

Onestini, C. (2002). *Federalism and Länder Autonomy: The Higher Education Policy Network in the Federal Republic of Germany*. Studies in Higher Education Dissertation Series. New York & London: RoutledgeFalmer. Pages: 256. Price: \$85.00 USD (hardcover).

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This study is based on the author's research for his D.Phil thesis written at Oxford University's Nuffield College. Onestini's major goal is to analyze and evaluate German federalism with respect to *Hochschulpolitik* (higher education policy-making); more specifically, he retraces the evolution of the relationship between the federal government and the *Länder* (states) and explores the level of autonomy of the *Länder*, as well as the overall effect that federalism has had on post-secondary policy development and on efforts to establish, and subsequently reform, higher education in Germany between 1948 and 1998. In order to describe how federalism functions horizontally, Onestini employs a Policy Network Approach (PNA) that focuses on policy actors that are capable of mobilizing resources. Using a matrix combining policy areas with policy stages, he identifies the main actors in each phase of the policy-making process. Part I of the study provides an overview of German federalism and *Hochschulpolitik*, part II outlines how a higher education policy community emerged between 1948 and 1969, part III covers the period up to 1998 including case studies of six policy areas, and part IV offers conclusions and raises the question whether German federalism can serve as a model for European integration. Onestini analyzes federalism during this fifty-year period mainly with respect to intra-federal relations, i.e., the division of competence and the interaction between federal authorities and the *Länder*.

In chronological terms, the study's findings can be summarized as follows: The author rightly points out that the creation of the *Ständige Konferenz der Kultusminister* or KMK (the Standing Conference of

Ministers of Culture of the German *Länder*) in 1948 reinforced the fact that control of higher education was firmly placed in the hands of the *Länder* immediately following the end of WWII. The KMK continues to this day to provide the states with the opportunity to cooperate on an ongoing basis regarding post-secondary issues and to reconfirm *Länder* autonomy. Until the mid-sixties, the universities themselves remained largely marginalized in the policy-making process and had virtually no financial autonomy, since their budgets were tightly controlled by the *Länder* governments. With the formation of the *Wissenschaftsrat* (Science Council) as an advisory body to the federal and state governments for the area of higher education in 1957, a national planning body was constituted and a policy community began to emerge. New challenges in the late sixties, such as dramatically increasing student numbers and pressures created by student movements demanding the democratization of universities, led to attempts at reform and to an increased financial involvement of the federal government, mainly to address the need for building capacity (construction of new universities and expanding existing facilities) and for strengthening research. The creation of the *Bundesministerium für Bildung und Wissenschaft* (Federal Ministry for Education and Science) in 1969, the establishment of the *Bund-Länder-Kommission für Bildungsplanung* (Federal and State Commission for Educational Planning) in 1970, as well as the inclusion of other policy actors, e.g., the Planning Committee for University Construction and the new national agency for university admission, further eroded the relatively homogenous policy community of the late fifties and early sixties. Onestini characterizes the period between the early 1970s and the late 1990s as one of segmented federalism plagued initially by disagreements between the federal government and the *Länder* over the division of competency, followed by policy stagnation during the years of the conservative Kohl government.

For his analysis of the decision-making mechanisms within what he calls a “segmented issue network” that marks today’s *Hochschulpolitik* as a result of *Länder* opposition to federal

intervention and Germany's constitutional structure, Onestini presents six case studies of higher education policy-making. These case studies comprise the second half of his dissertation and cover the development of the *Hochschulrahmengesetz* (Framework Law for Higher Education), admission restrictions, university finance (personnel and operational costs), university finance (investment and construction), student financial support, and international co-operation. In each case he utilizes his matrix and identifies policy actors for the policy stages of initiation, agenda setting, formalization, legitimization, implementation, and evaluation. The very detailed and well-informed analyses of these policy areas lead the author to some compelling conclusions, e.g., that the *Länder* have maintained their heavy involvement in university affairs despite the fact that they had to concede increased competence to the federal government, especially with respect to university construction. In the summary of his findings, Onestini maintains that unification has had very little effect on *Hochschulpolitik*, that the initial policy community disintegrated because of the introduction of new policy actors including non-state actors, and that party politics have become increasingly important in shaping education policies. Onestini also rightly asserts that the Federal Constitutional Court, the highest court in Germany, has intervened on many occasions in policy-making by enforcing agreement on confrontational issues that quite predictably arise between the *Länder* and the federal government. According to the author, the interventions of the Federal Constitutional Court resulted from the erosion of the policy community, the lack of a new consensus-building policy network, and from increased pressure for reforms originating from the universities, students, and public opinion. It is hardly surprising that Onestini's final assessment of the current state of affairs is not a positive one. He sees federalism as the main cause for the rise of the segmented policy network and for the

high interdependency, complex bureaucracy, incremental decision-making, and constitutional deadlock associated with it. Therefore, Onestini concludes, German federalism should not serve as a viable model for European integration.

Recent events in German *Hochschulpolitik* seem to validate this study's findings. The Federal Constitutional Court again had to intervene after the current government led by the social democrats announced its intent to create the so-called *Juniorprofessur*, an alternative career path to the often-criticized German tradition whereby full professorship can only be obtained through the process of *Habilitation*, i.e., the penning of a second, more extensive dissertation. After several *Länder* challenged this initiative, the Federal Constitutional Court ruled in July 2004 on constitutional grounds that the federal government did not have the right to introduce this new model. However, quite a few *Länder* have decided to adopt the *Juniorprofessur*, because they agree that there is a desperate need for reform. For a number of years, there has been a growing sense in Germany that federal reforms are necessary, not only with respect to educational matters. In October 2003, the federal government and the *Länder* set up a joint commission whose mandate is to make recommendations as to how German federalism can be modernized. In particular, the commission will explore ways to improve the decision-making process on both the federal and *Länder* levels, to define more clearly the areas of competence, and to increase overall efficiency of policy development. If successful, this exercise will address many of the issues raised in the study reviewed above. Onestini is to be commended for an insightful description of the shortcomings of the higher education policy network in Germany. The only minor criticism I have is that some of the German quotations contain spelling errors.

