

Adieu Humboldt: A change in the academic community's view of Czechoslovak university autonomy during the interwar period

Adiós a Humboldt: Un cambio en la visión de la comunidad académica sobre la autonomía universitaria checoslovaca durante el período de entreguerras

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Abstract: This text examines the issue of the professional status of Czechoslovak university teachers during the interwar period from the perspective of a shift from a liberal to a post-liberal university arrangement. The authors approach the theme using legal-historical methodology and attention is largely focused on the discussions surrounding the attempt to change the legal regulations relating to autonomy. The study looks at the significant differences in the interpretation of university autonomy within the aca-

Resumen: Este texto examina el problema del estatus profesional de los profesores universitarios checoslovacos durante el período de entreguerras desde la perspectiva de un cambio de un sistema universitario liberal a uno posliberal. Los autores abordan el tema utilizando una metodología histórico-jurídica y centran su atención fundamentalmente en las discusiones en torno al intento de cambiar las normas legales relativas a la autonomía. El estudio analiza las diferencias en la interpretación de la autonomía uni-

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demic community and follows the changes in attitude towards this important liberal theme in the light of the crisis and breakup of the interwar Czechoslovak regime during the period 1936-1938.

Keywords: university autonomy; interwar period; Czechoslovakia; personnel policy; post-liberal democratic concept.

versitaria dentro de la comunidad académica y sigue los cambios de actitud hacia este importante tema a la luz de la crisis y la ruptura del régimen checoslovaco de entreguerras durante el período 1936-1938.

Palabras clave: autonomía universitaria; período de entreguerras; Checoslovaquia; política de personal; concepto democrático posliberal.

The act *O služebním poměru vysokoškolských profesorů* (The Employment of University Teachers) was issued in Czechoslovakia on 13 February 1919¹. This law established appointment procedures, guaranteed freedom of teaching and scientific research, and detailed the disciplinary proceedings in the event of a breach of duty. In 1936 the Ministry of Education presented the academic community with an amendment to this act which aimed to strengthen the state's control over universities, principally over disciplinary proceedings. The draft proved to be quite shocking to many university representatives. The contrast could not have been more stark: the law from 1919 was celebrated at the time for fully acknowledging the principle of academic autonomy from the state, while the government's amendment proposal was viewed by a large part of the academic community as the fundamental rejection of this principle. The amendment was not adopted by parliament due to the complex political situation Czechoslovakia faced in 1937-1938, but it still represented a challenge to the academic community to reflect on ways of removing the shortcomings of the so-called Humboldtian concept of university autonomy. By Humboldt and also as often seen in a Prussian or German concept of a university, we mean a school system that develops the basic ideas of the Prussian school reform of the early 19th century. We consider the autonomy of the university within the state administration and the consistency of teaching and research to be its main pillars.

Main thesis

The objective is to examine how the academic community viewed university autonomy against the backdrop of changes in the Czechoslovak state's atti-

¹ František Havelka – Otto Placht, *Předpisy pro vysoké školy Republiky československé* (Regulations for universities of the Czechoslovak Republic, Prague: Státní nakladatelství, 1932), 1020-1026.

tude towards universities (and their autonomy) during the interwar period. At the centre of attention are two legal documents which defined the rights and duties of university teachers, and the discussions surrounding them within the academic community. This is based on the established thesis that the change in the state's attitude towards universities was the result of the inadequacy of the Humboldtian concept of universities within the new atmosphere of a large section of society's mistrust of liberal principles during the interwar era. Therefore, the contrast between these two legislative texts represents a movement away from the liberal to a post-liberal order².

Our main thesis is the assumption that the shortcomings of the liberal concept of university autonomy were reflected to an extent within the academic community, and that some academics attempted to help the state's political leadership establish a basis for their programme. The widely understood Humboldtian concept of liberal autonomy was to be abandoned, but at the same time the central ideas of this concept were to provide the basis for the new governance of universities in a post-liberal though still democratic state.

As centres of information and innovation, universities were an obvious part of the debate on the future of liberal governance and the opportunities to develop the expert management of society³. Experts connected with universities traditionally expected special treatment, even when universities and other higher education institutes were *de jure* a solid and undisputed part of the state administration⁴. There were two lines of argument. The first involved legal-historical reasons, i.e. a reference to the fact that the modern state merely declared the existence of the (Prague) university as a legal subject of a corporate character with a medieval tradition, but it was not the founder of the university. This argument traditionally had many supporters from the humanities and was based on an interpretation of the Humboldt-Thun reforms of universities in the Habsburg empire (1849–1851) as opening the

² Cf. e.g. Karel Engliš, *Světová a naše hospodářská krize* (The Global and Our Economic Crisis, Prague: Fr. Borový, 1934), 213ff; Franklin Delano Roosevelt, *On Our Way* (New York: The John Day Comp., 1934), 37ff; Jakub Rákosník – Jiří Noha, *Kapitalismus na kolenou: dopad velké hospodářské krize na evropskou společnost* (Capitalism on its knees: the impact of the great economic crisis on European society, Prague: Auditorium, 2012), 14–21, 119ff; Jakub Rákosník – Matěj Spurný – Jiří Štaif, *Milníky moderních českých dějin. Krize konsenzu a legitimacy v letech 1848–1989* (Milestones in modern Czech history. A crisis of consensus and legitimacy from 1848–1989, Prague: Argo 2018), 127–166.

³ Ivan Jakubec, *Transfer inovací. Patenty, licence a celní úlevy v meziválečném Československu* (The transfer of innovation. Patents, licences and tariff concessions in interwar Czechoslovakia, Prague: Faculty of Arts, Charles University, 2014), 11.

⁴ Havelka – Placht, *Předpisy* (Regulations), 12.

doors to a liberal understanding of administering the research goals of the university carried out by the teachers⁵. The medical, scientific and technical departments were more in support of the second line of argumentation, referring to the special character of the service provided by universities to the state and society, and thus the unsuitability of dealing with universities as you would any other state administration⁶.

The importance of the topic

The topic of university autonomy in interwar Czechoslovakia is relevant to research for three reasons:

- 1) The autonomy of universities has often been seen as a measurement of the quality of liberal democracy⁷. The academic community expected the liberal-democratic state to be generous in its understanding of the principle of university autonomy; in return, the representatives of the democratic state expected responsibility to be shown by the universities (in managing public funds and punishing malpractices) and a willingness to respond to the needs of the state and society with its expert opinions⁸. In the eyes of the public, the

⁵ Hans Lentze, *Die Universitätsreform des Ministers Graf Leo Thun-Hohenstein* (Vienna: Verlag der Österreichischen Akademie der Wissenschaften, 1962); Alois Kernbauer, *An elitist group at elitist universities. Professors, academics and universities in the Habsburg Monarchy from the middle of the 19th century until World War I*, In: Bieber, Florian – Heppner, Harald (eds.). *Universities and the Elite Formation in Central, Eastern and South Eastern Europe* (Zürich – Vienna: LIT Verlag 2015), 93–110, 100.

⁶ Archiv Masarykovy univerzity (AMU) Masaryk University Archive (AMU), Lekařská fakulta A3, A III, k. 4, zápis ze zasedání profesorského sboru ze dne 30.1. 1936 (Medical Faculty, notes from a meeting of the teachers' board 30.1.1936), Návrh prof. Bočka za autonomii vysokých škol (Prof. Boček's proposal for university autonomy); Karl Adamovich, *Hochschulverwaltung und Universitäten*, In: 100 Jahre Unterrichtsministerium 1848–1948 (Vienna: Österreichischer Bundesverlag, 1948), 43–52, 46.

⁷ Mary Kupies Cayton (ed.), *Encyclopedia of American cultural and intellectual history* (New York: Scribner 2001) 267–268; Fareed Zakaria, *Obrana liberálního vzdělání* (In Defence of a Liberal Education, Prague: Academia 2017) 15; příklady oficiálních dokumentů (examples from official documents) http://www.vzdelavani2020.cz/images_obsah/dokumenty/ramec_vs.pdf, (30.7.2018); http://www.muni.cz/media/docs/1110/Dlouhodobý_zámer_MU_2016_2020.pdf (15.8.2017), 5.

⁸ Karl Adamovich, *Hochschulverwaltung und Universitäten*, In: 100 Jahre Unterrichtsministerium 1848–1948 (Vienna: Österreichischer Bundesverlag, 1948), 43–52, 46.

legitimacy of university autonomy depended on the ability to convince the public of the balance between rights and duties. Tension already lay within the Humboldtian concept of universities, with its emphasis on a general education, the harmony between (basic) research and teaching, and autonomous governance. However, the public measured the legitimacy of university autonomy mainly by whether it was providing a specialized vocational education, implementing in practice useful (applied) research and offering expert opinions, all under the condition of the proper management of public funds and the effective punishment of any malpractices⁹.

- 2) We assume that the different universities had different views on the issue of the standing of teachers and autonomy, even if the legal bases were very similar¹⁰. Based on this, we ask questions about the cohesion of academia and the role of the Humboldtian university within it¹¹.
- 3) Although we do not underestimate the importance of the specific Czechoslovak situation, we believe that it is possible to see within a small Central European country aspect of wider European developments and debates on the crisis of the Humboldtian university model, the crisis of legitimacy of democratic regimes, and the visions of a post-liberal order in the form of various ways of governing society. Czechoslovak academics saw foreign experiences as offering possible solutions to domestic problems and as the basis for formulating alternatives to the widespread liberal concept. This alternative was supposed to eliminate the shortcomings of the law from 1919 and release universities from the historical view of their autonomy, but at the same time preserve the autonomy of universities in a form which would guarantee the expert role of universities for a democratic state in danger¹².

⁹ Peter Frankenberger, *Die Rolle der Geisteswissenschaften zwischen Spezialisierung und Interdisziplinarität*, In: Arnswald, Ulrich – Nida-Rümelin, Julian (ed.): *Die Zukunft der Geisteswissenschaften* (Heidelberg: Manutius, 2005), 77–92, 85.

¹⁰ Havelka – Placht, *Předpisy* (Regulations), 1304–1306.

¹¹ Lukáš Fasora – Anna Pečinková, *Autonomie vysokých škol a jejich financování v českých zemích v letech 1848-1939* (University autonomy and funding in the Czech lands 1848-1939), *Český časopis historický* (Czech History Journal) 118, 1 (Prague 2020), 91-93.

¹² Christophe Charle, *The Crisis of the German Model*, In: Rüegg, Walter (ed.): *A History of the University in Europe* (Cambridge: Cambridge UP, 2004), 57–61.

The state of research

The Humboldtian concept of university autonomy arrived later to the universities of the Habsburg empire than in Prussia (approximately 1890 to 1914), when within the context of the democratization of public life, universities became one of the pioneers of assertive autonomy within the authority of the state¹³. The postwar era is viewed as an attempt to revive the concept of liberal autonomy in the new successor states and in societies finding it difficult to cope with the consequences of the world war. Therefore, it is necessary to understand the 1919 Czechoslovak legal regulation on the status of teachers as extending the longevity of the concept of university autonomy based on the liberal-democratic character of the Czechoslovak Republic. The new state wanted to clearly differentiate itself from Habsburgian hierarchism, the theocratic elements of government and the democratic deficit, and in the narrative of the national liberation the universities were granted more autonomy in the new state than had been provided by the now defunct monarchy. At the same time, there was movement in 1919 towards strong centralist and statist tendencies with the political support of the powerful socialist parties.

Research into Humboldtian university autonomy reveals two simplified interpretations. The first views the position of universities at the end of the 18th century as overly gloomy, which heightens the impact of the Prussian university reforms and helps to make an icon of Humboldtian autonomy, which is also important for current debates on the direction of universities¹⁴. The second interpretation touches on the defence of the Humboldtian autonomy of academics when this concept was faced by a crisis. The position of the academic community is often presented as being united, as a fortification constructed to defend university autonomy and the wider interest of universities, particularly in economic matters¹⁵. However, the research has failed to reflect properly on the fact that academics had different views regarding autonomy, while the legitimacy of universities in society was being eroded by academic reflections.

¹³ Christophe Charle, *Changes in the Influence of the German Model*, In: Rüegg, Walter (ed.): *A History of University in Europe* (Cambridge: Cambridge UP, 2004), 64–65.

¹⁴ Ulrich Rasche, *Zu Finanzierung und Ökonomisierung der deutschen Universitäten in der Frühen Neuzeit*. In: *Kalkulierte Gelehrsamkeit. Zur Ökonomisierung der Universitäten im 18. Jahrhundert*, Elizabeth Harding (ed.) (Wiesbaden: Harrassowitz Verlag, 2016), 80–112, 103–104, 111.

¹⁵ Národní archiv (National Archive, Prague), fond Ministerstvo školství a národní osvěty (MŠANO), k. 1214, sig. 7I.; k. 1215, sign. 7I.; k. 1216 sign. 7I.

Methodology, main terms and sources

In terms of its methodology, this text is based on a legal-historical analysis. At the centre of attention are the legal provisions and a content analysis of the arguments created to support or refute them. The main sources used to monitor the opinions of the academic community are the minutes from the meetings of teachers' committees at different universities, as well as publications by the Český ústřední spolek učitelů vysokoškolských (Czech Central Association of University Teachers, CCAUT, established in 1908) and by individual university teachers. The views of the public, the political elites and the state bureaucracy were expressed in the analytical reports of the central authorities (in particular the Ministry of Education), reports from MPs, and reports from other institutions which cooperated with universities (the army, security services, companies from the military-industrial sector).

The authors understand autonomy *as the participation of a subject of public law in public administration, which belongs to this subject as its right on the basis of the legal order and under the supervision of higher state administration bodies*. This definition reflects the dominant interpretation of legal norms at the time, whereby universities were "an undisputed part of state administration" with several elements of corporate self-governance (to a greater or lesser degree).

The source base is relatively extensive and well preserved, though naturally the informative value of a large part of the sources is strongly influenced by the specific features of this research field. The sources reflect the fact that those who were most active in the debates were academics with an extensively liberal interpretation of university autonomy, and who demanded autonomy beyond the wording of the law, which was based on historical privileges or the prestige of the university in society. However, alongside this rather small though very active group existed a large number of university teachers who were not interested in the debates on self-governance. The theme of autonomy was only of marginal interest at teachers' committee meetings before the discussions once again turned to everyday administrative matters.

The sources from the appropriate central authorities, most importantly from the Ministry of Education, surprisingly did not touch on university autonomy in its diversity and political sensitivity for a long period. It was only with pressure from external stakeholders that the situation regarding the governance of universities began to change after 1930. Attempting to ascertain the motives of external institutions in public administration

as well as the intervention of commercial companies in higher education is an exceptionally difficult task as the source base is very fragmented and poorly preserved.

First Republic visions of university development: expectation and reality

From the outset, the higher-education policy of the Czechoslovak state lacked a unified or comprehensive character. The different political interest groups and universities utilized the revolutionary atmosphere in society and amongst the political leadership of the state in an attempt to implement plans which had often been formulated over decades. Part of the agenda of the Revolutionary National Assembly (1918–1920) included steps towards founding universities and other colleges in Brno and Bratislava, the establishment of which was seen as a revolutionary act to redress old grievances. Here political arguments had much more weight than economic or personnel arguments about the risks of being unable to ensure fully functioning schools. There was also a lack of debate on the overall concept for university policy, the curricula, the role of universities, and the demands placed on them by the state. Some MPs were aware of the problems surrounding the Humboldtian concept of universities – they had even been brought up at rectors' conferences and by professorial bodies from 1909 to 1914, but in 1919 there were only half-hearted attempts to move the debate in this direction. The revolutionary mood of the parliament was not looking for factual debates, and politics was being played out more in the wake of emotional memoranda¹⁶, while critical initiatives were of no interest to the political leadership of the state.

In the 1920s there was extensive development of higher education in the new state¹⁷, though the implementation of these changes was rapid and revolutionary with no regard for the quality of universities or how they were to be funded. There was a clear demand for speedy gestures to redress the alleged injustices of the past rather than a substantive debate and prudent approach. Therefore, the main steps to complete the network of universities

¹⁶ Archiv Univerzity Karlovy, Fond Akademický senát, k. 26, i.č. 486, Resoluce Čs. vysoké školy technické k rukám Ministerstva školství a národní osvěty. (Charles University Archive, Academic Senate Collection, k. 26 i.č. 486, Resolution of the Czech Technical University to the Ministry of Education).

¹⁷ Pavel Mates, *Vývoj organizace a řízení československých vysokých škol v letech 1918–1983* (The Development of the Organization and Foundation of Czechoslovak Universities from 1918–1983, Prague: Ústav školských informací [Institute of Education Information], 1984), 40.

were taken as early as mid-1919, the first new university was even established two weeks after the establishment of the republic. Rapid changes in the university agenda were seen the same as demands repeatedly made to the Habsburg state in the past. The alleged inaction in relation to Czech interests in higher education was interpreted exclusively as evidence of unfavorable conditions for the development of the Czech nation in the monarchy - objective reasons for non-fulfillment of applications were not recognized. The breakthrough in higher education policy was also important because the Revolutionary National Assembly did not include representatives of the German minority until 1920, who were expected to relentlessly block the development of Czech universities, similarly to what the German representation did before 1918. In many cases it deterred the Habsburg state from greater support from Czech universities. The redress of the alleged injustices in the field of higher education policy was to clearly manifest the higher quality of Czechoslovak democracy over the authoritarian Habsburg regime and to present the Czechoslovak state as an institution that gives a chance for development and social advancement through available quality education.

When examining the development of higher education on the tenth anniversary of the foundation of the state (1928), despite a certain ambiguity and unsystematic approach, the main features of Czechoslovakia's higher-education policy were as follows: Redressing the imbalance in the location of schools, i.e. compensating for the large concentration of higher-education institutes in Prague by establishing universities in other centres of the state; the development of agricultural higher education, reflecting the significant power of the Czechoslovak agrarian camp¹⁸, and making provision for the interests of German higher education to become loyal to the state and leave behind German irredentist tendencies¹⁹.

¹⁸ Archiv Mendelovy univerzity v Brně, Fond A1, Rektorát, sign A5 Zasedání profesorského sboru, k. 19, zápis ze zasedání dne 27.6. 1924 (Mendel University Archive, Fond A1, Rectorate, sign A5 Meeting of the teachers' committee, k.19, minutes from the meeting 27.6.1924); Alena Mikovcová, Podíl Vysoké školy zemědělské v Brně na rozvoji zemědělského pokroku v meziválečném Československu. (The role of agricultural colleges in agrarian progress in inter-war Czechoslovakia). In: Zemědělské školství, výzkum a osvěta jako předpoklad hospodářského a sociálního rozvoje venkova v 19. a 20. století (Agricultural education and research as a condition for rural economic and social development in the 19th and 20th centuries) (Uherské Hradiště: Slovákcké museum [Slovakcko Museum], 2004), 97-109.

¹⁹ *Činnost Ministerstva školství a národní osvěty ze prvé desetiletí: zvláštní otisk publikace Deset let Československé republiky*, díl 1 (The First Decade of the Ministry of Education: special edition on the tenth anniversary of the Czechoslovak Republic, vol. 1) (Prague: Státní nakladatelství 1928), 58-74; Jan Kuklík – René Petráš, *Právní postavení menšin a vysoké školy*

However, the central problem with the entire higher-education policy proved to be its incompatibility with the state's economic resources. The revolutionary character of establishing a number of universities distracted attention from the aspect of funding. Over a long period, universities had highlighted the inadequacy of their equipment. With the approaching economic crisis, public opinion began to change and the voices from universities began to be viewed as the bitterness of nonstop complainers. Faced with the universities' demands, political representatives became more open to the idea of the efficient management of investments and the contribution of universities to the labour market (measured in the number of unemployed graduates and the ability to occupy key posts in technologically advanced industries with graduates from local universities), and to the technological advancement of local industry (measured by the number of patents and the partnership between universities and industry)²⁰.

Criticism of universities

Individual criticisms of universities began to appear in the 1920s and markedly so after 1929 with the growing tension in society. After 1929 the criticism became more urgent, systematic and sophisticated, with influential stakeholders joining the camp of university critics, including members of the political elite, businessmen and army leaders. Three areas of university work were the subject of criticism and were often interconnected: a) the aloofness of the teaching bodies and their resentment of outside control; b) the cost of equipping universities and the inefficiency of their work; c) the inability of the teaching bodies to keep up with modern trends in research and teaching.

The aloofness of universities and their teaching bodies when engaging with outside influences and the resultant incompetence was the oldest criticism of how Humboldtian-style universities operated. This mainly related to universities' privileges and their position outside a system of democratic control. In 1921, the German experience was used by Otakar Sommer, a

v meziválečném Československu (The legal standing of minorities and universities in interwar Czechoslovakia), In: Ivan Halász – René Petráš et alii: *Menšiny, vysoké školy a právo* (Minorities, Universities and the Law, Prague: Auditorium, 2018), 11–22.

²⁰ *Činnost Ministerstva školství a národní osvěty za prvé desetiletí: zvláštní otisk publikace Deset let Československé republiky, díl 1* (The First Decade of the Ministry of Education: special edition on the tenth anniversary of the Czechoslovak Republic, vol. 1) (Prague: Státní nakladatelství, 1928), 74–75.

person with previous experience in university management at the ministry, professor of Roman Law and 1925–1926 Rector of the University of Bratislava, who had outstanding amounts of activity among academics and in public debates and journalism. Sommer warns, where autonomy and privileges had led universities to being predominantly conservative and detached from the wider levels of the nation, “universities are the seat of reaction and are considered a foreign body in the new Germany”²¹.

An article in the influential newspaper *Národní politika* (National Politics) from July 1929 stood clearly on the side of the state in its dispute with the universities over their concept of autonomy. The author, who himself was a university teacher, called for universities to be subordinated to state power as only the state could guarantee the necessary modernization of universities which were no longer centres of expertise. The article ignored the issue of the lack of finance for modernization, which was the responsibility of state management and budgets, and he clearly saw the obstacle to modernization as coming from “a coterie within the teaching corps” which had become the main threat to the effective operation of universities. They had tried to guard against political influences in their battle for autonomy, which the author saw as praiseworthy, “but the coterie had more than supplanted these influences” – and he reminded readers of well-known cases of the careers of controversial academics coming to an end, or of the personal animosity between scholars which was transferred to rival colleagues and students²². Although the Central Association of University Teachers recommended that universities respond to the article, no evidence has been found to suggest that the teaching corps reacted to it in any way²³.

A new wave of critical debate on this theme was unleashed in 1935 as a result of an article by a professor of law at Charles University, Augustin Miříčka, in the professional newspaper for university teachers. The professional bodies usually ignored more minor texts aimed at similar injustices²⁴,

²¹ Otakar Sommer, *Další úkoly Č. Ú. S. U. V.*, *Věstník Československého ústředního svazu učitelů vysokoškolských* (Further tasks of the CAUT, *Journal of the Central Association of University Teachers* (CAUT) 28.1. 1921, yr. 12, nos. 1-3, pp. 19-23, here p. 21; similarly, František Weyr, *Paměti 2. Za republiky* (Memoirs 2. During the Republic, 1918–1938) (Brno: Atlantis 2001), 104.

²² Stanislav Nikolau: *Nedostatky vysokých škol*. (*University Shortcomings*). *Národní politika* 2. 7. 1929, yr. 47, no. 180, p. 1.

²³ *Archiv Českého vysokého učení technického v Praze* (Archive of the Czech Technical University in Prague), Collection no. 50 *Akademický senát*, k. 2, *zápis ze zasedání dne 2.7. 1929* (Academic Senate, k. 2, minutes from the meeting of 2.7.1929).

²⁴ For example, Otakar Sommer, *Od Bohuše Riegra k Theodoru Saturníkovi* (From Bohuš Riegr to Theodor Saturník) (Prague, author's edition, 1935); also: *Strach z diskuse. Nový příspěvek*

but not in the case of Miříčka's text. Miříčka was one of the main figures behind the Czechoslovak university legislation and in a certain sense his article was a recapitulation of the mistakes he had made during the euphoric years of 1919 to 1923. Miříčka stated that the law on the autonomy of universities and their professorial bodies had been overly generous, even in a European context, where the professorial bodies had been granted absolute freedom in disciplinary matters. It had been hoped that the exclusive professional status of academics would not be abused to the detriment of the nationwide interest. However, Miříčka argued that the moral standing of professors was not at the level which the lawmakers had assumed. The author presented several examples where a professorial body or the university management had prevented investigations into controversial cases of professors' wrongdoings.

Miříčka mentioned these controversial cases, but it was much more likely for the disciplinary commissions to avoid dealing with such contentious matters until those involved either retired or completed their studies, etc. Proceedings would normally last just over a year, though there were instances of proceedings lasting longer than six years. The author recommended an amendment to significantly tighten the regulations by introducing legal time limits and a definition of the supervisory powers of the ministry and the disciplinary commissions over their subordinates. At the same time, Miříčka was aware of the problems which would subsequently arise and which would be so contentious in the ensuing debate – the position of the “minority schools”, i.e. German institutes as well as higher-education institutes run (partly) but the church²⁵.

Miříčka's article provoked a wide-ranging debate. Solutions were sought through improving the university disciplinary bodies' connections to the judicial system, which was in fact a slight throwback to the university disciplinary regulations of the Habsburg monarchy. The deteriorating relationship between the state and the German colleges as a result of the “insignia affair” and the nationalist disturbances at Prague higher-education institutes in November 1934²⁶ had a powerful impact on those in the debate. Some people expressed concern over the legitimacy of the verdicts

k autonomii vysokých škol. (Fear of Debate. A new contribution on university autonomy.) (Prague: author's edition, 1935).

²⁵ Augustin Miříčka, *Otázky reformy vysokoškolského disciplinárního řádu* (Questions concerning the reform of the university disciplinary code), *Journal CAUT*, 15. 1. 1935, yr. 25, no. 2, pp. 32-42.

²⁶ Otakar Sommer, *Několik poznámek k událostem z konce listopadu 1934* (Comments on the events from the end of November 1934), *Journal CAUT* 15.1. 1935, yr. 26, no. 2, pp. 28-32

of the disciplinary commissions (which were made up of state officials and judges) against the political activities of teachers, implicitly meaning Germans²⁷. In this debate, a professor of law and philosophy, Jaroslav Kallab, entirely rejected any interference by state officials in the disciplinary agenda by highlighting the high risk of political decision-making. On a practical level their preferred solution was to clarify the competencies of one nationwide disciplinary commission, combined with an ethical appeal to the professional honour of university teachers²⁸.

The economic shockwaves and subsequent political crisis which hit the Czechoslovak regime in the 1920s, and in particular the 1930s, introduced a second element to the criticism of universities – a focus on the economic aspects of university work.

The minister of education, Ivan Dérer (1884–1973, social democrat, head of education 1929–1934)²⁹, described his idea of the economization of universities in 1931: “to abandon efforts at growth, not to expand departments, not to create new departments, but to be satisfied with fewer, smaller departments and institutes, which are better subsidised”³⁰. In the debates it was heard that the prestige of universities was low in society; that their *raison d’être* was only for “the production of public and private intellectuals and officials,” who in their elitism failed to recognise the needs and problems of society³¹. The root of the problem was identified in university autonomy, which “had moved from the area of science to that of organization, thereby hindering the interests of the state”³². As can be seen, the main effort to streamline the functioning of state and universities came from the political right, mostly from the agrarian party, but the basic thesis was shared by the democratic left.

In the 1930s, the poor return on investments and the obvious backwardness of Czechoslovak universities in comparison with abroad began to

²⁷ Archiv Univerzity Karlovy (Archive of Charles University), Fond Akademický senát (Academic Senate Collection) V 94, k. 234, i.č. 3414, Minutes from rector’s conference 16.4.1934.

²⁸ Jaroslav Kallab, *K otázce reformy vysokoškolského disciplinárního řádu* (On the question of reforming the university disciplinary code). Journal CAUT, yr. 27, 1935–1936, no. 1, pp. 8–17, here p. 10.

²⁹ *Politická elita meziválečného Československa 1918–1938* (The Political Elite of Interwar Czechoslovakia 1918–1938, Prague: Pražská edice, 1998), 39–40.

³⁰ Archiv Parlamentu České republiky (Archive of the Parliament of the Czech Republic), Národní shromáždění 1918–1939 (National Assembly 1918–1939), Výbor rozpočtový, zápis ze zasedání dne (Budgetary committee, minutes from the meeting) 7. 11. 1931, p. 83.

³¹ *Ibid*, minutes from meeting 16.11. 1938, p. 38.

³² *Ibid*, p. 42.

be highlighted. As evidence, serious arguments were presented in the debate: a) Czechoslovak industry bought technologies either from abroad or relied on corporate research capacities, not on universities; b) the management of the industry and the army complained about the lack of qualified experts on the labor market, mainly in the fields of electrical engineering, aeronautics, engine construction, military construction; c) on the contrary, according to statistics from the Ministry of Education, graduates of humanities and social sciences remained unemployed on the labor market. This line of argument was especially strong in connection with ideas of a post-liberal order. The cuts which had drastically affected universities from 1931 led to more frequent and aggressive criticism, and together with the dark mood of the public which was searching for a scapegoat, forced universities into a more defensive position. Although some professorial bodies steadfastly continued to demand that the state fulfil its financial obligations from the past and insisted on their privileged position within the state and society, other professorial bodies were now quite dispirited in their response and no longer defended their privileged position in order to prevent provoking the hostile mood of the public. For example, in 1933 the Prague German Technical University refused to protest in solidarity against the cuts in the budget and the restrictions to university autonomy by highlighting "the generally distressing economic conditions" and concerns about the reaction from the media and the public.³³ In 1933 the management of Charles University attempted to win over public opinion (offering memoranda for publication), but after several months stated that, "the public no longer has any interest in education which is commensurate to its importance. The press is utterly indifferent towards our arguments"³⁴.

The third wave of criticism from the military-industrial complex was even more serious in nature. Although there had been several successful joint projects between large companies and universities³⁵, there was still significant scepticism amongst some captains of Czechoslovak industry about possible cooperation with universities. For example, the Baťa concern deli-

³³ Archiv Českého vysokého učení technického (Archive of the Czech Technical University), Akademický senát (Academic Senate), Fond č. 50, k. 3, zápis z jednání senátu ze dne 16.2. 1933 (minutes from senate meeting 16.2.1933).

³⁴ Archiv Univerzity Karlovy (Charles University Archive), Filozofická fakulta (Faculty of Arts), k. 5, zápis z jednání akademického senátu ze dne 26.10. 1933 (minutes from Academic Senate meeting 26.10.1933).

³⁵ Ivan Jakubec, *Transfer inovací. Patenty, licence a celní úlevy v meziválečném Československu* (The Transfer of Innovation. Patents, licences and tariff concessions in interwar Czechoslovakia, Prague: CU Faculty of Arts, 2014), 12.

berately moved its top chemical and rubber research away from the universities by establishing its own well-funded research centres and attracting excellent researchers, much to the displeasure of academics³⁶. Those who accepted Baťa's offer were attacked in academic circles for their unethical research. The departure of young academics to applied science under the auspices of commercial firms was even described by the rector of the Czech Technical University as "an evil which has spread alarmingly"³⁷.

The criticisms from the army were even more pressing in nature and the Ministry of Education took them very seriously. The command of the armed forces and their suppliers saw universities, in particular technical universities, as being hopelessly outdated: there was a shortage of specialists to serve in the technical divisions of the army, especially in the air force, the motorized divisions of the infantry, military construction and communications. In 1930 the teaching was described as old fashioned and fragmented, while modern technological trends were being neglected at universities³⁸.

The heart of autonomy – the Employment of University Teachers law and the amendment

The legitimacy of universities and their teachers was enshrined in two legal documents from the interwar era. The euphoria surrounding the freedom gained after 1918 was reflected in the provisions of the *Employment of University Teachers* law (Act no. 79, 1919 Coll.)³⁹. In the first instance, the law defined the method of appointing professors, which was to be carried out by the president of the republic based on a recommendation from the majority of the professorial body of the university in question⁴⁰. The appointment was definitive and for life. Teachers were guaranteed freedom to research and

³⁶ Martin Míček, *Vývoj chemického výzkumu ve Zlíně 1928-1945* (The Development of Chemical Research in Zlín 1928-1945). Bakalářská diplomová práce (Bachelor's thesis), Filozofická fakulta Masarykovy univerzity, Brno 2018, 21 (Masaryk University Faculty of Arts, Brno 2018, 21).

³⁷ Národní archive (National Archive), fond MŠANO, k. 1215, sig. 7 I., letter from the rector to the ministry 7.7. 1938.

³⁸ Ibid, k. 1214, sig. 7I.; k. 1215, sign. 7I.; k. 1216 sign. 7I.

³⁹ František Havelka – Otto Placht, *Předpisy pro vysoké školy* (University Regulations), 1020-1026.

⁴⁰ Ibid, 2020. In some cases, the appointment required the agreement of only 2/5 of the professorial body – i.e. a qualified minority drawn from all of the members of the body who had voting rights.

teach and were not allowed to be transferred to another school against their will. However, the disciplinary office could decide on their dismissal or retirement before they had reached seventy. Several more sections from the act were dedicated to the disciplinary code. The appropriate disciplinary office was to be “the university academic senate in the first instance, and where there is none, the professorial body of the school in question to which the teacher belonged at the beginning of the proceedings”⁴¹. The accused had the opportunity to appeal against the commission’s decision to the superior disciplinary commission, which was made up of members from other universities, was elected once every three years, and met in Prague⁴². The disciplinary punishments which teachers could face included a written reprimand, postponement of promotion to a higher salary level, early retirement, and dismissal. Punishments could be imposed if the person had committed “a gross violation of the duties of the office or behaviour grossly violating the honour and gravity of the profession”⁴³. However, the law failed to clearly define what was meant by misbehaviour. The third section dealt with a teacher’s early retirement and withdrawal of *veniae legendi* (the right to lecture at university) due to incompetence. If, according to the law, the person had physical or mental problems which made them permanently unfit to carry out office, the professorial body could vote to have them transferred into retirement. The teacher would then be asked to apply for retirement himself, and if he did not do so within one month, a special commission would decide on his retirement. Both parties, however, had the right to appeal⁴⁴.

The law on the employment of university teachers from 1919 gave the key powers directly to the universities and professorial bodies, while no specific intervention measures were reserved for the ministry. The act itself was not particularly extensive; the lawmakers imagined further regulations would be issued, in particular for a disciplinary code. The government regulation no. 35/1920 Coll. was issued in 1920, which amended minor details concerning the appointment of professors and their transfer to other schools, as well as the consequences of appointing a teacher to a definitive position in a different area of the civil service, but which did not apply to professorships⁴⁵.

⁴¹ Ibid, 1022.

⁴² The law explicitly stated that the method for electing these commissions would be determined later by a special edict.

⁴³ Ibid, 1025.

⁴⁴ Ibid, 1026.

⁴⁵ Ladislav Vojáček, *Učitelé právnických fakult v právní úpravě meziválečného Československa (se zvláštním zřetelem na poměry v Brně)* (Teachers at legal faculties in the legislation

There were clear attempts at greater state control over universities from 1933⁴⁶, and in 1935 this was reflected in the submission of an amendment to the law on the employment of university teachers for discussion within the academic community and by the general public. To the background of a tense national and international situation, the aim of the Ministry of Education was “to move the focal point to public security” – by unambiguously strengthening its own regulatory functions, the maintenance of discipline and the elimination of any conflicts in universities. However, these steps meant the restriction of personal as well as institutional autonomy; it was extremely difficult to find a balance whereby these measures would be compatible with democratic principles⁴⁷.

This edict gave the minister of education significant supervisory powers over teachers' duties and he could become directly involved in the running of universities. The authors of the new amendment justified this by saying that the law from 1919 set out the rights of professorial bodies but paid little attention to their duties. In addition, it deprived the state of the influence necessary to respond to the violation of these duties. In the eyes of the authors of the amendment, the law of 1919 “disturbed the balance between the interests of the state and the interests of one, albeit very important group of civil servants, and to the detriment of the state's interests”. In the explanatory memorandum the authors of the amendment also discussed at length university autonomy in other countries and pointed out that, in comparison, Czechoslovak universities would continue to be amongst the most autonomous in Europe⁴⁸.

The academic community's defence of its privileged position

The attempt by the state to interfere in university autonomy in 1936 provoked a significant response from some members of the academic community. The debates on the form of the amendment first led to the need to clarify what university autonomy meant and how it was under threat. These discussions led to ideas being formed about the special status of university teachers and scientists in society, their responsibility to the state and society, and the meaning of their work. The opinions of different groups and indivi-

of interwar Czechoslovakia [focusing on conditions in Brno]), *Časopis pro právní vědu a praxi* 3, (Journal of Jurisprudence and Practice, Brno 2007): 237–245, here 237.

⁴⁶ Act no. 95/1933 Coll. z. a n., on extraordinary powers of regulatory authority.

⁴⁷ Ladislav Vojáček Učitelé právnických fakult. (Teachers from law faculties), 239.

⁴⁸ Ibid.

duals confirm the hypothesis that not all academics grasped the concept of autonomy in the same way.

A common platform for discussions across the academic world was provided by the Czechoslovak Central Association of University Teachers (CCAUT)⁴⁹, whose purpose was to defend the interests of universities. The local associations in Prague, Brno and Bratislava brought together representatives from their universities. These people had been the most active in the debates since 1930, while participation by the rest was negligible. During the period when the amendment to the law was being debated, the CCAUT's activities were at their most intensive in its history. After the debate had been officially initiated by the ministry, the association became the central body in the struggle of dissatisfied teachers against state intervention.

The local Brno association set up a special commission of professors to address the issue of autonomy⁵⁰ and demanded fundamental clarification of this concept and any concomitant obligations. The association submitted its own definition of autonomy as the transfer of certain public duties to a corporation which has been given specific powers by the state in order to carry out these duties. The responsibilities of universities were "to cultivate science as an integral part of the state's culture, to scientifically educate the youth, to carry on the scientific tradition and thereby contribute to raising the cultural level of society"⁵¹. Science was universal, free and independent and, therefore, should not be encumbered by regulations. In order for the state to benefit from science it had organized science as a corporation and had given it a level of personal and scientific freedom – autonomy. Apparently this level had been different during different periods. However, history showed that the development of culture and scientific freedom were concurrent phenomena and were closely connected to the development of democratic principles. According to the commission, the present state of autonomy allowed for the freedom of research and the publication of results. The commission thought it was clear that science was not allowed to go against the integrity of the state and the legal order. However, the legal order changed over time, which was why it was sometimes difficult to state which criticism or opinion might infringe it. Such a situation could be dealt with through the establishment of a central state academic senate which would protect researchers as well as

⁴⁹ Archiv města Brna (Brno City Archive), R55 Spolek učitelů vysokoškolských Brno (Brno Association of University Teachers, inventory), also inv. no. 1, box. 1, Stanovy spolku (Association Statutes) 1908.

⁵⁰ Ibid, inv. no, 29, box 3, year 1936.

⁵¹ Ibid, „De lege ferenda“.

the legal order against abuse by a scientific authority. The members of the commission saw the main problems as the material position of teachers and the cuts to subsidies by the Ministry of Education. Universities should have the right to maintain their own property and acquire it from donors (this right was only granted by the Czechoslovak state to Charles University as an institution established according to medieval legal norms), i.e. all universities should become entities of civil law⁵².

A professor of administrative science, Rudolf Dominik, who at the time was respected in the environment of the Czech national right and was an MP for the National Fascist Community, also commented on the autonomy of schools and science in an extensive paper⁵³. He believed that autonomy represented the right of certain subjects in the state to create their legal norms - but these are “secondary” norms that the given institution (here the university) is allowed to create only with the permission of the law. The university is a “mixed body” which has some aspects of a self-governing corporation as well as of a state institution. The rights that remained were the selection of academic functionaries, proposals for filling the professorships and the right to confer doctorates. According to Dominik, the other rights were “dubious” in terms of personal and material circumstances; contentious issues here included the property rights of the university, the results of doctoral exams, conferring *veniae legendi* and the disciplinary powers over teachers and students. There were two paths open in the future – either to grant universities the character of a “genuine public corporation” with all its rights, or to remove all elements of its self-governance, thereby creating a state institution without any legal personality. He recommended avoiding both extremes by opting for a path where university autonomy was not “a cover to hide injustice”, but he also understood that the state should limit its involvement in terms of freedom of research and teaching.

On the other hand, Vladimír Groh, a historian and functionary of the important pro-regime Sokol gymnastics association, saw university autonomy merely in the right to determine those academic functionaries who would govern it; apparently nothing else was formally a part of autonomy. The universities did not have the right to establish the standards relating to their governance as this was the competence of the Ministry of the Education⁵⁴. However, he was inclined towards schools deciding organizational and curri-

⁵² Ibid.

⁵³ Ibid., excerpt from Rudolf Dominik's paper.

⁵⁴ Ibid, notes by V. Groh to the paper on autonomy.

cular matters themselves. In terms of appointing professorial posts, the state was only to assess candidates from a formal point of view – i.e. if they had Czechoslovak citizenship, if they had been behaving unconstitutionally, otherwise it was at the discretion of the professorial body of the individual schools.

The Brno association finally came to the conclusion that it did not want to fundamentally alter the disciplinary code, while filling professorial posts should be left to the faculties. The association wanted to delay the establishment of a central academic senate until it was absolutely necessary. The Brno representatives gave their support for university autonomy, while also calling on their colleagues from other schools “to be more careful when discussing autonomy”⁵⁵. The views of the Prague and Bratislava association were slightly different, but they expressed concern about the growing state influence over universities and were resolved to resist it. The members of the Prague association were more united than their Brno colleagues in their defence of the iconic Humboldtian concept. They declared that the level of autonomy was adequate and there was no need to restrict it, in fact “it is very dangerous today to change the current autonomy of personnel”. Changes to the disciplinary code and exam proceedings were also firmly rejected, though the Prague members were not against the public advertising of posts. On the other hand, the Bratislava association stated that the present position relating to disciplinary matters was unsustainable and required reform, though not the kind of reform which would open the way to political influence. The Bratislava university teachers saw public advertising for posts as a positive step. In terms of funding the autonomy of universities, they supported the idea of establishing faculty accounting departments which would ensure that teachers did not overspend the subsidies allocated to them⁵⁶.

It emerges from these debates that academics were concerned about the state’s change in attitude towards the autonomy of universities in the last years of the interwar republic. Some of them were truly shocked when the Ministry of Educated submitted to the schools the text of the amendment to the law in 1936⁵⁷

The rector of Charles University Václav Hora also wrote a critical report which he sent to other universities. In his opinion, “the professorial bodies (and academic senates) are concerned that the bill treats the universities unfavourably, that is biased against them, neglecting the special signi-

⁵⁵ *Ibid.*, association reports from Prague, Brno and Bratislava on the issue of autonomy.

⁵⁶ *Ibid.*

⁵⁷ *Ibid.*

ficance and mission of universities, which is to remain the nursery of science for the benefit of the state and all of mankind"⁵⁸. He saw in the amendment a tendency to place teachers on the same level as civil servants (or even worse) and subject them entirely to state administration, which would also have an influence on appointing professors. Therefore, universities ran the risk of falling into the hands of political parties.

In October 1936, the CCAUT issued its official position on the amendment to the law. In their memorandum the representatives criticized the key points of the amendment, in particular public competitions for professorial positions, which the minister could also interfere in⁵⁹.

During a period when it seemed obvious that the CCAUT would speak on behalf of all universities in the struggle for autonomy, there appeared cases where the professorial bodies of some schools reacted neutrally or even gave a guarded welcome to the text of the amendment. In 1936 the professorial body of Charles University's science faculty stated that the government's amendment did not limit university autonomy, to which professors from other faculties "reacted with astonishment"⁶⁰. It was only when František Slavík (1876–1957), a mineralogist and former dean of the science faculty, became rector of Charles University that a more sober view of the amendment was gradually taken with a recognition of some of its merits.⁶¹ The Veterinary University in Brno, which was well known for its close links to the ruling Agrarian Party, stated that it "welcomes the move from the ministry to settle some legal conditions" and was not opposed to the bill. However, it did propose creating a unified law which would regulate issues affecting all of the universities. Government regulations could then be issued on this basis, which would accommodate the needs of the different universities⁶². The theological faculty in Olomouc was hesitant in its response and had a study carried out to discover whether the amendment fundamentally affected the

⁵⁸ AVŠB (Archive of Technical University of Ostrava), VŠB (Mining University of Příbram) 1849-1957, box. 178, inv. no. 452 6/1, Předpisy a normálie 1932-1939 (Regulations and Norms 1932-1939).

⁵⁹ Ibid. inv. no. 452-453, k. 178, Nezařazeno - předpisy, výnosy, normálie 1932-1939. (Unclassified – regulations, edicts, norms 1932–1939).

⁶⁰ Archiv UK (Charles University Archive), Akademický senát (Academic Senate), k. 41, sig. B7.

⁶¹ Archiv UK (Charles University Archive), Právnická fakulta (Law Faculty), k. 2, Autonomie vysokých škol zápisy z let 1936–1937 (University autonomy, minutes from 1936-1937).

⁶² Archiv města Brna (Brno City Archive), Fond R55 Spolek učitelů vysokoškolských Brno (Brno Association of University Teachers), inv. no. 29, box 3, year 1936, Vyjádření Vysoké školy zvěrolékařské (Statement by the Veterinary University.)

status of theological faculties⁶³. From the sources it is clear that teachers from the Roman Catholic theological faculties were more concerned about ongoing preparations to merge the faculties or exclude them from the university network rather than the theme of autonomy⁶⁴. The results from the study are unknown, but we do know that the Prague archbishopric intervened in the Ministry of Education and that the autonomy of theological faculties was seen as somewhat separate from university autonomy, relating to the tradition of its special relationship with the state and the church rather than the state and universities. The restrictions to the theological faculties were seen chiefly as a threat to the moribund life of the dioceses, which would have consequences for the relationship between Czechoslovakia and the Holy See. The professorial bodies from the Roman Catholic theological faculties saw themselves as representatives of ecclesiastical institutions with autonomy based on tradition and international agreements with the state. This was, therefore, part of a parallel agenda in the relationship towards university autonomy⁶⁵. Disputes also emerged between the Mining University and the CCAUT, which led to the school being forced to take the defence of autonomy into its own hands⁶⁶.

The divisive conditions at universities where the teaching was in Czech contrasted with the united approach of the German schools⁶⁷. However, this unity was achieved at the expense of abandoning the controversial ethical and organizational principles of the Humboldtian university – German universities were basically unified around the defence of the rights of the German minority in Czechoslovakia, which the amendment allegedly threatened. From the perspective of the German universities, the amendment meant the further tightening of the state's grip on power at the expense of the autonomy of national minorities, and was nothing more than a stage in the attempt to expand state control over all areas of life of the German population in Czechoslovakia, who were a priori viewed as disloyal⁶⁸. In 1936 the re-

⁶³ Zemský archiv Opava (Opava Provincial Archive), pobočka Olomouc (Olomouc branch), UP (Palacký University) Olomouc, Spisy děkanátu teologické fakulty (Files from the dean's office of the theology faculty), inv. no. 1484, box 313, 1936-1937.

⁶⁴ Národní archiv (National Archive), Ministerstvo školství a národní osvěty 1918-1949 Praha (Ministry of Education 1918-1949 Prague), k. 1027.

⁶⁵ Ibid, k. 1027, response of the Prague archbishop Karel Kašpar from 16.9. 1933.

⁶⁶ AVŠB (Archive of Technical University of Ostrava), VŠB (Mining University of Příbram). 1849-1957, inv. no. 18, minutes from the professorial body 1937, meeting 9.2. 1937.

⁶⁷ MZA (Moravian Provincial Archive), Fond Německá technika (German Technical University collection) B34, fasc. 682, fol. 674, Memorandum of the rectors.

⁶⁸ Ibid, k. 640, fol. 819.

representatives of the German universities realized that nationalist arguments were politically more productive in their opposition to the amendment than Humboldtian ones – and at the start of 1937 they praised themselves that the first attempt by the government to introduce the amendment had been stopped by “the resolute opposition of the minority schools”⁶⁹.

Perspectives on the international situation

The discourse of the Czechoslovak legal experts specializing in higher-education legislation was firmly rooted in the Austrian-German legal traditions, while the representatives from the humanities and social sciences looked more towards French, Belgian or Swiss models⁷⁰. In this matter, representatives from other disciplines displayed either indifference or attempted to advance their interests in the debate by using politically expedient arguments which referred to specific examples from abroad.

A comprehensive view of attitudes towards international models is provided by an analysis which was commissioned by the Academic Senate of Charles University in 1937 in a delayed reaction to the proposed amendment to the law on university autonomy⁷¹. The commission did not approach the idea of university autonomy in the Humboldtian sense as an untouchable icon. They stated that the amendment submitted by the government had to be understood in an international context as a reaction to the changes the Nazis had introduced to higher-education legislation in Germany⁷². The new organization of the relationship between the state and universities in Germany was perceived by some academics as partly inspiring to increase work efficiency, but at the same time most of the Czech academic community watched in ho-

⁶⁹ Ibid, k. 690, fol. 476.

⁷⁰ František Drtina: *Nástin dějin vyššího školství a teorií paedagogických ve Francii o doby revoluce*. Díl 1, (1789–1814) (A concise history of higher education and pedagogical theories in France during the revolution. Vol 1, 1789-1814) (Prague: Bursík & Kohout, 1898); also: *Organisace školská předních kulturních států* (Educational organization of the leading cultural states. Prague 1901); (Prague: Author's edition, 1901); Edvard Beneš, *Školské poměry ve Francii* (Educational conditions in France), *Volná škola* (Free School), 20. 8. 1908, pp. 55–57.

⁷¹ Archiv Univerzity Karlovy (Charles University Archive), Fond B7 Univerzita Karlova – Akademický senát (Charles University – Academic Senate), k. 41.

⁷² Hans Huber, *Der Aufbau des deutschen Hochschulwesens* (Berlin, Verlag des Authors, 1939; from the most recent literature cf. *Medizinische Fakultäten in der deutschen Hochschullandschaft 1925–1950*, Ed. von Ursula Ferdinand, Hans-Peter Kröner, Ioanna Mamali (Heidelberg: Verlag der Autoren, 2013) 29–152.

error the ideologisation of university work and the liquidation of democratic debate in the academic community. Czechoslovak universities were to work more efficiently for the state and society, but to remain democratic - that is, to maintain their self-government. The Czechoslovak right-wing press also responded in a similar manner through short articles in the public debate, calling for an appropriate democratic response to the restrictions in university autonomy seen in Germany⁷³. The academic senate appreciated the fact that in the second proposed amendment the government had backed down from some of the excessive political controls: this shift was also expressed in an official publication by the Ministry of Education which viewed teachers as having "a different professional situation" in the civil service and recognized they had a special status similar to that of judges⁷⁴. In the case of Austria in particular – which was well known and followed by Czech academics – the limitations to university autonomy demonstrated the strengthening of the state's influence on the higher-education agenda⁷⁵, markedly so from 1934 in Austria.

The analysis focused on the issue of recruiting new academic staff and the related issue of the division of competencies between academic bodies, state offices, self-governing institutions and other stakeholders in the work of universities. However, less attention was given to the centralized recruitment system supervised by the ministry in France⁷⁶, and though the French system was said to be very similar to those in Italy and Sweden, all of them were assessed as being very distant from the Czechoslovak tradition. The political risks of a centralized recruitment system would be enormous in German-language schools or in schools in Slovakia. Insensitively implemented centralization reform could easily strengthen separatist tendencies in German and Slovak society, it could become an argument for the growing discourse about the unfavorable conditions prevailing in Czechoslovakia for national minorities, which was also received abroad, mainly in Germany but also in the Western European press.

There was a careful presentation of Swiss legal norms, including their application to universities, where the authors' analysis was obviously based on good contacts. The significant differences according to the legislature of the cantons allowed for a relatively effective comparison of four different models:

⁷³ Lidové noviny 18.5. 1935; Lidové listy 10.11. 1935; Lidové noviny 8.3. 1936 etc.

⁷⁴ František Havelka, *Služební právo státních úředníků a zřízenců* (The employment law for civil servants and public employees, Prague: Státní nakladatelství, 1937) 138–139.

⁷⁵ *Ibid.*, 93ff.

⁷⁶ Paul Gerbod, *Die Hochschulträger*, In: Walter Rüegg, (ed.): *Geschichte der Universität in Europa*, Band III 1800-1945 (München: Beck, 2004), 83-96.

Bern was most similar to Czechoslovakia and prioritized the authority of the professorial body over that of the state, whilst Zurich prioritized the authority of commissions set up by a state-education administrative body. A further two models (Lausanne, Geneva) were interpreted as a *mixtum compositum* of the two influences. It was these two models which the authors of the analysis and the members of the academic senate referred to as models worth following. They, therefore, believed that the system of recruitment should have more state supervision and the joint decision-making of educational administration, but without completely eliminating the influence of the professorial bodies. On the other hand, the Romanian system with its influential professorial bodies was only mentioned briefly – despite the fact that at this time it was a close ally of Czechoslovakia – and was judged to be historically obsolete.

The concept of cooperation between the state and professorial bodies was also carefully studied from other countries – the Belgian system of a proposal from academic bodies ratified by the ministry and the sovereign, and its Polish counterpart of a republican constitution. They also indicated that Czechoslovakia could draw inspiration from the practical nature of the British system with its external specialists and practitioners in its recruitment commissions. However, the text also mentioned the significant differences in the higher-education culture of the two countries, thereby making it difficult to transfer the British ideas. There was no mention in the analysis of the American system, which had been under examination in the academic press at the time⁷⁷. The reasons for this surprising omission are unknown.

The changes introduced by Hitler's regime in Germany were not mentioned in the analysis, probably because the authors believed that these were generally well known, and in light of the tense Czechoslovak-German relations it was completely unimaginable that any innovations coming from Nazi Germany would be followed. The situation in Hungary, which at that time was a historical rival of Czechoslovakia, was also entirely ignored. Despite the fact that relations with the Soviet Union had improved in the mid-1930s, the analysis also passed over this system. As with the Italian and German systems, the explanation may lie in the overwhelmingly negative reputation that Soviet state centralism and the dominance of ideology in higher edu-

⁷⁷ Stanislav Prát, *O vysokých školách ve Spojených státech severoamerických* (Universities in the United States of America), *Věstník ČÚSUV* (Journal CCAUT), 1911, yr. 1, no. 4, pp. 83–87; Karel Chalupný, *Studium práv v U.S.A.* (The Study of Law in the USA), *Ibid*, pp. 88–90; Stefan Paulus, *Vorbild USA? Amerikanisierung von Universität und Wissenschaft in Westdeutschland 1945–1976* (München: Oldenbourg Verlag, 2010), 35–94.

cation had amongst the majority of Czech academics⁷⁸. Although the main spokespeople from academia did not view the Soviet system as worthy of emulating, there were academics within higher education who were unhappy with the liberal organization of Czechoslovak higher education and who were prepared to look towards the Soviet Union for inspiration. They consisted of a small group of left-wing oriented academics and representatives from certain disciplines (hygiene, social medicine, pedagogy, etc.)⁷⁹ who felt they had been left out by the traditional Czech system and who were inspired by communist higher education, though at the same time, the majority were not unequivocal supporters of the Soviet system. In the 1930s the academic community did not consider the Soviet concept of higher education as a credible alternative to the crisis-stricken Humboldtian university, and the majority probably perceived it as a greater evil. However, its influence on the ideas of reform-minded academics undoubtedly rose during the 1930s as a result of the Czechoslovak-Soviet Treaty of Mutual Assistance (1935), and its influence was, of course, all encompassing after 1945.

Conclusion: the search for post-liberal order in higher education

In 1919 Czechoslovakia was not the only country to show enthusiasm for reviving the Humboldtian concept of the university. The successor states of the multiethnic Habsburg monarchy took over the Austrian (Cisleithanian) tradition of higher education and adapted it to the needs of the newly established nation-states in the hope that the concept would still be productive for national development.

The extension to the shelf-life of an idea which had faced a crisis in its homeland around 1900 was thanks to the enthusiasm of the Czech nation gaining its independence in 1918. The Czechoslovak political elites believed

⁷⁸ Jakub Jareš, *Poválečná reforma českého vysokého školství a její kořeny*. Disertační práce, (The postwar reform of Czech higher education and its roots, dissertation thesis), Ústav českých dějin Filozofické fakulty Univerzity Karlovy (Charles University Institute of Czech History, Faculty of Arts), Praha 2016, p. 45.

⁷⁹ Vilibald Břek – Ladislav Niklíček, *K hlavním otázkám historie československo-sovětských lékařských styků v letech 1918–1952* (The main issues in the history of Czechoslovak-Soviet medical relations from 1918-1952). *Československé zdravotnictví* (Czechoslovak Healthcare) 29, 1981, 4, pp. 133–146; Ladislav Niklíček, *Přehled dějin českého lékařství a zdravotnictví* (A concise history of Czech medicine and healthcare) Brno: Institut pro další vzdělávání zdravotnických pracovníků, 1989 (Institute for the further education of health workers), 53; Jan Uher, *Několik pohledů na SSSR* (Several perspectives on the USSR) Brno: Moravská legie, 1934.

that it was within the power of the nation and state to renew the humanistic ethos of the Humboldtian university and increase its social contribution and legitimacy, while it would be within the power of the state budget to ensure the extensive construction of higher education. The attempt to resuscitate the Humboldtian university was part of a plan to revitalize the liberal-democratic principles which had been abolished by the Austro-Hungarian military-bureaucratic regime from 1914 to 1918. The *Employment of University Teachers* law expressed these tendencies extremely well and gave universities a level of autonomy which was far greater than in pre-war Austria. However, implementing Humboldtian autonomy in Czechoslovakia was accompanied from the outset by a number of ethical, legal and economic difficulties, and only the relative political and economic stability of the 1920s enabled any criticism to be muted while alternative concepts of university autonomy were ignored. It was only with the economic crisis and the attendant internal and foreign political crisis faced by interwar Czechoslovakia that the doors began to open to criticism and debate on possible changes. The amendment to the law from 1919 which was put forward for debate in 1936 clearly shows where government circles, supported mainly by the Agrarian Party, felt changes to autonomy should be made.

The initial reaction of the academic community was negative, based mainly on concerns about political encroachment into university life. This was how the main university teachers' interest group (CCAUT) had responded in the debates surrounding autonomy even prior to the submission of the amendment proposal. "Humboldt" operated as a shield which part of the academic community immediately reached for to defend against any type of reform⁸⁰.

Following this initial reaction, the debate was also joined by academics outside of the circle of activists from the universities' humanities faculties. Their responses were very differentiated and reflected the large differences and conflicts inside higher education. Despite clear calls to offer their views, some academic communities failed to respond at all and simply ignored the ministry; there was even a heated debate on the role of the central association in representing university interests. There was a parallel response from German academics with arguments defending the rights of national minorities rather than the humanistic principles of Humboldtian autonomy, while

⁸⁰ Peter Lundgren, *Mythos Humboldt in der Gegenwart. Lehre – Forschung – Selbstverwaltung*, In: Mitchell Ash, (ed.): *Mythos Humboldt. Vergangenheit und Zukunft der deutschen Universitäten* (Vienna – Cologne – Weimar: Böhlau, 1999), 145-169, 166; Christoph Marksches, *Was von Humboldt noch zu lernen ist? 11 Thesen*. In: Philip Kovce, – Birgit Priddat, (ed.): *Die Aufgabe der Bildung. Aussichten der Universität* (Marburg: Metropolis, 2015), 239-246, 240.

representatives from the theological faculties also had similar parallel arguments. The advancing crisis of liberal democracies in Europe and the role of part of the academic community in Germany and Austria in supporting non-liberal political forces has gradually changed the nature and urgency of the debate. In particular, the rise of the Nazis to power in neighboring Germany and the impact of this fact on the German minority in Czechoslovakia (including the German academic community) forced Czechoslovak academics to seek a way out of the problems much more vigorously than before and with greater self-criticism. Finding a post-liberal vision of a democratic university has been accepted by a large part of the Czech academic community.

The debate within the academic community in 1936 continued a year later when democracy and the entire Czechoslovak state were dramatically under threat. As the most important Czechoslovak university, the academic senate of Charles University approached the matter with less bias and without the emotion which attempts at a reform of Humboldt usually provoked in academia. Academics increasingly admitted that the government's intentions were similar to the variations in academic autonomy in democratic countries such as Great Britain, Switzerland and Belgium. Many academics now acknowledged the problems of the 1919 law's overly liberal approach towards disciplinary matters and looked abroad for examples of a balance between the power of a democratic state and university autonomy. The academic community had thus begun to outline a possible solution to the crisis of an overly liberal concept of university autonomy in Czechoslovakia. However, with the disintegration of the regime and the state in 1938 this never reached its expression within the legislation.

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