



Prof. Dr. Ulrich Menzel

Transformation through Cooperation

How Does the German University System Works?

Conference “Emerging Pollutants in the Mediterranean Basin – Setting the Bridges”
10-16 September 2012 – Hammamet, Tunisia

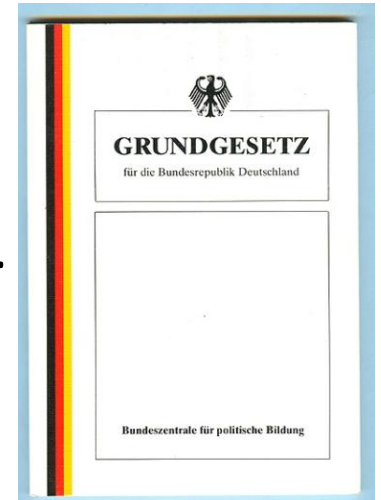
Federalism

“Federal Republic of Germany“ means a division of governance between the Federal level and the level of the States (e.g. Lower Saxony, Bavaria etc.)

The States are among other fields responsible for the governance of the cultural sector (Schools, Universities, Libraries, Archives, Museums, Theatres, Orchestras et al.)

Legal Framework

Art. 5 (Freedom of expression, arts and sciences) of the German Constitution, passed in 1949, says: “Arts and sciences, research and teaching shall be free. The freedom of teaching shall not release any person from allegiance to the constitution.”



The Federal Parliament has passed a law formulating only the general framework for the universities (Hochschulrahmengesetz)

Each state parliament has passed his own university law

Who runs the Universities?

Generally all Universities, Technical Universities and Colleges belong to the states

The Universities are financed by taxes

Studies are free of charge for Germans and foreigners

Private Universities are a very new phenomenon

Universities undertake research and teaching

Colleges undertake only teaching in the meaning of vocational training

The hierarchy among the universities is flat. Among the about 100 universities in Germany the about 30 old universities (established before 1914) offer more or less equal conditions

Who runs the Universities?

Private universities are a very recent phenomenon

- they are much smaller than the state universities
- they offer only a narrow range of disciplines (business schools, law schools, social sciences), because “book sciences“ do not demand big investments like civil engineering or natural sciences
- they do no research
- they are financed by the fees of the students

Academic Principles

1) **Freedom** of Research and Teaching
(protected by the Constitution)

2) Academic **Selfgovernance**
(= the price of the freedom)

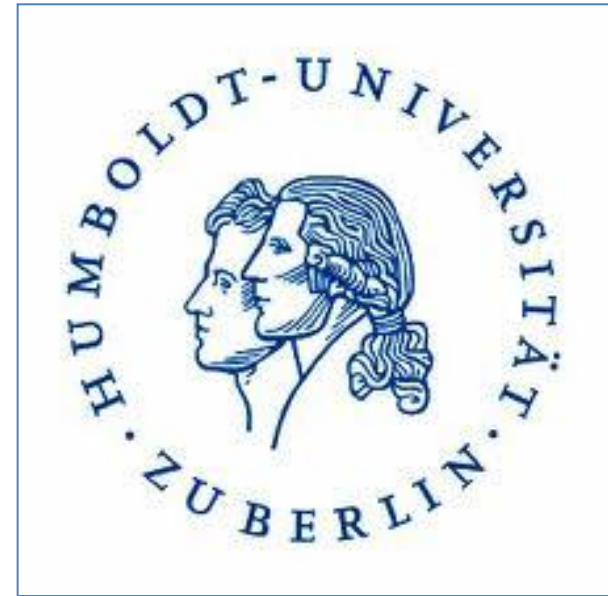
3) **Unity** of Research and Teaching

(the 3rd principle goes back to Wilhelm von Humboldt, who was since 1809 responsible for the university reform in Prussia after the defeat against France in the Napoleonic Wars)



Academic Principles

The most prominent university in Prussia and now one of the most famous universities in Germany (“Humboldt-Universität in Berlin“) is named after the Humboldt brothers



4) **Merit** System (the most qualified are selected for academic posts)

Academic Principles

- 5) **Competition** among universities, faculties, institutes, researchers, students. Especially below the rank of a full professor (chair) the competition is very strong
- 6) **Cooptation**
(the professors, who are already there, decide who comes along)
- 7) **Testifying** by external experts
- 8) **Subsidiarity** among the levels of university governance
- 9) **Promotion** of women
- 10) **Transparency** (sessions of faculty councils and senate are open for the public; evaluations of research and teaching; statements of accounts are obligatory)

Autonomy of the University

Each university passes her own constitution

Presidents (Rectors), Deans, Members of the Senate, Members of the Faculty Councils, Acting Directors of the Institutes, Members of Examination Bodies, Members of the Councils responsible for strategic planning, study courses, household, etc. are elected by the members of the university or their representatives

Each university can decide which study courses are offered. The choice depends only on personal capacities and budget

Each professor is free to decide which research he undertakes

Each university is free in recruiting personal (professors, researchers, lecturers etc.)

Autonomy of the University

Each university is free to arrange cooperations with other universities, research institutes, private companies etc.

The number of students to be enrolled depends on the capacity for teaching in each discipline

University Bodies

University bodies are run by the principle of subsidiarity

The Board/ Acting Director of an Institute is responsible for any question belonging to the Institute

The Faculty Council/ Dean is responsible for any question belonging to the faculty (especially study courses, examinations, budget)

The Senate is a controll organ for the faculties

The presidency/ president is responsible for any question belonging + to the university in general

University Bodies

There are 4 stakeholders:

- 1) Professors
- 2) Assistants/ lecturers/ research fellows
- 3) Students
- 4) Technical staff

The members of each group elect their representatives in the university bodies

The distribution of seats follows the formula 7:2:2:2. In commissions the formula is 4:1:1:1. So professors have always the majority

There is competition among disciplines and/or voting lists with different political orientations

The Senate elects the president and the vicepresidents

University Bodies



A session of the senate of the University of Marburg

University Bodies

The Faculty Council elects the Dean

Representatives in the bodies (Deans and Vicepresidents) are elected for 2 years, reelection is possible

Presidents are elected for 4 years, one reelection for another 6 years is possible

The post of a president is announced, candidates have to apply. In fact outsiders have no real chance against insiders

If the University has a rector, the guiding principle is “primus inter pares”

If the University has a president, the presidency has much more power than the rectorate

In reality the style of governance depends on the personality of the rector/ president

Selection of Professors

- 1) To become a professor it is necessary to have a PhD. Better it is to have a further qualification (Habilitation or second book). In civil engineering experience in the related industry (at least 3 years) is the equivalent
- 2) Beside the formal qualifications candidates have to have experience in research and teaching, show a substantial record of publications (books and articles in testified scientific journals) + other qualifications (awards, patents, research stays abroad, participation in conferences etc.)
- 3) Each position is announced in newspapers, academic journals, websites

Selection of Professors

- 4) Each candidate has to apply
- 5) The Faculty Council elects a selection committee (formula 4:1:1:1).
Among the regular members has to be at least 1 woman +
the female equal opportunities officer
- 6) The selection committee elects the chairman who is responsible for
the management of the selection process
- 7) The selection committee formulates the text for the announcement
of the position. The text has to be approved by the faculty council,
the senate and the presidency, before the announcement is
published. This step is decisive for the development of the university
into new research fields

Selection of Professors

- 8) The applications are looked through by the selection committee. The number of applications varies between 20 – 60/80 , depending on the discipline, the prestige of the chair/ university
- 9) The best 6 – 8 candidates are invited to give a lecture + discussion in front of the selection committee and a broader audience

Selection of Professors



Lecture of the candidate in front of the selection committee

Selection of Professors

- 10) The selection committee selects the best 3 candidates. External experts have to write comparative witnesses and make a proposal about the order of the 3 candidates
- 11) The selection committee delivers a report to the faculty council and makes a proposal for an “appointments list” giving reasons why candidate x is put on the number 1 position etc.. If the qualification is equal a female applicant has to be preferred
- 12) The appointments list has to be approved by the faculty council and the senate. Both bodies have the possibility to refuse the list or to change the order on the list

Selection of Professors

- 13) After this procedure the president (or the minister of science in the old system) “calls“ the applicant on the number 1 position on the chair of...
- 14) The “called“ candidate negotiates with the president, the dean (and the minister) about the conditions of his future work at the university (number of assistants, lecturers, secretary, equipment of laboratories, office space, budget for books, journals, etc.). The amount to be negotiated depends on the discipline, budget of the university, budget of the ministry, excellence of the candidate et al.

Selection of Professors

- 15) If the “called” candidate is already a full professor at another university he can negotiate with his home university, under which conditions he stays. If this second offer is more attractive than the first one, he can give the “call” back
- 16) In this case the same procedure starts with the number 2 candidate and possibly even the number 3 candidate
- 17) The whole process lasts at least for 1 year, but 2 years are usual. Therefore one has to start 1 or 2 years before the previous professor retires

Funding for Research

- 1) Each professor has a personal budget, research equipment, academic and technical staff, etc. spend by the university. This budget is fixed until the retirement of the professor and depends on the negotiations just described. Cuts are always possible.
- 2) Additionally he can apply for research grants offered by public or private foundations supporting research and/or teaching, academic exchange etc.. The competition among the applicants is very strong. The selection process of the best applications is similar to the recruiting of professors
- 3) Professors of civil engineering and natural sciences can get additional funding from the industry. The principle here is not competition but good relations. Especially smaller firms without own research laboratories are interested in close and continuous cooperation with University Institutes

Results of Research

- 1) The results of research have to be published
- 2) Anybody is free to use published results
- 3) Only in case of research financed by the private industry the results belong to the company
- 4) The individual researcher can use the results for his own qualification (Master-Thesis, PhD-Thesis, second book etc.)

Rights and Duties

Professors have the right to examine candidates on all levels, to undertake research and to teach the whole range of his discipline (venia legendi)

Professors have the duties to teach (8 hours per week) during the semester, to participate in the selfgovernance bodies of the university

Professors should do research or at least manage the research of others, recruit additional funding, publish, give lectures, testify applications of colleagues, participate in/or organize conferences etc.

Professors retire in the age of 65/68, but have the right to continue with research and teaching. The pension is reduced to 70% of the latest salary