



The Bologna Process and the Unachieved Potential for the Creation of a Common Higher Education Market

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Introduction

The Bologna Process was launched in 1999 when the higher education ministers of 29 European countries signed the Bologna Declaration (currently with 49 signatory countries). Its ultimate objective was to create the European Higher Education Area (EHEA) by 2010, through a series of measures that would bring more synergy and convergence among national qualifications and higher education systems in order to improve student mobility and employability in this shared area, as well

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C. Sin et al. (eds.), *European Higher Education and the Internal Market*,
Issues in Higher Education, https://doi.org/10.1007/978-3-319-91881-5_8

as the attractiveness and competitiveness of European higher education in the world. Although voluntary, the Bologna reforms have generated deep transformations of the higher education sectors of signatory countries, including reorganisation of degree structures, a new architecture of qualifications and quality assurance reforms.

This chapter suggests some arguments why the Bologna Process, by pursuing its convergence ambitions, could have the potential to act as an instrument for the creation of a common higher education market. This would help the integration efforts of the European Union (EU) in a policy area explicitly excluded from its legal prerogatives. However, the political ambitions of convergence have been counterbalanced by the prevalence of member states' sovereignty in the implementation of the reforms proposed by the Bologna Process. The steering through soft law, national traditions of higher education (HE) and national political agendas have led to a diversity of outcomes which raises questions about the feasibility of a common market. The Bologna Process is conceptually understood here as a Europeanisation process (see Olsen, 2002) towards the creation of a unified Europe (yet leaving aside the political union dimension implied in the definition, since the Bologna Process reaches beyond the borders of the EU). According to the definition proposed by Musselin (2009), extending Radaelli's definition of Europeanisation (2002), we view Bolognas 'a process of construction, diffusion and institutionalisation of formal and informal rules, procedures, policy paradigms, styles, ways of doing things and shared beliefs and norms, *first defined and consolidated in the making of intergovernmental public policy and politics* and then incorporated in the logic of domestic discourses, identities, political structures and public policies of EU countries and other European countries' (Musselin, 2009, p. 184, original italics).

The chapter starts by looking into the potential of the Bologna Process to contribute to the establishment of a HE market, in line with the marketization pressures exerted by European institutions, which are discussed next. Then this chapter discusses barriers which might hinder the creation of a common market, deriving from the peculiarities in the governance of the Bologna Process and the limited convergence following the uneven implementation observed in its signatory countries.

The Potential of the EHEA as a Higher Education Market

The Bologna Declaration (1999) and its predecessor, the Sorbonne Declaration (1998), both envisaged the creation of a European space of HE. The subtitle of the Sorbonne Declaration 'Joint declaration on harmonisation of the architecture of the European higher education system' is suggestive of the ambitions of creating a unified system of HE across Europe, to be constructed around two main cycles, undergraduate and postgraduate, expressed in credits meant to enable study flexibility. According to the Sorbonne Declaration, 'an open European area for higher learning carries a wealth of positive perspectives, of course respecting our diversities, but requires on the other hand continuous efforts to remove barriers and to develop a framework for teaching and learning, which would enhance mobility and an ever closer cooperation' (Sorbonne Declaration, 1998, p. 1). A year later, the countries which signed the Bologna Declaration, while committing themselves to the creation of a European area of higher education, avoided using the term 'harmonisation', which would have implied too high a risk of nation states ceding power over the organisation of their systems of HE, therefore too intrusive for national sovereignty (Croché, 2009).

In this early stage of the Bologna Process, the creation of the EHEA was expected to improve Europe's competitiveness worldwide and, at the same time, strengthen cooperation among signatory countries. This was to be achieved through the creation of common structures and frameworks guiding the reorganisation of national HE systems: a common degree architecture based on tiered study cycles; the Diploma Supplement as a tool to ensure readability of the degrees; common degree descriptors in the form of credits and learning outcomes; and cooperation in quality assurance with a view to developing comparable criteria and methodologies. These common structures and references, beyond facilitating the creation of the EHEA, also had the potential of configuring this area into a common market whose commodities were the degrees. Musselin (2009) already argued that one notable

feature of the Bologna Process was that it did not intend to transform national HE settings (e.g. status of universities, relationships with governments, funding, university governance, etc.), but ‘to change the “products” of HE (i.e. the degrees) and to normalise them by recognising three main degrees: the bachelor, the master and the doctorate’ and ‘to transform the HE “production processes” through the introduction of the European Credit Transfer System (ECTS), modularisation, etc., and also through the promotion of coherent quality assurance processes among countries’ (Musselin, 2009, pp. 181–182). Dill, Teixeira, Jongbloed, and Amaral (2004), too, considered that the adoption of a common degree framework by the Bologna signatory countries redefined the nature and contents of academic programmes, thus transforming what were state monopolies over academic degrees into competitive international markets.

Several aspects were present to facilitate the constitution of a HE market. First, the common degree architecture, expressed in the Framework for Qualifications in the European Higher Education Area (FQ-EHEA) and then reflected in the national qualifications frameworks, ensured not only the compatibility, but also the comparability of HE degrees. Since comparability between products is an essential condition in any market in order to allow consumers to make informed rational choices (Dill & Soo, 2004), the Bologna Process, through the promotion of degree comparability, represented, in theory, a step towards the creation of a HE market. According to Karseth and Solbrekke (2010), the document *A Framework for Qualifications of the European Higher Education Area* (Bologna Working Group on Qualifications Frameworks, 2005) left ‘little space for alternative interpretations other than that the “new style” qualifications described in terms of workload, cycle or level, learning outcomes, competence and profile are deemed necessary’ (Karseth & Solbrekke, 2010, p. 565) and that this approach was the only viable one for HE institutions to assume public responsibility for the employability of students and their preparation for the world of work.

Second, comparability of degrees as ‘products’ was facilitated by the introduction of common degree descriptors, capable of acting as a common currency: ECTS and learning outcomes. Beyond enabling

student mobility and international curriculum development (Berlin Communiqué, 2003), ECTS had the potential to fulfil an additional role: that of a ‘currency’ which allowed students to assess the degrees’ ‘value’ at the moment of making educational choices. Adopting this new currency appeared imperative for universities to ensure the transparency and comparability of their degrees, as otherwise they would ‘be unable to attract students from both home and overseas markets, who will not enter programmes if the resultant qualifications have limited recognition elsewhere’ (Karran, 2004, p. 412). ECTS and learning outcomes have already been associated with the neoliberal agenda (Gleeson, 2013), which introduced market-oriented changes in public services and reconceptualised public service users as consumers. Learning outcomes testify an increased concern with the end result of education rather than with processes (Sin, 2014). In the Bologna discourse, learning outcomes have been promoted to improve mobility and employability by providing an easy-to-grasp overview of student knowledge, abilities and skills. Thus, outcomes-based education emerges as fundamental for the alignment of education to the marketplace, with associated accountability criteria. According to Gleeson (2013), ECTS—to which we would add learning outcomes as well—may be the ‘Trojan horse’ that legitimates the neoliberal performativity agenda in education. Additionally, the Diploma Supplement, proposed by the Bologna Declaration in order ‘to promote European citizens’ employability and the international competitiveness of the European higher education system’, could be seen as equivalent to the visiting card of a degree, making evident its exchange value on the labour market or, potentially, for further studies. Again, similar to the reasoning above, it makes explicit graduates’ learning outcomes.

Finally, the cooperation in quality assurance (QA) in order to develop comparable criteria and methodologies—ultimately aiming at convergence in QA practices—could, from a market perspective, ensure that HE degrees (as products) underwent similar procedures for validation and certification across the EHEA. To this end, the European Standards and Guidelines for QA (ENQA, 2009) were adopted in the early phases of the Bologna Process, offering ample guidance to the institutions and QA agencies on the aims and processes which should guide internal and

external QA. Such homogenisation would result in trust in the quality of degrees and their recognition across the Bologna signatory countries, as indispensable conditions in a common market which permitted students and graduates' free circulation for study and work purposes.

Young (2003, p. 236) saw these developments as reflections of 'powerful political and economic forces' which 'go to the heart of debates about the nature and purposes of education and training', aiming 'to extend the market principle to a wider range of activities and services'. Thus, the adoption of common structures, frameworks or references to enable comparison between degrees and homogeneity in validation procedures have implied not only graduate employability and student mobility across borders (for a specific example of how this was achieved, Collins and Hewer (2014) and Davies (2008) provide a good account for nursing education), but also a great potential for the EHEA to evolve into a common education market. Yet, such a goal was not necessarily among the intentions of signatory ministers. Rather, the EHEA was intended to be an attractive education space worldwide, a means of raising the status of European higher education. Competitiveness on the global market, not necessarily a competitive common market, was the initial ambition of the Bologna Process. In fact, the emergence of models inspired by the Bologna Process on other continents and the growing interest in the EHEA (Brunner, 2009; Ferrer, 2010; Zeng, Adams, & Gibbs, 2013) over the course of the reforms subsequently created additional opportunities for European higher education as an export commodity (Dunkel, 2009).

Global competitiveness was indeed the main rationale for the national reforms driven by the Bologna Process in many countries (Lažetić, 2010). As an unintended consequence of such ambitions, scholars have noted that Bologna, in addition to cooperation, also favoured the emergence of competition between its signatory countries and between HE institutions. As stated by Charlier (2006, p. 28), the Bologna Process 'has placed the states and the universities in a complex game of cooperation–competition: they cooperate to make more attractive the system in which they are embedded, but they are ready to work each for oneself to seduce as many students as possible who were attracted by the new European higher education architecture'.

This mirrors European institutions' ambitions: competitiveness has been one of the most powerful messages of official European policies, which have promoted the vocationalisation and the marketization of European higher education, for a long time fiercely opposed by member states.

Marketization Pressures in European Higher Education

Unsurprisingly, when the Bologna Declaration was signed, education ministers adopted a defensive attitude in relation to the European Commission (EC), wary of this latter's previous attempts to subordinate HE to the economy (European Commission, 1991). The Bologna Declaration portrayed a Europe of knowledge as 'an irreplaceable factor for social and human growth and as an indispensable component to consolidate and enrich the European citizenship' (Bologna Declaration, 1999, p. 1) and acknowledged that HE served a higher purpose than economic utilitarianism. Thus, the Declaration 'signalled a very real departure' from Brussels' 'single-minded subordination of HE to the vocational imperative' (Neave, 2005, p. 13). Action reflected discourse, and the Commission was excluded from the Bologna Process. Although allowed to participate in the elaboration of the Declaration, the UK and French ministers insisted that this was to be an intergovernmental process (Corbett, 2011).

This was an expression of European member states' long-standing opposition to the extension of European institutions' legal remit to education (Croché, 2009), a policy area which was explicitly placed under the member states' competence in the European treaties. Since member states decide on the structural set-up of their education systems, finance education for their citizens and are accountable for both successes and failures, Garben (2010, p. 210) finds 'natural for the state to defend its position as the decider, internally as well as externally'. According to the principle of subsidiarity guaranteed by the founding treaties of the EU, member states have responsibility 'for the content of teaching and the organisation of education systems and their cultural and linguistic diversity'. Article 165 of the Lisbon Treaty limits

the Union's contribution to encouraging cooperation between member states and to supporting and supplementing their action, if necessary, in order to address common challenges. The article also explicitly excludes any harmonisation of the member states' laws and regulations in this domain. Garben (2010, p. 210) stressed that the prohibition of harmonisation constituted 'the first explicit negative limitation of competence in the history of European law, which the Maastricht Treaty introduced together with similar prohibitions in the fields of culture and health', in an attempt 'to draw clear lines in the sand, or to "clip the wings" of the EC'.

The European Commission and the Bologna Process

In 2003, the Commission was eventually integrated in the Bologna Follow-Up Group (BFUG) because of its financial and logistic capacity to sustain the continuation of the Process which was short of resources (Corbett, 2011; Croché, 2009; Martens & Wolf, 2009). This opened the door to the Commission's intervention in HE, an area formally outside the EU's legal competence. According to Corbett (2011), the Commission's inclusion in the Bologna Follow-Up Group set off a 'ping-pong' competition between itself and the Bologna Process over the leadership of the reform of European higher education. Through its participation in decision-making, the Commission largely influenced the direction of the Bologna reforms and acquired great purchase over HE, which turned into a valuable vehicle for European integration and competitiveness. The Lisbon strategy of 2000 set the goal of transforming Europe into the most competitive and dynamic knowledge-based economy in the world, which was capable of sustainable economic growth with more and better jobs and greater social cohesion, by 2010. Higher education, a key sector for the achievement of the strategy, was in urgent need of modernisation to be able to fulfil the purpose assigned to it. As a result, the European Commission's vision for HE has been economically driven, failing to contemplate equally its economic, political, social and cultural role in Europe (Keeling, 2006; Maassen & Musselin, 2009). As a consequence, the Bologna Process,

too, became subordinated to the Commission's agenda of economic growth and international competitiveness (Sin, Veiga, & Amaral, 2016), as a means towards the modernisation of HE, made very explicit in the European Commission's contribution to the London ministerial meeting (European Commission, 2007). One vehicle through which Bologna and Lisbon increasingly converged was the Open Method of Coordination (OMC) (Garben, 2010; Sin et al., 2016; Veiga & Amaral, 2006).

The 'Lisbonisation of European higher education' and the 'Lisbonisation of Bologna' (Capano & Piattoni, 2011) added a new dimension to the European-wide higher education reforms which so far had pursued convergence to facilitate student and scholar circulation. In the name of modernisation, Lisbon sought to promote convergence towards a culture of QA and competitiveness, for which institutional autonomy and accountability became fundamental pillars (Capano & Piattoni, 2011). This aimed at changing the steering and governance patterns of HE systems in Europe, with governments assuming a more indirect role, while universities assumed a role as corporate institutions, responsive to socio-economic demands (Capano & Piattoni, 2011). The European Commission displayed 'an articulated preference for market-based instruments' (Dobbins & Knill, 2009, p. 402), an orientation which also spilled over into the Bologna Process. As a result, in some central and eastern European countries, Bologna became 'increasingly perceived as means of legitimization of such market-based strategies and has hence accelerated their spread at the national level' (Dobbins & Knill, 2009, p. 425).

An example of the reinforced economic dimension and the integration of the market logic in the Bologna Process is the discourse on teaching and learning. This topic came to the forefront of the political agenda in 2007, at a time when employability became a priority of the Bologna Process (Sin, 2015). The London Communiqué of 2007 underlined the importance of curricular reform leading to qualifications better suited to the needs of the labour market. Chronologically, this roughly coincided with the more explicit urges of the European Commission which recommended that study programmes should foster entrepreneurship and employability and that curricula and teaching

methods should be directed at the development of employment-related skills (European Commission, 2006, pp. 3, 5–6). Garben (2010) criticised the tone of the reforms jointly driven by Bologna and Lisbon because they seemed to ‘regard education almost exclusively as an economic commodity, therefore arguing that ‘both policy projects contribute to a commercialisation of higher education’ (Garben, 2010, p. 209).

Legal Leverage in Favour of Marketization

Besides the intervention of the European Commission in the Bologna Process, the European Court of Justice (ECJ) also played a part in the commodification of European higher education. In 1964, the ECJ stipulated that the Community’s common laws and regulations took precedence over the law of member states (Sin et al., 2016). Generally, European laws are vague and ambiguous to accommodate the difficulty of reaching consensus among a large number of actors, but the ECJ has the final word in case of conflicting understandings. However, the ECJ rulings are passed in the logic of an internal market (Garben, 2010) and uphold the free movement of persons, goods, services and capital (Fagforbundet, 2008, p. 20). The ECJ has already created a body of jurisprudence on issues related to HE access, quality or labour market needs (Kwikkers & van Wageningen, 2012), frequently invoking the free circulation of students and the European citizenship. Kwikkers and van Wageningen (2012) argue that ECJ case law, in its efforts to defend the internal market, has contributed to the creation of a European area of higher education just as much as the Bologna Process, although in an indirect manner. For example, it has qualified ‘privately funded’ education as a ‘service’ within the meaning of the Treaty, it has demanded equal treatment of foreign EU students, including with regard to maintenance grants, and has condemned legislation which aimed at preventing the entrance of large numbers of foreign students who were trying to escape national *numerus clausus* regimes (Garben, 2010). Such case law often infringes the competence of national governments, even though education is an area of national sovereignty. Garben (2010) explains that the achievement of the objectives of the EU, i.e. the

creation of a common market, is likely to affect policy areas not initially intended as ‘EU business’, even in the absence of explicit legal competence. In this sense, ‘the Court has made it abundantly clear that education is not an area outside the scope of the Treaty, and that it can be deeply affected by the application of internal market freedoms as well as EU legislation’ (pp. 211–212).

The directives issued by the European Commission, such as the Services Directive or the Directive on the recognition of professional qualifications (discussed more detail in Chapters “[Higher Education as a Service: Denying the Obvious](#)”, “[Overburdening Higher Education? The Europeanisation of the Professional Complex](#)” and “[The Recognition of Professional Qualifications: The Part Played by the European University Association in the Alignment of EU Legislation with the Bologna Process](#)”), are a clear example of how the application of internal market freedoms and EU legislation can affect education. These directives, obeying a common market logic, have been another means towards the commodification of HE. For instance, the Services Directive urged countries to remove barriers to the free movement of services across borders and allowed the possibility of treating education as a service. The Directive applies only to *services of general economic interest* and not to *services of general interest*. Although in theory the distinction between the two is based on the presence or absence of remuneration, the ambiguity of the language allows education to fall in either of the two categories. In the case of HE, private educational services can be classified as services of general economic interest because of the size of the student contribution towards education, thus falling within the scope of the Directive. In fact, in previous rulings by the ECJ, private university courses have been considered as services of general economic interest (Sin et al., 2016). This implies the unrestricted movement and offer of such courses abroad, which can pose problems for safeguarding the quality of provision in cross-border higher education (Rosa, Sarrico, Tavares, & Amaral, 2016). The directive thus fosters the liberalisation of education in which a tension is created between free trade in an education market and the member states’ right to have full control over their HE system and its quality (Sin et al., 2016).

In brief, we can argue that the functional powers of European institutions to pursue the ambition of establishing a EU and a common market have also affected HE, although this policy area is protected from European legal intervention by the principle of subsidiarity. The Bologna Process was also infused by these European-wide developments, adopting an economic rhetoric and economic objectives. This change of focus, coupled with Bologna's potential to create a EHEA, as shown above, represented a favourable ground for the establishment of a common market in HE.

Why Has the Creation of a Common Education Market Failed?

Formal Versus Substantial Convergence

The convergence of degrees through the implementation and the embedding of the common structures proposed by the Bologna Process was an essential condition not only for the establishment of the EHEA, but also for the creation of a common market. However, extensive literature has highlighted that convergence has been achieved superficially, rather than in substance (CHEPS and INCHER-Kassel and ECOTEC consortium, 2010; Dunkel, 2009; Lažetić, 2010; Rauhvargers, 2011; Soltys, 2015; Vögtle, 2014). According to Dobbins and Knill (2009, p. 426), 'isomorphism induced at the transnational level comes in different shapes and can generate different results, even in a highly integrative transnational normative environment'.

Key Bologna promoters themselves have acknowledged the limited success regarding convergence. At the last Bologna conference in May 2015, ministers recognised that 'implementation of the structural reforms is uneven and the tools are sometimes used incorrectly or in bureaucratic and superficial ways' and that 'non-implementation in some countries undermines the functioning and credibility of the whole EHEA' (Yerevan Communiqué, 2015, p. 1). The 2015 *Trends* report of the European Universities Association (Sursock, 2015), prepared for the

same conference, and a European Commission/Eurydice study revealed the gaps between the EHEA policy objectives and institutional realities in the area of national qualifications frameworks (NQFs): only 19 countries had self-certified their NQFs' compliance with the FQ-EHEA and in several countries institutions were not aware of their national qualifications framework. Even in countries which were pioneers in the implementation of NQFs (Scotland, Denmark or Germany), the implemented frameworks represent 'different mindsets and signify translation processes that reflect continuation of established institutional practices', despite the establishment of new structures and an apparent acceptance of the Bologna script (Karseth & Solbrekke, 2010, p. 572).

Similarly, studies have exposed problems concerning credit recognition, an issue which 'remains an enduring obstacle to mobility' (Sursock, 2015, p. 12). Others have drawn attention to the diversity in degree structures (Dunkel, 2009; European Commission/EACEA/Eurydice, 2015; Sin, 2012, 2013, 2016) which prejudices recognition. Learning outcomes have proven to be a particularly problematic tool to implement and embed in institutions (Karseth & Solbrekke, 2010; Reichert, 2010; Sin, 2014). Such findings about the mismatch between political ambitions and effective achievements on the ground floor mirror previous studies which have highlighted the gap between legislative implementation and institutional action:

Most 'architectural' elements of the EHEA, i.e. those involving legislation and national regulation, have been implemented in most countries. The impact of the established architecture on substantive goal achievement at the level of higher education institutions and study programmes is still wanting; however, institution-level impacts are not easily shown in our assessment of goal achievement at the level of the EHEA and countries. (CHEPS and INCHER-Kassel and ECOTEC consortium, 2010, p. 5)

Vögtle (2014) similarly observed that there was a remarkable degree of policy convergence for the adoption of policies, but convergence in instrumental design and degree of implementation was much lower, thus accentuating the difference between policy levels. According to her:

Although we are confident to state that the Bologna Process, even though it rests on voluntariness, has aroused factual HE policy convergence in countries with different institutional and structural preconditions, convergence is less obvious once we dig deeper by investigating policy convergence beyond adoption patterns. (Vögtle, 2014, p. 179)

Quality assurance seems to be one action line with some success (Reichert, 2010; Stensaker, 2014), as countries have developed their QA systems around the European Standards and Guidelines for Quality Assurance as an ideal type. However, convergence in form is not always replicated by convergence in substance (Hsieh & Huisman, 2013; Smidt, 2015). According to Smidt, 'an image emerges that points to both convergence and divergence in approach and to remaining challenges—and this is perhaps not surprising given the diversity of the EHEA and the global challenges' (Smidt, 2015, p. 635).

Implementation Challenges

Rather than the effective convergence of structural elements, which would have created the conditions for a potential HE market, the consequence of the Bologna Process seems to have been the creation of a common language which has eased communication between participating countries and higher education stakeholders (Lažetić, 2010). Such outcomes derived greatly from the peculiarities which have characterised the implementation of the Bologna Process, principally the Open Method of Coordination as its governance model. On the one hand, the OMC functions through reliance on 'transnational communication', as 'a structured platform driven by norm- and rule-oriented problem-specific coordination' which results in the elaboration of norms and common solutions (Dobbins & Knill, 2009, p. 401). The benchmarks and indicators of the OMC had the capacity to set off-national reforms, especially as the scorecards, by monitoring progress, allowed comparison and created 'effects of socialisation, imitation and shame' acting as 'powerful means of coercion' (Ravinet, 2008, p. 365) for countries to commit to the Bologna objectives. But despite the OMC's capacity to

induce policy emulation and policy formation, it offers little guarantee that convergence in the outcomes of the reforms will be achieved (Veiga & Amaral, 2009). In this sense, Capano and Piattoni (2011, p. 588) distinguish between change in policy outputs and change in policy outcomes, stating that ‘the former may result from a formal adoption of common curricular formats and procedures, while the latter necessarily implies a deeper transformation of the day-to-day working of the entire national higher education system’.

Therefore, policymakers’ naïve belief in linear implementation and their assumption that intentions formulated at top level will be smoothly translated into practice are counterbalanced by the complexity of policy reception and enactment at national and institutional levels. While ‘the storyline in main policy documents indicates that reforms in HE can be institutionalised as a rational process with the help of guidelines defined at a European level’ (Karseth & Solbrekke, 2010, p. 563), policymakers underestimate the degree of institutional and cultural change necessary to embed educational reforms. This is a direct consequence of the multilevel nature of the Bologna Process, another feature with a profound impact on the implementation of reforms. Reinforced by the non-binding, voluntary nature of Bologna, this led to uneven participation and implementation across Bologna signatories, as testified by accounts of varying degrees of implementation in countries such as Switzerland (Bieber, 2010), Spain (Ariza, Quevedo-Blasco, Ramiro, & Bermúdez, 2013) or the former socialist countries (Soltys, 2015).

A variety in implementation can be partially explained by internal problems of the national higher education system, such as lack of efficiency, quality or participation (Lažetić, 2010) and by different political and historical traditions, such as in eastern European countries (Kwiek, 2004). However, another explanation commonly put forward in the scholarly literature is that governments have used Bologna as a pretext to advance their own priorities. National political agendas and preferences turned engagement with the Bologna Process into a dissimulated game, driven not necessarily by a genuine desire to achieve the stated objectives of the Process, but by subjective reasons and domestic interests (Garben, 2010; Lažetić, 2010; Musselin, 2009; Ravinet, 2008).

National reforms were promoted under the umbrella of the Bologna model, irrespective of whether or not this was true. Thus, the Bologna Process was politically attractive for countries because it allowed them 'to pursue their own agendas, labelling them as European and Bologna-inspired in national contexts', even though Bologna's legally non-binding character gave countries flexibility to implement only those policies which were deemed feasible (Lažetić, 2010, p. 588). Garben (2010) pushed the argument even further, suggesting that, in order to pursue unpopular domestic measures, governments took advantage by the confusion in national circles about the origins of Bologna: 'perhaps the Member States even created, or conveniently did not resolve, the mistake that the Bologna Process was imposed by "Europe", taken to mean the EU' (Garben, 2010, p. 222). Scholarly literature is testimony to the country-specific particularities in the implementation of Bologna reforms which reflect nationally oriented interpretations of the common European agenda (see for example, Dunkel, 2009; Karseth & Solbrekke, 2010; Musselin, 2009; Sin, 2013; Witte, 2006). As Kupfer (2008) argued, nation states retain power while operating in international settings, despite the fact that off-national decision locations create the impression of a power superior to the national government's power.

The discretion in implementation is replicated at an institutional level, where the actors ultimately responsible for enacting the Bologna reforms are situated. This bottom-heavy nature of Bologna has diluted even further the policy ambitions formulated in high-level forums. Universities are historical institutions marked by continuity, whose 'institutional memory' and underlying norms may constitute barriers to the adoption of external policies. According to Dobbins and Knill (2009, p. 402), 'even external models viewed as successful might face resistance and inertia if they challenge dominant beliefs and institutional identities'. Academics, in turn, thanks to the autonomy enjoyed by the profession, have considerable leeway in the effective enactment and embedding of externally driven policies (Duran, Moon, & Giraldo, 2009; Sin, 2014; Sin & Amaral, 2016; Sin & Manatos, 2014). A deficient understanding of Bologna's action lines has often been put forward as an explanation for the gaps in implementation (Bucharest Communiqué, 2012; Sursock, 2015; Yerevan Communiqué, 2015). The evolution of Bologna reforms over time 'did not always facilitate an understanding

of the important links between its various elements, or motivate academics to engage meaningfully in curricular renewal', according to the latest *Trends* report (Sursock, 2015, p. 70). But other authors attribute the modest progress to the 'embedded contradiction in the rhetoric of the policy documents: diversity on the one hand and a "common face" and compatibility on the other', which 'creates conflicting arguments and thereby resistance' during implementation (Karseth & Solbrekke, 2010, p. 571). Thus, Karseth and Solbrekke (2010, p. 571) suggest that the slow progress is due not to 'the lack of understanding in an instrumental sense, but the lack of shared understanding in a cultural and epistemic sense'. This is compounded by the fact that policies are formulated as vague and abstract statements of intent, remote from practice, and by ambiguous concepts (Lažetić, 2010; Sin & Neave, 2016), which favours even further the phenomenon of interpretive dispersion (Neave & Veiga, 2013).

Persistence of National Differences Invalidating the Establishment of the Common Market

The specificities which have characterised the Bologna Process have therefore failed to lead to the expected convergence, engendering instead a diverse array of national and institutional interpretations and adaptations of the reforms. The freedom of manoeuvre granted to countries in the process of implementation led to an 'implementation *à la carte*' (Lažetić, 2010) and to unclear results, since policy outcomes have been influenced by national policy legacies and prevailing national interests (Capano & Piattoni, 2011). Additionally, countries have been implementing the reform at different speeds, 'depending on their basic position, political creativity and resonance in the higher education systems' of the goals of the Bologna Process (Dunkel, 2009, p. 189). Consequently, despite 'the ritual signature of a new communiqué every two years' by the participating countries re-affirming their commitment to the implementation of the Bologna objectives, 'the local adaptations, national translations and side effects attached to each domestic implementation weaken the convergence potential of Bologna' (Musselin, 2009, p. 198).

Diversity in the outcomes of implementation, also visible in the diversity of degrees, does not constitute, in itself, an obstacle to the creation of a common market. However, diversity without the possibility of comparison does represent an obstacle. When potential consumers are not able to compare between ‘products’ (the degrees), because of an uneven adoption of the ‘currency’ (the degree descriptors—ECTS, learning outcomes or the Diploma Supplement), the market fails to realise its potential.

Conclusion

This chapter has argued that the Bologna Process, aiming at the convergence of higher education systems in a common EHEA, had the potential to act as an instrument for the creation of a higher education market through the adoption of common structures, frameworks or references, although a common market did not appear among the ambitions of the Bologna Process. This was an ambition nurtured by European institutions.

A common market, as an unintended consequence of Bologna, would have assisted the integration efforts of the EU in a policy area explicitly excluded from its legal prerogatives. In fact, despite the principle of subsidiarity, the functional powers of European institutions to pursue the creation of the EU and a common market have also affected HE. On the one hand, the European Commission contributed to the formation of an economically driven vision for HE, especially after the launching of the Lisbon Strategy which turned to HE as a key sector for a competitive knowledge economy. On the other hand, in the name of the free movement of people and services upheld by the European treaties, the jurisprudence of the ECJ and the EC Directives have contributed to shaping a market-like space for education. At the same time, they have impinged on member states’ capacity of organising their HE systems. Apart from posing a legal problem by ignoring the subsidiarity principle, this fails to ‘respect the fact that, in education, considerations that are not economic—and that might very well be at odds with economic efficiency—play an important role’ (Garben, 2010, p. 228).

The Bologna Process has not escaped unaffected by the discourse promoted by European institutions. It, too, has become infused by an economic rhetoric and economic objectives, thus changing its rationale from a social/cultural one to an economic one (Sin & Neave, 2016). This change of focus, coupled with Bologna's ambition to create a EHEA with comparable degrees, common degree descriptors and an overarching framework of qualifications guiding the organisation of national HE systems, created optimal conditions for the creation of a common market in HE. Nevertheless, the political ambitions of convergence have failed to materialise to an extent which would make a common market feasible. The prevalence of member states' sovereignty in the implementation of the Bologna reforms, the steering through soft law, the force of national traditions of HE and the prioritisation of national political agendas have led to a diversity of outcomes. For better or for worse, such diversity, when it is not accompanied by the possibility of comparing the degrees as the products, because of the absence of a shared and established use of currency, becomes a barrier to the successful creation of a common market.

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