

# Wrangling for Authority (January 26, 1976)

## Abstract

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Enacted by the federal and state governments, the Framework Act on Higher Education [*Hochschulrahmengesetz* or HRG] of 1976 was the product of reform efforts. But the law failed to move much beyond declarations of intent—and the same can be said of the comprehensive universities [*Gesamthochschulen*] that it envisioned. New institutions reverted to the traditional university model, and educational pluralism in West Germany's federal system gained further momentum.

## Source

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### Framework Act for Higher Education

Chapter 1

Functions of Institutions of Higher Education

Part 1

General Provisions

[...]

Section 4

Reorganization of Higher Education

(1) The reform of higher education is the joint responsibility of institutions of higher education and the responsible state authorities.

(2) The higher education system shall be reorganized with a view to combining the different tasks—research, teaching, and study—that are presently performed by different types of institutions of higher education.

(3) In particular, the reorganization shall guarantee:

1. a range of sequential, interrelated courses of study and [the conferral of] corresponding degrees in the appropriate fields; standardized modules in courses of study or successive courses shall be created to the extent that the course contents allow;
2. a structure of courses that will allow for the greatest possible transfer of credits for completed coursework and successful examinations when a student transfers between courses in the same or a related field of study;
3. a combination of theoretical and practical studies to the extent appropriate for each course of study;
4. the establishment and implementation of interdisciplinary and cross-institutional research and teaching programs, and the establishment of focal points in research and teaching, also in conjunction with other research and educational institutions and with organizations dedicated to the advancement of research;
5. the subject-specific and interdisciplinary promotion of higher education didactics;
6. effective academic advising services;
7. the optimum use of higher education institutions;
8. the provision of research opportunities for professors at institutions of higher education where such opportunities do not exist or are insufficient for the fulfillment of their professional duties;
9. coherent planning for the higher education sector as a whole and a balanced distribution of

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institutions of higher education, both regionally and nationally.

## Section 5

### Comprehensive Universities

(1) In order to achieve the objectives outlined in section 4, subsection 3, different types of institutions of higher education shall be brought together in a new system of higher education. Colleges shall be expanded into comprehensive universities or merged (integrated with comprehensive universities), or they shall be combined (while retaining their legal autonomy) into comprehensive universities (cooperative comprehensive universities) through the establishment of joint bodies. In cases where it is not (or not yet) possible to establish comprehensive universities, cooperation between institutions shall be assured.

(2) When establishing a comprehensive university, care shall be taken to ensure that its structure, disciplinary offerings, size, and physical layout enable it to fulfill its task effectively and to offer students a range of courses consistent with the requirements of section 4, subsection 3, nos. 1–3.

(3) In planning and building new institutions of higher education, the principles outlined in subsections 1 and 2 shall apply accordingly.

## Part 2

### Studies and Teaching

[...]

## Section 7

### Purpose of Studies

Courses of study and their contents should prepare students for a field of professional activity and impart the requisite specialized knowledge, skills, and methods associated with each course of study in a way that enables them to perform scientific or artistic work and to act responsibly in a free, democratic, and social state governed by the rule of law.

## Section 8

### The Reform of Higher Education

(1) Institutions of higher education shall have the permanent task, in cooperation with the responsible state authorities, of reviewing and developing the contents and structure of courses of study in light of developments in the arts and sciences, practical professional requirements, and necessary changes in the various professions. The reform of higher education shall guarantee that:

1. courses of study and their contents offer students broad career options in a changing professional world;
2. teaching and courses of studies correspond, in terms of form, to developments in methodology and didactics;
3. students are able to engage with course contents in an independent and systematic manner and are able to recognize their practical application;
4. equivalent degrees have comparable standards and students continue to have the option of transferring between institutions of higher education.

(2) In order to experiment with reform models, special regulations for coursework and examinations may be enacted and these may take effect alongside existing regulations. Experimental reform models shall be assessed after a fixed length of time.

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(3) Instruction in a new course of study shall not commence until the relevant examination regulations have been approved or enacted.

(4) Institutions of higher education shall take the measures required for the reform of higher education and for the promotion of higher education didactics.

## Section 9

### Study Reform Commissions

(1) Study reform commissions shall be established to promote the reform of studies and examinations and to coordinate and support the reform work carried out at individual institutions of higher education. The federal states [*Länder*] shall form joint commissions for study reform for the area covered by the present act.

(2) Study reform commissions shall be formed by the responsible state authorities [*Ländesbehörden*] in cooperation with the institutions of higher education that are concerned. Joint commissions shall be formed for courses of study that cover largely overlapping fields or that prepare students for careers in related areas. Furthermore, care shall be taken to ensure that the work of individual study reform commissions is coordinated in terms of organization and content.

(3) The planned study reform commissions shall include representatives from institutions of higher education, from responsible state authorities, and from the relevant professions. In the case of courses of study leading to a state examination, representatives of responsible state authorities shall have more than half of the votes; and in commissions pursuant to subsection 1, sentence 2, they shall have at least two-thirds of the votes.

(4) The study reform commissions shall issue, within an established timeframe, recommendations for the reorganization of courses of study and for the development of a range of courses of study commensurate with the requirements of section 4, subsection 3, nos. 1–3. The recommendations shall refer to:

1. conclusions drawn from developments in scholarship and fields of professional activity, and from changes in professional practice, with regard to the goals and essential contents of the respective course of study;
2. the requirements for the essential contents of examinations concluding the program of study, including the recognition of transfer credits for completed coursework and successful examinations,
3. the standard duration of study appropriate for the respective course of study (section 10, subsections 2–4.)

[...]

Source: Hochschulrahmengesetz (HRG) vom 26. Januar 1976 (available online at: [http://www.bgb1.de/xaver/bgb1/start.xav?startbk=Bundesanzeiger\\_BGB1&jumpTo=bgb1176s0185.pdf](http://www.bgb1.de/xaver/bgb1/start.xav?startbk=Bundesanzeiger_BGB1&jumpTo=bgb1176s0185.pdf)); reprinted in Arnold Harttung et al., eds., *Willy Brandt, Zum sozialen Rechtsstaat. Reden und Dokumente*. Berlin, 1983, pp. 248–51.

Translation: Allison Brown and GHDI staff. In completing this translation, the GHDI staff referred to a translation of the Framework Act for Higher Education that appeared in Western European

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