

Abstract

Presentation at the Aristotle University of Thessaloniki

February 7th, 2011

Governance in the GERMAN University System

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In accordance with the German Constitution which guarantees the freedom of arts, sciences, research and teaching, higher education and specifically the responsibility for the university system is assigned to the 16 States (Länder) of the Federal Republic (Bund). As such, the states are entitled to legislation concerning the general structure, the awarding of degrees, the admission of students, the budgetary conditions, and the role of the universities within the national and international context (Landeshochschulgesetz). In addition, each University defines according to its specific mission internal rules of cooperation (Grundordnung). Major actors of the governing structure have been traditionally, therefore, the Minister of Science and Education, the University Senate, the Rector/President, the Dean and Professors with a high degree of independence.

Due to recent social, economic and political developments and following international examples, new elements have been introduced into the governing structure. Most prominent is the newly instituted Board of Trustees

(Universitätsrat) with an authority similar to that of the Supervisory Board (Aufsichtsrat) known from the industrial sector. The primary goal is the attempt to strengthen the autonomy of the universities, to reduce the detailed steering by the government and to bring the universities closer to developments in the society. In addition, several new examples of governance such as the transfer of a university into a foundation have been introduced. Furthermore, in reaction to the national Initiative for Excellence (Exzellenzinitiative) new models of cooperation such as the Karlsruhe Institute of Technology (KIT) between the University and the National Research Center Karlsruhe or between several universities such as the Niedersächsische Technische Hochschule (NTH – Hannover, Braunschweig, Clausthal) require specific rules of governance and agreements.