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THEORY AND PRACTICE OF THE PRINCIPLE OF UNIVERSITY SELF-ADMINISTRATION AND ACADEMIC LIBERTIES REALIZATION

TEORIA I PRAKTYKA ZASADY REALIZACJI AUTONOMII ADMINISTRACYJNEJ I SWOBÓD AKADEMICKICH

The European countries in their historical development realize the university autonomy principle and academic liberties traditionally, though to a different degree. The higher educational establishments autonomy and academic liberties are considered to be among the most significant directions by such internationasl documents as Magna Charta Universitatum (the University Great Charter), 1988; Lima Declaration, 1998; Erfurt Declaration, 1996; Bologna Declaration, 1999, etc. which determine the main principles of the world higher educational development.

According to the first item of Lima Declaration, for instance, autonomy is defined as an independent from government and other social forces right of any higher educational establishment to take decisions dealing with internal management, financing procedures, administration and the ability to determine one's own activity line in educational sphere, scientific research work, instructing and other doings connected with the process in question.

Philosophic discourse "university ideas and missions" (H. Gadamer, I. Haydegger, V. Humboldt, J. Derrida, M. Quek, W. Lepenies, J. Newman, J. Ortega y Gasset, J. Habermas, F. Schleiermaher, K. Jaspers) is based, first of all, upon the discussion of its autonomy, academic liberties, which in the long run provides an appropriate status quo for the university, its corporative culture, determines its relations with state and market, forms student-centered content of the educational-scientific process, realizes subjectivity of "instructor-student" interaction, predetermines an independent search for scientific truth.

In other words, the gist of university autonomy includes the liberty of a personality self-expressing, the open intellectual surroundings, the immunity against political dictate on a part of state, power authorities and politicians, the existence of self-administrative Students and Professors Corporation.

Autonomy includes even the territorial sovereignty and it is accepted by a democratic society as an axiomatic sign of the main university privileges.

Even today autonomy and academic liberties as the eternal values of university actualize: university independence from the external intrusion into the issues of its internal organization and management, educational and research work liberties; the members of academic society, consisting of scientists, instructors and students, liberties to carry out academic activities within the frames determined by some ethical rules of academic society and international standards without any external influence or pressure; the liberty of internal distribution of financial funds as well a s generating profits from non-state sources, hiring of a personnel, determining the educational conditions. And the university autonomy is not limited by any normative acts.

But what was the historical path of the formation of this phenomenon?

It is common knowledge that universities in their classic perception come into being in the Middle Ages. The beginning of the period is marked by the Gregorian reform and a definite strengthening of the papal positions. The towns are growing up and seigniorial relations are affirming themselves too. These processes made the background upon which the university corporations in Bologna, Paris, Montpelier, Oxford and others were coming into blossom. Their touch of distinction is in the following aspect – they were not officially initiated and declared. These schools appeared independently, gaining the only possible and a very convenient form of mutual oath, which was immediately called *universitas*, i.e. a society of quite equal between themselves persons, who took a common oath which later was acknowledged as a legal corporal entity.

The basics of the European university education were founded by Bologna university. It is considered to be the most ancient one in Europe. The legendary date of its foundation is 1088 though the formation of the university corporation was taking place somewhere at the breaking up of XII–XIII centuries and judicially it was confirmed in 1253. In 1158 the Bologna professors-lawyers received rights guarantees from Fredrik I Barbarossa concerning free transference upon the imperia territory and judicial immunity thus initiating the beginning of "academic liberty".

Chronologically the next to follow were: Paris (1200); Napoli (1224), Montpelier (1137), Oxford (1167), Cambridge (1209), Padua (1222), Siena (1246), Seville (1250), Lisbon 1290) and other universities.

In the XIII century the term "university" is firmly connected with the corporation of instructors and students. The union of teachers and students was called *stadium generale*, i.e. the general higher school. The formation of the only system of universities takes place too at this very time. The Middle Ages universities represented first of all the organized unions of adherents and likeminded persons who were responsible in this or that town for the higher education, for studying. They could have been joined by any person (the accessibility to the university was guaranteed for everyone.

It was the legal institution, mainly self-administered organization with the following authorizations: 1) to provide with the documents, sealed with its own

seal; 2) to act in the court of one's own name and to have one's own court institution; 3) to adopt laws and to require from the union members to abide by these laws; 4) to organize exams for getting degrees and to grant diplomas. These features even characterized universities as "a state in the state".

In the logic of historical development certainly conditioned typology of the Middle Ages universities was outlined. Traditionally from the point of view of secular or religious orientation of the educational content the Bologna, Paris and mixed models are distinguished. The former (mainly secular) was characterized by vast autonomy, the dominance of students' guild which influenced the content of subjects studied and the choice of professors on a contract basis. The Paris model (of theological direction) was known for its predominance of master guild and it was more formalized. The organization of mixed type was peculiar to the Central Europe universities. Here the students had the access to the university management services (chancellor, rector). There also existed doctors' collegia. All the structures mentioned were characterized by more or less coordinated activities.

At that period three instances could be distinguished in relation, with whom the university was in constant need of self-determination, asserting one's autonomy and academic liberties. They were power authority (first within town's limits and then within the state's bounds), market and church. The university had always to scrap resources and funds for autonomous existence by means of confrontation and compromises with the three institutions mentioned¹. Although, on the other hand, it was exactly thanks to church that the general European character of universities was provided what with reducing by church different local limitations upon the knowledge circulation and on account of free students' and instructors' transference within the bounds of Christendom.

According to the West-European tradition the Middle Ages university was oriented upon the demands and needs of state, society and thus performing the functions of legal, moral regulation of social relations and providing certain conditions of the society's existence itself. The university did not pursue the aim of science development. Its activities were directed mostly at transmission of common knowledge and general culture.

But nevertheless, the existence of the university came as a result of the necessity of socialization of human being and a stage in the establishment of civil society. Furthermore by dint of universities the demand for scientific and cultural development begins to be realized. The influence of universities upon the social ideas formation, philosophical thought, the evolution of science and culture also tremendously increased in the epoch of Renaissance. This period is marked by the greatest number of higher schools coming into being in Europe: Prague (1348),

¹ С. Костюкевич, Образ университета как уникального сплава либерального образования, средневековой гильдии и естественной науки. Alma mater (Вестник высшей школы) 2001, No. 6, pp. 34–39.

Krakow (1364), Vein (1365), Heidelberg (1386), Leipzig (1409), Wittenberg (1502), Konigsberg (1544), Strasbourg (1567) and other universities.

With the beginning of New Time (XVI century) the organization of the university was represented mainly in three forms: *university of instructors*, based upon the departments system with centralized education, where the instructors were grouped according to the subjects and the degrees granted, the structure itself was oriented upon the specialists training; *collegiate or tutors university*, which had Oxford university as a model, where the education was decentralized and the existence of numerous masters and students societies was promoted.

In spite of the existing departments system, this type of the university was more directed upon consolidation of common knowledge; the intermediate model (*college-university*) combined the advantages of the centralized organization alongside with the college system, which were not large as a rule and that itself simplified the students and teaching control process. Such forms of compact universities which were rather spread all across the Europe (by the way, they created almost ideal conditions for power authorities for the issues connected with control and also certain limitations in university autonomy)².

At the end of the XVIIIth and beginning of the XIXth centuries the ideas of the university inseparable unity of the teaching and scientific processes begin to take a definite shape (W. Humboldt³, F.V. Shelling, F. Schleiermacher).

Wilhelm von Humboldt (*About inner and outer organization of higher educational establishments in Berlin*, 1809)⁴, with the name of which the formation of the conception o "classic' university (the Berlin university, 1809, the first rector was J.H. Fichte), and also some other German theoreticians of higher education (Frederick Schleiermacher in his work *Reflections about university in German comprehension*, 1808), quite distinctly outlined the main principles on which the inner university organization is based. First of all it is liberty of teaching and liberty of instructing (Lehrfreiheit und Lernfreiheit). The former was understood as inseparable instructor's right to choose the subject for delivering lectures as well as methods of teaching independently and freely. The latter presented for the students the opportunity to choose the precise courses, of which instructors and in what order to listen to these lectures and also whether to take or not to take any final exams to get a scientific degree during university studies without any outer compulsion or enforcement.

The essence of the Humboldt's conception was in constant prevailing of science in it, the professors and students aiming at a permanent and uninterrupted

² П. Скотт, *Реформы высшего образования в странах Центральной и Восточной Европы: попытка анализа*. Alma mater (Вестник высшей школы) 2001, No. 11, p. 52.

³ W. von Humboldt, *Schriften zur Politik und zum Bildungswesen*, Vol. 4. Darmstadt 1982.

⁴ Ibidem; М. Зубрицька, Н. Бабалик, З. Рибчинська, *Iдея університету: Антологія*. Ed. М. Зубрицька. Літопис, Львів 2002, pp. 25–34.

scientific research which remained the very gist of university "teaching process in unity with a research work" (Einheit von Forschung und Lehre).

It all meant that the instructors will promote for the students the truths obtained in the course of their research and in such a way the instructors will demonstrate the students the way to achieving those truths. The students in their turn will equally share with the instructor the scientific research process and it is precisely that phenomenon that will permit to form the personality, character (Bildung durch Wissenschaft) i.e. education by dint of science, and as a result it will make a tangible impetus upon the nation and state development.

The Berlin University became the first national German university (the notion belongs to the German neohumanists). It was considered that such a university is not simply required in utilitarian sense to meet the concrete state's needs and demands but in a much broader sense to become a kind of repository of "the nation's spirit", to gather around itself everything that contributes to the movement ahead. Naturally, in such a university the "national science" represented exceptionally by the national scientists had to be cultivated and developed. Its significance and renown stretched quickly across Prussia borders or to be more exact all across Germany.

It is evidently a characteristic feature that the changing of the university external functions min correspondence to the surrounding society was accompanied in this particular case by a profound reconstruction of its inner structure and also the correlations between state, professors and students as well as teaching process character. In such a way a highly elevated ideal basis of a classic ("Humboldt") university was created. As it turned out later the future university education on a world's scale belonged just to this university (the latter being conditioned by broad expansion of such type of university to the European countries, Asia and America) in the second half of the XIXth and the beginning of the XXth centuries

The university corporative majority of England remained locked for a longer period than the universities of many European countries. For rather a long time they in fact were considered to be locked schools with a restricted admittance. It was only in 1850 that the government commission was appointed with the purpose of discussion of the looming university reform. The same year Oxford put forward the so-called "seven measures for expanding the University", among them were such as providing students' pads outside of colleges, the permission for the students to live in private houses, the admittance of free attendance students to be present at the lectures, the cancellation of religious restrictions, etc.

In the middle of the XIXth century the further development of the "university idea" was presented by John Newman's "intellectual university" conception, embodied in the inaugurated by him Dublin Catholic University (1854). As the author himself states, the university should rather prefer liberal knowledge and the students' interests in mastering niceties of thinking and studying of sciences.

The most valuable foundations of the university educational content were proclaimed; knowledge as a self-objective, culture and intellectuality. Thus, G. Newman considered that the university pledges itself the function of spreading knowledge and in such a way to promote in it the Catholic church, since "any truth promotes truth". In that way, in his conception the university is closely connected with the church and the research function is not regarded to be the main one.

At the beginning of the XXth century three main university models were localized: French (*Napoleonic*) oriented upon the specialists training who will be able to render service to government and state; *Anglo-Saxon* directed at bringing up the elite of the upper walks of life. The *German* (*Humboldt*) model has not lost its actuality; it continued to stand for the unity of educational and scientific university process, to support its autonomy.

At this time, in general, at the background of expanding university functions the professionalization of the educational content takes place, reorientation upon not only the forming of ideas carriers but also highly professional specialists capable of taking pragmatic decisions, useful for society. A prominent Spanish scientist and a writer, doctor of philosophic sciences, professor of metaphysics of the Madrid university H. Ortega y Gasset, while analyzing the problem "university, profession, education" in his work University Mission (1930) states that university, first of all, represents higher education which has to be obtained by an ordinary average man. And this average man should be made a paragon of culture and he should meet the time and epoch requirements. Thus, the primary and central university function is the teaching of culturally-significant subjects (branches of knowledge), the world's physical picture (physics), the basic themes of organic life (biology), the human historic development (history), the structure and functioning of social life (sociology), the outline of world creation (philosophy). Ortega also noted the necessity of becoming a personality as a specialist. In his view, the university has to prepare good doctors, lawyers, and Mathematics or History instructors alongside with the culture training. The average man had no reason to become a scientist, he was not obliged to dedicate himself to science, though Ortega did not deny any university is inseparable from science, and therefore it should also include a scientific research⁵. H. Ortega y Gasset expressed solidarity with G. Newman because he considered that any university provides the opportunity to develop the human culture. The essential place, besides translation, as it was mentioned, he paid to the training of a professional. Both G. Newman and H. Ortega y Gasset underlined the meaning of orientation points connected with the university produced human values and world outlook.

Beginning from the second half of the XXth century the university autonomy became evident in the metaphor "social engineering". University becomes to be

⁵ Х. Ортега-и-Гассет, *Миссия университета*. Alma mater (Вестник высшей школы) 2003, No.7, pp. 44–45.

considered as the structure capable to repair the Europe destroyed by World War II, which leads to the regular loss of university transcendence.

For Germany it meant the destruction of the Humboldt university idea with its demands for "isolation and liberty". For England it meant the defeat of the Oxbridge model in symbolic fighting with the "red-brick" universities, inheritors of indusctrial revolution at the end of the XIXth century. For France it meant the loss of universities to the Higher schools which personified the spirit of Napoleon reform. In all these cases it was the loss non-utilitarian, non-pragmatic knowledge (W. Wachstein, *Metaphors and university metamorphoses*, 2002).

The American universities which primarily synthesized the democratic traditions of the early Middle Age universities and pragmatism of the German university school up to the middle of the XX-th century were transformed into mighty educational, research and scientific-productive corporations closely connected with business, industry and management systems (Harvard (Massachusetts), 1636; Yale university (Connecticut), 1701; Massachusetts technological institute, 1861; California university, 1868; Stanford (California), 1891).

A special legal status quo and the use of one's own regulations and constitutions which while providing high level of autonomy did not contradict society and power authorities contributed to the corporative U.S. universities culture. By dint of the fact that universities possessed land, the value of which increased because of close proximity to the university collective intellect, many of them became financially self-sufficient subjects of activities in the economic aspect.

The American universities attracted not only business but also power institutions. That was reflected in their structure since the programs dealing with business and state government became very popular university profiles⁶. Alongside with this in the U.S. university system a special group of

Alongside with this in the U.S. university system a special group of institutions was becoming prominent that is "the research universities" which became the leading scientific-educational corporative complexes as well as the centers of conducting the independent expert examinations.

The discussions of the issues dealing with university development were still going on in the post-war Germany. Thus, for instance, in the Federative Republic of Germany the program of university reform was created. The foundation of the program was the Heidelberg university professor Karl Jasper's (*University idea*, 1946) about the Humboldt university renaissance.

K. Jaspers determines four main university tasks; 1) a research, teaching and obtaining definite professions; 2) education and upbringing; 3) the intellectual life based upon the communication; 4) the space of sciences. He mentioned in particular: "University is not simply a school but a peculiar school. One must not

⁶ Ч. М. Вест, *Университеты мирового класса: американский опыт.* Alma mater (Вестник высшей школы) 2005, No. 2, pp. 34–38.

only teach here but the professors have to teach students to be involved in a research work and in such a way to obtain the scientific way of thinking which will determine his life.

In conformity with the university idea the students should critically follow their instructors. Their education should be permeated with liberty.

The professor's task is to transmit the truth by means of science. The professor enjoys the liberty of teaching"⁷.

In such a way, while developing W. Humboldt's approaches, K. Jaspers considered the idea of truth to be the precondition of university activity. In his vision universities have to exist independently from states they have for their aim the goal of super state character, that is the search for and an following the truth.

Nevertheless, K. Jaspers's restoration fervor provoked contradiction even then, in his time. Jürgen Habermas became one of his opponents in his work (*University idea means educational processes*, 1986)⁸.

He mentioned that Humboldt's promises remain unaccomplished and the German university did not perform indeed the desired universe of sciences, did not achieve the unity of teaching and research work. Humboldt has some serious problems connected with his own traditional autonomy.

Two diametrically opposite points of view concerning university autonomy belong to K. Jespers and J. Habermas. From the point of view of the first one university autonomy is linked with its autonomy from the state because in fact "there always exists a certain struggle between the state and the university". The second one deduced university autonomy as autonomy from society because he considered that "state is interested to provide to university the external form of the inner unlimited liberty"⁹.

What was said proves that traditionally the university essence and functions were mainly revealed through the two competitive models which were "the university of science" and "the university of culture".

Accordingly in its predominant function the university had to produce and transmit scientific knowledge or to foresee the preservation and distribution of culture.

A special relation towards any person as an autonomic personality with the purpose of self-improvement has always remained its unique aim. By some means or other, the realization of those attitudes was based upon the vast university autonomy.

Since the contemporary university exists at the crossing point of various social subjects (nation, state, industry, business, personality) it makes this institution to

⁷ К. Ясперс, *Идея университета*. Trans. Т.В. Тягунов. Еd. М.А. Гусаковский. БГУ, Минск, pp. 67–70.

⁸ М. Зубрицька, Н. Бабалик, З. Рибчинська, ор. cit., pp. 187–210.

⁹ J. Habermas, *Die Idee der Universität – Lernprozesse*, [In:] M. Eigen et al. *Die Idee der Universität*. Springer-Verlag Berlin Heidelberg, 1988, pp. 139–173.

reinterpret its own essence and purpose. The classic values are not appreciated any longer, they lose their predominant meaning and they are not realized in a way they should be. The process of globalization which brought with itself business practice into the education sphere has been constantly influencing the transformation of value orientations¹⁰. *Academic capitalism* has also witnessed commercialization of scientific and instructing activity¹¹. The changing of the very essence of education and a rapid acquiring of service status are quite evident nowadays. More and more universities of different countries are being involved into the sphere of "academic capitalism" and in the first place it is vividly evident in he modification of their activity content, financing character of education and science and the orientation upon immediate pragmatic profit.

Among the factors determining the evolution of "university idea" one can't but also mention the resources competition between universities, financial diversification, demographic changes, new social demands towards quality of education, more exacting consumers, etc.

The adaptation result to these changes is evident in transformation of traditional and coming into being of quite new university models¹², among them should be mentioned such as entrepreneurial, innovative, research university, project-oriented, regional, virtual, corporative, mega university, multiversity¹³.

It is not accidentally that home and foreign scientists' works (V. Baidenko, R. Barnetta, M. Vebera, A.S. Havrylkova, A. Hrudzynski, K. Kerr, B. Klark, Ye. Kniazieva, H. Mayer, Yu. Pokholkov, B. Ridings, A. Flexner, M. Khatchins, Yu. Yabletska and others) are directed at further distributing the philosophic discourse of "university idea", its autonomy, and academic values.

It is M. Weber who is to be merited for a rebirth of humanistic foundations of university conception. He states that university education should bring back the importance of ideals common to mankind.

In Flexner's conception the accent is shifted upon the social significance of the university, the ability to cooperate with society and to respond its demands.

For M. Hatchins the essence of contemporary university is deployed and unrolled in its direction upon the development of technical, applied and practical knowledge and a narrow specialization. K. Kerr mentions the particular significance of contemporary university in a function of "multiversity".

¹⁰ J. Currie, J. Newson, *Universities and Globalization: Critical Perspectives*. Sage, London 1998.

¹¹ S. Slaughter L.L. Leslie, *Academic capitalism: Politics, Policies, and the Entrepreneurial University*. Johns Hopkins University Press, Baltimore 1997.

¹² Ф.Г. Альтбах, *Глобализация и университет: мифы и реалии в мире неравенства*. Alma mater (Вестник высшей школы) 2004, No. 10, pp. 39–43.

¹³ Е.А. Князев, *Об университетах и их стратегиях*. Университетское управление: практика и анализ 2005, No. 4(37), pp.12–15.

B. Barnett considers critical interdisciplinary, collective self-analysis, a state of engagement, the absence of fixed limiting borders, communicative tolerance to be the very conditions for a contemporary university existence.

In Yu. Yablotska's view the university mission is shaping with taking into account its typology, philosophy, traditions, history; goal achieving land-marks; behavior style and the values of university society members; peculiarities and competence, external environment conditions; resources, opportunities and means of activity.

The definition of university mission, respectively, has to decide the task of forming certain imagination about the direction of its activity, the ultimate objective and means of achieving it; cooperative actions in forming the image; elaboration of the only common direction of interactions for all members of university community; the establishment of a definite climate at the university; the creation of opportunities for its effective management¹⁴.

University idea while going through the period of its confirmation as the site of transmitting and distributing knowledge, research and formation of scientific cognition, argumentation and support of unity of education, scientific investigation and upbringing intersected with the idea of organization of the university as an educational-scientific-productive conglomerate, a peculiar mega unity, its realization as vast space for business and entrepreneurship.

Enlightenment and education in information society anticipates the ability to communicate, to study, to analyze, to prognosticate, to project, to select and to create.

Any person now has to be ready to act in the conditions of high dynamics of labor market, and therefore to be able work with information streams, analyze the situations, to be rather dynamic and communicative, to be tolerant, to possess some habits of self-organization, to be able to put forward the goals and to achieve them. All these features mentioned sharpen the problem of personnel policies, preserving autonomy and academic liberties, education and teaching qualities which are common for universities of the world and make ready the ground for comprehension of a contemporary university situation as the situation of selfdetermination.

In spite the transformation of value orientations, institutional autonomy and academic liberties nowadays are quite indispensable principles of university life.

Modern university has to preserve autonomy and independence from external factors and also to increase its influence upon social surrounding just for the sake of its further functioning.

University inevitably cooperates and interacts with society but a definite independence form the society's interests; keeping balance between satisfying its

¹⁴Ю. Яблецка, *Миссия организации и университета: некоторые особенности*. Alma mater (Вестник высшей школы) 2004, No. 9, pp. 23–28.

proper needs and the needs of society still remains the condition of its existence. University autonomy and academic liberties as traditional university values provide this balance. Thanks to university autonomy the independent search for truth if gained and the basic values of society are being preserved. Striving to realize the autonomy principle the university must provide control procedure and quality guarantee which both foresee the distribution of academic responsibility. It's worth keeping in mind that if the inner responsibility embraces various students', instructors' and administration activities its external form is realized in interaction with social surrounding and is directed at overcoming of social and cultural crisis in the system of education. It also proves the ability to meet the needs and demands of society, state and labor market.

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SUMMARY

Within the context of logic-systemic analyses of philosophical discourse of "university ideas and missions" H. Gadamer, I. Haydegger, V. Humboldt, J. Derrida, M. Quek, W. Lepenies, J. Newman, J. Ortega y Gasset, J. Habermas, F. Schleiermaher, K. Jaspers) the way of university autonomy and academic liberties formation and development has been substantiated. Their gist becomes evident in the open intellectual environment, personal self-expression, immunity against political dictatorship, the possibility of regulating relations between the state and the market, the existence of a self-regulating corporation of students and professors, subjective interaction between "instructor – student", student-centered principle of educational and scientific process, that in the long run ensures university the appropriate status, its corporate culture, causes the free search of scientific truth.

STRESZCZENIE

W kontekście logiczno-systemowych analiz filozoficznego dyskursu "idei i misji uniwersyteckich" (H. Gadamer, I. Haydegger, V. Humboldt, J. Derrida, M. Kuek, W. Lepenies, J. Newman, J. Ortega y Gasset, J. Habermas, F. Schleiermaher, K. Jaspers) przedstawiono sposób powstawania i rozwoju autonomii uniwersytetów i swobód akademickich. Ich istota uwidacznia się w otwartym środowisku intelektualnym, osobistej ekspresji, odporności na dyktaturę polityczną, możliwości regulacji stosunków między państwem a rynkiem, istnienia samoregulującej się korporacji studentów i profesorów, subiektywnej interakcji "mistrz – uczeń", skoncentrowanej na zasadzie procesu edukacyjnego i naukowego, która w perspektywie długoterminowej zapewnia uczelni odpowiedni status, kulturę korporacyjną i umożliwia swobodne poszukiwanie prawdy naukowej.

Key words: university, university autonomy, academic liberties, self-regulation, educational and scientific environment, corporate culture

Słowa kluczowe: uniwersytet, autonomia uczelni, wolności akademickie, samoregulacja, środowisko edukacyjne i naukowe, kultura korporacyjna