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“Law 3606/08: Elegy or Energy?”

*“Far from the madding crowd’s ignoble strife
Their sober wishes never learned to stray;
Along the cool sequestered vale of life
They kept the noiseless tenor of their way”.*

These lines from Thomas Gray’s *Elegy Written in a Country Churchyard* neatly encapsulate the outgoing Greek government’s approach to higher education reform. They chose all the softer options in order to avoid “the madding crowd” of left-wing students and “kept the noiseless tenor of their way” in order to placate the higher education lobby of university lecturers who have a morbid fear of external competition and transparency. The result is a fudge, reified in the new law 3696/08, which may be seen, negatively, as an elegy on the current system of higher education or, positively, as the launch-pad for an energetic reformation of that system by the new incoming government. Which is it to be: elegy or energy? More particularly, will the new minister of education and religious affairs be able to include Greek universities in the formal launch of the European Higher Education Area (EHEA) in Budapest and Vienna on 11 and 12 March 2010 respectively?

In order to answer the question whether the new law 3696/08, which still awaits full implementation, is an elegy on the state monopoly of higher education or an opportunity for a burst of political energy in the entire sphere of higher education, it is necessary to move the debate to a wider canvas. The reforms of the Bologna Process which will reach their apogee in Budapest and Vienna, and to which Greece is a signatory, concentrate on three areas:

- Easily readable and comparable degrees organised in a three cycle structure – the so-called Bologna 3-5-8 formula for Bachelors, Masters and Doctorates – with clearly defined learning outcomes at each stage.
- Quality Assurance in accordance with the Standards and Guidelines for Quality Assurance in the EHEA.
- Fair recognition of foreign degrees and other higher education qualifications in accordance with the Council of Europe/UNESCO Recognition Convention.

Let me begin with the third area of reform, namely the recognition of foreign degrees. Currently, Greece is before the European Court of Justice (ECJ), which ruled in December last that its ministry of education and religious affairs was in contravention of both the European Treaty and attendant EC directives, specifically directive 2005/36/EC. Greece has until 1 January 2010 to comply with the three rulings of the ECJ or face stringent infringement proceedings. What was not picked up by the local press was that in its third ruling the ECJ stated that article 16 of the Greek constitution was ultra vires the relevant European Treaty and directives. In other words, as far as the ECJ is concerned, article 16 is dead in the water. I hope this fact is recognised as we move into election debates on the future of higher education. I would also hope that the new minister of education could move quickly to remove the requirement that teachers of English (or French or German or Mandarin Chinese) must have a proficiency certificate in Greek. This current requirement is once again against the European Treaty – and indeed is counterintuitive.

In relation to the second area of EHEA reform – quality assurance – the outgoing Greek government is to be congratulated on setting up the Hellenic Quality Assurance Agency (HQAA), but to date I have been unable to access any publication of its audit reports on universities or

university departments (transparency). The European Network of Quality Assurance in Higher Education (ENQA) has recommended that universities in the EHEA should include representatives from other universities on their external quality audit teams but as far as I'm aware no Greek university has yet established an external quality assurance system per se. As a British academic I had the privilege to chair examination boards of British universities which included external Greek academics and was most impressed with the professionalism of my Greek counterparts. I believe this is a model for university external audit systems, namely that British or Greek universities and their academic programmes should not be audited by a "foreign" quality assurance agency but should include academics who are not members of the respective university. Putting it bluntly, and with the greatest respect, as a British academic lecturing on British university programmes in Greece, I would not wish to be audited by the HQAA for the simple reason that it would not be in tune with British academic cultures. In this respect, the outgoing Greek government was prudent to avoid this particularly knotty problem in its new law 3696/08.

Finally, Bologna 3-5-8, the first of the abovementioned EHEA reforms. Some of my European colleagues see this formula as the stratagem of a British fifth column. What they fail to recognise is that Scottish universities still run four-year Bachelor's programmes and there is currently a lively debate in the UK about their one-year Master's programmes. My personal position is that three years is sufficient for a Bachelor's programme and that British universities should come into line with the number of credits/years (two not one) required for an EHEA Master's programme. In relation to Greece, Ms Yiannakou (a former Greek minister of education and now an MEP) missed a golden opportunity to bring Greece into line with this EHEA reform when she recommended four-and-a-half to six years for a Greek university diploma/BA(Hons) degree instead of Bologna's three. Apart from everything else, this is a gross waste of public finances at a time when Greek higher education needs to conserve all its resources. In spite of all the pre-election promises we're likely to hear over the next few weeks, it is unlikely that Greece will be able to increase its percentage of GDP on education for the foreseeable future. The financial future for Greek universities, therefore, lies in the introduction of tuition fees for first stage diploma programmes and/or the establishment of public/private partnerships. Those who would oppose such a strategy should reflect on why Harvard is both the richest and No 1 university in the world, according to the Times Higher Education's World University Rankings. (The nearest Greek university is the University of Athens at No 200.)

In the final analysis, it must be stated that not even the full implementation of the new law 3696/08 by the incoming government will have a material effect on Greece's participation in the Bologna process nor the formal launch of the EHEA next year. It represents an internal process to tidy up the administration of higher education within the Greek polity and in that respect is to be welcomed. That being the case, the new government still faces some hard choices in relation to the direction and quality of Greek higher education. The new law is indeed an elegy on an asymmetrical and inefficient administrative system but it does not contain the banausic energy to move higher education forward, nor indeed to prepare Greek universities for the launch of the EHEA in Budapest and Vienna in March 2010. That will be a Herculean challenge for the new minister of education and religious affairs next month.

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