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Higher education policy dynamics in turbulent times – Access to higher education for refugees in Europe

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Abstract

Apart from teaching, research and service to society, since 2015 higher education systems and institutions in Europe have faced an additional expectation – to respond to the largely unexpected yet nevertheless growing demand for higher education by refugees. This study explores system and organizational level responses to such environmental pressures in Germany and Flanders, both affluent systems, but different in terms of size, attractiveness as destination and the extent to which their languages are widely spoken. Relying primarily on document analysis and interviews, the study highlights three elements of policy dynamics: policy styles, main drivers, and extent of involvement of non-state actors. While, as expected, in both systems the dynamics were re-active, solution-driven, and with strong involvement of non-state actors, contrary to expectations both countries responded primarily in a bottom-up manner. The study provides a conceptual tool and a first empirical insight into this novel phenomenon.

Keywords

refugees, higher education, Europe, public policy, Germany, Flanders

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Introduction

Higher education systems and institutions have fulfilled different key tasks for societies throughout history (Castells, 2001; Trow, 1975), and in return societies have usually provided, through actions of their governments, a stable legal framework and resources necessary for the operation of higher education institutions (HEIs). This relationship has been described as the pact between higher education (HE) and the society (Gornitzka, Maassen, Olsen, & Stensaker, 2007).

This pact is not per se stable, but is constantly renegotiated as societal expectations and, by extension, HE public policy change. One recent example is the expectation that universities play an active role in enabling access to HE for refugees and through this support them in their integration in European societies, as evidenced in the recent statement by the German federal minister for education: “It is impressive how much impetus students and their higher education institutions showed in creating new projects to support refugees in higher education. The response from the higher education sector to our support programme has been impressive.”¹

This topic, which has become especially prominent since 2015, not only gave rise to new societal demands but also led to somewhat turbulent public policy dynamics concerning development and implementation of a suitable framework for access to HE for refugees in Europe (Goastellec, 2017). Therefore, analysing how different HE systems responded to this new challenge not only provides knowledge about the extent to which European HE is open for refugees, but it is also an exemplary case of how HE systems respond to new and emerging societal demands and how the pact between HE and society is renegotiated in this context. In this, the influx of refugees and the expectation to enable them to access HE go beyond “business as usual” and pose new, salient and urgent challenges for HE systems that need to be addressed. At the same time, the literature on how HE systems respond to the issue of enabling access to HE for refugees is relatively recent and still somewhat limited (see e.g. Berg et al., 2018; de Wit, 2017; Reinhardt et al., 2018; Schammann & Younso, 2016; Schneider, 2018; Streitwieser et al., 2017). As especially comparative studies looking at multiple countries are rare, our study has primarily an explorative character (see e.g. Goastellec, 2017; Kontowski & Leitsberger, 2018)²

All in all, this study investigates how two European HE systems, Flanders and Germany, responded to the increasing refugee demand for HE, and what kind of public policy dynamics were at play. It relies on interview data and documents for analysis of policy dynamics and institutional responses to new societal expectations.³ The following section will introduce the analytical framework of the study, which is followed by an overview of the cases, data as well as methods used for the analysis.

¹ Translated by one of the authors, see: <https://www.daad.de/presse/pressemittelungen/2016/de/49167-hochschulprogramme-fuer-fluechtlinge-verlaengert/> (20.04.2018).

² Concerning other levels of education and their response to increasing refugee numbers, see also special issues of the *European Educational Research Journal*, vol 17, issue 2 (2018) and *European Education*, vol. 49, issue 4 (2017).

³ The data used in this study were initially collected for a project coordinated by the European Students' Union and funded by the Open Society Foundations (OSF). Final report of the project can be found at: <https://www.esu-online.org/wp-content/uploads/2017/05/ESU-Are-Refugees-Welcome-WEBSITE-1.compressed-1.pdf> (08.05.2018).

Afterwards, dynamics in the Flemish and German HE systems are presented, while the final section compares the two systems, offers conclusions as well as avenues for further research.

Dimensions of policy-making and implementation

The study will focus on three dimensions of policy-making that capture the key characteristics of the processes: (1) the style of policy-making, (2) who is the main driver of the policy process, and (3) what kind of actors are involved. While these dimensions should not be understood as the only possible framework or lenses of analysis that could be used, they at the same time represent areas in which differences in the policy dynamics due to the specific local situation can be expected. To inform the analysis of the two cases, expectations for each dimension are developed and subsequently empirically assessed.

The first dimension concerns approach to policy-making with regards to two inter-related aspects: (1) whether a policy is developed in a pro-active or re-active manner and (2) whether a policy is problem- or solution-driven. Concerning the first aspect, a distinction can be drawn between (a) a situation in which a government has an encompassing policy on an issue reflecting party programmes or coalition agreements – a proactive policy, and (b) a situation in which a policy needs to be developed in response to focusing events, e.g. crisis (Peters, Bovens, & Hart, 2001). The second aspect concerns whether policy-making in a given domain is driven by a specific problem or a specific solution (Gornitzka, 1999). While at the first glance it may seem logical that policy actors first define a problem to be solved and afterwards seek the solution, in particular under conditions of ambiguity and time constraints, decision-making on policies may unfold in a “garbage can”-like way, where problems and solutions are coupled even when no demonstrable causal linkage exists between them (Cohen, March, & Olsen, 1972; Kingdon, 2003). While policy-making approach – both with regards to pro-active/re-active distinction and with regards to problem- or solution-driven policies – may vary between countries and policy sectors, it is likely to closely reflect the specific policy issue (Peters et al., 2001). Therefore, unforeseen developments are likely to be addressed by re-active policy-making, with existing solutions to similar challenges being utilized to address the new situation. More specifically, as there is demand to enable refugees to access HE on the policy agenda without extensive preparatory time, it can be expected that the systems experience reactive policy-making dynamics. Furthermore, it can be expected that HE systems will apply existing solutions to the new problem which, in the case of HE for refugees, concerns approaches to enabling access for other groups such as international students or immigrants.

The second dimension focuses on who is the main driver behind the policy process and what is its relationship with other actors, including those at other governance levels. One approach is the classical top-down approach, where actors at a higher level develop a policy (e.g. the government), while actors at a lower level (e.g. public higher education institutions) have to implement it, without freedom to adapt it to their local context or their own preferences (Peters, 2015). The other way is the bottom-up approach where stronger focus is put on actors at lower governance levels, who are closer to the implementation process, i.e. the shop-floor (Lipsky, 2010). Here it is expected that policy objectives may undergo changes during the process of implementation, as implementers have the autonomy to adjust the objectives to their local realities. In this way, they can be more responsive without having to follow strict guidelines that have been issued from governmental policy-makers that are higher up in the hierarchy. Similar to the first dimension, response to unforeseen developments, in particular when they are highly salient and marked with significant urgency, is likely to be top-down. Specifically, as the unforeseen demand to integrate refugees into European societies (and HE) is politically very

salient for the governments, it can be expected that the policy dynamics are characterized by a top-down approach with the government being the main driver of the process.

The third dimension focuses on the type of actors that are involved in the policy process, in particular non-state actors. Since the 1980s a change in patterns of governance can be observed - the sole reliance on state and its institutions has been shifted to a more mixed approach combining both state and non-state actors. First of all, this highlights the increasing participation and influence of various interest groups or civil society organizations in agenda-setting and policy formation (Balestri, 2014; Dür & Mateo, 2016). Secondly, it reflects the stronger involvement of non-state actors in policy implementation, including actual delivery of public services (Peters, 2001). The extent to which non-state actors take part in agenda-setting and policy formation is relatively institutionalized in a given polity and policy domain and can be analysed in relation to three ideal types: statism – in which the state remains the dominant actor, corporatism – in which a very limited number of non-state actors has access to the process, and pluralism – in which many non-state actors have access (Eising, 2007; Schmitter, 1974). Thus, one should not expect significant changes with regards to agenda-setting and policy formation, even in cases of unforeseen developments. However, when faced with unforeseen developments, in particular those that require grass-root level response and significant organizational and material resources that may not be readily available, the state may be inclined to rely on non-state actors for implementation and delivery of public service. Thus, in response to the increasing demand for access to HE for refugees, countries are likely to rely strongly on those delivering HE, i.e. HEIs.

Cases, data and methods

The study compares Flanders and Germany. Germany is a federal state in which the Länder⁴ have autonomy on HE policy, and as such it is often considered not as one but as 16 different HE systems. However, for the purposes of this study it will be considered as one system, given that the federal government is the driving force behind the support for access to HE for refugees. When it comes to Belgium, given that the federal level has no competences concerning HE, Flanders is to be considered as an individual HE system.

Both systems operate in relatively affluent countries which have faced immigration before. However, they differ in several important aspects. First, the systems are rather different in size – 428 HEIs in Germany (of which 106 are universities) compared to five universities and 13 university colleges in Flanders (many of which are organizationally linked to universities into university alliances). Second, Germany as a destination for refugees (together with Sweden and the UK) seems to be far more attractive than Flanders.⁵ Finally, German is a more widely spoken language compared to Dutch, implying that it is more likely that refugees have had some training in German language than in Dutch. Not only does this related to Germany being more attractive as a destination for refugees in general, but it also has implications for HE, given in particular the very limited offer of HE programmes in language other than Dutch in Flanders. This means that findings of this study are likely to be relevant for other affluent countries which have faced strong immigration (including refugees) before, e.g. France or the UK (as being in this respect rather similar to Germany) or Denmark, Norway and Sweden (being in this respect relatively similar to Flanders, bar the strict language policy).

⁴ The Federal Republic of Germany has 16 states, or as they are referred to in German Bundesländer or Länder.

⁵ See: https://www.brookings.edu/wp-content/uploads/2016/09/cs_20160920_citiesrefugees_germanexperience.pdf (08.05.2018)

The study took (1) various policy documents – e.g. government white papers, university strategic plans etc. as well as (2) statistical data provided by governmental statistical offices, refugee agencies or HEIs themselves as the basis for analysis. However, given that many initiatives, in particular on the institutional level, have been recently developed and thus did not come with an extensive documentation, the empirical basis was complemented with (3) interviews, both written and oral, with experts in universities, national or local agencies involved with HE or immigration, and ministries responsible for the issue. Nine interviews were conducted in Flanders, and eleven in Germany, focusing on the background and rationale for specific initiatives, challenges in their development and, if available, information on their implementation and impact.

Access of refugees to Flemish HE⁶

System level response

Although Flanders offers various forms of study arrangements, non-EEA students (which includes students recognized as refugees) can only study as full-time students. In order to be enrolled as such, a person needs to possess suitable (secondary) or HE qualifications and to fulfil language requirements. In the case of students who are refugees, secondary education qualifications are in most cases subject to a recognition procedure (see below). Language requirements primarily concern sufficient knowledge of Dutch, given that almost all Bachelor study programmes and a majority of master programmes are available only in the Dutch language. As will be presented below, there are several initiatives by the universities that are specifically addressing the second requirement. Students in general have to pay a tuition fee (890 EUR for one academic year with full workload of 60 ECTS⁷), but students from disadvantaged backgrounds, which includes refugee students, pay less. Moreover, students formally recognized as refugees are eligible for needs-based study grants awarded by the Flemish government and administered by social service units run by the local authorities (public centres for social welfare, Openbaar Centrum voor Maatschappelijk Welzijn – OCMW). In addition, refugee students, as other students, are also eligible for subsidized income ('leefloon', provided by OCMW), student accommodation, as well as subsidized food, transport, health care, child care, sport and cultural activities.

While HE is squarely in the hands of Flemish authorities, responding to the increasing refugee numbers in general, including organizing asylum seeking procedures, is coordinated from the federal level, but includes both federal/Belgian, community/Flemish and local partners, e.g. local offices tasked with integration of immigrants in general take part in responding to increasing numbers of refugee students (see below).

In general, when it comes to the response to increasing refugee numbers and, consequently, increasing demand for HE, the different system level policy actors in Flanders have, each in their own area of competence, responded in various ways. The Flemish Education Council (Vlaamse Onderwijsraad, VLOR) published a set of recommendations for the entire education sector in September 2015, including a call for a faster and simplified recognition procedure for higher education qualifications.⁸ In the meantime, associations of HEIs – Vlaamse Interuniversitaire Raad (VLIR, association of

⁶ See also Vukasovic (2017).

⁷ The European Credit Transfer and Accumulation System (ECTS) is based on the learning achievements and workload of a course. In this, 60 ECTS credits are the equivalent of a full year of study. See also: https://ec.europa.eu/education/resources/european-credit-transfer-accumulation-system_en (10.08.2018)

⁸ The recommendations (in Dutch) can be found here: http://www.vlor.be/files/ar-ar-adv-1516-002_0.pdf (15.02.2018).

universities) and Vlaamse Hogescholenraad (VLHORA – association of university colleges) – have established several working structures to coordinate activities of HEIs (see below) and facilitate exchange of information and experience. The National Academic Recognition Information Centre (NARIC) in Flanders, which is part of the ministry responsible for HE and deals with recognition of qualifications for employment purposes, adapted the procedure for recognition of qualifications of refugees, including a special track for applicants who do not have complete documentation and waiving the usual administration fees (90-300 EUR). In March 2017, VLOR issued another set of recommendations concerning HE of refugees,⁹ recognizing some of the initiatives of HEIs and highlighting (1) the need for further simplification of the recognition process and more transparency in recognition decisions, (2) more support for refugee students with regards to choice of studies and study progress, (3) more opportunities for Dutch language training, and (4) a more consistent policy with regards to welfare support given by OCMW. Given that, due to more general political reasons, Flemish HEIs organize study programmes primarily in Dutch (in particular at the bachelor level), all students, including refugee students, are expected to possess a B2 level of Dutch before enrolling.¹⁰ In light of reports that OCMW support for refugees (including conditions under which refugees obtain the ‘leefloon’) varies from municipality to municipality and that some municipalities strongly encourage refugees to pursue employment, VLOR urged the Flemish ministries to cooperate better, in particular concerning a more uniform support to refugees who want to pursue HE.

Organizational level responses

HEIs have primarily focused on provision of information about study opportunities, Dutch language and other preparatory courses.

The University of Antwerp provides a preparatory one-year programme “Dutch as a Foreign Language in an Academic Context” that comprises language training, but also other aspects (culture, how HE operates in Flanders, student life etc.). This programme was established before the dramatic increase in numbers of refugees and is rather costly (4.000 EUR per person per year). However, the university organized a fund-raising campaign within the university staff and alumni and ensured 10 scholarships for refugee students for the 2016/2017 academic year. Moreover, University of Antwerp also cooperates with ATLAS – Antwerp’s office responsible for integration of immigrants, and thus refugee students who were registered as residents of the city of Antwerp could attend the ATLAS “Intensive Dutch preparatory course” for free.

The Dutch speaking Free University of Brussels (Vrije Universiteit Brussel, VUB) established a central service under the label ‘Welcome Student-refugees Programme’. This initiative, which grew out of activities of VUB staff to collect donations in food and clothes for refugees switched over to one of the main goals of the university: to offer education. It is linked to the central administration of the university, though not as a self-standing office or as an integral part of other administrative units of the university. It is coordinated by a senior researcher at and PhD graduate of VUB (originally from Syria), who is the first point of contact for student refugees and supports them through their process of admission to a VUB study programme. In some cases, he recommends study programmes at other Belgian universities, given that most of the refugees are based (at least initially) in Brussels and that,

⁹ www.vlor.be/files/rho-rho-adv-1617-006.pdf (05.02.2018).

¹⁰ B2 refers to the level of language proficiency according to the Common European Framework of Reference in Languages (CEFR). See also: <https://www.coe.int/en/web/common-european-framework-reference-languages/level-descriptions> (10.08.2018)

at least thus far, universities based in Brussels have probably been the most targeted institutions. In light of language requirements as well as the fact that VUB does not offer courses in all academic disciplines or specializations, some of the refugee students that contacted VUB concerning HE opportunities were re-directed to Université Libre de Bruxelles (the French-speaking Free University of Brussels, ULB) or other universities in Wallonia.

At Ghent University, the services linked to HE for refugees are organizationally part of the Diversity and Gender Policy Unit that is part of the university's central administration. This is essentially an extension of the work already done for students from under-represented groups. The university has been cooperating since 2009 with the Flemish Refugee Council on a mentoring project, designed to support students who are newly arrived immigrants. It also organizes the "Preparatory higher education programme" which lasts one year and includes additional Dutch language lessons (students are expected to already possess some knowledge of Dutch when they enrol), study skills training, guidance and counselling, as well as optional modules in English, mathematics, research skills etc. Similar to Antwerp, Ghent University also cooperates with the city services responsible for immigrant integration (In-Gent), which offers scholarships for the university language courses as well as other assistance concerning language training, job opportunities, counselling etc.

When it comes to support for refugees, Hasselt University focused its efforts on fundraising work and distribution of donations, facilitation of volunteer work, participation in the Science4Refugees programme,¹¹ awareness raising and information events, and provision of an online Arabic-Dutch module. The online Arabic-Dutch module is organized by the university spin-off CommArt, a company specializing in multimedia and communication, most of which are the outcome of research at the university's Center for Applied Linguistics. After completing the course (which is free for those with an official refugee status), a person should be able to communicate in Dutch at level A1 (absolute beginner) of the Common European Framework of Reference in Languages (CEFR).

The fifth Flemish university, KU Leuven focused primarily on information provision concerning already existing opportunities at the university, in particular concerning master programmes in English. In addition, additional training of staff dealing with refugee students has been conducted, including language training.

When it comes to university colleges, some of them are involved in activities coordinated by the universities, but there are also self-standing activities. The School of Arts of the university college in Ghent (Hogeschool Gent) organized an Open Design Course for refugees and also cooperates with the local integration service (In-Gent, see above). Karel de Grote University College (based in Antwerp) cooperated with highly educated refugees on information provision about the asylum procedure.

The three dimensions of the Flemish response

At the first glance, the Flemish response to increasing demand for HE by refugees has been reactive, both at the system and at the organizational level. This is partly due to the nature of the policy problem. While it could have been foreseen on the basis of the geo-political situation in the Middle East and the increasing numbers of refugees in Greece and Turkey that there will eventually be an increasing number of refugees in Belgium too, the scope of the increase in refugee numbers and the related demand for HE was, arguably, more difficult to anticipate. The response relies on existing solutions (1) in the HE policy domain, in particular those concerning international students and support for

¹¹ <http://ec.europa.eu/research/science4refugees/index.cfm> (27.08.2018)

disadvantaged students, as well as (2) concerning integration of immigrants and social welfare. Moreover, while the increase in refugees from Afghanistan, Somalia and Syria in particular has been very intense, this is not the first increase in refugee numbers Belgium (or Flanders) have experienced, so the policy response also relied on existing services dealing with refugees and asylum seekers. In some ways, this is in line with the expectation of a re-active solution-driven policy dynamic; the Flemish approach to provision of HE for refugees has been largely re-active if analysed only in relation to the most recent developments from 2015 onwards. However, given that it relies on existing solutions it has also a pro-active element, in the sense that it is based on solutions used for previous similar challenges.

When it comes to the top-down / bottom-up distinction, the Flemish policy approach to higher education for refugees has been primarily bottom-up. While one could argue that VLOR's involvement could be considered as a top-down development, it should be stressed that this is limited to recommendations to different actors by what is essentially a buffer body (i.e. not part of government). Moreover, the fact that VLOR itself demands for a more integrated policy in 2017 (more than two years since the onset of the refugee crisis), is also indicative of the lack of top-down initiative. This situation is, in part, reflective of the overall division of authorities in the system; Flemish HEIs, universities in particular, are rather autonomous. This is in contrast to our expectation that such an unforeseen and highly salient development would lead to a top-down response. This implies that the usual way of steering HE trumps specific characteristics of policy issues. In addition, it should be noted that a bottom-up approach was also possible due to the already high grass-root capacity to deal with such challenges, both by HEIs and by other services dealing with immigration and integration.

The Flemish policy approach to dealing with higher education of refugees is characterized by strong reliance on non-state actors. Apart from those delivering HE (universities and university colleges), this includes the services supporting immigrant integration. In Flanders these are a mixture of state (or rather municipal) authorities (e.g. OCMW) and non-state actors (e.g. In-Gent is technically a civic association). This is in line with the expectations we formulated earlier, in particular concerning policy implementation and, as such, is also a reflection of the previous dimension of policy dynamics concerning the bottom-up approach to HE policy in Flanders.

Access of refugees to German HE

System level response

The German response to the “refugee crisis”, how it was referred to in Germany, was first and foremost to open the borders and allow refugees to enter the country. In this context the German chancellor Angela Merkel stated her ground-breaking sentence “we can do it” (“wir schaffen das”). The serious challenge that this posed for the state, public administration, but also educational institutions can be expressed in figures as the number of asylum applications continually increased between 2010 and 2014, but nearly quadrupled from 2014 to 2016 reaching a total of 745,545.¹²

While the open border attitude changed somewhat overtime, due to the number of refugees as well as domestic political negotiations, the question of how refugees can enrol in universities was discussed early on in the German public debate and within the HE sector, including the legal preconditions for access to HE for refugees and the more practical aspects of the reception of refugees at universities.

¹² See: http://www.bamf.de/SharedDocs/Anlagen/DE/Downloads/Infothek/Statistik/Asyl/aktuelle-zahlen-zu-asyl-maerz-2018.pdf?__blob=publicationFile (23.04.2018)

This political demand to enable as many refugees as possible to complete their studies was accompanied in Germany by discussions about shortages of qualified labour due to demographic shifts. From a legal point of view, there is no restriction on enrolling at a HEI for refugees if their status is recognized (meaning they are entitled to asylum, granted refugee protection, or have a similar status). To enrol in a bachelor's degree program (BA) refugees must have a university entrance qualification and sufficient language skills, normally equivalent to the level B2 in German or in English, though less than 3% of BA programmes are organized in English. The situation is different for MA programmes (13% of which are in English), for which refugees need a Bachelor degree, sufficient language skills in the language of instruction, and depending on the programme, also further qualifications.

Steinhardt and Eckhardt (2017) identified three main barriers to university access for refugees in Germany, and mapped attempts by the federal government and the governments of the *Länder* to dismantle all three barriers. The first barrier is the language barrier. Due to the large number of refugees, there has been a significant shortage of German language courses. The Federal Ministry of Education and Research (Bundesministerium für Bildung und Forschung (BMBF)) has launched two programmes, funded with 100 million Euros until 2019, to support initiatives which, amongst other, improve the availability of language courses for refugees. Institutions that were supported through these programmes created and extended offers for language courses as well as professional support for refugees. In addition to the funding by the BMBF, eleven of the sixteen *Länder* have also launched their own programmes for language, counselling, and support programmes, professional support or for improved coordination of existing programmes (Steinhardt & Eckhardt, 2017).

The second barrier is the recognition of educational credentials, e.g. school leaving certificates, completed study modules and course credits, or whole academic degrees. The barrier here exists because, due to the division of competences between different governance levels and the fact that there is only voluntary policy coordination at the federal level through the "Standing Conference of the Ministers of Education and Cultural Affairs of the Länder in the Federal Republic of Germany" (KMK) (Jungblut & Rexe, 2017), there is no central recognition authority, but rather each *Land* has its own recognition procedures. In order to make the procedures of recognition transparent, the KMK has developed a central website which provides information about recognition procedures in many languages.¹³ Moreover, uni-assist, an organization founded in 2003 to facilitate enrolment for international students, is now also open for refugees and they can use its services when applying to universities. Finally, if refugees do not have the necessary qualification to enter a HEI, there is the possibility of attending a foundation course ("Studienkolleg") to prepare to take the university qualification assessment examination ("Feststellungsprüfung") (Steinhardt & Eckhardt, 2017). These courses are free of charge but are only available for accepted asylum seekers and so called "tolerated" refugees at specific universities.¹⁴

The third barrier concerns refugees do not have written documents to prove their eligibility to access HE. For these cases, the KMK has passed a resolution in December 2015.¹⁵ The aim of this resolution is to avoid differing regulations in the *Länder* with regard to the examination of refugees who cannot provide proper documentation of their qualifications. A three-tier procedure was established: first, the

¹³ www.anerkennung-in-deutschland.de (20.04.2018).

¹⁴ <http://www.zeit.de/2015/50/studium-fluechtlinge-vorbereitung-sprachkurse-finanzierung> (20.04.2018).

¹⁵ https://www.kmk.org/fileadmin/Dateien/veroeffentlichungen_beschluesse/2015/2015_12_03-Hochschulzugang-ohne-Nachweis-der-Hochschulzugangsberechtigung_ENGLISCH.pdf (08.05.2018).

clarification of the residence status; second, a plausibility check of the educational biography; and third, the assessment of the alleged HE entrance qualification through an examination assessment procedure. Since the KMK was only able to agree on a diverse and wide range of examination and assessment procedures, the BMBF funded the project TestAS, focusing on both general and subject-related abilities for academic studies. This test is now being offered by the developers to HEIs as a service to facilitate the assessment of undocumented qualifications.

Otherwise, refugees are treated like any other international non-EU student and do not have a special status due to the fact that the federal legislation prohibits privileged access to HE for refugees compared to other international students. This potentially can cause problems, as refugees have only a limited chance to get a study place in numerus clausus regulated study courses like medical science or dentistry. That said, at this point the severity of this problem is not clear, given that data concerning access, progress and completion of HE by refugees is not available as they are, for administration purposes, registered as “ordinary” international students.

In order to integrate refugees into HE, politics relied on the commitment of volunteers and the use of non-state actors such as the German Academic Exchange Service (DAAD)¹⁶ that were already established although often without a specific focus on working to support refugees. The support programmes for refugees initiated by HEIs are bottom up efforts and in most cases worked on a voluntary basis (see below). In order to achieve institutionalization of the support for refugees in HE, public funds were made available. In doing so, the political actors involved in these processes as well as the HE sector drew on already established structures. The most important institutions to be mentioned here are the DAAD and the *Studienkollegs*. In this, the DAAD was mandated by the BMBF to organize and implement the funding programmes described above as they already manage many of the funding programmes that the ministry uses to support internationalization of German HE. The *Studienkollegs*, which are responsible for the preparation of all kinds of international students for studying in German HEIs, were expanded through the BMBF's program to offer more language courses for refugees.

Organizational level responses

As it has been already pointed out, the BMBF and 11 of the 16 *Länder* have launched several well-funded programmes to support HEIs with regard to refugees. These programmes are important for the HEIs because the inclusion of refugees can be regarded as an additional task that they have to address in an already tense budgetary situation (Steinhardt & Eckhardt, 2017), and initially HEIs have launched many different support programmes without additional funding and merely on a voluntary basis. Thus, the public funding programmes have allowed the HEIs to plan and coordinate these measures in a more long term perspective. Moreover, the funds are mainly used to expand existing offerings and administrative units such as student offices and thus help to create more permanent capacity. HEIs are mainly focusing on the following measures: (1) establishment and expansion of counselling and support programmes, especially through buddy- or tandem-programmes; (2) expansion of language courses; (3) implementation of integration offers to create social interactions with German students; (4) the development of academic offers such as a guest student programme or bridging courses or

¹⁶ The DAAD is the largest German support organization in the field of international academic co-operation. See: <https://www.daad.de/en/> (10.08.2018)

other measures aimed at preparing refugees for regular study programmes (Schammann & Younso, 2016; Steinhardt & Eckhardt, 2017).

With their programmes to support refugees, HEIs are part of the local refugee and integration work in the different German cities. As Schammann and Younso (2016) show synergies with other integration offers have only been used in single cases, and in some cases there has even been competition between offers made by HEIs and those made by other local initiatives. For example, some universities offered language courses which were not compatible with the integration courses funded by the federal government.

All the above mentioned programmes for refugees that have been initiated by HEIs have some common features. First, they are often voluntary initiatives by individuals or a local group which are usually not externally triggered. Second, HEIs which have implemented programmes rather early have designated members of administrative or academic staff who are in charge of the support for refugee students and who coordinate the institution's work. Third, HEIs that used their own financial resources also tapped into the additional funds provided by the Federal Government and the *Länder* to expand their programmes for refugees (Schammann & Younso, 2016). Overall, the HEIs seem committed to permanent solutions as they see it as a necessary response to contemporary social challenges (Blumenthal von, Beigang, Wegmann, & Feneberg, 2017).

The three dimensions of the German response

Overall, it can be said that German politics did not expect the significant increase in the number of refugees and acted in a re-active manner. In this, there was a need to develop a policy in response to the focusing event of the opening of the borders, and this also affected HE policy. The German HE system was not prepared for the refugee crisis and for the sudden request that as many eligible refugees as possible should be given the opportunity to enrol in study programmes.

As pointed out above, HE policy relied on the commitment of volunteers and the use of non-state actors such as the DAAD to solve this challenge. Most activities were initiated by HEIs and thus bottom up efforts, which have subsequently been institutionalized through the provision of additional public funding. Many of these initiatives build on or were strongly linked to already existing support structures for international students such as the *Studienkolleg*. Therefore, Germany clearly used existing solutions for problems that all international students face to address the new challenges that refugees encounter when entering German HEIs. Thus, the German case represents a solution-driven policy. Overall, the German approach is not a fully state-coordinated one. Rather, HE policy builds on the willingness, responsibility, and initiative by HEIs and their students or staff. These individual initiatives are then supported competitively by public funding programmes. The extent to which this approach is helpful for the actual support of refugees must be assessed in a more long term analysis. At the moment, it seems that in many places these initiatives are small scale efforts rather than a comprehensive policy solution. In addition, the lack of coordination of these offers leads to new problems, which might prevent these programmes from unfolding their full potential.

Comparisons and conclusion

The aim of this article was to investigate how the German and the Flemish HE systems responded to the challenge of enabling refugees to access HE, and what kind of public policy dynamics were at play in this process. The analysis showed that HEIs in both systems played an active role in addressing the new challenge to integrate refugees. In doing so, they went beyond their "business as usual" to

respond to this new societal expectation. To provide a structure for the comparison of the two cases we relied on a three-dimensional framework that covers different aspects of policy-making and implementation as well as three central expectations that we derived from it. We expected that policy responses concerning HE access for refugees are likely to be characterized by (1) re-active and (2) predominantly top-down policy-making, but at the same time be characterized by (3) a strong reliance on non-state actors for provision of services.

In the Flemish case policy-making and implementation were characterized as being re-active and strongly relying on existing solutions that had been put in place for other policy problems. In this, especially initiatives that have been created to support international or disadvantaged students and initiatives fulfilling social welfare tasks were of central importance. The Flemish policy approach also relied heavily on non-state actors such as HEIs. Thus, the policy dynamics in Flanders support our first and third expectation. However, with regard to the second expectation, the Flemish case showed rather bottom-up than a top-down characteristic. Similarly, the German case also showed that policy dynamics were mainly re-active, using existing policy solutions that were previously crafted to support international students, and relying heavily on non-state actors for policy implementation. As in the Flemish case, also the German analysis highlighted that policy-making is rather bottom-up than top-down, thus contradicting our second expectation.

The similar characteristics of policy-making and implementation both in Flanders and Germany - relying mainly on re-active policy-making that builds on existing solutions, involving non-state actors and being rather bottom-up – seem to have been a somewhat effective strategy to respond to the increasing demand by refugees to access HE, as it gave a lot of agency to the local institutions to respond to specific local needs. This was supported, in Germany to a significantly greater extent than in Flanders, through the state which provided additional funding to the institutions. Moreover, while the Flemish development was nearly exclusively driven by bottom-up initiatives, in the German case these local initiatives developed in parallel to a growing political commitment from the top.

While the reliance on non-state actors and bottom-up initiatives has the advantage that it allows for somewhat faster and tailor-made reactions that address local needs, it also increases the need for policy coordination (Peters, 2015). If local non-state actors and bottom-up initiatives are the main drivers for supporting access to HE for refugees and if they mainly rely on policy solutions that have been created to address international students, then it is necessary that these local actors are able to exchange their experiences, good-practices and lessons learned to improve their work and to prevent uneven experiences within each HE system. In addition, it also raises the question what role the state and public officials have to take in this process and in how far they need to set certain standards or ensure a coherent implementation of policies by other means.

In analytical terms, the analysis indicates that the conceptual differentiation between pro- and re-active policy-making is actually conditioned by methodological choices regarding the time-frame and the scope of analysis. In both cases policy-making is in one way re-active as there has been no detailed policy plan prior to the challenge of having to enable refugees to access HE. In another way, one could argue that since both countries relied on existing policy instruments that have been crafted for other challenges (e.g. integrating international students), and which then have been expanded to also address refugees there are also elements of pro-active policy-making present. In other words, a reaction to similar policy problems in the past can, in essence, provide a basis for a pro-active solution for the future.

Our results also hold implications for HE research as they underline the contractual relationship between HEIs and their society in the sense that the institutions take up new tasks and respond to societal needs even in cases where the task actually demands them to go beyond their “business as usual”. At the same time, this also underlines the university’s inherent global outlook and ethical responsibility as taking up this new task is also a response to an international, ethical challenge that goes beyond the direct needs of a specific society.

Given that the influx of refugees into European HE systems, at least in the present extent, is a rather recent phenomenon, this study can only be a first explorative account of the way in which HEIs have responded to this, and what kind of public policy dynamics are at play in this process. There is obvious need for follow-up research that both expands the geographical scope of enquiry as well as assesses the effectiveness and efficiency of the presented policy solutions in a longitudinal analysis. It would, for example, be an interesting way forward to compare different national policy dynamics and in how far they show differing efficiency patterns when looking at the percentage of refugees who enter, participate in, or graduate from HE. Given the importance of bottom-up initiatives also a broader and more detailed assessment of the perceptions of different groups of stakeholders in HE on this issue would be relevant, as it would allow a better assessment of problems in the implementation of national policies. This study could only provide a first empirical insight into the way how European HE systems ensured access to HE for refugees and it offers a frame of analysis and comparison to investigate the public policy dynamics in this area.

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