

Policy Governance without government in European Higher Education

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The paper argues that the Bologna Process as a set of policy initiatives which exists at the margins of the EU framework embodies a case of Governmentality in a context of Governance without Government. This is due to the distinctive regulatory characteristics of the Bologna Process which encompass; its non-legislative character; the voluntary adaptation and participation of the member-states to the process; the extension of the Process to non EU members; and, finally, its peculiarity as a set of common guidelines, the realisation of which differ within each member-state. These characteristics introduce a modality of policy governance in European higher education that aims to tackle the challenges of globalisation beyond traditional forms of government.

INTRODUCTION

Currently the widespread economic crisis within the Eurozone makes us witness attempts for further economic co-ordination through institutionalised processes and agreements within the European Union (EU). Discussions of ‘effective economic governance’ (Rodrigues, 2010) within the Eurozone are at the moment the centre of the attention. The EU as a modality of existence in a region has always been led by the co-operation towards competition but also the controlled and limited submission of state powers.

However, the first loosely co-ordinated action towards governance in the European region came through Higher Education (HE) assuming in its origins no direct connection with the EU. The case of the Bologna Process (BP), more than a decade after its introduction to the European HE as a major policy co-ordination discourse, offers an interesting case of European/EU governance in HE.

The discursive analysis in this paper regards the BP as an education policy regime at the borders of the EU policy framework which is initiated by a neo-liberal culture at the end of the 1990s within EU and non-EU member states’ higher education moving towards a resurgent free market after the economic crisis of 2007, which demonstrates a ‘contemporary pattern of transnational policy making’ (Peck et

al. 2012) and is characterized as ‘fast policy’ (ibid). The BP policy regime at its first instance uses regulatory mechanisms for the management and organisation of the policy realisation, such as module and course accreditation at an institutional level, follow-up groups to the process at a European level and yearly conducted reports of the progression of the realisation of the process at the state level. Currently, the BP policy regime facilitates the transferability, adaptation and adoption of complete programmes particularly from the UK higher education institutions to the European south.

The structure of this paper focuses firstly on the policy context in which the BP appears and operates as a European Higher Education discourse, secondly on the effects of the neo-liberal project in the BP governmentality and governance and finally concentrates on the discussion of BP as a modality of governmentality with in a context of policy governance without government.

The Bologna Process in the EU decision making process

Peterson and Bomberg’s (1999) descriptive framework of policy decision-making within the EU scaffolding offers an insightful conceptualisation of the BP in relation to the EU policy making spectrum. A schematic view of the policy decision-making within the EU can be seen in Table 1, where three main levels of policy decision-making are identified a) the super-systemic level, in which history-making decisions are locate b) the systemic level, in which policy-setting decisions get established, and finally, c) the sub-systemic level, in which policy-shaping decisions are formulated. Each level of the policy decision-making described in the model specifies three “analytical categories or types of EU decision-making” (Peterson and Bomberg, 1999. p.5) and engages in the process different institutions and different actors, and also, their decisions are purposefully differentiated. As Peterson and Bomberg explain:

History-making decisions are choices which determine, fundamentally, the way the Union works. They implicate the very highest political levels and – because they are transformative – they concern both means and ends. Decisions at the systemic level are nearly always about ends, while most ‘policy-shaping’ decisions are about means (Ibid. p. 272).

Table 1 (Peterson and Bomberg, 1999, p.5)

Level	Decision Type	Dominant Actors	Example
Super-systemic	History-making	European Council Governments in IGC's European Court of Justice	Endorse White Paper on internal market
Systemic	Policy-setting	Council, COREPER, European Parliament (Under co-decision)	Agree directives to create an internal market for motorbikes
Sub-systemic	Policy-shaping	Commission, Council, Working groups, EP Committees	Propose that all motorbikes licensed in the EU must observe power limits

Locating the BP as a policy decision-making process is not exhaustive as the BP is identified as European and not as EU initiative. However, there are significant similarities in the way the BP is articulated as a non official EU process with the level of policy-shaping described by Peterson and Bomberg. The level of policy-shaping is the point in which the ‘policy networks’ or ‘policy elites’ (Lawn and Lingard 2002, Lingard et al 2005, Lingard and Ozga 2007) are particularly inter-active, aiming at the preparation of decisions and based on a “consensus (build) through informal exchange and backroom bargaining” (Ibid., p. 8). Policy-shaping decisions do not determine EU policy. At the sub-systemic level, where the European Commission (EC) is the key actor, the focus is on the continuous negotiations between actors over the formulation of a policy proposition. The BP can be thought of as a process at the sub-systemic level, as its institutionalisation is based on Follow-up groups, numerous participating actors and no legislative features. Nevertheless, the key feature introduced by the use of Peterson’s and Bomberg’s analytical framework is the institutionalised and official

operation of policy networks and the dominant position of lobbying and backroom bargaining at the sub-systemic level constructing the BP policy governance.

Furthermore, the particular BP characteristics at the operational level combined with the inherent meaning of the BP initiatives led to oppositions and struggles at the different levels and contexts of its realisation.

Struggles

In particular, the purpose of BP was to introduce a new culture in HE. This culture is embedded on the discourses of globalisation, neo-liberalism, and knowledge economy (Jayasuriya, 2010, Robertson 2010) expressed in the BP through the rhetoric of the need of quality related to competitiveness, marketisation, attractiveness and brain drain (O'Mahony 2002) mobility. In the attempt to introduce a 'quality culture' (Morley 2004, Ehlers 2009, Dano and Stensaker, 2009, Stamatelos and Stamatelos 2009) in European higher education the BP is reconstructed as a policy and power regime. The BP policy regime from its starting point gave birth to oppositions deriving by HEIs and their participants. These oppositions can be seen as forms of resistance either to the newly introduced policy regime or to the changes that the new policy would introduce to the constituted context of higher education. The expression of opposition through different forms of resistance produced struggles. These struggles become real in the BP discourse through the multiplicity of texts and meetings, the process of goal setting and, more importantly, the struggle over the definition of the terms and conditions of the policy realisation. However, they are not merely struggles over meaning. As Foucault explains, "the production and circulation of elements of meaning can have as their objective or as their consequences certain results in the realm of power; the latter are not simply an aspect of the former" (Foucault, 2000, p.13).

The power struggles appear to be spread within and across the different levels that the BP as policy imbricates. By struggle, I am referring to a whole range of forms of engagement with the BP policy discourse. The levels of struggle within the BP policy discourse entail a spatial context of struggle and struggles over the societal implications of the policy realisation. Three main levels are located in the spatial context (see Table 2): a) regional b) national c) institutional. In the context of societal implications, connotations on a) the political, b) the economic and c) the social levels can be found.

Regional level: the Ministers of Education were asked to focus on the differences between the higher education systems of their countries in order to find ways to overcome them at a regional level. Interestingly though, the BP discourse recontextualised at the national level was stressing the commonalities of different member states higher education systems.

State level: the Bologna Declaration document was the policy's move from the abstract conceptual level of its production to its practical application on the national level. In other words, the next set of struggles appears in the way in which each member state responded to the BP policy targets. However, the extent of the intensity of the struggle at a national level diversifies within member states.

Institutional level: the actual realisation of the Bologna policy discourse is found within HEIs. At this level we can identify the struggles of individual institutions in three dimensions: a) to adapt to policies or guidelines deriving from their national governments, b) to adapt to Bologna policy discourse as regional guidelines and c) the need for HEIs to preserve their existence, autonomy and ideological character within a context of reform.

Table 2: BP Levels of struggle

BP Policy: Levels of struggle			
Spatial context		Societal implications	
Global: globalisation, complexity, fluidity, time/space compression, information transition, diminution of the nation state		Globalisation: Similar policies on higher education in different part of the world. Demand for HE to participate in the global economic market/competition. Demand for labour force qualifications and mobility, HE reform	
Regional	Member-states' education ministers collectively set in place the beginning of a EU HE policy	Political	Correlation between member-states, EU and Commission on education policy issues
National	Governments set their national HE policy framework according to Bologna targets	Economic	EU's ability to successfully compete in global context
Institutional	Setting internal procedures to meet national and regional policy goals. Struggles for retaining a space within the realisation of policy goals.	Social	Creation of EU citizenship – affinity

The second type of struggle relates to the societal implications of the policy realisation. The political dimension of the BP is articulated even before we observe elements of its empirical existence.

Political Dimension: a) The ERT (European Roundtable of Industrialists) recognising the establishment of European economic convergence as in their own financial interests showed interest in European infrastructures and in European higher education, particularly in respect to vocational qualifications, and the readability, comparability and credibility of degrees, as much as in their quality. “The ERT has historically stressed the need to leave education in the hands of industry instead of people ‘who appear to have no dialogue with, nor understanding of, industry and the path of progress’” (Balanya et al. p. 31). This was a struggle, within the EU HE policy

discourse, over who gets to be heard, as the ERT sought to displace more traditional voices in discourses of higher education.

b) In terms of the convergence of higher education, the EC was able to introduce its own agenda for the social and cultural aspects of higher education, along with its economic character as it promoted the idea of EHE convergence since the 1980s, for example, via the establishment of the SOCRATES programme. Thus, the member states were left in the complex situation of needing to respond to the expectations and demands of the ERT in relation to higher education while retaining their authority over national higher education systems, without the interference of the EC which led to the Sorbonne Declaration in 1998 and the Bologna Declaration in 1999. However, the EC eventually adopted the process by becoming its main funding body and thus found a way to promote its agenda on HE through the BP. The politics of BP then continue in different arenas, those of the struggles between the member states and the EC, and concerning the way in which the BP was to be presented in the nation states by their governments.

Economic dimension: the main struggle relates to the ability of the EU to compete successfully in the global context. The BP as an initiative with policy features was created in order to serve this purpose. The consequences of the initiatives gradually led to the reduction of state funding of HEIs, which meant that they were left to compete among themselves for external funding in the European and the global context. The current changes witnessed in the English context offer a distinctive example with consequences not only in the increase of fees but also force HEIs to increasingly move away from both their traditional priority of disciplinary education to vocational subject areas that will provide qualified and specialised labour forces and their social role.

Social dimension: The BP policy discourse is enriched and also obliged towards the construction of the European citizenship, which will lead to European affinity. However, the lack of affiliation to a European identity found by HEIs participants (Kolokitha, 2010) coupled with the increased concern over social cohesion found in EU policies and the emergence of riots in different EU member states are highly questioning claims of European citizenship.

There is a significant but purposeful omission in the table of struggles and oppositions presented above (Table 2), which is the cultural dimension of the BP policy discourse. This is due to the fact that culture moves in between and within all the levels of the spatial context and also is embedded in all aspects of the societal implications. The power of the BP policy regime is embedded on the regulatory mechanisms and policy technologies of its ideological driving force, which is recognised a neo-liberal mentality of governance.

Governmentality and Governance in the Bologna Process

For the conceptualisation of the BP policy discourse I deployed the Foucauldian concept of governmentality at both the descriptive and explanatory levels. As the concept of governmentality is developed within the context of the nation-state government the non-legislative feature of the BP policy realisation needs to be addressed. The non-legislative nature of the BP is addressed by employing Rosenau's (1992) concept of governance which derives from the field of international relations. Thus, my exploration focuses on the possibility of analysing the BP policy realisation as a form of governmentality in a context of governance without government. My position on governmentality is focused on the policy techniques that are used for the realisation of the BP as an EU policy for higher education integration. These policy

techniques represent the distinctive features of the quality/neo-liberal culture discourse promoted by the BP discourse and are identified as the ‘market, managerialism and performativity’ (Ball, 2003).

Furthermore, the BP policy discourse encloses the combined but also distinctive characteristics of both individualisation and totalisation processes that are bound to power struggles, and primarily the type of struggles that are related to the ‘submission of the subjectivity’ (Foucault, 2000). The processes of individualisation represent influences of neo-liberal approaches towards the BP discourse which aim towards the introduction of a new cultural regime in higher education. The processes of totalisation become apparent from the voluntary participation in the BP policy initiative. Such participation is based on a regional discourse, which upholds the BP as not only being the best choice for higher education institutions in both EU and non-EU member states, but as the only path to being a successful participant in the global higher education competition. Thus, its distinguishing character is based on its regional non-legislative constituent. The analytical conceptualisation of the BP policy discourse moves to the exploration neo-liberal approaches of government in what I will describe as governmentality in a context of governance without government.

The Discursive Context of Neo-Liberalism

In this paper, neo-liberalism is regarded as a mentality of government that emerges at a political level, and its traces are obvious and influence the institutional and the ethical level. Neo-liberalism works on different levels such as the political, as a political philosophy and perspective, aiming at the empowerment of the subject through the development of its sense of autonomy and responsibility; the institutional, based on the marketisation of the previously public welfare state provisions such as education, health and pensions; and finally, on the ethical level, by constructing new

values as it introduces new principles that rule the conduct of the subjects. Neo-liberalism aims at a cultural change that will be based on individual freedom, responsibility and choice and which is another way to construct the conduct of the population. Interestingly, the population, within this context, is expected to conform voluntarily to the new principles and values. As Rose explains:

Neo-liberalism is thus more than a phenomenon at the level of political philosophy. It constitutes a mentality of government, a conception of how authorities should use their powers in order to improve national wellbeing, the ends they should seek, the evils they should avoid, the means they should use and, crucially, the nature of the persons upon whom they must act (Rose, 1992, p. 145).

The BP as higher education policy discourse emerges in an age when neo-liberal approaches are essential within political thought and actions. On the political level, the condition widely accepted as welfare state, according to the neo-liberal perspective and critique, “was understood as a paternalist mechanism of social control” (Dean, 1999, p. 153-154) that lacks efficiency due to its bureaucratic and centralised character. This critique sets a context for the empowerment of the subject through individual choice based on the fundamental value of freedom. The welfare state is presumed to be restraining individual development, and social welfare provision is regarded as negative feature in relation to individuals’ understanding of their citizen responsibility. The neo-liberal approach claims that the population of a state should gain responsibility for its actions and that citizens should not expect the state to contribute towards a solution of problems related to social provision. The state’s central control and responsibility for the provision of social services should be replaced by quasi-markets in all public areas. That condition includes provisions of education, health and insurance, which adopt the principles of the market and business within a neo-liberal cultural context. Thus, areas that were previously part of the public provision by the welfare state now are relocated within quasi-markets for

services, in a transformation of the institutional organisation of the nation-state. As neo-liberalism introduces market principles and structures in the spaces that formerly were occupied by a paternalistic state, the ethical dimension of the everyday conduct of the population is affected. The empowerment and re-definition of the individual within the state in a neo-liberal approach comes through the discourses of citizenship, responsibilities, values and risks. These are introduced and promoted as the means and basis for innovation, as part of and through a cultural change that aims at all dimensions of social life which suggest that “the goal of neo-liberal critique of the welfare state is a displacement of social policy and social government by the task of cultural reformation” (Dean, 1999, p.172).

Neo-liberalism can be described as a mentality of governance as it is not only supported by the state but also rests on the self-control of the individual. In this sense, globalisation driven governments appreciate the significance of markets in relation to efficiency and effectiveness, quality assurance, customer services as a positive move towards successful conduct and preservation of national, regional and global order. However, a common understanding has recently emerged due to the current financial crisis in European countries and the US, acknowledging that markets cannot be left as the only organising features of the global order, and the state, reappears as a regulator of the free market. Regulations and provisions on the way markets operate are under discussion, by the G8, the G20, the International Monetary Fund (IMF) and the EU groups in the global context, to regional or national economic policies and the construction of fair trade possibilities. On the other hand, self-regulation appears of great significance since the welfare state’s social provision is continuously reduced in high speeds. The diminution of social provision institutions, aiming to extinguish bureaucracy, causes considerable disturbances to subjects’ notions of social ties and

social bonding. This reorientation of the connection between individuals and society arises as the neo-liberal governmentality and the market promote an autonomous, individualised subject and construct a barricaded citizen; as the responsibility of individual choice affects not only the people within the a local context but also the global community; and as, at the same time, the freedom of that choice is limited and controlled by what the market offers and by the individual subjects' information, education, class orientation, religion, gender, race, ethnicity and adaptability to the neo-liberal culture. As a result, the term society is significantly marginalized and the term community is being introduced in political, economic and cultural discourses. In this context

although strategies of welfare sought to govern *through society*, 'advanced' liberal strategies of rule ask whether it is possible to govern without *society*, that is to say, to govern through the regulated and accountable choices of autonomous agents – citizens, consumers, parents, employers, managers, investors – and to govern through intensifying their allegiance to particular 'communities' (Rose, 1996, p. 61).

Governmentality in a context of Governance without Government

In my analysis I follow Foucault's assertion that governmentality "marks the emergence of a distinctly new form of thinking about and exercising of power in certain societies "(Foucault, 1991, 102-104). To this, Dean adds: "this form of power is bound up with the discovery of a new reality, the economy, and concerned with a new object, the population" (Dean, 1999, p.19). Governmentality for Foucault means the analysis of the 'how' of government. My position on governmentality in this research is focused on the policy techniques that are used for the realisation of the BP as an EU policy for higher education integration. Within this context the notion of governmentality is used to describe the mindset that is promoted by the BP discourse

and its counter-discourses, and which is reflected in practice of Higher Education Institutions' (HEIs) governance

In relation to governance Rosenau (1992) writes:

governance is a system of rule that works only if it is accepted by the majority (or, at least, by the most powerful of those it affects), whereas governments can function even in the face of widespread opposition to their policies... governance is always effective in performing the functions necessary to systematic persistence, else it is not conceived to exist (since instead of referring to ineffective governance, one speaks of anarchy and chaos) (p. 4-5).

The efficiency of governance is based both on the voluntary, non-legislative character of policies on the one hand and, on the other, on the material conditions that construct the panel of rules and regulations according to which institutions and individuals ought to operate for the attainment of order. The non-legislative character of EU policy initiatives has given rise to an extended use of the notion of governance in EU studies (Heritier, 2003) as a way of describing this new state of regulation. The new method of non-legislative policy formulation is primarily found in areas "related to employment policy, social policy, migration, criminal prosecution, and education" (Heritier, 2003, p. 105-106). He notes two reasons for this, a) these areas are those in which "governments see their sovereignty endangered" (ibid), and b) "by avoiding legislation and dealing with these matters through voluntary accords ... it is hoped that decision-making processes will be speeded up and solutions appropriate to the complex nature of the problem will be arrived at" (ibid). It is apparent that we witness the normalisation of non-legislative policy initiatives within the EU as a new policy technology towards the exposure of the BP policy discourse over the voluntary participation in it of European nation-states.

Governmentality refers to how to think about government, to the mentalities that realise the conduct of conduct, and how to analyse and think of the action and art of government. Governmentality is a notion that is placed within the function of the

state. Governance though is not bound to any state authority but it is based on material conditions that set the rules of the conduct of conduct and maintain the order; “It might even be said that governance is order plus intentionality” when “global order consists of those routinised arrangements through which world politics gets from one moment in time to the next” (Rosenau, 1992, p.5). Recently several authors have used the notion of governmentality and governance in the analysis of the BP (Lliesner 2007, Fejes 2008, Croche 2008, Kupfer 2008) while describing its neo-liberal affiliations. However, the combined use of the terms for a combine analytical appreciation has not been extensive.

The use of governmentality within a context of governance without government can support the analysis of the multiple levels and dimensions included in the study of BP policy discourse due to the fact that

In Europe more than elsewhere the international, supranational, transnational, national, regional and sub-national are inextricably linked. Compared to other multilevel, quasi-federalist polities, the Union is unique in that different levels of EU governance are relatively clearly distinguished from one another, with their own resources and sources of legitimisation. (Peterson, 2001, p. 290-291).

Hence, in an attempt to discuss the different types of power struggles within the different levels and dimensions of BP policy discourse, I focus on both governmentality and governance, and employ them as diverse but also imbricating concepts.

Policy Governance in European Higher Education:

Within the context of European higher education, I use the notion of *policy governance* to refer to how different national policies are operating under the same European policy umbrella, under the spectrum of European Integration on a broad level, and specifically the BP on an educational level. Policy governance within the content and context of the BP policy discourse is based, not only on the attempts for

convergence, but also on the voluntary acceptance of the policy guidelines. The adoption of guidelines leaves space for each member-state to construct the most suitable policies related to its own higher education system but also creates space for various translations of the policy guidelines and various interpretations during the recontextualisation of the policy discourse.

The peculiarity of the BP as policy discourse lies in the detailed description of the realisation of the objectives, i.e. European Credit Transfer and Accumulation System (ECTS) and quality standards, which are located within the abstract and vague notion of the European Higher Education Area (EHEA) (1999). The BP also frames the policy discourse at a regional level, but its realisation is bound to the national context as, “the European Union put forward some measures in education and training, but simultaneously reiterated in its literature, namely in the Treaties, that the formation of educational policies should remain at a national level” (Novoa, 2002, p.132). Thus the question of most significance at this point is, who is responsible for the translation of the policy from the regional to the national policy level? The answer to this would be policy actors. But still the questions remain as to who is defined as a policy actor and as to whose interests are served. The degree of complexity embedded in any attempt to answer these questions is summarised in the following quotation from Peterson (2001):

Here we come to grips with what, above all else, makes EU governance so difficult to theorise about: EU politics is a battle in which a variety of different cleavages usually can be identified on any particular issue. To an unusual extent most key actors in EU politics simultaneously possess multiple interests or identities: national and supranational, sectoral and institutional, political and technical. Their actions may be motivated by different rationalities at different times. It is frequently difficult to predict how key actors will align themselves on any given issue or which battle along which cleavage will matter most in determining outcomes (p. 292-293).

What becomes clear is that the BP policy initiatives, seen through the spectrum of decision-making within the EU framework at the sub-systemic level, demonstrates a mode of policy governance based primarily on networking between various actors of interest. These actors include organisations such as the European Table of Industrialists (ERT), the European Commission, the European Union, Latin America and the Caribbean Foundation (EULAC), Education International (EI) Pan-European Structure, the Confederation of European Union Rectors' Conferences, the European Association for Quality Assurance in Higher Education (ENQA), the Association of European Universities (CRE), (UNICE)the Union of Industrial and Employers' Confederations of Europe Currently known as BUSINESSEUROPE , the European Association of Institutions in Higher Education (EURASHE), the National Unions of Students in Europe, the Council of Europe, the Bologna Follow-up Group, and the representatives and ministers of the signatory countries. The representation of interests in the official BP documents, have not always been harmonious. Each of the engaging actors aims to defend their interests at the least possible cost, and seeks the best possible outcome. For this reason, even the decision to create the EHEA and its established means of realization are constantly under revision.

Apart from the complexity that derives from the multiplicity of actors, I should also note the complexity that lies in the interests which the key actors represent. It is common in some cases for one actor to adapt to various positions and interests¹. For example, the Committee of University Rectors is mainly staffed by academics, who during the BP meetings and those of the follow-up groups, take over

¹ Apart from the multiplicity of positions that an actor may hold, and hence the different interests that may serve, actors also have personal interests, constructed by other discourses, e.g. political and educational. These interests or perceptions may also be going against the main BP discourse in which these actors participate. However, their personal interests are rarely becoming part of the official policy agenda, and are rarely expressed, creating fragmentation in the subjectivity and possible agency of the actor.

the role of policy negotiator between the national and regional levels. Moreover, there are numerous actors engaged with the BP. It is important to have an overview of how they are acting in the establishment of a regional policy discourse, for two reasons: a) this will offer an understanding of how it is possible to achieve policy governance without government in a regional, non-legislative context and b) the space of possibilities and limitations that is opening through such processes.

Policy governance without government in a regional, non-legislative context is achieved through a policy elite that “acts across borders, displays a similar habitus, have a feel for the same policy game and are (as actors), in a sense, bearers of an emergent European educational policy and policy space (Lawn and Lingard, 2002, p. 292). The policy elite identified in the European educational space has specific characteristics and is being established through particular activities, including the networking, lobbying and negotiating procedures. These policy actors can be identified as deans and managers and academics that have taken upon them the administration of the new type of governance, utilising guidelines deriving by bodies such as the Quality Assurance Agency, the Observatory for Borderless Higher Education, and representatives of industries such as the ERT.

The second part of identified characteristics concerning the educational policy elite includes particular discursive activities. The BP policy discourse, even though it presents parallel or analogous ideological features with that of globalisation, only makes sense as a response to the education policy trends that the latter suggests. The BP appears as a regional education policy discourse influenced by global trends that aim to transform HEIs at the national level. The actors participating in the formation of policy initiatives are charged with the recontextualisation of the discourse at two levels: a) from the context of global trends to that of regional initiatives, and b) from

regional initiatives to national HE policies. In both cases, the transition of the discourse from the one level to the other is realised through continuous processes of lobbying, networking, bargaining and negotiations between the various actors. These processes are complex as the actors represent different perspectives and serve diverse interests. However, they are bound to the same political agenda of constructing, as far as possible, a sole and unified policy in order to respond to global threats, utilising discourses of European identity and citizenship. As Rosamond interestingly notes:

the argument builds the hypothesis that a) the deployment of ideas about globalisation has been central to the development of a particular notion of European identity among elite policy actors but that b) 'globalisation' remains contested within EU policy circles (Rosamond, 2001, p. 162).

The negotiations on the translation and transition of the discourse between the different levels - global demands regional initiatives national policies - are realised in the case of the BP by policy elite networks consisting of differentiated actors e.g. businesses, managers, ministers and academics. Thus, the negotiating procedures construct policy regimes that aim to lead to European HE policy governance.

The fundamental question is the extent in which the regional initiatives aim or are able to serve differentiated and specific local needs, at the nation-state level when they derive from global dimensions. The identified differentiation in the policy initiatives outlook between the global and the national level is what Rosamond describes as a fluid conception of multilevel governance:

...multilevel governance should mean rather more than the idea that the EU system is composed of distinct policy-making levels. Rather it should be used to explore the EU as a highly fluid system of governance, characterized by the complex interpretation of the national, sub-national and supranational; as a multi-perspectival domain of complex overlapping spaces with a multi-level institutional architecture and a dispersion of authority (Rosamond, 2001, p.160)

Similarly Peterson and Bomberg remark that:

Arguably, the ubiquity of policy networks in EU decision-making reflects a more general shift in international relations ‘away from the state – up, down, and sideways – to supra-state, sub-state, and, above all, non-state actors’ (Slaughter, 1997, p. 183 quoted in Peterson and Bomberg, 1999, p. 268).

the translation or recontextualisation of the discourse is embedded in the construction of the idea of the EHEA as an area of highly competitive and attractive HEIs in the global HE context. The restructuring of local institutions due to global imperatives can be described as what Santos, (1995) calls localised globalism while distinguishing between two forms of globalisation

The first one I will call *globalised localism*. It consists of the process by which a given local phenomenon is successfully globalised, ... The second form of globalisation I would call localised globalism. It consists of the specific impact of transnational practices and imperatives on local conditions that are thereby deconstructed and restructured in order to respond to transnational imperatives (p. 263).

This logic is evident among the policy elite actors, as shown by the work of Lawn and Lingard, 2002.

The significant concerns of these actors were illuminated by reference to the non-national influences that had been and were continuing to intrude into the national space of education. The interviews also revealed the actors themselves as bearers of a new policy space in education. ... Initially, the responses, collected in the national context, assumed a local response to outsider pressures (p. 294)

Discussion

This account describes a form of European policy governance, realised through policy networks and policy negotiations with global effects at the regional and national level. Although in the beginning of the paper I discussed a certain level of fragmentation within education policy at a local, national, regional and global level, and the struggles within the realisation of the BP policy discourse, the work of the policy elite networks for the translation of the discourse is believed (Santos 1995, Rosamond

2001) to offer a space for the construction and elaboration of counter-discourses. This process can be summarised in what Bernstein (1996) wrote regarding the recontextualisation of discourses, that “every time a discourse moves, there is always space for ideology to play” (Bernstein, 1996, p.24). The sub-systemic level of decision-making offers space for different voices and ideologies, expressed through different networks. It is the level where agency has the space to introduce regional or national features to the discourse.

Nevertheless, the space for agency identified at the moment of the recontextualisation of the discourse is still problematic as it suffers limitations, and highlights concerns regarding the possibilities and limitations of governance without government. The first identified limitation is the neo-liberal logic identified in the global HE and the BP policy discourse. Specifically, in the BP, the recontextualisation of the discourse is controlled by policy elite networks framed within a neo-liberal agenda. A condition that limits the voices that are being heard at the policy-shaping level as “most of the EU remains fundamentally neo-liberal, thus privileging narrow interests over broad ones, and producers over consumers” (Peterson and Bomberg, 1999, p. 271).

The next set of problematisations lies in the relationship between neo-liberalism, as a mode of governmentality in a context of governance without government and its democratic deficit within the EHE policy context. Interestingly, the BP policy discourse placed at the level of policy-shaping opens a space for agency, through the on-going negotiations between the policy elite actors. However, the discursive procedures offer a limited space for what is accepted as valid argumentation during the negotiations. Moreover, negotiations serve specific interests which also have to be set within the mentality of the discourse. It is at this point that

the issues concerning democratic procedures at a European level are at stake. Serving, in this case, particular market-oriented interests in relation to HE, it is questionable to what extent the elite policy actors are actually serving or representing the interests of the European community that participates in HE. The lack of central control concerning the procedures of the regional initiatives is problematic as “one of the fundamental problems of governance in a differentiated polity is ensuring that policy specialists do not govern in ways that violate the collective interests of the polity” (Ibid., p. 269).

It is an analogous problem to that of discourse while discussing possibilities or spaces of oppositional discourses and agency. How is it possible to achieve the space for the defence of collective interests when the discursive power allows only oppositions within the limits of the neo-liberal mentality? In an EU policy decision-making process, this theoretical concern is translated to a practical barrier leading to democratic deficit at different levels. The first level is related to the lack of wide participation within the policy decision-making. The actors participating in the BP, as has already been discussed, are numerous. However, they either share the same discursive understanding of the process or they perceive it in a context of no alternative (Racke 2006, Ravinet 2006). In any case, they are trapped within the neo-liberal ideology underlying the discourse.

Because the key advances in European integration over the last decade have been linked to a neo-liberal agenda, the EU has progressed towards the goal of a regional marketplace, yet federal political institutions comparable in capacity and size to the internal market have not been established. Because social democracy depends on state power, it must either reassert national autonomy with all the problems entailed by this strategy or work towards a federalist system to re-regulate the economy at the level of EU (Cafruny, 1997, p.122).

Most HEIs' participants feel no connection to the regional policy discourse and distance themselves. In a broader EU context, this relates to what O'Dowd (2001)

describes as the absence of popular participation in the EU processes due to the lack of identified ‘internal and external borders’ that would suggest a conceptual framework of unity at a European level ...its multi-level governance and differentiated borders provide little stimulus to mass participation or popular democracy. Its construction, even at its differentiated borders, is driven by elites and they remain its strongest advocates (O’Dowd, 2001, p. 107-108)

The representation of interests within the EU context and in the context of the BP, as they appear in the official documents of the BP through, policy elite networks within an neo-liberal discourse, raises questions in relation to “the economic and social disparities between the more and the less-developed regions or countries of the community (Santos, 1995, p. 286) and also in relation to the social legitimacy of those interests.

Concluding, the BP, as a modality of policy governance without government driven by neo-liberal governmentality, is bound to two alternatives which could overcome the problems of interest representation and popular democratic participation. The first would be the prioritisation of nation-state policy peculiarities within the process. At present, the EHE policy discourse, even though modified from the global level to the regional and finally to the national and local levels, still remains a rather top-down discourse. It is within the process of recontextualisation that nation-states engage in a more official form as regulators of the negotiations of interests as “the preservation of the nation-states as key actors in the process of integration may provide, ironically enough, a safety valve against the consequences of greatly unbalanced representations of interests at the community level” (Santos, 1995, p. 287).

The second option would be for the BP to develop a more official institutionalisation. The construction of official institutionalised procedures, within legislative regulations, allows not only space for a more democratic operation within the European and EU context but also a chance of achieving the EHEA aims. Otherwise, EHEA will be part of “a neo-liberal Europe of the future is, however, likely to be poorer and less competitive. ... European institutions will remain weak and poorly legitimised, paralysed by a dangerous and mutually reinforcing combination of market rationality and resurgent nationalism” (Cafruny, 1997 p.124).

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