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Third International Euredocs Conference
(Sub-theme 1)
Centre for Higher Education Research University,
University of Kassel
16th-18th June 2006

***When constraining links emerge from loose cooperation:
Mechanisms of involvement and building of a follow-up structure
in the Bologna process***

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1. Introduction

In spite of its appearance of juridicity (Pitseys, 2004, 2006), the Bologna process has initially no formal status. It can be defined as a European –but extra EU- intergovernmental policy process, progressively involving more and more non governmental actors. The declarations and communiqués which rhythm the process are constantly referred to at the national level, though they are no formal or binding agreements, but mere political declarations: there is initially no legal obligation to implement the Bologna objectives, and no sanction can be engaged against the participants who do not comply. Yet, the consensus is great for recognising the Bologna process as the most powerful policy change process ever in the field of higher education in Europe.

How and why does the non formal non binding Bologna process have so powerful effects at national and institutional levels? Why do countries all over the continent comply to the Bologna policy objectives (especially the introduction of the two cycle degree structure) and calendar (respecting the Bologna dead lines)? Or, put another way: How did constraining mechanisms appear out of apparently soft and loose cooperation?

Part of the answer can certainly be found in the analysis of the implementation of the Bologna objectives at national and institutional levels. Recent studies actually show that Bologna has strong and widespread, but also extremely diversified effects, the implementation process being one of translation, re appropriation, and combination with national or local issues and interests. (see for instance Alesi, Bürger, Kehm, Teichler, 2005; Barraud, Mignot-Gérard, 2005; Duclaud-

Williams, 2005; Kehm, 2005; Krücken *et alii.*, 2005, Mangset, 2005; Mignot-Gérard, Musselin, 2005; Witte, 2004, 2006).

But another part of the answer can also be found in the analysis of the emergence and institutionalisation of the Bologna process follow-up structure. As the institutional setting is settled and gets more and more structured, and as the rules of the game are first formulated and then become increasingly formalised, the Bologna process gets more and more constraining for the actors involved. If the point of the routinised functioning of the Bologna organisational structure is addressed, sometimes very accurately (see for instance Racké, 2006; Racké, under progress), the point of the *creation* and *stabilisation* of the Bologna follow-up structure and invention of its rules and borders is not often questioned. This latter is the perspective I want to propose in this paper.

To introduce this paper more in details, I shall precise here how it is related to my doctoral research in terms of analytical perspective, as well as in terms of method.

The perspective I will develop here is to be understood in the broader framework of my doctoral research : if here the focus will essentially be on the creation and institutionalisation of the Bologna follow-up structure, my research as a whole does not take the Bologna process *only* as an institutionalisation one. The general approach of the PhD consists in recomposing and analysing the genesis of the Bologna process (from 1998 to 2001) as a double process: a process of construction of a common policy vision and a process of invention and sedimentation of a follow-up arrangement. For a better understanding, the two processes should be analytically decoupled. Though the focus is different, this paper is therefore connected with previous papers, in which I focused on the construction of the policy vision, and showed that after the crystallisation of the policy vision around the choice of the two cycles policy instrument at the Sorbonne meeting, the vision was in some sort locked-in: it was later on adjusted¹ and complemented², but its back bone did not change much (Ravinet 2005a; Ravinet, 2005b).

The empirical data on which the following development is based were collected and treated with a rather inductive method. To account for the set in motion of the Bologna process, I did not deduce hypothesis from existing literature in order to test them on the case of the genesis of the Bologna process, I rather started with in depth field research³, in order to let the empirical data speak for themselves, and then tried to see in which way the story recomposed and the mechanisms identified challenges the common policy narrative on the Bologna process and the

¹ See for instance the precision of the “minimum three years” for the bachelor (Bologna declaration, 19th of June 1999, § 11).

² See for instance the extension to the objective of Life Long Learning (Prague Communiqué, 19th of May 2001, § 13), or the inclusion of the doctoral level as a third cycle (Berlin Communiqué, 19th of September 2003, § 41).

³ The empirical data exploited in the research are two-fold:

- 80 semi qualitative research interviews, (done between 2002 and 2005), with actors involved in the genesis of the Bologna process: British, French, German, Italian, Portuguese, Austrian and Czech governmental and HE actors, actors from the DG HE at the European Commission and European Commission experts, as well as EUA and ESIB actors.
- Archives of two types: institutional archives (Bologna documents, national ones, as well as personal archives and correspondence collected from the interviewees).

literature. Based on this inductive research design, the main objective of this paper is therefore to make a contribution in terms of identification and qualification of the mechanisms in the genesis of the Bologna process.

The question of the structuring of the Bologna follow-up arrangement is actually two-fold. In fact, even before questioning the constraint generated by the formalisation of the organisation, it is necessary to understand how the participants got involved in the project of a EHEA. Put another way, this development will consist in the identification of two distinguished and connected series of mechanisms:

- the involving mechanisms (How and why did the participants get involved in the Bologna process?). The signatories were only 4 at the Sorbonne in May 1998, and the next year Bologna there were 29. How is it possible to account for this rallying? And in which way does what happened in this 1998-1999 time period provide us some elements to understand the emergence of constraining mechanisms in the continuation of the story? (Part 2).
- the constraining mechanisms (How and why did the participants get constrained by the Bologna process?). Whereas emergency and improvisation prevailed at the beginning in 1998 (there is indeed no mention on any follow-up procedure in the Sorbonne declaration), three years later, a section of the Prague Communiqué explicitly refers to a formalised organisational setting⁴. What happened in the mean time? How were the rules and decision procedures settled...? How did this arrangement progressively become constraining for the participants? (Part 3).

⁴ Prague communiqué, 19th of May 2001, § 18 to § 22.

2. How did the participants get involved?

To address this question, the most interesting time period of the Bologna process to explore is certainly the one between May 1998 – When the Sorbonne meeting was held-, and June 1999 -When 29 ministers met and signed the Bologna declaration-. What happened in the mean time? How can we explain that 25 new signatories joined the 4 initial ones of the Sorbonne? What were their motivations and objectives to get involved?⁵

The involving mechanism has two faces: it is a mechanism of anticipation on the one hand, and it is a mechanism of confidence in the low coast of the involvement on the other hand. But before developing those two points, let us turn down one of the common narratives sometimes made to account for the involvement of the 25 new signatories.

Do enthusiastic reactions to the Sorbonne explain involvement of 25 new countries at Bologna?

The declaration that the French, German, Italian and UK Ministers signed in Paris at the occasion of the 800th anniversary of the Sorbonne recognised the necessity to build a Europe of universities and to favour mobility and international recognition; more precisely to do it around the two cycle degree structure. The four ministers engaged to promote this common frame of reference in their countries. In this document, they also called other European countries to join them in this initiative. The declaration ended up as follows:

“The anniversary of the university of Paris, today here in the Sorbonne, offers us a solemn opportunity to engage in the endeavour to create a European area of Higher Education [...] We call on other Member States of the Union and other European countries to join us⁶ in this objective and on all European Universities to consolidate Europe’s standing in the world through continuously improved and updated education for its citizens”⁷.

Immediately after the after the Sorbonne, the French minister also sent a letter to all ministers in charge of higher education in Europe to let them know the Sorbonne text and to invite them to co-sign it:

« As you know, we have celebrated the 800th anniversary of Paris University, on the 24th and 25th of May. [...] We are now heading towards a progressive harmonization of the curricula of our higher education, the main outlines of which you can read in the enclosed joint declaration. We would like very

⁵ I shall mention here that given the difference of scale, the analysis of the motivations of the actors from the 4 countries involved at the Sorbonne meeting, and the one of the motivations of the actors from the 29 countries involved in Bologna do not rely on the same type of data. As for the Sorbonne, the data collected are quite exhaustive (see Ravinet 2005a, 2005b), whereas for Bologna, the actors concerned were too many, and the data collected is therefore a sample, which I hope relevant and meaningful.

⁶ Underlined by me.

⁷ Sorbonne declaration, 25th of May 1998, §14.

much other members of the EU as other European countries to join us, and would highly appreciate it if you would accept to sign the joint declaration⁸. Yours Sincerely, Claude Allègre»⁹.

In other words, the ministers in charge of Higher education all over Europe were addressed and invited to sign the Sorbonne twice: once collectively by the final call in the declaration, and once individually by the letter by the French minister.

Knowing the continuation of the story, one might deduce that the Sorbonne call was heard –this is indeed a narrative sometimes made by some French political actors- : the Sorbonne call was the impulse needed in order to set the basis of a Europe of Universities, ministers all over Europe reacted with enthusiasm, and 29 of them came and signed the famous declaration on “The European Higher Education Area” one year later, in June 1999 in Bologna.

But when investigating more in details the weeks just after the Sorbonne, things appear much more complex. Except for some exceptions (Romania, Flemish Community of Belgium, Bulgaria¹⁰), the reactions to the Sorbonne declaration were far from enthusiastic. In a general climax of indifference, the most visible reactions to the Sorbonne initiative were protestations. Those protestations emanated from different small EU member-States (In particular Austria, Portugal and the Netherlands¹¹) which did not appreciate to be considered secondary academic countries, and which were particularly offended by the method of the French, German, Italian, and UK ministers. The word “harmonisation” was at the heart of the controversy, as in that context, it could only be understood as “small ones aligning on the big ones” (this latter point was even intensified by the concomitant publication of the Attali Report¹²). The Sorbonne initiative was also denounced for not respecting the basic codes and ways of doing things of European cooperation. Those different elements of the protestation are noticeable in the following interview abstracts with Portuguese and Austrian actors:

« We probably needed something to develop and to build up the idea of a European Higher Education Area, but we needed something more in the consensus between all the European countries, rather than a “diktat” from the 4 big countries trying to impose the other ones a model » (Portuguese Minister)¹³.

⁸ Underlined by me.

⁹ Source : Letter from Claude Allègre sent to European ministers in charge of higher education, 28th of May 1998. It is of some interest to note here first that this letter is signed in his proper name only, and second that contrary to the records of the French ministers, and staff, in this letter, there is no mention of a second meeting in Bologna. The formal invitation came later in a letter signed by the letter by the Italian minister, and dated 22nd of December 1998.

¹⁰ Between May 1998 and June 1999, there were seven additional signatures to the Sorbonne declaration (Romania on the 15th of June 1998, Flemish Community of Belgium on the 6th of July, Bulgaria on the 15th of July, German Community of Belgium on the 30th of December, Switzerland on the 3rd of February 1999, Denmark on the 8th of March , Czech Republic on the 3rd of May). But only the first three ones were done in the weeks after the Sorbonne meeting.

¹¹ I investigated more in details the Portuguese and the Austrian cases (archive work, and interviews with 15 relevant HE actors, including the ministers in charge at that time), as for the Netherlands, Johanna Witte’s research (2006) confirms the initial discontent of the Minister after the Sorbonne meeting and declaration.

¹² The Attali report mainly consisted in proposing solutions to French problems, but its title –*Pour un modèle européen d’enseignement supérieur*- could suggest that the solution proposed had a European vocation. For more details on the misunderstandings about the Attali Report, see (Ravinet 2005a, 2005b).

¹³ Interview made on the 9th of June 2005.

“The action taken by France was seen as a “VIP club”, putting all the others on the margins of this club, knocking at the door and asking to get in. I was extremely irritated, I thought it was a very bad move by France in particular, and by all the others. [...] they were only 4 member states, and moreover no one knew about that initiative, we only heard about it once the Sorbonne had taken place. This is not the way you owe to do things when you want European cooperation” (an official from higher education direction at the Portuguese Ministry)¹⁴.

“We were not only surprised, but also a little unhappy about the fact that the four big ones declared what we should do at the Sorbonne meeting. That is the kind of procedure, of doing things, that most countries in Europe do not like, and we did not like it” (Austrian Minister)¹⁵.

Another clue attesting that the reaction after the Sorbonne were not good is the need that emerged at the beginning of 1999 for a document explaining and commenting on the Sorbonne declaration. This document is the note by the expert Guy Haug, then mandated by the Sorbonne Follow Up Group¹⁶ and the Conférence des Recteurs Européens « *The Sorbonne Declaration of 25 May 1998 : What it does say, what it doesn't* ». The objective of the redaction and diffusion of this document was explicitly to overcome misunderstandings and resistances in order not to spoil the unexpected opportunity that was given by this –imperfect- call, in order to set the basis for an ambitious European project in Higher education. The role that Guy Haug and his note played in the dynamics between 1998 and 1999 is not to be neglected: the diffusion was widespread, the document is known and referred to by almost all the interviewees met in this doctoral research. Coming back on the precise point of the resistances we are interested in at that stage, in the first part of this document, Guy Haug identified three main reasons why the Sorbonne declaration provoked resistances. Those reasons echo what we just saw about the discontent and protestation by different small EU countries.

“[...] The Sorbonne declaration immediately attracted a lot of attention but also met with a significant degree of resistance, which can be traced to the following three main reasons:

1. The announced aim to “harmonise” the architecture of the European higher education system [...];
2. The controversial proposal for a European-wide pattern of qualifications after 3, 5, 8 years in higher education¹⁷ [...];
3. The signature of the declaration by the ministers in charge of higher education in the 4 biggest EU countries [...].”¹⁸

To summarise, we saw that the immediate reactions to the Sorbonne meeting and declaration, were far from enthusiastic. In spite of the invitations to join and co sign the

¹⁴ Interview made on the 2nd of September 2005.

¹⁵ Interview made on the 7th of October 2005.

¹⁶ For more details on the creation, composition, and mission of the SFUG, see next section of this paper.

¹⁷ This second point refers to the Attali report and the proposition of introducing in France a third cycle structures of degree (3, 5, 8 for the number of years after the *baccalauréat*). The Sorbonne declaration has sometimes been interpreted as an attempt to impose this proposition thought for the French system as a model for whole European countries. (see Ravinet 2005a : 8).

¹⁸ Extracted from : Haug, Guy, « The Sorbonne Declaration of 25 May 1998 : What it does say, what it doesn't », explanatory note on the Sorbonne declaration, dated from the 25th of March 1999.

declaration, the supports from other European countries were initially very few. At the end of summer 1998, the Sorbonne initiative does not appear bound to succeed at all; on the contrary. What is then the mechanism that we can identify to account for the dynamics that led 25 new signatories to get involved and come at the Bologna conference only a few months later in June 1999? This mechanism is double: it combines anticipation and conviction that the involvement is harmless because not constraining.

The “QWERTY” effect: The new signatories got involved because they anticipated the diffusion of the two cycle degree structure

As showed above, the Sorbonne did not provoke immediate enthusiastic reactions in Europe. But this does not mean that it was not a crucial moment for the Bologna process. On the contrary, in previous papers I showed that the Sorbonne remains the founding moment of the Bologna process in the sense that it was the moment when the policy vision of the EHEA crystallised.

Before 1998, and contrary to what is often argued, there was no pre existing shared vision and project of a Europe of Universities. In the phase of preparation of the Sorbonne meeting, and in the interactions between the four initiators, the coupling between a vague European project and the policy instrument of the two cycle degree structure was the turning point, and the beginning of the coagulation of a vision. Once the vision coagulated around the policy instrument at the Sorbonne, it was never really called into question. Finally what can be observed in 1999 –and on- is that the rallying to the project at Bologna means the adhesion to the vision and to the instrument, adjustments and complements are still possible, but reversal becomes more and more difficult. (Ravinet, 2005a).

It is very interesting to note here that the vivid reactions against the Sorbonne in 1998 did not concern the *vision* of a EHEA based on the two cycle degree structure, but rather the *method* of the four initiators which was particularly inappropriate for launching a European initiative. In the data collected, there is amazingly *no* positioning against the vision¹⁹. No one spoke out to say that the project of a EHEA was not desirable, no one spoke out either against the introduction of the two cycle structure. One could have imagined that some countries had positioned saying that the principle of a EHEA was good, but that to do so, the harmonisation of degrees on the basis of the two cycle structure was not appropriate; or that it was simply not possible given the fact that various European systems had a very different model (for instance Austria, Italy, or Portugal).

Yet this was not the case: if, as we said above, reactions were quite strong on the method, there was almost nothing expressed on the principle of a EHEA or on the two cycle degree structure. There was a consensus on the vision. This result is quite surprising: this consensus does not reflect a pre existing set of converging ideas or practices. Even the literature arguing that there was some trend of convergence between the national systems in the 1990's does not

¹⁹ Nor in the interviews, nor in the national archives, nor in the minute of the SFUG.

observe a convergence of the degree structures. Until then, the harmonisation based on degree structure was unthinkable.

Why was it so then? Was there a massive movement of conversion? Did all the new signatories rallying at Bologna adhere fully to this new vision? Did they become convinced at once that the two cycles was the best structure for all higher education systems in Europe? The sensible answer is certainly no. The sudden rallying of 25 new signatories does not mean that they all think the EHEA was the *best* objective, and that the two cycle structure was the *best* instrument to reach it. The rallying of the new signatories is certainly better understood if thought in terms of strategic anticipation than if thought in terms of substantial shift in the beliefs.

In interviews, only few actors indeed said that their faith in the two cycle structure was the reason of the rallying to Bologna, but even when they did so, this was generally not confirmed – or even frankly infirmed- by written document of that period, and it was then almost impossible to get sure that this was not a *posteriori* reconstruction.

By contrast, when the interviewees are pushed and the question of the rallying to Bologna is treated more in depth, figures referring to an anticipative strategic position appear recurrent. Here are some examples:

“Our minister said from the start, he did not like the “harmonization” stuff. But even if you don’t like it, the risk was that if everyone in Europe adopted the two cycles, we would remain isolated with our old fashioned degrees. Really, be incompatible, this is something you can not afford when you are a small country, and you already have heavy problems to deal with at home”²⁰ (an official from the DG Higher Education at the Portuguese Ministry).

“Good enough that [*in the Czech Republic*], we had planned to get a Bachelor Master structure anyway. But if we had not, we would have had to hurry to prepare one. If there is a dynamics, and everyone shifts to [*the new degree structure*], what else can you do?[...] You never know what is going to happen, but what you know is that you do not want to stay behind... and you go –and the others go as well, because they also think that way-. And finally this makes a European process” (an official from the DG Higher Education at the Czech Ministry)²¹.

A way to account for this anticipation mechanism in more conceptual terms is to come back to an argument I suggested in a previous paper, and to take the construction and diffusion of the Bologna vision as following a path dependent track (Ravinet 2005a : 25-26 ; 2005b : footnote 57).

In his famous piece on path dependence and the study of politics (Pierson, 2000), Paul Pierson develops the arguments that the notions of path dependence and increasing returns coming from economics are applicable to politics, and open new perspectives for political science. The basic idea of path dependence is that once engaged on a path, the costs of exit become more and more expensive going down the path, because of increasing returns. These notions are

²⁰ Interview made on the 2nd of September 2005.

²¹ Interview made on the 19th of December 2005.

often used in new institutionalist studies to account for the stickiness of existing institutional settings. But when reading Pierson carefully, one can also see a call for more studies on branching points and lock-in mechanisms. This is precisely the way I want to mobilise the path dependence literature for analysing the genesis of the Bologna process. Both the centrality of the instruments and the description of anticipation mechanisms found in this literature can enlighten our case.

Path dependence perspective gives a central role to instruments. In the field of economics where the path dependence literature originates, the instruments are technological ones. In his classical piece, Paul David (1985) showed why the QWERTY keyboard remained no matter if it was not the most performing technology, because once an initial advantage had been gained and processes of learning set in motion, there was a lock-in and the competitors were excluded because of the cost of exit. If we accept to switch from a technology to a policy instrument, we can then argue that the two cycle structure is the QWERTY of the Bologna process²² (coagulation of a vision around the two cycle degree structure and then very little change).

Referring to Arthur (1994), Pierson identified four characteristics of an instrument and its social context that generate increasing returns (Pierson, 2000 : 254): “Large set up or fixed costs [...] ; Learning effect [...] ; Coordination effects [...] ; Adaptive expectations”. In order to understand the anticipation mechanism, the features we are interested here are the two last ones. “Coordination effects” imply that agents benefit from a new technology if others adopt it as well, and therefore that the more agents use a technology, the more it gets attractive; and “adaptive expectations” mean that individuals feel the need “to pick the right horse” (because to pick the wrong one might reveal very costly in the future). Individuals are therefore led to adapt their expectations, by anticipation of coordination effects. And they will then have a tendency to “adapt their action in ways that help make those expectations true” (Pierson, 2000: 254).

When the actors interviewed talked about their fear “of being incompatible” if ever the two cycle degree structure were generalised in Europe one day, this is clearly an expression of their anticipation of the coordination effects. As for the adaptive expectations, the actors do not use Pierson’s “right horse” formula, but they almost unanimously use a “race” metaphor (“*when there is a shot, you had better just start running, and think later on*”) and / or a “train” metaphor (“*the choice was either to catch the train or to stay on the platform*” ...).

The “it does not make any harm” effect: to get involved because the involvement is not constraining

The anticipative face of the involvement mechanism is facilitated by the low constraining face of this involvement. In many cases, especially in relations between countries, involvement means acceptance of the rules of an organisation. In the present case, when the rallying of 25 new signatories is observed in 1999, there are yet no organisation constituted,

²² The difference of course being that our objective is not to explain why an instrument *remained*, but why and how it emerged and diffused.

and no rules stated. We saw that some actors talked about "joining the club", but which club? And joining it under which conditions?

Except for the small group (the SFUG²³) which mission had been to organise the Bologna event, and draft the Bologna declaration, -and which many actors were not even aware of-, there is no organisational entity attesting for the existence of the Bologna "club". For the countries joining the first four signatories in 1998 and 1999, there is no entrance gate or fee; there is no condition to membership either. Entrance is free and open, in a way the Bologna meeting is something in between an open day and a ritual of adhesion. The only thing shared by the participants in this new "club" is a written document : the Bologna declaration. In the whole document, there are only two words explicitly mentioning commitment, found in the paragraphs immediately preceding and following the listing of the 6 Bologna objectives:

"While affirming our support to the general principles laid down in the Sorbonne declaration, we engage²⁴ in coordinating our policies to reach in the short term, [...], the following objectives, which we consider to be of primary relevance in order to establish the European area of higher education and to promote the European system of higher education world-wide..."²⁵

"We hereby undertake²⁶ to attain these objectives –within the framework of our institutional competences and taking full respect of the diversity of cultures, languages, national education systems and of University autonomy- to consolidate the European area of higher education"²⁷

But the Bologna declaration does not mention any sanction, or reprimand in case of breach of the commitment, and formally it is not more binding than the Sorbonne text. Its power comes from the fact that it is signed by 29 ministers, but it nevertheless remains a mere political statement, with no legal status: in principle, to sign it does not coerce the signatories to do anything.

For the signatories, this involvement therefore represents very low risk and cost in a double way.

First, the project the participants get involved in is at that stage quite blurred and uncertain. In fact, between 1998 and 1999, and still in 1999 just after the Bologna meeting, the situation is still very uncertain, and the "club" constituted by the signatories very fragile. They signed and agreed they will meet again in two years, but there is no certitude that this is going to become a major European policy process, or even that there is going to be any real serious continuation of this initiative²⁸.

²³ For more details about its formation, compositions, and mission, see below in the next section.

²⁴ Underlined by me.

²⁵ Bologna Declaration, 19th of June 1999, § 9.

²⁶ Underlined by me.

²⁷ Bologna declaration, 19th of June 1999, § 16.

²⁸ Political life, especially international political life, is full of events celebrating friendship and stating political commitments to cooperate, and only very few of them lead to major policy processes like the Bologna process. This is why it is important to re contextualise, and not to overestimate the capacity actors had to foresee that the Bologna meeting would lead to this powerful policy process.

Second, in the case in which there would be a continuation of the initiative, and a dynamics would really be set in motion, the document signed is not constraining and the signatories would then see if they concretise their commitment or not. In some sort this involvement is therefore quite cheap: the higher education ministers can go and sign, “It does not do any harm”²⁹ anyway, it does not commit to anything at that stage.

To summarise, the involvement mechanism is therefore a combination of two elements: participants get involved because they anticipate the diffusion of the two cycle structure, and they preferred to catch the train than not; and participants did not hesitate in doing so because continuation of the initiative was still uncertain, an in case it would lead to something this involvement is not formally constraining anyway.

This involvement mechanism identified here is actually an interesting one because it bears a strong tension: the anticipation face of the mechanism relies on the belief that the project will be carried out, and that the two cycle structure is going to become the norm in Europe, whereas the low cost face of the involvement mechanism relies on the uncertainty and non-binding-ness of the project.

I shall precise here that another mechanism is certainly at work for the involvement not only at the Bologna meeting, but in the broader Bologna process: the well known leverage mechanism. Participants also engaged in the process because by doing so, they could get a lever to legitimise domestic reforms. And the Bologna declaration can reveal a very adequate document to do so in two ways. First, the six Bologna objectives are sufficiently vague and consensual to be interpreted in very different ways, or to be used to justify very different policy measures. Second the European, but extra EU and non binding status of the Bologna process is sufficiently confusing at the national level for the policy makers to have great margins to use the “We have to do it because this is Europe” argument.

Nevertheless, I chose not to emphasize this mechanism in this paper for two reasons. First, to analyse correctly this lever mechanism, it seems to me that the relevant level of analysis is the national one. To argue for the lever mechanism, it is necessary to be able to provide not only abstracts of interviews in which actors explain that they were very strategic³⁰, but an overview of the national higher education debates and policy reforms, in order to analyse precisely the usage of Bologna to legitimise those reforms. Second, I would like to argue here that if the leverage strategy of national actors is certainly one of the explanations for the success of the process, it is far from obvious that it constitutes an explanation for the rush of the rallying in 1999. The anticipation / low risk mechanism I identified here might be more convincing to account for the November 1998-June 1999 sequence, that is to say the rallying of so many countries in so little time.

²⁹ This expression is used by different of the interviewees.

³⁰ This is usually the way policy makers reconstitute the motives they had many years ago, but to prove that this was their rationality at that time, you need the relevant data, and not only their re constructed narrative.

Relying on our empirical data we have proposed an explanation of why and how the participants got involved at the Bologna meeting, the next section will then consist in understanding more in details how the participants got progressively constrained by this initially loose involvement.

3. How did the participants get constrained by the Bologna process?

In this paper in which I try to emphasize the question of the formation of the constraining mechanism, it is interesting to observe that, as shown in the previous section, what favoured the involvement of 25 new participants is precisely the initial *absence* of constraint. The involvement cannot be interpreted as the acceptance of some constraining rules, as there were not any in 1999. The process of formation of the constraint is intricate, and closely interlinked with the process of construction of a Bologna follow-up structure. As the organisational setting was settled and got more and more structured, and as the rules of the game became increasingly formalised, the Bologna process got more and more constraining for the actors involved. This is why I will now try to identify the emergence of constraining mechanisms within the story of the construction of this setting.

Once again, the question of the constraint is complex, and different levels are closely combined. To grasp what is constraint in this non formal non binding policy process, it is important both to analyse the implementation of the Bologna objectives at the national and institutional level, and to analyse the interactions between the participants at the European level. Given the focus of this paper, I will treat of the part of constraint generated at the European level of the Bologna process, but of course, I do not pretend that this is the only source of constraint.

The SFUG as first provisory arrangement: No constraint but the bases for the Bolognese way of doing things and culture

As explained above the Sorbonne declaration can be characterised as a call from the French, German, Italian, and UK ministers for the other European countries to join and to build a Europe of higher education. But to join what, following which procedures, to cooperate in which way...? Those points are not specified in the document: by signing the declaration, the four initiators expressed a general policy vision, and some policy objectives, but no proposition in terms of organising cooperation. In the Sorbonne text, there is in fact nothing on the way to proceed; there is no indication about an organisational form to manage the follow up of the Sorbonne initiative. Why was it so? Was it that the four initiators were merely not concerned with this organisational dimension? Or was it that everything was done in such an emergency that there was just no time to develop that aspect? Or was it on purpose because the four initiators imagined that this coordination should be the purest form of intergovernmental

cooperation, as loose as possible, and therefore avoiding any organisational machinery...? What ever the reason, my point is here that at the summer 1998, everything was still to be invented to manage the follow up of the Sorbonne.

A provisory arrangement is created in October 1998 to perform this function. The analysis of the invention of this arrangement reveals different interesting –and quite unexpected- features, two of which I am going to develop. First, the characters who invented the arrangement are other characters from the ones who formulated the vision at the Sorbonne. Second, the arrangement invented to organise the follow up of an initiative in some sort challenging the European Union, is in fact an importation of EU institutional design.

Let us first see how the project was invested by a group of actors distinct from the four Sorbonne initiators. In the previous section, the atmosphere and the reactions after the Sorbonne were depicted: if there was apparently some sort of consensus on the vision –no one put the EHEA and the two cycle structure into question-, the method of the French, German, Italian, and UK ministers was on the other hand subject to many criticisms and protestations. Some Austrian actors, who were among the unhappy about the Sorbonne way of doing things, invested the project of a EHEA, and took the lead for the creation of a follow up group to manage the organisation of a second meeting in Bologna. Second semester of 1998 was the first Austrian presidency of the EU, and when they heard about the Sorbonne initiative³¹, the Austrian Director for higher education at the ministry, some high officials working with him, as well as the minister, decided that the EHEA would be high on the education agenda of their presidency³². Their investment of the project of EHEA launched at the Sorbonne was two fold. First it consisted in solving the political problem posed by the Sorbonne by expressing publicly³³ a support to the general Sorbonne objectives, but a condemnation of the method, in order to “wash away the original sin of the Sorbonne”³⁴. The way to make such a condemnation was let free by the relative retrenchment of the four initiators. The French minister Allègre, as he usually did, was not present nor really concerned by what was happening at the EU meeting. At that very moment of late October 1998, the German³⁵ and Italian³⁶ actors were living troubled

³¹ Given our data, this was probably in June 1998, just when they were finishing to plan their agenda for the presidency.

³² The question of the motivations of the Austrian actors for doing so is a very relevant one, but we can only formulate hypothesis: their national degree structure – *magister /doktor* without an intermediate cycle before the *magister*, confirmed in the 1997 reform of the Austrian framework law- does not make their investment in favour of a EHEA based on the two cycles natural... Did the actors felt that “this was the good idea that came at the good moment”...? For their first presidency, did they want to show the capacity of a small new member state to impulse new policy processes and not only make the routine job... ?

³³ This was done at the meeting of the Education council, which took place in Baden on the 24th of October 1998.

³⁴ This expression came back in different interviews made with Austrian actors in October 2005.

³⁵ There were elections on the 27th of September 1998, which gave a clear victory for the SPD, Gerhard Schröder was elected Chancellor by the Bundestag on 27th of October. This is a major political event (Helmut Kohl was Chancellor for 16 years). We can imagined that between the 24th and 28th of October 1998 – dates of the meetings treated here- German actors had other priorities than the EU meetings.

³⁶ As for the Italian, on the 21st of October of 1998, Massimo D’alema made a government reshuffle and formed a new coalition government (after the fail of Romano Prodi’s centre left government on the 9th of

periods in their national political life, which explained why the EU meeting as well as the question of the continuation of the Sorbonne initiative might not have been then their highest priority. As for the UK minister, she was present, but partly dissociated from the three other, and confirmed the UK reluctance for the “harmonisation” word since the beginning³⁷.

Second, the investment of the Austrian consisted in proposing the formation of a restricted working group to take in charge the follow up of the Sorbonne. This proposition was made in the days following³⁸ the Education council meeting at the meeting of the higher education directors of the EU³⁹, and was unanimously accepted:

“The aims of the « Sorbonne declaration » were fundamentally welcomed; despite being received with surprise [...] the establishment of a working party proposed by the Austrian Presidency was thus accepted. It is intended that the working party should function as a steering party for the preparatory work on the content prior to the next conference of Ministers (Bologna)”⁴⁰.

Let us now see how this provisory arrangement was invented. As suggested above, a very interesting result of our investigation on that question is that this arrangement was actually an importation from the EU functioning.

Once it had been decided to create a structure for the follow up of the Sorbonne meeting, and as there was no organisational indication for this follow up in the Sorbonne text, the possibilities for the composition of this group out of nothing were plenty. Yet, there was not much discussion about the formation of that group, or about who would be in, or about its mission. The arrangement that was immediately and “naturally” chosen by the DG higher education for this group was the following:

“The troika for the first sixth months of 1999 (Austria, Germany, Finland) is to be represented, a representative from Italy, from the European Commission, the Confederation and the CRE⁴¹. Austria will initially take the chair”⁴².

The SFUG was defined since the beginning as a provisory group, which mission was to manage the follow up of the Sorbonne till the next meeting in Bologna, and which would be dissolved afterwards. More precisely, the missions of the group were in number of three. Firstly and very basically, it was to provide support to the Italian team for the material and logistical organisation of the Bologna ministerial meeting. Secondly, it was to steer the drafting of the

October 1998, because of his budget was refused), Berlinguer’s portfolio is reduced to education, higher education and research portfolio was given to a new minister (Ortensio Zecchino).

³⁷ On the UK reluctance for the use of the harmonisation terminology in the Sorbonne, see (Ravinet, 2005a : 20-21).

³⁸ Meeting of the DG higher education of the EU, on the 28th and 29th of October 1998, in Vienna.

³⁹ Those informal meetings exist since 1994, when they were created on the initiative of the German DG, Hans Friedrich. They are programmed each six months, following the meetings of the Education council.

⁴⁰ Abstract from the minutes of the informal meeting of the DG, 28th-29th October of 1998, Vienna.

⁴¹ At that stage, the European University Association had not been created yet, there were two European organisations of rectors : the Confederation (for Confederation of national rectors’ conferences of the EU), and the CRE (for Conference des Recteurs Européens).

⁴² Abstract from the minutes of the informal meeting of the DG, 28th-29th October of 1998, Vienna.

declaration that would be signed on that day and to organise the contacts with the new participants. This was maybe the most delicate aspect: both the Austrian and the Italian considered themselves legitimate to draft the declaration –at some moment, there were even two competing drafts-; and a good balance had to be found in the contact with the new signatories: not divulging too much about the draft but at the same time getting sure that they would agree upon on what was in it, and accept to sign. Thirdly, when the expert Guy Haug was mandated for the first Trends report, the SFUG also had the role to follow the advancement of the report. This group met five times between December 1998 and July 1999.

The interesting question is then to understand what was the rationale that prevailed for the settling of this organisational arrangement? Why was that design chosen among others? In fact, when it was decided to create the SFUG, there was no other design available. On a very typical bounded rationality manner, the actors did not search for the most efficient solution, they opted for the first satisfactory solution that was available, and they invented an arrangement very close to what they knew and how they were used to work. This choice for the first satisfactory solution appears clearly in the answers of this high official from the Austrian ministry who was closely involved in the creation of the SFUG:

- Q: And what about the way the SFUG was settled, and the choice of who would be on that group... there was some discussion on that point...?

- A: *Well, it was decided in the meeting of the DG that it should be Austria, plus the troika, plus Italy as the hosting country, plus the institutional actors, so it was the regular scheme more or less⁴³...*

- Q: The "regular" scheme... you mean...?

- A: *Well, the Troika and so on [...]. The easiest way between the EU countries is always the EU scheme⁴⁴, so it was actually quite obvious to agree on that because nobody had an alternative proposal. It was just how people were used to work⁴⁵!"⁴⁶ (an official from the DG Higher Education at the Austrian Ministry).*

What does all of this tell us for our main interest in this story, the tracking of the emerging constraining mechanisms...? In appearance, not much. The provisory organisational arrangement invented in October 1998 and dissolved in July 1999 was indeed not constraining, it was much more a problematic of sustaining a dynamics and attracting participants than a problematic of constraining them.

Nevertheless, it seems to me that what happened with this experience of a first organisational arrangement to lead towards Bologna was important. It was in fact the moment when some fundamental features of what would become the Bologna process were invented: during that sequence between October 1998 to June 1999, with the creation of the SFUG, the bases were set for a "Bolognese way of doing things" – working in a group independent from the EU but spontaneously inspired by the troika system of the EU-, as well as a "Bolognese culture" –

⁴³ Underlined by me.

⁴⁴ *Idem.*

⁴⁵ *Ibidem.*

⁴⁶ Interview made on the 6th of October 2005.

stating that it was not acceptable that only the “big” moved, pretending to advise and guide the “small”-.

Those bases are what would make the signature of the Bologna declaration more constraining than the participants could think. First, as a SFUG had existed, the organisation created in July 1999 was not just popping up out of nowhere, there was a precedent, which had of course to be adapted, but which could be relied upon. Second, the Bolognese way of doing things and culture are part of the Bologna self justification myth that will allow some constraint to arise by making it acceptable for the participants.

The sedimentation of this organisational follow up structure and the example of the formalisation of the reporting activity

It would be going too far to interpret the Bologna signature as an adhesion to the “Bologna process” club. In fact, the consciousness that this signature implied a form of membership to a collective enterprise, as well as some constraints, progressively grew from Bologna and on. This late consciousness of the membership to a group is for instance very well stated in this quotation from one the Czech official involved in the organisation of the Prague meeting:

“I have always thought that no one was really aware of what the ministers had signed in Bologna... most of all the ministers themselves. The consciousness of being really involved in a process appeared later on” (an official from the DG Higher Education at the Czech Ministry)⁴⁷.

This consciousness progressively appeared as the process got more structured. The notions of a “club”, and of a related membership emerged as the Bologna process acquired a concrete existence: definition and stabilisation of an organisational design, which was not provisory anymore but definitive; development of activities; development of a culture and specific tools and ways of doing things (see for instance all the reporting activity treated below).

As for the organisational design, what can be observed between Bologna (June 1999) and Prague (May 2001), and on is a process of development of the Bologna follow up structure by sedimentation⁴⁸. Once the Bologna conference successfully held, at its last meeting in July 1999, the SFUG, which had no other function than this one, was dissolved, as planned when settled at the autumn 1998. The point of the composition of the new follow up structure is discussed at the meeting chaired by the Finnish –second semester 1999 was the Finnish presidency of the EU-. For the creation of the Bologna Follow Up Group (BFUG), the SFUG was not replicated exactly how it was. The conditions were quite different from the ones presiding at the invention of the SFUG -particularly in terms of scale, it is in fact easily

⁴⁷ Interview made on the 19th of December 2005.

⁴⁸ I use here the notion of sedimentation in order to make this organisational process distinguishable and comparable with the ideational process that I qualify in terms of crystallisation.

understandable that it is different to settle a structure of coordination involving twenty nine countries than one involving only very few countries-. But the new structure constituted of two groups (called at that time the “steering group” and the “enlarged follow up group”) was not created out of nothing, it relied upon (and extended) what already existed is, that to say the SFUG. Then and on, this structure in two groups would not change, it was described as followed in the Prague Communiqué in 2001:

“The follow-up group should be composed of representatives of all signatories, new participants and the European Commission, and should be chaired by the EU Presidency at the time. The preparatory group should be composed of representatives of the countries hosting the previous ministerial meetings and the next ministerial meeting, two EU member states and two non-EU member states; these latter four representatives will be elected by the follow-up group. The EU Presidency at the time and the European Commission will also be part of the preparatory group. The preparatory group will be chaired by the representative of the country hosting the next ministerial meeting”⁴⁹

What we can first see is that the composition and mission of the small preparatory group were quite close to the SFUG, whereas the big follow up group in which all the signatories were to be represented was thought as a kind of assembly of the Bologna organisation. What we can also see is that the imported EU institutional design for the SFUG is confirmed, or as I suggested above sedimented: the country chairing the EU presidency is given a key role in the two groups. This is quite surprising for an organisation stating its extra EU status, and this can of course be interpreted as the result of a refined strategy from the Commission actors to get influence over the process, but this can also be interpreted as inherited from the SFUG. In fact, we saw how the Austrian actors got their legitimacy from being chairing the presidency of the EU at the date the SFUG was created, and therefore invented the coupling between presidency of the EU, and chairing of the Bologna organisation.

Nevertheless in the time between Bologna and Prague, the existence of a follow up structure was nor formalised, nor made public, only the actors concerned were aware of it. This is why in-between Bologna and Prague some actors started to express a need for more formalisation of the organisational arrangement and its rules and functioning. The most explicit expression of this need can certainly be found in the conclusive paragraphs of the Lourtie Report:

“104. the Bologna declaration process requires that a continuous impetus be maintained⁵⁰. In the first two years of the process, other countries and organisations have been interested in joining the movement.[...] This is an achievement in itself. The process has been conducted on a rather informal basis, with no clearly specified mandate for the steering and enlarged follow-up groups, but to push the process forward. The rotating presidency has been able to keep the process rolling and has certain advantages, but it is also a fragile arrangement. The memory of the process is passed on from presidency to presidency, relying on each presidency to ensure that the chain is not broken. As the process develops, the need for a memory of the process will certainly become more important.

⁴⁹ Prague Communiqué, 19th of May 2001, § 20.

⁵⁰ The underlined fragments in that quotation are underlined by me.

105. Such facts point out the need to reflect on how to ensure continuity and momentum of the process. Assuming that an enlarged group and a steering group, or some similar arrangement, will continue to exist, their mandates should be specified. [...] the conditions for new adhesions and whether there is a limit to the geographical reach of the European Higher Education Area, should be specified"⁵¹.

And there was a response to it with the insertion of a section of paragraphs on the question of the follow up in the Prague communiqué. It was important because it was the first time the point of the follow up structure appeared in a Bologna document, and also because to write it into a public communiqué, -even non official-, validated a two group structure that was already existing for about two years.

We can therefore observe that between 1998 and 2001, there was a process of sedimentation of the organisational follow up structure of the Bologna process: first layer with the provisory arrangement of the SFUG, then a second one with the informal setting of the two group arrangement between 1999, and a third layer with its validation by a formalised description in the Prague Communiqué in 2001.

The question is therefore how did all this create a constraint for the participants? and which kind of constraint? As we said from the start, the Bologna process does not constraint *directly* the signatories involved to comply to the Bologna objectives and make policy reforms. But the structuring of the organisational arrangement generated a set of *intermediary* constraints related to the fact of being involved in the organisation.

The fact to be involved in the activities of this organisation (the two groups, plus the Bologna seminars which started at the beginning of 2001 before the Prague summit): meeting, reporting, and more recently "stocktaking", is far from neutral. It forces to measure, makes comparison possible, and then generates emulation... or shame, which can in their way be very powerful constraints. And they are even more powerful in the sense that they are made acceptable by the Bologna myth of the extra EU voluntary process, in which the orientations are soft, and not imposed by a few big ones, but created collectively.

Let us take the case of the national reporting activity. This goes a bit beyond our time frame, but it is certainly a good entrance to look at the increase of constraint. Between Bologna and Bergen, there were important evolution concerning national reporting. In Bologna, there was Guy Haug's Trends report, but no individual national report. In Prague, countries involved were asked for a report, but not all did give their report finally (Only 19 countries ⁵² out of the 29 Bologna signatories provided a national report). In Berlin, it appeared that it was not possible any more not to provide a report, as we can see all the countries provided one, but the documents, which then and on were available online, kept structured quite differently⁵³. Lastly,

⁵¹ Lourtie, Pedro, « Furthering the Bologna Process », Report to the ministers in charge of higher education in the signatory, Prague, May 2001. p.20.

⁵² Austria, Belgium (Flemish and Walloon Communities), Czech Republic, Denmark, Finland, France, Greece, Germany, Iceland, Ireland, Italy, Lithuania, Netherlands, Norway, Poland, Sweden, Switzerland, United Kingdom (source <<http://www.bologna.msmt.cz/PragueSummit/>>).

⁵³ See <http://www.bologna-berlin2003.de/>.

for the Bergen meeting, we saw that there were not only compulsory reports for all, but also that those reports were standardised all in the same way⁵⁴.

This reporting activity generates a naming shaming mechanism, which typically makes some constraint appear out of voluntary cooperation. The mechanism is indeed very well identified and formulated by the actors themselves, for instance:

“At the mean time, once you have said ‘This is a voluntary process, let us go, and then we will see...’ Then, you have a report to provide to tell the other where you are... and finally little by little, you are led to make some things...[...] You will always prefer show the others that you are doing well... of course you know there is no formal sanction, but still, it is a kind of political sanction to be the bad pupil in the class...”⁵⁵ (a former official from the DG Higher Education at the Portuguese Ministry).

“The way I see this pressure is really...shame! Imagine you are the minister from Belgium, or Bulgaria, or France or whatever... and you are asked ‘what about the master degree... what about the diploma supplement... what about evaluation...?’, and everyone knows your report, and the only answer you can give is “Maybe next year”... you would blush! This is terribly embarrassing! Yes, this embarrassment thing is a kind of pressure.”

Another point in this reporting for the ministerial meeting, is that it was one of the ways the Commission, initially challenged by the Bologna process, was given a role. The representatives of the Commission, even if officially only observatory participants, are here given the opportunity to position as the necessary neutral part to manage and animate this reporting activity, as we can observe in the quotation, where an official from the Commission describes his perception of the Commission role into the reporting activity:

“When you report, and then you can compare, there is a moment when you cannot say anymore ‘we are all equal, hurrah for the difference!’ . No, if you want to progress, you must admit that here you have your failing, and there you have your excellence. This kind of deep look to improve the systems, to make them more competitive, this is new...[...] Why not ask for the help of the Commission? Why not giving us a chair to seat at the corner of the table. We have no intention to say “you must do this and that”, and we have no competence for it anyway. But we can underline the problem, [...], we can make some warning: “if you want this in 2010, you had better do 1, 2, and 3. but this is up to you”⁵⁶ (an official from the Higher Education Unity at the European Commission)

To me, this perspective of the initially challenged Commission actors getting an increasing role within the Bologna process by investing the role of the neutral part competent for the management of some Bologna activities –for instance the reporting activity-, is much more nuanced and interesting than the one suggesting that the Commission actors are the discreet super-strategic pilot pulling the strings of the Bologna intergovernmental theatre.

⁵⁴ They were based on a form to fill in, see: <http://www.bologna-bergen2005.no/>.

⁵⁵ Interview made on the 31st of August 2005, my translation.

⁵⁶ Interview made on the 15th of December 2003, my translation.

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