1. Introduction

In the academic world quality assessment has traditionally assumed two apparently contradictory objectives: quality improvement and accountability. Universities mostly emphasised quality improvement, which has been a concern for higher education institutions since the Middle Ages (Van Vught 1994), while the government paid special attention to accountability, aiming at guaranteeing the quality of the services provided to society by higher education institutions.

Academics have always maintained that the noblest objective of quality assessment is quality improvement, a concern that was expressed in the coining of new rhetoric expressions such as quality care and quality assurance. In the Netherlands the strong level of trust between government and institutions, allowed Dutch universities to claim for themselves the major responsibility for quality, convincing the Ministry they should control the quality assurance system through an ‘independent’ agency, the VSNU. Also in Portugal and Flanders universities were able to anticipate the government movements in quality by initiating quality assessment activities in collaboration with the Dutch VSNU with the result that the ownership of the quality agency was entrusted to ‘representative institutions’, similar to the Dutch VSNU (Amaral and Rosa 2004).
With the emergence of markets as instruments of public policy, producers of higher education have been awarded increased institutional autonomy. This shift of the decision-making responsibility to producers has had “substantial implications for institutional governance and management” (Dill et al. 2004: 340). Starting in the 80’s, and especially at political level, the traditional model of governance and management of higher education institutions came under attack, being considered inefficient and outdated to face the new challenges confronting these organisations (Rosa, Saraiva and Diz 2005). Almost everywhere higher education was demanded to become “more accountable and responsive, efficient and effective and, at the same time, more entrepreneurial and self-managing” (Meek 2003: 179).

The emergence of market or quasi-market modes of public regulation went hand in hand with the intrusion of the rhetoric and management practices of the private sector into higher education, promoting important changes in the operation of higher education institutions. This phenomenon was interpreted using concepts such as ‘managerialism’ (Miller 1995; Amaral, Magalhães and Santiago 2003), ‘new managerialism’ or ‘new public management’ (Meek 2002; Deem 1998, 2001; Reed 2002).

The rise of New Public Management (NPM) in the public sector has contributed to the loss of trust in institutions and to visible changes in the quality assurance systems, with increasing emphasis on accreditation and a shift “away from self-regulation, which tends toward the interests of the member institutions and not those of the public, and this shift may simply indicate that a new approach to quality assurance in higher education is needed” (McGhee 2006: 6). These developments have originated new and different rationales for quality assessment. In what follows, the different uses of quality assessment (and accreditation) as tools for a diversified range of actions and the way they are related to recent developments in public policies are critically examined.

More recently, an apparent shift from quality assurance to quality enhancement can be observed in the development of quality in many countries. This shift can be interpreted as a movement at restating that institutions are determined to assume the main responsibility for quality and should be trusted. However, to create this new opportunity the academia needs to draw a new contract with society, and academics need to put forward a new case in favour of higher education, which is a formidable task.

2. Markets and quality assessment as information tool

Over the last decades, markets have become an increasingly important regulation tool of the public sector, as governments tried to improve the efficiency of public services through the implementation of market-like competition mechanisms. Governments have assumed that competition was the miraculous ingredient that would suddenly transform hardened bureaucrats into brave private entrepreneurs. In the UK, Margaret Thatcher’s
government defined the three Es for the management of the public sector (Sizer 1990): Economy in the acquisition of resources, Efficiency in the use of resources, and Effectiveness in the achievement of objectives, and made extensive use of market mechanisms as a tool for promoting competition between public services (including higher education) to increase their efficiency and to maximise the provision of social benefits.

In several countries governments have also been experimenting with market-type mechanisms to force higher education institutions to compete for students, for funds, for research money. At the European level, the Bologna Declaration, “redefining the nature and content of academic programmes, is transforming what were once state monopolies over academic degrees into competitive international markets” (Dill et al. 2004: 330).

However, the efficient use of market regulation presents several problems. For the allocation of goods and services to be ‘optimally efficient for the larger society’ (Leslie and Johnson 1974) the market needs to be perfectly competitive, which implies a number of conditions that are difficult to fulfil.

Both government and market regulation may lead to inefficient action as it is well documented in the literature. Non-market or government failures are related to the fact that sometimes the government and its agencies are incapable of perfect performance in designing and implementing public policy, because of defects of representative democracy and inefficiencies of public agencies to produce and to distribute goods and services (Dill 1997; Van Vught 1997).

Market failures are the shortcomings of markets (Van Vught, 1997) when confronted with certain goods and conditions, namely the production of goods that show large externalities\(^1\), as it is the case of education. As the market is a means of organising the exchange of goods and services based upon price, additional social benefits (externalities) will tend to be ignored, or to be too little taken into account by market mechanisms. Other sources of market failures are the tendency of a free market to build monopolies resulting in inefficient outcomes – in general government regulation outlaws this kind of development in order to protect consumers – or the so called ‘market imperfections’ (Van Vught 1997) such as prices not reflecting product scarcities and imperfect or asymmetric information.

For a market to produce efficient outcomes producers and consumers need to have perfect information about price, quality and other relevant characteristics of the good or service being purchased. However, in many cases, the relevant information is not available (imperfect information) or the producer has a much more detailed knowledge

\(^1\) The concept of externality is used to compare the social and private benefits of any activity, and can be technically defined as the benefit received by society beyond the individual private benefit.
than the consumer (asymmetric information). The information problem is particularly acute in the case of higher education, which has three simultaneous characteristics:

1. It is an “experience” good, meaning that its relevant characteristics can only be effectively assessed by consumption. It is only after a student starts attending classes that he forms a true idea of what he has got in terms of quality, professors, and educational experience.

2. It is a rare purchase, as a student in principle enrols in a single degree programme throughout his professional life. Therefore he cannot derive market experience from frequent purchases, as it would be the case of buying clothes or food.

3. Opting-out costs are high, as changing to a different programme or institution is difficult and in general has high associated costs (Dill and Soo 2004).

The simultaneous presence of these three characteristics makes a strong case for government intervention to protect consumers, which may take different forms such as licensing, accreditation, and the public disclosure of the results of quality assessment activities, all of them aimed at providing consumer information (Smith 2000), which justifies the increasing role of quality assessment in market regulation.

Dill considers that from the strict point of view of “rational economic choice”, “students still lack sufficient information about the quality of academic institutions or programs to make discriminating choices” (1997: 180) as what they need is the measure of prospective future earnings provided by alternative academic programmes and not “(...) peer review evaluation of teaching processes, nor subjective judgements of the quality of a curriculum” (ibid).

However, even if this kind of data were available, many students (or their families) would not use it, which questions the validity of the hypothesis of rational economic choice (Tavares et al 2008). This is what David Dill calls the problem of immature consumers. The theory of behavioural economics assumes that people do not regularly make rational and selfish choices. Vossensteyn and Jong (2004) have used this theory to explain student choice, which is surrounded by considerable uncertainty as they do not know the real contents of the studies and do not know if they will get a proper job after graduation. Therefore “concepts like reference levels, loss (and risk) aversion, diminishing sensitivity, mental accounting, intemporal choice, endowment effects and rules of thumb, all seem to be relevant (...) to student choice” (ibid: 16).

The fact that students are immature consumers provides the ground for “the implementation of quasi-markets, rather than consumer-oriented markets, for the distribution of academic programs” (Dill 1997: 181). The state or a state agency, acting
on behalf of the final consumers, can get a better bargain from the providers as it has a much stronger power of the purse than any individual client, a logic that is reinforced when (immature) clients do not make rational choices. The state is no longer a provider of higher education but assumes a role as principal, representing the interests of the consumers by making contracts with competing institutions, which creates a quasi-market in which independent providers compete with each other in an internal market (Le Grand and Bartlett 1993).

3. Markets, institutional autonomy and the principal-agent dilemma

The implementation of efficient markets is not a trivial undertaking. Jongbloed (2003) has defined a set of eight freedom conditions for providers and consumers, which are necessary for the market to be efficient. Providers should have the freedom to specify their products, the freedom to determine their price, and the freedom to use available resources. New providers should be able to enter the market without undue artificial barriers. Consumers should be free to choose the provider and the product, they should have adequate information about prices and quality, and prices paid should adequately cover the costs. Although in practice – with the usual exception of the US – the state still regulates heavily some of these institutional freedoms, a good example being the limits set to the value of fees, the implementation of quasi-markets has been associated with an increase of institutional autonomy.

More recently, at least in some countries, neo-liberal governments have come into power and a new political rhetoric has become popular. Increased privatisation of higher education has been observed under a variety of forms, which include the establishment of private higher education institutions, the use of market mechanisms in system regulation and the increased contribution of students and families to the higher education costs. Neo-liberal politicians proclaim that the state should decrease its activity as service provider, that state regulation should retreat in favour of market regulation, and that competition among institutions is a necessary ingredient to ensure that institutions become more responsive to society and more efficient in the use of public funds.

Ben Jongbloed (2004: 89-90) used a traffic metaphor to make clear the differences between the traditional government system of centralised command and control (similar to traffic signals) to coordinate their higher education systems and the adoption of market-based policies (similar to a roundabout). In Ben Jongbloed’s metaphor, traffic lights condition heavily drivers’ decisions, the same way that government regulation conditions the behaviour of institutions. On the other hand, a roundabout, while influencing traffic behaviour, delegates decision-making authority to the drivers:
Drivers in a roundabout are awarded greater discretion (and more immediate forms of accountability!) than when traffic is controlled centrally by signals. This coordination by ‘mutual adjustment’ supposedly increases the efficiency of the traffic flow. The challenge confronting those experimenting with market-based policies in higher education therefore is to discover the institutional framework of rules and incentives that produces welfare maximising competition among (mainly) publicly subsidised, but autonomous, academic institutions. (Dill et al 2004: 329).

Figure 1 – The roundabout model

The problem is that increased institutional autonomy, combined with market competition, may create regulation difficulties, as autonomous institutions competing in a market may follow strategies aimed at ensuring their own development and survival, even if to the detriment of the public good or the government’s objectives.

Massy (2004: 28) argued “…the way [non-profit] institutions currently respond to markets and seek internal efficiencies, left unchecked, is unlikely to serve the public good”, a danger that is exacerbated when competition is excessive, or when the state cuts public subsidies. By using the microeconomic theory of non-profit enterprises, Massy (2004) demonstrated that, under those conditions, non-profit institutions tend to behave like for-profit ones, ignoring the promotion of public good inherent to their missions. This forces the state to intervene by changing the rules of the market to ensure the fulfilment of its political objectives, quality assessment being one of the tools that might be used to ensure compliance of institutions with public policies.

These regulation problems are also related to the classical principal-agent dilemma faced by government agencies acting as monopsonistic buyers: how does the principal (government agency) ensure that the agent (university) acts as the government expects,
taking into account the difficulties of monitoring the agent’s activities? (Sappington 1991; Dill and Soo 2004).

The principal-agent model has been used to analyse problems of agency relationships, which “are created when one party, the principal, enters into a contractual agreement with a second party, the agent, and delegates to the latter responsibility for carrying out a function or set of tasks on the principal’s behalf.” (Kassim and Menon 2002: 2), the major problem being there is in general an asymmetric distribution of information that favours the agent (Kiewiet and McCubbins 1991; Holmstrom 1979):

Two notable problems are adverse selection, where the principal, responsible for recruitment, is unable to observe directly and, therefore, assess the knowledge or skill possessed by the agent and moral hazard, where the agent enjoys superior information, not only about his or her own preferences and abilities, but also about the tasks assigned to him or her, and his or her own actions, which are not usually observable to the principal. (Kassim and Menon 2002: 2)

The asymmetry of information may lead to the agent’s opportunistic behaviour namely when the structure of delegation “provides incentives for the agent to behave in ways inimical to the preferences of the principal” (Pollack 1997: 108). The principal-agent dilemma leads to a contradiction of neo-liberal policies. The principal needs to ensure the agents’ perfect compliance, to prevent them from acting “contrary to his or her (i.e. the principal’s) preferences” (Kassim and Menon 2002: 2). Realising that autonomous institutions competing in a market may behave in ways that do not maximise the provision of social benefits and the public good, the government will be tempted to intervene to steer institutional behaviour towards its objectives thus breaking the promise to reduce as much as possible government regulation in favour of market regulation.

Therefore, the government arbitrarily intervenes to change the rules of the game. It forces institutions to adapt their behaviour to government objectives by using an increasing number of mechanisms such as extensive arrays of performance indicators and measures of academic quality, whether quality assurance or accreditation. This is an example of the use of quality assessment as a compliance tool.

Dominique Orr (2004) suggests that the new relationship between HEIs and the government is better portrayed by the ‘roundabout model’ (Ben Jongbloed 2003) but with an increasing number of [government] traffic lights restricting the allowed routes. I would suggest that the Swindon magic roundabout – a famous roundabout containing five smaller roundabouts to better regulate the traffic – better portrays the new relationship between higher education institutions and the government.

This is consistent with the idea that an effective delegation of ‘public-interest decision-making’ authority to institutions requires “an affirmative desire to interpret and serve the public good, the will to hold institutional self-interest at bay, and the financial strength to balance intrinsic values with market forces” (Massy 2004: 33). However, the
unchecked behaviour of institutions, especially under conditions of strong competition and financial stringency, may not correspond to the best public interest, which paves the road for government intervention.

Figure 2 – The Swindon magic roundabout

That is why governments have been introducing an increasing number of mechanisms to ensure that institutions will behave as the government wants them to behave. Among these mechanisms one finds an extensive array of performance indicators and measures of academic quality, be it called quality assurance or accreditation. Therefore one sees the use of quality assessment as a compliance tool.

4. New Public management and the loss of trust

Today, any specific discussion of higher education systems needs to be set within the broader context of New Public Management and related concepts, such as new managerialism and reinventing government (Osborne and Gaebler 1992), which have dominated public sector reform over the last two decades. The use of markets as instruments of public policy is strongly correlated with the emergence of New Public Management (NPM) that “has championed a vision of public managers as the entrepreneurs of a new, leaner, and increasingly privatised government, emulating not only the practices but also the values of business” (Denhardt and Denhardt 2000: 1).

Under new public management the public become clients of the government, and administrators should seek to deliver services that satisfy clients. In higher education, too,
students are considered as customers or clients, and in most higher education systems quality assurance and accountability measures have been put in place to ensure that academic provision meets client needs and expectations.

One of the consequences of the new public management policies has been a strong attack on the professions, including the academic profession. For Reed (2002):

By imposing market competition through political dictate and administrative fiat, the ideology of ‘new managerialism’ attempted to destroy, or at least weaken, the regulatory structures that had protected unaccountable professional elites and their monopolistic labour market and work practices across the full range of public sector service provision throughout the 1980’s and 1990’s (Reed 2002: 166).

The academy no longer enjoys great prestige on which higher education can build a successful claim to political autonomy (Scott 1989). There has been a gradual proletarisation of the academic professions – an erosion of their relative class and status advantages (Halsey 1992). Academic capitalism (Slaughter and Leslie 1997) also made faculty more like all other workers, making faculty, staff and students less like university professionals and more like corporate professionals whose discoveries are considered work-for-hire, the property of the corporation, not the professional.

The ‘de-professionalisation’ of academics has been coupled with a claim to professional status by administrative staff. Thirty years ago administrators were “very much expected to operate in a subservient supportive role to the academic community, very much in a traditional Civil Servant mould” (Amaral et al 2003: 286) and in the meetings of the academia they were expected to be seen but not to be heard. Today, managers see themselves as essential contributors to the successful functioning of the contemporary university.

Institutions use more and more micromanagement mechanisms to respond to outside pressures promoting the new values and demands of “economy, efficiency, utility, public accountability, enterprise and various definitions of quality”. Management control technologies include systems for evaluation and performance measurement of research, teaching and some administrative activities, particularly those linked to finance. The implementation of these systems occurs in basic units, which are internally made accountable for budget expenditure (eventually decentralised) and for the results of evaluations of teaching and research activities. The influence of the recommendations (or sanctions) from those evaluations is one of the most important aspects determining the selection and concentration of activities (Meek 2002) in higher education institutions, as well as the degree of autonomy of professionals.

In the UK, for instance, control mechanisms included an extremely detailed framework of devolved performance criteria against which operational efficiency and effectiveness at the unit level would be monitored and assessed (Reed 2002). Sets of
indicators were implemented in public services such as health, social security and education:

Within the context of much more intrusive and pervasive performance management, a consistent emphasis on the detailed monitoring and evaluation of ‘quality’ standards in service delivery and outcomes emerged as the overriding priority (Reed 2002: 163).

The emergence of new public management and the attacks on the efficiency of public services, including higher education, resulted in loss of trust in institutions and professionals. For Martin Trow (1996) every institution is linked to its surroundings through some combination of accountability, market and trust. Accountability is the obligation to report to others, to explain, to justify, answering questions about how resources have been used, and to what effect (Martin Trow *ibid*); the link of higher education to society through the market is visible when support is provided to a college or university in return for the immediate provision of goods or services; trust is visible in the provision of support, by either public or private bodies, without the requirement that the institutions either provide specific goods and services in return for that support, or account specifically and in detail for the use of those funds. The laws of autonomy or envelope budgeting are examples of trust.

For Martin Trow (1996) accountability is an alternative to trust, and efforts to strengthen it usually involve parallel efforts to weaken trust, and he adds that accountability and cynicism about human behaviour go hand in hand. The UK under the premiership of Margaret Thatcher is a classical example of the withdrawal of trust and increasing demands for accountability.

The loss of trust had obvious consequences at the level of the quality assurance systems. Comparing state approval versus accreditation schemes with evaluation activities, in the years 1998 and 2003, reveals an overwhelming movement from state approval towards accreditation schemes (Schwarz and Westerheijden 2004).

In the Netherlands, a system of meta-evaluation run by the Inspectorate for Higher Education was supposed to ensure that the assessment procedures were properly run. In Portugal, a commission was set up to coordinate the quality assessment process and to issue recommendations for the rationalisation and improvement of the higher education system; i.e. to meta-evaluate the system. However, this has not been sufficient to protect the quality assurance agencies that were dismissed under fierce criticism to their effectiveness. In Flanders:

… in the second half of the 1990s, criticisms began to be heard about VLIR quality assurance system. Some policy makers, employers and journalists questioned the vagueness of the visitation reports and the lack of a clear overall conclusion (Van Damme 2004: 144).

and in Portugal:

…the final reports … very seldom offer clear basis for drastic decisions. …the Minister has publicly complained …that the conclusions of the reports of quality evaluation agencies were quite obscure... (Amaral and Rosa 2004: 415-416).
Today all those quality assessment agencies owned by universities or by organisations representing universities (the Netherlands, Flanders and Portugal) have disappeared (Amaral 2007) being replaced with “independent” accreditation agencies. New initiatives on quality are also based on accreditation rather than on quality assessment (e.g. Germany, Austria and Norway). This probably reflects an increased lack of trust in higher education institutions to satisfy the government and society about their capacity to ensure adequate standards of quality.

The European Ministers of Education assembled in Bergen adopted in 2005 the Standards and Guidelines for Quality Assurance in the European Higher Education Area (ENQA 2005), drafted by the ENQA, in co-operation and consultation with its member agencies and the other members of the “E4 Group” – ENQA, European University Association (EUA), European Association of Institutions in Higher Education (EURASHE) and European Students’ Union (ESU).

The European Ministers of Education attending the 2007 London Ministerial Conference analysed a report drafted by the E4 (ENQA 2007) on the European Quality Assurance for Higher Education (EQAR) and decided:

We welcome the establishment of a register by the E4 group, working in partnership, based on their proposed operational model. The register will be voluntary, self-financing, independent and transparent. Applications for inclusion on the register should be evaluated on the basis of substantial compliance with the ESG, evidenced through an independent review process endorsed by national authorities, where this endorsement is required by those authorities. (European Ministers of Education 2007)

The Register was set up on 4 March 2008 as the first legal entity to emerge from the Bologna Process. One of the main criteria set in the ESG is:

Agencies should be independent to the extent both that they have autonomous responsibility for their operations and that the conclusions and recommendations made in their reports cannot be influenced by third parties such as higher education institutions, ministries or other stakeholders. (ENQA 2005: 24)

The register provides information on quality assurance agencies that are in substantial compliance with this common European framework. This would exclude the former quality agencies in Flanders, Portugal and the Netherlands as recognised in the ENQA’s review report of the Portuguese Quality Assurance system (ENQA 2006), as well as the US Regional Accrediting Agencies. Therefore it is possible to conclude that, at the level of the EU, higher education institutions are neither recognised as being able to satisfy the government and society about their capacity to ensure adequate standards of quality nor trusted to set-up agencies in charge of assessing and promoting the quality of institutions and/or programmes.
5. Developments in the other side of the Atlantic

In the US there has been a long tradition of accreditation of higher education institutions by private, non-profit organisations. The first agency, the New England Association of Schools and Colleges, has been established in 1885 using an organisational model possibly inspired on the industrial sector trade associations. These organisations are voluntary, non-governmental membership associations of higher education institutions.

This system of self-governance and self-regulation by institutions and accrediting organisations, with quality being assured without government intervention, was codified in the 1965 Higher Education Act and its features have remained without much change until today (Eaton 2007). This arrangement is known as the Triad, based on the principle of distinct and mutually exclusive roles of its components:

States were responsible for establishing requirements for and granting institutional licensure. Accreditation agencies were responsible for making judgments about institutional quality. And the federal government was responsible for allocating and ensuring that federal funds for student aid were used for their intended purpose. (Rainwater 2006: 108)

The Higher Education Act goes through a reauthorisation process every five years which is a good opportunity for adapting the Act to take into account eventual deficiencies or changes in the higher education system, its objectives and societal needs and demands. This has also created opportunities for strong criticism addressed at the accreditation system, which was seen as not responding to demands for increasing accountability, as “...the symbolism of assessment increasingly has moved from instructional improvement to institutional accountability” (Ewell 1987).

The accreditation system has been under strong fire at the time of the 1992 reauthorization of the Higher Education Act, following reports of fraud and abuse in federal student aid programmes and a large number of institutions with high default rates. As the federal government only provided financial support to students enrolled in accredited institutions, the regional accrediting agencies were the gatekeepers to federal funds. In the words of Steven Crow “… accreditation decisions on institutions have been accepted by the federal government as sufficient evidence of educational quality to warrant disbursement of federal student financial aid and other federal grants to those institutions”. (Crow 2004)

The accrediting agencies were blamed for having failed in their gate-keeping role, and the 1992 reauthorization established stronger federal control over the accreditation process. Congress authorised the establishment of State Postsecondary Review Entities (SPREs) to deal with institutions with high default rates, and the Department of Education (DEO) was to require that all accrediting agencies should assess a number of
specific criteria in their reviews, including default rates in student loan programmes and curricula, admission practices and student success (Rainwater 2006: 110). The new legislation for the first time disturbed the equilibrium of the Triad by allowing for federal interference in postsecondary education and led to an overlap that “violated the longstanding principle that roles should be distinct and mutually exclusive” (ibid.).

Political change also played a role when Republicans assumed a dominant position in the House of Representatives after the elections. Newt Gingrich, leader of the Republicans in the House, introduced the “Contract with America” promising to reduce government regulation and this included the SPREs. “In March 1995, Congress withdrew funding and ended implementation, thereby eliminating SPRE.” (Rainwater 2006: 112). And the Secretary of Education backed away from 34 CFR 602 (12 actual standards of HEA 1992), leaving only “minimalist” (i.e., process-based) accrediting agency standards (see Federal Register, Nov 1992). This left institutions with the responsibility for establishing and observing their own standards – which is still the case today.

In September 2005, the US Secretary of Education Margaret Spellings established a Commission on the Future of Higher Education. The Commission’s final report was again rather critical of the accreditation system considered to have significant shortcomings: inadequate transparency and accountability for measuring institutional performance; no comprehensive strategy to provide either adequate internal accountability systems or effective public information; can impede innovation (Commission on the Future of Higher Education 2006: 14-16). The Commission further recommended the transformation of the system; accreditation decisions should be more based on evidence of student achievement and institutional performance, the final reports should be made public and comparisons of institutions or groups of institutions should be made available.

However, the lobbying capacity of higher education institutions and accrediting agencies seems apparently to have once more won the fight. In the reauthorization process the Congress introduced amendments that limit the powers of the federal administration. In 6 February 2008 the White House released a statement criticising the College Opportunity and Affordability Act of 2007 (H.R. 4137, House of representatives) “because it would restrict the Department of Education’s authority to regulate on accreditation… In particular, the Administration strongly opposes provisions that prohibit the Department of Education from promulgating regulations affecting postsecondary accreditation”. (White House 2008)

The State Secretary of Education Margaret Spellings was more acid in her comments, claiming that Congress had dug a moat around the “ivory tower”.

In a blatant infringement of executive branch authority, Congress is proposing to strip U.S. Department of Education of its authority to issue regulations holding accrediting agencies
accountable for ensuring the quality of programs and instruction at higher education institutions… (Spellings 2008)

Glen McGhee recognises “…federal agencies often find numerous ways to get around congressional mandates if they want to. The propensity for ‘agency capture’ by powerful special interest groups is the main reason behind congressional oversight committees as well as a growing judicial presence in negotiated regulatory schemes” (2006: 8). And the Education Encyclopaedia considers that an eventual federal movement to take on the accrediting role would not survive institutional, state and constitutional challenges (2008). So it is possible that U.S. higher education institutions are more protected against arbitrary federal intervention that the European institutions are safeguarded against the creeping power of the European Commission.

6. Conclusion

Comparing state approval versus accreditation schemes, in the years 1998 and 2003, reveals an overwhelming movement from state approval towards accreditation schemes (Schwarz and Westerheijden 2004). All recently implemented quality systems are also based on accreditation rather than on quality assessment (e.g. Germany, Austria and Norway). This might reflect an increased lack of trust in higher education institutions to satisfy the government and society about their capacity to ensure adequate standards of quality.

For Neave (2004) “the creation of new model accreditation agencies added further to the apparatus of verification…” which corresponded to “the replacement of a circle of trust and confidence with a cycle of suspicion” (Jeliaskova 2001; van Brueggen et al 1998).

The quality agencies that had some relation with universities (cases of Flanders, Portugal and the Netherlands) did not resist the shift in the emphasis of quality assurance from improvement to accountability and were dismissed under public accusations of lack of efficiency and irrelevance, being replaced with “independent” accrediting agencies complying with the European standards and guidelines.

In Europe, the Ministers of Education assembled in Bergen in 2005 gave their blessing to the Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG), drafted by the ENQA (2005), in co-operation and consultation with its member agencies and the other members of the “E4 Group”. In 2007, the European Ministers of Education assembled in London established the European Quality Assurance Register for Higher Education (EQAR) based on a proposal drafted by the E4 (ENQA 2007). The Register will not accept quality agencies based on associations of universities arguing against their lack of independence, which would obviously exclude all the US Regional Accrediting Agencies.
The Council of Europe has produced two timely and important documents, one on Public Responsibility for Higher Education and Research (Weber and Bergan 2005), the other on Higher Education Governance (Kohler et al 2006). These documents stress two fundamental ideas: that governance should avoid micromanagement, leaving reasonable scope for innovation and flexibility, and that quality assessment mechanisms should be built on trust and give due regard to internal quality development processes. No doubt every academic would strongly support these ideas based on elevated and generous principles (Amaral 2008).

Options for the future of a quality system are not separated from considerations of the type of higher education system the relevant authorities want to foster. Apparently, the objective of Brussels puts more emphasis on competition and the creation of a European Higher Education Area than on cooperation and quality improvement. The growing emphasis on market mechanisms, new public management and competition, accompanied by the loss of trust in institutions and the proletarisation of academics, may well lead to developments in an opposite direction to that proposed in the documents produced by the Council of Europe.

For Martin Trow “formal requirements for accountability are inherently suspicious of claims to professional and personal responsibility, claims which were in fact the basis on which academics in elite colleges and universities in all countries formerly escaped most formal external accountability for their work as teachers and scholars” (Trow 1996).

The problem is that Universities have not been able “to develop and then translate support in the society at large into political support” (Trow 1996: 5) when they came under attack from New Public Management and blame policies (Ball 1998). Universities have rested on their claims for the specialism of their ‘unique’ attributes while their environment changed dramatically. Trow argues “In the US, where trust is still a central element in the life and autonomy of our institutions, an enormous amount of time, thought and effort goes into creating and sustaining the element of trust in support communities” (1996: 4).

Frank Newman asks “Have we fallen asleep assuming that we have made this case and we now fail to keep making it?” (Futures Project 2001: 11). Today the society no longer understands university attributes such as “academic freedom, the teaching and modeling of civic communities marked by civil discourse, dispassionate enquiry and community service” (Futures Project 2001: 11). This has been explained by Lamar Alexander, US Republican Senator for Tennessee a propos of the recent debates on the 2007 re-authorization of the American Higher Education Act:

Congress simply doesn’t understand the importance of autonomy, excellence and choice, and the higher education community hasn’t bothered to explain it in plain English to members who need to hear it and understand it. (Alexander 2008)
John Immerwahr in a recent report refers that the American legislators he interviewed had a perception that universities “are deeply conservative, and they largely seek greater autonomy as a way of avoiding pressures to change” and also that some legislators were reluctant to grant universities more autonomy without having “better measures of performance” (Immerwahr 2002: 4).

If universities want to preserve their core attributes then they must do a better job of making its case:

We have to make the core values matter to more than just ourselves, and we need to forge alliances with other social forces to give effect to them. (Mala Singh in Futures Project Report 2001: 11).

Universities must convince society that they care for what they do by self-imposing “measures of quality, commitments to insuring access and greater transparency about financing” (Futures Project 2001: 10). Judith Eaton reports that institutions have answered to increased demands for accountability by “developing outcomes-based approaches to judging institutional effectiveness, including student achievement in general education and in the majors” (Eaton 2007).

I see the emergence of “quality enhancement” as an attempt of universities to regain trust by restating that the quality is their major responsibility and that the role of outside agencies should be limited to quality audits. When the 1992 re-authorisation the US Education Act led to a generalised discussion of the American accreditation system and to attempts at greater federal intervention a number of academics proposed a similar approach. For instance, David Dill et al. (1996) supported the idea that institutions should keep the main responsibility for quality and suggested that the route to quality assurance must combine “a mutually reinforcing system of institution-based quality assessments of teaching and learning and a coordinated regional system of external academic audits”. And Martin Trow proposed the role of outside supranational, governmental or quasi-governmental agencies should consist of “monitoring and encouraging the emergence of this culture in institutions of mass higher education, but not through ‘evaluations’ based on uniform criteria and linked to funding” (Trow 1994: 39) and accreditation should be transformed into “… searching audits of each institution’s own scheme for critical self-examination, its own internal quality control procedures.” (ibid).

The big question is how far will universities succeed in regaining trust. As Trow reminds us, “Trust cannot be demanded but must be freely given. In Trollope's novels, a gentleman who demands to be treated as a gentleman is almost certainly no gentleman” (1996: 10).

Not being an optimist at my age I see some light at the end of the dark tunnel. Recent developments in Germany show that some states are starting to look into the huge costs and the amount of work associated with a generalised system of programme accreditation
(Ziegele and Affeld 2008). In Lower-Saxony there has already been movement towards a system of institutional audits. Does this mean that we will be moving back to a system based on the fundamental responsibility of institutions for quality, supported by a less intrusive system of audits?

The other development has to do with a trend observed in a number of European countries: the establishment of “research universities” to compete at world level. This may lead to very stratified national higher education systems – and to a stratified European Higher Education Area – with what Guy Neave suggests will be “a highly focused and selective ‘Guardian Relationship’ resurrected and built around a few highly performing establishments” or, a variant alternative would be “the emergence in Europe’s higher education systems of a ‘temporarily protected’ sector, consisting of highly-performing research universities at the apex and at the base a ‘market-driven’ mass sector” (Neave 2008).

References


White House (2008), Statement of Administration policy on College Opportunity and Affordability Act of 2007, 