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ACADEMIC FREEDOM, UNIVERSITIES AND KNOWLEDGE ECONOMIES¹

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INTRODUCTION

‘Academic freedom’ is a concept which captures - in two words - a professional ideology, makes a political statement (about what ought to be the relation of the university to the Church or to the State) and which identifies a work practice that is - in reality, in most normal times - at risk. In what the Chinese call ‘interesting times’ - times of war and plague and death and revolution - academic freedom is normally destroyed.

The argument of this paper is that academic freedom is now being destroyed in ‘uninteresting times’ and in routine ways in several systems of higher education. More precisely the argument of the paper is that the concepts and practices of academic freedom took a long time to construct, and that they have not yet been destroyed - but the concepts and the practices are being eroded in subtle routine practices of daily academic work in certain

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kinds of university system. It is suggested that this is likely to become 'normal' for most university systems as knowledge economies develop further.

Academic freedom and autonomy. Even before the creation of the *universitas*, the *studium generale* was already characterised as an autonomous community of scholars committed to the search for, and dissemination of knowledge. In the search for truth the scholars were granted the privilege of discussing radical opinions in all fields, even in the controversial ones such as philosophy and theology.

Of course the university also provided professional training - it was a declared purpose. The medieval university prepared its scholars for the professions of medicine, law, theology, philosophy and teaching. Paris became the European centre for the study of philosophy and theology. Bologna was the major centre for the study of civil and canon law in Europe and Salerno for medicine. Salamanca, under Bologna's influence was mainly concerned with the teaching of law.

As an autonomous community, the university had its own internal forms of control. It also had a certain degree of immunity from other authorities and it was not to be entered by any form of police. Supported by these new traditions and to preserve autonomy and 'academic freedom' students struggled with townspeople in Salamanca; Bologna students, with papal support, used to fight against interference by the City Council; and the medieval university soon became an international community. Students came from different countries, they were encouraged to travel. The privilege of teaching everywhere (*ius ubique docendi*) was conferred on all graduates. In general this principle, made explicit in the original Papal Bulls, was regarded as the essence of the university.

Writers, for example Rashdall (1936), normally characterise the medieval university as continuously trying to maintain its autonomy and freedom. Thus the ideas of university community, university autonomy, academic freedom, collegial administration and control and internationalism have been taken to define the essence of the university, and like most statements of what is 'essentially' true, they constitute an ideology.

Of course they also constitute a practice and are re-invented in particular times and particular places and in particular ways. (Or - as in Meiji Japan - they are sometimes carefully avoided.)

The major contemporary re-invention of the cluster of ideas associated with academic freedom occurs in nineteenth century Germany. One of the classical models of the university is that of Wilhelm von Humboldt (Rohrs, 1995). His vision of the university - revitalised in

the thinking of Karl Jaspers (Walters, 1996) -defines its external relations; its epistemological assumptions and thus its external and internal evaluative procedures; its internal hierarchies and thus its internal professional relations.

In its external relations with the State the Humboldtian university, by a sociological *leger-de-main*, remains independent. Historically, in its practice, it was granted major freedoms in Germany. By the 1890s (as well as, most dramatically, in the 1930s) those freedoms had collapsed under economic and political pressures. But in the original vision the Humboldtian University was to be an enclave, with its own mission. The enclave was created and initially safeguarded by the State (Rohrs, 1995: 24-33; Gellert, 1993).

Epistemologically, the University was to pursue *Bildung* and *Wissenschaft*-forms of education, understanding and science based in a particular interpretation of the rational. The pursuit of knowledge and truth was subject to its own principles which were internal to academic disciplines and the pursuit was untrammelled by state or religious interference (Walters, 1996: 97-88):

Jaspers speaks of the University as akin to a “State within a state” that is ever in conflict with state power and political manoeuvrings. For the university ideally controls the state through *the power of truth and not through force*. This is why the professor must seek the truth as neither civil servant nor corporate member, neither politician nor political propagandist. While Jaspers acknowledges a cooperative relationship between the university and the state, his is a *minimalist view* of state intervention confined to a purely supervisory administrative capacity and to the guarantee of the university’s right to academic freedom uncontrolled by external political, philosophical or religious ideologies.

Thus overall, the insulation of State and University was deliberately marked by a carefully structured ethic of separation and political neutrality (on both sides). The ethic carried by the epistemological vision of the university was that of research and truth-seeking, an ancient commitment but reformulated since the days of the medieval university under the impact of the principles of rationality celebrated by the Enlightenment. The evaluation ethic was similar to that of apprenticeship within the guild - which was one of the original models of the medieval university itself (Ridder-Symoens, 1992).

It was mainly through the Humboldtian model of the university that the themes of the medieval university were ‘modernised’ - that is brought into the nineteenth and twentieth centuries but it should be noted that there were multiple variants, earlier and of course later, on the Humboldt model - for example the ideas of Locke, Arnold and Newman in England, or

Jefferson in the USA (in his *Plan for the Diffusion of Knowledge in the State of Virginia*). All of these conceptions of the university stressed the traditional themes - the university as a community, the university as a place for rational discussion which required separation from Church and State, the university as a collection of self-governing scholars and the university as international - in its knowledge base, in its staff and students and in its cultural assumptions. It is these common themes that makes the conception of the new university in Meiji Japan so striking - it did not stress academic freedom, the freedom to teach and the freedom to learn. The job of the University of Tokyo was to provide civil servants and bureaucrats for the modernising Japanese State. Of course this theme had been present in Germany. But the genius of Humboldt meant that the tightrope was walked fairly well - at least until German industrialisation, the growth of applied university research and militarism at the end of the nineteenth century, and the final collapse into fascism (Fallon, 1980).

However this interpretation of the medieval and the 'modernised medieval' university of von Humboldt needs an extension. While the stance of the university as a whole was to stress its 'community', its academic freedoms of teaching and learning, its independence from the State or even the Church, it does not follow that academic freedom existed freely - without structure, without subtle controls, without surveillance. What kind of surveillance existed and what was the social structuration of academic freedom?

Sociologically, it can be suggested that there were considerable social constraints on what could be thought of as knowledge and on what was good academic performance - because, sociologically, the university, in the medieval and the German context and in exported German derivations (in Sweden and so on), can be thought of as a guild. Guilds in practice and also sociologically have rules.

The 'guild' model takes its genesis in one notion of *Gemeinschaft*- a fictive community which, while hierarchical, functions through face to face reactions, a sense of communal identity, and a principle of equality through the rite of admission. In the guild model the surveillance is personal, intimate, reputational and of the whole person. Surveillance works best if it is internalised, e.g. as in the internalisation of a professional ethic. In the 'guild', the collection of information is irregular, personalised and anecdotal. In the 'guild', management is in, by, and through the fictive community, which is also its own 'diplomatic corps' - it deals with its own external relations.

All these themes come together in the role of professor. An illustration would be the nineteenth century and early twentieth century Germany university itself. Internal relations,

personal and professional, were dominated by the Professor (Gellert, 1993). Such Professors, as heads of disciplines, were largely independent: quasi-monarchs subject only to the checks and balances of criticism by debate in the university and the judgement of the (international) scholarly community after publication. Professorial relations with colleagues - *Dozents* and students - were hierarchical, those of master[sic] and apprentice. Peer judgement, dominated by the Professor, was the criterion of quality. Evaluative procedures were thus based on clear principles of exclusion. The models of professional relations were those of a Guild, and admission to the Guild was marked by the *Habilitation*, which might or might not lead to an academic position.

However in many countries, universities are no longer guilds in the sense of being sociologically understandable as guilds. Industrialisation, the growth of organised science, the use of universities as a national resource in wars, multiple borrowing of a variety of 'models' of the university - American, Soviet, French, English - and so on, as well as colonialism and conquest have produced significant shifts away from the Humboldt model - and even shifts away from aspirations to become Humboldtian. University systems have been affected by state intervention, concepts of 'perfonnativity' and the device of market-framing.

Almost everywhere there has been an emphasis on 'managing' the university in fresh ways and there has been much discussion of crisis, globalisation, knowledge economies, and international economic competition, as well as a variety of forms of modernisation of public sector institutions. In England the changes including the changes in education and higher education have been dramatic. But in many English-speaking countries, with different emphases and within different cultural mixes, the (proper) management of the university has become a way of solving a national crisis of productivity, inability to compete in international markets, adjustment to the twenty-first century and so on.

The idea of management of universities is a new idea, especially for England, and the speed of change has been dramatic (Scott, 1995: 61). English universities now compete with other universities for prestige and repute - but this prestige and repute is marked by public measuring instruments (such as the National Research Assessment in England). The university is located within a competitive financial universe which means that it must attract external clients (students, research foundation monies) to guarantee itself a continuing existence (Cowen, 1991). Thus the English university requires managing - it must monitor its progress in both internal and external markets and adjust its behaviour within evaluation cycles to maintain market repute, market share, and market reward.

Externally, the English university is now heavily influenced by the central English State which sets up the rules of the game. It is the State which defines the criteria by which performance will be judged - within the rhetoric of 'quality control'. The enclave of the Humboldtian university is invaded. The political and economic distance between the English university and the State - so strongly marked by the independence of the former University Grants Committee which was deliberately and with the goodwill of the State dominated by academics - was destroyed to create an ethic of competition and efficiency. Now, the English university must deliver marketable, saleable, pragmatically useful knowledge, responding to the demands of its clients and customers (e.g. students; research funders).

The knowledge production of the university must also be measurable - otherwise performance cannot be judged. Thus managerial decisions must be taken about the differential worth of knowledge products, against rules and criteria which are externally mandated.

Now the professional relations which are of major significance within the university are those between the managers and the academic producers (the professors and contract researchers); and the managers and internal clients (the students); and the managers and external clients (e.g. research agencies). This pattern of relations subordinates academics to rules of expected performance and evaluation is in the public domain, a domain dominated by the management system. The managers in turn are necessarily responsive to external rules which define their own successful performance as a management group.

Thus - with implications for academic freedom - the evaluative rules have shifted from the personalized judgements of academic authorities (the professors) to universalised rules: measuring, through standardized and bureaucratic rules, the flow of scholarly production, the processes of teaching and customer satisfaction. English universities now work within a context of - in Lyotard's word - 'performativity' (Cowen, 1996) as decided by national rules. The epistemological ethic shifts to the production of measurable and pragmatically useful knowledge (as demanded by customers and clients). The professional relations of those working inside the university are subordinated to management organisation. Traditional academic culture - of the sort envisioned by Humboldt and Jaspers - is displaced, and explicit relations of contract dominate (and replace) those of obligation.

Similar processes - but not identical processes - are occurring in Australia, Canada and England (Cowen, 1996b) and it is indeed important to note the contexts of these shifts vary. In the United States, much of the intervention by the State comes at the level of the individual states such as New York or California (Franzosa, 1996). Similarly in Canada the intervention

of the State often is at the level of the Provinces (Mallea, 1996). But in both countries a national crisis has been recognised through major Reports - and currently the concern is about the performativity of the university (and higher education) system as a whole. Of the three cases England (and the United Kingdom) is the most extreme. England now has national rules, national financing patterns, and national results, as these are defined by national agencies on a national measurement cycle of four years.

England has by far the most comprehensive (and cumbersome) system for measuring performativity.

Thus I am arguing that a new kind of university has been born in the declarations of a contemporary national crisis - in a number of nations, but notably England - and in the ideologies of the solutions for that crisis. 'The University' is being reformed within that ideology and redefined to become part of those solutions. In those solutions, 'academic freedom' is in a non-dramatic and routine way being marginalised; in a sense which I will try to explain it is disappearing under the impact of 'management' and managerial and state surveillance.

The context in which this is happening includes at least three important dimensions. The international world is seen as primarily economic; 'the University' is seen as a set of national institutions of varied 'quality'; and solutions can be 'managed'. Each of these assumptions, if taken too seriously, carries its own weaknesses and creates its own dangers not least for academic freedom as I defined it earlier. However this is not to deny the probable accuracy of analyses of definitions of what seems to be happening globally and in a broad range of social contexts. The inter-national world, on several criteria and on several analyses, is indeed being 'globalised' economically, and there is some evidence that the terms of international economic competition are to be understood through the idea of a world knowledge economy. National research and development structures are under reform in Australia, Britain, Canada and so on.

In such contexts, the question to be asked is not whether universities should be encouraged, especially by democratically mandated governments, to contribute to a redefinition of the skill-base and research potential of the nation-state. The question is how much of the university should be so technicised, within a given set of national rules for the measured performance of universities.

Sociologically, the point - it is being argued - is that universities are being required to behave as if they are corporations, *knowledge corporations*, competing in economies in which

relative wealth positions - hierarchies of wealth nationally and internationally - are created by control over information technology, biotechnology, and other generative 'soft' technologies. But if universities are to be construed as corporations - and especially as corporations producing knowledge and competing to create new knowledge-technologies (such as the control of Aids, cures for cancer, even more rapid transmission of information and media and so on) then 'academic freedom' is massively relocated. It is massively relocated because it is no longer located in a place (a *locus*) where violations are clear. It is being subtly renegotiated daily in the double sociological process of the production of knowledge and state surveillance of institutions which are subjected to tight measures of performance.

Hypothetically then, somewhat as the 'modernised medieval' university could be construed as a guild, with guild-like forms of surveillance and social control, what are the forms of surveillance and social control typical of corporations as universities take on new characteristics? In a corporation model, the ideological is often succinctly expressed in a Mission Statement, and is specified in detail in the instruments of governance such as a Board of Directors, Senior Management (transmuting in the university into 'senior academic staff.'). The Mission Statement in the 'corporation' is the ideological mediator between the external and the internal. The practical mediator between the external and the internal is finance. The internal ideological *and* practical mediator is a notion of performance, embodying as it does notions product, quality, and fulfilment of mission. In the corporation model, surveillance is depersonalised, distanced, defined by written rules and is of the performative *part* of the person. Surveillance is assumed to work best if it is externalised, i.e. routinised in time, done through explicit universal criteria and subject to management definition. In the 'corporation', the collection of information is systematic, regular, quantified and centralised bureaucratically. Corporate management cannot occur without information, and the time-span for action is short: adaptations are made within an unstable external universe.

The consequence is that, in the 'corporation', surveillance of performance, of external relations and of sub-group activity becomes pan-optical (Harrison, 1994). The information system itself is set up to achieve this goal - and requires the cooperation of those under surveillance. The system finally works smoothly when the management's ideas of information flow and performativity are internalised by those under surveillance, i.e. when members of the corporation begin to produce adaptive behaviour without the need to refresh their memories of the written-out rules of performance. For example, people *know* that books are more important than edited books; they *know* that reviews should not be written, or should be given

a very low priority. Such a complete internalisation of the rules means that the management system is working well: individuals control their own tendencies to deviate from the explicit, and now routinised, rules of performance.

Such a management system is infinitely adjustable and tuneable. Smaller and smaller pieces of information can be collected, more and more surveillance can be devised. It is a matter of technique - good computers and a well-structured (and restructurable) educational management information system are however essential. There is much to manage.

As an illustration it can be pointed out that in England, the current and emerging arrangements for the surveillance of pedagogy, research performance and evaluation of both staff and students are very tight - and broken up into small pieces. Performance is 'factorised'. Knowledge, in taught courses and even in doctoral research training, is broken into small pieces - modularised. Research performance is broken down into measurable units: books, edited books, articles (academic), articles (professional), 'other public output', and so on. Both students and staff are evaluated on a piece-rate basis. Overall, there are not merely tendencies to separate teaching, and research, and general education in 'the university'. There is also a tendency to separate teaching itself into specific acts of competence (clarity of specification of aims of courses, 'relevant' bibliography, mode of presentation of material), and to separate the research act into sub-categories of differentially valued performances. Evaluation is thereby simplified and management intervention possible. What is wrong is made very visible. It is not merely that transparency has been achieved; it is that transparency-for-management has been achieved.

Thus, in England, the current policy stress is on constructing universities that can be 'managed', within a specific concept of what management is. The older vision of the university is being lost sociologically, in the contemporary mechanics of management which is being constructed under heavy external pressures from the State as a guarantor of 'quality'.

But as has been discussed 'Universities' have historically provided an alternative voice to those of the Church and the State. Universities have done this on the basis of their intellectual independence - their academic freedom if you will -and they have provided a critical alternative voice. The contemporary crisis -globalisation and international competition, and the push to become a knowledge society - to become newly rich - is not therefore merely an economic crisis. It is a cultural one. How - in what senses and in such contexts - may we now think about 'academic freedom'? Reflecting on that question is the theme of my conclusion.

CONCLUSION

I think it is probably best to begin the Conclusion by stating the obvious. Academic freedom is politically constructed, politically, economically and culturally contextualised in specific historical situations, and becomes part of an ideological apparatus which offers a general principle to safeguard particular interests. Thus the original protection provided by Papal Bulls for the university and academic freedom, and the idea that there could be a licence to teach anywhere, was a statement of universalism - of the universal interests of the Church against the parochial interests of kings or of burghers. Similarly, later statements about the academic freedom of the university to transmit the most valuable forms of knowledge favoured the rationalities of the European Enlightenment. Lockean ideas about the education of the gentleman in universities drew on a particular class base and was a statement about political elite formation - whatever else was being said about the training of the mind and the nature of democracy. Even the classical vision of Humboldt - freedom to teach and freedom to learn - expresses (i) a very carefully constructed relationship between the university and the State (ii) a freedom for the professor to profess (without necessarily teaching well) and (iii) a freedom for some - those who could afford the opportunity and actual costs - to acquire learning wherever they wished over long periods of time. This pattern of relationships was as much in the interest of the State (and the rejuvenation of Prussia) as it was in the interests of the university; was rooted in the national cultural and economic formation of nineteenth century Germany; and was linked powerfully to its class base and the construction of its political, cultural and bureaucratic elites. The 'freest' of all contemporary systems - the University Grants Committee in England - permitted remarkable institutional autonomy at a time when academic freedom, defined as freedom to teach and to learn, was not in serious question. But the social location of that institutional autonomy and those academic freedoms was to prepare political, cultural, professional and economic elites in traditional ways in a small university system.

Similarly the politics of academic freedom are normally made clear in its destruction: the interference in the definitions of the social and the historical disciplines by fascist or totalitarian or messianic States and the dismissal of whole groups of people (such as women or Jews or atheists) from university positions. The old charge of corrupting youth (or the State itself) is repeated in new contexts down the ages. But in England recently universities are again increasingly international in their staffing and their student flows. In England and in

Europe academic qualifications are increasingly standardised so that *iusbiquedocendiis* again emerging as a practical possibility. In England recently no Blonski or Shatsky has 'disappeared' or been shot by the State, no contemporary Socrates has been invited to drink hemlock (except the hemlock of massive social and professional promotion). So in what senses is it possible to speak of the destruction of academic freedom?

I do not think it is possible to speak of the destruction of academic freedom in structurally stable liberal democratic societies - except by the corrosions of American-style political correctness. I think however it is possible to speak of the erosion of academic freedom and I would like to sketch four ways in which I think erosion is occurring.

First a large number of university systems can now be classified as 'market-framed'. That is, they are not merely existing in an external environment of competition for funds and customers; their internal environment of performance is about market-share (for example in the graduation of doctoral or MA candidates), about the 'value-added' to instruction, and about the piece-rate production of books and academic articles. Quantity counts. Departments get 'paid' by quantity - that is they command scarce resources such as rooms or secretaries or even new staff because of their quantitatively measured performance. These characteristics are probably at their most extreme in England, but similar patterns can be found in Australia, Canada and New Zealand and the patterns are emerging in Belgium and the Netherlands and even in Denmark, Norway and Sweden - with variations and with different degrees of intensity. Quality of 'output' becomes synonymous with quantity of 'output' - because those are the rules of the competition - and the discourse about academic excellence shifts into a discourse about competition and customers and income and expenditure and market share. The university acts as if it is a corporation - and its discourse is that of a corporation.

Secondly - and thus - to achieve this success in a 'market-framed' environment universities need to maximise their product. To do this they need to be managed 'well', that is, managed to maximise their output. Maximising their output, according to the known rules of competition, is good management. Failing to maximise output is bad management - which suddenly is taken as a synonym for bad academic leadership. 'Good academic leadership' suddenly mutates into 'the efficient management of academics'. The point is quite shocking when put in that way. Those who profess and provide academic leadership are replaced by those who manage and organise academics. Discourse about academic leadership shifts into discourse about successful management.

Thirdly, these two processes are at their most extreme when the rules for the

competition are national rules. That is, it is possible, as in the Australian or the French examples of 'quality control' of universities, to ask that each university specify its own 'mission' - and subsequently the university is judged against its own statement of intended performance. Each statement can be different. Each university can identify a different aspiration, a different version of excellence. In a national rules model, such as the English, all universities (there are now about 100) are subject to the same rules of performance. Criteria of performance ('excellence') are standardised, applied in a systematic way, and a national grading awarded. Discourse about disciplinary originality and scholarship and intellectual work by individuals shifts into a discourse about comparative institutional performance and national rankings.

Fourthly, in extreme cases, techniques of national surveillance by the State can be extended from the research to the teaching act. Thus it becomes possible to grade institutional performance in teaching behaviours as well as research behaviors. Of course the measurement of teaching behaviors has to be objectivated: the criteria must be made public, be relatively simple to operate with ('are aims and objectives clearly stated? 'what are the expected learning outcomes?'). The measurement of teaching performance has to be able to be bureaucratized. It is being bureaucratized in England now. Teaching performance in the universities is now being measured. The consequence is that discourse about teaching as a contribution to a continuing conversation (including delight in an occasional brilliant charismatic individual contribution) shifts to a managerial discourse about whether check-lists for the standardisation of all teaching routines have been correctly utilised.

Sometimes in particular places you see the four processes in a sequence. The university is important in a knowledge economy. Because it is in a competitive economy, it is market-framed. It is best understood as a corporation. But if it is an important corporation in a competitive knowledge economy, then management is necessary. Good management will maximise measurable output. Measurable output as defined by national rules - in research or in teaching - is excellence. A changing discourse marks the shift in power. Terms such as 'competition' and 'choice' and 'quality control' and 'excellence' and 'value-added' constitute the discourse of the market. The discourse of judgement in the university - and about them - shifts from that of the academics to that of the managers. An article in a sociological journal is not good because it had theoretical brilliance and a strong empirical base; it is a good article because it was published in one of the top ten journals in the field. The discussion shifts from defining quality as an individual act of personal brilliance understandable through normal

academic criteria of substantive excellence - as understood by the *cognoscenti* - to defining quality as an institutional attribute in terms of what can be measured by management - the *non-cognoscenti*.

The magnifier effects of these powerful shifts in institutional patterns and in discourse have had considerable effects. Of course in English universities academic freedom has not been legislated away in some appalling act of State terrorism. Mrs Thatcher's legal abolition of tenure was about the freedom of managers to manage university staffing profiles and salary bills. If you wanted to advocate the teaching of anti-racist mathematics you could still do so even though the Prime Minister herself had some questions about the concept. No one went to the tumbrils.

But a fascinating thing did happen. Definitions of institutional excellence - of what constituted good work in research and teaching - were bureaucratically expressed for the universities in national rules of performance. The rules carried rewards and punishments and were expressed by national agencies, strongly linked to the State and external to the university. Thus 'the university' in England no longer judges its own excellence. It may of course - subject to the constraints of the marketplace - teach what it wishes without interference from the State (except in the area of teacher education). The university in England no longer judges its own excellence. It may of course - subject to the constraints of the marketplace - research what it wishes. However, institutionally, control over definitions of excellence in teaching and research has been externalised and bureaucratised in national rules.

So it is possible to conclude that the State judges the excellence of the universities of England and the universities of England retain their academic freedom? I think it is - but only in an uninteresting way, within a simple logic of simplistic definitions.

The sociologies and the politics are far more complex. I suspect the political economy of academic freedom has, in some systems of higher education, changed. It is probably necessary to re-examine the whole puzzle again, comparatively, by asking about the politics of the social construction of excellence in education, and by re-examining what may be taken as academic freedom in economies driven by 'knowledge' where the university is an institution of intense interest to the State and subject to its detailed surveillance - perfectly democratically and in the public or national interest of course. I think we do not know what is happening. More precisely, I think we can describe what is happening. I am not sure we understand it.

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