



## **The MAGNA CHARTA OBSERVATORY On University Values and Fundamental Rights**

### ***Background***

On 18 September 1988, on the *Piazza Maggiore* of Bologna, in the presence of public, civil and ecclesiastical authorities, the rectors of 430 universities solemnly signed the *Magna Charta Universitatum Europaeum* at the occasion of the 900<sup>th</sup> anniversary of the University of Bologna, the *Alma Mater* of European higher education. Drafted under the aegis of CRE, the Association of European Universities, the Charter, in 8 articles, lists the fundamental features identifying a responsible university, should it serve learning and innovation in a fast changing society. Ten years later, the University of Bologna and the CRE, announced their intention to set up an *Observatory* that would monitor the implementation of those principles in a globalised community of nations characterised by a market driven economy. A foundation under Italian law was thus created - with the early support of the *Fondazione Cassa di Risparmio in Bologna* and of the Italian government. Then, after two years of pilot activities, the Observatory was solemnly inaugurated in September 2001, a new institution for a new century.

### ***Objectives***

When abiding by the *Magna Charta*, the universities assert their common belonging to an academic community that transcends political and social barriers, a community of culture that anticipates the integration of Europe into a society offering all its citizens, in their diversity, comparable and compatible services. The Charter re-affirms the fundamental values, rights and obligations of the University as a key institution in society.

Indeed, if the University is to “profess”, i.e., commit itself to the definition and spread of knowledge, thus giving society its intellectual references, it needs *institutional autonomy* and *academic freedom*, the capacity to question and reorganise the framework of man’s presence in nature and society. Autonomy and academic freedom, however, are concepts that have evolved during the centuries, adapting to circumstances in order to retain the university’s capacity to act and search for truth. They still do.

The *Observatory* will help redefine the University’s central position in society and make explicit its responsibilities vis-à-vis other institutions shaping Europe’s future, the governments, firms and many organisations of civil society. On the basis of this updated understanding of academic functions, the *Observatory* will also review the use made of the *Magna Charta* principles in world society in order to give universities a real capacity to question, propose and innovate in the development and transfer of knowledge and in their quest for truth.

The Observatory aims to support the universities, in particular in conjunction with their European association, the EUA, when academic institutions define with their stakeholders the common references they will commit to in their future development.



### *Activities*

To meet these objectives, the Observatory intends to focus on three areas of interest:

- a) to **obtain and disseminate information** on autonomy, as practised in European countries - and beyond -, and on reforms in preparation or in progress as they affect the universities in their daily work.

For instance, to explore the links between academic freedom and institutional autonomy the Observatory organised in 2002 in Bologna a seminar on *University Autonomy and Human Resources*, i.e., on the role of tenure, staff development and personnel management in strengthening the universities' contribution to society. The results of those discussions were proposed for their own use to all the universities that signed the Magna Charta.

- b) to **assess situations** of universities which consider that their capacity to organise their action, to develop and disseminate new ideas, is being curtailed by political and economic authorities.

For instance, at the request of the University of Zagreb and of the Ministry of Education in Croatia, the Observatory, in 2001, met governmental and academic leaders to offer its opinion on conciliatory action in a conflict opposing the public authorities and university leadership on the future structure of higher education in the country.

- c) to **propose opinions** in debates on the universities' rights and obligations in social, cultural and economic development, i.e., on the universities' civic responsibility.

For instance, when some 200 members of the European University Association met in Roskilde, Denmark, in Spring 2002, to discuss *Autonomy and quality : the challenge for institutions* the Observatory prepared as background material for the conference a study on the *Ebbs and flows of institutional autonomy* in terms of university decision-making and of the management of personnel.

### *Means*

The Observatory, to monitor the implementation of the Magna Charta principles, has adopted a four-pronged approach:

- a) it **initiates enquiries** by organising *visits and studies* to evaluate the universities' margins for manoeuvre when they strengthen their civic role and reinforce their intellectual contribution to a fast changing society.
- b) it **offers consultancy** to university leaders and higher education stakeholders on the basis of its monitoring of the fluctuating functions of university services in the community
- c) it **develops a forum** for discussions by academic, political, economic and media leaders about the changing role of university autonomy and academic freedom
- d) it **publishes documentation** – paper and electronic - on the results of its reflections and activities concerning a modern understanding of the role and duties of today's university.

To do so, the Observatory relies on a *Board* of five members\* – that cares for its material well being – and on a *Collegium* of seven members\* – that ensures the monitoring of the implementation of the principles of the Magna Charta in contemporary society. Apart from facilitating the September yearly conference of the Magna Charta in Bologna, the Board meets at least once a year, while the President convenes the Collegium several times per annum, according to needs.



The Observatory also relies on regular contacts with the media as well as on the network of the 450 institutions that have signed the Magna Charta since 1988 to obtain and disseminate information concerning the ebbs and flows of university autonomy and academic freedom – in Europe and beyond. Finally, it develops links with associations focusing on university rights and responsibilities such as *Human Watch*, in the United States, the *Salzburg Seminar*, in Austria, or the *International Association of Universities*, headquartered at UNESCO in Paris.

***For further information***

Consult the Observatory website at: <http://www.unige.ch/eua/Links/Observatory>

Refer to the *Magna Charta Universitatum*, also on the internet, or ask for a paper copy of that reference paper from the Observatory secretariat in Bologna

Check the list of the *Magna Charta signatories* since 1988 to assess the world coverage of the Observatory network

Request a copy of the *Proceedings* of the conference that launched the Observatory in 2001 - whose keynote speaker was Dr Claude Allègre, the former Ministry of Education in France

Ask for the study on *University Autonomy, Collective decision-making and Human Resources* commissioned by the Observatory to the University of Vienna (Department for the Philosophy and Social Studies of Science)

**\* *Board members***

Dr Kenneth Edwards - President  
Former CRE President  
Cambridge

Professor Eric Froment  
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Professor Lucy Smith  
Former Rector  
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Professor Ludvik Toplak  
Former Rector  
Univerza v Mariboru

***Magna Charta Excerpts***

(...) The undersigned Rectors of European universities proclaim to all States and to the conscience of all nations the fundamental principles which must, now and always, support the vocation of universities.

**Fundamental principles**

1. The university is an autonomous institution at the heart of societies differently organized because of geography and historical heritage; it produces, examines, appraises and hands down culture by research and teaching. To meet the needs of the world around it, its research and teaching must be morally and intellectually independent of all political authority and economic power.



2. Teaching and research in universities must be inseparable if their tuition is not to lag behind changing needs, the demands of society, and advances in scientific knowledge.

3. Freedom in research and training is the fundamental principle of university life, and governments and universities, each as far as in them lies, must ensure respect for this fundamental requirement.

Rejecting intolerance and always open to dialogue, a university is an ideal meeting-ground for teachers capable of imparting their knowledge and well equipped to develop it by research and innovation and students entitled, able and willing to enrich their minds with that knowledge.

4. A university is the trustee of the European humanist tradition; its constant care is to attain universal knowledge to fulfil its vocation it transcends geographical and political frontiers, and affirms the vital need for different cultures to know and influence each other.

(...) Therefore, as in the earliest years of their history, the (universities) encourage mobility among teachers and students; furthermore, they consider a general policy of equivalent status, titles, examinations (without prejudice to national diplomas) and award of scholarships essential to the fulfilment of their mission in the conditions prevailing today.

The undersigned Rectors, on behalf of their Universities, undertake to do everything in their power to encourage each State, as well as the supranational organizations concerned, to mould their policy sedulously on this Magna Charta, which expresses the universities' unanimous desire freely determined and declared.

*Bologna, 18 September 1988*

### ***Contacts***

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