

RADIO FREE EUROPE *Research*

EAST EUROPE

CZECHOSLOVAKIA

17 May 1966

THE NEW CZECHOSLOVAK LAW ON HIGHER EDUCATION

Summary: On 16 March 1966, the Czechoslovak national assembly approved the government draft of the Law on Institutes of Higher Education. This new law has three aims; one of its main purposes is a generally improved standard of education. Therefore, at some of the faculties of the universities (generally comprising the faculties of medicine, law, and philosophy -- Trans.) academic titles are being introduced, the granting of which requires the passing of a "rigorous examination" in the selected subject. These titles will be granted only to graduates who have proved, by the "rigorous examinations," a higher degree of specialized knowledge of the selected subject. When this examination is successfully passed, the title of "doctor" will be granted.

The second aim of the law is a democratization of the life at the institutes of higher education in the sense of decentralization, greater power for the school authorities, the possibility of independent management, and the participation of student organizations in the administration of the institutes of higher education. The most pronounced sign of democratization will be the election of the academic dignitaries by secret ballot for the first time in 18 years (since the Communist putsch in 1948). The election will take place in the scientific council of the relevant institute or faculty. The secret election of rectors will still be only in the nature of a proposal, which will be passed through government channels to the President of the Republic; in the case of deans, it will be a direct election. The rectors, the scientific councils, and the deans have, under the new law, much broader powers than has been the case so far. Another step toward democratization may be seen in the fact that the law guarantees to the institutes of higher

education a greater degree of independence and the respecting of the specific character of the various types of the institutes which are to be independent units, not only in the economic, but also in the educational-scientific respect.

The third aim is to make the scientific work at an institute of higher education the condition of high level pedagogical work. The institutes of higher education will participate in state programs, will work on their own programs, will be part of the state scientific-research organization. In this connection, the present secondary school type discipline will be abolished. The university student ceases to be a mere object of education and becomes a respected active worker in the field of scientific research.

A Survey of Previous Reforms

To enable the reader to understand the far-reaching importance and the progressive nature of the new law on higher education, it is necessary to give a short critical survey of the development of the institutes of higher education during the period from February 1948 to March 1966.

In the last 18 years, a number of reforms and organizational changes have been introduced at the institutes of higher education in Czechoslovakia, constituting the so-called reform of higher education which, at the time of Stalinist dogmatism, was to transform the class character and the political traditionalism of this class of school and later, in 1956-1964, led to the admission of a large number of students regardless of the quality of their work. The changes at the Czechoslovak institutes of higher education which took place shortly after the Communist putsch, in March-June 1948, and were described as a "purge of the institutes of higher education of reactionary and asocial elements" had no legal basis in any government decree or any law. Students and professors were expelled without the knowledge of the man in the street. These actions were taken by an institution hitherto unknown at the institutes of higher education, the "action committees," which were outside the jurisdiction of the deans and rectors. At some of the institutes of higher education, where the percentage of Communists was negligible, the purge had a tragic result in that the number of the remaining professors and students was severely decimated. An example of this was the faculty of law at Masaryk University in Brno, where

systematic educational work became impossible after the February purge. Final liquidation of that university followed shortly afterward.(1) Another illegal step in the "purge" of the institutes of higher education of "reactionary elements" was the so-called democratization of higher education carried out in 1949 in a series of screenings. Every student was screened for his Weltanschauung; the screening was done by the members of the faculty action committee, sitting in groups of three. In these "troikas" were also included such members of the staff as charwomen, janitors, gardeners, etc. One of the forms of democratization was "preliminary cadre work," which was nothing else than another method of denunciation. Party members at the faculties were obliged to submit at least 10 reports apiece about their colleagues; these reports served as material for the work of the "troikas." The action committees also proposed candidates for the offices of rector and dean. As a result of this "democratization," some 5,000 students, the élite of the institutes of higher education, were expelled in Bohemia and Moravia alone.(2)

This period of lawlessness at the Czechoslovak institutes of higher education lasted until the end of 1950 when, for the first time after 1947, government decrees concerning this type of school began to appear again. These decrees were, of course, still in the spirit of the action committees. Without any visible explanation, there began in 1951 a liquidation of these action committees. It is psychologically understandable why, in the February putsch and in the course of the years immediately following, the élite of the students should have been expelled from Czechoslovak universities and other institutes of higher education, to be replaced by the working class "rapid-course" students(3) and by the younger generation of students. Those students who were already in the universities at the time of the putsch remembered the work in the seminaries, the free discussions, the libraries, etc., in other words, the pre-February academic democracy -- all of this being the source of their

(1) The government decree of 27 June 1950 abolishes the Faculty of Law at Masaryk University in Brno (no justification given).

(2) The figure was never mentioned in the regime press, naturally. It was made known by the various academic officials who fled to the West.

(3) These "rapid course" students were selected by the cadre sections of the industrial enterprises; they were generally enthusiastic Communist workers who could enter the university or one of the technical institutes without the otherwise required matriculation examination ("maturity examination"), after having attended a one-year "preparatory course."

"reactionary" attitude to the regime, an attitude which was generally disguised. The Communist regime adjusted, during the first five years, Czechoslovak higher education to its own needs; the organization and the curriculum at the institutes of higher education were concentrated on the spiritual domination of the younger generation of intellectuals and, where this proved impossible, on channelling it into those branches of study which were most interesting from the Marxist point of view.

In the first stage (1948-1956), the institutes of higher education, reformed by the Communist ideologists, were put on the level of the former secondary schools. This explains clearly why both the Minister of Education and Culture, Dr. Hajek, and his deputy, Professor Hanka, emphasized several times at the press conference of 11 March 1966 that "the draft of the law on higher education relaxes the excessive secondary school type discipline at the institutes of higher education. The university student ceases to be a mere object of education and is respected, as is suitable for an active, mature subject." (4) The secondary school system made political indoctrination easier, and, at the same time, its very nature limited the possibility of independent thought. In the government reshuffle on 31 January 1953, the Ministry of Higher Education was given to Ladislav Stoll, a representative of "Czechoslovak Stalinist dogmatism." His very first reforms made clear the preference to be given in higher education to the technical disciplines, especially those serving the heavy and armament industries. At his initiative, the Party and government approved the opening of new institutes of higher education. (5)

The Communist regime in Czechoslovakia has been aware, ever since the February 1948 putsch, that it must replace the technical intelligentsia educated in free schools and in contact with the advanced Western technical knowledge, by a new generation which would work reliably in the spirit demanded by the Party Central Committee. However, this effort of the Central Committee to replace the technical intelligentsia by new people long met with a lack of

(4) Ucitelske Noviny, 17.3.66.

(5) Among them, the School of Politics of the CPCS CC ("whose graduates have the same rights and duties as the graduates of the other institutes of higher education"), the Institute of Mechanical Engineering in Liberec, the Faculty of Light-Current Engineering in Podebrady as part of the Institute of Technology, Prague; the Faculty of Geology attached to the College of Mining, Ostrava; the Military Faculty of the Railroad Engineering Institute in Prague, etc.

interest in technical studies and was further hampered by a shortage of professors who would combine their specialized knowledge with at least an unexceptional loyalty to the dogmatic spirit prevailing in political life in Czechoslovakia. The economic conditions in the years immediately following the Communist putsch and the military requirements of the Cominform did not permit the replacement of an overwhelming part of the technical intelligentsia with persons politically reliable, but lacking the specialized knowledge and the general experience necessary. Thus, the regime had to be satisfied with the jailing or removal of some of its best known opponents, who could be expected to remind their contemporaries, by their very existence, of the past and to awaken undesirable notions and desires. (6)

In the scientific-technical field, it was possible, for some time after the Communist putsch, to maintain even a limited contact with the technical centers in the free world. The specialized press could be obtained, at least in theory, through the factories; after 1950, it was totally removed from the reach of the Czechoslovak scientific worker at the institutes of higher education. It was gradually replaced by publications from the Soviet Union and the other socialist countries. It is only now that the new law enables the faculties to make free use of Western scientific publications.

The progress of technical research at technological institutes was thwarted because the details of the curriculum were dictated by the requirements of the Central Committee. Much more tragic was the situation at the universities. The traditional order and organization, based on the experiences of the past, were subject to rough treatment by the reforms of the cult. These reforms were often badly thought out and ill prepared and their long drawn-out introduction hampered a systematic course of action and the desired standard of studies. Politics and its corollary -- low scientific qualification -- were much more evident at the universities than at the technical institutes. Admission was made considerably more difficult; the number of students was radically cut down and the standards of political qualification were made much stricter. The purges among the professors were unusually severe. It was no exception for a Party agitator and propagandist to be appointed to the post of

-
- (6) Rector Karel Englis, economist and politician, Minister of Finance during the first republic; Dean Rudolf Spazier, Mayor of Brno; Prof. Jan Krcmar, Minister of Education and Culture in the first republic; Vaclav Cerny, literary critic; Prof. Frantisek Weyr of the Faculty of Law, Charles University; Prof. Zdenek Peska, professor of constitutional law, Bratislava; and others.

full professor.(7)

In the first stage of the reforms, much attention was paid to the militarization of Czechoslovak higher education. The Brno Institute of Technology was closed down and replaced by the Military Technical Academy;(8) similarly, the medical faculty in Hradec Kralove was replaced by the Military Medical Academy,(9) while a Military Faculty was established at the Railroad College in Prague.(10) The recruitment drive for the army took place in those years, not only at the technological institutes, but also at the technical high schools. The establishment of military departments at the universities was another step in the militarization drive. The students had to take military oaths and partake in maneuvers. The Gleichschaltung affecting all the institutes of higher education was planned so thoroughly that even the old Charles University in Prague lost its individual character.

The second stage (1955-1964) brought a considerable betterment in the system of higher education in Czechoslovakia; in all the reforms, laws, government decrees and orders, there can be discerned a certain release of the forces of revisionism following the 20th Congress and the national conference of the CPCS in 1956. The new Minister of Education and Culture, Professor Kahuda, was a professional teacher -- though he was still a man with a cult background.(11) One of the most markedly positive features of this stage was the demilitarization of higher education. The military academies forming part of the higher educational system, as well as the military faculties and chairs at the universities were abolished or reorganized.(12) There was also, at this stage, a liberalization of studies,

(7) A typical example is Ladislav Stoll, a former editor of Rude Pravo who became Rector of the School of Economics and Politics whose education was of matriculation standards; many other examples could be cited.

(8) Government Decree 80/1951.

(9) Ibid.

(10) Government Decree 98/1953.

(11) Prof. Frantisek Kahuda succeeded Ladislav Stoll as Minister of Education and Culture on 12 December 1954.

(12) To replace the abolished Military Academies "e.g., in Hradec Kralove, Brno, and elsewhere), there were reopened the original Institutes of Higher Education, e.g., the Medical Faculty of Charles University in Hradec Kralove. The abolition of the Military Academies was announced in the Bulletin of the (cont'd)

emphasis was shifted from collective studies to individual efforts.

On the other hand, Czechoslovak higher education suffered from too much organization and continuous reforms. (13) The demand of a rapid increase in the number of students and of new institutes of higher education resulted in the Ministry of Education having to turn its attention exclusively to the problems of quantity, while the questions of quality and economy were of secondary consideration. As a result of the preceding period of the personality cult, the centralization of administrative procedures was exaggerated. The hands of the University dignitaries were bound by too much centralization. This is the reason why the new law emphasizes, to such an extent, the necessity of a flexible, decentralized administration.

At this second stage, there was established, in 1959, the Scientific Council of the Ministry of Education and Culture. This laid, at least partly, a firm foundation for the direction of scientific work at the institutes of higher education. The check-ups carried out at the individual institutes supplied, over the course of the years, reliable information about the capacity available at the institutes of higher education for scientific work. As a result of this research, the new law on higher education was able to present the demand of broader scientific work at these institutes.

The ministry's official periodical admits that the expansion of higher education was (in this second period) unable to "rely on a dependable perspective plan of the need for qualified cadres,

-
- (12) (cont'd) Ministry of Education and Culture of 30.9.61. The military faculties were closed down without replacement by another institute of higher education. The other military schools, which existed prior to the reforms of the Fifties, remained unchanged.
- (13) The following example is typical of the whole situation. It is the reform of the education of teachers. In 1946, the gradual abolition of the Teachers' Institutes began; they were replaced by Pedagogic Faculties at all the universities. To deal with the shortage of teachers after February 1948, "rapid-course" pedagogical graduates were called upon to fill the gaps. Newly established were "pedagogical gymnasias"; in 1953, they were abolished and replaced by Pedagogical Schools. Also abolished were the Pedagogical Faculties, which were replaced by Pedagogical Schools of two degrees ("Higher" and "High"). Even these were abolished in 1959 and gradually replaced by Pedagogical Institutes, which were again liquidated and replaced, in 1964, by Pedagogical Faculties.

based on a scientific analysis and on a long-term plan of scientific and technical expansion." (14) In this second period (1955-1964), the number of intramural students doubled, while neither the school capacity changed nor did the equipment keep in step with the demands of modern teaching methods and technical progress. The new law does away with this shortcoming by authorizing the institutes of higher education to conduct scientific and research projects for state and cooperative organizations and to dispose freely of the financial results of this work. The number of professors and assistant professors also did not sufficiently increase in this period in order to permit an increase in the number of new students; as a result, much of the educational work had to be done by the special assistants. The effect on the educational standard was, naturally, negative. Some of the more important changes which took place at this second stage, as long as they are codified in laws and government decrees and have a direct relationship to the new law, will be referred to in the analyses of the law of March 1966 on higher education.

This survey of the development of the reforms of higher education in Czechoslovakia was deemed necessary in order that the truly revolutionary importance of the law of 16 March 1966 could be fully realized.

The Law of 16 March 1966 and Its Implications

The long discussion about the draft of the new Law on Institutes of Higher Education was triggered off by a Central Committee decision of October 1964, (15) which was intended to provide the incentive for a new, basic line of improving the activities of the institutes of higher education. However, this decision, just as all the other Central Committee decisions, also only furnished the general background. The discussion, which mostly only skirted the chief problems, soon turned from pedagogical, didactical, and ideological questions to the problem of re-introducing academic titles which, aside from that of the election of academic officials by secret ballot, was of greatest interest to the general public. (16) It was not only the educational press, but also the dailies, the weeklies of the artists' unions, the radio, and television networks which also took part in this discussion.

(14) Vysoka Skola, 9/1965.

(15) "The Tasks of the Development of Our Educational System and of the Training of Young People at Schools"; Rude Pravo, 24.10.64.

(16) Cf. "Master or Doctor," Prace, 17.8.65, and "The Discussion on the New Higher Education Act," Vysoka Skola No.7/1965.

Where the discussion did get to the heart of the matter, a contest between the progressive forces at the Ministry of Education and Culture and the dogmatist forces in the Party Secretariat was clearly discernible. In other words, a contest between the Minister, Dr. Cestmir Cisar, who, in his two years at the Ministry of Education, endeavored to put through a number of liberalistic measures -- chiefly in higher education -- and Dr. Pavel Auersperg, a close associate of Anton Novotny and, since January 1965, head of the ideological department of the Central Committee. Cisar's removal from the Ministry of Education in November 1965 is ascribed to the intervention of Auersperg. However, the law of 16 March 1966 is still Cestmir Cisar's work. Had Cisar remained in office, some disputed provisions in the law concerning the confirmation of elected rectors and deans would probably have been more liberal and more precisely defined.

Here are two typical examples of the large number of contributions to the discussion. An article by Vladimir Mikule and Vaclav Pavlicak, published in the official press organ of the Union of Czechoslovak Writers, Literarni Noviny, was devoted to the question of academic titles and to that of the autonomy of the institutes of higher education. The authors demanded that the final version should be passed only after the views of the majority of those who would be called upon to carry out the provisions of the law had been heard. "Otherwise new amendments would have to be expected in a short time, which would not be the result of 'changes in social conditions,' (which are) frequently used as a justification for the lack of stability of the legal order." The authors asked for the reintroduction of the title of doctor, which had been abolished in 1953 following the Soviet model, and "led to clear discrimination against those who had completed their studies." Concerning the autonomy of institutes of higher education, they had the following to say: "If we raise the postulate of autonomy, we start from the premise that autonomy is chiefly a political, social, and legal fact and that, essentially, it only means a certain stage of development in the understanding of the dialectic of the relationship between that which is central and that which is democratic..... In many respects, the new bill rehabilitates democratic principles. However, it is far from sufficiently consistent, whether this applies to the relationship between the institutes of higher education and the agencies of the state, or to the relationships within the schools themselves. The election of the chief academic officials (rectors, pro-rectors, deans and vice-deans), who had formerly been appointed by state agencies, constitutes a clear innovation. However, the Minister of Education (and the Commissioners of the Slovak National Council respectively), retain the right twice to veto the election and to appoint the rector, etc., themselves, should a person be elected the third time whom they do not accept. This clear sign of distrust is hard to explain. It

would be correct to substitute this regulation with a so-called suspensive veto: if the state agency does not confirm the election, a new election must be held, which will be final provided a qualified majority vote in favor of the official concerned. Moreover, in the prevailing social-political situation at our institutes of higher education, a form of state supervision is hardly necessary at all."(17)

Zdenek Lukes of the Law Faculty of Charles University in Prague deals with questions connected with the management of institutes of higher education in Slovakia. He states: "The new regulation of the administration of the institutes of higher education must take care of an important group of questions concerning the central management of institutes of higher education in Slovakia. The Slovak national agencies concerned will chiefly participate in the central management of all institutes of higher education and they will directly supervise the institutes of higher education in Slovakia in accordance with the directives valid for the whole of the state."(18)

An analysis of the law itself shows how all these contributions to the discussion have been reflected in the text. But, still, the final wording of the law is not entirely satisfactory.

Analysis of the Individual Provisions of the Law

The revolutionary change brought about by the new law, which became valid as of 1 May 1966, can be characterized by the statement that, for all practical purposes, this law severs the bonds which had fettered the entire system of higher education in Czechoslovakia after 1950 in keeping with the Soviet model (19) and that the law endeavors to restore the situation as it existed before the Communist coup in 1948.

By and large, the law fulfills the expectations of all those who felt that the existing system of higher education in Czechoslovakia could not be maintained any longer. If one compares the text of the new law with that of Law No.58/1950 on institutes of higher education and with the 1956 amendment to this law, one can discover this difference in every section. This is borne out by the very preamble to the new law, which declares that "The institutes of higher education are educational, scientific, and cultural institutions of the highest level; through their activities, they establish conditions essential for a progressive growth of the socialist national economy,

(17) Literarni Noviny, 14.8.65.

(18) Vysoka Skola No.10/1965.

(19) Law No.58 of 18 May 1950.

science, and culture." This endows the institutes of higher education with direct participation in the development of society. On the other hand, this is also reflected in the demands on the work of these institutes. Therefore, the law extends the powers of the schools regarding pedagogical matters and virtually transfers all power in these matters to the schools for the purpose of eliminating all negative outside influence on the level and general quality of pedagogical work. The law specifies the rights and duties of the students, it defines the demands regarding qualifications made on full university professors, as well as on assistant professors and lecturers, it clearly determines the composition and function of the Scientific Councils, etc. It is also intended to demonstrate that the qualitative changes in the system of higher education must always remain sufficiently ahead of the requirements of practice. For instance, the standard engineering courses will tend toward greater emphasis on physics and greater importance will be attached to special technology. In the field of power and energy, the technical colleges will have to prepare for a great prevalence of nuclear power and for fundamental changes in the field of tele-communications as a result of the application of solid state physics. The institutes of higher education will proceed in a similar manner regarding the social sciences. The law also clearly stipulates that only those applicants can be enrolled at an institute of higher education who have completed their secondary education. This requirement is chiefly the consequence of experience gained from "preparatory students" (20) who were unable to keep pace with the other students in technical subjects because they lacked elementary knowledge in higher mathematics, physics, and chemistry.

The law defines three chief types of studies -- standard courses, extraordinary studies and postgraduate studies. While the first two types had already been codified in previous laws, the postgraduate studies are an innovation designed to train graduates for greater specialization in a given field. The Ministry of Education is to issue directives for these postgraduate courses; the studies will take place at the institutes of higher education and will be directed by the latter.

Scientific Activity at Institutes of Higher Education

The new law expressly refers to the importance and value of scientific work at the institutes of higher education, work which is defined "as an indispensable condition of a high standard of

-
- (20) "Preparatory Students" were young Communist workers who were admitted to institutes of higher education without a high school diploma.

pedagogical work." This is clearly meant to refute incorrect opinions which maintain that these schools should concentrate chiefly on instruction and education.

Compared to previous regulations, the new law formulates the main characteristics of higher education in a more precise manner and it is emphatic about the students' obligation to promote the advancement of their abilities "independently," i.e., without special supervision, and to collaborate in the scientific work necessary to attain the goals which the state aims to achieve. As far as professors are concerned, the combination of scientific work and teaching is one of their chief duties. However, scientific work and its organization must be based on teaching requirements and the former must not be detrimental to the latter.

The question of independent management of the institutes of higher education is directly connected with this scientific work; the law guarantees that the institutes of higher education may freely dispose of proceeds derived from scientific work on national tasks (for the purchase of laboratory equipment, technical literature, etc.). However, the broad powers of the questor (comptroller) must be regarded as a definite drawback. This official, appointed by decree of the Minister of Education (section 41), is the permanent deputy of the rector in financial and administrative matters. The question arises why this official is not elected, as are the other academic officials.

The Election of Academic Officials

The election of rectors and deans by secret ballot is the clearest indication of the democratization of higher education under the new law. This is the first time in 18 years that the highest representatives of the Czechoslovak institutes of higher education are no longer appointed by decree of the authorities, but elected on the floor of the schools. In these 18 years, the rectors, pro-rectors, deans, and pro-deans were persons who -- with some exceptions -- did not possess sufficient qualifications for these high posts, and, in most instances, they did not command the confidence of the teaching staffs. Mostly, their decisions remained unopposed, because professors and students alike were aware of the fact that these officials enjoyed the confidence of the Party and that they had the backing of the minister.

Elected rectors and deans will be a guarantee of internal democracy at the institutes of higher education and they will also constitute a guarantee for the scientific standard of these institutes. However, the questions concerning the election of academic officials

are put only in rather a general manner in the law. The school's Scientific Council votes, by secret ballot, on the nomination of the rector, generally, from among the full professors; the nomination is then submitted to the President of the Republic for approval, through the medium of the government. Thus, the nomination has to pass three institutions, a process tending to undermine the notion of election as, of course, does the possibility of a veto. Pro-rectors are elected by the Scientific Council, by secret ballot. This election has to be confirmed by the Minister of Education, and if he does not give his assent, the election has to be repeated. At newly-established schools, the pro-rectors are appointed by the Minister of Education. The dean and the vice-deans of independent faculties are elected by secret ballot of the faculty's Scientific Council. The election of these officials must also be confirmed by the Minister of Education (with new elections, if he refuses to confirm them) and at newly-established faculties they are appointed by the Minister. This matter is not clearly regulated in the new law. Nothing is said about a situation in which the Minister withholds confirmation of officials elected at a second, or third election of pro-rectors, deans, or vice-deans. In the discussion on the bill, attention was drawn to this fact and it was interpreted as a sign of lack of confidence in the professorial staff, of which the large majority of the university or faculty's Scientific Council is composed. This loose formulation may lend itself to curtailing the extensive autonomy and independence of the bodies of professors. However, it will only be possible to draw definite conclusions after one sees how this matter is practised in the future.

Academic Titles

The new regulation of academic titles is based on the tradition of the Czech and Slovak institutes of higher education and it completely restores the situation existing prior to the Communist coup. The designations of graduate physician, graduate jurist, graduate philosopher, etc., which had been introduced following the Soviet model in 1953, are completely abolished. According to the new law, the following titles are conferred by the institutes of higher education: "Doctor of Medicine," (abbr. MUDr.); "Engineer," or "Engineer-Architect: (abbr. Ing., Ing.Arch.); for those who have completed the course of studies at technical and agricultural colleges or schools of economics, "Veterinary Doctor" (abbr. MVDr.); and the titles of "Academic Painter," "Academic Sculptor," "Academic Architect," for those having completed the course of studies concerned at art academies. In contrast to the graduates of medicine, the other students at universities have to pass "rigorous examinations" at their faculties, the details of which are defined in special regulations, to attain the titles of "Doctor of Laws" (JUDr.),

X

"Doctor of Natural Sciences" (RNDr.), and "Doctor of Philosophy" (PhDr.). The academic titles and diplomas of those who have completed their higher education, conferred in accordance with previous regulations, remain unchanged. The new law also provides that titles may be conferred on applicants who have completed their studies during the time in which titles were not given (1953-1965); however, these graduates will have to pass "rigorous examinations." A somewhat undemocratic aspect appears in the rule according to which "some graduates of this period, whose academic results were good and who have fully proved their worth in several years of practical work, will be given the title of doctor without their having to pass 'rigorous examinations,' in the so-called Summary Rigorosa Procedure." (21) The question of the criteria for selection arises in this context.

The law also does not specify the difference between, for instance, the university degree of Doctor of Natural Sciences, conferred by the faculty of natural sciences, and the title of "Doctor of Science" or "Candidate of Science," conferred by the Czechoslovak Academy of Sciences. However, according to earlier practice, the doctoral titles of the Academy have been dependent on a written paper of the highest standard, while the new "rigorosa" are chiefly oral tests. Formerly, the title of "Doctor of Sciences," conferred by the Academy or by an institute of higher education, used to equal habilitation. (22) The new law does not settle these questions.

The new law also does not provide for the title of "Doctor of Theology." This degree was abolished by the 1953 law, in which the divinity faculties were denied university status. The new law expressly states that it does not apply to faculties of divinity, to which the existing regulations continue to apply (Section 63, Sub-section 2).

Graduates of the Higher Teachers' College who have attained the designation of "Graduate Pedagogue" may apply for an academic title after having successfully passed a "rigorosum." Teachers at elementary schools have the right of the job title of "Teacher" and teachers at secondary schools the right of the designation "Secondary School Professor;" neither of these titles is an academic title.

(21) Deputy Minister of Education, Prof. Hanka, in a commentary on the new higher education act. Rude Pravo, 1.3.66.

(22) Aside from the title of "Academician," this is the highest scientific postgraduate degree.

Scientific Councils and the Students

The new law provides that the Scientific Council directly participates in the management of the institutes of higher education. Their decisions require the approval of the rector, or pro-rector respectively. If the rector does not agree with the decision of the Council and sends it back to the Council for further discussion (he must state his reasons for such action) and the Council stands by its original decision, the rector is obliged to inform the Minister of Education. The members of these Councils are the rector, the pro-rectors, the deans of faculty and the directors of the research institutes of the school; other members are appointed by the rector from among the professorial staff; staff and student organization representatives are also members of the Council, appointed by the rector on nomination by these organizations. However, these members are not entitled to vote in proceedings concerning the conferment of academic titles and post-graduate degrees. (23)

The provisions of the new law dealing with the participation of the Slovak National Council and of its agencies in the direction of the institutes of higher education constitute an innovation. Section 35 provides: "The Slovak National Council takes part in the execution of this law, especially with respect to the role of these schools in the economic and cultural development of Slovakia. A law of the Slovak National Council will define the jurisdiction of the Slovak National Council in respect to the institutes of higher education in Slovakia and the responsibility of the academic officials of these schools in Slovakia to the Slovak National Council and its agencies." In other words, the statutes of the schools of higher education in Slovakia will be approved by the Commissioner for Education, in connection, and in agreement, with the Minister of Education.

Conclusions

It is evident from the foregoing that the law of 16 March 1966 signifies a democratization of the entire system of higher education in Czechoslovakia. The changes involved had become necessary because of the clear failure of the policies of the past 18 years. After assuming office, Minister Cisar continuously emphasized that changes of the then existing regulations, starting from the centralist direction of the schools of higher education down to the rules, say, about the titles of graduates -- which had never become popular -- had become inevitable. The main idea underlying the new

(23) The parliamentary report on this point indicates that the Czechoslovak Youth Federation is meant by "students' organization."

law is the enhancement of the standing and material rewards of scientists and scholars in general. The progressive character of the law, however, is somewhat detracted from by a number of precautionary provisions (e.g., the minister's veto concerning the election of academic officials, etc.). The new law still carries a suggestion of political bias. It is stated, for example, in Sections One, Two, and Six, that the institutes of higher education must produce workers trained for all spheres of life in socialist society on the basis of a knowledge of Marxism-Leninism and that the pedagogical activity at the institutes of higher education must respect the goals of Communist education. A passage in Section 10 enjoining the students "to acquire fitness for qualified participation in the defense of the country" also sounds a trifle ominous. A search for any connection of this section with a school reform would be in vain.

But the basic point about this new law is that, like every other law, it is the reflection of prevailing social and economic conditions and it irrefutably documents a large degree of liberalization in Czechoslovakia.

A Kratochvil

(Czechoslovak Unit)