Shake-up for German universities

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The right to a university education in any subject is enshrined in German law. But the system has become hopelessly cumbersome and is ripe for radical reform.

GERMAN higher education is characterized by two fundamental contradictions. First, German universities are institutions of mass education — the number of students has increased from 390,900 in 1960 to 1,823,200 in 1992. The University of Heidelberg alone has 29,400 students, almost exactly the same number as the whole of Germany in 1886. The biggest German university, Munich, has 63,500 students. But the principles of university admission and education are more or less still those of Wilhelm von Humboldt. He considered the *gymnasium* (the German high school) and the university as parts of one system, in which the former has the function of preparing for the latter. Accordingly, since that time, the leaving certificate of the *gymnasium* (the *Abitur*) guarantees the right to study any subject at any university. Moreover, the *Abitur* is thought to indicate the intellectual "maturity" necessary for students to organize their studies themselves. In today's complex and overcrowded universities, these two principles have become unworkable.

Second, although the rules of admission are identical for all German universities and although there is a central student distribution agency for degree courses which, because of the large number of students, have been declared "closed" (*numerus clausus*), there is no national agreement about the subjects required for the *Abitur* or on examination standards. In Germany, education, culture and science are the constitutional domains of the *Länder* (regions). The Federal University Coordinating Act (1976) states that the *Abitur* guarantees the right to university admission, but the examinations constituting the *Abitur* are regulated by each *Land* separately. Agreements between the *Länder* on matters of education, culture or science must be unanimous.

Difficulties

This explains why national reform of higher education is so difficult to achieve. In fact, although the recent reform proposals formulated by the Science Council and by the University Rectors' Conference have been welcomed both by the federal government and the governments of the *Länder*, no joint political action has been undertaken to put them into law. On the contrary, the education summit held last December was finally reduced to an ill-prepared item on the agenda of an ordinary meeting of the federal chancellor with the prime ministers of the *Länder* — a painful event that brought no tangible results.

At the same time, however, some of the *Länder* have begun to reform their own university laws. The Saxony parliament was the first to pass a new university act embodying all the reform proposals — at least as far as the federal law permits.

In the course of German history, universities and university reform have often been the focus of debate in periods of national crisis, as was the case when von Humboldt defined the idea of the modern university. It occurred again during the revolution of 1848–49, which tried in vain to establish national unity on liberal and democratic foundations; and again at the time of the hapless Weimar Republic when, although bold projects of educational reform were designed, the conservative majority of professors and students despised democracy and thus paved the way for Hitler; and finally, in the late 1960s and early 1970s, when the students' revolt shook professorial power and initiated a far-reaching process of liberalization in West German society.

Observers of the German university scene may be tempted to consider the present debate about educational reform as part of the difficult internal unification process. But since the initial euphoria gave way to disillusion and sobriety, the challenges posed by unification have intensified a debate that had started in West Germany before 1989.

What East German universities can now contribute is a greater readiness to accept the practical relevance of teaching and research, and a resolve by faculty and students to make the best of difficult conditions. Although in the past such attitudes had been deliberately promoted as being in the interests of socialism, this political and ideological tinge has long faded away, if it was ever taken seriously. Unification helped to invigorate teaching and research in East German universities, the unity of which had been weakened by the concentration of research in the academy institutes, although — contrary to what is sometimes maintained — it had never been given up.

What can be learned from East German universities is that teaching and learning must be regarded not as the responsibility of the individual professor or student but rather as a common responsibility of both, and of the professoriate as a whole. East Germany's role has been that of a catalyst of the structural crisis that had already developed in West Germany before the breathtaking events of 1989–90. The question is whether the desire for self-fulfilment can still be the justification for constantly expanding the rights of the individual, particularly in view of economic considerations. Or can the present crisis be overcome only by re-examining individual rights and privileges in the light of the common interest, and by reassessing structures and institutions in the light of their effectiveness for the needs of the individual and of society?

Distinctions

The main topic of the university reform debate is the length and structure of degree courses. In the eyes of the public, this is linked with the appallingly high number of drop-outs and long-term students, which suggests that the universities lack both energy and authority, and that they waste taxpayers' money. One measure proposed to tackle this problem is based on the distinction between 'pure' and 'applied' teaching and research, and suggests that the latter should be expanded more rapidly because it is more quickly effective for professional education and regional development. Another is to delimit the length of the degree course depending on the field of study or the type of academic institution, and to distinguish between professionally orientated first-degree courses and research-orientated (post)graduate studies.

Although it has repeatedly been emphasized that both stages of university studies should educate through academic work (*bildung durch wissenschaft*) and that the main difference should be the degree of structure in teaching, this proposal has provoked the wrath of those students and professors who prefer to see the university as a universe of discourse for a (possibly lifelong) unfolding of their personalities, or who simply find it difficult to agree on or to accept a clearly structured curriculum. Nobody will be surprised to learn that these voices are most often heard in the humanities and social sciences (a field I know well from personal experience).

The truth is that in an 'open' university the distinction between structured professional studies and less formally organized research studies may provide the only

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chance for the university to prepare a student to contribute to society or to the academic community. But these aims can hardly be achieved without infringing upon long-cherished rights by, for example, introducing well-defined curricula (instead of collections of examination requirements); applying legal or financial sanctions against students who do not take their examinations in time; restricting the freedom of students to change their degree courses; enhancing the individual and collective responsibility of teachers for the success of their students; and linking support for research to the commitment of the professors to academic teaching.

A particularly controversial question is whether, in addition to the professors, there should be a special category of lecturers with a larger share in teaching. East German universities demonstrate the importance of experienced middle-rank academics in obtaining good teaching results. These institutions regret that university budgets now follow the West German pattern and have drastically reduced this group. Many in West Germany remember the fierce struggles in the late 1960s to define the teaching duties of middle-rank academics, and fear a repeat of disputes about pay and status.

Unfortunately, the demands for reform are intertwined with the equally justified demand for larger university budgets. Since the late 1970s, West German universities have been forced (and seduced by temporarily limited special funds) to carry an overload of teaching, because the governments of the *Länder* have clung to the unrealistic hope that the "students' mountain" would disappear. East German universities show signs of long neglect and mismanagement, and are in sore need of modern equipment. Thus the temptation is irresistible to give priority either to increasing the money, as demanded by students and professors, or to introducing reforms, as urged by local and national governments.

The governments themselves are divided as to which bears the larger share of political responsibility — the governments of the *Länder*, which would have to introduce most of the legal reforms and to face angry protests, or the federal government, whose constitutional position in higher education is very weak but which has to provide half the money for new buildings and equipment. On top of that, the governments of the *Länder* are widely different in their educational policies, and disagree on which reforms should come first or whether they should come at all.

An almost equally prominent and controversial topic is the demand for the reform of university organization and governance. None of the teaching reforms can be brought about without strong leadership within the universities themselves. Effective academic leadership, however, tends to be regarded with distrust by both professors and students, who want to preserve their traditional privileges or to guarantee the rights of minorities and individuals. The reform movement of the late 1960s and early 1970s demanded democratic procedures requiring the consent of all university groups involved. This concept owed too much to class-struggle ideology and not enough to teaching and research.

The attempt at radical democracy in universities has been thwarted by a ruling in 1973 of the federal constitutional court in favour of the profession by the Federal University Coordinating Act and by the corresponding University Acts of the *Länder*, which have often increased the influence of ministerial bureaucracy. As a result of these conflicting developments, the decision-making processes in universities have often become long, ineffective and, for ordinary university members, a disincentive to participate in university affairs. It would, nevertheless, be a grave mistake to return to the old German *ordinarienuniversität* which was often not much more than a confederation of independent professors with a *rektor* and with deans who had to be elected each year.

Coordination

Instead, an effective system of university government is needed, which combines democratic participation with the ability to act swiftly and energetically. Electoral procedures and the structure of elected bodies must be designed to take into account the pragmatic needs of staff and students. It is therefore vital to coordinate decision-making at the faculty or departmental level as well as at the university level. The *rektor*, the *prorektoren* and the deans should be elected for a term of not less than 3 years, while the *kanzler* (head of university administration), who is responsible for the budget, must hold office for a much longer period.

The faculties, provided they combine a number of related and adjacent disciplines, must become the pillars of the university structure. The *dekane* (deans) should be the central figures of effective academic leadership in the university. For this they need the support of a *prodekan*, some *studiendekane* (students' deans) and an administrative officer, and must have disciplinary as well as financial rights (at present an unheard-of privilege). Last but not least, a clear distinction is necessary between bodies taking decisions on academic matters and those deciding on finance, to minimize the danger that meagre means are distributed by a grand coalition of diverse special interests. Thus, academic matters could be dealt with by the university senate, whereas all important financial decisions could be taken by a university board, which should be advised by independent personalities.

The most important reform, without which the others would not make much sense, must concern the principle of university admission by right to all high-school graduates. The consequences of this principle are disastrous, but it is nonetheless passionately defended by ideologues and lobbyists of very different colours, either as an instrument of achieving an egalitarian society or as a shield for protecting the prestigious role of the traditional German *gymnasium*.

There are two ways out of this dilemma. Either the German *Länder* must agree on a range of compulsory subjects (for example, German, mathematics, a foreign language, a science subject and a humanities subject) and on mutually accepted standards for the *Abitur*. Or the Federal University Coordinating Act must be changed so that each *Land* can specify school subjects that are required in the *Abitur* certificate for admission to particular degree courses. In view of the German constitutional principle of cultural federalism, the second course seems to be more realistic. It may also have the advantage of triggering competition among universities to attract the best students. It may also induce competition among the German *Länder* for centres of excellence in university teaching, which, in turn, may make taxpayers more sympathetic to universities' requests for more money.

In July 1993, the Saxony parliament passed a Higher Education Act that included practically all these reform proposals for structuring degree courses effectively and for strengthening university teaching. The new law restored academic autonomy on a democratic basis and, at the same time, established a new model of governance intended to ensure effective academic leadership. The new law even has a clause to allow universities and colleges to influence young people at the *gymnasium* in their choice of school subjects for the *Abitur* in the light of the degree courses that interest them. However, this can go only as far as is allowed by the federal law and the state treaty on university admission between all German *Länder*. What is really needed is a national consensus on university policy. Because university policy is, and should remain, the constitutional domain of the *Länder*, which invariably follow different educational concepts, the purpose of the consensus cannot be uniformity, but diversity. Diversity makes sense only if it means competition. What we need in academic teaching and research, as well as in educational policy, is more competition. □

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