

LEGISLATIVE EFFORTS OF THE EUROPEAN UNION IN THE REGULATION OF HIGHER EDUCATION: A EUROPEAN STATES CASE STUDY

Tareck Alsamara, Prince Sultan University
Ghazi Farouk, Badji Mokhtar Annaba University
Amrani Mourad, Badji Mokhtar Annaba University

ABSTRACT

The study discusses the legislative efforts of the European Union in framing European higher education, as it shows the historical development of the topic. Then explains how the European region of higher education emerged. The research also shows the role of European Union institutions in framing higher education, through the European Parliament, the European Commission and the Council of the Union.

European countries show great flexibility in implementing their obligations under the European Union, which has facilitated European cooperation in the field of higher education.

Keywords: Legislative efforts, European Union, Higher Education, Management, Cooperation.

INTRODUCTION

Many researchers point out that in order for the university to contribute to the development of society, it must be open to the world, and develop a spirit of partnership with other universities in order to reach an international policy on higher education. It must also be dynamic, practical, ambitious and rich in financial and material resources.

The research discusses the European approach in linking higher education and economic development through the European Union, given that the European Union is an economic-oriented organization that aims to achieve integration between European countries. The research aims to answer the problem: How has the European Union legal texts succeeded in framing cooperation in the field of higher education of the EU countries?

The research aims to show the role of European Union institutions (the European Parliament, the Council of the Union and the European Commission) in framing the aims of European higher education and drawing its features in order to serve the European economic project. The research depends on examining and analyzing documents issued by the European Union in the field of higher education that are binding on member states in drawing up its national policy, in order to show an approach to framing the European Union in the field of higher education.

It is worth noting that the European Union is among the European international organizations that pay great attention to the purposes of higher education, and the institutions of the Union play an active role in the reforms launched with the aim of achieving the quality of higher education. This research aims to demonstrate the modus operandi of the European Union in the field of higher education, with a focus on the extent of the response of member states to

the results of the work carried out by the European Union in the field of higher education (Maassen & Musselin, 2009; Enders et al., 2011; Pabian, 2009).

A Brief Analytical Presentation of Previous Studies and an Indication of the Addition Made By the Research

The research records the lack of previous studies in this field, and we note that it mostly came to deal with the subject in terms of its component parts, which are usually dispersed and scattered in general references not devoted to the topic itself.

The research tries to be a reference for researchers and those interested in order to provide them with a legal analysis of the approach of the European Union to the issue of higher education and economic development. In the field of previous studies, the following are mentioned Teichler (1999); Vossensteyn et al. (2015); De Wit (2010); De Wit & Verhoeven (2001); Papatsiba (2006).

METHODS

The analytical research is based on the analysis of legal texts and official documents issued by the European Union related to higher education and development, which are published in the Official Journal of the Union.

RESULTS AND DISCUSSION

First, the Trend towards Giving Up Sovereignty among European Countries in the Field of Higher Education for the Sake of Economic Development

We note that the European countries, from their point of view in the field of higher education, tended towards European openness and collective action, and that was through four important stages, the first being the Declaration of the Sorbonne in 1998; the second phase according to the Declaration of the Bologna Process of 1999; the third phase through the Declaration of Louvain In 2009; and the fourth phase through the creation of the European Higher Education Area, which was demarcated in 2010.

The Call of the Sorbonne 1998

The Sorbonne Declaration was issued by four European countries, namely Germany, Britain, France and Italy, on 05/25/1998 and emphasized the harmonization of the structure of the European higher education system. The meeting of those countries was on the occasion of the 800th anniversary of the founding of the University of Paris. This declaration is considered a turning point in the history of European higher education, as we conclude that this declaration recorded a new trend in states' attitudes towards higher education.

Bologna 1999 Path Announcement

The Bologna Path was named after the Italian city of Bologna, and was adopted according to a declaration on 06/19/1999 (Ravinet, 2007). The signatories to the declaration committed themselves to coordinate their policies to achieve short-term goals and before the end

of the first decade of the third millennium, and those European countries declared their desire to create a European Higher Education Area and to strengthening the European System on a global scale through the following:

1. Adopting an easy-to-read and comparable degree system, by adding the "Certificate Appendix", to enhance the employability of European citizens and improve the competitiveness of the European higher education system at the global level.
2. Adopting a system that is mainly based on two main phases before and after the Bachelor's degree. Achieving the second phase requires the successful completion of the first phase, which lasts for at least three years. The degree awarded at the end of the first phase must correspond to a level of qualification suitable for integration into the European labor market. The second phase must culminate with a master's degree or doctorate, as is the case in many European countries.
3. Establishing credit systems such as ECTS as an appropriate way to enhance student mobility as widely as possible. This includes the possibility of obtaining credits outside of the higher education system, including through lifelong learning, as long as they are recognized by the respective host universities.
4. Promote university mobility by eliminating obstacles to true freedom of movement; by paying particular attention to the right of students to access studies, training opportunities and related services, as well as the right of professors, researchers and administrative staff, while recognizing and promoting periods of research, education and training in the European context, without prejudice to their legal positions (Moschonas, 1998).
5. Promoting European cooperation in quality assurance in higher education, with the aim of establishing comparable methodological standards.
6. Promoting the necessary European dimension in higher education, especially with regard to developing study and cooperation programs between university institutions, mobility programs, and integrated study, training and research programs.

Leuven Declaration 2009

The declaration was named after the Belgian city of Louvain, and the declaration was issued on 11/17/2009, and included a future vision for the Bologna path until 2020. We note that the declaration is explicitly based on the following:

Quality in Higher Education

The declaration explicitly stated that while European countries strive to excel in all aspects of higher education, they are facing the challenges of the new era. This requires constant attention to quality, by supporting the diversity that is greatly appreciated in educational systems. Those making public policies are fully aware of the value of the tasks of higher education, which range from teaching and research to the service provided to society, through commitment to social cohesion and cultural development. All students and personnel of higher education institutions must be equipped with the knowledge and skills to meet the changing demands of a society undergoing rapid change.

Education and Training for Life

The declaration emphasized that access to higher education should be expanded by integrating lifelong learning into European education systems. The declaration indicated that lifelong education is a public responsibility, and access to it, as well as quality of services and transparency of information related to it must be guaranteed. Lifelong education includes

certification, knowledge, understanding, and acquiring new abilities and skills. The announcement made it possible to obtain degrees through flexible training paths, such as part-time studies and career paths.

Professional Inclusion

The announcement noted that the labor market requires more capabilities and skills than ever before, and higher education must provide students with the high level of knowledge, skills, and competencies that they will need during their career. It pointed out that professional integration gives people the opportunity to seize all the opportunities of the changing job market. Through the declaration, countries stressed their desire to raise the initial level of graduates and to maintain and renew a skilled workforce through close cooperation between governments, institutions of higher education, social partners and students. It stated its intention that university institutions would be able to be more attentive to the needs of employers, and that employers would better understand the viewpoint of higher education institutions, and the declaration affirmed that institutions of higher education are obligated to cooperate with governments, government agencies and employers in the field of improving job offers. They are also obligated to promote career counseling services for students and graduates.

International Openness

The signatory countries of the declaration called on university institutions to further internationalize their activities and participate in global cooperation measures for sustainable development. The declaration indicated that common European measures would enhance the attractiveness and openness of European higher education. An enhanced political dialogue will be held to increase cooperation through partnership with other regions of the world.

The European Higher Education Area: Espace Européenne Enseignement Supérieur

We note that the European Higher Education Area (EHEA) is a unique international cooperative network in the field of higher education and as a result of the political will of 48 countries with different political, cultural, and academic traditions. These have worked step-by-step over the past twenty years to build an area to implement a common set of commitments, of which reforms are mentioned. These forty-eight countries agree to adopt higher education reforms on the basis of common core values, such as freedom of expression, independence for institutions, independent student unions, academic freedom, and freedom of movement for students and employees. Through this process, countries, institutions, and stakeholders in the European region are constantly adapting their higher education systems, making them more compatible, and working to strengthen their quality assurance mechanisms. For all Member States the main objective is to increase the mobility of teachers and students and facilitate employability.

Second, Linking Higher Education with Economic Development within the Framework of European Union institutions

The European Union has set specific goals related to higher education and employment, as it is planned that by the end of 2020, at least 40% of people between the ages of 30 and 34

will have a higher education qualification, and 20% of graduates from higher education institutions will have 82% of graduates who completed their studies abroad, must be employed within three years.

We want to point out the role of each of the European Union institutions separately in the field of higher education, particularly the European Parliament, the Council of the Union and the European Commission. As for the rest of the European institutions, they did not play a significant role in linking higher education and economic development.

Efforts of the European Parliament in the Field of European Higher Education

The role of the European parliament in consecrating the freedom of movement of academics and researchers in Europe

Parliament issued a recommendation on 11/28/2005 related to facilitating the granting of unified short-term visas to member states for researchers from other countries that move for the purpose of scientific research in the European Union. The recommendation explicitly stated that in order for member states to be competitive and attractive at the global level, they should take measures to facilitate the entry and movement of researchers within the European Union for short periods of time.

The role of the European parliament in the field of quality in European higher education:

It is important to note that the European Parliament has been concerned with quality in higher education through the recommendation issued on 02/15/2006 regarding the follow-up on European cooperation for quality assurance in higher education. The recommendation ordered the member states of the European Union to encourage all operating higher education institutions in its territories to introduce or develop strict internal quality assurance systems in accordance with the standards and guidelines on quality assurance of the European Higher Education Area approved at the Bergen City Conference within the framework of the Bologna Process.

The European parliament's role in supporting the European higher education area to achieve the Europe 2020 jobs and growth strategy

The European Parliament passed a resolution on March 13, 2012 regarding the contribution of European institutions in support of the Bologna process in the European Higher Education Area, and strictly emphasized the importance of education as a key sector for cooperation with member states in order to achieve the basic objectives of the Europe 2020 Strategy for Jobs and Growth and the much-needed economic recovery. The decision called for greater support for the Bologna process at the European level, especially with regard to mutual recognition of university degrees, harmonization of academic standards, measures to enhance mobility, the social dimension of professional integration, active democratic participation, analysis of the implementation of the Bologna principles and the removal of administrative obstacles. It called on member states to reaffirm their commitment to the process and to strengthen the financing system in order to achieve the growth targets set by the Europe 2020 strategy. The decision stated that opening European universities to the needs of the global

economy and strengthening higher education in the European region should be seen as a manifestation of the efforts made by European universities to help Europe overcome economic insecurity and restore economic development to its right path.

The European Parliament's role in supporting lifelong education for employment development

The European Parliament has focused on education for life through the recommendation issued on 04/23/2008 regarding the European framework for certificates related to lifelong education. The recommendation indicated that the development and recognition of knowledge, skills and competencies for citizens has become essential for the development of the individual, the competitiveness of employment and social cohesion in the Union European. This development and recognition should facilitate the international mobility of workers and educated people and contribute to meeting supply and demand in the European labor market.

The role of the Council of the European Union in linking European higher education and economic development

The Council of the European Union discussed the topic of European higher education and economic development many times. The most important discussions were those related to the international opening of higher education, according to a summary published in the Official Journal of the European Union issued on May 11, 2010, and the Council explicitly called on the member states to:

1. Enhance cooperation, communication and interaction between higher education institutions, the world of research and the business sector at the international level, as part of the efforts made to build a knowledge triangle.
2. Encourage and support mobility of students, teachers, international researchers and other categories of personnel.
3. Provide students, teachers, researchers and others working in higher education with the training and skills necessary to operate in an open international environment.
4. Recruit staff with international experience and the ability to encourage students as well as teachers from local people to adopt a more international vision.
5. Ensure the provision of high-quality study programs and the application of teaching methods, taking into account the international dimension.
6. Encourage institutions of higher education to implement internationalization strategies.
7. Create an institutional environment that enhances the participation of students, teachers and researchers in international programs, with joint, double and multiple certificates in research projects.

The Role of the European Commission in Linking European Higher Education and Economic Development

European higher education and smart growth

The European Commission 2010 report on Smart, Sustainable and Inclusive Growth Strategy states that smart growth means promoting knowledge and innovation as drivers of future growth. This requires improving the quality of higher education in the countries of the Union, enhancing research performance, encouraging innovation and transfer of knowledge throughout the Union, making full use of information and communication technologies, ensuring

the possibility of transforming innovative ideas into new products and services that create high-quality growth and jobs, and helping to address European and global societal challenges. But to achieve the desired success, this must be coupled with entrepreneurship, finance, and a focus on user needs and market opportunities.

European higher education and the digital market

The European Commission was interested in the digital market and the economy related to it after it was noticed that the leading giants in the field such as Google, eBay, Amazon, Facebook were not European in origin.

The European Commission took care of the subject according to its report issued on 08/26/2010 entitled the Digital Strategy for Europe, and called on member states to integrate e-learning into national policies to modernize education and training, especially in curricula, and in assessing prior gains and in the professional development of teachers and trainers. The European Commission also discussed the issue of intellectual property and digitization in another previous document related to the digital domain and presented a guide to good practices.

CONCLUSION

The research reached the following results

1. Academic freedom, integrity, institutional independence, and student and staff participation in the administration of higher education constitute the backbone of higher education in the European framework.
2. The will of European countries plays a fundamental role in adapting national systems and purposes of higher education to the dictates issued by the European Union in search of support for European economic development. Member countries show great flexibility in opening workshops at the level of national higher education systems, as well as in the implementation of the requirements of European Union institutions.
3. The European Union relies on quality in higher education, as well as on student and teacher movement and international openness as tools to preserve the leadership of European higher education and link it to development.
4. The European Union is betting on the permanent preservation of higher education institutions on stimulating the knowledge triangle. It is the link between education, research and innovation.

Recommendations

The research recommends

1. States looking to make a shift in the field of higher education must rely on international cooperation with partners from other countries, because the development of higher education and its achievement to contribute to economic development can only be through interdependence between countries.
2. Also, States that want to link higher education and economic development must integrate higher education quality standards and make education a never-ending process in terms of time, that is, life-long, and work to link higher education to and keep it in line with, the digital market.

ACKNOWLEDGEMENT

All authors of this Article would like to thank the Governance and Policy Design Research Lab (GPDRL) of Prince Sultan University (PSU) for financial and academic support to conduct this research and publish it in Sustainability Journal.

REFERENCES

- De Wit, H. (2010). *Internationalization of higher education in Europe and its assessment, trends and issues*.
- De Wit, K., & Verhoeven, J. (2001). The higher education policy of the European union:-with or against the member states?.
- Enders, J., De Boer, H., File, J., Jongbloed, B., & Westerheijden, D. (2011). *Reform of higher education in Europe* (pp. 1-10). Brill Sense.
- Maassen, P., & Musselin, C. (2009). European integration and the Europeanisation of higher education. In *European integration and the governance of higher education and research* (pp. 3-14). Springer, Dordrecht.
- Moschonas, A. (1998). *Education and training in the European Union*. Aldershot: Ashgate.
- Pabian, P. (2009). Europeanisation of higher education governance in the post-communist context: The case of the Czech Republic. In *European integration and the governance of higher education and research* (pp. 257-278). Springer, Dordrecht.
- Papatsiba, V. (2006). Making higher education more European through student mobility? Revisiting EU initiatives in the context of the Bologna Process. *Comparative Education*, 42(1), 93-111.
- Ravinet, P. (2007). *The genesis and institutionalization of the Bologna process: between cross road and path of dependence*. Unpublished doctoral dissertation, Paris, Institute of Political Studies.
- Teichler, U. (1999). Internationalisation as a challenge for higher education in Europe. *Tertiary Education & Management*, 5(1), 5-23.
- Vossensteyn, J.J., Kottmann, A., Jongbloed, B.W., Kaiser, F., Cremonini, L., Stensaker, B., & Wollscheid, S. (2015). Dropout and completion in higher education in Europe: Main report.