. After a maximum of 10 years, career progression within the same institution could go no further and a change of location was required. At this point, the academic could either apply for a position as a (full) university professor (competitive call) or a fixed-term 'contractual' professorship (Vertragsprofessur) limited to 6 years. The ministry thus constructed different 'career pillars' and the transition to the next career pillar required a new application.

Further, civil servant positions were entirely abolished and new personnel were hired by the State on a contractual basis (VBG).

The ministry argued that immediate action was necessary in order to prevent an increase in the number of civil servants from blocking the academic career path for the younger cohorts. The Act was to last for only a few years until universities could act as full legal employers. It was also suggested that the regulations of the provisional employment act should be regarded as a model for future collective agree-

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<sup>7</sup>With the (minor) exception of the so-called 'staff scientist', a permanent non-professorial academic position.



**Fig. 6.6** Quantitative development of different categories of academic staff at Austrian universities 1993–2002 (Source: Austrian Federal Ministry of Science and Research, Report on Higher Education 1993, 1996, 1999 and 2002)

ments between universities and unions. The ministry thus clearly signalled its preference for strictly limited term employment contracts and its rejection of a continuous career model. Obviously, it was convinced that permanent academic posts below the professorial level are inherently problematic.

The Provisional Employment Act broke with the established conditions of academics at Austrian universities in two ways: Firstly, public employment contracts were abolished and substituted by private contracts. Secondly, the new act ended the possibility of perpetual employment contracts for all academic positions below the professoriate (Fig. 6.6).

The Provisional Employment Act was met with stiff opposition by the large majority of academics. The unions and the representatives of junior academics were opposed due to the obvious negative effects felt by the groups they represented. However, even many professors, who basically agreed that employment conditions should be changed in order to allow more competition, argued that the Act took the wrong approach. A frequent objection was that job security and status as an independent academic was granted too late. The most productive period of many academics would thus be impeded by insecurity and personal dependence on professors.

### 6.3.2 UG 2002 – The Breakthrough of Managerialism

The Provisional Employment Act came into force in 2002; however, its reign was short-lived as the same year the most radical reform of Austrian higher education to date took place with the approval of the University Act of 2002 (UG 2002) which overthrew most previous regulations. What was tentatively initiated by the UOG 93 now took full shape: Universities were de-coupled from direct state control and

acted as autonomous entities under public law. At the same time, institutional management (i.e. the rectorate) was strengthened at the expense of academic self-governance in collegial bodies. The UG 2002 transformed public research universities from state agencies to public enterprises. Consequently, academics are no longer civil servants – they now have private employment contracts with the university. Existing contracts, however, were not changed; academics that already had a public employment contract retained civil service status.

Academics of all ranks predominantly considered the change from public to private employment contracts as a severe deterioration in their working conditions. The civil service status was attractive for two reasons:

- High job security: civil service status can be considered as the traditional European equivalent to ‘tenure’ in the US-American sense. Most academics feared that private contracts would result in a ‘hire and fire’ philosophy that would endanger academic freedom (Pechar 2005).
- Attractive pension schemes: academics saw this benefit as compensating for the low starting salaries of civil servants. However, there was little hope that future junior academics would get higher starting salaries.

The new University Act had the strongest impact on junior academics, postdocs, and graduate students who strived for an academic career. Professors who already had employment contracts as civil servants were affected in a different way: the new managerial structures challenged the traditional forms of collegial decision-making.

Universities which are fully independent legal entities are now employers of all academic and non-academic staff. Under the new governance regime, universities are autonomous, self-governed organisations, which are responsible for the guidance and monitoring of academic work. Even in large and complex universities, the institutional management will be much closer to the basic academic units and their work than the bureaucracy of the government; closer in terms of space, professional competence and shared academic values. This means that the ‘principal’ comes closer to the ‘agent’, possibly close enough to effectively influence the work of academics.

Not surprisingly, there is a lot of suspicion among academics of the organisational change and the corresponding decision-making structures. Rectors were regarded as *primus inter pares*, now they are ‘bosses’, ‘superiors’; this is at odds with the traditional concept of academic autonomy implying no subordination, no formal responsibilities, in particular for the members of the guild, the chair-holders. Many academics think that the new legislation has imposed the decision-making structures of the corporate world onto universities. They fear and expect an overt hierarchy, possibly prejudicing academic freedom; an authoritarian mode of leadership, which will not allow appropriate faculty influence.

These tensions are aggravated by an interesting side effect of the new relationship between the government and the higher education institutions. Formerly, the ministry served as an outside adversary, absorbing much of the frustration of academics. Now many conflicts, which formerly were fought between the university and the ministry, are internalised. From one perspective, the loosely united community of scholars has lost a powerful external enemy. Some issues previously

treated as conflicts between the government and academia now re-emerge as conflicts between the rector (the management) and the academic staff. Such ‘re-labelling’ most frequently occurs with issues of budget (typically prompted by the internal distribution of resources). In general, competition between academics and between different academic units has increased. Some academics fear that this could adversely affect the cohesion and productivity of the organisation.

The most fundamental change of the new legislation covers the normative dimension of the relationship between the State and higher education. The new governance model implied a break with the long-standing tradition of the State following a cultural mission and introduced the philosophy of new public management. The controversies surrounding these different aspects will be summarised briefly below.

### **6.3.2.1 Academic Career Structures and A Quantitative Overview**

While the UG 2002 explicitly regulated access to professorial positions, it remained vague as to the organization of sub-professorial positions (this also highlights the importance placed on professorial positions). It was left to the universities to develop a ‘Collective Agreement’ to establish new personnel structures for the middle-rank.<sup>8</sup> The Collective Agreement came into force in 2009, representing an agglomeration of previous models and specific Austrian elements. However, it is also infused with new reform ideas, most importantly incorporating notions of the American tenure-track system. On the sub-professorial level, the Collective Agreement foresaw that all assistant positions were fixed-term (4 years at the pre-doctoral level, 6 years at the post-doctoral level, a continuation of the Provisional Employment Act). Further, as in all large reform cycles before, the Collective Agreement introduced its own, new version of the associate professor, this time in the shape of a ‘tenure-track’.

The Austrian version of a ‘tenure-track’ begins with a position as an assistant professor. Candidates for such positions can be competitively recruited, however, the position can also simply be ‘offered’ to promising assistants already at the institution (internal recruitment, reminiscent of career patterns of civil servant university assistants in earlier periods). By taking up the position of assistant professor, the candidate concludes a so-called ‘Qualification Agreement’, with the university outlining obligations or criteria to be fulfilled at the end of the ‘probationary’ period. Examples of such demands may include a certain number of international publications, successful acquisition of external funding or, in most cases, the long-standing requirement of habilitation; the content and conditions of the qualification agreement are ultimately left to the university. If at the end of the assistant professorship

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<sup>8</sup> During the interim or transitional period between 2002 and 2004 (when the University Act entered into force), it is hard to statistically trace the various co-existing positions and legal arrangements. For this reason, this chapter leaves out the years between 2002 and 2004. Even after 2004, when the new staff-reporting regulations of the University Act applied, thus rewriting a (new) statistical basis, there was still considerable confusion regarding how positions were defined. This situation was only fully resolved in 2009, when new positions that were codified in the collective agreement were ultimately categorised and defined by the universities.

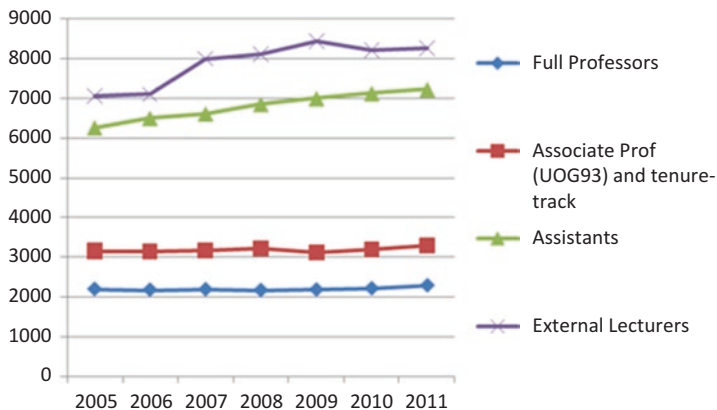
the candidate fulfils the pre-set criteria, they are promoted to associate professor with permanent tenured employment.

This tenure-track model, or 'quasi tenure-track', was certainly inspired by the American model, and while it offers a permanent employment prospect if the candidate is promoted, it is ultimately not comparable to it. Firstly, internal recruitment – and an entire career at one institution – is still possible in the Austrian system and, secondly, the track does not lead to full professorship as it does in the US. The new Austrian associate professor remains part of the middle-rank and belongs to the status-group of university assistants in collegial decision-making bodies.

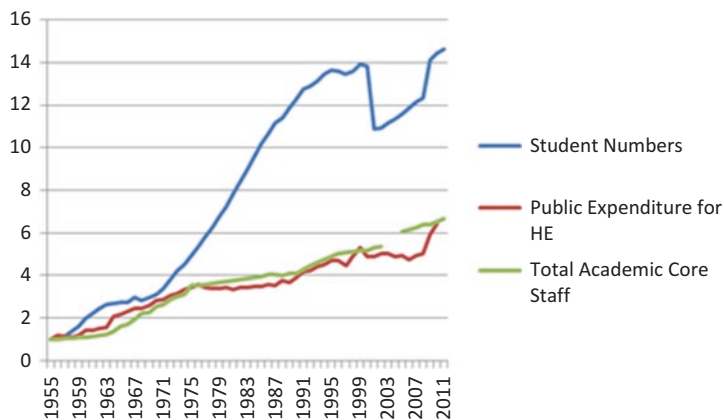
As mentioned above, it should be noted that academic self-governance – the role and influence of the academic profession on the decision-making process at universities – was seriously curtailed in the last cycle of university reform. Previously, either only ordinary professors took decisions in 'professorial commissions' (as in the HOG 55 framework or 'chair university'), or separate status groups jointly helping steer the institution (as envisaged by the UOG 75 or the 'group university'). The academic senate, for example, lost much of its influence, and is now mostly limited to dealing with curricular matters; similarly the faculty and institutes also suffered. At the same time, university leadership gained influence and power, especially concerning the opening of new, permanent positions. It could thus be argued that representation (within a certain status group) has lost some of its significance (as the most pressing issues are not decided any longer by the academics themselves in collegial decision making bodies). The assignment of the new associate professor to the middle-rank, the status group of university assistants, thus does not entail the same consequences as it would have in the framework of the group university. NPM inspired governance structures somewhat favour flatter hierarchies (see Pechar 2004, 2005). Ideally, the development of a faculty model would probably fit better with current governance structures, however, at Austrian universities today the 'unbridged disjunction' (Ben-David 1991, p. 198) between the professoriate and all other academic staff still remains, with the associate professor again occupying an intermediate position.

At this time, 2 years after the Collective Agreement came into force, only a few tenure-track positions have as yet been established. However, there is substantial growth (369 positions in 2010, 633 in 2011). While the numbers of older associate professors (civil servants, UOG 93) are slowly fading due to ongoing retirements, they will probably be replaced by new tenure-track positions. So far, universities have only reluctantly handed out these coveted positions. It is not yet foreseeable if these new positions will turn into 'elite-positions' or into a way of keeping university assistants at the university, a new old version of the Austrian associate professor.

Looking at the recent developments in the numbers shown in Figs. 6.7 and 6.8 shows us that while student numbers again continued to climb, following a brief decline caused by the introduction of tuition fees in 2001, the numbers of both full professors and associate professors remained relatively stable. While older UOG 93 associate professors are slowly being replaced by new 'tenure-track' positions, assistant positions, on the other hand, continue to increase.



**Fig. 6.7** Quantitative development of different categories of academic staff at Austrian universities 2005–2011 (Source: Austrian Federal Ministry of Science and Research 1999–2011 and Uni:data Warehouse, available online at [www.bmwf.gv.at](http://www.bmwf.gv.at))



**Fig. 6.8** Student numbers, HE public expenditure (as a percentage of total public expenditure) and total academic core staff at universities 1955–2011; Index 1955 = 1 (Source: Austrian Federal Ministry of Science and Research, Report on Higher Education 1969, 1972, 1975, 1982, 1984, 1987, 1990, 1993, 1996, 1999, 2002; since 2005: Uni:data Warehouse, available online at [www.bmwf.gv.at](http://www.bmwf.gv.at))

Summarizing our observations on academic career structures over the last 55 years of Austrian university reform, each reform cycle brought about its own version or type of ‘associate professor’, a position between the mass of university assistants and the (full) professoriate. Since 1955, there have been four types of associate professor, each with its own specific dimension and strategic focus. While attempts to regulate and stabilize the middle-rank and to establish intermediary positions between assistants and full professors were taken throughout this period, the gap between the status group of professors and other academic staff was never bridged,



an ‘unbridged disjunction’ remains, with different career patterns and participation rights based on different recruitment procedures for each group. The professoriate remains a detached estate in Austrian higher education to this day.

While the numbers of ordinary professors quadrupled in this 55-year period of higher education massification, the enormous growth in student numbers saw a ten-fold increase, and assistant positions rose ninefold. The massification of higher education in Austria was thus absorbed by an increasing reliance on university assistants and sub-professorial staff.

### 6.3.2.2 A Farewell to the ‘Cultural State’

The new University Act was not just another change in employment conditions but also a dramatic change to the long-standing normative foundation of higher education. The new governance model abolished the assumption that the State has a cultural mission. Instead, the government embraced the new public management model that established a contractual relationship between the State and the universities.

For the past 150 years, the educated elite saw it as an obligation of the government to be a benevolent patron of higher culture in general and universities in particular. The State’s duty was to protect the integrity and autonomy of universities and secure academic freedom from outside pressures by supporting academics as civil servants with life tenure. The government, according to this concept would subsidize higher learning with no instrumental or utilitarian strings attached. According to the neo-humanist model, the State ‘would become a vehicle, a worldly agent of form for the preservation and dissemination of spiritual values. Indeed, it would seek its legitimacy in this action, and it would be rewarded by finding it there. The State earns the support of the learned elite, who would serve it not only as trained officials but also as theoretical sponsors and defenders.’ (Ringer 1969, p. 116). The autonomous university, protected by the enlightened government against interference from particularistic interests (meaning utilitarian goals), gives legitimacy to the State and trains its civil servants and teachers. Accordingly, academic freedom does not need to be defended against the government, but is guaranteed by the government.

The real conditions for autonomous scholarly work under the umbrella of the cultural State were not as conducive as the Humboldtian saga suggests. According to Max Weber, academic freedom existed ‘only within the limits of officially accepted political and religious views’. (cf. Ringer 1969, p. 143). Meritocratic principles of promotion and appointment were often violated by racial (predominantly anti-Semitic) discrimination and political pressure. Discrimination was practiced partly by the government that declined to appoint unwanted academics; and partly by the collegial bodies of the universities, that would not promote them. No defining difference existed in that respect between German and Austrian universities. The latter, during the last decades of the nineteenth century, became a battlefield of violent nationalist conflicts and were dominated by Pan-Germanic movements (Cohen 1996, p. 127). Between the two world wars, Austrian universities became a centre for antidemocratic and anti-Semitic movements (Höflechner 1989). Interference

with academic autonomy continued during the first decades of the 2nd Republic, when higher education policy was dominated by a soft version of Political Catholicism. During the 1950s, ideological reservations led education ministers to decline the appointment of professors with a Darwinist or Positivist background (Kleiner 2011, p. 164).

The advent of mass higher education gradually changed the relationship between the State and universities. On the one hand, the expansion of the professoriate eroded the hegemony of conservatism among the academic oligarchy and gave way to a greater pluralism of different political orientations. Governments no longer interfered in academic affairs for ideological reasons. On the other hand, policy makers adopted a utilitarian approach to higher education that was at odds with the Humboldtian tradition. After all, the government increased funding for universities because it expected them to contribute to economic growth. This new utilitarian approach required a stricter legal regulation of academic affairs, which were formerly left to internal academic decision making. For example, in 1966 the government established for the first time a legal basis for study courses (AHStG – General Act on Higher Education Study Courses). In the commentary to this Act (that was a major step towards formalizing and harmonizing the curriculum under federal law), the government explained that higher education has become too important to society as to be left to academics (Götz 1993, p. 35).

As a response to the tightened legal framework, academics started to complain about the overregulation of Austrian higher education. During the 1980s, demands for more autonomy for universities increased. When the government came forward with first drafts of the new governance reform it promised to give more autonomy to universities. However, autonomy can be interpreted in totally different ways by different actors. Academics still saw the notion of autonomy within the conceptual framework of the Humboldtian tradition – individual autonomy for full professors – while the government was determined to increase institutional autonomy. This concept of institutional autonomy was rejected by all academic camps, by students, junior faculty, and the academic oligarchy; the government was seen to be abandoning its financial responsibility to universities.

The University Act of 2002 was probably the most far-reaching reform since 1849 when Austria embraced the Humboldtian model. It made Austria a leader in the ‘managerial revolution’ on the European continent. Controversies that arose with this reform are still being settled 10 years after the Act was passed.

## **6.4 The Managerial University: Persisting Traditions**

### ***6.4.1 The Persistence of ‘Academic Estates’***

The UG 2002 makes a distinction between ‘members’ and ‘employees’ of the university (§ 94). Membership refers to the traditional concept of the academic corporation. Members are not only employees, but also students, holders of scholarships, and retired professors. Employees are divided into academic and non-academic

staff. Academic staff are again divided into two categories: professors and non-professorial academic staff, with the latter group comprising all levels of junior faculty including academics with habilitation.

The distinction between these two categories of academics is of the utmost importance because it is the legal foundation for two distinct ‘academic estates’. Professors are separated from other academic staff by an ‘unbridged disjunction’ (Ben-David 1991, p. 198). Historically they were defined as chair-holders, and this definition inherently limited their number. The basic structure of the chair system remains, although the term ‘chair’ went out of fashion and is no longer used.

The organizational reform of 1975 officially abolished the chair system and instead introduced the new structure of ‘institutes’. These new institutes were supposed to be larger academic units that foster cooperation among academics of the same discipline. However, the academic oligarchy’s resistance against this reform was strong and basically successful. The majority of institutes contained just one professor – the former chair-holder – and his/her academic and non-academic support team. In other words, the Institute structure was predominantly a slightly modernized chair system.<sup>9</sup>

The traditional justification for the split between academic estates is that junior academics are still trainees, and hence constitute a different category of staff. However, a closer look at the structural conditions of academic careers in German speaking countries reveals that a large part of the ‘middle-rank’ never progress beyond the trainee position. This is a characteristic of the traditional chair system that has – together with the habilitation as a gatekeeper for the professoriate – survived the dramatic changes of two reform cycles described in the previous section.

#### 6.4.2 *Habilitation Versus Tenure Track*

The peculiar characteristics of the Germanic career structure become obvious if one compares it with the American tenure track system. Such a comparison is not arbitrary; after all the Humboldtian university served as a role model for the American research university. However, as Ben-David (1991) explains, the US – a country lacking the feudal past and guild tradition of Europe – did not adopt the chair system and the division of academic estates. Instead, the American research university developed a tenure track system, making rigorous academic demands on junior faculty, but at the same time allowing a reasonable calculation of risks and chances to

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<sup>9</sup>Burton Clark has pointed to problems associated with mass higher education systems where the chair structure is preserved: ‘As academic enterprises and systems have grown, the chair, compared to the department, has been an increasingly inappropriate unit for swollen disciplines. Systems that have both kept the chair as primary unit and have grown much larger have exhibited overload and extreme fragmentation. Most important, the chair system has a weak capacity to correct errors, particularly in the crucial area of equity appointments. When a mistake is made in selecting a mediocre person to fill a chair, the affect is long lasting, through the rest of the academic life of the incumbent and beyond.’ (Clark 1983, p. 48).

proceed with an academic career. The Germanic system, on the contrary, has maintained until this day some features that provoked Max Weber to characterise pursuing an academic career as a hazardous occupation.<sup>10</sup>

There are several similarities between the career structure in the US and the Germanic systems.

- Firstly, both systems subject junior academics to a rigorous evaluation upon completing their doctorate. In Germanic systems, the habilitation (the second thesis after the doctorate) is the crucial gatekeeper for a successful academic career. In the US, assistant professors who are on the tenure track but do not yet have tenure, are evaluated at the end of their probation period ('up or out'). This evaluation has some parallels with the habilitation (Kreckel 2008, p. 179).
- Secondly, both systems expect a positive predisposition towards inter-institutional mobility during the academic career. As a safeguard against inbreeding, academics are expected to leave – at least temporarily – their home institution where they have completed their research training. They should prove themselves in a new environment, independent from their old networks and their academic mentors.

Irrespective of these similarities, the differences between the two systems are impressive.

- Firstly, the PhD in the American system is an explicit research training based on a professional model (a formalized system outside the private discretion of individual mentors). It is assumed that PhD's have completed their research training and that the next step of their career is to accumulate experience (as postdocs) and 'stand the test' as independent academics on the tenure track. The doctorate in the Germanic systems has mixed functions: it is not only a research training but it is also used as a signal of professional and managerial talent (Frank and Opitz 2007). Doctoral training has been undergoing major change in recent years, but the traditional form is based on the apprenticeship model that gives huge discretion to the individual mentor. Would-be academics who have completed their doctorate and are working on their habilitation are still considered to be trainees. Even if they have an employed position as an assistant professor they are not considered to be independent academics (like their American counterparts). They are not considered to be in a probation phase, but still in their qualification phase.
- Secondly, young academics leave their home institution at different stages in their career. In the American system, inter-institutional mobility is compulsory after completion of the PhD. When they apply for their first tenure track position,

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<sup>10</sup> 'For it is extremely hazardous for a young scholar without funds to expose himself to the conditions of the academic career [...] The question whether or not such a private lecturer, and still more an assistant, will ever succeed in moving into the position of a full professor or even become the head of an institute. That is simply a hazard. Certainly, chance does not rule alone, but it rules to an unusually high degree. I know of hardly any career on earth where chance plays such a role.' (Weber 1947a, p. 129f.).

junior academics are on average in their early 30s. They start their academic career in a new environment detached from their academic mentors. In the Germanic system, academics are supposed to move when they get a 'call' for a professorship. On average, academics are then in their mid-40s. In other words, mobility takes place 10–15 years later in the Germanic academic life cycle compared with their American counterparts. This has important implications. Firstly, mobility may be much more disruptive for the family life of academics when it takes place at a later period in the life cycle. Secondly, junior academics in Germanic systems spend the first 10–15 years of their career within the familiar networks of their academic mentors. This is not necessarily a blessing, because in the Germanic context the term 'assistant' usually carries the implication, that young academics will assist their mentors. After all, they are not yet regarded as being independent academics, but seen as passing through their qualification phase.

- Thirdly, there is an important difference in the procedure for attaining a professorship. Since the professoriate in the US is a professional career, not an academic estate, once academics are promoted to associate professors with tenure, they can be promoted to full professors after another period of probation.<sup>11</sup> In Germanic systems, the cleavage between the lower and the higher academic estate is irreconcilable. A promotion from a junior position to full professor is not possible. Professors are 'called', and such a 'call' requires a vacancy in the professorial estate of a certain university. The higher academic estate is by nature – in terms of quantitative availability of positions – significantly smaller than the lower estates. The concept of a 'call' carries connotations alien to an application. Originally, private docents could not apply actively for a professorial position. Firstly, these positions were not advertised, but more importantly, the normative assumption was that candidates have to wait for an invitation,<sup>12</sup> the quasi-sacral act of a 'call'.

To summarise, the Germanic structure of academic careers has still preserved important features of the chair system. Most importantly, recruitment at the early phases takes place internally. It is a usual pattern that professors offer assistant positions to talented graduate students (even if these posts formerly have to be advertised). In many cases, these assistants have not yet completed their PhD, and even if they have done so, they are not regarded as independent academics but as part of the auxiliary network of their professorial mentors. Once assistants have completed their habilitation, they meet the formal qualification for the professorship. However, since a 'call' for a professorship requires a vacancy in the professorial estate, a large part of 'middle-rank' academics with habilitation has no chance of being promoted.

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<sup>11</sup>The typical situation in the US is the 'appointment of more than one professor in the same field, and a regular graded set of salaried academic ranks that together comprised the academic career. Moreover, in the United States a full professorship became the normal expectation of every academic man or woman, as the terminal grade of the career.' (Trow 2010, p. 323).

<sup>12</sup>It was a widespread metaphor in the 1800s to compare the situation of a private docent who was waiting for a 'call' with a young woman eager to get married (cf. Schmeiser 1994, p. 66).

The quantitative relations between the different academic status groups illustrate the opportunity structures for junior faculty to end up as a full professor: for each professor there are approximately two assistants with habilitation and almost six assistants without habilitation. This steep hierarchical structure is in contrast to the American system where the quantitative relations between the different status groups are more or less even.

The key factor for the persistence of academic estates in the Germanic system is the ‘unbridged disjunction’ (Ben-David 1991, p. 198) between the professor and all other academic positions. Some scholars (Ben-David 1991; Schmeiser 1994; Clark 2006) have used Max Weber’s concept of ‘charisma’<sup>13</sup> to characterise the role of the professor in the chair system. The outstanding position of the professor is thus due to the fact that research requires exceptional qualities, a divinely conferred talent.<sup>14</sup> The concept of a gradual promotion within a career scheme is not compatible with the notion of academic charisma.

Charisma cannot be learned, trained, or gradually acquired. It has to reveal itself in an appropriate setting. The academic oligarchy in the Germanic pattern considered (and to a certain degree still considers) the unsecured situation of young would be academics as an appropriate ‘charismatic mode of selection’ (Schmeiser 1994, 37) for the academic career. Only if young researchers are really devoted to that career, only if they feel an ‘inner calling’, will they be ready to make the hazardous choice that Weber refers to. And only if they show total devotion – demonstrated by their willingness to shoulder economic sacrifices<sup>15</sup> – do they deserve a ‘call’ for a chair position.

### 6.4.3 *The Austrian Version of a Tenure Track*

Comparing the American and the Austrian career structure at universities is appealing as the American tenure track system has recently served as a role model in Austrian higher education reform. The collective agreement between the Association of Universities and the unions explicitly refers to that model and even borrows the American terminology: it distinguishes (in English language) between the career

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<sup>13</sup> ‘Charisma is a certain quality of an individual personality by virtue of which he is set apart from ordinary men and treated as endowed with supernatural, superhuman, or at least specifically exceptional powers or qualities. These are such as are not accessible to the ordinary person, but are regarded as of divine origin or as exemplary...’ (Weber 1947b, p. 358).

<sup>14</sup> In the late 1800s, when tensions between ordinary professors and the lower ranks of academics intensified, professors defended their social position by referring to these exceptional qualities. For example, the psychiatrist Emil Kraepelin states: ‘With some talent, effort, and persistence one can become a competent civil servant; one is a researcher by grace of God.’ (cf. Schmeiser 1994, p. 35).

<sup>15</sup> Up to the early 1900s, sacrifices were not just economic in nature – a willingness to postpone marriage was also considered a sign of devotion (cf. Schmeiser 1994, p. 39).

steps of an assistant, an associate, and a full professor. However, even this Austrian tenure track model is shaped by the persisting notion of academic estates.

There are two important characteristics of this Austrian tenure track that point to path dependency within the Germanic pattern.

- Firstly, the Austrian model sticks with the tradition of internal recruitment at the early stages of the academic career. §27 of the collective agreement defines the assistant professor as a position with whom the university has concluded a ‘qualification agreement’. Universities may ‘offer’ such an agreement to promising young graduates with either a master’s or a doctoral degree. It is obvious that the definition of an assistant professor and the recruitment procedure for that position is very different from the standards of the American tenure track.
- Secondly, the Austrian tenure track ends with the position of the associate professor. Again, this model sticks with the tradition of two irreconcilable academic estates that does not allow for a regular promotion. The only way to attain the full professorship is the ‘call’ to the higher academic estate.

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