

A VIEW OF UNIVERSITY REFORM ENDEAVOUR
IN WEST GERMANY SINCE 1945

by

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ABSTRACT

This study is a view of attempts since 1945 to reform the West German university. It covers the years of reconstruction after the war, the introduction of newer universities and the eventual enacting of a federal framework law in the late seventies.

It is argued here that the reforms undertaken have been characteristically German and in the first part of this study an attempt is made to establish an ideal-typical model of national character. In order to make a critical synthesis of German character some of Hegel's writing is used.

As a model for comparison the Humboldtian university has been chosen: an elite institution, where scholarship was freely pursued for its own sake in an atmosphere of solitude. The imposition of mass enrolments on essentially elite universities led to a range of demands with which the universities were unable to cope without fundamental changes.

Newer institutions, the founding of comprehensive universities and a proliferation of individual state laws led to the Framework Act for Higher Education. The Act is considered here as ultimate reforming legislation. Reform endeavour is examined against a background of the Humboldtian university and interpreted in the light of German national character.

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INTRODUCTION

The problems facing German educators are rooted in German history. More specifically they are rooted in what F.Lilge (1) has called the "drama of ideas", which have been acted out often violently on a stage with a world audience. It is to the beginning of the nineteenth century that one must look, H.Hamm-Brücher (2) suggests, if one wishes to understand the German system of higher education in its present state. At this time, according to H.Schelsky (3), the nadir of German scholarship was reached; and Prussia had been defeated by the French. The Sturm und Drang period (with which J.W.von Goethe, F.von Schiller, J.G.Herder, et al were closely associated) was to be superseded by a period when the intellectual climate could be described as German Idealism, with admixtures of Protestantism, Romanticism and Neo-Humanism. It was in this climate that Germany was to make up in intellectual strength what it had lost in physical resources and to rise to great heights by dint of superior learning and civilization. The reformed university would make a major contribution to this process.

As a starting point in this thesis an attempt is made to establish an ideal-typical model of German national character. H.Kohn (4) has suggested that the Germans have always surrounded power with the halo of philosophy, which they extolled for its alleged understanding of history and human nature. Even certain words like Schicksal (fate) and Verhängnis (doom) fascinate the

Germans and convey an untranslatable tone of inevitability. Indeed evidence found in German history, customs, institutions and language all lend weight to what will here be called an exaggeration syndrome.

However the difficulties associated with using analytically the concept of national character are not to be minimized. B.Holmes (5) has stated, "Studies in national character have of course gone some way to establishing the kind of pattern I regard as desirable". But he maintains that despite the fact that such studies may be based on deep insights they remain individualistic and for this reason Holmes suggests ways of establishing ideal-typical models. It is with this very firmly in mind that national character is considered here. By using a variety of studies including impressionistic ones and some of the works of comparative educationists, notably V.Mallinson (6), it is hoped to be able to draw out that which is enduring in German character and use this to explain change and no-change in the university reform process. Personalizing national character will be studiously avoided.

In order to make the analysis crisp and clear Holmes' proposal to study, "constitutions, manifestos, legislation and philosophy ... to establish an ideal-typical model" (7) will be adopted. F.Hegel has been chosen as an ideal-typical philosopher for Germany and the intention is to use his writing to obtain a critical synthesis of national character because, it is assumed,

his ideas have underpinned major national trends. His influence on philosophy has been enormous and because during his lifetime he had behind him the authority of the Prussian State (8) was influential as an advocate for legitimizing ultimate state power. The period during which Hegel was active is significant because it coincided with the time when the German university was reformed by Wilhelm von Humboldt.

The period of reform which Humboldt initiated was, according to E. Ashby (9), to be the moment of destiny for higher education. The reformed university was an elite institution and Humboldt stressed the need for scholarship and freedom to teach and learn in an atmosphere of solitude, unfettered by the cares of the world. The state was to allow the university academic freedom in order that these aims be achieved. The reformed university of Humboldt is the model used in this thesis against which subsequent reform endeavour can be compared and measured. Indeed it will be shown that this university form was to remain virtually unchanged and unchallenged for over one hundred and fifty years.

The period covered in this thesis is from the end of the Second World War to the present. During what are here called years of reconstruction after the devastation of Germany resulting from that war, the Humboldtian model was used unquestioningly by those who were responsible for rebuilding or establishing new universities. It will be shown that in the

discussions among the major participants in the early reform endeavour the traditional features of the university were retained. During the early part of this reconstruction period an increase in students was anticipated. However it was what Holmes (10) identifies as "explosions" which give rise to problems that caused real concern in the sixties. These were the explosions in student numbers and student expectations of what the university must provide.

Quite soon it became apparent that the major problem, which was to subsume many others, was the failure of the German university to cope as an elite institution with mass enrolments and a consequent range of demands imposed on it without fundamental alteration in structure, organization and government. The analysis M.Trow (11) has made of the concepts of elite and mass higher education is considered as well as U.Teichler's (12) and P.Altbach's (13) observations that relate to the conflict produced when huge enrolments are imposed on elite institutions. Some policy solutions to these problems are examined namely the founding of new universities and the development of the comprehensive university.

From a consideration of national character as exemplified in Hegel's philosophy it was possible to anticipate no-change in the behaviour pattern of the university academics, marked by recalcitrance on the part of the chairholding professors, and the various attempts by politicians within the individual states

to propose and adopt reforming legislation. The ultimate attempt to reform the universities in a thorough and comprehensive fashion was a political decision made at the federal level and resulted in the enacting of framework legislation. This legislation, officially at least, was necessary in the view of the federal politicians to preserve equality of higher educational provision throughout the country.

The final section of the thesis is concerned with this ultimate reforming legislation. It is intended to show how national character endures and echoes of the Heglian inheritance in the form of centralized state control resound. The Framework Act for Higher Education has been passed and with typical teutonic thoroughness covers all areas and aspects of higher education. As reforming legislation it cannot be considered an unqualified success. Even if a return to the Humboldtian ideal alone would be no remedy for the besetting ills within the German universities it is significant that nowhere in the Act is Humboldt even mentioned and the term university has been subsumed under the general title Hochschule (institution of higher education). Evidence suggests that neither the individual states nor the universities, as represented by the West German Rectors Conference, regard the federal legislation as a satisfactory solution to the problem of university reform. The thesis of university elitism has been countered by an antithesis which if W.Hennis (14) is

proved correct, is identified as mass mediocrity. In the resulting sythesis the state increases its control and the universities lose much of their traditional autonomy.

How the German universities develop further as a result of recent reform endeavour is an important issue and not only for Germany. As N.Lobkowitz (15) has stated "Today it is not even mentioned and even more easily overlooked that not only in the nineteenth century ... but also in the period between the two world wars, indeed, even in the fifties of our century, German-speaking and, particularly, German universities have had such a fascinating attraction abroad that they have been emulated around the world and, further more, have exerted an influence ... on the academic world that is quite out of proportion for Germany's political or economic weight". It is for these reasons that the German university is the subject of this thesis.

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Chapter I

A CONSIDERATION OF NATIONAL CHARACTER

It will be assumed in this study that there is such a thing as "national character". Also that it has enduring features and that attempting to understand it will shed rational light on the expectations, behaviour and attributes of say Germans or Englishmen. Further this understanding is likely to be useful as attempts are made to predict for a particular country policy formulation and implementation and their consequences.

The national character approach in comparative education is marked, especially in earlier works, by its ubiquity and it remains a strong tradition. Many earlier scholars in the field in comparing national systems of education assumed there was something which they identified as national character. For example Nicholas Hans directed his attention to studying "factors" (1), which helped to form nations, as a stage in the examination. Friedrich Schneider sought to identify the Triebkräfte (motivating forces) in a national system (2) and Isaac Kandell was concerned with "causes" and the idea of nation states (3). As historian philosophers they sought antecedent causes of existing events.

A starting point in considering national character here is to establish what is meant by the notion. To this end a number of views, not only of comparative educationists, will be presented in an attempt to

identify it and ascertain what methods can be used to establish it in replicable form.

E. Barker (4) examined the notion of national character and the factors which formed it by considering what he regarded as its material and spiritual elements. The former comprised race, geography, climate and economics and was the basis for the development of a superstructure of national spirit through language, religion, law, a system of education and ideas. Thus for Barker national character was the sum of acquired tendencies which a national society has built on its racial blend, territory and social variety. It belonged mainly to the sphere of nurture and was made and modified by man's creative mind.

The analogy of the character of the individual to a nation was drawn by Barker who suggested that for centuries a nation's character is engaged in the process, largely unconscious, of development from the stage of race, environment, population and occupation to the stage of the literary, ecclesiastical and political forces where ideals are consciously framed and pursued. Despite the infinite differences of a nation's members he suggested the unity of national character. A nation reveals its individuality or character through the seizing or alternatively despising opportunities presented at any time and this fact cannot be explained in detail scientifically but must be accepted for it determines the peculiarity and essence of every

historical process (5). The points made are appealing because they are simple, understandable and are convincing; a weakness is that they personalize the concept of national character and reify the notion of nation.

There is a continuing process during which national character is made and modified in accordance with history, conditions and purposes. However there remain, according to Barker, "profound and abiding permanencies in a nation's character".(6). Because national character is in part a function of tradition it may be changed but "what has been made through the centuries is strong and endures... and the weight of the past is heavier on balance than that of the present."(7) It is this theme of strong and enduring elements which echoes through the writing of Barker and is taken up by other writers.

If one wished to locate a starting point then, according to Barker, modern history can be dated around the end of the fifteenth century with the definite entry of nations into the systems of Europe. The Reformation was a great landmark in the development of life in England, Scotland, Scandinavia, Germany, Holland and Switzerland and the next two centuries saw the power of the dynasties and the confessions feuding for power. Indeed the Reformation introduced the conception and the practice of national churches. Stirrings of a new life came with the writings of J.J.Rousseau and theories of

Hegel and J.G. Fichte and from the nineteenth century onwards the self-consciousness of people who identified themselves with a nation became evident. Their prior existence in fact was combined with the idea of nationhood, which became a spring for action.

Three factors led in Barker's view to the idea of nationality. The first was the partition of Poland by the dynasties of Hohenzollerns, Habsburgs and Romanoffs which kindled the fire of nationhood and a hope of national re-birth, the repercussions of which spread to the rest of Europe. The second force was the French Revolution after which the nation made the State and not the converse: the principle of nationality was no longer championed by monarchy but espoused the notion of democracy. The third component was the phenomenon of Napoleon (8) who by seeking to impose the will of a new and great dynasty on the whole of Europe provoked nationalistic reactions. In Germany, for example, the pressure of French levies and garrisons being the result of Napoleon's actions did as much to inspire a national self-consciousness in Barker's view (9) as did the theories of Hegel and Fichte, which resulted in part from Rousseau's stimulus.

In this connection K.R. Popper has suggested that an instinctive and revolutionary nationalism was growing in Germany as a reaction to the Napoleonic invasion. He has called it "...one of those typical tribal reactions against the expansion of a super-national empire"(10).

It was at this time that Fichte became the "apostle of nationalism" (11). In fact as Popper maintains, it was Fichte who provided German nationalism with its first theory in so far as he stated that a nation's borders were determined by language (12). However the question of language and national character will be considered later and it is now appropriate to look at some views of earlier scholars of comparative education.

In an historical perspective for comparative education Michael Sadler introduced a new epoch at the end of the nineteenth century. It was in a seminal essay that he asked what could be learned from foreign education systems. "In studying foreign systems of education we should not forget that the things outside the schools matter even more than the things inside the schools, and govern and interpret the things inside." Also "A national system of education ... has in it some of the secret workings of national life. It reflects, while it seeks to remedy, the failings of the national character" (13). Elsewhere he wrote "... one hears it constantly said that an increased success or development of a particular nation is the outcome, and the necessary outcome, of its particular education system and methods: or that the comparative stagnation, or losses, of another nation could be straightaway prevented, were it only to adopt the education system of the other. Yet closer reflection and observation make it clear that in both nations the differences

both of methods and effects are in fact due to certain intrinsic qualities and conditions of the national character, temperament and aims, which are themselves the absolutely conditioning factors of each and every educational effort ..." (14).

Many pioneers of comparative education were eager to learn from other nations. Indeed the history of comparative education is, according to Holmes (15) "... one of men of the world who were involved in the affairs of society, eclectic in outlook and who worked to reform education. They have been cosmopolitans who tried to perform an international rather than a local service function." As administrators and great travellers they wanted to discover things of practical value from foreign education systems. Many of the great names in education during the nineteenth century are represented: Victor Cousin, Horace Mann, William Torrey Harris, Ferdinand Buisson, Matthew Arnold and Michael Sadler (16).

Major work in comparative education during the period up to 1945 followed Sadler's lead as it sought to identify those things of practical value derived from studying the education systems of other nations. Since the second world war a move towards more scientific explanation developed and this was in addition to data collection, informed opinion, intuition and international cooperation, which already existed. The thread which now clearly runs through the subject is

that of rigorous scientific analysis. But is a national character approach, as an adjunct to serious comparative study, outmoded? Clearly there are difficulties in making the concept scientific and precise. If however one test of a methodology is its usefulness, then the national character approach provides this because it identifies a pattern within which understanding of national education systems is facilitated (17).

Hans argued (18) that nationality is formed by factors and it is the study and analysis of these from an historical perspective which bear fruit for comparative education. He considered religious (Catholicism, Anglicanism, Puritanism) secular (humanism, socialism, nationalism, democracy, education) and national (race, language, economics) factors and used them in his investigation of the educational systems of England, France, the U.S.A. and the U.S.S.R. He considered these factors to be immanent and determining and claimed that a national educational system constituted an outward expression of national character.

Schneider (19) was at pains to discover the Triebkräfte of education. He was deeply concerned with the melioristic aspects of education and believed that the national character approach was a means of developing principles. The highest goal was the description, explanation and comparison of educational systems in terms of their cultural totality and putting problems

into a perspective which transcended training and reached out into mental and spiritual spheres. A study of comparative education must seriously concern itself with, inter alia, the description of typical national character (20).

Kandel too suggested that national character had an important bearing on educational systems. He regarded it as no accident that the U.S.A. had a pragmatic philosophy of education founded on the notion of progress, or that the French emphasized the progress of ideas and the cult of reason (21). The study of comparative education involved for Kandel a comparison of different philosophies of education based on prevailing practices. It was from critically studying foreign education systems that a more lucid analysis of the background and underpinnings of ones own education system was facilitated (22).

Mallinson (23) has pointed out that in every definition of the purpose of education there is an implicit philosophy. Problems in education can never be isolated from those of society as a whole. No society is without some kind of educational system and no system of education exists without a clearly defined society. Thus national characteristics find expression in schools, which in turn strengthen and perpetuate national character. He quotes Morris Ginsberg in describing what he means by national character namely: "the totality of dispositions to thought, feeling and

behaviour peculiar to and widespread in a certain people, and manifested with greater or less continuity in a succession of generations" (24).

The determinants of national character, according to Mallinson, are heredity, environment, social heritage and education. He maintains that there are deeply held, almost unconscious sentiments common to a nation (25). These change slowly and partially explain differences between national systems of education. The characteristics of a national system of education only change within limits allowed by national character. The purpose of comparative education is to systematically examine other national education systems find differences and similarities, and apply the findings judiciously to ones own system. Where change is slow and long-term it will be successful in achieving stated aims. He claims that the U.S.S.R. and China are examples: their education policies are long-term, built on national character and appear to be successful. For Mallinson "it is the character of a people and not its intelligence that determines its future. And it is from a people's character, and not from its intelligence, that stem its political constitution, its ideals and aspirations, its social and cultural outlook" (26).

He accepts that his approach is not scientific but considers that this does not detract from its worth (27). The sustaining principle is faith, not reason. He is

aware of its imprecision and vagueness and that it can be used to explain anything but argues that other approaches can do so too. Also he maintains that a more precise definition has not been substituted by critics of national character, rather they have concentrated on the important predictive aspects and as such, "...their work fails to be fully in focus" (28). The concept is more imaginative than scientific, by which Mallinson presumably means is not amenable to rigorous testing, but is both valuable and necessary as a tool of interpretation. In fact Mallinson argues that no comparative educationist can afford to disregard the importance of, "...that elusive but undeniable entity" (29) namely national character.

Other writers have examined the "elusive entity" and some account of their views will be given. D.Martindale (30) suggests national character like an impressionist painting appears when a nation is viewed from a distance. He cites the symposium "As Others See Us" in which it is illustrated for example that foreign observers of America revealed a "remarkable convergence in their judgement of American characteristics" (31). Clearly the road from characteristics to "character" is full of pitfalls but certainly there are more resemblances than differences among members of a nation. These resemblances are identifiable for example in the variuos institutions of a nation; its laws, customs, language.

Martindale states that, "...national characteristics are a category of traits that individuals come to display in national groups" (32). He goes on to say that if these traits, which members of groups assign to each other, harden into stereotypes it does not render the notion of national character unimportant because, "...the stereotypes are themselves bases for action which may have a formative influence on national characteristics" (33).

The concept of national character has according to Martindale (34) been pressed in the service of nationalism in that it assisted in rationalizing national uprisings, where they were not at the time recognized, and also helped to legitimise new integrations of power. It was the very reification of concepts like "group minds", "folk spirit" and "national character" which increased their ideological value in policies of national aggrandizement (35).

The work of H.C.J. Duijker and N.H. Frijda is an attempt to classify important tendencies in the study of national character (36). It is strongly psychological in approach and as a trend report surveys the field of research. A pageant of problems confront any enquirer seeking precise definition of national character and yet since recorded history writers have been preoccupied with the task of classifying people belonging together politically and thought of as having characteristics in common. They note that the Bible refers to ident-

ifiable groups of people and also that the Roman historian C. Tacitus provided in his "Germania" a description of the Germanic peoples and their institutions and also D. J. Juvenal, the great Roman satirical poet, has spoken of "little Greeks" in imperial Rome (37). But whether such pronouncements can have scientific value is questionable and in any case depends on the view taken of science. "Character" refers to the psychological features of an individual and "national" to individuals as members of a collectivity. An anthropological conception of national character aims at a psychological study of national culture and seeks a broad understanding of the national way of life, characteristic behaviour and attitudes of the national population. But culture and personality and attitudes are difficult to operationalize, no explicit methodology exists and the temptation to reformulate stereotypes increases in proportion to the lack of specific definition and method.

In the opinion of Duijker and Frijda two major conceptions of national character have emerged. One type is personality centered and bound up with psychoanalytic theory and the notions of modal personality elaborated by R. Linton as well as A. Inkeles and D. J. Levinson (38). Or as Mallinson has expressed it national character "...refers to the modes of the distribution of personality variants in any given society, a modal personality structure being one that

appears frequently and which is recognizable as such".(39) The other type is culture based and emphasizes habits, practices, norms and values.

An interesting insight into national character study can be found in geography. National character itself, as J.O.M.Broek (40) states, implies that it is locatable within an entire cultural realm (eg occidental, oriental) but with a national "mosaic" of its own. He notes how from the ancient Greeks onwards scholars have sought traits in natural environment. Geographers, he suggests, centre their interest on place as a synthesis of population and land, rarely dealing with national character as such. But he goes on to say that perhaps "Geography's most distinct contribution to the understanding of national character lies in analysing the landscape as it affects the culture of a people" (41). The fact that landscapes occur throughout a realm but not generally elsewhere suggest that a long succession of idealized images has resulted from what Broek calls "landscape taste" (42). The idea is interesting and thought-provoking.

Equally interesting is the hypothesis put forward by J.Lazar (43) about national character and law. He claims that studies in national character can be related to jurisprudence and that it is possible to conceptualize as national character a pattern of law-norms. The self-image of a people underpins the way in which they view with approbation or disapproval the manifestation

of traits and attitudes and accordingly pass judgements. Ultimately for a given people a set of norms operate and become manifest in law and legal institutions as does the national character. F.C.von Savigny (44) stated "...the law will be found to have already attained a fixed character, peculiar to the people, like their language, manners and constitutions". Savigny goes on to suggest an organic connection between law and the character of a people; he considered that Volksrecht (folklaw) developed from the Volksgeist (folk spirit) which existed for a particular people.

Some illuminating observations are to be obtained from the readable and impressionistic book by André Siegfried(45) which takes a concept for each nation and around it weaves a profile and caricature-albeit in technicolor. For Germany the idea of discipline permeates the description, for the U.S.A. dynamism, for England tenacity, for France ingenuity, and so on. Such an approach, whilst not scientific and open to criticism on many counts, one of which being that discipline, dynamism, tenacity and ingenuity could apply equally to any of the above-named countries, offers illuminating insights.

Siegfried suggests the qualities of which Germans are proudest are those of a good pupil and goes on to suggest that some words have a significance peculiar to Germans because of what they evoke. Typical teutonic thoroughness becomes a thing - an aim - in itself,

regardless of what is being undertaken. "The German is ... so devoted to his object...that once started off he depends on nothing but his system. He becomes to some extent himself the thing he is pursuing...logical to the point of ferocity" (46). That which is most lacking is the sense of compromise and moderation and it is the latter which is the "...condition of all judgement" (47). In this connection Kohn refers to the Austrian dramatist, Franz Grillparzer, who warned Germans in vain against losing their sense of proportion and urged them to "...appreciate the possible and the permissible" (48). But as Kohn notes:"Their straining after the measureless went hand in hand with their pride in meticulous organization and strict discipline; it was this unique combination which made the Germans a European problem" (49).

As for politics they have as their special object the life of the collective people and to introduce morality into the sphere of politics would, in Siegfried's opinion, be nonsensical for Germans (50). Force, he argues, is the decisive factor in settling human affairs and this holds good for both domestic and foreign politics. The concept of man possessing rights as embodied in classic declarations hardly exists beyond the Rhine (51). Democracy expresses itself in corporate groups in the style of the middle ages.

As far as the state is concerned it is enough for it to be and show itself through power. German citizens

submit to this power and state organization is the province of experts. As Siegfried puts it "...the state is transcendent" (52). The question of the state as it relates to German national character will be considered later through the writing of Hegel.

Siegfried considers the German soul "...is expressed in a score of words" (53), which are generally untranslatable. Most of them refer to something which is collective. He claims "To understand them thoroughly would, I think, be to understand Germany" (54). Siegfried attempts to, "...evoke the essence of this vocabulary" (55) and provides a list of words which express for example the sense of force, mystical sense of development and spirit of things, a delight in disaster, collective conscience, industry, seriousness, objectivity and sentimentality. The list is however both incomplete and unsystematic and a more thorough analysis of language in relation to national character is required.

It is of especial interest to note, because of the relevance of his ideas for this thesis, that Humboldt concerned himself with the study of national character and languages. J.W.Burrow (56) maintains that his interest arose from the same source which made such a popular passtime of the philosophies of history: "...the sense of an ambiguous inheritance and of contradictory culture claims and opportunities, needing to be synthesized, transcended or dialectically comprehended". In his work, "Plan of a Comparative Anthropology" (1795)

and later in studies on comparative philology, Humboldt attempted this and suggested that the Gestalt (shape, form or character) of a people could be seen most clearly in its language: "every attempt to understand distinctive Nationaleigentümlichkeit (national peculiarity or character) would be fruitless, for only in its language is its whole character expressed" (57).

The idea of Eigentümlichkeit (peculiarity of character), the characteristic feature setting one individual, race or nation from another, had its climax, according to A.O.Lovejoy (58), in the 1790's among the original German Romanticists. For J.G.Herder, one of their major spokesmen, language comprised a nation's mentality and Weltanschauung (world view or ideology are both approximate and incomplete translations) and as such was its most characteristic possession (59).

According to R.L.Miller (60) J.G.Hamann was one of the first writers in German to concern himself with the problem of the influence of language on thought. For him language was reason because both occurred simultaneously although where a logical distinction was to be made language came first. It was the language of ordinary experience not that of philosophers, which brought meaning. Hamann considered knowledge to be sensory and figurative and on this matter he conflicted with I.Kant. The problem raised by the latter: whether knowledge of external objects was possible without or prior to sense impressions was for Hamann solved by looking at language,

for the capacity to think depended on language and further the misunderstanding of reason with itself was centered in language. Miller (61) has suggested that definitions of reason for both philosophers was different, which does not aid in solving the problem.

Herder enlarged on the work of his teacher Hamann and like him, thought that Kant had failed to deal satisfactorily with the problem of language. He regarded "language as the tool, the content, and the form of human thoughts" (62). Concluding that as man's most characteristic work, in other words the most obvious source for a national profile, was his language then a philosophy about human understanding could be achieved through an examination of different languages. For him a national group of people spoke as it thought, and thought as it spoke: a language thus reflected a nation's mentality. G.W.von Leibnitz suggested (63) that there are as many different universes as there are perspectives of it and looked at in this way language as an expression of a nation's mentality is a reflection of the universe in its own characteristic fashion. It was to the variety of climate, time and place that Herder attributed the diversity of language and corresponding mentality differences. Influenced by Leibnitz and the developing biological sciences Herder used a botanic metaphor in his view of language: as plant life forms are explicable in part by adaptation to environment, so different languages reflected historical,

physical and psychological conditions. He suggested a people's genius was revealed in the character of its speech (64).

Humboldt attempted to add to the vitality of Kant's concept of objectivity by applying the principles of the latter to the problem of language. For Humboldt language was what the synthesis of judgement was for Kant namely a creative mental act. Language was created when formless thought was embodied in sound, something which Humboldt called articulation; thus intellectual activity and language are inseparable. Without language thinking cannot attain clarity nor Vorstellung (conception) become Begriff (concept) (65).

But language was much more than a mere collection of words for Humboldt. Dominant in language is articulation and of primary importance is structure, but any examination of the latter must begin with the whole language; for only the totality of speech could be regarded as language per se. But it is in the way in which concepts are expressed that the greatest differences are revealed amongst languages and their differences are identifiable in the variety of Weltansichten (world perspectives).

According to Humboldt it is very occasionally that a word in one language has an exact equivalent in another. In the case of physical objects words are probably synonymous because the same object is thought about when the word is used. However because the words

express a particular way of conceiving of the object the Bedeutung (meaning) varies accordingly. For non-material objects synonyms, which are fabrications, will be found where they cannot contain that additional to or different from what exists in them already. The point for Humboldt was that a language represented not objects but rather concepts which are formed in the process of speech by the mind independently of the objects. Miller (66) contrasts Humboldt's position with that of Locke, who also believed that hardly ever was there a complete **correspondence** between the words of one language and another. However for Locke words were merely means whereby concepts already known independent of language were articulated; whereas for Humboldt words aided in the discovery of concepts unknown at any given time. More than this it was on the language a man spoke that his cognitive and sensory powers ultimately depended.

Humboldt believed that the language structure and mental characteristics of a people were so closely interrelated that given the one the other was capable of being derived. The real reason for diversity in language (and here Humboldt did not wish to decide on the priority of one over another) was the geistige Kraft (intellectual or spiritual energy) of different peoples. Language is the transformation of intellectualized energy into particular sounds and any definition of language must pay due regard to its intrinsically

dynamic nature: language is perpetually transitory, it is an activity. It is "the ever repeated effort of the spirit to form the articulated sound into an expression of thought" (67).

The view is thus retained that national character exists and has enduring features which are manifested for example in language and institutions and traditions. A major difficulty is to combine all the elements comprising national character and operationalize the notion, without personalizing it, so that it can be replicated in a form amenable to rigorous analysis. Certainly each nation bears some vaguely definable imprint, which distinguishes it from others. However an impressionistic approach, although yielding fascinating and imaginative insights, leads to conclusions which remain too vague and tentative and perhaps its major strength is as an heuristic device. Further, taken by themselves, the purely psychological, anthropological and language approaches whilst being rigorous and illuminating are too partial and particular to be of general use in comparative education. Nonetheless the foregoing suggests that a study of national character is particularly worthwhile. If one theme recurs more than any other it is for Germany one of exaggeration in all things. Indeed an exaggeration syndrome is here considered to be the hallmark of German national character and it is with this clearly in mind that university reforms will be examined later. But the

question remains how best to use the concept of national character in a way which provides an overall design and a generally acceptable framework for the undisciplined mass of multifarious data.

It becomes apparent that attempts to develop a general theory are fraught with difficulties not least of which is that the theory might be so general that it explains everything vaguely and nothing precisely. Indeed J.A.Lauwerys has sounded a clear warning on the matter: a theory which starts by explaining everything ends by explaining nothing (68). He has urged that for a critical synthesis of national character the influence of major philosophers in the formation of ideas which have underpinned major national trends must be considered (69).

In sociological analysis Max Weber (70) advocated the use of theoretical constructs when dealing with so much multifarious subject matter. There was the choice of using logically controlled and unambiguous concepts, more removed from reality or using less precise concepts, which are more closely geared to an empirical world. It was by using ideal types that concepts were built (71). Thus in taking a representative philosopher for Germany it is hoped to make the concept of national character useful.

As Holmes has made clear: "The type of comparative study will determine the selection of philosophers regarded as providing appropriate rationales or from whose

writings rational constructs can be drawn" (72). Later: "The point is not that any philosopher can faithfully represent the views of every person in a nation...but that his complex of theories offer a suitable framework for discussion" (73).

It is the intention in this study to make a crisp, clear analysis of university reform endeavour against a background of national character. To aid in this Hegel will be taken as a representative philosopher whose writings provide the basis for constructing an ideal-typical model for German national character.

If the choice of philosopher is ultimately arbitrary this does not detract from its value in providing a much needed model which produces the clearness of purpose often lacking in the study of national character. Hegel is both important and relevant because clearly identifiable in his work are the traditions which are fruits of previous thinkers and historical movements. He synthesized and reformulated them at a particular time and in a way which justifies his being regarded here as a national philosopher. The period in which he wrote is also of significance because it coincided with an important stage in the development of modern Germany as well as one of her great institutions: the Humboldtian reformed university.

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Chapter II

HEGEL AND GERMAN NATIONAL CHARACTER

In common with many thinkers of the nineteenth century, notably Wilhelm von Humboldt, whose views are of prime importance for this study, Hegel admired the harmony of ancient Greece (1). In Germany at that time ideas of the Romantic Movement, idealism and nationalism fused together and found expression in the work of a variety of thinkers notably philosophers. Their works remain influential and fruitful today. They can be seen both as a crystallization of philosophical thought and containing themes which have a quality of endurance of particular significance for German thought and character (2).

If an exaggeration syndrome is identifiable in German character this seems equally true of Hegel's philosophy. Certainly it applies as K. Popper (3) notes to the way he has been used by later philosophers and politicians who favour totalitarian regimes. "In politics, this is shown most drastically by the fact that the Marxist extreme left wing, as well as the conservative centre, and the fascist extreme right all base their political philosophies on Hegel; the left wing replaces the war of nations which appears in Hegel's historicist scheme by the war of classes, the extreme right replaces it by the war of races; but both follow him more or less consciously. (The conservative centre is as a rule less conscious of its indebtedness to Hegel.)" (4).

Hegel's influence on philosophy has been immense. Popper regards him as the "most influential figure in German philosophy", although he maintains this would probably not have been the case, "...without the authority of the Prussian state behind him" (5). The reasons for the greatness of Hegel's philosophy, Popper explains, is that: "It knows all about everything" (6) and can thus explain everything. In an historical perspective he regards it as the, "...renaissance of tribalism" (7) providing the missing part between Plato and modern totalitarians, who venerate the state, history and the nation.

In Hegel's time the universities were (and remain today) state controlled. In the next chapter it will be shown how they were to serve the state in making up in intellectual greatness for the lack of military strength displayed by Prussia against the French. An important point is that Hegelianism significantly influenced philosophical teaching, which meant that the universities and even the academic secondary schools, were affected and specific traditions were thus strengthened.

In considering Hegel's work a degree of selectivity is necessary in order to draw on those elements which are relevant for this study. It is what Hegel stresses that is significant for the notion of national character. Those ideas which originally developed around the theme of folk religion were partly discarded and partly

developed into ideas of spirit, nation and state. What he wrote, it is suggested here, not only identified the reality of German character but justified, reinforced and made sense of it. It is for these reasons that Hegel is considered in this study. His philosophy will be used as a model which makes sense of national character and identifies the persistence of values and behaviour patterns which have constrained university reform in post war Germany.

In the following pages an attempt will be made to classify Hegel's views. Of significance is the influence on Hegel and his contemporaries of ancient Greece and how this led the young Hegel to develop ideas of a folk religion as a counter to man's alienation from society. His assessment of Kant, J.Fichte and F.Schelling will be briefly discussed prior to considering his notions of spirit, the German world and the state. Hegel's dialectics will also be considered because it is his use of these which has been crucial to the development of ideas. Indeed Popper has argued, for example, that they have been used by Hegel to pervert ideas (8).

In any case it is the persistence of these ideas which is significant, especially Hegel's influence on German political theorizing. This may, as A.Ramm suggests, "...help to explain the widespread commitment in the early nineteenth century to the aim of creating a German state that should correspond to the German nation, as its common way of life or its law,

its common experience or its history had made it and as its common language marked it off to the outside world" (9).

The ideas which Hegel developed have their origins in what could be called a classical Greek model. It is this model which also influenced Humboldt. The persuasive argument suggesting the ancient Greeks had attained the full development of their human powers, which was a paradigm of what it is to be human, was supported at the turn of the eighteenth century by a number of influential intellectuals. Humboldt's essay Über das Studium des Altertums, und des Griechischen insbesondere (10) (Concerning the study of antiquity and ancient Greece in particular) clearly states this argument. It is expressed more romantically by Hölderlin (11) in Hymne an den Genius Griechenlands (Hymn in praise of the Genius of Greece). Schiller (12) pointed out in his sixth Ästhetische Briefe (aesthetic letters) the Greek individual was able to encompass the totality of experience available to him and almost represent the whole ethos of his society in his own person. The reason for this in Schiller's view was that Greek culture was homogeneous and there were no basic discrepancies between modes of experience.

In contrast European society had a fragmented culture, man could not share in the total experience available to him and his inner harmony was shattered. Perhaps it was this which encouraged many intellectuals in Germany

to search for a national character with which to identify. It was to ancient Greece that Hegel and many great thinkers turned. For as Kohn notes: "Had not the Greeks, without desiring or achieving national statehood, won the leadership of mankind, and had not their great works borne the stamp of their national character? Could not the Germans follow their example and become the Greeks of the new age?" (13).

This idealization of Greek social and personal experience was according to R.Plant (14) largely the result of J.J.Winckelmann's researches into Greek art and the influence on intellectuals of the Sturm und Drang (Storm and stress) period, which was a generation before Hegel. As T.J.Reed notes this period created a new convention by flouting the old ones and "...it broke some ice" (15). It was Goethe who used the freedom he found in the new convention; others "...merely took liberties" (16). For example in composing his first major work, Götz von Berlichingen, Goethe claimed to Herder that his sole study had been the Greeks (17). Herder (18) in his Denkmal Johann Winckelmanns (memorial to J.Winckelmann) argued the need for a re-birth of the Greek spirit in Germany, bemoaned the passing of that era when the philosophical disposition shaped affairs and created healthy minds and lamented that now philosophy stood alone: it was a specialism.

How the personal fragmentation and wearing down of the individual's powers was to be arrested and something

akin to the harmony of classical Greece attained was however not answered practically by Schiller, Herder and Goethe. The social foundations of many of the problems facing nations were not at this time appreciated and thus it is to Hegel's considerable merit that he considered personal fragmentation as a problem encased within society. Hegel diagnosed an estrangement between man and the world. This estrangement was a painful experience (19). He drew a distinction between private and folk religion. Christianity was in his view a private religion, stressing personal salvation and had contributed to the loss of community by being opposed to civic and communal ties. Greek folk religion was the central component of the harmony and totality he regarded as distinctive of Greek society. Hegel's aim was to develop a folk religion (a component of national character) as a means of providing a non-divisive cultural form in Germany although he was aware this could not be achieved either by importing an alien tradition reinvoking a Greek mythology or by deriving it from the ancient German myths.

From preoccupations with socio-religious reformism Hegel gradually developed a philosophically grounded view of the world; the social, political and economic changes which had taken place since Greek times precluded a return to anything resembling Greek experience. Ancient Greece was far removed from modern Germany. The idealized notion of a folk religion was partially

abandoned by Hegel as his energy was devoted to building on the ideas of Kant and later philosophers.

Kant had suggested, against British empiricists of that time, in particular David Hume (20), that the mind was not a passive organ, a receiver of expressions but rather that objects and the world as it is experienced are structured by the mind. The mind transformed sense impression into an intelligible world by intuition and understanding by means of categories: causality, substantiality, reciprocity etc, which were basic ideas and a priori (21). Thus the experienced world was a creation of the human mind, something embodying the creative activity of the ego. However Kant's theory left a residuum of "things in themselves" (22) beyond experience, outside the comprehension of the interpretation Hegel had of the relationship between man and his experience. The philosophy of Kant is, according to H. Aiken (23), a bridge between the Enlightenment and the age of Romanticism. It was Kant who took up the ancient question of opposites or antinomies and sought some kind of logical formulation. He saw that every thesis generated its own antithesis contradictory to it and suggested four kinds of these, which were assertions of pure reason (24). Kant can thus be regarded as the true progenitor of the logical doctrine of the dialectic, according to B. Groce (25). (Although he was not able to see that both thesis and antithesis could be made into a further proposition.) Like his

predecessors he was under the influence of a mathematical science of nature and a prevailing intellectualism which accounts for his abstractness in the categorical imperative and his respect for logic. However as Groce (26) claims it was Kant who propounded a genuinely internal teleology and thus perceived the idea beyond abstract concept. What remains his "true glory" (27) is his discovery of the a priori synthesis, although this is not developed in the dialectic triad. However once an idea blossoms it must bear fruit. That fruit, the dialectic, will be discussed later.

Fichte began as a disciple of Kant but his point of departure with Kant is where the latter arrived in his doctrine of reason (28). Fichte argued the external world was posited initially by the pre-conscious and pre-reflective mind and the world takes on an alien character because men (except philosophers) are unaware of this. In attempting to overcome the world as something "other" self-consciousness is developed by men in a struggle to reduce this alien environment to Ego-dependence.

The problem was one of resolving subject and object and in tackling this problem Fichte made a major contribution to the development of the dialectic. As S. Rosen (29) notes theorizing for Fichte meant reflecting, "...in the sense of splitting apart the object from a reflecting subject" (30). The separation between the two is overcome by means of an "intellectual

intuition" (31), which produces a synthesis of both subject and object. However, "...the effort to describe this synthesis cognitively at once separates it into its thesis and antithesis" (32). Here is to be seen the prototype of Hegel's dialectic and as Groce (33) maintains what is of great importance is the dominant position assumed by the form of triplicity as thesis, antithesis and synthesis.

The spirit of his philosophy is summed up in his questioning whether there is any practical point in saying an external world exists (34). The final aim of knowledge for Fichte was to achieve the most consistent and complete organization of posits required for the fulfillment of individuals as active beings. The only proof of the validity of such a system would be the willingness to remain attached to it (35).

Schelling moved further forward when he concluded that to think philosophically meant doing so through the principle of the identity of opposites. The Absolute was conceived as the identity of opposites. As Groce (36) notes however the Absolute is indifference of subject and object, differences being merely quantitative and not yet subject and spirit.

Schelling's philosophy, which was largely concerned with the relationship between man and the world of nature and less between man and the world of culture, avoided for Hegel some of Fichte's disadvantages. Originally a disciple of Fichte he moved from this

intellectual position maintaining Fichte's system was too subjective, denied the objectivity of nature and gave it a merely soi disant posited status. This constructivist approach he rejected arguing that Ego and Nature must be taken as real and of equal position in an explanatory scheme. Nature was not for Schelling what it was for R.Descartes namely an amalgam of external and mechanically related parts constrained by mechanical laws and balanced by that exempt from mechanistic explanation: mind or spirit. For Schelling Nature had a dynamism of its own; its essence was force, the essence of Ego was spirit. Both were creative and shared common ground; this he called the point of indifference (37).

Hegel saw Schelling's point of indifference as unacceptable as this would leave harmony, reconciliation between man and the world at the mercy of a transcendent, mystical entity. These two major problems of harmony and reconciliation could in Hegel's view be achieved only through some inter-subjective activity namely philosophy, which provides the core of common culture, solves the problem of alienation or unhappy consciousness and is central to the achievement of community. It was for Hegel to start where others had finished, improve on the intuition of Schelling and build on the foundations already laid; Kant had prepared the way for Hegel via Fichte and Schelling (38).

As folk religion was discarded the idea of spirit was developed and with it the notion of the state.

Indeed Hegel considered, as will be shown, that the state is where the spirit of a people is made actual (39).

Some account of spirit will now be attempted. Hegel insisted that self-knowledge and knowledge of others grew together, that how a man saw himself depended on how others saw him and he them, and that language was a product of man's dealing with others (40). He saw knowledge as a product of human intercourse and history; reality as a process whereby "Spirit" or "Infinite Mind" revealed itself to itself, realized its essence, actualized its potential and acquired self-knowledge by projecting itself as a world it eventually recognized as its own product (41).

This Infinite Spirit Hegel saw revealed in the totality of things and also in the social and cultural achievements of mankind. It was revealed at its higher levels (of consciousness and reason) in these achievements. Spirit does not stand to its manifestations as cause to effect, does not exist apart from events and activities revealing its essence, it is not an unknowable reality beyond a world of appearances. Understanding how appearances become what they are is to know reality for what it is. Spirit at levels of consciousness and reason exists in the social and cultural achievements of men; it is not a power outside them impelling them to behave. Achievements of Spirit are those of social beings involved in a course of change. To know reality means to understand the process whereby Spirit reveals

itself. To understand the process means understanding all its stages and how they comprise progress of the Spirit, which is becoming actually what it is potentially (42).

Spirit moves in a progression towards an understanding of the world, towards self-knowledge; an understanding of the natural and cultural world is a revelation of itself. Just as Spirit at the level of reason and consciousness is revealed in the achievements of humanity so mankind moves progressively towards a full understanding of the world and its place in that world. The progress of Spirit is the progress of mankind (43). In other words it is, "...the process whereby mankind come to understand themselves and the world they live in and attain the contentment of full maturity in so doing" (44).

The illusions which men have about men, society, nature at earlier stages are at later stages understood for what they are and also how these illusions arose and were discarded. This understanding of the process of change both social and cultural grows as the process itself continues. Men come to recognize that there is a course of change involving them and that it is a process whereby the manner of their lives and themselves are transformed by their own activities (45).

Hegel's major concern is the natural, the human, the world of culture which is a projection of Spirit. Spirit at the level of consciousness and reason is

shown in the activities of social beings, acting in a social way. The cultural world, where man behaves in a distinctly human way, consists of human activities. But it is also their product and that world changes as a result of what it is. History then for Hegel is a process whereby men are educated by their own endeavour, potential is made actual and the experience of being self-aware and reflective leads to self-knowledge and mastery of oneself (46). Man learns to behave and educates himself through activities which comprise a social and moral order: a world of culture. In this world alone man is self-conscious and rational. As Spirit is not at first aware that it projects itself as a world so humanity at first is not aware that the culture, the social and moral order is their own product (47). In the process in which Spirit is revealing itself Hegel distinguishes between Spirit as it really is and as it appears to itself at any stage. In another sense men as they appear to themselves can be distinguished from men as they really are. Spirit "for itself" is distinguished from Spirit "in itself" and in stages the former moves to coincide with the latter: all illusions are dispelled and Spirit knows itself. The manner in which Spirit appears to itself is not merely an effect of what it is: it could not behave in ways that were characteristic of a stage in its evolution unless at that stage it appeared to itself as it does (48).

Objective Spirit is comprised of social rules to

which people are expected to conform and institutions. Subjective Spirit is comprised of attitudes of mind, ways of feeling and thinking. Both affect the other and neither could subsist without each other. Indeed a harmonious society depends on a harmony between the Objective and Subjective Spirit. At the level of consciousness and reason Spirit is both active and reflective; its progress is dialectical: contradictions arise between unlike aspects of it, their resolution is a work of the Spirit and carries it to a fuller revelation of its essence, a higher level and ever nearer self-knowledge, self-possession. At this point Spirit "for itself" becomes Spirit "in itself". The progress of mankind, and thus knowledge, is dialectical: tensions arise between unlike aspects of human activity, the solving of the problems leads to a fuller understanding and mastery of social life and a higher level of humanity. The process is the progress of Spirit towards total self-knowledge; it cannot be explained until its goal is reached. As J. Plamenatz notes, "...it cannot be explained until the course of World History is complete" (49).

Hegel's conception of reality is Infinite Spirit realizing itself. His Objective and Subjective Spirit corresponds in part to Marx's distinction between social existence and consciousness (50). Hegel makes clear that every kind of social activity involves 'consciousness': a sort of thinking possible when beings use ideas.

Marx's view stands in some sort of juxta-position to this, as his oft-quoted statement reveals: "It is not the consciousness of men that determines their existence, but on the contrary their social existence determines their consciousness" (51).

The concept of Weltanschauung occupies a large place in Hegel's philosophy. It is difficult to translate precisely this term; approximately it means an idea of the view or image of the world. But the notion is much more than this and means rather the totality of the way one perceives things; ideas used to describe the world, express feelings and attitudes which are the product of history and human relationship. Hegel saw knowledge as the product of human relations and history; put in another way as the products of Spirit manifest in human activity. A system of ideas is the unintentional product of persons living in communities and this is a cultural inheritance which changes with time. Only a rational being able to use ideas can have a Weltanschauung and indeed always has one: implicit in a system of ideas is a scheme of things and a language and hence some sort of self-location within that world (52).

A Weltanschauung need not be a true image nor one that can be described. Being rational and self-conscious means being able to use ideas, which does not necessarily mean being able to give a true description of the image. It seems to be implicit in Hegel's philosophy, and this view is held by Plamenatz (53), that a true

description cannot be given of an image until it is a true image. False theories lead to illusions not only about the world but about those theories. At certain stages of its dialectical movement towards self-knowledge Spirit sees the world, a projection of itself, as something alien to it, which Hegel called estrangement or alienation. This estrangement is painful, a condition Spirit must overcome as it aspires to full self-possession; and this condition with the need to overcome it and the assurance it will be overcome find expression in religion (54). It is therefore "...in worshipping God man expresses his sense of the worth of the Spirit which is in him" (55). Building on this idea L. Feuerbach argued that religion was, "...a fantasy which compensates man for his sense of his own inadequacy" (56). It was a false consciousness, an ideology. When man lived in a satisfying way in a well-ordered State all would be well.

It is in The Philosophy of History (57) that Hegel discusses the German world, and as he observes: "The most general definition that can be given, is, that the Philosophy of History means nothing but the thoughtful consideration of it" (58). Here he states clearly: "The destiny of the German people is, to be the bearers of the Christian principle" (59). German history followed a course different from that of the Greeks and Romans; the latter had matured as nations before they directed their energies outwards. German

development began after they had diffused themselves and deluged the world taking up foreign elements into their own culture.

To the Germans Hegel attributes a special quality, something he regards as inborn to the German Volk (people) and not a quality acquired by men belonging to a particular kind of civilization, regardless of their racial origin. This is Gemüt (translated approximately by a combination of the following words: mind, heart, soul, feeling, temperament) and is, according to Hegel, a racial characteristic (60). He refers to the, "...time-honoured sincerity" of the Germans (61) and distinguishes between pure German peoples and the Romanic peoples of Europe.

Three periods can be located in Hegel's treatment of the history of the German world. The first begins with teutonic peoples being contacted by the Romans and made part of the empire; it extends to Charlemagne's time with secular and spiritual forms. In the second period the church as a theocracy and secular authority as feudal monarchy develop into two sides of an antithesis: Church and State. The third period extends to modern times from the Reformation. Subjective freedom is born: "The authority of Rational Aim is acknowledged, and privileges and particularities melt away before the common object of the State" (62). A sense of national totality characterized Germany itself; a deep loyalty to home in its particular and national

aspects was manifest. Indeed Hegel maintained that the social nuclei was constituted in a free confederation connected through loyalty. As he said "Fidelity is the second watchword of the Germans as Freedom was the first" (63). Social relations were split into private rights and duties where laws were particular and rights privileges, the State being a pattern of rights. It was when the private interests of citizens were at one with the interests of the State that the latter was well constituted.

Fundamental to the doctrine of the State for Hegel is that since man is rational, self-conscious and capable of deliberate choice, he places a supreme value on freedom and this freedom he can only have in the State (64). Freedom is the power to realize oneself (65). It is, according to Hegel, only as members of a community that men conceive freedom and desire it (66).

Historical drama is shown by Hegel to be a progression of unfolding principles in the spirit of man because it is systems of thought which indicate advancement as man moves to self-realization. This is a theory of social change. All philosophical problems for Hegel are viewed in historical terms. No idea has a fixed meaning. As Aiken notes: "Hegel... views everything - save perhaps his own philosophy - under the form of history" (67). As for the State it is here that the individual finds the highest fulfilment of expression because the state is both the foundation

and centre of those elements of life (eg art, laws, religion, etc.) of a people. Much debate centres on this issue. It has been suggested by Aiken (68) that Hegel's philosophy of freedom for example shows a paradox of inner spiritual freedom on the one hand and a kind of servility to the state on the other, which is found frequently among German intellectuals. He states: "Similar traits may also be discerned in such other representatives of Germany's golden age as Leibnitz, Goethe and even Kant" (69).

It is evident that Hegel himself glorified the Prussian state. Tönnies (70) has expressed the view that despite his greatness as a thinker Hegel was strongly in favour of a specifically Prussian restoration of his ideal of the state. Indeed he regarded him as "the philosopher of the Privy Council and of the Prussian bureaucracy" (71); as clearly a philosopher of Prussia as J.J.Rousseau was the thinker of the French revolution. Popper has asserted that Hegel's philosophy was inspired by ulterior motives namely an interest in seeing a restoration of Frederick William III's government (72). Aiken is also critical of Hegel's view concerning the State: He considers Hegel glorified in an unseemly fashion the Prussian State, which ill becomes a philosopher who, "... conceives his whole philosophy, in one sense, as a mediation on the problem of human freedom" (73).

Indeed Popper produces some acid criticisms of Hegel,

whom he regards as historicist. In an attempt to provide a glimpse of Hegel's worship of the State he quotes, inter alia, the following from Hegel's Philosophy of Law: "The State is the Divine Idea as it exists on earth... We must therefore worship the State as the manifestation of the Divine on earth, and consider that, if it is difficult to comprehend Nature, it is infinitely harder to grasp the Essence of the State" (74). It is in these utterances Popper maintains also that Hegel's Platonism is displayed as well as "...his insistence upon the absolute moral authority of the State, which overrules all personal morality, all conscience" (75).

The criticism of Popper for Hegel is considerable and especially in relation to Hegel's notions about the State. In fact Popper declares that Hegel's philosophical arguments are not to be taken seriously (76). He further maintains, "...his philosophy was a major factor...in preparing for that contemporary trahison des clercs...which has helped to produce two world wars so far" (77). A declared aim of Popper was, "...to expose the ridiculous in Hegel's philosophy" (78), which he regarded with a mixture of horror and contempt. However what Hegel has said about the State need not mean that the State is to be regarded as being greater than the individual. On the contrary the way that the relationship of the individual to the State in Hegelian terms is here understood is rather like saying a singer

finds his greatest expression within the choir.

It can be stressed again then that in Hegel's view a State is well ordered and strong when the private interests of its citizens are at one with the State's common interest. Each find realization and gratification in the other. However long struggles, involving private interest and passions, precede a desired harmony. "The epoch when a State attains this harmonious condition, marks the period of its bloom, its virtue, its vigor, and its prosperity" (79).

Every member of society understands the rules and customs, which require observation, to embody the standards and norms which each accepts and desires to promote. Society does not present restrictions or fetters upon the individual, rather it gives form to, "...aspirations that spring from the depths of his own rational and socially oriented nature" (80). Such a concept of the State appeared in Hegel's Phenomenology of Spirit; a community in which "...the laws give expression to that which each individual is and does"(81).

It is now appropriate to look at Hegel's dialectic. Originally developed by Greek philosophers (Socrates, Plato and Aristotle but notably Heraclitus) the dialectic was, "...the art of argument, or the technique of persuasion. It became the name of a method of thinking by the resolution of successive contradictions, as in the philosophical 'dialogue'" (82). In the nineteenth century Hegel refined the method and as an

idealistic philosopher conceived of history as the reflection of a dialectical process in which certain ideas were developed.

As Hegel's speculative studies of Kant's synthesis and antinomies developed, so too did his principle of solving the problem of opposites. It was the solution to this problem which assisted in the acquisition of knowledge. As Groce has said, "The logic of the dialectic is therefore to be considered a true and original discovery of Hegel, not only in comparison with his remote predecessors, but also with those who are nearest to him" (83). He points out that Hegel venerated Schelling as "the father of the new philosophy" (84) recognizing in him the glow of the dialectic which was to shine so radiantly through Hegel.

The dialectic or synthesis of opposites was a goal to which Hegel's mental efforts were directed in an attempt to discover the logic of philosophy. Indeed the idea that philosophy proceeded by a method peculiar to itself, the theory of which should be sought and formulated, was the central problem of Hegel's Phenomenology of Spirit. What must be made clear is the triple character of philosophical thought in Hegel: concept, universal, concrete. The first maintains that philosophy must have a rational and intelligible form and be exoteric, not esoteric. The second means that the concept must be universal, not merely general. The third means that the universal is concrete: the

comprehension of reality in full. The true concept: the philosophical concept thus shows itself logical, universal and concrete (85).

The point around which disputes have raged is the treatment of the problem of opposites. In investigating reality the issue of distinct and opposed concepts arises. Two distinct concepts unite with each other, although remaining distinct whereas two opposite concepts seem to exclude each other (eg true, false; good, evil; positive, negative). Hegel provides a principle for a solution of the problem of opposites: neither opposites nor unity are illusory; opposites are opposed to each other but not to unity. True concrete unity is the synthesis of opposites. The philosophic concept is a concrete universal, a thinking of reality as being at once united and divided.

This doctrine of opposites Hegel calls dialectic. The opposites he calls moments and this term (taken from moments in mechanics) is sometimes applied to the third term: the synthesis. The relation of the first two moments to the third is expressed by the word aufheben (in this sense solution or overcoming) ie the two moments in their separation are both negated but preserved in the synthesis. In relation to the first term the second appears as negation, the third in relation to the second term appears as a negation of negation or as absolute negativity, which is also absolute affirmation.

In the dialectic triad one does not think three concepts but a single concept: the concrete universal. To obtain the synthesis it is necessary to define the opposition of terms, if this defining activity be called intellect then the activity yielding the synthesis is reason. It is then evident that intellect is necessary to reason, is intrinsic to it, is a moment of it and this is how it was sometimes considered by Hegel (86).

The first triad of Hegelian logic is one which comprehends in itself all the others it is constituted by the terms being, nothing and becoming. What is being without nothing or the converse? Each term has a meaning only through the other. Outside the synthesis the terms taken abstractedly pass into one another and change sides. The truth is found only in the third term (ie in becoming) and this is the first concrete concept. Without the synthesis the opposites are clearly unthinkable. Being and nothing are opposites and in conflict; this conflict (which is a union by virtue of a common vacuity) is becoming. Hegel does not deny the principle of identity otherwise he would have been obliged to admit that being and nothing could be thought in the synthesis and also each for themselves outside the synthesis. What he does not believe in is its fallacious use.

Opposition or contradiction is the true being of things. "All things are contradictory in themselves and thought must think this contradiction" (87). The

principle of identity triumphs over opposition in thinking it: in grasping it in its unity. Opposition thought is opposition overcome by virtue of the identity principle whereas opposition or unity unrecognized is apparent obedience to the principle but effectively it is a real contradiction. The dialectic of Hegel confirms and enriches preceding truths in Groce's view (88). Further the true and complete principle of identity is the concrete universal, unity both in distinction and opposition. This allows no separate existence, because it has absorbed the older principle into itself.

From Hegel's standpoint all change is seen to be historical and history itself is the dialectic employed in time. Each stage represents a still higher one. Each historical moment negates its antecedent whilst at the same time preserves what is significant. "Thus, from Hegel's standpoint, each successive generation may regard itself as at once the destroyer, preserver, and, improver of the culture it has inherited from its predecessor" (89).

Reason too can be seen to develop through contradicting itself and in this way too mankind develops. Thus reason is the historical development of the social group in which men live, namely the nation. Popper criticizes the dialectic of Hegel because it requires contradictions for the progress of science. He maintains this argument must destroy all progress for "...if contradictions are unavoidable and desirable, there is

no need to eliminate them, so all progress must come to an end" (90). He suggests the reason Hegel wants to admit contradictions is to stop rational argument - and thus intellectual progress. In this way, however, Hegel's own philosophy would be safe against criticism and established as a dogmatism at the peak of philosophical development (91).

Everything for Hegel is in flux and essences, ideas and spirits develop dialectically. Each latest stage of development must be reasonable and real (because idea, reason and real are equal, according to Hegel) and, as the highest standard in existence is the latest development both of reason and the idea, must also be good. History is both the development of something real and rational. It is the thought process of absolute spirit. But spirit for Hegel has no past or future but is the present and in its present form surpasses all previous steps. Thus the third division of the German World, noted above, namely Hegel's Prussia, was the pinnacle. Popper regards this sort of argument as a "despicable perversion" (92) and indeed Hegel's arguments often seem like a maze which ultimately leads to confusion. Further the ideas developed allow for a politics of the absolute for might can be made equal to right and clearly the State becomes the arbiter of what can be called objective truth.

The world spirit through three great periods in time (which Hegel calls oriental despotism, Greek and

Roman democracies and German Monarchy) has thus revealed that to everything there is a rationale: life is for achievement, man must be at the service of the World Spirit. It was the German State which had arrived in Hegel's view (93) at a point of synthesis in the dialectical process when with real commitment reason would triumph over both force and freedom in the form of the State. As Mallinson says, "Here, quite starkly, was justification for a politics of absolute obedience" (94).

In the light of the foregoing it is now appropriate to mention the German university. As State institutions and with no property of their own the universities were fully dependent on governments for financial support. One of the consequences was that Ministers of Education would, if they considered it necessary, make appointments without consulting faculties and require the dismissal of scholars whose politics did not conform to the orthodoxy of the State. G.Craig (95) details for example a number of interferences by Friedrich Althoff, Prussian Minister of Education from 1897 to 1907, in the scholarly activities of a number of noted academics. The tradition of State interference is well-established in Germany and continues. It is observable in university reform endeavour, as will be shown in the final chapter.

As for the majority of German professors they tended to conform to the opinion officially expressed by governments, lending their support to governmental

policies (96). Organized university student life in the latter part of the nineteenth century too tended towards conservatism, in harmony with the professors. State examinations for academic secondary school graduates and university students ensured conformity to the State's aims; many would pass from university to government service. Craig (97) notes that as late as 1890, 85% of Prussian university students were graduates of humanistic Gymnasien. Friedrich Nietzsche, somewhat mockingly sums up the situation. "It would not be exaggerated to maintain that, in the subordination of all educational objectives to the state-objectives of Prussia, the practical and convertible legacy of the Hegelian philosophy has been realized, and its apotheosis of the State has reached its height in this subordination" (98).

A further example of both a kind of subservience to the State and obedience to authority (and perhaps also loyalty to the leader) is to be found in M. Heidegger's writing: "The German University's Will to the Essence, is a Will to Science; it is a Will to the historico-spiritual mission of the German Nation, as a Nation experiencing itself in its State. Science and German Destiny must attain Power, especially in the essential Will" (99).

Here, too, is an example of the persistence of Hegelian thought as well as the sort of language associated with it. Hegel had spoken of his works as,

"...an attempt to teach philosophy to speak German"(100). The strange fascination which certain of his words have exerted on Germans still exist.

A brief word about nationalism is perhaps not inappropriate. Popper maintains (101) that Hegel not only developed the theory but quite clearly foresaw the psychological possibilities of it. Nationalism seems to offer a satisfaction of the need of men to locate themselves in a definite place in the world and belong to a powerful community. However at the same time Hegel "...exhibits that remarkable characteristic of German nationalism, its strongly developed feelings of inferiority (to use a more recent terminology), especially towards the English" (102). Craig states (103) "...no more uncritical acceptance of the claims of German nationalism was to be found than in university faculties". The most extreme example he provides is the case of Heinrich von Treitschke who glorified war as a German destiny and fulminated against the British. Craig maintains (104) that his teaching influenced the pre-war generation of German leaders.

Arguably then Hegel's philosophy provides a model which can be used to identify German national character and a pattern marked by the persistence of values, which were ultimately to constrain university reform a century later. Here is a no-change element of significance for problems of university reform. The German federal government was ultimately to interfere completely

in the question of reform by legislating on every aspect of university life, as will be shown in the final chapter. Here is to be seen the enduring authority of the State, so admired by Hegel.

But as Mallinson has noted the helplessness of Germany at the beginning of the nineteenth century was rectified by the Hegelian philosophy of a unified State which embodied reason (105). Within this unified State Hegel and his successors envisaged the university as providing an unfettered opportunity for a full development of the individual. In providing this development the Berlin university was to break with many of the traditions of the past.

Some of Hegel's and Humboldt's ideas harmonize and it is now appropriate to consider the reformed university of von Humboldt. It provides a useful model of the German university and it is against this model that modern reform endeavour will be examined.

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Chapter III

THE HUMBOLDTIAN UNIVERSITYA MODEL FOR COMPARISON

In order to anticipate subsequent discussion of university reform problems and place them in context an ideal-typical model of the university is required. The university of Berlin founded by Wilhelm von Humboldt in 1810 provides this. In describing the major features of this model due attention will be paid to the idea or mission of a university in other words the general normative model of what a university ought to be. This requires some account of Humboldt's views concerning the nature of man, knowledge and society so that a summary of the role accorded to the university can be placed in perspective. The reformed university of Berlin qua institution with its internal structure and arrangements with non-university bodies assists in focusing issues and can be used for comparison with what subsequently developed from it.

Before continuing it should perhaps be pointed out that the term university as used here applies to the general humanistic universities, essentially academic institutions where practical subjects are largely excluded. It does not include the specific area of technical higher education represented by Technische Hochschulen (technical universities). These have always been genuine universities, where research and teaching have concentrated traditionally on natural

science, technology and economics. Some were originally founded as Gewerbeschulen (trade or vocational schools) or polytechnics and developed through time into Technische Hochschulen (1). Many have expanded their curricula to include subjects other than the ones noted above but their emphasis is still on the technical and scientific subjects. Perhaps it is not surprising that most of the students at Technische Hochschulen are men.

Because of the significance of the background against which the reformed university was founded it is proposed to look at some historical features before the model is established. It has been argued that the nadir of German academic life was reached at the end of the eighteenth century when an almost medieval scholasticism prevailed. Then, according to H.Schelsky (2), "...the whole enterprise had very much the character of school instruction". Other writers (3) have made this point to a greater or lesser extent and clearly shown the stagnation that existed in the traditional universities.

Prior to 1810 as G.Hess notes (4) the universities had largely forfeited their corporative freedom as a result of the rise of many princedoms. These princely governments ensured that the universities became state institutions, where students were trained to become state officials, doctors and lawyers. Training was encyclopaedic and strictly supervised. In opposition

to this at Halle, Göttingen and Erlangen some revival was pioneered; here the questioning spirit of the Enlightenment flourished and support was given to both empirical research and philosophy. A strong emphasis on vocational and professional training led to the establishment of schools for mining, medicine, architecture, etc.

Germany was perhaps the first European nation to substantially alter its higher education system and in doing so provided a model for the U.S.A., Eastern Europe, Japan and to a lesser extent France and Britain. (In a sense the contemporary U.S. university functions in a similar way to the nineteenth century German university in that it now influences universities around the world. For example the "Land-grant" model has been widely adapted in the Third World and as a productive source of scholarship, research and technological innovation it is a huge influence (5)). A number of forces came together in Germany in the nineteenth century which helped to stimulate the transformation of higher education. The steady development of German nationalism needed intellectual underpinning and the gradual unification of Germany under Prussian leadership created an increasingly powerful state which was willing to foster universities. Indeed use was made of them to harness technological invention in order to compete with France and Britain industrially. Research became a key element as

universities participated in national development. Professorial chairs and institutes were created and these coincided with emerging disciplines and scientific fields.

The German university was seen as a unifying force, a symbol of national identification and revival: education would be a means of developing a common intellectuality and spirituality and prepare a new generation for national unity.(6). It is an interesting reflection on the idea of German national character and ideology that one and a half centuries later the extended aims of student reforms of universities were the creation of the means to reshape society at large too. In this instance the society was to be strongly socialist; but nonetheless the exaggerated sense of "conversion" and of mission to change society through the university prevailed.

The intellectual climate from which the reformed university of the early nineteenth century grew was that of German Idealism, with admixtures of Protestantism, Romanticism and Neo-Humanism (7). It is thus important that the philosophical foundations be examined and in the process perhaps something of the ethos which lasted and was accepted virtually unchallenged for so long can be grasped. Despite the turmoil which the universities in Germany have undergone it is still discernible that implicit in much of the reform endeavour is the belief that the Humboldtian ideals

are relevant for contemporary universities (8).

If F.K.Ringer's (9) suggestion that higher education can never be understood without regard for its special relationship to tradition is accepted a need exists to outline the main features of the institutional and normative elements of established university traditions. A clearer picture of what promotes or inhibits reform is then likely to emerge. A.H.Halsey (10) maintains that the history of both European and American universities is one of resistance by ideological elements to exogenous change. Higher education has often not been adjusted to the prevailing way of life but has rather idealized the past and indeed in a sense necessarily so. If one accepts E.Ashby's remark that "the university is a mechanism for the inheritance of the Western style of civilization" (11) one perceives the preservation, transmission and enrichment of learning and culture whose roots lie in the past.

The defeat of Prussia at Jena and Auerstadt in 1806 led to the treaty of Tilsit in 1807 when Prussia lost all territories West of the Elbe and was forced to make financial payments. Frederick William III was spurred on to attempt to make up in intellectual strength what Prussia had lost in physical resources and a conviction quickly grew that Germany could rise to great heights by dint of superior learning and civilization (12). It fell upon the shoulders of Wilhelm von Humboldt, who at the time was head of the

Department for Instruction and Culture within the Ministry of the Interior, to establish the new university of Berlin. This, according to Ashby (13), was the moment of destiny for higher education as Humboldt, dedicated to the fresh concept of humanism undertook the rebuilding of an institution which became the envy of the world.

In the opinion of A. Flexner (14) never before or since have ancient institutions been so totally remodelled as to reflect an idea. The process of this was long in the making and influenced by such figures as Leibnitz, Kant, Goethe, et.al. However the new era about to dawn was associated with Hegel, Fichte, F.E.D. Schleiermacher and von Humboldt and the reason for the new era was the protest of spirit against the domination of brute force; the Hegelian philosophy of a unified state as an embodiment of reason. Within the ideally unified state Hegel and his successors saw the university as offering an opportunity for the complete development of the individual. "A state constituted of developed personalities - this was Hegel's conceptual contribution to the renaissance of Germany" (15). The importance of Hegel's thought was fundamental indeed: "The helplessness of a Germany, splintered into small states and lying prostrate beneath the armies of Napoleon, was defiantly answered by the Hegelian philosophy of the unified State as the embodiment of reason" (16).

Fichte's influence in the process of reform was also fundamental and especially stimulating were his Speeches to the German Nation delivered in Berlin 1807-8, which at that time was occupied by the French. In his ninth lecture he advocated national education to awaken the forces sleeping in the people and to create a high level of national culture. He saw it as the duty of the state to create these possibilities (17). His influence was widespread in Prussia and D.F.S.Scott suggests (18) that many of the ideas underlying university reform are traceable to him. He quotes R.König an historian who regarded him as the real creator of the spirit of university reform (19). Humboldt studied Fichte intensively.

As a renowned scholar of wide interests and a Hellenist Humboldt saw in the ancient Greeks a people of noble qualities who symbolized fully rounded human development. He was not only a charismatic figure, but as F.Paulsen notes, Humboldt was a person "...in whom were combined to an unusual degree the qualities of a great scholar and a statesman of high ideals" (20). He enjoyed wide respect and set high aims, whose career in terms of the intellectual life of the period spanned the end of the Enlightenment, the Sturm und Drang and classical periods and the rise and decline of romanticism (21). His view of the nature of man, knowledge and society derive in a nutshell from what it was in essence to be Greek. Permeating his notions was this

primary idea of classical Greekness and it was this which informed his thinking on the reform of the Prussian education system.

The reward for studying the ancients was for Humboldt personally aesthetic in itself. However he wanted to see a new society of better men come into existence and to achieve this goal required a knowledge of Menschheit im Altertum (men in antiquity). He was not alone in his enthusiasm for things Greek and P.R.Sweet (22) notes the appeal of the Greek language and culture for Humboldt's brilliant contemporaries Hegel and Hölderlin. This broad cultural interest was also shared by such leading literary figures as G.E.Lessing , C.M.Wieland, Herder, Goethe, Schiller and Winckelmann, with whom Humboldt had contact.

The end of the eighteenth century in Germany was a period when classicism was revived and Greek antiquity became an Ideal. In Scott's (23) opinion Humboldt was a latter-day Greek, whose religion was Greek culture. In the Skizzen (sketches)(24), Humboldt reaffirmed his position that it is knowledge of man as he is and ought to be that is of fundamental importance. How does one acquire the knowledge? The study of mankind in general would be too large, but a nation could be grasped as a unit, its characteristics depicted. Specifically attention must be directed to all expressions of cultural life in order to determine the noblest aims toward which a man might work. The process of

finding such knowledge was for Humboldt of more value than the knowledge itself. Trying to seize the character of a nation required attempting to be like what one wished to understand. The concept nation seems to have meant for Humboldt a cultural entity: the early Greeks lacked political unity but possessed a language, philosophy, poetry and individual history. In other words the broad Greek cultural community comprised various small states or nations.

Humboldt believed that the Greeks and particularly Athenians at an early stage of development were suitable for intensive study. From them it was possible to obtain an idea of human perfection where variety was integrated into a whole. They were more capable (the primitive Greeks) of achieving harmony in their personalities because their being was permeated with Sinnlichkeit (sensuality) and this made them receptive to beauty in art and nature. Sweet suggests that despite Humboldt's great enthusiasm for the Greeks, he did not place exclusive value on a study of them to Bildung (a combination of education, culture and scholarship). He sought to single out traits contributing to greatness and by combining these create ideal types. (It would appear that Humboldt was the first to use this concept systematically (25). Sweet refers to Joachim Wach (26) and notes Goethe's and Herder's familiarity with the term which Humboldt originally used in a systematic way).

The source of the intellectual flowering, of which the new educational thinking represented by Humboldt, Fichte, et.al. was merely one aspect, was the Enlightenment. In his founding the university in Berlin Humboldt sought to change as the title of a manuscript suggests (27) both the spirit and organizational structure of the university in Berlin. Perhaps the most valuable notion which would underpin the Wissenschaftliche Anstalten (intellectual institutions or universities) was that of disciplined intellectual activity; the essence of which was to be a combination of the pursuit of scientific and scholarly knowledge with the development of the whole person. Institutionally this essence lay in the articulation of the mastery of transmitted knowledge at school with the first stages of independent enquiry; it was the task of the university to effect the transition of the former to the latter.

Humboldt begins his essay on the idea of a university with the statement that the most precious element in a nation's moral culture is the idea of a disciplined intellectual activity (28). This activity is embodied in institutions and it is their task to devote themselves to scholarship. Their main aim is to cultivate science and scholarship. Because intellectual undertakings thrive through collaboration, the inner life of such institutions requires a continuous self-propagating collaboration. Institutions are engaged in an endless process of enquiry and this process requires that

both teacher and student work together as a fruitful combination.

Essential to the idea of the German university was the concept of academic freedom and three things were involved in this. The first was academic self-government, which meant that the university would be governed by full professors and elected deans. The second was the notion of Lehrfreiheit (freedom of teaching), which meant a professor or lecturer was free to teach what he wanted to teach, unfettered by political or other considerations. The third thing was Lernfreiheit (freedom of study), which meant that students could attend lectures of their choice, in any university, constrained by no formal curriculum and responsible ultimately only to their examiners. In practice the freedoms were limited.

The main consideration was the pursuit of Wissenschaft (pure, non practical scholarship) which stressed the philosophical and reflective side of learning to understand the entity of knowledge to the exclusion of empirical investigation. Only science and scholarship which came from inner depths of the mind could contribute to the transformation of character and if the cultivation of science and scholarship were kept free of corruption they would correctly apprehend the essence of nature as a whole. Thus in Humboldt's view (29) if the principle of Wissenschaft for its own sake was placed in a dominant position other matters may

be disregarded for neither unity or roundness would be lacking: each would foster the other which was the secret of a good research method. In a nutshell if the search for Wissenschaft becomes the dominant principle all else is satisfied (30). This notion is fundamental to the Humboldtian university model.

A certain vagueness exists over specific aspects of the internal structure of the reformed university. However Humboldt did see the need for certain rules of organization and although they were not outlined in detail the structure would be envisioned as unitary, even hierarchical, and deriving (as Fichte saw it) from the unity of philosophy as queen of the disciplines. Disciples would become teachers who would work together as a community, membership of which was in the broadest sense for everyone. According to Humboldt the former were not there for the latter. "Beide sind für die Wissenschaft da (both are there for the sake of Wissenschaft)(31).

Schelling (32) argued that the realm of Wissenschaft is no democracy, still less mob rule rather an aristocracy in the noblest sense. "Die Besten sollen herrschen" (The best shall reign)(33). Schleiermacher (34) stressed that, "...alle wissenschaftlichen Männer dem Geiste nach einander gleich sind..." (all men are one another's equals in the realm of ideas)(35). Representation of the community was to be an embodiment of the entire, united voice of the members in the person of

the rector. In practice collegiality became limited to the Ordinarien and prevailed within the faculties, while the affairs of the university as a whole were handled by an executive senate.

Humboldt's aim was the creation of perfection in the individual through the means (and the word 'means' is crucial) of Wissenschaft: a scholarly, scientific approach to learning, a process shared by student and scholars. Scott (36) maintains that this notion of Wissenschaft was the first great innovation of Humboldt's and led to a profound change in outlook of the university. From the activity of Wissenschaft was derived unity of research and teaching as active stimuli for each other. As seekers after the truth both researcher and taught should have complete academic freedom. The tradition of Wissenschaft had grown in eighteenth century German universities but Humboldt took this tradition and made it serve a new spirit (37).

In matters of the spirit accomplishment depends on strictly adhering to the principle that science and scholarship do not consist of closed bodies of permanently settled truths rather in the ceaseless effort towards intellectual nourishment. All understanding, Humboldt suggested, was to be sought in the application of a fundamental principle to explain natural events which penetrate from mechanical to dynamic, organic and ultimately psychological levels. All efforts at understanding should be directed to an ideal and

ultimately the principle and the ideals should be fused into a coherent idea.

Einheit der Wissenschaft (unity of learning) became a second great conception; the university being the institution where each subject is recognized as connected with Wissenschaft. Thus university members are involved in a search for Wissenschaft and a creation of gebildete Menschen (cultured individuals). The criterion of culture being the effect that acquiring knowledge has on the individual. The important thing for Humboldt was how one studied - and indeed that one studied at all (38).

A major contribution of Humboldt to the founding of Berlin University was the idealism which he brought to the task of solving problems. He took immense pains in appointing chairholders (39). In seeing the danger to which Wissenschaft as an attitude of mind was exposed as the natural sciences grew he sought to protect it by allowing to theology and the natural sciences no representation in the highest councils of the university. The danger of natural sciences becoming ends in themselves and thus utilitarian in outlook was a danger for Wissenschaft. He was concerned that opportunities should be provided in the new universities for studying natural sciences (as the brother of the great scientist Alexander von Humboldt he took a real interest in scientific work) but was convinced they were neither Wissenschaft nor conducive to it (40).

Additional to the notion of Wissenschaft and fundamental to university structure was the concept of Einsamkeit (solitude) which meant that members were to be isolated from society socially and physically, unfettered by the cares, demands and turmoil of the outside world and encapsulated in the community of researchers and learners. Here is clearly articulated the precursor of the Castillian Order so eloquently described in the novel by Hermann Hesse (41), where the ultimate in Wissenschaft was the Glass Bead Game itself. The principles of freedom and absence of distraction embodied in Einsamkeit would ensure that scholarly collaboration would lead to prosperous intellectual endeavours and the arousal of intellectual passions and enthusiasms would produce common intellectual possessions. The inner life of the university must call forth and sustain a self-renewing, uncoerced, disinterested collaboration in understanding the process of enquiry and the pursuit of Wissenschaft.

Einsamkeit had in Ashby's view (42) an inner meaning: it was the abdication of power by scholars so they can reflect without having to decide, observe without having to participate, criticise without having to reform. Further because Einsamkeit was a privilege scholars must not abdicate their responsibility but have a duty to reflect and observe without prejudice and criticize without fear.

Humboldt's social and political thinking was

grounded in the supreme importance of Bildung, by which, as stated earlier, he meant the richest, most full and harmonious actualizing of the potentialities of individuals, society and mankind. The concept of Bildung had been used by others and, according to J.W. Burrow (43), a preoccupation with the term was a secular variety of German Pietism. The idea of Bildung was attractive because it could encompass, better than the Enlightenment's appeal to reason, the virtues of emotion and originality, which were newly-fashionable. A life dedicated to Bildung was a work of art in itself. Herder, who influenced Humboldt's thinking, regarded Bildung as an organic process where individuals influence each other in a social setting. Both Humboldt and Herder applied Bildung to history, seen as the self-education of mankind this allowed a place for both the primitive and poetic virtues of former civilization and novel ideas about progress. Humboldt saw history as a kind of dialectic: mankind discovering and exploring from side to side, "In human history, it is extremes which lie most closely together; and the external state of affairs, if we leave it to run its course undisturbed so far from strengthening and perpetuating itself, works towards its ruin" (44). Progress results from the enrichment of human experience through one-sided explorations and development. The extent to which individual potentialities are realized depends on opportunity and capacity for assimilating

the experiences of mankind preserved by history and making from them a meaningful and balanced whole.

The kernel of Humboldt's thinking on the nature of man it seems is to be found in The Sphere and Duties of Government. Here he states quite clearly that: "The true end of man...is the highest and most harmonious development of his powers to a complete and consistent whole" (45). He cites two indispensable conditions: freedom and a variety of situations. Man can avoid partial cultivation of his whole being by "stirring to unite the separate faculties of his nature" (46) and harmoniously combining the power with which he works. It is through social union that man participates in the rich collectivity of all. The highest ideal of this union is the development of individuals from their innermost natures and for their own sakes. It is this notion which must be the basis of every political system and influence governments in their relations with universities, because of the very special role of the latter in ensuring the highest development of man. It is this notion which underlines Bildung. There is some suggestion here of the Absolute Consciousness of Hegel, where all contradictions are resolved. Similarly Hegel's notion that the work of the philosopher is retrospective and requires the presentation of philosophy as the history of philosophy is reminiscent of Humboldt's idea of Bildung. In these terms it would seem that the most cultivated individuals

and complete philosophers are those who can fully assimilate and possess those cultural and ethical commitments, often contradictory, into which the human race has entered since antiquity.

Bildung is in no sense dilettantism. Perhaps it can be seen, as Burrow (47) suggests, "...as a fierce, sustained protest against the limitations of living only one life." Certainly Humboldt himself was clearly aware of the need to know and absorb as much of humanity as possible. The notion of Bildung, which was both informed and nurtured by a sense of history and cultural diversity, depicted for Humboldt something which intelligent beings could not avoid doing. Individuals are to a considerable extent affected by traditions and collective cultures which they inherit and which are rich in a sense of the past. In Bildung is connected in Humboldt's view this historical richness and variety and a sense of the opportunities of the present. In a letter to Schiller (48) he wrote that from the history of mankind can be drawn a picture representing no single age or nation completely yet which has received contributions from all. However he shared the adulation of both Goethe and Schiller for the Greeks and sought a philosophy of history allowing the Greeks to serve as a model, without contradicting his dialectical approach to history.

For the German neo-idealists Bildung was thought to develop through total involvement with both contents

and values of objective culture (49) and thus education was both a transmission of a spiritual essence and a source of variety. Max Weber, in his remarks on the Chinese Literati (50), deals with the notion of education transmitting something essentially spiritual: for centuries China had made literary education the yardstick of social prestige and a series of examinations tested whether a person possessed the ways of thinking suitable for a cultured person. The task of education was the unfolding of the Yang or heavenly substance in a person's soul. Weber considered a centrally important source of status was advanced education and this meant cultivation or Bildung rather than specialized training (51). Status was linked to both tradition and education, was a social honour associated with a particular life style and as such subjective. (Class was defined objectively in terms of position in the system of production: wealth, labour, commodities, and so on.) Thus cultivation differences were one of the strongest psychological barriers and this was especially true in Germany where all privileged positions both inside and outside the civil service were (and arguably still are) tied to qualifications involving general cultivation.

This concept of Bildung became in C.R.Thomas' opinion (52) a dominant note in "philosophical anthropology" at the turn of the eighteenth century. F.Paulsen (53) referred to Bildung as the new word that towards the end of the eighteenth century was on all lips, the

mark of a new ideal which dominated; an ideal of an aesthetic and spiritual form of personal culture. It led to the perfect formation of the essential being through the development of natural tendencies.

In Humboldt's political theory the role played by the state is that which Kantian moral reason is supposed to perform relative to Bildung: it exists to implement in practice those impartial and universal rules which the categorical imperative commands in theory namely complete respect for the rights of others. But these rules, being a force towards uniformity must be limited in the interests of Bildung, which is the vitally active and creative principle. The key concept of Humboldt's political theory was education, which meant nurture through culture and experience, for true knowledge was something experienced. He argued that one can know nothing of mankind, life and the world that had not been in a sense part of oneself; nature and humanity needed to be grasped actively not simply intellectually.

As for the permissible limits of the state's activity he distinguished three functions of government in the name of which the state could claim interference: to defend its existence, to provide for social well-being and to protect the freedom of individuals in the face of infringement from others. Humboldt confined the first narrowly and stressed that nothing should be done by the state with a view to security which

restricted the citizen's freedom (54). The second he ruled out for, "...according to our former principles, the state is not to have any positive care for the citizen's welfare; and nothing can be necessary in order to preserve security which tends to repress freedom, and with it security itself"(55). The third justification for governmental interference would be to prevent harm to others. These in a nutshell then were the proper limits of governmental authority as Humboldt saw them which relate to his views about the nature of man and society.

For Fichte the university was to play an elastic role and he saw society as two estates: the scholarly educated and das Volk (the people). The former could either become teachers or state officials; both courses would be essential to the well-being of the nation. The realm of learning was to be not only the vanguard of the true society but he also hoped the university could influence the state for its own purposes. Schleiermacher feared that the reverse may happen once academics passed into active state service. However Humboldt (as a state official) took an optimistic view of state influence over universities and hoped for a benevolent patronage without too much control. He considered that the only concern of the state was to ensure that intellectual talents be brought together in the university; through care in selection an assurance of freedom in intellectual activities would

be maintained. The main thing was the appointment of those who would do the intellectual work (56). If the state adhered to the conviction that universities must be enabled to achieve their highest ends then they would ipso facto on a far higher plane realize the state's end too. Without state intrusion intellectual work would progress better; the provision of an organized framework and resources necessary for the practice of Wissenschaft were what was required. For a long while the state did exercise restraint and despite its preparedness to assert its influence at every turn seldom intervened on important matters.

The state, Humboldt stressed, must respect the motives for Wissenschaft and attempt to maintain intellectual activity at its highest level. It must recognize that by its action it cannot make intellectual activity fruitful, that can only occur however where the necessary conditions for scholarship obtain. In this, the state's main task is to ensure that the university as an institution is allowed to flourish. An adherence to the principle of cultivating Wissenschaft is vital for it does not consist in closed bodies of knowledge and the accumulation of facts rather in ceaseless intellectual effort. If this principle remains dominant then other matters may be disregarded for unity and fullness will foster each other correctly balanced and therein lies the secret of a good research method (57). Humboldt then states that as far as the

spirit of things is concerned all requirements are satisfied. ("Für das Innere ist alsdann jede Forderung befriedigt") (58).

Regarding the material and organizational requirements, the state was to be concerned simply to increase the profusion of intellectual talents. Equipment, too, was important and accumulations of dead things (toter Sammlungen) was not the main thing, indeed Humboldt argued they could deaden the mind (59). But the state must not deal with its universities as Gymnasien or specialized schools (60). The lower levels of the educational system must be so organized as to be harmonious with the higher intellectual system and the state must understand that universities are neither complementary nor a further stage of schools. A harmonious development of potentialities of their pupils must be the aim of the schools where focus must be laid on as few subjects as possible, but above all mathematics should be employed; for a mind trained in this way will spontaneously aspire to Wissenschaft (61).

Humboldt considered the relationship between the universities and academies and suggested that to keep both types of institution functioning they must be linked so that their activities remained distinct but their members did not belong exclusively to one or the other. Because of its concern with the practical affair of training the younger generation the university had a close relationship to the needs of the state;

academies were to concern themselves only with Wissenschaft (62). The integration of university teachers would take place through the organizational framework of their disciplines, but regarding Wissenschaft they would be in contact only in so far as the inclination took them. In contrast the academy was to be so constituted that the work of each member was subjected to the scrutiny and assessment of others. Thus the idea of the academy must remain freest of state control and the highest sanctuary (Freistätte) of Wissenschaft.

The right to appoint university teachers, Humboldt argued, must be the exclusive preserve of the state for what the university achieved was too bound up with interest of the state to allow any other arrangement. However the choice of academy members must be left to the academies, for its concern being purely Wissenschaft, does not immediately interest the state. Diversity of both talent and interest will be guaranteed by the existence of Privatdozenten (private lecturers) who rely on the approbation of their audiences.

Humboldt's writing concerning the organizational framework of the Berlin university remained uncompleted. However his university model has in its essentials been outlined above. As for organizing the professorial appointments this was to plague Humboldt (63). Fichte was the first rector of the newly-founded Berlin university and subsequently Hegel was "...its foremost teacher for more than a decade" (64).

By 1815 the model was well-established and, "...its power and importance grew with the influence of the Prussian State and of the capital city in which it was situated until its influence was felt in all the German universities" (65). As Flexner noted: "Humboldt conceived the salvation of the German nation as coming from the combination of teaching and research, and time has proved him right" (66).

The process of education was envisioned by Humboldt as an organic whole: a single process from primary school to university. In the former institution teaching would be broadly based on the ideas of Pestalozzi: a child-centred approach, where education is based on developing the natural individual characteristics of the child. The pupil discovers and thus develops his aptitudes, the teacher is a guide. The Gymnasium would be the place where the mind is exercised and trained, where facts and knowledge would be imparted. The university would put these into perspective and relate them to the universality of knowledge. Vocational training had no place in this process. This view supported both the ideas of German classicism, in conformity with contemporary thought, social ideas of equality before the law and promotion based on merit (67).

Ringer maintains that German higher education cannot be understood apart from the complex system of state exams and Berechtigungen (academic privileges) that evolved during early decades of the nineteenth century.

The system had roots in the transformation of the civil service on merit principles, widening access was achieved through increased emphasis on academic qualifications. Various ministries set their own examinations and standards (the universities being often consulted in the process) and eventually there was hardly a discipline in which state examinations (diplomas) were not founded. The universities conferred (without referring to the state examination system) two academic degrees: the doctorate, calling for independent research and a thesis and generally more advanced than the state diploma; and the senior legendi or Habilitation. The latter was on the basis of a second dissertation and entitled the holder to teach at a German university. The effect of the doctorate on the structure of the educational system was, according to Ringer (68), academically less important than the state examination.

Since the nineteenth century reforms the influence of German universities as agents of change has probably been greater than their counterparts anywhere else in the Western world. It was through the reforms noted above that the research and teaching functions were fused into a model for the modern university. The German university system was internationally admired and emulated. It could boast world famous professors, scientists and theorists and a thorough critical training of its students within an academic spirit. The university

itself comprised impressive buildings, libraries and laboratories (69). Not less significant has been the place of the university in German history: the men who shaped cultural and scientific life were largely university graduates; it was they who organized the modernization of Germany.

The universities served as a pool of recruitment for the cultural and administrative elites. In addition they were havens for those espousing political and social doctrines and many dissatisfied intellectuals from German universities became leaders in nationalist agitation. Further the universities were places where in a country marked by its provincialism the educated young could gain experience of cosmopolitan life, making valuable friendships and connections. Also, due to the reverence for academic honours, the university in Germany still retains a monopoly over access to the professions, which is stronger than in the U.S.A. and Britain and more exclusive than for other European universities (70).

Clearly the Humboldtian university was elitist. Fichte, as a radical spokesman for the university reformers, "...despised all students who came to universities for utilitarian, professional reasons - whether the lowest peasant or the highest lord in the land" (71). Both Fichte and Humboldt wanted to produce philosophers who could be ideally suited to rule Prussia. As McClelland notes (72) the key role of philosophy

was repeatedly stressed.

Of especial interest for this study is the fact that so many reform ideas were produced by members of the German professoriate at this time - and the bureaucrats acted on their ideas. In essence they wanted to reshape society through the university (73). (It is interesting to consider that both students and professors at certain periods in German history wanted to use the university to change society). As for the students they were to be the best graduates from the best secondary schools and only those displaying the ability to grasp the higher principles of Wissenschaft would be allowed to remain at the university. From the student point of view Berlin had a number of attractions. For theologians it was a Mecca because some of the best theological talent was in Berlin; for medical students there was the attraction of a preeminent medical school plus the advantage of clinical work in a large urban hospital; as for law students they were studying at the heart of Prussian government (74).

J.Schramm (75) argues that Humboldt's idea of a university, free of external interference did not materialize during the nineteenth century but served as an ideological instrument to justify a strong elite-orientation of the university system until recently. McClelland (76) too makes a similar point that the aims of the reformers of the German university were not achieved at a single stroke during their life times

but evolved with other aims over a period of a century and a half. He goes further in maintaining that their ideas had a small immediate impact on university life and that outwardly the reformed university of Berlin resembled the best traditional universities plus a host of bureaucratic regulations. But the important point remains: the founders of the reformed university provided a powerful ideological foundation and a university model which whether immediately implemented or not could be exploited as a source for future discussion, comparison or imitation. Indeed the evidence is that later reform debates have taken place with reference to the reformed university of Berlin, as will be seen.

Such was the reformed university of Humboldt, which endured largely unchanged for over a century and a half. It carried traditions rooted in European thought but with a clearly identifiable German form. It provides a clear model against which university reform endeavour since the second world war can be measured. A consideration of those reforms will now be undertaken.

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69. McClelland, C.E., State Society and University in Germany 1700-1914, Cambridge: Cambridge University Press, 1980, p.2.
70. McClelland, op.cit., p.3.
71. McClelland, op.cit., p.119.
72. McClelland, op.cit., p. 132.
73. McClelland, op.cit., p.120.
74. McClelland, op.cit.;
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Chapter IV

EFFORTS TO RECONSTRUCT AND REFORM THE UNIVERSITYPARTICIPANTS AND ISSUES

The condition of Germany immediately after the Second World War bore eloquent testimony to the catastrophe which had overtaken it. Destruction had been widespread: huge areas of major cities destroyed, many thousands of buildings in urgent need of repair, vital installations and manufacturing bases crucial to the economy in ruins, communications networks severely dislocated and the number of homeless and refugees could be counted in millions. The universities did not escape the devastation unscathed. Of the institutions of higher education located at the end of the war in what is now the Federal Republic four lay completely in ruins and only six were able to function fully. Of the remainder a quarter of the facilities were usable in eight institutions and three quarters of capacity was usable in six others (1). It is worth noting that of the pre-war German total of twenty four universities and fourteen technical universities, sixteen universities and nine technical universities were located in the Western Zone of the country. The Eastern Zone had six universities and three technical universities. The remainder were located in what is today Polish territory (2).

In material terms the universities required considerable repair and reconstruction. Intellectually they suffered from a shortage of academics: large numbers

had fled the National Socialist regime or been prevented by it from contributing to university life; others who had been actively involved with the regime were placed under Lehrverbot, which meant that they were forbidden by the occupying powers to return to academic life. An example of this was the case of Martin Heidegger who, although he was a National Socialist for only nine months and left the movement before Hitler assumed total power, was forbidden to teach from 1945 to 1951 (3).

However despite the dreadful immediate post war conditions and acute shortages some new universities were founded. On the initiative of the French occupational authorities the university of Mainz was established in 1946 and Saarbrücken in 1948. The Free University of Berlin was founded in 1948 in the American sector.

The Federal Republic of Germany was created on 23 May 1949 with the proclamation of the Grundgesetz (Basic Law). Since the end of the war in 1945 the relationship between the victors and vanquished had changed and because of a developing antagonism between the Western Powers and the Soviet Union the Four Power Conference in London from 27 November to 15 December 1947, to decide the future of Germany as a whole, was a failure. It was therefore decided by the United States, Britain, France, Belgium, Holland and Luxembourg to merge the existing three Western zones of occupation,

transferring to them gradually the power of self-government. A final decision on this was reached at the London Six Power Conference in 1948 and at the behest of the Western Allies a Parliamentary Council, comprising sixty five parliamentarians and political figures from the Western zones, began on 1 September 1948 to draft the Grundgesetz. This was completed on 8 May 1949 and after approval by the necessary two thirds of the German Länder (constituent states) entered into force on 24 May 1949.

The Federal Republic, having both a population size and area approximately equal to those of the United Kingdom, comprised originally twelve Länder, however in 1951 Baden-Württemberg was created out of the former Länder Baden, Württemberg-Baden and Württemberg-Hohenzollern and in 1956 the Saarland was added. The Federal Republic Of Germany thus comprises: Baden-Württemberg, Bavaria, Bremen, Hamburg, Hesse, Lower Saxony, North Rhine Westphalia, Rhineland-Palatinate, Saarland, Schleswig-Holstein and Berlin (West)(4).

On 20 June 1948 a Währungsreform (currency reform) had been instituted. Every German was given an initial 40 DM and later an additional 20 DM. The former currency units (Reichsmarks) were redeemable at the rate of 10 Reichsmarks for 1 Deutsche Mark (5). It was the Währungsreform which had the effect of improving matters considerably; indeed almost overnight the

situation was changed (6). Real progress in all areas was made after the currency reform, especially in economic matters. The Grundgesetz, which is a written constitution, was tangible evidence of a new Germany and it is from this time onwards that the process of gradual normalization of university life began. Approximately the first ten years after the end of the war were to be for West Germany, a period of reconstruction (7).

In the case of the British zone of occupation University Control Officers were attached to universities to assist in both material and academic reconstruction. They had absolute power over the university subject to instructions from the Military Governor through his educational adviser. In 1947 the conduct of educational matters was passed to the German authorities and from then until 1951 officers remained to assist and advise (8).

That same year a delegation of the English Association of University Teachers invited to tour and offer advice to German universities submitted their report (9) in which they concluded that lasting reform was not likely to come about solely through university initiative. They noted attitudes that were conservative, nationalistic and reactionary and suggested that this individually German spirit within universities, a result of their interpretation of the freedom to teach and learn, could become twisted and

both anarchy and a professional tyranny result from it. The report suggested that the greatest problem lay in the connection between the structure within the universities and their prevailing ideology. There was also a strong sense of German superiority vis à vis other European countries, individual intellectual arrogance and a nationalism closely connected to an exaggerated self-image. M. Weinreich (10) has outlined some of these traits of national character manifest in university professors prior to the National Socialist period. Sir Robert Birley's opinion shortly after the war of German professors was not entirely complimentary. He regarded them as being like subservient civil servants (11) and saw the universities to be almost entirely separate from the greater part of German society, which despised and hated them. (The professors as a group of participants in the reforms will be considered later).

An attempt to investigate the needs and possibilities for a reform of the German university was begun when, on the instructions of the British Military Governor, a German commission was established with this task. With the exception of an Englishman (Lord Lindsay of Birker, Master of Baliol at that time) and a Swiss (Professor Jean Rudolf von Salis of the Technical University of Zurich) the commission comprised only German scholars (12). They concluded that a reorganization of teaching and research would be worthwhile but that the sound traditions upheld by the

universities be maintained. In the opinion of D.Goldschmidt and S.Hübner (13) this relativised ensuing reform proposals and justified the opinion of those who argued against sweeping reforms. In other words future proposals reflected an implicit acceptance of university traditions stemming from von Humboldt and during the initial re-building phase the Humboldtian university model was employed.

But it is hard to imagine what else might have been concluded in the years immediately after 1945 bearing in mind the enormous task of re-building other than to restore the universities in accordance with their excellent traditions, namely those emanating from Humboldt and existing through the Weimar period. Clearly the occupying powers drew from those politicians and academics available, many of whom had been outside Germany during the war and most of whom were middle-aged. This did not allow in planning and policy formulation for radical departures from say the Weimar period. Further little could be expected of university reform when Rectors, backed by their senates saw the possibility of being deprived of their privileged positions in society. The commission cited above had attempted to encourage the replacement of state by society as university guardian with the aim of producing not efficient state administrators but good members of society. This however begs questions about the good society, its structure and response to suggestions for

university reform and as H.Hausemann notes (14) it presupposes the existence of a homogeneous society.

R.Tilford (15) notes that the British and American authorities shortly after the war in Germany attempted unsuccessfully to build lay participation into German university government as a way of relating the university to society. But the universities were prepared to accept only Universitätsvereine (university associations) or Beiräte (advisory boards) which acted rather as patrons. Completely lacking in Germany has been a body such as the British University Grants Committee, which mediates between the university and state and preserves an independence of both.

G.Hess (16) lists five reasons for the reserve and passivity of the university during the immediate post war years. The first concerned the deplorable situation generally, affecting private life and the universities because of so much physical destruction. This required improvization on a daily basis. The second was the dependence of the university on the occupying powers, which was not stimulating. The third reason lay in the fact that both professors and students were so busy with the realities of study and intellectual endeavour that a need to change the system hardly made itself felt. It is the fourth reason which Hess regards as most important for ultimate reform endeavour, namely that those in the university looked back to the pre National Socialist period and accepted the fundamental

structure of the classical university unquestioningly. The fifth reason was connected with the loosening of ties with the state.

However others (17) have seen problems for university reform in an idea of fundamental interest for this study it is deutscher Geist (German spirit) a term which infuses intellect with qualities which are almost mystical and spiritual. It has had a quality of exclusiveness barring access to those whose language is not German. This spirit infused the universities. Over a century ago Fichte (18) had claimed, "wer von anderer Nation wäre, qualifiziert sich wegen Abgang der Sprache nicht zum Wechselleben mit uns" (non-Germans failed through lack of language to qualify for living with Germans in intellectual exchange) and that German must be the medium of instruction in universities. In this way the promotion inter alia of national unity for the newly emerging nation would be ensured. This is a reminder of what has already been shown namely the development of those elements of faith, education and nation which had a peculiarly German character and despite the fact that German higher education had its roots in a European tradition, specifically since the founding of the Humboldtian university, it had forged its own distinctive path (19). The traditional cultural and economic forms survived somehow beyond 1945 and Goldschmidt and Hübner (20) maintain, not only was deutscher Geist not exorcised but also deutsche Bildung

represented by traditional German professors was re-established.

Arguably then reform proposals remained rooted in traditional ideology with Wissenschaft still the ideal and a system of faculties and institutes still the optimal structural embodiment of the university; this it seems, in the period of reconstruction at least, was accepted by all parties to the reform debate virtually unquestioned. The effect was to maintain the university in isolation from society, inclined towards the state to maintain the old status quo with the full professors remaining at the pinnacle of an ever-growing corpus of subordinates. J.P. Payne's view (21) certainly coincides with the foregoing and he too believed the university was reconstructed as an Ordinarienuniversität (university where full professors had power and privilege), where power lay with the faculties and institute, where the director of the latter was answerable to the Land rather than university even if he were a chairholder. Thus it was that the Humboldtian university had become restored without the benefit of the best features of French and Anglo-Saxon traditions.

Education in the Federal Republic of Germany is broadly the responsibility of the Länder, although the entire system is under federal supervision (22). Article 30 of the Grundgesetz states: "The exercise of governmental powers and discharge of governmental functions shall be incumbent on the Länder in so far as this

Basic Law does not otherwise prescribe or permit"(23). Thus the Länder have in law autonomy for all state affairs in particular in cultural matters, which include education.

A very clear aim of federalism was to enable the Länder to have complete freedom in developing their affairs in the light of the historical, denominational and social circumstances when formulating policy. The traditions of the Weimar Constitution were thus consciously revived when the Federal Republic of Germany was established. In addition because during the course of the twentieth century the German states had yielded more and more to central authority the focus of federalism became the area of culture. A conviction was supported, according to H. Peisert and G. Framhein (24), that cultural federalism was specifically suited to the promotion of democratic values. They maintain that it was the experience with a centralized system plus dictatorship and confidence in the value of cultural federalism which help to explain both Länder insistence on cultural autonomy and their sensitive reaction to centralization.

For each Land the Kultusminister (Minister of Education and Cultural Affairs, in the case of the city-states ministers are called Senatoren) is responsible to the parliament of that Land for their actions. As part of a federation the Länder have federal responsibility and before taking action on cultural matters

they are to ensure that the interests of the country as a whole are safeguarded. To achieve systemwide harmonization, maintain a communication forum and represent their interests to the federal government the Kultusminister Konferenz (KMK) (standing conference of Ministers of Cultural Affairs) was established in 1948 as a voluntary organization. This organization seeks to deal with, "...matters of educational and cultural policy of supra-regional importance, with the aim of arriving at a joint determination of views and intentions and the representation of joint objectives"(25). Decisions are formulated in special committee and adopted in plenary session after unanimous vote and become binding on Länder governments when they have been incorporated into their legislation. An objective of the KMK is to maintain cultural sovereignty of the Länder in connection with measures which federal bodies or agencies undertake and ensure that their political and cultural functions are not restricted (26). The committee for higher education are heads of those departments of the Länder concerned with Hochschulen (institutions of higher education) and coordination is enabled because of the traditional uniformity of German universities.

As an academic counterpart to the KMK the West-deutsche Rektorenkonferenz (WRK) (West German Conference of Rectors) was formed in 1949. Its members represent all those institutions having the right to award

doctoral degrees and Habilitation (certification for university teachers.) Originally twenty five universities, technical universities and some theological seminaries were represented; from the early 1970's all institutions of higher education were eligible to join. The majority vote in all committees is guaranteed those institutions authorized to grant doctoral degrees. Of the 156 members of the WRK, 64 are from university-type institutions and of these the voting strength in full session is 64 and in senate 19. The next largest group is the Fachhochschulen having 56 members with voting strength in full session of 11 and in senate 3 (27). Clearly the universities have an overwhelming voting strength. Members of the WRK are required to maintain cooperation in research, teaching and study and to look after their mutual interests. There is a resemblance between the goals of the KMK and the WRK. Specific objectives of the latter (28) are to find solutions to problems in higher education in common with all members; advise the executive and legislative branches of government; report and document developments to members; cooperate with state bodies, scientific organizations and policy-making committees; present the needs, working conditions, etc., of higher education to the public; also to represent members internationally and supra-nationally and ensure cooperation with university heads in foreign countries.

The recommendations which the WRK make on policy

in higher education are seen as indicators of prevailing trends and conditions in higher education by both the public and planning authorities. During the period of reconstruction after 1945 the system of higher education and individual institutions developed with little systematic central planning. It was the function of the KMK and WRK during this period to serve as forums where the interests of their members were discussed. Subsequently in many important debates connected with university reform both the KMK and WRK have issued major statements. (Two examples are the Godesberg Statement of Rectors on Reforms of the System of Higher Education, January 1968 and Alternative Theses to the Frame Law for Higher Education, 1970).

In 1952 through the encouragement and finance of the American High Commission a conference on the problems of German higher education was held in Hinterzarten. The participants were the KMK, WRK, Bundesinnenministerium (Home Office) and the Hochschulverband (the professional organization for teachers in universities and similar institutions, founded in 1950). The main themes of the conference were the restoration and structuring of the university teaching body, higher education as a community, higher education and the public, general study, examinations and the advancement of study. Hess (29) suggests that for the time this was a characteristic catalogue; singularly lacking was the question of student needs and numbers which was

to occupy such an important position later. However from this period onwards a phase of planned reform was started and Hess (30) suggests that the second organizational phase of reform began a few years later with the foundation of the Wissenschaftsrat (WR) (Science Council).

Both university research and research bodies were originally financed by the Länder concerned but since 1956 the federal government took part in financing these. Additionally both federal and Land ministries organized departmental research and large enterprises also developed research establishments, which were often publicly financed. In 1955 the Federal Ministry for Atomic Issues was founded as political, technical and economic consequences of modern scientific research became apparent. In 1969 this became the Bundesministerium für Bildung und Wissenschaft (BMBW) (Federal Ministry for Education and Science). Later still in 1972 the Bundesministerium für Forschung und Technologie (Federal Ministry for Research and Technology) was formed as a separate section. A need to coordinate research and ensure its continuous development clearly existed. The Wissenschaftsrat founded in 1957 was to meet this need.

The WR was the first central agency in which both federal and Land authorities united and worked together. In addition it was the means whereby cooperation between Land and academics was institutionalized. The significance

of the way the WR is formed lies in Peisert and Framhein's view (31) in the fact that the Bundespräsident (federal president) appoints scientific members (and in fact issued invitations for the original session). They suggest one reason for this appointments procedure may be that the Länder sought to avoid the superior influence of the federal bureaucracy and this is an indication of the precariousness of federal-Land co-operation. The WR has thirty nine members and is divided into an administrative and science commission. The former comprises representatives of the eleven Länder plus six federal representatives (with a total of eleven votes). The latter consists of a total of twenty representatives, sixteen being scientists and six persons from public life. An academic has thus far always been chairman and decisions of both commissions and the general assembly require a two thirds majority vote. The administrative commission is an active participant in policy formulation and, "...is responsible for that which is possible" (32). "The Science Commission is responsible for that which is desirable" (33).

It is the task of the WR to make recommendations and although these are not binding for Land or federal authorities they nonetheless have great force by virtue of the fact that ministerial representatives at both Land and federal levels are active participants in decisions taken by the WR. Three main responsibilities were initially assigned the WR: to work out a

comprehensive plan to promote the science and human - ities; draft annually a programme of priorities as part of this plan; produce recommendations for the use of federal and Land funds in support of science. It was to the expansion and development of higher education that the main interest of the WR was directed. As for a comprehensive plan for the advancement of science no general plan has to date been worked out, probably because no plans to be combined into an overall plan have been submitted by federal and state governments (34).

Peisert and Framhein have suggested (35) that the founding of the WR and federal subsidies for research and expansion of higher education were minor stages in the slow, steady tendency to centralization running counter to the notion of federalism. In accordance with the Königstein Agreement of 1949 the financing of university and systemwide research were essentially a Länder responsibility. However since 1956 the federal government had taken part in financing the expansion of universities and research bodies. The quantitative problems specifically for higher education demanded that the federal government be increasingly involved: between 1960 and 1970 student enrolment increased from approximately 300,000 to 500,000 and expenditure on higher education institutions and research advancement increased approximately fourfold (36). By 1964 the Länder were unable to manage unaided the growing financial demands of higher education and science and in

this year the Länder and federal governments reached an administrative agreement regarding financial arrangements (37). Also in this year a report was commissioned by the federal government at the request of the Bundestag (federal parliament), "on the situation and measures taken in the area of educational aid and educational planning" (38). The Report on the State of Affairs in the Area of Educational Planning, was completed in October 1967. It urged that priority be given to the overall economic and social development of Germany where it related to the education system, and suggested that a close scrutiny be made of the federal structure. The report indicated the need for federal government planning and decentralized Länder planning. Nonetheless national educational planning and policy was from this time on to have growing federal involvement and it has been suggested that at this time the period of decentralized higher education policy ended (39). Crucial to the question of federal involvement was expansion in higher education, which demanded large financial involvement. But support for federal involvement could also be found in the Basic Law where it is stated that uniformity of living conditions should be maintained in all areas of the Federal Republic (40). However as Peisert and Framhein observe an interesting point concerning consistency is involved: "This point implies a centralist principle contradicting the perspective of cultural federalism which tries to preserve

diversity" (41).

In 1969 the Basic Law was amended. Gemeinschaftsaufgaben (common tasks) between the federal and Länder governments were introduced to involve the federal government in those areas of Länder concern which were important for the general public and related to uniform living conditions. Expansion and construction within the area of higher education were to be provided by joint planning to be enacted in legislation (42) and cooperation in educational planning and promotion of scientific research were also provided (43). At the same time the federal government was authorized to issue framework regulations concerning general principles of higher education (44).

It must be remembered that this was the period of the Grand Coalition of the two major political parties. The federal government which took office in Autumn 1969 and was a coalition of Socialists and Liberals, had the chance of a new beginning in educational policy, specifically in higher education. It was the amendment to the Basic Law which became the basis for federal participation in educational planning and responsibility-sharing, particularly with regard to construction. "Officially, the amendment to the Basic Law marks a turning away from the principle of genuine cultural federalism" (45). What resulted was known as "cooperative cultural federalism" (46).

Here is to be seen the growing involvement of

national government in higher education. It was eventually to culminate in a unified arrangement for higher education for the first time in Germany's history. The question remains whether the Länder could have succeeded in central planning necessary to resolve problems increasingly evident within the universities. This would have raised both procedural and constitutional problems (for example it could have meant central decision-making by those whose authority was based on decentralized authority). Further the need for financial investments, in view of educational expansion, would have required a re-distribution of taxes in favour of the Länder. This would have resulted in a loss of federal income and influence.

The overt state involvement in education was evident in the German chancellor's policy declaration in 1969. The great significance of the newly-acquired state authority was emphasized where he stated, "...knowledge and education, science and research are top priorities in the reforms we must effect" (47). Ironically the universities were to be the losers, it will be argued here, victims in part of that German penchant for legislating sometimes without due regard for the latent functions of that legislation. Sight was to be increasingly lost of the Humboldtian model and the enduring tradition of state authority was to be stressed.

In 1970 the recently formed BMBW (referred to above) submitted an Educational Report characterized by

enthusiasm and ambition in view of the favourable financial position. The Länder ministers objected that this report had been produced without their cooperation, bearing in mind their position of authority over education had not been impaired (48). Already in 1969 the Higher Education Construction Act had been passed as a result of which the Planungsausschuß für den Hochschulbau (PLA) (Planning Committee for Construction in Higher Education) was established. Committee members include a minister from each Land and the federal minister of education and science, who is chairman, and the federal minister of finance. The federal and Länder authorities have eleven votes each and decisions are taken if a 75 percent majority exists. Decisions reached by the PLA are binding and must be incorporated in annual budgetary drafts. Final decisions are made by parliaments, who approve drafts and pass budgetary laws. Thus the mutual framework plans of the executive of both the federal government and Länder can be ignored by their legislative assemblies (49). The Bund-Länder-Kommission für Bildungsplanung (BLK) (Federal-State-Commission for Educational Planning) was formed in 1970, the primary task of the BLK being to develop a long-term plan for the whole education system. Since 1975 it has also been concerned with research promotion. It is not a decision-making body and can only submit proposals.

Under the direction of the BMBW and in accordance

with the right granted by the federal government the Hochschulrahmengesetz (HRG) (Framework Act for Higher Education) was drafted. It developed from the fourteen theses (50) produced by the WRK in 1970 reaching its final form after several drafts in 1976. This will be discussed more fully later because of its significance for university reform as viewed in this study.

Whilst, as noted earlier, the universities were considered to be sound at their core it was also foreseen that few universities and rising student numbers would lead to prolonged study periods and overcrowding. By the mid 1950's some kind of educational explosion in Germany was foreseeable. It was accepted that the university system must adapt; the question was would this be achieved by maintaining the traditional scope of academic education or reforming the structure and content? As a result of the pressure of numbers there appeared to be two alternatives: rapid building of new universities or enlarging existing ones. The 1960 decision which was taken, based on the recommendations of the WR, to enlarge existing universities, was in the view of W.Hennis (51) one of the most disastrous ones in post war German higher education policy and most problems can be traced to this decision, caused by the demands of the universities themselves. Thus neither the state nor federal governments can be blamed, if blame is to be apportioned at all, and alternative plans were not developed before the mid 1960's.

H.Hamm-Brücher has stated that from this period the universities were in a serious crisis. "Despite all the protestations from official sources: the German university no longer had a sound core!" (52)

The recommendations to expand existing universities was received with favour by both the public and politicians. On the advice of the WR two elite universities were founded on the traditional model: Bielefeld and Konstanz. As examples of newer policy solutions they will be discussed later. However their low intake of students did little to relieve the pressure of numbers. Also the number of professorships was hugely increased, but this was not accompanied by curricular reforms and the result was a longer study period for students. Many new professors, because they were so specialized, (Fachidioten (specialist idiots) became a commonly-used term of abuse) did little to improve the general culture of students.

A generation gap, which meant not only an ideological gulf but also a physical separation between old and young, existed. As society changed in post war Germany and modes of authority based on duty as a derivative of status were abandoned so the clamour for reform from students grew. The explosions in numbers of students, their expectations of a more democratic and less rigidly hierarchical university structure, overcrowding, poor working conditions lack of guidance and problems of staffing in universities led to student demands for

university reform. This so-called student movement, which had its spontaneous counterparts in France and Britain (and partially in the U.S.A.) was both the culmination of historical process and a catalyst for change.

In 1966-7 the first recession occurred and what became known as the Grand Coalition took place between the Christliche Demokratische Union (CDU) (Christian Democratic Union, the equivalent of the Conservative Party in Britain) and the Sozialistische Partei Deutschlands (SPD) (Socialist Party of Germany, the equivalent of the Labour Party in Britain). This left the Freie Demokratische Partei (FDP) (Free Democratic Party, equivalent of the Liberal Party in Britain) as a weak parliamentary opposition. The coalition, referred to earlier, lasted until 1969. A widespread dissatisfaction with the political situation in Germany grew; many viewed the coalition as a betrayal by the SPD. Student opposition was particularly vociferous and became quickly more concerted and concentrated. It grew with the anti-nuclear war movement and with demonstrations against the Vietnam war, imperialism in Africa, etc. W.D. Webler has suggested (53) that it was the over-reaction by the authorities which led very quickly to many students joining what became a mass movement. This took the form of major demonstrations in universities and cities. A lack of compromise, so often evident in German character, characterized the relationship affecting the state and university authorities and students. Because statements

and behaviour from vociferous students were exaggerated these ultimately precluded moderate reform measures being acceptable.

The student movement peaked in terms of its numbers and effect between 1967 and 1969. According to U. Teichler, the greatest strength was in 1968 (54). Its strategy was to analyse and criticize society and support social change including rebellion and revolution (55). However the movement also sought to develop social theories about the position and task of the university in modern society and also about the structure of society itself (56). Additionally there were experimentations with new forms of living together, the development of anti-authoritarian types of education, etc. (57). Weblar suggests (58) three phases in the development of the student movement are distinguishable: criticism of common political problems; a focusing on university problems and demands for academic change; the founding and development of explicitly political organizations on the basis of political ideologies. He also maintains that the ideas and demands, adopted in part for example by academic assistants, had a deep influence on university reform.

Public controversies were loudest at the universities of Munich, Heidelberg, Berlin and Bremen. It was in 1971 that matters deteriorated drastically: disruptions of academic work and physical assaults by students on academic staff became all too commonplace.

M. Buschbeck (59) details some of these and the evidence points to the fact that social science and humanities students were most active in the disruption, also that the universities with the most radical student representatives usually had a low percentage of students voting (60). The result was clearly anger and resentment on the part of the professors and a disinclination to support reforms. U. Wesel, a professor and defender of university reform, pointed out (61) that whilst it had been largely accepted that reforms would not be easy to implement one must be aware that in recent times hardly any other profession had had its rights cut so drastically as full professors in Germany. No longer were they automatic leaders of their faculties and institutes, determining who should be appointed as staff or students. It was foreseeable that the professors would attempt to defend themselves. Forces against reform became stronger as R. Rendtorff, Heidelberg's Rector, noted (62) and many professors organized themselves for countermeasures. As the various Länder passed laws which allowed student representation in senate, faculty councils and the university by-laws commissions many professors used the courts bringing suits against the new laws.

R. Löwenthal, a well-known spokesman for the Bund Freiheit der Wissenschaft (League for Freedom of Scholarship) rejects the myth of student radicalization (63) being the consequence of the failure of the

university to reform itself. He suggests the causes to be located in the problem of participation in democracy, Vietnam, general alienation, bureaucratization, etc. However the university can be accused of unpreparedness to deal with these problems and this was because of its own internal structural crisis. As G.Grünwald, one time chairman of the WRK, noted universities prior to reform attempts were accused, with justification, of the lack of planned study programmes, producing courses without consideration of changes in employment requirements and generally not planning for higher education.

In its political development and gradual dissolution the Sozialistischer Deutscher Studentenbund (SDS) (German Socialist Student Union) illustrates the main steps of the theoretical developments within the student movement. Founded in 1949 as the student branch of the SPD it was excluded from it in 1961 because it did not approve of the new non-Marxist programme of the SPD. From this time on a series of ideological conflicts led to the establishment of various separate groups. Ultimately in March 1970 the SDS federal executive committee declared its formal dissolution. In one sense the student movement had come to an end; but the different groups continued in various directions under new conditions and gained some degree of success.

F.Halliday (64) in examining the relative success of the German student movement has identified two main

reasons. The first was their theoretical and ideological preparedness. The examples of the American student movement, Persians and Dutch Provos had been examined. There was also the influence of the Frankfurt School of Sociology (whose members included T.W.Adorno, H.Marcuse, J.Habermas, W.Abendroth and M.Horkheimer) which meant a familiarity with Marxism and also that concepts like exploitation, repression, manipulation and liberation were accepted. I.Sommerkorn (65) has also maintained that the Frankfurter School of Sociology was a catalyst for student action, social development and political change generally and suggested that perhaps this school more than any other played a crucial role in the development of the historical and theoretical roots of the German student protest. Further the influences of such revolutionaries as Mao Tse-tung, Che Guevara and others were important. Thus students were ideologically prepared. Secondly the length and condition of study (during the 1960's it was quite common for the average student to spend six or seven years at university to gain a degree (66)) facilitated the growth of the student movement: students are free to move from university to university and have the ability to take time off from their studies, which they can devote to wider reading.

There are eight factors which in Webler's view have influenced the development of student activism most (67). They are improved theoretical analysis of

the state policy and its relation to the economy; the coalition of 1969 (the SPD and FDP) and promised reforms, which raised the hopes of students but did not satisfy them; the eventual participation of students in decision-making in universities; changes in the composition of the student population (in 1966 10.3% of students were from working class backgrounds, by 1976 this had risen to 19.2% (68)); the numerus clausus problem (this was a device which since 1965 had been used to set a maximum number of university admissions); the labour market and employment problems, (in the late sixties student unemployment was not a problem, it was to change in the seventies and this meant students with a clear academic and political record were in a strong position in the employment market vis à vis their colleagues who had been political activists); the tendency for the state authorities to limit student political aims (in West Berlin for example student organizations were abolished as part of new university legislation (69)); and finally the Radikalen-Erlass (a decree to control the entry of extremists into certain professions). This has also been called the Berufsverbot (a ban on entry for some to certain professions) passed in 1972, which demanded a guarantee from those entering public service that they defend the constitution.

Webler has suggested that the last mentioned in effect became not unlike McCarthyism (70). B.Burn (71)

claims that the Berufsverbot, originally introduced during the National Socialist period, was later propagandized by political activists in universities and often used in conjunction with university reform. The term has been used with three different connotations. First by graduates who did not find jobs commensurate with their qualifications. Second by non-German graduates who may not have been eligible for certain professional licences. Third by political activists who applied for civil service and public careers and if rejected for disregarding or opposing democratic principles of the constitution or for criminal records took their cases to court.

Student demands included involvement in decision-making affecting universities, the right to study for longer periods and to be allowed to work with all democratic organizations to achieve their aims. In many cases they were supported by non-professorial teaching staff who also felt that they themselves suffered under an Ordinarien dominated structure. It could be argued that the student unrest developed not without justification and that new systems of ideas about structure and function of the universities were produced as a result of debate initiated by students. But the effect on the Ordinarien was to make them stubbornly retreat behind their rights and resist clamour for reform. By the early 1960's a crisis had developed as students boycotted lectures

and organized sit-ins. Violence erupted many universities, most notably in Berlin. A polarization developed as business and industry supported the Ordinarien and Länder spokesmen and opposing them were democrats who comprised a small minority of progressive professors, many students the newly organized assistants, trade unionists and some SPD politicians. However the more radical students attacked everyone to their right who expressed either concern for increasing university efficiency or a connection with the state.

Arguably the West German student movement was more successful than for example its French counterpart in stimulating reforms. As conflicts within the universities increased and students became more aware of society outside most student political associations closed ranks. As centralized organization disintegrated students concentrated on matters relating to departments, subjects and political activities. Junior academics meanwhile became vociferous as their numbers increased with university expansion.

The recommendation of the WR to expand the universities and establish new ones as a means of providing much-needed additional places already mentioned were adopted and implemented by the Länder governments. One of the consequences of this was a substantial growth in the number of academic staff. This growth meant that parallel chairs were established and a range of permanent staff below Ordinarius level considerably enlarged.

This range became known as the Akademischer Mittelbau (intermediate range of academic positions) and included most of those university teachers outside the professorial range. The largest group comprised the Dozenten (lecturers) and Wissenschaftliche Räte (non established professors) who often have their own research facilities and assistants. Later the posts of Akademischer Rat (academic teacher) and Studienrat im Hochschuldienst (Gymnasium teacher in university service) were added. The occupiers of these posts had teaching duties essentially of a preparatory character, which served as an introduction for more advanced work. The increasing number of students meant that a greater number of teaching duties were assigned to the Akademischer Mittelbau and a consequence of this was that an alliance was formed between students and junior academic staff. This alliance was a potent force in the students' favour. To some extent both groups suffered similar problems as the result of overcrowding. Often they shared extreme left-wing political attitudes, which influenced their actions; consequently many of the senior academic staff adopted a stance towards them which was clearly conservative.

An important issue connected with student demands for reform was the idea of participation in university decisions and representation on university bodies. Part of the reform demands grew out of trade union efforts in the 1960's to develop Mitbestimmung, which meant

worker participation in managerial decisions.

G. Goldman (72) has described this familiar feature of the government of industry in Germany. The first reforms at Berlin university in 1967 demanded a tripartite university system of professors, their assistants and students; it was this concept which became the Gruppenprinzip (group principle) and on which subsequent university reforms were based. Hennis (73) considers that the grounds for the case of the student victory in obtaining a democratization (in the sense of equal representation of constituent groups of all university bodies) lay with the old *ordinarius* university: one governed by full professors.

The issue of participation was discussed in the 1977 report (74) on German Universities. The report pointed out that the concept of the Gruppenprinzip was a German attempt at democratic governance. Under the system of Drittelparität (three-way parity) the faculty, students and service personnel can have equal voice in all matters both academic and non-academic. Recent court rulings (a group of professors in Lower Saxony took the matter of representation to the federal court and a decision that 50% of faculty votes be allowed them was made) have modified this situation by recognizing the expertise which teachers can bring to bear in academic questions (75).

The principle, introduced as a recipe for a community of Scholars, has both institutionalized and

formalized conflict. Despite the fact that many critics of the Gruppenprinzip are accused of being reactionary advocates of the Ordinarius university the evidence of the report (76) is to the contrary. It by no means follows that the Gruppenuniversität has more merit than that which it replaced or that a choice of institutional structures be confined to these two options. What is certain is that to allow students positions in university government where they can exercise a considerable degree of power is to imperil both science and scholarship. Further by virtue of the fact that the Gruppenprinzip requires that all major and many minor decisions be taken at all levels representatively the opportunity cost of committee work is huge. This cost has often been met by reduction in the time devoted to scholarship, research and teaching.

It could be argued that a high risk exists for the university to be transformed into a political arena and in the opinion of the report already mentioned this has occurred in some universities and, "...a ghetto either of indoctrination or ceaseless conflict has supplanted it" (77). The report also suggested that the establishment of the Gruppenuniversität and the principle of co-determination on which it is based have been perversely or deceptively inspired by the notion that a university can be made into a democratic society, which would be foreign to the essential task of a university.

As G.Kloss (78) argues the conflict and disruption has done great damage to the internal spirit of the university and its reputation and status. Overhauling the structure of the university has been done at the expense of putting it at the mercy of the state, a trend which is irreversible and where the universities are the losers. It was because of intransigence on the part of the universities and their lack of foresight that state governments intervened and adopted legislation, regulating matters in great detail. New structures were decided upon outside the universities and the basic unit of the university system was destroyed because each state decided on its own pattern. Often the legislation clearly reflected the political complexion of the state in question. For example Bremen, Berlin, Hesse and Lower Saxony being governed by Social Democrats, passed laws which could be regarded as "progressive" by allocating more power to students and junior staff. This was not the case in Länder governed by Christian Democrats, in Bavaria or Baden-Württemberg, for example. Quite clearly the universities became victims of overtly political state influences.

It is not to be overlooked that German universities are public corporations and institutions of the state. Prior to a mushrooming of legislation relating to universities, which began with the 1968 University Act of Baden-Württemberg, there were few acts and the

universities drafted their charters, which were then merely approved by the state minister of education. In fact Kloss (79) notes that prior to this act few university acts existed and the universities in the Federal Republic enjoyed a degree of freedom which extended beyond that enjoyed before 1933. However despite the demands for reform affecting every aspect of university life the opportunity to reform themselves was not taken by those in position of authority within the universities and this remained one of the major stumbling blocks in the reform process.

It was in the late sixties and early seventies that there was an increase in the laws relating to the university. They were of a pattern that led to laborious decision-making, more administration rather than more teaching within universities and an uneasy relationship between state and university. The result was that an impenetrable maze of paragraphs defining every aspect of university grew. A spate of university laws led to decrees and regulations and yet more decrees. This seemingly typical Germanic inclination to legislate efficiently may well have the latent function of militating against the decentralization and freedom essential to creative scholarship endeavour within the universities. J.H.van de Graaf has suggested it is the German universities' relation with the state that gives serious cause for concern about their likely future development. He claims "The legislator's

inclination toward perfectionist legalism is overshadowed only by that of ministry officials, and the maze of paragraphs defining every aspect of university life has become so impenetrable that even a statesman of Humboldt's stature could not now break through it" (80).

This is one aspect of an exaggeration syndrome which typifies German character and repeatedly rears its head. An understanding of this it is suggested here is fundamental to any reform debate on the German university. It appears to be part of the very character of the nation that legislation is required as a solution to a problem and the resulting laws are uncompromisingly followed even if they are not useful. Only an exaggerated alternative seems to have a chance of success, indeed the whole reform process is one long catalogue of exaggerated proposals becoming over-legislated policy solutions. It seems that legislation produces a sense of security, which an unwritten understanding or agreement would not provide. Disputes can then be clearly defined and argued out in courts of law.

If the professors as a group could be described as traditional or conservative then the student body in Germany since the Second World War has been predominantly inclined to the left or strongly socialist in character. However this has not always been the case as M.S. Steinberg (81) has shown. Indeed in

nineteenth and early twentieth century Germany student groups were largely conservative, nationalistic and often violently opposed to minority groups.

Traditionally in German universities the Ordinarius has not been responsible to any superior authority except the ministry and this usually where questions of discipline were concerned. As a civil servant he exercised the right of self government in both faculty and senate and enjoyed a high degree of autonomy within the state institution. However in response to the multitude of reform proposals involving many aspects of the university the professorial staff soon displayed recalcitrance or reluctance or an inability to make important changes. Neither a desire nor a will to change the old-established system seemed to exist. Both the universities and the professors did not seem to recognize the change from elitist to mass university institutions that was taking place with the enormous increase in school leavers entitled to enter the universities. It would seem that as an identifiable group the professors neglected both their corporate and social obligations by not really considering the interests of their students, the universities as individual institutions or the entire university system.

P.Altbach (82) claims that the student movement was never a serious threat to the established political order, despite its having had a major impact on German

higher education and public opinion. Reforms are usually stimulated by major crises and although students may instigate reform efforts they seldom play a role in the process itself. The evidence suggests that the professors are generally opposed to reform and are able to sabotage it because they regard attempts to "democratize" education or encourage accountability as ultimately being to the detriment of traditional academic values, autonomy and authority of senior university staff.

However the evidence is that the students have been if not a threat then a major force in the West German university reform process. Their position in the university especially during the last two decades has been a far cry from that envisaged in the Humboldtian model: all members of the university were to be there for the pursuit of Wissenschaft. But clearly overcrowding, inadequate study facilities and prolonged study periods are not amenable to this concept. Equally Einsamkeit becomes meaningless and the notion of Bildung likewise recedes in importance in the face of pressing questions of, for example, gaining the necessary academic credentials. The Humboldtian model was under great pressure because it was identified with the irrelevance of courses, a structure and organization which was inappropriate in view of changed university conditions and the recalcitrance of professors, who appealed to the traditions enshrined in the

Humboldtian model as their claim to legitimacy.

What is interesting, from the point of view of this study, is the manner of the debate and the tensions it produced. There were few moderate suggestions and many demands for changes in courses, structure and organization led to the full professors' insistence on their autonomy in all academic matters. Student demands to change that autonomy and with it the whole university led to the professors invoking their legally enshrined rights. A dialectic ad absurdum led to state intervention with at first the Länder and ultimately the federal government passing laws as reforming measures, as shall be seen.

Intimately connected with the issues relating to both students and reforming legislation is the question of access and admissions. It is worth noting that in Europe generally and Germany in particular higher education has implied universities and assumed a secondary education system which offered a uniform preparation for a minority. As mentioned in the previous chapter the Prussian reforms at the beginning of the nineteenth century affected the academic secondary schools in Germany, whose tasks were primarily to prepare their neophytes for university life. The German higher education system was kept in being for over a century and a half by the tradition of an early, highly selective procedure in grammar schools. In recent times however this has begun to change.

Burn (83) has shown that an elite structure is largely obsolete because economic and technological development have led to an increase in the demand for better and differently educated people. A period of what at times could be described as reform euphoria led to unrest with a perceptible transition of generations from pre to post-war mentality and a web of legal and academic entanglements. The reform movement raised important issues affecting, inter alia, questions like which institutions actually belong to higher education? Also matters related to the curriculum were raised: its content and relevance, duration of courses and streamlining of the process of higher education. Questions of structure and governance were debated as well as the often vexed question of access and admissions.

The crucial element has been the increase of persons entitled to access to universities. All Germans have constitutionally guaranteed rights, "...to choose their trade, occupation, or profession, their place of work and their place of training" (84). Thus access for German nationals to higher education is governed by law and university entrance results in the majority of cases from gaining the Hochschulzugangsberechtigung (entitlement to enter university) ie the Abitur from the Gymnasium. Recently there have been developments which allow entry to university through a Zweiter Bildungsweg (alternative educational route to university). This usually follows advanced vocational training

or evening school.

The German Zentralstelle für die Vergabe von Studienplätzen (ZVS)(centre for the distribution of study places) was created by inter-state agreement in 1972. This operates nation-wide and uses mainly the grades in the Abitur as the criterion for entry to universities. But questions related to the objectivity of these grades and problems involved in measuring performance generally have led to criticism and the increasing waiting periods for admission are a serious issue for students, the universities and increasingly politicians.

It is instructive to note that the BMBW funds special projects in educational experiments and contributes through cost sharing toward the capital cost of higher education; the Higher Education Facilities Act was passed in 1969 for this purpose. Since 1971 the Bundesausbildungsförderungsgesetz (BAföG)(National Grants and Loans Act) has provided grants for needy students. From 1957 until the so-called BAföG the Honnef Scheme provided financial aid to those needy students. The scheme included both a grant and a loan arrangement and both federal and Länder governments bore fifty percent of the cost each. The present financial aid system to students ensures that they are in a position to take advantage of their right in law to study.

The German education system is embedded in rules

and regulations under constitutional and administrative law. Developments in the last two decades of higher education must therefore, as Burn (85) points out, be seen in the context of the legal basis of the system. In contrast with for example the American system of post-secondary education, with a huge variety of institutions offering a multitude of degrees and with a wide range of academic quality and non-academic pursuits, the German system of higher education seems homogeneous. However the homogeneity is much more complex than it appears and its public characteristics and legal aspects have provoked lively political discussion. The reform debate, as Burn notes (86), has been on principles and this has been intensified by economic and demographic circumstances.

As Burn shows (87) between 1950 and 1965 approximately 8-10% of an age cohort acquired the Abitur and of these 95% entered the university. In 1977 approximately 25% of an age cohort acquired the Abitur and of these slightly less than 80% applied to institutions of higher learning. According to the Census Bureau the so called Studentenberg (mountain of students) moving through the system since 1972 will peak around 1985 and is expected to reduce by around 1990 (88).

H. Becker notes the confusion which arises in debates centering on rights of access and admission (89). He asks whether it is generally desired to reduce the possibilities of attaining the qualification which

provides access in order to match qualified applicants with available places or to alter the admissions regulations, which simply means improving selection procedures among those entitled by law to enter higher education. To reduce the number of people who gain the entry qualification for higher education would be running counter to popular policy decisions made during the last decade. To change the admissions procedure would mean that with the intention of achieving more fairness and objectivity many possessing the entitlement to higher education would not receive a place. Study places are not increased by improved admissions procedures; what results is merely a redistribution of frustration for applicants.

Clearly expansion in higher education resulting from an increase in student numbers was at the centre of the debate relating to university reforms. As noted in an OECD report in 1973 (90) policy makers in all OECD countries were confronted with an increased number of secondary school pupils and it was this which became the key issue facing the formulators of education policy. The question of university capacity was raised and the two essential factors which influence it: space and personnel. In order to work out capacity a number of considerations have been involved in producing a basic formula. They include teaching units (departments, institutes, etc.); courses offered, which are determined by the number of available teachers; the demand

for courses. Becker (91) suggests the procedure by which capacity is determined must be unique to Germany. "It is understandable that critics regard it as an expression of typically German perfectionism and legalistic ways of thinking" (92). However it is this procedure which prevents inundation of the universities by students.

A further complication of the problem results from the fact that German universities have not viewed themselves in a scientific fashion and made themselves the aim of their own researches. Indeed relatively few studies deal scientifically with the access and admissions question (93) and because of this the discussion will continue with incomplete explanations. Becker notes in particular (94) no comprehensive systems analyses on higher education procedures for admission, no convincing psychological studies on grading problems and no correlations between school success and career success have been undertaken. Further there is the numerus clausus question, originally a temporary measure introduced in 1972 (95), which requires a legal study and also economic research is required, which has a sound methodological base, to examine the supply and demand for higher education.

In this connection it is instructive to note that the studies made by E.F. Denison (96) and T.W. Schulz (97), which produced theories relating economic growth to education, were subsequently refuted. It is interesting

however that Denison believed that in the twentieth century the growth of the economy in the USA was determined by labour to the extent of forty percent whilst sixty percent was traceable to education, training, new technology, etc. As Becker observed (98) the OECD report in 1971 showed that the thesis relating economic growth to education, technology, etc. made a decade earlier had not been empirically verified.

Burn (99) has noted the admissions situation in both Germany and Japan is highly competitive, which contrasts with the USA situation. Questions concerning admissions to higher education in the USA do not, according to Teichler (100), seem to trouble the students, educators and politicians as much as the issue does for Germans who are concerned for example about the often hotly-contested numerus clausus issue. What Teichler calls the "technical argument" (101) for tests has been suggested by some in Germany. It presumes there are a greater number who apply for study places generally than available places and also the existence of differing scales for asserting achievement in secondary schools. However he supposes (102) that tests additional to those already extant in secondary education would provide less useful information than in the USA. In Germany access to certain disciplines is along "narrow passageways" (103) and the hierarchy existing in both secondary and higher educational institutions is apparently not so great as it is in the USA. It is on

the question of objective testing that a greater difference exists between Germany and the USA than for other comparable countries.

Observations made by Teichler seem to justify the thesis that when severe restrictions are placed on access to higher education there is a strong demand from society at large for the system to be justly used. This is particularly true when decisions relating to access are seen as influential in the allocation of rewards in society; also when ideas of goals and benefits have a relative homogeneity and when it is assumed that public responsibility exists for the sharing out of societal rewards, which depend on, for example, attendance at prestigious institutions or success in desirable subjects. These are three conditions for, "...a strong demand for legitimacy" (104) and have existed in Germany for a long time. The recent restrictions on access in some areas of higher education and the differing standards used to assess achievement has therefore resulted in demands for standardized selection procedures. Indeed, Teichler states, "...in Germany problems of the admissions system could become unendurable should standardized testing not be soon introduced" (105). He adds however that this is not inevitable and alternatives are under discussion: planning to lessen restrictions on access to higher education, the use of a lottery system and also measures in employment to reduce

inequality. As for the USA Teichler (106) notes that the socially privileged have special preference especially at those institutions considered distinguished and probably in no other industrialized country is there such blatant favouritism shown to them on the question of admission.

It seems that the question of whether tests serve universities more than students cannot be decisively answered. Certainly tests provide a basis for not admitting applicants and to this extent it could be argued that they serve institutions primarily. In the case of Germany conflicting interests would develop were tests to be introduced to facilitate the necessary rejection of applicants and ease the pressure of expansion in selective fields (107). In any case university entrance tests are not part of German university tradition.

The whole question of university access and admissions in the present context is inseparable from the issue mentioned earlier of the development of the German university system from elite to mass institutions. The institutional side of the university system of education in Germany has been traditionally and legally defined by its public nature and autonomy and principles of academic self-government. For centuries there has been an elitist concept based on selectivity in access and the social and professional prestige of the academic reflected in Lehr- und Lernfreiheit and in

professors' rights to recommend new faculty appointments to university government, for example rectors and deans. In the past decade reforms have modified traditional principles in governance and the integrity of academic freedom by the participation of legally defined groups. Ultimately matters have been resolved in a proper political manner and with the, "...typically German tendency to exaggerate" (108) new laws have regulated virtually all matters relating to university life. Indeed the whole university reform movement since 1945 is replete with examples providing eloquent testimony to the existence of an exaggeration syndrome, which is argued throughout this thesis.

There has been an apparent universal inflation of academic credentials since the Second World War. It is especially acute in France and Germany where very small systems have been significantly enlarged. In the USA it has been less severe because colleges were never really elite institutions and in England an unusually rigorous selection at university entry depressed numbers. Ringer (109) states that the problem of the crisis of expectations was brought about by this inflation. He argues that dissatisfaction of today's student is linked to the transformation of social character and situation of the middle classes, which since 1900 have been in motion. The most serious issue he regards as one of meritocracy in contemporary education; jobs are tied increasingly to educational

qualifications and there is a cultural conditioning of academic ability. But there is a clear objection to meritocracy based for example on a modern humanism. The world of contemporary higher education contains a wealth of theoretical and practical dilemmas; faced with academic inflation and aspects of meritocracy developments challenge the assumptions which guided reformers.

It is a truism that problems exist universally in every part of higher education. In much recent writing these problems (finance, government and administration, recruitment of students and staff, standards, curricula, examinations, etc.) have been treated in isolation. But if as M.Trow(110) has argued the problems of higher education in every advanced society are those associated with growth then these problems are better understood as different manifestations of a related cluster of problems. They arise from the transition from one phase to another in a broad pattern of development of higher education which is underway namely elite to mass higher education and subsequently to universal access. This issue is crucial to any debate about German university reform if only because one of the major causes of problems was the sudden explosion of student numbers and the way their expectations became demands.

The notions of elite and mass education were suggested by Trow (111) as a way of thinking about the

development of higher education in advanced societies and also to provide a way of framing a set of inter-related questions about this development. What is clearly important is whether the questions raised and the problems and issues identified are in fact the problems, issues and dilemmas of higher education being faced by those whose systems are in transition from elite to mass forms.

Trow (112) has argued that numbers conceal two different processes; one is the expansion of elite universities, the other is the transforming of elite university systems into systems of mass higher education performing new functions for a larger proportion of the university age group. He has suggested that many countries seem able to expand an elite system of university education up to about 15% of an age cohort beyond which the system changes character. If the transition is made successfully then it is possible to develop institutions which grow without being transformed until they reach about 50% of an age group. Beyond that, and thus far only for the USA, the system must again create new forms of higher education as it moves to universal access.

Clearly the functions of higher education change as the different phases are encountered. For both students and society at large elite higher education is primarily concerned with shaping the mind and character and a ruling class is concerned to prepare

students for broad elite roles in government and the learned professions. Mass higher education prepares a broader range of elites including the leading strata of technical and economic organizations and the emphasis shifts from shaping character to the transmission of skills for more specific technical and elite roles. In those institutions marked by universal access concern is for the first time to prepare large numbers for life in advanced industrial society. A whole population is being trained and a chief concern is to maximize the adaptability of that population to a society whose chief characteristic is rapid social and technological change.

Curricula and forms of institution, institutional diversity and student careers all change as the movement from elite to mass to universal access proceeds. The elite systems are homogeneous and have high common standards the institutions are "communities" (113) with around two or three thousand students in residence. Mass systems begin to be comprehensive with diverse standards. They are "cities of intellect" (114) with up to thirty or forty thousand students. Universal access is characterized by diversity in character of the component institutions, where there are no common standards, where indeed the notion of standards is challenged and aggregates of students are enrolled for instruction on campuses of unlimited size.

Teichler has suggested (115) that in Germany an

attempt is still being made to preserve under conditions of mass higher education several characteristics that developed under circumstances of elite higher education. Altbach (116) has also argued this point and maintains that the crisis for higher education was a culmination of a range of demands placed on the universities which they tried to meet without basic alteration in academic style, organization, governance or curriculum. He made a number of generalizations (117), dealt with in this thesis, which have contributed to the difficulties faced by universities since the sixties. From this period onwards he suggested a tradition, which had lasted unchanged and universally admired since Humboldt, was shaken as elite institutions of research and scholarship were required to become mass centres of learning.

The question of specific traditions has been examined by Teichler (118). He suggests that anyone trying to evaluate current problems will have to note that the transition to mass higher education was made especially difficult because German universities have long had a strong research orientation, which is not amenable to large student numbers. Also there is no strong hierarchy of prestige among the universities which would permit, for example expansion at the lower end and leave elite institutions unchanged. The expansion which took place during the sixties affected all universities and to a large extent.

Because all German universities are publicly financed and costs are high there is a hesitancy to expand beyond the expected need for qualified manpower. Many suggestions were discussed relating to the use of capacities in universities as a way of making them more cost efficient. The question of students changing courses was considered (in the mid seventies for example about one quarter did so and one third transferred to university from technical colleges (119)). Also considered was the often undue prolongation of study time because in the mid seventies most students had spent six and a half years at university, despite the theoretical ability to graduate after four years (120). The move to expand short cycle higher education also developed. Even a "big lift" was discussed, whereby German students might go to the USA to study at universities for periods of three years in groups of thirty thousand (121). Yet other arguments centred around the suggestion that university capacity was not being used because of organizational weakness and insufficient teaching by university teachers (122).

The traditional concept of the Akademiker (academic person) or a professional person with an academic degree is hard to carry over to the growing number of university graduates and a gradual extension of the employment market for university graduates is hard to realize (123). There is a great social distance from industry and commerce (Teichler (124) maintains there are less than

30% of graduates in these fields) and hence the relatively restricted conceptions about the need for highly qualified manpower have been reinforced. H. Maier (125) has suggested that an educational catastrophe occurred in the seventies in the form of undue expansion resulting from mistaken educational policy in the sixties. Priority was given to the expansion of vocational education to divert attention from university developments and support was lent by the trade union view that improved vocational education and a time limit on university study would contribute to equality in society (126).

For the reasons outlined above Teichler (127) argues that the system of higher education in Germany has been shaken more intensively than in other countries during the development from elite to mass higher education; no institution has been spared and no central conception has continued to be applied unchallenged. He also maintains that the recent discussions in higher education seem to have been dominated by questions of quantitative development often to the exclusion of other themes.

Quantitative developments made necessary the establishment of many universities in the sixties and seventies. Newer forms were proposed and adopted as policy solutions and it is now appropriate to look at some of these. The universities of Bochum and Konstanz were established in order to implement newly-debated

ideas as well as to relieve the pressure of student numbers. They have been selected as two quite separate original conceptions and will be considered in relation to the Humboldtian model already established. Also considered as policy solution to the problem of university reform will be the comprehensive university. This was originally a contentious issue and was hotly debated. But as an institutional form and safeguarded by the framing legislation for higher education it is likely to last for the foreseeable future.

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Chapter V

SOME NEWER POLICY SOLUTIONSBOCHUM, KONSTANZ AND THE COMPREHENSIVE UNIVERSITY

The role played by the WR has been crucial to reform endeavour generally. With regard to the universities of Bochum and Konstanz the WR's suggestions became major guidelines. It produced a series of major publications containing university reform recommendations. The first was in 1960 and dealt with both qualitative and quantitative aspects; of significance was the suggestion that the monopoly of the institute chair holder be broken through the establishment of parallel chairs and also that the medium range of academic staff be increased, thus changing the structure of academic teaching and guidance. In 1962 suggestions were made in a volume devoted largely to new universities which the WR considered might serve as test projects prior to introducing reforms in established universities. These suggestions were followed in 1963 by recommendations concerning planning and the preparation of construction projects for universities.

At a time when the universities themselves with reluctance began to set a limit to the duration of study and were forced "against their own principles" (1) to bar qualified applicants, because there was inadequate accommodation for them, a forecast was published by the WR in 1964. This was concerned with projected student numbers up to 1980. The estimates have since

proved too low but it clearly stated that despite expansion, "...quantitative measures alone would not save the university" (2). Two further sets of recommendations followed in 1965 and 1966 concentrating clearly on reform. The first concerned the structure of academic staff; it elaborated on earlier suggestions and criticized the hesitancy in using increased numbers of personnel to implement structural change. The second referred to a novel organization of university study programmes and the main point was to divide study into three stages. Briefly this would be a four year regulated and controlled period of study leading to a professional qualification; a type of post-graduate programme leading to the doctorate; the third stage would be a kind of refresher period a "contact study programme" (3). These proposals are now largely accepted university policy.

In 1967 a document containing recommendations on expansion and development up to 1970 was published (4). It commented on many of the previous suggestions made in reports by the WR. The crystallization of the many debates, reports and proposals was the foundation of newer institutions and of these two significant new universities will be considered here.

In considering the new universities of Bochum and Konstanz and their role in reform endeavour it must be repeated that after the period of reconstruction referred to above two main motives are evident: the qualitative one relating to reforms generally and the

quantitative one of increasing student numbers. The case of both Bochum and Konstanz were also related to prestige and political considerations of their respective Länder. Their major significance here lies in the innovatory features they displayed; although they did not represent a radically different type of establishment from the traditional universities (5). In common with all German universities they were to share the usual characteristics of being public institutions of the Länder, financed by them and with budgets determined in detail by public authorities and having academics who were Land civil servants. As for traditional universities the usual admissions criteria, curricula and examinations, subjects offered and lectures, seminars and practical work would apply.

Unlike their British or American counterparts German universities have no status problem (6) and in the German context a Harvard and Yale or an Oxford and Cambridge is almost meaningless. What is significant is the prestige which results from the institute, a faculty or professor rather than the university. However what both Bochum and Konstanz did possess was "pioneer appeal" (7). For example when Bochum was founded the average age of its professors was considerably below that for other universities and also for some academics it was their first university. At Konstanz, considered by E.Böning and K.Roeloffs to be a more markedly "reform university" (8), among the first

appointments were a number of young professors who had participated in university reform discussions.

It was the 1960 and 1962 recommendations of the WR which strongly influenced the founding of Bochum and Konstanz. Clearly the expansions of existing universities would not suffice in the face of rapidly increasing student numbers and the only alternative was to found new institutions. However in the case of Bochum it was May 1960 shortly before the recommendations of the WR that the Land parliament of North Rhine Westfalia decided to found a new university to accommodate around ten thousand students.

Clearly the university was not to be a replica of traditional ones although rather than realize reforms its main purpose was to increase capacity in higher education. Indeed the major reasons given in 1961 in the Land parliament for its foundation were: its location, midway between Cologne and Münster, would help to relieve these two overcrowded universities; further, being in the Ruhr it may attract "ability reserve" (9) from that group for which commuting from home to the university might be decisive; it would provide a cultural centre and also a balance of universities in the different parts of the Land. The Gründungsausschuß (founding committee) comprised seventeen renowned university scientists and this meant that university representatives decided on the structure of the university. When the university was ultimately opened in

June 1965 the Land Minister of Education noted that rather than being a radical innovation Bochum was a moderate reform (10) because firstly no generally accepted reform concept existed and secondly new foundations could hardly be planned in isolation, without regard to general university structure.

Bochum opened its doors to students as a campus university, a novelty in Germany. It comprised all academic disciplines normally represented at a university plus engineering and technology; academic disciplines were grouped in departments (totalling 18) and not faculties. The university chancellor was in a position stronger than that of his other university colleagues (11) however in principle the relationship between state administration and academic administration was traditionally maintained. Studies were organized on a basis of four years in two stages with an interim examination and, "relatively stringent and detailed regulations" obtained (12) especially for the first stage. A systematic coordination of lecturers and small groups for tutorials with an emphasis for beginners on seminars was established.

In order to allow a meaningful grouping of related subjects traditional university faculties were organized into smaller departments. This was done in the interest of research. In addition strong emphasis had been placed on facilities to allow inter-disciplinary contacts. Within the departments there were fewer institutes but

they were larger and headed by a team of scientists. Each institute had collegiate leadership and this allowed for satisfactory participation for research staff and teaching staff. In university self government the staff of the departments became faculties with the same descending scale of rights and privileges through staff ranks, "essentially the same power within and towards university government, as in the traditional system" (13).

The plans for Konstanz University were developed at approximately the same time as Bochum but it differed from Bochum being in some respects more radically innovative; this was especially true when compared with traditional universities (14). The outstanding features were that a limited number of disciplines and students would exist; a permanent Rektor (vice chancellor or rector) would be appointed rather than electing a professor with a tenure of one year as Rektor; both degrees and study programmes would be newly organized; new organizational and institutional methods to ensure unity of teaching and research (ie the Humboldtian principle for university activity) as well as interdisciplinary projects were established. Plans included expanding over eight years (15) to accommodate three thousand students. The foundation of the university was based on the February Act of Baden-Württemberg Parliament in 1964 and the university opened in 1967. During discussions at Land level prior to passing the

1964 Act the Land Minister of Education maintained that no matter how radical innovations in new universities would be they must be formulated on principles laid down by Humboldt (16). As Böning and Roeloffs note, "It is one of the remarkable features of the national discussion on university reform that practically every proposal is advanced with the argument that it presented the only way to re-install and uphold the Humboldt ideal in the modern world" (17).

The original conception of Konstanz was even more radical than it ultimately became. Ideas were to limit the number of disciplines and accept only small numbers of advanced students. This led some critics to describe Konstanz as an "elite university" (18) whilst advocates referred to it as a "graduate university" (19). However the division of studies in German universities does not provide for corresponding undergraduate or graduate work. Certainly at the outset Konstanz was conceived with strong emphasis on research and the intention to develop structures which would permit a firm integration of research into the university. A policy aim was to provide each scientist with a realistic opportunity for research and advanced students were also to be enabled to participate in research. A striking feature about Konstanz was that the institute, the classical place of German university research, did not exist. It was intended that this would lead to true democratization in the sense that greater freedom would exist for

research by academic staff.

Responsible bodies for the teaching programme at Konstanz were to be the Fachbereiche (subject groups), namely the units of which the faculties are composed. These groups establish study plans for each discipline. Three such subject groups were planned: the faculty of science (comprising natural science subjects); the faculty of social sciences; the faculty of humanities. Guidance and counselling were to be institutionalized and intensified and a tutor system introduced. Comprehensive and rigorous study plans (20) were introduced as well as a system of lectures, seminars and discussions. One of the explicit aims of the study programme was to "permit concentrated and efficient studies" (21).

Konstanz followed the general lines of the 1964 WR's recommendations concerning the reorganization of academic teaching staff, whilst maintaining academic traditions. The main changes were that all academic ranks were entitled to apply directly to the university research committee which had been established. Further there was to be a greater independence of middle range academic staff and a greater share in the work of the subject groups. Also there was the theoretical possibility for appointment to a professorship without the traditional Habilitation; an outstanding doctoral dissertation plus additional academic papers being acceptable in its place. Indeed junior scholars could apply for Habilitation to a particular faculty

without having the special support of one professor. A new practice was also started of advertising vacant chairs, which was previously not acceptable; this gave every qualified academic the right to apply. Subsequent legislation has made this common practice (22).

The Großer Senat (large senate) at Konstanz originally comprised members of the founding committee and a few original chair-holding professors. (In fact four of the professors were also members of the founding committee)(23). The idea that some of the founding committee members would also be professors was encouraged from the start, despite some misgivings about personal ambitions. Eventually the Großer Senat comprised all chair-holding professors; two representatives elected for two years from academic staff with professorial status; two representatives elected for two years from non-professorial academic staff and assistants; and student representation. The major innovation, as far as the traditional university is concerned, was the full membership of student representatives. From the outset the Großer Senat had a major role to play in the Berufung procedure (nomination of candidates for a chair).

It was further hoped that the foundation of a Kleiner Senat (small senate) a strong and efficient group would be formed to balance the power of the rector and also to provide the university with a governing body which could cope competently with

university policy. The aim here was to improve on the traditional organs of university self-government. The Kleiner Senat consisted of the Rektor as chairman, the speaker of the Großer Senat, the three faculty Deans and two members elected by the Großer Senat for one year. Its tasks were to have responsibility for university matters not already under other responsibility; decide questions of competence between university organs; make decisions which would become guidelines for policy and administration; discuss budget proposals (the responsibility of the Rektor); and decide on construction priorities.

Both Bochum and Konstanz universities were examples of testing grounds for innovation. They provided a stimulus for reform and presented novel ways of organizing universities; they did not invent the innovations but they put into practice the distillation of discussions and recommendations of the participants in the reform debate. This has arguably led to the endeavour to systematically, coherently and thoroughly reform higher education (24).

It has been seen that a problem-creating no change element in university affairs has been the professors as a group. However the paradox is that it was a group of reform-minded professors which drafted reform plans for the above two universities on the basis of recommendations, inter alia, of the WR. Another significant point is that these innovations were initiated with

Länder support. Indeed many later reforms were effected by various Länder, based on the models provided by Bochum and Konstanz, and a growth in Land - federal cooperation ensued (25).

Since the sixties in Germany the idea of the Gesamthochschule (comprehensive university) took hold and J.Fischer (26) has suggested that the debate which surrounds this idea can be best understood in terms of the development of tertiary education and the political and economic factors which were related to it. The historical process is characterized by an upward development of tertiary institutions towards the university. For example technical schools became Technische Hochschulen (technical colleges) and after a long period of struggle for recognition (27) many were designated Technische Universitäten (technical universities) in 1970 (28). The Ingenieurschulen (engineering colleges) occupied the place vacated by the Technische Hochschulen and these in their turn, and with the assistance of Article 57 of the Treaty of Rome (29), became Fachhochschulen (specialist higher educational establishments). As Fischer noted "With their predilection for organization the Germans could not but be tempted to try to put some order into this irrational outcome of history" (30). It was in the development of the Gesamthochschule that hopes were placed and with them a whole range of plans.

As an alternative institutional form the idea of

the Gesamthochschule gathered great strength very quickly and became a serious policy which was proposed, adopted and implemented as a solution to the problems being encountered by the university. H.Heckhausen has noted the comment of T.Husén an informed educator, indeed a major advocate of the Swedish comprehensive school system, in connection with proposals to establish Gesamthochschulen eagerly debated in 1971: "The Germans overdo the case!" (31) which is a short but nonetheless significant comment. It is perhaps interesting to note that the idea of comprehensive university is not new. Indeed it was mooted during the Weimar Republic, but did not blossom and bear fruit until half a century later (32).

Heckhausen (33) suggests the movement towards establishing Gesamthochschulen began in 1968 with the hope of the planners of education that rechanneling the flow of students into para-university courses would be less expensive than universities and reduce the overcrowding in them. Other major considerations related to enhancing the equality of opportunity by broadening admissions requirements, altering curricula, equalizing career qualifications, rationalizing through the larger university-status institutions. Not least among these considerations was a German liking for organization at all costs, behind which lies a desire it seems for a more thorough hold administratively and a belief in the ability thereby to effect reforms from above (34).

But reorganization does not necessarily produce reforms. However it had been seen that the massive overcrowding of the mid sixties produced serious disturbances and these coupled with professorial no change had led to problems. Different institutional forms and curricula were proposed as solutions and it seemed perfectly reasonable as the debate developed that the Gesamthochschule would solve many of the issues.

Serious debate concerning the Gesamthochschulen began in 1967 when the Dahrendorf committee (35) set up by the Minister of Culture in Baden-Württemberg produced a Hochschulgesamtplan (Comprehensive Plan for Higher Education). In 1969 the Bundesassistentenkonferenz (Federal Conference of University Lecturers) produced their Reflections on the Gesamthochschule (36). A follow-up to the Dahrendorf Plan was the Hochschulgesamtplan I in Baden-Württemberg in 1970. During the same year the WR made proposals favourable to the establishment of Gesamthochschulen in its Recommendations for the Organization and Development of Education in Institutions of Higher Learning after 1970 (37). During this year the BMBW produced its first drafts of what was to become the all-embracing Hochschulrahmengesetz which will be discussed in detail later.

In 1971 the WRK made a Statement of Principle on the Integrated Gesamthochschule (38). A demand for the linking up of all institutions of higher learning began to emerge, although there were differing views

as to the form the association should take. The notion of co-operation meant a close association of independent institutions where the minimum basis was mutual agreement, the maximum the existence of common curricula and joint bodies. A second notion was that of integration where there would be a common curricula and joint governing bodies with the original autonomy of disparate institutions being merged in a unified organization (39).

A multitude of plans, concepts and controversies developed and although it would be difficult to identify all the objectives for the comprehensive university three major goals can be discerned. The first related to easing transfer between educational careers; the second to producing a synthesis of Wissenschaft und Praxis (scholarship and practice), the former being associated with the traditional university, the latter with non-university institutions within higher education; the third to making shorter routes within higher education attractive (40). It was hoped that these goals would reduce inequalities of opportunity, related for example to social background and sex; reduce regional disparities in the supply of institutions; and most importantly develop the concepts associated with curricular reforms so popular during the seventies. Politicians, academics and laymen hoped the Gesamthochschule would solve, or at least ease, many problems. As Teichler has observed (41) it is hard today to imagine the enthusiasm with which the Gesamthochschule

as a solution to problems was greeted such a short time ago.

Numerous theoretical and practical problems were encountered in the discussions prior to the establishment of the Gesamthochschule. If for example it was to be more than an assemblage of existing institutions in juxtaposition did this mean the dissolution of those institutions and the drawing up of a new constitution? What part would existing universities play in this? Would non-university institutions run a risk of being swallowed up? Some of the objectives of future Gesamthochschulen would be to draw all institutions together under a common framework, co-ordinate their curricula and integrate courses.

Various arguments were advanced from many perspectives. Science has permeated the life of highly industrialized societies implying that an increasing number must master the prerequisites of scientific knowledge through an understanding of theory and practical scientific training. As a matter of both social and economic policy this is related to demands for the right to increased access to higher education. Because of the relative similarity of the objectives of the institutions providing this education some coordination of their structures seems sensible for social, educational, and technical and emancipatory reasons. The first is related to better guarantees of equality of opportunity and greater labour mobility. The second means

that transfer on the basis of aptitude is made easier; there would be a rationalizing effect due to the use of common facilities and a better blend of theoretical and practical training by the linking, for example, of university and technical college elements. Emancipation, meaning a liberation of the individual as a move towards an egalitarian society, would be achieved in some measure by the consequent levelling of differences through the linking of institutions (42).

Questions related to levelling differences as well as evolution upwards produced an important development at the beginning of the seventies. This was the establishment of the Fachhochschulen (advanced technical institutions). Although not university institutions they were as part of higher education, related to both universities and Gesamthochschulen. They can be briefly considered here.

It was in 1970-71 that Fachhochschulen were established following the 1968 agreement among the Länder(43). These institutions superseded former Ingenieurschulen (engineering schools) and other specialized schools for business, clothing, etc. The purpose of the Fachhochschulen is to prepare students for work in their specialities via programmes which use practical applications of scientific and artistic knowledge. They must provide at least one recognized field of specialization and courses are completed by a final state examination. The major difference between the Fachhochschulen and

universities for example is that the former provide courses which are shorter and include periods of practical training. Admission to the Fachhochschulen is generally granted upon the award of the Fachhochschulreife (a certificate showing eligibility for entry to the Fachhochschule) or equivalent certificate in addition to some practical training.

The introduction of the Fachhochschulen as part of higher education can be seen as a major change, despite the fact that it did not directly affect the universities it is part of the wider reform endeavour. Also after universities the Fachhochschulen have the highest enrollment and about 20% of students in higher education are at these institutions (44). The significance of the policy decision to develop Fachhochschulen, is that it opened a new route to higher education. Three year study programmes, clearly orientated towards professional needs and beginning after twelve instead of thirteen school years, were established. A new sort of secondary school (Fachoberschule) for the eleventh and twelfth years would prepare students for the Fachhochschule. From the educational policy and planning standpoint the essential aspects are that a better background and pre-professional education would be provided; a broad route to higher education now existed outside the Gymnasium; also an alternative existed for Gymnasium pupils who may wish to use this route.

As Böning and Roeloffs state (45) the "equality of

chance" issue is obvious and important. However the impact on the problem of student numbers is more difficult to assess. Further the Fachhochschule graduates who wish to attend universities may pose extra burdens on the universities. Indeed after 1971 a huge increase of students transferring from Fachhochschulen to universities occurred and at certain periods up to thirty percent of students enrolled took advantage of transfer opportunities (46). Since 1975 there has been a decline in these figures and at present the proportion of graduates who want to continue at universities is between six and twelve percent (47). A contributing factor for the reduction has been the new regulations in 1975 relating to student grants: Fachhochschule graduates who study further at universities shall receive financial assistance as a loan and not a grant(48). The numerus clausus issue relating to certain subjects has also played a part. But the most important factor is probably that for graduates of universities and Pädagogische Hochschulen (Colleges of Higher Education) prospects in the labour market have deteriorated considerably. The employment prospects for Fachhochschulen graduates however remain relatively good (49).

The Fachhochschulen having faith in an evolution upwards protected their particular independence by standardizing conditions of study and examination requirements. Some cities, low on funds and fearing costs incurred in establishing new universities claimed

the need to incorporate their institutions into Gesamthochschulen as an economic necessity, a matter of advanced economic policy. The problem of universities being transformed into institutions providing services to society, possibly optimizing opportunities for student social advancement but nonetheless losing something in the traditional area of scholarship, clearly existed.

Heckenhausen argued that the belief that physical proximity produces co-operation, interrelationship and agreement had been superseded by more realistic views(50). Centralization of decision-making does not necessarily stimulate educational reform nor does living together iron out differences in social status. Further examples from the Anglo Saxon countries showed that the size of universities is being reduced and in Paris the Sorbonne has been split into 13 separate universities (51). He made the following suggestions: end the thirteenth school year and transform the eleventh and twelfth years into a college where general and vocational education are included and teaching corresponds to university styles. The integration of university and para-university courses could be effected in newly founded small institutions. Existing universities, technical universities and colleges of education might remain independent but transform themselves internally into integrated Gesamthochschulen at the end of which process studies could be co-ordinated and transfers of students

facilitated.

The federal and Länder governments and the major political parties were not in dispute regarding the principle of establishing Gesamthochschulen. However opinions remained divided as to whether they should be integrated and locally concentrated or have a cooperative and decentralized structure for obvious reasons of long term investment. Eventually by the early seventies three Länder had established them.

In Hesse one Gesamthochschule was established in 1970 in Kassel. Here a so-called consecutive model was chosen: students from both academic secondary schools and vocational high schools pursue the same course until obtaining a degree. (This is of comparable status to the degree awarded at the Fachhochschule). Students may continue studies for a further period which are more theory-orientated and take examinations of a standard equivalent to a traditional university degree.

Six Gesamthochschulen were established in North Rhine Westphalia in 1972. (The Fernuniversität (equivalent of the Open University in Britain) was founded in 1975 in Hagen). A so-called Y-model is used here: students follow a common core for two years after which they take an internal examination and then split to follow a short-cycle degree course, which is "practice orientated" for one year or a university degree which is "theory orientated" for two years.

In 1972 Bavaria established four Gesamthochschulen

(including the military academy in Munich; the military academy in Hamburg is listed among universities (52)), which meant that different types of courses were connected under one administrative roof without however the establishment of coordination or integration of both non-university and university courses. Students who obtain a Diplom (equivalent of a first degree at British universities) may continue to study for a doctorate.

As Teichler has noted it did not prove successful ultimately to establish regions where all institutions of higher education cooperated as Gesamthochschulen. Indeed there is no example of a traditional university being incorporated into a Gesamthochschule nor has even one cooperative university been founded (53). It is also interesting to note that although the HRG ultimately pronounced on the matter (54) and stated that institutions should be linked to form cooperative comprehensive universities not a single additional Gesamthochschule has been established since the act was passed.

In the reform discussion the 1969 Baukastenhochschule (unit course university) became popular. This meant there would be small, intensive seminars for students with grading but no examinations. A further proposal was that all university teachers participate in research through a rotation system. But the crux of the problem was not dealing with the creation of

new universities or expanding existing ones, rather combining and filling out existing lower-rank colleges and this in Teichler's view (55) revealed the subordinate role assigned to comprehensive universities.

In order to create a university orientation the leading committees of the Gesamthochschulen were largely staffed by university professors. The result was that close cooperation between teachers previously in universities and those formerly in technical colleges was difficult to achieve. Former instructors from Fachhochschulen were still obliged to teach 16-18 hours per week in comparison with 6-8 hours for university professors and this practically excluded the former from undertaking research. But the federal government is reluctant to accept a change because a course conducted by a university professor costs four times that of one conducted by a college teacher. Due also to the same economizing measures university professors teach almost exclusively in the theory orientated upper levels (56).

Many largely unanswered questions still surround the Gesamthochschule. In some ways it would seem little real chance was given to experiment with this new form of higher education. There was lack of consensus on the issue of diversified systems, there were conflicting aims and most Länder insisted on a separation of university from non-university teachers. Certainly employers wanted to see a clear distinction between university

graduates and others; the demand for social inequality is high according to Teichler (57) and the status-assigning task of the education system takes precedence over the question of qualifications. He suggests that "the research orientation of the curriculum is an uncontested goal of university education in the Federal Republic" (58).

Much debate centred on the Gesamthochschule in the late sixties and early seventies. But in a country with over fifty universities and where nearly 20% of an age cohort enter university approximately 6% of those students in higher education attend the Gesamthochschule (59); the development cannot be accepted as major. What remains significant is the volume of reform proposals which were generated around 1970 and led ultimately to new laws dealing with higher education. Perhaps too much was expected of the Gesamthochschule by too many too soon.

The Gesamthochschule was an article of faith for most higher education reformers around 1970 including the NR, the WRK and the BMBW. The general trend was towards egalitarianism and a belief that the huge increase in student numbers could be better dealt with by offering the same higher education for all, where common study courses would lead to different qualifications dependent on talent and inclination. But "status thinking" is not abolished by gathering under one roof courses which have different levels of

prestige. The Gesamthochschule strove for an increased relevance to Wissenschaft: towards the traditional university. In fact students avoided short-term courses in favour of longer ones (60). Thus the Gesamthochschule contributed little to the relief of the overburdened traditional courses of study. Indeed Maier claims (61) that the initiators of the HRG now no longer believe it is the recipe for the reform of the higher education system.

A significant point for this study, made by U. Draheim (62), is that reorganization in West Germany seems to have replaced one extreme by another. It is as one such extreme that the HRG will now be considered.

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Chapter VI

THE FRAMEWORK ACT FOR HIGHER EDUCATION.ULTIMATE REFORMING LEGISLATION

It was the passage of numerous Länder laws during the sixties which threatened the uniformity of university education in West Germany. Uniformity of provision had always meant that students and scholars could transfer to universities of their choice throughout their studies. However it was seen that unco-ordinated Länder laws might lead to the demise of this tradition. The KMK was responsible for coordinating reform attempts but they, "...had scarcely any influence at all on the course of reform efforts" (1). The higher education laws which had been passed by several Länder were largely the result of the often intense ferment caused by the student protest movement during 1967 and 1968. Interestingly Hesse could be regarded as the only Land to have passed reform laws (in 1966) before the student crisis and, as mentioned earlier, other Länder followed suit. For example Baden-Württemberg passed reform laws in 1968, Hamburg in 1969 and North Rhine Westphalia in 1970. In order to provide uniform development in higher education skeleton legislation at the federal level was conceived. This conception led to the birth of the Hochschulrahmengesetz, which has already been mentioned above. It is now time to consider the steps taken which led to the proposals and ultimate adoption of that legislation.

It was in 1970 that six most important changes occurred, according to Teichler (2). First the KMK continued to lose influence in questions of higher education planning, second the notion of establishing a Federal Conference of Higher Education, which would assume most of the functions of the VR, became popular. Third the VRK was enlarged due to the admission of the rectors of teacher training colleges to its ranks. Fourth the Federal Conference of Assistants, despite protests that its proposals had been denied proper consideration, had greatest influence on new compromises reached in the reform debate. Fifth there was a reduction in student influence on reform policy, despite increased rights of co-determination. As noted earlier this was the year in which the Sozialistische Deutsche Studentenbund was dissolved and as organization disintegrated at the centre concentration occurred at the periphery: matters relating to the departments, individual subjects, experimental classes and political activity outside the university. Sixth there was a growth in the number of special boards for information, co-ordination and planning of specific higher education tasks and their influence grew.

Throughout the reform debate, especially during the late sixties and early seventies, it seemed that differences were greatest on issues concerning the university-state relationship, the university and society relationship and the so-called "democratization"

of higher education. Teichler has suggested that where the connection between an issue and "the traditional momentum of legislation on higher education" was less direct then there was less agreement on that issue (3). Compromises were frequent on superficial features of structure and agreements often amounted to empty concepts. The notion of the Gesamthochschule was, for example, particularly replete with agreements of a spurious nature.

As for research on higher education during this period there was a continuous increase in the collection of data relating to the quantitative aspects of development and these attempts became questionable from the standpoint of reliability. Most of the empirical investigations concentrated on students: their attitudes and ultimate careers. Curiously enough in contrast to their popularity in the reform debate, problems of administration and organization have received scant scientific attention. Such investigations that had been initiated into the problems of teaching methods in higher education had been either "Too broadly or too narrowly conceived" (4). Almost non-existent in higher education research were investigations into the relationship between school and university, the status of the scientific disciplines and international comparative studies.

Ultimately it was the changes of a legal and institutional nature in 1969 and 1970 which laid the

foundation for centralized planning of higher education. As has already been mentioned the Grundgesetz was amended in 1969 and the Federal Government was empowered to draft a skeleton law on higher education.

The relevant amended sections of the Grundgesetz are now quoted.

Article 75

(General provisions of the Federation, catalogue)
"Subject to the conditions laid down in Article 72 the Federation shall have the right to enact skeleton provisions concerning:
1a. the general principles governing higher education" (5).

Article 91a

(Definition of joint tasks)
(1)"The Federation shall participate in the discharge of the following responsibilities of the Länder, provided that such responsibilities are important to society as a whole and that federal participation is necessary for the improvement of living conditions (joint tasks):
1. expansion and construction of institutions of higher education including university clinics" (6).

These changes were published in a ministerial report of 1969 (7).

In 1970 the skeleton bill on higher education was drawn up by the Federal Government. In February of that year the fourteen theses produced by the WRK and already mentioned in chapter four were presented by the BMBW Federal Minister, Hans Leussink (8). These formed the basis of conferences on the draft law. On 10. June 1970, a federal report on education (9) mapped out the educational system in detail and defined the government's position on various issues, indicating guidelines for reform. An administrative agreement was concluded

between the Federal Government and the Länder on 25. June 1970 and within one year the BLK was charged with the tasks of elaborating a comprehensive educational plan taking cognisance of recommendations already produced. As mentioned above the PLA had been given the task of formulating construction plans for universities and other higher education institutions. This task was further amended in 1971 to include advanced technical colleges.

Public debate on the legislation took place, several hearings being conducted by the BMBW. The influence of the skeleton legislation on reform issues was strengthened by the large number of preliminary bills put up for discussion by the BMBW in order to ascertain reaction to them when they would ultimately come up for final legislation. After revisions of the various drafts and debate on a final draft by the BMBW and the Bundestag (Lower House) parties a parliamentary bill was finally published on 18. December (10). Debates on the skeleton law were extensive, protracted and heated and proposals often varied widely. Nonetheless it was generally assumed, according to Teichler(11), that a law would be passed in summer 1971, despite the fact that the final draft was distinguished by concessions to both reformist and conservative views and was not marked by conceptual consistency.

However in January 1971 the CDU/CSU in the Bundestag presented its own draft of the skeleton law on

higher education which differed from the government's bill primarily on issues relating to the Gesamthochschule. The subsequent win by the CDU/CSU of a majority in the Bundesrat (Upper House) ensured that no piece of legislation affecting either the Federal Government or the Länder could be passed without compromise between the parliamentary parties. This meant in practice more concessions from the SPD/FDP than from the CDU/CSU, because, according to Teichler (12), the public is more likely to find fault with the government than the opposition if the legislative process breaks down. Further the CDU/CSU could expect a majority until 1975 in the Bundesrat, whilst the SPD/FDP could depend on a Bundestag majority until 1973 at the latest (13).

It became conspicuous that an unequal pressure towards making concessions was growing as negotiations continued and a list of demands considered indispensable were submitted by the CDU/CSU (14). Discussion continued with the Gesamthochschule remaining one of the controversial issues and other initiatives being interwoven in the developing trend towards the centralized planning of higher education. However the debate did not affect the functioning of the BLK, which approved university expansion plans, with particular emphasis on expanding short-cycle higher education.

In July 1973 a Preliminary Draft of the Government Draft (15) devised by experts from the BMBW was

published and intense discussions took place among the associations and organizations involved. Indeed by the end of July the views of upwards of thirty organizations had been registered in the BMBW and it was evident that the draft had taken a middle course between conservative and radical reformers (16). In the event over forty alterations in content were made, which did not however affect the basic structure of the draft (17). Eventually on 29. August 1973 the Federal Government agreed upon the government draft of a skeleton law on the universities and this was passed to the Bundesrat for consideration. On the 12. December 1974 the long-discussed law was approved by the Bundesta; however between the government majority of the SPD and the CDU there were fundamental differences. The main points disputed by the CDU/CSU included the combining of universities into comprehensive institutions; the "intolerable political influence on Wissenschaft" (18); and also the fact that there might be too much federal and too little Land supervision of higher education as a result of the Framework Law. In the decisive final debate the CDU expressed the view that the opposite of what the universities needed most, namely a guarantee of research quality and standard as well as teaching and study, would result from the proposed new law. However the governing SPD refuted this and stressed that a reasonable basis for future university policy was represented

by the law under discussion.

As noted above it was only by amending Article 75 of the Grundgesetz in 1969 that the Federal Government was empowered to establish a framework within which the Länder would in future operate. The SPD/FDP had been anxious to realize higher education reforms and since the regulations for university entrance had been introduced the topic had become increasingly important. The bill which was finally approved in late 1974 had, as stated earlier, undergone amendment however the Bundesrat, which enjoyed a CDU/CSU majority, in declining to approve the amended law called on the Mediation Committee of both chambers and during 1975 after tough bargaining a compromise was reached. This enabled the Act to receive approval of both the Bundestag and Bundesrat in December 1975 (19).

Substantial concessions were made to the opposition by the SPD/FDP; indeed Helmut Rohde, the then Federal Minister of Education and Science stated in the Bundestag that he objected to the "compromise solutions" (20). The CDU/CSU on the other hand spoke of an "acceptable compromise" (21) and the WRK made sceptical but not entirely negative utterances. The chairman of the teacher's union Gewerkschaft Erziehung und Wissenschaft (GEW) accused the government parties of accepting a Framework Act for Higher Education at all costs, which had meant that support had been given to the Opposition to remove rather like a butcher, vital organs from the

law (22). This was especially true of the intended move to enforce the concept of the integrated comprehensive university, which eventually became very watered-down.

The debates on the Framework law did, as Teichler notes (23), have effects which were both numerous and far-reaching. Ultimately a loose form of comprehensive university was accepted together with many of the reform initiatives undertaken since 1967. What also resulted was a legitimization of limited changes within higher education generally and university reform in particular. The discussions which continued for a long period changed as much because the reality of the object of the law altered as did procedures. In those Länder which had passed new higher education laws there was a "growing polarization of the views rather than a capacity for curriculum reforms and other tasks" (24). Simultaneously there was a growing influence of the state's planning apparatus.

Over five years after the Federal Government had been granted legislative competence to draft the Framework Act for Higher Education it came into existence (25). As stated in the Preface to the Act it was the first time in the history of the Federal Republic that uniform conditions were provided for the future development of the whole of higher education as it exists in all Länder. According to the framers of the Act: "By the 1969 amendment to the Basic Law (Grundgesetz), the Federal Government was called upon to

halt the apparent threat of an increasingly divergent development of the higher education sector and to make sure that the free movement of academic staff and students and the mutual recognition of studies and degrees continued to be guaranteed" (26). The Act has produced the instruments necessary for solving certain problems: it provides the basis for the reform of study courses and a reduction in the excessive length of time spent by students in higher education establishments; a new system of admission procedures should remove the shortcomings in the selection process; the reorganization of the structure of staffing will end the complex arrangements now existing"... and which no longer make sense in terms of the functions to be fulfilled" (27). It is thus hoped that the reorganization will lead to more effective research and teaching by staff.

The adoption of the Act, according to the Preface, will not mean that reality will be changed overnight, legislation at Land level being required to provide substance to the Act as well as co-operation from all those sharing in the responsibilities within higher education. Furthermore the Act is regarded as constituting "...a compromise between the postulate that reform conditions should prevail throughout the Federal Republic for all citizens on the one hand and the federalist distribution of responsibilities stipulated by our Basic Law on the other" (28). There are a total

of eighty three sections within the Act, which is a typically German policy solution to the problems of university reform; and covering the whole of higher education is marked by its comprehensiveness. It is now proposed to look in some detail at the Act.

The first chapter deals with the functions of the higher education institutions and details eight of these from the more general one of contributing to the development of Wissenschaft and the arts through research, teaching and studies to such areas as the promotion of the further education of their own staff, international co-operation and exchange and informing the public about higher education. Specific functions of individual institutions are to be defined by the Land concerned. Section 3(1) states:

" The Land and the institutions of higher education shall ensure that the members of the institution concerned can exercise the constitutional rights guaranteed in sentence 1 of paragraph 3 of article 5 of the Basic Law" (29).

The relevant sentence in the Basic Law is crucial to the autonomous functioning of the university and states: "Art and science, research and teaching shall be free" (30). Detailed in section 3 are freedom of research, teaching and study as well as the obligation to have regard for others and the institution. The reform of higher education is dealt with in section 4(3) under nine separate sub-headings. Higher education is to be reformed with a view to combining the research, teaching and study functions performed by various

institutions. It is for the institutions themselves and the competent Länder to effect the reforms. Specifically the aims of the reform are: to provide a range of courses which are "...phased in coordinated stages with regard to contents, schedule and final qualification in appropriate fields" (31), also to organize common study, where this is suitable, and to facilitate transfer of studies. Further there is to be an appropriate combination of theoretical and practical studies as well as inter departmental and inter institutional research and teaching programmes, the fullest use of facilities and the "...promotion of higher education didactics" (32). There is to be "effective academic counselling" (33), provision for adequate research for professors and coherent planning as a whole.

It is quite clear from the foregoing that the notion of co-operation and combination of higher education functions are specific aims of the Act. However it is the next section which clearly delineated the shape of future universities and states how the aims of the previous section are to be realized. Section 5 is headed Comprehensive Universities and is quoted here in full.

(1)"In order to achieve the objectives listed in subsection (3) of section 4, the different types of institution of higher education shall be brought together to form a new system of higher education. Institutions shall be extended or merged to become comprehensive universities (integrated comprehensive universities), or - while retaining their legal autonomy - be linked together by the establishment of joint bodies to

form comprehensive universities (Cooperative comprehensive universities). Where it is not, or not yet possible to establish comprehensive universities (Gesamthochschulen), cooperation between institutions is to be assured.

(2) When establishing a comprehensive university, care shall be taken to ensure that its structure, the disciplines it offers, its size and the distance between its individual facilities enable it to fulfill tasks effectively and to offer students a range of courses meeting the requirements of paras. 1 to 3 of subsection (3) of section 4.

(3) For the planning and setting up of new institutions the principles of subsections (1) and (2) above shall apply accordingly" (34).

With this categorical statement of the form the new system of higher education will take it becomes apparent that the German higher education system is in a phase of reconstruction rather than reform (35). The Act goes on to deal with studies and teaching. In section 7 there is an explicit statement of the purpose of study which seems a far cry from the pure, impractical knowledge beloved of Humboldt.

" Teaching and study are to prepare students for a profession in a certain sphere of activity, imparting to them the particular knowledge, skills and methods required in a way appropriate to each course so as to enable them to perform scientific or artistic work and act responsibly in a free, democratic and social state governed by the rule of Law" (36).

Studies are to be reformed to ensure that in a changing world career opportunities are provided and it is for the Länder to establish joint study reform commissions for the coordination and support of reform work. The aim of the course of study is to provide the student with a qualification entitling the holder to practise

a profession. Indeed the German system is distinguished by this from other systems of higher education. In the U.K. for example most study is subject-oriented, with some notable exceptions where courses are specific to a profession, and an undergraduate follows these with the aim of entering that profession. Usually professional preparation in the U.K. follows graduation. Further the length of study time is clearly specified.

" Except in especially well justified cases, the standard period of study up to the first degree qualifying for entry into a profession shall not exceed four years. In appropriate disciplines, courses leading to a first qualifying degree within three years shall be established" (37).

Study at an institution of higher education in Germany is concluded with an academic or state or ecclesiastical examination. Intermediate examinations (Zwischenprüfungen) and continuous assessment are also to be used. However final examinations are in general to be taken within the period of study as detailed above and in any case not later than six months after that period.

One chapter of the Act deals with admissions. The first part of section 27 reaffirms the fact that in law Germans are entitled to enter higher education if they possess the appropriate qualifications.

" Every German citizen as defined in Article 116 of the Basic Law shall be entitled to pursue the course of higher education of his choice if he can furnish proof that he holds the requisite qualifications. Impediments to admission relating to the personal characteristics of applicants other than qualification shall be governed by Land law" (38).

Thus Germans possessing a certificate of entitlement

to university education have both the necessary and sufficient qualifications. This contrasts with for example the situation in the U.K. where possession of the Advanced level of the General Certificate of Education may provide the necessary but not sufficient condition for entry. This is decided by the university in question.

The criteria for establishing teaching capacity for institutions of higher education are detailed in section 29. The calculation for capacity in terms of study places is to be based principally on the standard length of study courses. Where it is found that admission of all applicants for a specific course is not possible then the admission quota

"...may not be lower than is absolutely necessary in order to ensure that the institution can fulfil its functions in an orderly manner in research, teaching and studies, taking into account available resources and conditions with regard to staff, space, facilities and subject-related issues" (39).

As for the admission quotas themselves they are to be established by individual Länder, laid down for individual institutions and courses of study and are to be reconsidered from year to year. The allocation of study places is to be made centrally and in accordance with section 32(2) a maximum of thirty percent of study places are to be reserved for, inter alia, hardship cases, applicants for professions in areas of public need, foreign and stateless persons. The remainder of study places are to be awarded for the most

part in accordance with the level of qualification required for courses selected as well as the Wartezeit (waiting period) which elapsed since the necessary qualifications were acquired. Finally admission for German citizens to institutions of higher learning is not dependent upon the Land of birth or residence of the applicant.

Especially relevant for university reform is that chapter of the Act which deals with university members. Section 36(1) states:

" The member of an institution of higher education shall consist of the full-time civil service employed and the students enrolled there" (40).

Other staff members employed full-time shall have the same rights and obligations; those employed on a temporary basis come under the purview of Land law. Democracy, by which Germans seem to understand direct participation at all costs, even if inappropriate, is writ large in section 38(2) which states:

" Each of the following shall be represented as a group on the various bodies:

1. professors
2. students
3. wissenschaftliche Mitarbeiter, künstlerische Mitarbeiter und Hochschulassistenten
(scientific and artistic helpers and university assistants)
4. other staff members" (41).

However a most important sentence occurs in section 38(3)

" On all bodies with powers of decision-making on research, creative arts projects, teaching and the appointment of professors, the professors shall have the absolute majority of votes" (42).

Further, if the second round of voting produces no

decision then in accordance with section 38(5)

"...the majority vote of the professors in that body shall suffice for taking the decision concerned" (43).

The much-contested question of thirds parity and the serious threat to professional authority is resolved here. Gone is the Ordinarien - dominated university and a far cry indeed from the Humboldtian tradition is the position now of university professors. However they maintain a more restricted authority. Their official duties are clearly stated in section 43 and the minimum requirements for a professorship are specified in section 44. A fairly recent innovation for German universities is dealt with in section 45(1)

" Vacancies for professors shall be publicly advertised. Such advertisement shall include a description of the nature and extent of the tasks to be fulfilled" (44).

This resolves a practice which began unofficially in the late sixties by individual universities and has already been mentioned in the previous chapter.

A whole chapter deals with the question of organization and administration. On questions of legal status, supervision and collaboration with the Länder the Act appears to confirm the established traditions identified in the Humboldtian university. Institutions of higher education remain state institutions with the legal right of self-administration, empowered to draw up basic constitutions requiring Land approval and organize a unified administrative structure. However

the area of organization shows some departures from Humboldt's university. For example section 61(1) begins:

" Decision-making powers shall lie with the central and the departmental bodies" (45).

As for the question of governance gone is the idea of the rector elected annually by the Ordinariën, the primus inter pares of the Humboldtian university.

Section 62(1) categorically affirms

" Each institution shall have a full-time principal elected for a term of office of at least four years; he shall be solely responsible for running the institution concerned maintaining order and exercising authority within the institution, except where provision for the exercise of these duties by other person or persons obtain" (46).

The principal and governing board of the institution are to be elected by a composite central body, which is also charged with passing the Basic Constitution. A further composite central body has, inter alia, the task of making decisions on planning, preparing budgets, admissions quotas, establishment or dissolution of departments and professional appointments.

Another major change from the Humboldtian principle in the sphere of organization relates to the role of the department. As outlined in section 64(1):

" The department shall be the basic organizational unit of institutions of higher education; notwithstanding the overall responsibility of the institution and the sphere of competence of the institution's central bodies, the department shall fulfil the functions of the institution within its own area. Within the framework of the facility-provision plans, it shall ensure that its members, its scientific establishments and its operational units can fulfil the

functions incumbent on them" (47).

Together the departmental council and the Fachbereichs-
sprecher (departmental spokesman) are the instruments
of the department; the latter being elected from the
council's professorial members by the council itself.
All departmental matters are the responsibility of the
council apart from those which Land law may place upon
the departmental spokesman. In any case he implements
council decisions and has responsibility for the
smooth running of departmental affairs.

The remaining sections of the Act deal with
planning, the recognition of institutions, adjustment
deadlines for its implementations, amendments relating
to civil service law, remuneration regulations and higher
education construction. Agreements made with the churches
are not affected by the Act. The Act applies equally
to Land Berlin. Passed on the 26. January 1976 the Act
entered into force on the following day and Länder laws
were to be adjusted to it within three years.

In some respects it is possible to view the HRG
as a federal restatement of Land laws. But because from
the late sixties onwards the Länder had been in the
process of passing their own higher education laws in
accordance with their obligations under the Basic Law
(48) as far as university reform is concerned the HRG
is superfluous. Certainly Hennis (49) maintains its
only real effect is to place these unchallenged laws
under federal jurisdiction and no state may now reform

the reforms without encountering federal rules. He suggests the whole higher education system is now in a strait-jacket and like the Länder laws before it the HRG prevents an accurate assessment of real problems, which are issues such as the accommodation of the universities to the educational needs of a democratic, industrial society. It is precisely these needs which the lawmakers have consistently ignored. He further argues that the aim to promote "democracy" and "efficiency" through reforms and the Gesamthochschule plan failed because they did not confront the main problems facing post-war higher education in Germany. This is the fact of numbers and the obligation to adapt to mass higher education where not an elite five percent of an age cohort but approximately twenty percent are now in higher education (50).

Clearly a key problem for the efficiency of higher education, and the words "efficient" and "effective" are often used in the Act, is the quality of federal-Land co-operation as a result of the HRG. As noted earlier the desire to obtain nationwide uniformity of higher education provision and a better systemwide planning were two of the main motives behind the Act. The sometimes chaotic university conditions and demands for reforms led to stronger governmental interference reflected in university laws and a wealth of regulations. It was often for reasons of efficiency that the government interfered with the resulting loss of

university autonomy. Partly also, as Peisert and Framhein note (51), the government was forced to interfere because the Federal Constitutional Court had been appealed to in order to resolve conflicts. They also observe the increasing legal nature of the relationship between higher education and government and point out there is, "...the tendency to remit open issues of education policy, disguised as law suits, to the courts, thus assigning to them an outstanding role in policymaking. Moreover, the increasing "legislation" runs the risk of generating a narrow web of rules and regulations detrimental to any academic creativity" (52).

It is uncertain what the course of changing relations between the government and the universities will be. Peisert and Framhein maintain (53) that the relationship has worsened with many areas of friction and controversy and the outcomes of the HRG and its transformation into Länder law being implemented with differing amounts of rigidity. They believe that the general situation has also been worsened by the, "...clumsiness of the cultural government bureaucracy in its daily contact with the universities" (54). Böning (55) has noted that, "...the kind of bureaucracy currently developing has a deleterious effect on creative thinking, on flexibility and imagination".

But the mere existence of a federal higher education law is disturbing because it appears to be a growing tendency of government to extend its power over the

universities in ways which ultimately could be pernicious for learning and scholarship.

Van de Graaf maintains that, "...the state's extension of its grip over the universities, against broad academic opposition, is the most prominent trend of the past decade" (56). As for the notions of Wissenschaft and Bildung and the freedom to teach and learn in solitude and with an absence of state interference, these elements of the Humboldtian model receive scant attention. Stress is laid on other matters. "The university's strengthened administrative and decision-making capacities serve at most to make it a more efficient policy-making partner of the state rather than to increase academic autonomy" (57).

In the way that university reforms have been attempted is revealed that lack of moderation so often displayed by Germans. The pattern has been referred to before but it is worth repeating. Debates all too quickly become disputes, which are polarized, formalized and clearly defined so that they can be resolved. Resolution means invoking the law sooner rather than later and if possible legislating, where possible with perfectionism and rigidity. This in its turn brings forth the unintended offspring, namely new problems resulting from immoderate reform policy. It has been argued by S.Cobler (58), even if somewhat polemically, that Germans deal with problems by over-reacting and this is coupled with both submissiveness and respect

for authority. Indeed he argues that the federal state is accruing to itself ever wider powers (59). Elsewhere T.Heidhues (60) has noted: "The growing self-confidence of the government is based on older traditions". That confidence grows in direct proportion to laws passed.

Kant's judgement on Germany of over a century and a half ago is still appropriate. "Of all civilized peoples the German submits most easily and most lastingly to the government under which he happens to live, and he is further removed than any other from a love of change and from resistance to the established order. His character is a kind of phlegmatic reason" (61).

This seems to be an apt and eloquent comment on at one and the same time the ultimate supremacy of the state, and the inability of the university to reform itself.

Goldschmidt (62) is in no doubt about the augmented state influence in all matters affecting the universities. "Altogether the state has emerged stronger than before exercising increasing supervision over the universities' capacities, staffing and curriculum". Freedom in both teaching and research is, according to H.Granzow (63), being increasingly restricted by a mass of regulations and clashes of jurisdiction. There is a disturbing tendency to subject the policies and administration of higher education to legal definition. This clearly endangers that most precious element namely scholarship. "In the long term it is the ubiquitous legalism of the state, applied in ever more exhaustive

rounds of legislation and ministerial regulation, that presents the most serious threat to German scholarship" (64).

As ultimate reforming legislation the HRG was not unpredictable. It is a manifestation of a tradition of state superiority vis-à-vis the university. This pre-dates Humboldt's reforms although this relationship was reformulated by him, for sight must not be lost of the fact that the Humboldtian university too was subordinated to the purpose of the state. Indeed as Tilford notes "German academic freedom and subordination to the state have gone hand in hand historically. It is this dualism which, it may be argued, is at the root of problems of the governance of West German universities in the present" (65). With increasing federal state interference, evidence of more than just echoes of Hegel, and the accompanying exaggerated responses from participants in university affairs, problems are likely to persist.

But by virtue of its historical and intellectual tradition and the organizational structures cultivated by it, the German university was ill-equipped to meet modern political challenges. Perhaps the German university was too burdened with its own philosophical principles and much less willing to compromise them than has been the case in other countries (66). Demands already discussed were placed on the university by both society and government with which it could not cope.

Skills were required of its leaders and members which they were not used to exhibiting. Tilford suggests that the university will best serve its primary task of teaching and research if it operates skilfully as a political system. He asserts that this implies "...the recognition, articulation, reconciliation and management of divergent interests within the university and between it and the outside world" (67). In brief the task allotted to the university is to be greater than that originally envisaged by Humboldt.

But it seems that the Humboldt university model is officially abandoned; nowhere does it receive a mention in the HRG. Nonetheless much that was advocated by Humboldt still remains alive. For example the final specific recommendation of the report on German universities is: "The retention of research should become an explicit goal of universities, and ways to improve the climate for university research should be sought" (68). Schramm (69) believes that the German university is still deeply influenced by the ideas developed by Fichte, Schelling and above all Humboldt. He states that what is remarkable is that despite the quantitative changes the Humboldtian university principles are still upheld, although transforming them into research and teaching practice become more difficult(70). Tilford claims that the community of teachers and taught and the unity of teaching and research central to the Humboldtian university

tradition is "...rhetorically invoked still by a surprising coalition of interests" (71). However a fundamental revision of the Humboldtian inheritance is necessary, according to Schramm, in order for university research and teaching to comply with the needs and problems of modern society.

However the goal of providing an academic education to a small elite has been displaced by a "demand-oriented" (72) education. No longer is there an insistence within the legal framework of the HRG on a unity of both research and teaching in the strict classical sense. Further the freedom of teaching and learning, which had characterized the Humboldtian university, has been somewhat limited with study periods and courses being regulated. The emphasis on research, which for so long was an essentially academic activity within the Humboldtian university, where the pursuit of Wissenschaft was the main goal, is now shifted in favour of practice, vocational and social demands. Quite clearly as far as the most recent, comprehensive and thorough legislation is concerned the model provided by the Humboldtian university becomes redundant. But the university does not seem to be reformed, much less improved.

As Löwenthal noted at a KMK general meeting (73) despite the fact that Länder laws have been passed in conformity with the HRG there is evidence still of mistaken decisions. These are visible in loss of

quality in curricula, exams and the composition of the academic body. At the same meeting G. Roellecke noted (74) that the word university is now no longer used at federal level. As for Wissenschaft this is used only in connection with a Diplom and that only in certain circumstances. Where cornerstones are removed, edifices start to crumble. The danger of German universities being reformed downwards seems real. Lobkowitz has argued that the fate of German universities becoming exalted vocational schools for mass mediocrity must be avoided. "The German universities will be able to avoid this fate only if they begin promptly to realize that even in this age of mass education, they should be training future elites, although such a goal may be achievable only under very specific conditions, which today are still generally unpopular" (75).

The German university may well be confronted soon with even more radical structural changes than during the period of rapid quantitative expansion (76). Student numbers have by no means reached their peak but, as has been stated earlier, are likely to increase well into this decade. This is a cause for concern. In some quarters there is a fear of even more serious student unrest in the coming years than occurred over a decade ago. The WRK reported recently (77) that a budget reduction of 20% for university building is being made for 1981. The President of the Association

was in no uncertain mind that this could lead to further limitations on university entry to study certain subjects, the cancellation of orders for vital equipment and even a reduction in university places. The West German student population is at present some 250,000 above capacity and the total figure for students is likely to increase to 1.3 million in the next few years (78). This will mean that most universities will be heavily overcrowded. Granzow (79) also maintains that the number of students will continue to grow to the end of the eighties and as a result transform the university into a kind of large corporation which provides services.

On the other hand the Report on German Universities, mentioned in chapter four, was on balance optimistic about their future. Their findings suggested that universities functioned with a, "...healthy constitutional order"(80) and within a thriving economy. Criticism was, however, levelled at many of the reforms which have recently been implemented, reforms which although making universities stronger as mass institutions have nonetheless seriously weakened some of the needs of the university for its survival as a place of scholarship and learning. The HRG remains, they say, "...a framework and set of guidelines" (81) and indeed Länder governments may draft legislation in a way which strengthens basic academic standards. Sufficient latitude provided by the Act should make it possible

for the Länder to avoid many of the worst effects of paritätische (proportional) rule. Further, the report suggest that the attempt ought to be made through "diligent legal interpretation" (82) to ensure that the faculty is given the authority it requires. "Equality of power is what has led to the polarized and easily politicized university; it must be avoided" (83). Also the hierarchical distinctions in the universities should be re-established. No distinctions in scholarly attainment suggests an egalitarianism indifferent to accomplishment. The report recommended: "The university system ought to encourage more authentic academic pluralism and recognize diversity among its institutions" and "Budgetary decisions ought to encourage diversified goals within a framework of academic excellence" (84).

The HRG has received some acid criticism from Hennis (85) who maintains that the Gruppenuniversität for example will lead to confusion. This is especially true of the loyalties which professors have as civil servants to their separate obligations. The amount of time scholars must now spend on committee work of various kinds has mushroomed. Although it is difficult to present a general picture because of the variety of higher education in the Federal Republic one conclusion Hennis draws is that general insecurity regarding rights and a far-reaching indifference concerning duties has entered the consciousness of the

teaching staff. University councils with constitutive divisions are by their nature incapable of exercising authority and it is primarily for this reason that governments stepped into the vacuum. As for the Gruppenuniversität it has destroyed the mechanism of a professionally united collegial assembly of professors for making academic decisions. He suggests that only now is it becoming apparent that it was a misjudgement to push forward with schemes for a new internal structure of the university. However through the HRG this structure has been settled for the foreseeable future.

A poll of university professors (86) revealed that two thirds of their number considered that increasing government regimentation threatened the freedom to teach and research and 56% of them did not think that governmental assistance was required in carrying out professorial duties. Another poll (87) showed that not more than 17% of professors considered that "relatively cooperative" relations existed between academics and the Ministry of Culture and 54% thought them to be "rather tense". The increase in federal government regulations has meant that the Länder have lost some of their powers to the higher federal planning level, however they have strengthened their influence over the institutions of higher education with negative consequences. Peisert and Framhein see little cause for optimism because, "...distrust and

disputes about competence dominate - rather than a climate of constructive cooperation between the three levels of the Bund, the Länder and the institutions of higher education" (88).

The academic staff do not escape criticism. Hennis believes that apart from a few striking exceptions no strong rectors or presidents are to be found in present day German universities although personally ambitious academics exist and they often seek to jump salary scales, gain a reputation as crisis managers and enter party politics. Because the Gruppenuniversität does not inspire anyone to devote himself to it the consequences for academic life are serious: an "institutional malformation of teaching staff" (89), a deterrent for gifted individuals to enter academic careers and a "displacement of educational achievement in favour of rule of the average" (90). He admits that perhaps these consequences cannot be definitively demonstrated however one may well ask how can excellence be distinguished from the average in institutions which specifically underwent a general reform in order to eliminate rank and promote "emancipation" (91).

Today's university challenges no one Hennis maintains and to be a member is no mark of distinction, its life is not enriching for teacher or student but rather is threatening to become both desolate and anonymous. The university's future he believes is less politization than it is banality, triviality and narrow-

minded mediocrity.

The mission of the university as an elite institution has altered and perhaps necessarily so: modern conditions have imposed a whole range of new demands for reforms. But to have to conclude that the most significant outcome of those reforms attempted has been increased state interference in university affairs is disconcerting. However Hegel's philosophy had already provided a rationale for this. As for the enduring elements in German character, they ensure that those laws passed affecting the universities will be implemented in accordance with an exaggeration syndrome. Scholarship is unlikely to benefit. This seems a dismal testimony to the huge reform endeavour of the last three decades.

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ABBREVIATIONS

BAfög	<u>Bundesausbildungsförderungsgesetz</u> (Federal Education Grants Act)
BLK	<u>Bund-Länder Kommission für Bildungsplanung und Forschungsförderung</u> (Federal State Commission for Educational Planning and Research Promotion)
BMBW	<u>Bundesministerium für Bildung und Wissen- schaft</u> (Federal Ministry of Education Arts and Sciences)
CDU	<u>Christlich Demokratische Union</u> (Christian Democratic Union)
CSU	<u>Christlich Soziale Union</u> (Christian Social Union - in Bavaria)
FDP	<u>Freie Demokratische Partei</u> (Free Democratic Party)
HRG	<u>Hochschulrahmengesetz</u> (Framework Act for Higher Education)
KMK	<u>Kultusministerkonferenz</u> (Conference of Ministers of Culture)
PLA	<u>Planungsausschuß für den Hochschulbau</u> (Planning Committee for Construction in Higher Education)
SPD	<u>Sozialistische Partei Deutschlands</u> (Social Democratic Party of Germany)
WR	<u>Wissenschaftsrat</u> (Science Council)
WRK	<u>Westdeutsche Rektorenkonferenz</u> (West German Conference of Rectors)

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