Exploring the roles of European governance layer in higher education: Between Europeanization, policy transfer and legitimation of domestic policy preferences

Martina Vukasovic (corresponding author, martina.vukasovic@ugent.be)
Jeroen Huisman

Centre for Higher Education Governance Ghent (CHEGG)
Department of Sociology
Ghent University

DRAFT VERSION
Work in progress, please do not cite!

Notes for readers:
We are well aware the paper is longer than the usual article length. There may be some repetitions, but we left the empirical part as extensive as it is on purpose, in order to provide sufficient information to readers on the cases we analyse.

All suggestions, concerning the theoretical approach, research design as well as what to cut or how to frame the article are more than welcome! Thank you.
Introduction

One of the key developments in higher education in Europe in the last 15 years was the emergence of an additional – European – governance layer. This is not an entirely novel development, seeds of European coordination of higher education policies can be found already in the early days of the European Community (Corbett, 2003). At present, the European coordination in higher education is supported by two pillars: (1) the EU pillar\(^1\) and (2) the pan-European (Bologna) pillar (Maassen & Musselin, 2009). This European governance layer is marked by a mixture of supranational, intergovernmental and transnational dynamics, resulting from complexity of governance arrangements within the EU (Börzel, 2010), within the Bologna Process (Elken & Vukasovic, 2014; Ravinet, 2008) and the interaction between the two (Corbett, 2011).

There is ample data on substantial changes of national higher education policies since the beginning of the Bologna Process, suggesting that so far there has been significant convergence of policy rhetoric and objectives but persistent diversity in policy instruments and, in particular, policy outcomes (see e.g. EACEA, 2012; Westerheijden et al., 2010). Many studies, more or less explicitly, assume a causal link between the European governance layer and the national policy changes, sometimes overestimating or simplifying the phenomena or not providing more explicit theoretical framework to account for such a link. A 2011 review on Europe of Knowledge and transformation of higher education (Elken, Gornitzka, Maassen, & Vukasović, 2011) has in particular drawn attention to this situation, also highlighting several contributions which do offer a theoretical backdrop for analysis and which do not take the influence of the European governance layer for granted (one of the first examples being Witte, 2006).

A further challenge with regards to higher education literature on this issue is terminological ambiguity with regards to labelling the relationship between the national and the European governance layers. The term ‘Europeanization’, very commonly used for developments in the area of higher education,\(^2\) actually may have a number of meanings (Olsen, 2002), only one of which implies a top-down impact of the European governance layer on the national one.\(^3\)

---

1 The EU pillar includes the Lisbon Strategy from 2000 and related developments as well as various programmes supporting cooperation in the area of education and research (latest incarnations being the Erasmus+ and the Horizon 2020 programmes).

2 More than 400 hits on Google Scholar for “Europeanization/Europeanisation of higher education”, or “Europeanizing/Europeanising higher education” in mid-May 2014.

3 As proposed by Radaelli (2003) and used in the context of higher education by Musselin (2009) and Vukасович (2013).
Apart from terminological ambiguity, there is also a fragmentation in relation to what aspect of the relationship between the European and the national governance level is highlighted. In addition to the focus on the vertical top-down dynamics (explicit, amongst other, in Vukasovic (2013) and implicit in many studies on ‘implementation of Bologna’), attention is also given to more horizontal dynamics and how the European governance layer may facilitate cross-national policy transfer (e.g. Voegtle, Knill, & Dobbins, 2011) or opportunistic use of European coordination (Bologna in particular) for pushing specific domestic preferences (Gornitzka, 2006; Musselin, 2009). However, a systematic comparison of the different roles the European governance layer can play in national policy changes is lacking and there is also a need for a more detailed exploration of the relationship between the different roles and possible prevalence of one over the others in specific countries or related to specific aspect of higher education policy.

Taking this into account, this study aims at systematizing the knowledge on the different roles the European governance layer can play in national policy changes and at providing an answer to the following research questions:

- to what extent the different roles of the European governance layer vary depending on the type of issues that are the focus of higher education policy,
- to what extent the different roles vary depending on the country, in particular its position within the process European integration (centre vs. periphery) and possibilities for cross-national communication of policy actors?

The paper proceeds with outlining the different roles the European governance layer may have in national policy changes, leading to a set of hypotheses and discussion of relevant choice of cases. This is followed by a presentation of the research design and data used in the study. The empirical basis of the study consists of analysis of policy changes in four countries (Croatia, Flanders/Belgium, Serbia and the Netherlands) on two policy issues – quality assurance of higher education and the binary divide. The final section discusses the key insights from the analysis, summarizes the findings and reflects on the analytical framework and research design, outlining possible areas for further study.

**Comparing and contrasting different roles of the European governance layer**

As indicated earlier, it is primarily with the Bologna Process and the EU focus on knowledge through the Lisbon Strategy that a more noticeable European governance layer has emerged (Beerkens, 2008). It is marked by “many smaller, composite and intricate processes of change”
which target different governance levels and include a number of inter-related actors, structures and dynamics, such as: (1) various EU structures, both supranational (European Commission) and intergovernmental (Council of Ministers), (2) national higher education authorities in the countries participating in the Bologna Process and European intergovernmental organizations (Council of Europe) which reinforce the intergovernmental dynamic and (3) various NGOs and interest groups operating on the European level (such as EUA and ESU) which “add a transnational flavour” (Elken & Vukasovic, 2014, p. 132).

As this study concentrates on the role the European developments play in the national policy changes, the emergence of the European governance layer in higher education and building the governance capacity on the European level are beyond its scope. It should be noted, however, that some policy preferences which end up being promoted as ‘European’ can be traced back to countries uploading their policy preferences to the European level and negotiations and bargaining that ensues (Börzel, 2003, 2010). Thus, attention is given to the position of different countries in the context of European integration and the role they may have played in the emergence of the European governance layer, although said emergence is not the primary focus of the study.

Based on: (1) an extensive literature review on Europe of Knowledge and transformation of higher education (Elken et al., 2011), (2) a review of recent literature on policy transfer in general (e.g. Benson & Jordan, 2011; Benson & Jordan, 2012; Dolowitz & Marsh, 2012; Dussauge-Laguna, 2013) and on the Bologna Process in specific (e.g. Voegtle et al., 2011), and upon (3) revisiting a number of previous studies on the role of the Bologna Process in national policy change (e.g. Gornitzka, 2006; Musselin, 2009; Ravinet, 2008), three main roles of the European governance layer can be identified. They are as follows:

1. offering European preferences to domestic policy actors which can be ‘downloaded’ and incorporated in different ways into the domestic context,
2. providing a communication platform that facilitates communication and the transfer of preferences from other countries to the domestic context, and/or
3. providing a legitimizing label for domestic preferences.

Their main characteristics are summarized in Table 1, highlighting the key process in each of these roles, the underlying mechanism and the function of the European governance layer.

The first role highlights vertical dynamics and the process of Europeanization of national higher education policies, i.e. “the [process of] institutionalization of formal and informal rules

---

4 The reader can refer to researchers who have addressed the different aspects of the emergence of the European governance layer in higher education (e.g. Beerkens, 2008; Corbett, 2003, 2005, 2011; De Ruiter, 2010; Gornitzka, 2009, 2010; Lazetic, 2010; Maassen & Musselin, 2009; Maassen & Olsen, 2007; Veiga & Amaral, 2006).
developed in a process that involves a supranational or an intergovernmental body (such as the European Union [institutions], the Council of Europe – CoE or the Bologna Follow Up Group – BFUG).” (Vukasovic 2013a, 312). The European governance layer is, in this respect, a governance site in which a set of specific policy preferences are formulated and promoted as European. These include the explicitly formulated Bologna action lines (some of which are included in Table 1), as well as a number of preferences promoted by the EU through setting priorities for funding of projects within cooperation programmes such TEMPUS, former Socrates and Lifelong Learning Programme and current Erasmus+. Studies about the implementation of the Bologna Declaration on the system level are, in light of this definition, studies about Europeanization of higher education. Two theoretical perspectives on Europeanization have crystallized in European studies literature, one highlighting the importance of external incentives and the logic of consequence, the other focusing on social learning and the logic of appropriateness (Börzel & Risse, 2003; Sedelmeier, 2011; Vukasovic, 2013).

The second role highlights horizontal dynamics and the process of policy transfer between the different countries. While policy transfer is often understood as “a process whereby knowledge about policies, administrative arrangements, institutions, ideas and so on are used across time and/or space in the development of policies, institutions, and so on elsewhere” (Bomberg & Peterson, 2000, p. 10, emphasis added), within this study it will be limited to transfer across space between actors mainly operating on the same governance level, i.e. to the process in which domestic policy actors intentionally and voluntarily apply knowledge about various kinds of preferences from other countries to further domestic policy change. The motivation for such transfer can be both a reflection of logic of consequence – the transferred ideas are expected to provide desired outcomes, and of logic of appropriateness – the non-domestic ideas are transferred because they resonate with existing norms and values. Transfer can take (and has taken) place without the European governance layer where alternative communication platforms exist (e.g. cooperation between the Nordic countries through the Nordic Council of Ministers), but the European governance layer in this case potentially provides an additional communication platform (Voegtle et al., 2011), thus facilitating transfer. In general, transfer is more likely if the countries are similar with regards to

---

5 This is on purpose a narrow understanding of the term of Europeanization, following Radaelli (2003) and (Musselin, 2009); for a review of different uses of the term ‘Europeanization’ see Olsen (2002).

6 This study sees the two logics as complementary (not competing), following Goldmann (2005); March and Olsen (1989); Nørgaard (1996).

7 This narrow understanding of policy transfer mirrors the narrow understanding of Europeanization and is done to avoid the negative consequences of concept stretching for classification of phenomena and for comparative analysis (Sartori, 1970).
their cultural, political and socio-economic circumstances (Heinze & Knill, 2008), provided there is a communication platform.

While the first two possible roles focus primarily on specific influences of the European initiatives on both the process and the content of domestic changes, the third possible role of the European governance layer is less important for the changes of policy content, but more important for the process of policy change as such, in particular agenda-setting and policy formation. For example, in Norway the Bologna Process was, amongst other, used as “political leverage in a national reform process” (Gornitzka, 2006, p. 38), while in France there a “French public authorities used this reform to achieve other objectives” (Musselin, 2009, p. 182). The key issue in this situation is not what the European preferences regarding higher education essentially are (cf. Europeanization) or whether the existence of European initiatives in higher education can facilitate learning about preferences from other countries (cf. policy transfer), but whether the European initiatives appear at a moment that is opportune for domestic policy change and whether the domestic actors use European initiatives to legitimize their own (existing) policy preferences. As such, this dynamics resembles the ‘garbage-can’ decision-making model by Cohen, March, and Olsen (1972) and its adaptation to agenda-setting in policy processes by Kingdon (2003).

Table 1. The three possible roles of the European governance layer. Adapted from Vukasović (2014)

<table>
<thead>
<tr>
<th>Key process</th>
<th>Europeanization (vertical dynamics)</th>
<th>Transfer (horizontal dynamics)</th>
<th>Temporal ordering and strategic actors</th>
</tr>
</thead>
<tbody>
<tr>
<td>Institutionalization of European rules in the domestic context</td>
<td>Use of preferences from other countries or organizations in the domestic context</td>
<td>Use of European initiatives to legitimize existing domestic preferences</td>
<td></td>
</tr>
<tr>
<td>Logic of appropriateness AND logic of consequence</td>
<td>Logic of appropriateness AND logic of consequence</td>
<td>Opportunism of policy entrepreneurs and ‘garbage-can’ decision-making</td>
<td></td>
</tr>
</tbody>
</table>

Function of the European layer

- Provide a model, e.g.
  - Quality assurance in line with the ESG
  - 3+2/4+1 degree structure
  - European Credit Transfer System – ECTS
  - Recognition in line with LRC

- Provide a communication platform that facilitates policy transfer between countries

- Provide a legitimizing label that can be used by domestic actors strategically

---

8 European Standards and Guidelines for Quality Assurance in Higher Education (ENQA, 2005).
As any categorization, this view on the different roles of the European governance layer focuses on ideal types and, as such, is primarily useful for structuring an analysis of actual processes of change in higher education. In a particular empirical context, the three roles may overlap and interact in various ways, and there may be aspects of domestic policy change resulting from primarily domestic dynamics, i.e. external, non-domestic influence may be almost irrelevant. Therefore, in order to analyse the different roles of the European governance layer and in order to explore whether these roles play out differently in relation to different policy issues or in different countries it is necessary to make a distinction between ‘simple’ transfer, in which the domestic policy actors use ideas from another country but there is no role for the European governance layer and the three roles of the European governance layer presented in Table 1.

**Choice of cases, data and method**

By default, the first role of the European governance layer – Europeanization – may be prominent in national policy changes only in relation to aspects for which there are some European policy preferences. In general, it can be expected that the Europeanization role of the European governance layer will gradually become more prominent as the European preferences become clearer and as they become related to specific consequences of non-compliance, i.e. there will be a change in prominence of the Europeanization role over-time. Furthermore, the Europeanization role will be more prominent in countries in which the European preferences are seen to be more legitimate and in countries in which the domestic actors are more active in various forms European cooperation and more central in the overall European integration efforts. This has the following implications for the choice of the empirical focus for testing these expectations: (a) the chosen European preference should preferably increase with regards to clarity and consequence over time and (b) the countries chosen for analysis of national policy changes should possess sufficient variety with regards to legitimacy and participation of actors in European epistemic communities (i.e. both countries in the ‘centre’ and those in the ‘periphery’ of European integration efforts should be analysed).

There are also aspects of higher education which are not the focus of particular, explicit or implicit, European preferences, such as the relationship between university and non-university

---


10 What Haas (1992) refers to as epistemic communities.

11 See Vukasovic (2013, 2014b) for elaboration of the basis for these expectations concerning Europeanization.
sector, specific criteria and channels for allocation of public funding, some aspects of higher education steering (e.g. role and composition of buffer structures), etc. For such issues, as indicated above, the European governance layer can act either as a communication platform which facilitates transfer or as a legitimizing label for existing domestic preferences. Concerning the transfer role, in case the European governance layer does play that role, it can be expected to be prominent between the countries which do not have alternative communication platforms and established policy cooperation of their own. The countries which do have other possibilities for communication can be expected to maintain communication through their mutual communication platform, i.e. a significant change with regards to extent of policy transfer between such countries due to emergence of an additional communication platform (the European governance layer) may not be expected. This has several implications for the choice of empirical focus: (a) the chosen countries should include both those which have alternative communication platforms and those which do not, and (b) the period of policy changes covered in the analysis should include also the period prior to the more prominent emergence of the European governance layer, i.e. before the late 1990s and the developments since the late 1990s.

Finally, the third role of the European governance layer – legitimation of existing domestic preferences – can be expected to be more prominent (1) for issues which are particularly contested in the domestic policy arena, (2) in countries in which a perception of the need for significant policy changes and the emergence of the European governance layer were temporally sorted, and (3) in countries in which the European initiatives in higher education are seen as legitimate and resonant with domestic values and norms. In this way, national policy actors may be inclined to strategically attempt to use the European label to put their preferences on the agenda and push them through the policy formation and adoption process. For the empirical focus, this means that it would be necessary (a) to follow the national policy process beyond the adopted documents and (b) include an analysis of positions of relevant stakeholders and discussions prior to policy adoption, preferably over an extended period of time so domestic preferences which are particularly contested may be identified.

Given previous considerations, this study focuses on two distinct policy issues: (1) quality assurance and (2) binary divide. The first is one of the initial Bologna action, whose gradual clarification leads to distinguishing three separate periods: (a) before the late 1990s, i.e. prior to the prominent emergence of European preferences concerning quality assurance, (b) until 2005, i.e. the period in which the European preferences concerning quality assurance were relatively ambiguous, and (c) after 2005, i.e. after elaboration of said preferences through the ESG in 2005 (ENQA,
2005). The other issue, which concerns the relationship between the university and non-university\textsuperscript{12} sector, is not subject to particular European policy preferences but is nevertheless one of the major aspects of higher education policy and an aspect in which significant changes have taken place already (Kyvik, 2004, 2009).

The study focuses on national policy changes since the early 1990s in four higher education systems: Croatia (HR), Flanders (FL), Serbia (RS), and the Netherlands (NL). These countries constitute neither particularly big (e.g. France, Germany, Poland, Spain, the UK), nor particularly small higher education systems (e.g. Luxembourg). They are grouped in two dyads (Flanders-the Netherlands, Croatia-Serbia), with each dyad comprising countries that are similar in terms of historical, cultural, socio-economic, political circumstances to allow for comparison of the different roles within dyads. Countries in one dyad were at the core of European integration efforts in general and European higher education initiatives in particular (Flanders and the Netherlands), while countries in the other can be considered more in the periphery of such developments (Croatia and Serbia). Belgium (of which Flanders is a part of) and the Netherlands are amongst the so-called ‘initial six’ of the European integration, while Croatia is one of the newest members (as of 1 July 2013), and Serbia has been a candidate country only since March 2012. Flemish and Dutch representatives were amongst the original signatories of the Bologna Process, cooperating in the area of higher education even prior to the Bologna Process (in particular in the area of QA, through the INQAAHE\textsuperscript{13}) and co-hosting (together with Luxembourg) the Bologna Process Ministerial Summit in Leuven in 2009. Croatia joined Bologna in 2001, Serbia in 2003 and none of the countries has been prominently active in shaping of the process, although in both countries public sector reforms in general, as well as the overall political and economic transition have been framed as a ‘return to Europe’ (Héritier, 2005) and the process of European integration is of significant political salience. These differences allow for comparison across dyads. Thus, there are several lines of comparison: (1) diachronic within each of the dyads, (2) between the two dyads and (3) between two sets of policy issues.

The study empirically relies on a combination of primary and secondary sources. The primary sources include various policy documents, such as white papers, legislation (both draft and final versions) as well as policy positions of major stakeholders (HEI associations/rectors’ conferences, student unions, trade unions, employers, etc., depending on the system). These serve to (a)

\textsuperscript{12} The paper will sometimes refer to polytechnics or hogescholen instead of the non-university sector.

reconstruct changes of policy solutions through time, (b) identify sources of ideas for such policy solutions (in case where these might be indicated in official policies, e.g. specific references to European initiatives or other countries) and (c) identify domestic preferences that may be a point of contestation. In the case of the Croatia-Serbia dyad, which is relatively under-researched compared to the other one, document analysis is complemented with interviews with relevant policy actors from the early 1990s until late 2000s, to identify sources of policy preferences and motivations for particular policy proposals and decisions. For the Flanders – the Netherlands dyad, the document analysis was complemented with secondary sources.

Quality assurance

The Netherlands and Flanders

The extensive literature on quality assurance developments in the Netherlands (Dittrich, 2010; Dittrich, Frederiks, & Luwel, 2004; Frederiks, 1996; Hsieh, 2012; Jeliazkova & Westerheijden, 2004) mark the years 1985, 1993, 2002 and 2010 as important moments in the Dutch higher education history when it comes to policy changes in quality assurance.

From the mid-1980s on, experiments with QA had been initiated under the auspices of the Association of Dutch Universities (VSNU) and the HBO-council (non-university sector). These were part of a broader movement in which the Dutch government announced in the policy paper Higher Education Autonomy and Quality (Dutch Ministry of Education and Science, 1985) to “step back” from higher education and grant more autonomy to the higher education institutions. The emergence of the Dutch quality assurance model should be largely “contributed” to the change in steering philosophy of the Dutch government in the mid-1980s, with – roughly speaking – the introduction of QA in exchange for a larger level of institutional autonomy for the higher education institutions. Obviously, European influences were not there, given that not even the Erasmus programme was launched. If there were influences, one should look for impact of the US models (De Boer, Enders, & Westerheijden, 2005, p. 102).

The 1993 Higher Education and Research Act institutionalised the system in which higher education institutions produced a self-evaluation report for the study programme, followed by a peer team visit to all institutions offering the specific programme, and the visiting team producing a public review report. Various other reports and analyses point to some weaknesses in the 1993 arrangements (Hsieh, 2012, pp. 180-181), primarily in relation to the uncritical tone of the self-evaluation reports and to the peer judgments sometimes lacking transparency and objectivity, so it
appears that upcoming changes in the QA arrangements were mostly guided by internal dynamics. An alternative approach, accreditation, was ventured by the HBO-council in the mid-1990s and pilot accreditation projects and an accreditation framework were developed in 1999, but before these pilots could be fully evaluated (Goedegebuure, Jeliazkova, Pothof, & Weusthof, 2002), the then Minister had already launched plans for a full change towards the accreditation model.

In 1999 the Education Council (1999) advised to swiftly implement the Bologna degree structure and to consider accreditation as an alternative for the current arrangements, given the challenges of international comparisons and recognition. Around the same time (September 1999), the draft Higher Education and Research Plan 2000 (MECS, 1999) also alluded to the importance of strengthening independent assessments and international comparability. In the policy paper Keur aan Kwaliteit (MECS, 2000), the Minister stressed the need for international benchmarking, transparency of quality and independent assessments. A committee was set up to operationalize the accreditation system on the basis of a stakeholder consultation and insights from abroad (Committee Accreditation Higher Education, 2001) and in 2002, the Dutch Parliament adopted the new QA arrangements: accreditation at the programme level by independent organisations (so-called visiting and judging institutes, VJIs), coordinated by the Netherlands Accreditation Organisation (NAO). Any organisation – Dutch or foreign – could become a VJI, provided that it meets the NAO’s requirements, which was also in charge of the development of the accreditation criteria. Although the basic elements (self-evaluation, visit of peer team, public report) did not change, a gradual shift took place from stressing quality improvement and accountability towards quality control and international comparability (Faber & Huisman, 2003, p. 240).

Around 2006-2007, voices were raised regarding changing the arrangements again. A plea has been made for institutional level accreditation, in the context of discussion on the role of the Inspectorate for Education. Higher education institutions can opt for such an accreditation, which – if positive – would lead to ‘light-touch’ evaluations at the programme level. Institutions also can stick to the old regime of programme-level accreditations. The legislative changes related to these changes were passed by the Dutch Parliament in 2010.

There are clear signals that the Dutch model – being one of the first in Western Europe (launched in 1987, institutionalised in the regulations in 1993), together with the English and French model – served as a kind of benchmark for other countries and, importantly, as a kind of ‘European model’ (Brennan & Shah, 2000; Faber & Huisman, 2003).14 Concerning 2000s, it is tempting to attribute the 2002 policy change to the Bologna process, arguing that the Dutch

---

government was eager to be an early adopter of the Bologna process, particularly spurred to do this by the 1999 Education Council advice. Two important qualifications are necessary. First, up until the 2005 and the ESG, it was not particularly clear what is the ‘Bologna approach’ to QA. Although there were developments – e.g. ENQA was set up in 1999 upon the 1998 recommendation of the EU Education Ministers and two inventories of QA practices appeared (Schwarz & Westerheijden, 2004, p. 6), there was a significant variety of models and approaches across Western European countries, i.e. no clear or dominant ‘European model’ emerged. Moreover, accreditation hardly emerged as a dominant approach to QA although, as Westerheijden (2003) argues quickly after the Bologna Declaration apparently accreditation was seen as the solution. Second, at the domestic level, there was an appetite for changing the then QA arrangements in the direction of accreditation, in particular pushed forward by the HBO-council, which Hsieh (2012, p. 193) sees as an important policy entrepreneur in the 2002 policy change. This leads us to argue that the quality assurance system was replaced because of some domestically identified shortcomings. The speed with which the change towards accreditation took place may be attributed to the Bologna process, but the contents were definitely home grown, possibly with some US influences. Furthermore, similar to the case of the 1980s model, Jeliazkova and Westerheijden (2004, p. 344) argue that the Dutch-Flemish joint QA agency (NVAO, established in 2003) and other elements of QA in the Netherlands were taken as an example in the broader European debate in other countries.

The developments regarding quality assurance in Flanders are in particular analysed by Van Damme (2004) and Dittrich et al. (2004). Key moments in the timeline are: 1991, 2003 and 2012.

Both Frederiks (1996, p. 94) and Van Damme (2004) qualify Flanders as a ‘follower’ in terms of policy developments regarding quality assurance, Van Damme being more explicit and arguing that Flanders followed the Netherlands. New legislation in 1991 echoed the change from state steering to institutional autonomy in exchange for higher education institutions developing a system of external QA. Geographical proximity may have played a role, but more importantly language: many Flemish academics had been invited to participate in Dutch peer review panels and “[i]n 1992, an agreement between VLIR [Flemish Interuniversity Council] and VSNU led to joint Flemish-Dutch visitations” (Van Damme, 2004, p. 134). The procedures were in force until 2001, when all programmes had been evaluated once. In the mid-1990s, criticism on the quality assurance arrangements was raised by both external actors (OECD, 1996) as well as internal ones, e.g. VLIR (van Linthoudt, 1998), which Van Damme summarized as: lack of clear conclusions and limited capacity to make the higher education system more transparent. Apart from that, in 2001 the policy-makers thought it necessary to implement accreditation as fitting the Bologna expectations (Van
Damme, 2004, p. 151), although it should be noted that at this point there were no clear expectations concerning QA in the formal Bologna Process documents.

The new system, introduced in 2002 and implemented in 2004, was based on accreditation at the programme level, for all Bachelor and Master programmes. The new system is connected to the Bologna changes that the government wanted to implement through the 2003 Structuurdecreet. The system was coordinated by the universities and hogescholen (non-university) buffer organisations (VLIR and VLHORA, respectively), these organisations also being responsible for the development of the accreditation framework and criteria. Other organisations, however, could apply to become visitation organizations (cf. the Dutch case), making the system close to meta-evaluation (see e.g. self-assessment report for OECD, MET, 2006) given that the joint Dutch-Flemish accreditation agency had the final say in the process.

In 2006, the VLIR evaluated the new system. A number of concerns were raised, relating to the independence of the review judgments, the roles and responsibilities of various actors in the process and the public nature of the review reports. The Flemish actors (VLIR and VLHORA, 2008) acted upon the developments in the Netherlands – discussion on new QA arrangements that would strengthen the improvement function, lessen the bureaucracy, improve the distinctiveness of judgments, and strengthen QA as a ‘management tool’ – and made suggestions for adjustments to the specifics of the Flemish context. In 2009, an evaluation showed that the Flemish arrangements were in full compliance with the European Standards and Guidelines, and an application to the European Quality Assurance Register for Higher Education (EQAR) was made the same year. Towards the end of the analysed period, an additional change was made, largely following the Dutch developments but being a bit behind (time wise) the changes in the Netherlands. However, there are several important differences in contents: Flemish government sees audits as obligatory across the system, no voluntary action of the institutions themselves is envisaged, the cycle is eight years, the institutional audit is more encompassing and Flanders in general seems to be heading towards self-accreditation in the long-term perspective. The new arrangements were passed in the Parliament in 2012 and fully effectuated in 2013.

Similar to the Netherlands, the emergence of the QA system in Flanders is part and parcel of the changing steering philosophy in Flemish higher education. That Flanders was a ‘follower’ is unlikely due to overall resistance or a lack of interest and experience with QA. Various sources report that QA was an important policy issue in the 1980s. Perhaps the context – problematic federalisation with, consequently, limited lack of capacity for policy making in higher education, (Van Heffen, Maassen, Verhoeven, De Vijlder, & De Wit, 1999) – played a role. The Dutch model
seems to have acted as a model, given the experiences of various Flemish stakeholders in Dutch QA activities. Evaluations of these arrangements led to rather small changes to the existing mechanisms. The changes in late 2000s can be interpreted as a path dependency, given that the Dutch were a bit quicker to change their system, leaving the Flemish limited choice: opt out of the NVAO arrangements (which were generally accepted as being fit-for-purpose and having considerable legitimacy) or follow. A similar point can be made for the most recent changes in Flanders in 2012, where again the Dutch had made a little bit more progress in terms of concrete policies, and the Flemish were following suit.

Croatia and Serbia

The timeline for Croatia and Serbia is very similar. The starting points for the two countries are the same. Before the 1990s quality was not an explicit and systematic focus of either federal (SFRY) or state level policies; higher education was deemed as being of sufficient quality by virtue of being provided by the state. This was followed in both countries by rather quiet period in terms of policy changes concerning quality of HE (juxtaposed to the rather turbulent political situation in the same period), change from rather autocratic towards democratic regimes around 2000, followed by joining the Bologna Process and rapid development of QA systems.

In Croatia, the issue of quality is first mentioned in 1993 when the first higher education legislation in the independent Croatia was adopted, foreseeing the National Council for higher education (NCHE), which was to be responsible for accreditation of study programmes. The law was rather vague with regards to criteria to be used and there are indications that the NCHE did not have the capacity or the necessary support to undertake these tasks (Orosz, 2008). At the time, the Croatian policy makers and the academic community were relatively isolated from European developments and there was also no communication with their Serbian counterparts (apart from very scarce individual contacts) for political reasons. Overall, the entire period starting from the independence of Croatia until early in 2000 is considered to be a period of hibernation of HE policy by different domestic actors, given the limited amount and scope of policy changes. The regime change in 2000 brought about a stronger focus on reforms of the public sector in general and higher education in particular. Joining the Bologna Process was seen as a necessity, not only in terms of much-needed reforms of HE given concerns over quality in relation to massification which took place during the 1990s, but also in terms of signalling the Croatian interest in European integration.

This section is written on the basis of Vukasovic (2014b).
much similar to the ideas of ‘returning to Europe’ so present in Central and Eastern Europe (Héritier, 2005).

First drafts of new legislation were developed in 2002, framed as part and parcel of Bologna-related reforms, proposed a QA mechanisms based on competition, despite the fact that the “Bologna approach” to QA at that time was rather undefined and was neither then nor is now based solely on competition. This proposal was withdrawn due to resistance from universities to non-QA related provisions (internal organizational structure of universities) but the so-called ‘Bologna law’ was passed in the Croatian Parliament soon after this in 2003, introducing both programme and institutional accreditation and setting the deadline for initial accreditation for June 2005. Concerning changes in this area, some documents refer to “plans to cooperate with Slovenia, Austria and Italy, on the individual as well as on the institutional level” and participation in EU cooperation programmes, such as TEMPUS, as beneficial for gaining “the necessary knowledge and international experience” (***, 2003b, p. 5). Both types of accreditation (programme and institutional) became the explicit task of the newly established Agency for Science and HE, which was also expected to evaluate HEIs internal QA systems. Given the two-year deadline, the initial accreditation of programmes and HEIs was, according to many policy actors, done rather superficially and to some extent undermined the legitimacy of the Bologna Process as a whole (Dolenec & Doolan, 2013; Doolan, 2011; Orosz, 2008).

Partly in response to these negative experiences and the impression of window-dressing, in 2009 a Law was adopted that deals specifically with QA of HE and research. According to some policy actors, having a law specifically on QA of HE seems to have been a conscious decision to ensure, on the one hand, that widely supported changes in QA were pushed through the Parliament and, on the other hand, that the issue of QA was not blocked due to linkages with more controversial issues, such as the internal organization of universities. The new system of QA in Croatia has been evaluated as being in line with the ESG, also evidenced in the fact that the Agency became member of ENQA and was registered in EQAR in 2012.

Overall, the 1990s (policy hibernation) and early 2000s can be seen primarily as a combination of (a) temporal ordering between domestic and European developments and (b) Europeanization. Following regime change in 2000, Croatia seemed poised for root-and-branch reform of higher education, a general overhaul of the public sector such and there was strong political determination for European integration. In such circumstances, that preferences for various aspects of higher education (e.g. degree structure) defined in the Bologna Process were used as models for Croatian reform comes as little surprise. However, the choice to build the system of QA
around accreditation, which was not an explicit part of the ‘European model’ for QA, cannot be seen as Europeanization. It is more likely that the idea of accreditation was developed in light of domestic needs – long period of ‘policy neglect’ and the necessity to introduce a coercive mechanism (accreditation, i.e. licensing) to push forward reforms of HE, in particular the related reform of study programmes. Concerning possible policy transfer, it should be stressed that the explicit references to other countries in QA that exist in some policy documents provide a mixed picture. Slovenia is referred to as desirable country to cooperate with but actual policy transfer is rather unlikely to have taken place because, despite socio-economic, cultural, and political similarities as well as being the first amongst the former SFRY countries to become an EU member and a signatory of the Bologna Declaration, Slovenia was actually lagging behind with regards to QA developments due to internal political shifts (Vukasovic, 2014b). Similar situation is with Italy, given that the Italian QA system in early 2000s consisted of internal university units responsible for evaluation and setting minimal standards for students and staff, but not involving a complex approach to programme and institutional accreditation (***, 2003c). Austria may have been an inspiration for policy makers to introduce accreditation – they had some experience with programme accreditation in specific areas (e.g. engineering) and somewhat limited experiences with institutional accreditation (***, 2003a; Hackl, 2008) but from available evidence it is not clear to what extent Austrian system was used as a model. After the adoption of the ESG in 2005, the relationship between the European developments and the national policy change takes more clearly the form of Europeanization, though the domestic concerns continue to play a role, given that focus on accreditation remained.

Similar to Croatia, the 1990s in Serbia were a period marked by an autocratic regime and international isolation, but also doubling of the student population without sufficiently increasing number and capacity of HEIs.16 However, unlike Croatia, Serbia went through several changes in HE legislation, none of which had quality of higher education as their focus, but rather targeted internal governance of universities, in particular composition, appointment and jurisdiction and of various decision-making structures. The major legislative change in this period was the one from 1998 which completely abolished institutional autonomy and was the regime’s response to several student and academic staff protests and strikes against the Milosevic regime (Vukasovic, 2014a).

Similar to Croatia, Serbia experienced a regime change in late 2000, ending international isolation. A number of actors who were part of an alternative policy arena in opposition to

---

16 The private sector in Serbia does not take up a large part of the student population and was essentially developed in the 2000s (Branković, 2014).
Milosevic during the late 1990s and who maintained informal contacts with various international and transnational organizations (CRE/EUA, CoE, etc.) were appointed or elected as ministers, state secretaries or leaders of HEIs. They framed the reform discussions explicitly in relation to the Bologna Process so, even before formally joining the process (2003), the discussions on HE reforms in general and QA in particular frequently referred to the European initiatives in HE, and more concretely the work of ENQA, as well as to examples of accreditation schemes in the US, South Africa etc. (see e.g. Nikolić & Malbaša, 2002; Turajlić, Babić, & Milutinović, 2001).

Higher education legislation was formally changed in 2002, consisting primarily of solutions that existed in the early 1990s given that the primary motivation was to remove the ‘anti-autonomy’ 1998 legislation. The newly established National Council for Higher Education appointed a Committee for Accreditation, a structure not explicitly foreseen by the legislation, to develop criteria for the evaluation and accreditation of HEIs and study programmes. NCHE also appointed a working group to prepare the draft of the legislation supporting root-and-branch reform based on the Bologna principles (degree structure, ECTS etc.). However, primarily due to changes in government that took place in early 2004, these proposals were never adopted but served as starting points for subsequent policy development.

The new government that came into power in 2004 mandated the flagship university (University of Belgrade) to prepare the Bologna legislation. The legislation that was ultimately adopted in 2005 reflected in many areas, including provisions related to QA, the draft prepared in 2003 and envisaged explicitly the existence of a Commission for Accreditation and Quality Control, hierarchically under the NCHE. It was also envisaged that HEIs should have their own QA systems with student participation, as well as that both HEIs and study programmes will undergo accreditation. The NCHE adopted accreditation standards and guidelines in 2006 that relied on the work by the Committee in 2003, both in terms of specific preferences and the rationale for those preferences, i.e. domestic concerns (Lažetić, 2009). The accreditation standards seem to follow to a large extent the ESG, with the most notable exceptions being lack of participation of students and international experts.\(^\text{17}\) The process of initial accreditation of HEIs and study programmes in Serbia unfolded over a four-year period. Minimal changes were introduced in relation to QA in 2010, primarily related to the composition of expert teams involved in re-accreditation processes. The Commission became a full member of ENQA in April 2013.

\(^{17}\) Lažetić (2009, p. 72) also criticizes the fact that “the main emphasis is put not on checking internal quality assurance mechanisms but on ensuring general enforcement of legal regulations” which, in his view, is directly against the main principles of the ESG.
Similar to Croatia, the 1990s in Serbia were also a period of ‘policy neglect’ though of a different kind; policy instruments were changed albeit not in relation to higher education concerns, but rather for political reasons. Thus, the temporal ordering between the regime change in 2000 and the Bologna Process as well as the connections the alternative policy actors had with abroad facilitated the use of European developments in national policy change. Although one could argue that the focus of Serbian policy on quality of higher education was an indication of Europeanization given that QA is one of the main action lines, the concern over quality was authentically domestic and the ideas about accreditation were developed rather early. There are indications that examples from abroad (US, Nordic countries, Austria, Germany, Slovenia, and some CEE countries with a significant private sector) were used in developing the approach to accreditation as well as that the actors were looking into the work of agencies that were members of ENQA. The use of ENQA as an entry point into different approaches to accreditation signifies policy transfer facilitated by the European governance layer. Similar to Croatia, there are clearer examples of Europeanization after the ESG was adopted (after 2005), but the focus on accreditation developed to address the domestic concerns remained.

**Binary divide**

**The Netherlands and Flanders**

The binary system has been a policy topic in the Netherlands since the 1970s (see Huisman, 1995 for an overview), but the key moments concerning HE policy changes related to this issue are: 1986, 1993 and 2002.

Up until 1986 the higher professional education sector was – from a legal perspective – still part of secondary education. With the 1986 Act on higher professional education or HBO (the Dutch acronym for *hoger beroepsonderwijs*), and with the merger operations set in motion a few years earlier (Goedegebuure, 1992), one can see a gradual development towards an HBO sector that is ‘equal, but different’ to the university sector. The most important reason for changing the HBO sector was that the government – in light of the massification of higher education – was keen to further professionalise and ‘upgrade’ this sector, so it could cater for the growing number of students that could not all be admitted to the universities (if only for budgetary reasons). In that sense, the policy development in the Netherlands resonates with those in countries like the UK and Germany (see also Teichler, 1988). To what extent the Dutch government has been influenced by neighbouring countries, some of them clearly ‘ahead’ of the Netherlands with setting up an
‘alternative’ sector, is hard to tell, but the policy documents do not refer to developments elsewhere, suggesting that the discussion was mainly domestically driven. Key differences between the two sectors pertain to (1) the entrance requirements (essentially implying tracking), (2) right to offer master and PhD level programmes and (3) right to conduct basic research, the latter two being only possible at the universities (Huisman, 2008). That said, HBO institutions were allowed to carry out applied research. What that entailed, however, was at that time not fully transparent.

The binary system was not really a big policy issue in the period 1985-1993. It is noteworthy that the country note prepared by the Dutch Ministry for the OECD (MES, 1989) hardly referred to the binary system being ‘problematic’. What the OECD review itself revealed cannot be retraced, but the fact that neither of the drafts of Higher Education Research Plan (HERP) from 1990 and 1992 allude to the review seems to suggest the report did not really make a splash. The draft HERP 1990 (MECS, 1989, p. 32) acknowledged that both sectors had underwent significant changes in the past years and, therefore, that the most important issue is that both sectors focus on further developing innovations and quality bearing in mind their different sectoral missions. Likewise, the draft HERP 1992 (MECS, 1991, p. 36) stressed again that the binary divide was desired and efficient, given that the system met both the needs of individual students and the societal expectations. Interestingly, the draft HERP 1992 speaks – six years before the Sorbonne Declaration – about harmonization of European systems of higher education, raising the question to what extent the Netherlands should go its own way in discussions on key aspects of the higher education system, like its structure (MECS, 1991, p. 32).

With the acceptance of the Higher Education and Research Act (WHW) in 1993, the HBO and university sectors were brought under the same legislation. This does not mean that their structures and organization from then on were the same. The legislation was a framework regulation, allowing for and sometimes detailing differences for the HBO and the university sector and should be conceived of as the finalisation of a longer process that was set in motion with the 1985 policy paper Higher Education Autonomy and Quality (see above). In other words, the WHW legally formalized many elements of increasing autonomy and steering from a distance. The three key differences between HBOs and universities set out above were still incorporated in the new legislation. However, some changes – seemingly small, but potentially relevant for the development of the system – were important. First, the length of degree programmes now became similar (four years). Second, carrying out applied research was formally included in the tasks of the HBO institutions and now somewhat more specifically described as “design and development activities or research directed to the professional field” (WHW, 1993). The government had, however, no
explicit intentions to further integrate the two sectors beyond initiatives that higher education institutions would initiate themselves. The HERP drafts from 1994 and 1996 maintain the view that the binary system should be kept in place, highlighting the need for sufficient levels of diversity in types of programmes (e.g. general, academic, professional, MECS, 1994) and including pleas for more flexible learning paths (MECS, 1996).

The discussion on the Bologna Declaration led to changes in the Dutch regulations (see above). Both sectors were allowed to offer Bachelor’s and Master’s programmes, the government in fact loosening the traditional connection between type of institution and type of degree. Whereas HBO institutions already offered Master’s programmes from the 1990s on, these were not formal Dutch degrees, but offered in cooperation with UK institutions. With the 2002 changes, HBO institutions formally were allowed to offer Master’s degrees, but the government – through the accreditation agency (NVAO), and its own requirement of being assured that such a Master’s degree at an HBO institution would significantly contribute to the Dutch knowledge economy – would still be able to set limits to the nature and amount of Master’s programmes in Dutch higher education.

Around the same time (2001), the government supported the development of research at HBO institutions, primarily in relation to education innovation and linkages with business and industry. This development seems ‘stand-alone’, but the enthusiastic uptake of the HBO sector signifies an ‘eagerness’ to engage in these activities, essentially driven by the mixture academic drift and HBO institutions’ willingness and capability to take up a challenge undeniably connected to the changing dynamics in the knowledge society.

The Bologna Declaration led to a rather intensive debate on the nomenclature of degrees. Again, some parties may have seen this as a window of opportunity for the HBO institutions to get rid of their roots, and turn into ‘real’ universities with ‘real’ Bachelor and Master degrees, and, at the same time, universities using the debate as an opportunity to resist any changes in the nomenclature (e.g. MECS, 2004, p. 23). At the same time, it appears that there was also an understanding of all involved that, in the context of European integration, globalization and internationalization, some steps were necessary to make the nomenclature better understood by foreigners (cf. Bologna action line on ‘easily readable and comparable degrees’). Whereas the Netherlands took relatively big steps when it came to the implementation of the Bologna intentions, in the smaller details it maintained the idiosyncratic elements of its system. This was particularly visible in having two different accreditation frameworks (for HBO and the university sector) and for sticking to different degree titles for HBO and universities. The former had to use the titles
Bachelor and Master, possibly followed by an indication of the professional field and the latter could add ‘of arts’, ‘of science’, ‘of law’, etc. This difference gradually disappeared, and in 2014 the Dutch Parliament decided that HBO institutions can offer the suffix ‘of arts’, ‘of science’, etc., pending NVAO assessment that the use of the title is appropriate. At present, the current relationship between HBO and universities is not seen as particularly problematic, though some critical notes concerning the dynamism within and between the two sectors have been raised from abroad (OECD, 2008), concerning the mobility of students between the two sectors and institutional cooperation across the binary divide.

In a nutshell, policy changes concerning the binary divide in the Netherlands seem to be primarily driven by domestic developments. Stakeholders (read: HBOs and universities) act as entrepreneurs and put forward particular issues on the agenda (e.g. nomenclature of degrees), triggering more generic discussions on the system. Even though there has been much debate throughout the period under analysis, the basic government doctrine of an effective and efficient binary system is maintained. While the need to change in order to achieve said effectiveness and efficiency is acknowledged, the basic premise of an existing binary divide is not questioned. The debates were therefore a consequence of domestic power struggles – some intended, some unintended – between HBO and university sectors. External pressures and signals apparently did not play a major role up until Bologna; OECD reviews either accept the binary divide (which, after all, is not at all uncommon in OECD countries) or, when being critical, there is no clear domestic follow-up. The external influences are somewhat more prominent in the post-Bologna period. Discussions about specific Bologna action lines related to international transparency and compatibility triggered discussions and changes in the degree nomenclature, but – importantly – they did not change anything fundamental in relation to the binary divide. Thus, the role of the European governance layer in the changes of this aspect of Dutch higher education is very small and, when present, is primarily related to the legitimation of domestic policy preferences and even then not challenging the basic premises of the policy.

In Flanders the developments in this area took place somewhat later than in other countries (the most important taking place in 1994 and 2003), but it should be born in mind that much energy and time was devoted in the 1980s to the federalization and decentralization of authorities in Belgium (Van Heffen et al., 1999, p. 134). From 1989 on, Flanders had its own decision making power regarding (higher) education. The separate legislation for hogescholen and universities (1991) suggests significant differences between these two sectors, but there are important shades of grey. Van Heffen (2001) argues that the Flemish higher education system is actually tripartite, in that
there are important differences between the short-cycle programmes at hogescholen, two-cycle programmes at hogescholen (based on scientific knowledge) and two-cycle programmes (based on scientific research) at universities. That said, some degrees were ordinated to be ‘equal’, such as the commercial science degree at the hogescholen and the applied economy programme at universities (Van Heffen, 2001, p. 75).

In 1994, the Decree on higher professional education (hogeschooldecreet), was accepted by the Flemish parliament. Although the Flemish government wilfully wanted to maintain a binary divide, the legislation and policies were based on a quality imperative, particularly the effectiveness and efficiency of the system (Van Heffen et al., 1999, pp. 136-139) and emphasises cooperation across this divide. The 1994 hogeschooldecreet stipulated, for example, that these institutions could carry out applied research and could engage, where appropriate, in basic research, provided this research was carried out “in association” with a university. This approach was maintained in 2003 when the changes related to Bologna were introduced (see below). More generally, the 1994 legislation allowed for other kinds of cooperation (education, service to society) between hogescholen and universities.

A large merger operation in the 1990s changed the landscape of higher education significantly, with around 160 institutions merging into almost 30 larger hogescholen (currently even fewer), that offered both short-cycle and long-cycle programmes. The key argument for the merger operation was that it was deemed difficult if not impossible for the rather small institutions to meet the quality standards set by the Inspectorate (Verhoeven, 2008, p. 46).

Further modes of cooperation between hogescholen and universities were stipulated by the 2003 decree that operationalized in Flanders the Bologna action lines, none of which were seen as particularly controversial. Hogescholen and universities were allowed to establish associations between one university and (at least) one hogeschool that would be involved in teaching, research and services, but would also stretch out to strategies related to education, innovation and HRM. The associations – currently five – were an important instrument to diminish the differences between the two sectors (Verhoeven, 2008, p. 47). Rather explicitly, one clause of the 2003 decree invites hogescholen to work on the ‘academisation’ of their two-cycle programmes, with financial and research resources being provided by the government. Verhoeven (2008) was quite sceptical about what this would entail, given the relatively weak research culture at the hogescholen and the possible reluctance of universities to cooperate. This explains probably why it took a rather long time, before the ‘academisation’ was completed in 2014, with all academic programmes of the hogescholen now being transferred to the universities.
Similar to the Netherlands, the basic policy idea concerning the binary system has been rather consistent in Flanders throughout the period under study, essentially continuously arguing for (more) cooperation between the sectors, reflecting domestic idiosyncrasies and dynamics. Although there are indications that the OECD had directly and indirectly a big impact on Flemish higher education through its high-quality and influential research (Verhoeven et al., 2005, p. 175), through tracing how different policy documents were developed, it becomes apparent that there cannot have been an impact given that the OECD focused on Flanders reports were made shortly after the decentralization, with limited scope for recommendations on a system in development. While the basic idea concerning bringing the universities and hogescholen closer together has been present already in the Decree from 1994, “the process was more stimulated by the Bologna Process” (Verhoeven, 2008, p. 43). Here too the European developments seemed to have contributed primarily to facilitating already existing domestic dynamics.

**Croatia and Serbia**

As in the case of quality assurance, policy changes in relation to the binary divide in Croatia and Serbia follow a similar line of development in terms of legislative solutions, with some differences concerning the actual development of the polytechnics sector.

The period just before the 1990s, i.e. while Croatia and Serbia were part of the SFRY, was marked by the growing dissatisfaction and resistance to the so-called career oriented education, a sweeping reform of the entire education system initiated in the 1970s which streamlined the secondary and higher education system very much in relation to the labour market (Bacevic, 2014). Students were deciding on their future specialization at 16 years of age and that choice directly influenced enrolment into higher education in terms of type of HEI and subject field. At this time, there were several types of higher education programmes of different duration leading to different qualifications: 2-2.5 years of professional studies were offered by the polytechnics and (less often) universities, while undergraduate academic studies (4-5 years, exceptionally 6 years in the case of medicine), graduate studies (minimum 2 years for a magisterium or 1-2 years of specialization) were offered by the universities only. Universities also had the specific task to conduct research and had the competence to award PhDs.

At the beginning of the 1990s, the actual situation on the ground seems to have been rather different concerning the development of the sector. In Serbia the polytechnics were striving across the country and were organized into an association that coordinated curricula, faculty appointments...
etc., while in Croatia no such coordination existed and the polytechnics were gradually disappearing as separate organizations because “they either accommodated themselves to the demands of the more dominant university faculties... or they disappeared altogether” (Reichard, 1992, pp. 16-17). That does not mean however that professional studies were not offered, given that in both Croatia and Serbia universities were allowed to organize professional studies as well. It is important for the developments after the 1990 to stress that in both countries both sectors were the focus of one common legislative framework and were considered as part of higher education during SFRY times. From 1990 onwards, the developments in Croatia and Serbia will be analysed separately, given the dissolution of SFRY.

Policy changes concerning the binary divide in Croatia took place in 1993, 2003 and 2009. As will be demonstrated below, none of the policy changes involved substantial challenge to the distinction between professional and university studies and the notion that the polytechnics sector is in some ways considered as less prestigious of the two.

In 1993, the Croatian Parliament adopted the law on higher education which covered both the university and the polytechnics sector, effectively putting the legislation concerning career-oriented-education out of force and ending the strict streamlining of the entire education system towards immediate needs of the labour market. The legislation explicitly defined university studies as being research-based and preparing, amongst other, for a research career, while the professional studies were expected to provide training for specific professions. Concerning duration of studies, undergraduate university studies were set to last at least 4 years, undergraduate professional studies 1-4 years, graduate university studies 2 or 3 years (leading to magister or PhD, respectively) with a clear scientific orientation, while graduate professional studies were set to last minimum 1 years. The universities were effectively still allowed to organize professional studies, while the other way around was not possible. The 1993 legislation set a deadline for universities to stop enrolling students in professional studies, in what is possibly an attempt to re-invigorate the polytechnics sector. This deadline was postponed several times during the 1990s (the last deadline being 1995) and the first students were enrolled into the newly/re-established polytechnics in 1997 (MSES, 2007).

In 2003, the so-called ‘Bologna legislation’ not only introduced QA into Croatian HE (see above), but also changed the degree structure to fit the three ‘Bologna cycles’. The polytechnics were allowed to organize undergraduate professional studies, lasting 2-3 years (exceptionally 4 years if relevant international benchmarks could be identified) and graduate professional studies lasting 1-2 years. The 2-years undergraduate professional studies lead to a short cycle degree, while
the 3 (or 4) years undergraduate professional programme lead to a professional BA. The universities were allowed to organize professional studies under exceptional circumstances (specific permission from the NCHE was required), as well as university studies leading to: a bachelor degree (3-4 years, note the lack of ‘professional’ in the title), master degree (1-2 years, combined with the bachelor total 5 years, i.e. 300 ECTS) and PhD studies (later in 2004 clarified to last at least 3 years). The idea of strengthening the binary divide was reiterated in the Master plan for education 2005-2010, which in particular connected the strengthening of the polytechnics sector with more balanced regional development of the country.

In 2009, the Law on Quality in Higher Education further reinforced the distinction between the two sectors by releasing the universities from the obligation of accreditation of study programmes, while the polytechnics still have to undergo both institutional and programme (re-) accreditation.

In general, the changes in Croatia seem driven primarily by domestic concerns following the path set during the SFRY times trying (a) to strengthen the divide between the university and the polytechnics sector and (b) to improve the overall quality of the later. Concerning the changes in the binary system in particular, policy documents provide almost no explicit linkages with the European developments or developments in other countries, although the changes overall are always framed in relation to the Bologna Process in general and the perceived need for reforms. If the European governance layer served a purpose, it was to introduce QA mechanisms into both sectors (see above) and to reinforce the dominance of the universities. Thus, in relation to the issue of the binary divide, European developments provided opportunities and legitimizing labels which facilitated change driven by domestic concerns. Instances of policy transfer, facilitated by the European governance layer or not, were not identified.

Policy changes in relation to the binary divide in Serbia took a somewhat different turn than in Croatia, the first legislative changes taking place in 1990 and 1992, followed by long period of ‘hibernation’ until 2005, with possibly significant changes taking place also later this year or early in 2015.

In the early 1990s, in an effort to abolish the career oriented education, the Serbian Parliament first adopted the Law on University (1990) and in 1992 the Law on polytechnics (više škole). The situation with two separate legislation for the two sectors will remain until 2005. The overall degree structure at the universities was very similar to the one existing in Croatia at the time (or previously in SFRY, see above), however the universities were not allowed to organize professional studies. Study programmes at the polytechnics lasted 2 or 2.5 years (in rare cases 3 years) and there were
also differences in terms of required entry qualifications – to enrol into a university one needed to complete 4-year secondary education (either the academic or the professional track), while 3-year apprentice secondary training was sufficient to enrol into an institution in the polytechnics sector. Similar to Croatia, the university sector was considered as the one being more prestigious and of better quality.

No significant changes concerning the binary divide took place until 2005 and the adoption of the Serbian ‘Bologna law’. As indicated previously, the system was poised for reform after the regime changes in 2000 and this was also taken as an opportunity to ‘upgrade’ the polytechnics sector, based on a “detailed review of the practice in some European countries” (***, 2003d, p. 3), with the idea that it will provide training relevant for the labour market (Turajlić, 2004). Thus, the ‘Bologna law’ from 2005 encompassed both the universities and the polytechnics, clearly labelling the latter as part of higher education. The law envisaged that the polytechnics would organize 3-year undergraduate studies (leading to a professional bachelor) and an additional graduate specialization of 1-year (which would not lead to a ‘Bologna’ master degree). University studies were envisaged in line with the Bologna guidelines (3-4 years for a bachelor, 1-2 years for a master, and minimum 3 years for a PhD). Universities were formally allowed to organize also professional bachelor studies. Furthermore, entry qualifications for both professional and university studies included the same basic requirement: completed 4-year secondary education. In addition, standards for accreditation of study programmes and institutions introduced with the Bologna legislation required significant transformation in the polytechnics sector: given strict requirements concerning capacity and teaching staff as well as extension of duration of study programmes. The first round of accreditation (the so-called ‘zero accreditation’, see above) started from the polytechnics sector and only after this was completed were the universities invited to submit their applications. The process seems to have been rather challenging to the polytechnics (Marić, 2008); 48 polytechnics were given a positive evaluation and were allowed to change their names into ‘academies of applied sciences’, while 27 were denied institutional accreditation, very often with negative results of accreditation of some of their study programmes. The ‘zero accreditation’ of universities and their study programmes went much more smoothly, with all public universities being accredited as institutions and most of their study programmes receiving accreditation as well.

Recently, a proposal for amendments of some aspects of the Law on higher education reached the Parliament in July 2014. The proposal includes two aspects relevant for the binary divide: introduction of a second cycle in the polytechnics sector (a professional master) as well as
introduction of short-cycle degrees into both the polytechnics and the university sector. Whether the Parliament will adopt these changes remains to be seen.

As in Croatia, the changes in Serbia concerning the binary divide were driven primarily by domestic concerns. What is different though is that, while Croatia seems to be keen on reinforcing the divide between the two sectors - professional programmes offered only by polytechnics, academic programmes by universities, no possibility for a professional master, Serbia seems to be moving towards weakening the divide (universities can offer professional programmes, a professional master degree is likely to be introduced soon). Similar to Croatia, the Bologna Process, having provided the model for a new degree structure, also provided an opportunity to change significantly the polytechnics sector. In essence, it provided a legitimizing label rather than a model, given that there is no explicit ‘Bologna’ preference concerning the relationship between universities and polytechnics.

Discussion and conclusion – preliminary

Figure 1 provides an overview of the key policy changes (i.e. legislative changes) concerning quality assurance in the two dyads under study.

Comparing developments across time within each of the dyads the following can be observed. The developments in the NL go ahead of the European developments and influenced them in a bottom-up manner. While there are elements of the ‘legitimizing label’ role of the European governance layer given the speed of some reforms (new QA system in 2002), the bulk of the changes in the Dutch system are primarily the result of domestic dynamics with some inspiration being drawn from abroad, and even in that case not from Europe but from the US. The European governance layer does not seem to play a decisive role in Flanders either: (a) the Flemish are following the Dutch model, not the European one, (b) policy transfer does exist between the two systems but with no role of the European governance layer and (c) the legitimation of the changes is more linked to the Dutch developments and path dependency than to European developments. Overall, within this dyad, the European governance layer seems to be of little importance for policy changes related to QA.

Contrary to this, in the case of Croatia and Serbia, the European governance layer plays an important role, incl. Europeanization which was so absent from the first dyad (in particular after 2005 and the adoption of the ESG). The legitimizing role of the European governance layer is perhaps the most prominent one within this dyad, given that the overall reforms going well beyond
the Bologna action lines were framed as part of the ‘Bologna package’ and were used to solve particular domestic problems (e.g. accreditation to ‘bring order’ and ‘upgrade’ the system after hibernation). Accreditation however was not a home-grown idea in either of the countries in this dyad, and there are indications of policy transfer that is facilitated by the European governance layer (more so in the case of Serbia than in the case of Croatia). What is interesting here is that the European governance layer did not significantly increase the transfer between these two countries, partly because of saturation of the domestic political contexts in each of the countries with the ‘return to Europe’ narrative, and partly because more explicit cooperation and communication between the two countries is still limited due to recent history.

![Diagram showing policy changes](Image)

**Figure 1** – Policy changes concerning QA since 1985 in the Netherlands (NL), Flanders (FL), Croatia (HR) and Serbia (RS)

Figure 2 provides an overview of the key policy changes (i.e. legislative changes) concerning binary divide in the two dyads under study.
Concerning the changes related to the binary divide, in the first dyad (NL-FL), the policy changes seem to be primarily driven by domestic developments. The European developments play a rather minor role and then only in relation to legitimation of policy preferences of some of the domestic policy actors and triggering discussions of specific aspects of the system (degree structure), but not challenging the policy foundations. In both NL and FL there is a clear distinction between the two sectors, though in the Flemish case the policy changes introduced focus on facilitating cooperation between the two sectors.

The changes in the countries belonging to the second dyad (HR-RS) also follow the domestic concerns. The European developments – in particular the Bologna degree structure – played a role in the changes of the binary divide. Similar to the first dyad, here also the Bologna degree structure triggered the discussions of the types of programmes and qualifications offered by institutions in both sectors, but it also provided an impetus for the domestically driven profound reform of the non-university sector and its ‘upgrade’. Here again the legitimizing role of the European
The governance layer is the key, again due to the aforementioned saturation of the domestic context with 'all things European'.

Expanding and deepening the existing knowledge, the analysis demonstrated the different roles the European governance layer can have in the processes of domestic policy change. The Europeanization role (providing a model) is not the only possibility; moreover, contrary to many studies which take it for granted, the Bologna Process seems to have very limited impact in the countries in the centre, primarily due to the fact that these countries are essentially ahead of European developments. While the Europeanization role is more prominent in the periphery, even then it does not reduce the importance of domestic concerns. The policy transfer role of the European governance layer (providing a communication platform) appears to be more prominent for the countries in the periphery, but then not so much facilitating transfer within the periphery, but rather from the centre to the periphery. For both centre and periphery the European governance layer provides legitimation for domestic preferences, though relying on somewhat different grounds. While the legitimation role in the periphery countries is primarily related to the fact that their overall political and public policy contexts are very much geared towards European integration, in the centre countries the legitimation role seems to be more connected to the ‘spill-over’/‘trigger’ effect of the explicit European preferences (in this case degree structure) on the existing domestic debates and power relationships (binary divide).

The conceptualization of the three distinct roles the European governance layer can play in domestic policy changes and the exploration of how these roles unfold in different contexts and with regards to different issues provides a (thus far lacking) nuanced account of the relationship between the European and the national governance layer concerning changes of higher education policy. The present study can be expanded to include more countries in order to provide a finer analysis of the possible impact the centre-periphery continuum (not a dichotomy!) has on the prevalence of and the relationship between the different roles. Another extension could focus on aspects of higher education policy which are particularly contested domestically and provide in-depth analysis of few much contested cases to explore whether and to what extent the legitimizing role of the European governance layer can override domestic dynamics. Finally, the extension can be made also to other parts of the public sector, both those similar to higher education where coordination takes place through ‘soft law’ and use of OMC, as well as those where the European structures have much stronger and explicit competences (‘hard law’). The point here would be not only to provide a richer and more nuanced theoretical account of the outputs of policy change.
processes, but also to assess whether the distinction between ‘soft law’ and ‘hard law’ remains analytically viable.

References


31


