

Accountability, the Magna Charta Universitatum and the Bologna Declaration

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The word accountability has no appealing ring to it. It is a term that many associate with invasive scrutiny, endless responsibilities, equally endless paperwork etc. The bottom line is that we do not like accountability – it's a pain, full stop. So, let's get rid of it.

What remains is absolute freedom, the freedom to do whatever we like, wherever we want, whenever we want and in whatever way we want. In an academic context, getting rid of accountability will lead us in a fast lane to complete academic freedom. It truly sounds like paradise.

Or does it? The question is: would an academic world without accountability really be the paradise we are after? Is complete academic freedom really what fills universities with utter bliss? Indeed, academic freedom is a jewel in the crown of universities, but only when that freedom is balanced by a counterweight, and that counterweight is called 'accountability'. Freedom without balance, or even limitations if you want, leads to chaos. It may sound strange, but we will argue that academic freedom becomes stronger when it is limited. Those limits should be the result of a well-constructed system of accountability measures.

What academic freedom is not

Academic freedom has been widely discussed, both inside and outside of universities, in newspapers and courtrooms, in governmental organizations, and during receptions or walking dinners. Not many people will seriously question the need for and the importance of academic freedom.

Yet, are there limits to it? For some, this question is a no-brainer. Academic freedom, in their view, has no limits. Research and teaching can be done in any way imaginable, even by teaching and researching badly, even by not teaching or not researching. Although it might be true that one or two professors would do the world a great favour by not teaching or by not researching, most people will agree that academic freedom cannot be misused as an excuse for laziness or silly behaviour. So, in this sense, academic freedom is not absolute. Some have misused academic freedom to express themselves in making insulting, ludicrous or simply unwanted statements, and some have misused academic freedom to give their opinion on matters in which their expertise is, at best, questionable. Academic freedom is not the same as freedom of speech. Obviously, anyone, also a professor,

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is entitled to his opinions and the right to express them, at least within the limits of the law. The mere fact of belonging to the academic community, however, does not create some sort of special or more elevated level of freedom. Probably the contrary is true. Belonging to an academic community should inspire its members to be especially careful in expressing an opinion, in particular when they are not talking about matters within their own area of expertise.

What, then, is academic freedom? What are its true and useful limitations, or more positively, its checks and balances? There are a couple of very fundamental documents that will help us to answer these questions.

Academic freedom in two European policy documents

Every now and then, universities or their environments produce texts that are worth remembering. Sometimes, at the time of their writing, it is not very clear whether or not these texts will survive the next 10 or 20 years. It is also not clear if they will have a real influence on academic thinking. In the past 20 or so years, two of these texts have been written. One is the ‘Magna Charta Universitatum’ [1] and the second is the ‘Bologna Declaration’ [2].

The Magna Charta Universitatum

The year 1988 was very festive for the town of Bologna. Its university, the oldest in Europe, or, arguably, in the world, was celebrating its 900th anniversary. The university rectors attending the ceremonies felt it the proper time to publish a text in which the very heart of the university was defined. The result, the Magna Charta Universitatum, was remarkably short for such an ambitious goal, at only one-and-a-half A4-size pages. The success of the text was very considerable. In the meantime, the initial signatories have grown to more than 700 universities, most of them from Europe, but the number of non-European universities is steadily increasing.

It was a text meant to inspire, a visionary document, on a par with “I have a dream...” (Martin Luther King Jr, 28 August 1963). The Magna Charta Universitatum consists of three parts, a ‘Preamble’, four ‘Fundamental Principles’ and four so-called ‘Means’, to turn these principles into reality.

In the preamble, it is very solemnly stated that:

“the future of mankind depends largely on cultural, scientific and technical development; and this is built up in centres of culture, knowledge and research as represented by true universities.”

Simply put: without universities, we have no future. This is more or less repeated:

“universities must give future generations education and training that will teach them, and through them others, to respect the great harmonies of their natural environment and of life itself.”

These are not words that we read or write every day. The rectors undersigning the text were very well aware of the scope of their text.

“The undersigned Rectors of European universities proclaim to all States and to the conscience of all nations the fundamental principles, which must, now and always, support the vocation of universities.”

The Magna Charta Universitatum goes on to list four fundamental principles, the very basis of the very idea of a university:

“The university is an autonomous institution at the heart of societies differently organised because of geography and historical heritage; it produces, examines, appraises and hands down culture by research and teaching. To meet the needs of the world around it, its research and teaching must be morally and intellectually independent of all political authority and economic power.”

This expresses one of the basic meanings of academic freedom, and at the same time, one of the basic tasks of universities. The Magna Charta Universitatum goes on:

“Freedom in research and training is the fundamental principle of university life, and governments and universities [...] must ensure respect for this fundamental requirement.”

The solemn tone continues:

“A university’s constant care is to attain universal knowledge; to fulfil its vocation it transcends geographical and political frontiers, and affirms the vital need for different cultures to know and influence each other.”

The Magna Charta Universitatum concludes with a call for effective means in order to make this vocation feasible. It states that the required instruments have to be made available to all members of the university community, that research and teaching are inseparable, that students must have certain freedoms and possibilities to acquire culture and training, and that mutual exchange of information and documentation is required for the steady progress of knowledge.

Then, before the actual signatures are put, another remarkable paragraph is added:

“Therefore, as in the earliest years of their history, they encourage mobility among teachers and students; furthermore, they consider a general policy of equivalent status, titles, examinations and award of scholarships essential to the fulfilment of their mission in the conditions prevailing today.”

This clearly sounds similar to an anticipation of the second fundamental university document, signed once again in Bologna, 11 years later.

What is very striking is that both texts are considered to be expressing the very heart of our universities, but that both are also at the same time very different.

The Magna Charta Universitatum talks about very high principles, one of them being academic freedom. It does not hesitate to use highly venerable words, such as ‘universal knowledge’, ‘now and always’, ‘the future of mankind’, ‘life itself’ and so on. Obviously, a text such as this is not meant to be used as a

day-to-day instrument. It needs to be operationalized. Part of that was taken care of by the Bologna Declaration. This document talks about down-to-earth measures required to create what is called our 'European Higher Education Area'.

A second important difference is that the Magna Charta Universitatum was a university initiative, written and signed by university representatives. The Bologna Declaration, on the other hand, was signed by government representatives.

The Bologna Declaration

Compared with the Magna Charta Universitatum, the Bologna Declaration clearly evinces a difference in tone and a different set of essential components.

The first pillar of this document is the comparability of programmes, in terms of their structure and of academic degrees. Considering the labyrinthine educational structure in various European countries, Bologna was aiming at a swift and fundamental reform to clarify things. The result is supposed to be a system that would create an educational system to be used throughout Europe, making it easy to compare university programmes, and at the same time protecting its rich variety. Outside of Europe, our system would finally become understandable and transparent. This was considered to be of vital importance, because the educational world was quickly becoming more and more internationalized and globalized. Hence, the idea of competition was gaining relevance. The idea was that a European university degree was to compete with the leading universities in the U.S.A. In addition, other global considerations came into play, for instance, the emergence of Asian nations and Australia. This would create the framework for global competition, involving players that were, up to that period, of minimal relevance to the European educational system. Higher education would soon become a significant part of a country's international profile and its exports.

A second characteristic, reminding us of the closing paragraph of the Magna Charta Universitatum, is the mobility of professors and students, getting rid of all practical obstructions.

Thirdly, the Bologna Declaration wants to harmonize our educational system in a two-cycle structure. The first or bachelor cycle would consist of 3 years, and would already lead to a certain level of professional qualification. The second or master level is meant as a high-level contact with the world of science, and it should prepare the students for a Ph.D.

A fourth element contained in the Bologna document is 'Lifelong Learning', designed to be more of a mental shift, a change in our attitude towards studying. Instead of limiting studies to a certain period in one's life, studying would become part of our entire life. A series of tools would be designed to make this practically possible, one of them being the ECTS (European Credit Transfer System).

Finally, the Bologna Declaration also wanted to establish an internationally transparent system of quality assurance. The urge to shape this quality guarantee would evolve into a system of accreditation, in which a group of independent and trusted experts would carefully weigh a programme. A positive report would become a requirement to further organize the programme.

There are other elements in the Bologna Declaration that are of obvious importance, but for our purpose, we can make do with this list.

Magna Charta Universitatum compared with the Bologna Declaration

The main difference between the Magna Charta Universitatum and the Bologna Declaration is, obviously, the level of practical applicability. There is also a deeper difference, related to the different historical contexts from which the texts originate.

When the Magna Charta Universitatum was written in 1988, Communism was still very much a reality. The Iron Curtain was still there. Also in Western Europe, the idea of borders had not yet diminished to its current level. The Maastricht Treaty was still 4 years away. State borders were still quite tangible. Maastricht would turn the economic community of Europe into a political community of some sort. In the Magna Charta Universitatum, explicit mention is made of that important event. In the 1988 context, freedom was still a genuine political goal to achieve, and it is not surprising that the Magna Charta Universitatum gives it so much explicit attention.

In 1999, when the Bologna Declaration was signed, the situation had changed dramatically. Communism was gone. Open borders were a reality, and the exchange of students and international collaboration had become very successful. Our whole world has changed. Globalization has shaken the very roots of our economy. New countries have moved to the top. New concerns have come. Sustainability and the future of our planet have become a part of our agenda. Information technology has made drastic changes in the way we deal with our world. Knowledge is taking up a far more central position in our world than it has ever before and that makes universities the key players in the way that the Magna Charta Universitatum considers them.

Things have indeed changed since 1988. However, this does not render the Magna Charta Universitatum obsolete. Its focus on freedom has not become old and worthless, quite the contrary. But it needs to be modified, simply because the world in which universities exist has also changed.

Let us now try to find out in what way we can both preserve the basic idea of academic freedom and give it the necessary space to survive in our modern world.

Institutional academic freedom and autonomy in a new world

When talking about academic freedom, usually two aspects or manifestations are distinguished, both of which are present in the Magna Charta Universitatum. The first we can call 'institutional academic freedom or institutional autonomy', and the second we call 'individual academic freedom'.

Institutional autonomy protects universities from undue interference by governments. There has always been a rather tense relationship between universities and state government. Universities suspect states, and states suspect universities, at least in theory. Even Wilhelm von Humboldt made it clear: "The state should always remember that it cannot and must not do the university's work for it, and that it hinders that work whenever it intervenes" [3].

That may be true in the purely theoretical sense of the word, or in the sense that governments should not, and will not, dictate what universities must teach or what they should research. No European government in its right mind will do this, at least not any more. There may be levels of academic freedom, one country allowing more direct state intervention than the other, but the bottom line is still that universities enjoy a high degree of institutional autonomy, at least in a European context. The Magna Charta Observatory of Fundamental University Values and Rights, a non-profit organization founded by the University of Bologna and the European University Association, is currently moving its scope more to countries outside Europe to promote the ideas of the Magna Charta Universitatum.

Institutional autonomy implies the right of universities to design their own internal structures (faculties, departments etc.). It also implies that they are entitled to develop their own policies with regard to their governance, for instance, the right to either appoint or elect their top-level authorities (rector, deans etc.). In addition, self-evident is their right to manage their own patrimonium. With regard to the programmes and degrees they offer, autonomy should go as far as possible, but not to the extent that all universities can program all degrees: that would cause huge problems with regard to the ‘critical mass’ that modern science and modern education require. Governments could carefully design minimum criteria that a university should live up to before it could offer a new programme.

Institutional academic autonomy is vital, but it is not absolute. The first reason is very simple. Most universities receive at least part of their finances from governments. It is self-evident that this financing mechanism leads to at least some sort of accountability. Universities will have to report on the way they use government-supplied money, paid by taxpayers, and, in turn, governments will have to account for the way they have managed taxpayers’ money in parliament and at the ballot box. In this sense, accountability can never be considered a burden, although in its practical application, attention should be given to a ‘administrative feasibility’: not all reports and not all procedures are equally important.

Higher education has become a social good, and this has considerable ramifications. Universities do not reside in ivory towers any more. They are firmly rooted within society, which grants them a substantial number of privileges, but which expects something in return – transparency, to begin with. An ivory tower university would simply not be acceptable any more. Openness and democratic accessibility have become part of everyday life. This simple realization is enough justification for a university’s duty to ensure transparent management and undisputed accountability.

Probably the best way to reconcile the university’s genuine claim for freedom and autonomy and the government’s equally genuine claim for accountability lies in competition and envelope financing. Competition, at least when it is based on transparent criteria, guarantees the best possible allocation of financial means. And envelope financing, which means that the government does not deal with details, but only guarantees a lump sum, will lead to budgetary discipline within the universities, who develop their own internal quality standards in order to further divide the lump sum. These quality standards will guarantee that those with the best results will be given preferential treatment when the envelope is divided. Result-based financing has, therefore, become the fair and socially

acceptable approach. Later, we will discuss in more detail how the need for good results affects a university's freedom, while becoming its fundamental protection.

Academic freedom, accountability and research

Accountability is not only a matter of financial transparency with regard to their financial sources, however. Whereas universities used to find their right to exist within themselves, this has now changed into an awareness of their stakeholders, to whom they have very clear and undeniable responsibilities. Our staff, students, alumni, the world of industry and business, and even society at large, are all closely watching what universities are doing. All are expecting a certain behaviour and a certain return on the investment of their time, money and trust. They all expect universities to behave responsibly, which can take many shapes.

With regard to research, academic freedom in this new context can be described as the right, but also the duty, to perform top quality, innovative and ground-breaking research, to the full extent of one's creativity. In this perspective, accountability is not only normal, but also required in order to safeguard the quality of the research being performed. Nobody is telling universities to do this or that particular type of research, which is to be selected in responsible freedom, on scientific grounds, but our stakeholders do expect us to perform research of the best quality level we can manage.

Yet, up to what extent? Are governments, other financial suppliers or even society at large entitled to dictate the way that universities are governed? Are they entitled to dictate what is being researched and what is being taught in the classrooms? Obviously not. Governments should make sure that they limit themselves to a clear set of control criteria. They should make sure that legitimate control is as unobtrusive as possible. This means: cut back on red tape and limit the administrative impact of government intervention.

Society expects research to be relevant. Does this mean that only research with a very clearly utilitarian character deserves to be supported? Not at all, of course. Research, by its very nature, is a leap into the unknown. In particular, fundamental research is targeted by those who claim that research needs immediate applicability. They forget that the research outcome can only be predicted up to a certain level. Limiting research to what is predictable would be a severe handicap for our chances of tackling some of the most urgent problems of our time. Any sensible government will, therefore, make sure that fundamental and applied research are both given equal opportunities in matters of finance. Especially with regard to long-term financing, due attention should be given to the particular needs of fundamental research.

Be that as it may, research with practical possibilities has become an important part of what universities do. Some still feel that this limits our academic freedom in unwanted ways. They claim that contacts with the world of business or industry could put our researchers in shackles, that they would be compelled to heed 'his master's voice', and lose their independence. To be sure, there are examples of unwanted aberrations, but these are extremely limited. Due care should be given to good and clear criteria as to what can be done with research

results, who gets to publish them at what time etc. Everyday practice tells us that research groups with the best contacts with industry are usually also those with the best results in fundamental research, the best publications and the best access to research funds.

In this respect, one could point at the very good experience the University of Leuven has with its so-called liaison office, a specialized branch of the university, which takes care of the contacts between research and business. This service assists companies in finding the right contact in the university, and it also assists researchers in designing the best framework for certain types of research with economic repercussions. This approach has become popular in other universities too. At this moment, Flemish universities can claim more than 10% of all patent applications. The University of Leuven has played a key role in over half of all Flemish university patent applications. Some 90% of our patents are being commercialized, generating some €50 million in revenue. Our liaison office plays an indispensable role in this process. It gives advice, and it provides assistance in setting up spin-off companies and so on. We are getting close to 100 spin-off companies, creating several thousands of jobs and with an important added value for the region [4,5].

However, another question in this respect is the manageability of research. Should we allow some sort of steering in our research work? Should we allow some instances to tell us what to research and what not? Very often, the choice is simply not there. Financial limitations prohibit us from researching whatever we would like. Not every university can have a Large Hadron Collider in its backyard. Choices are mandatory. This simple truth is often forgotten in discussions about academic freedom. Choices simply cannot be avoided. Financial limitations are there from the onset. This requires careful choices.

Yet another aspect of possible conflicts between academic freedom and accountability needs to be mentioned. This can be found in our duty to publish. Performing research without publishing the results not only prevents our peers from verifying whether or not our research was carried out according to the best quality standards, it also allows society to find out what part of our research may have the potential to be applicable in society in order to tackle its needs. Looking at it from this perspective, publishing is a social requirement.

However, due care should be taken that publications are not just counted, in order to fulfil some very superficial accountability criterion. This will lead to different criteria for different disciplines. For instance, research on local folklore or local literature will most likely not lead to publications in international journals. Obviously, specialists in these fields should not be sanctioned because of the peculiarities of their specialization.

Three important parameters for scientific publications are obviously, their number, the number of citations and the so-called impact factor of the journals in which the articles were published. In 10 years' time, Flanders moved from six publications per 10 000 inhabitants to 19 publications per 10 000 inhabitants, a little less than Sweden, which has 22 publications per 10 000 inhabitants, the highest output in Europe. With regard to citations, there are several ways to calculate. One is the MOCR (mean observed citation rate). In this ranking, Flanders has 7.26 citations per publication, Sweden has 7.11. On a world scale, the MOCR is 5.92. The University of Leuven accounts for 45% of all Flemish scientific publications,

and its citation rate has now reached 48%. It is interesting to remark that the Leuven share of students only accounts for 38%, indicating that Leuven is paying special attention to research [6].

Academic freedom, accountability, education and service to society

Education

This attention to research does not mean, of course, that education is not important. Research is just one of the things a university does. In the University of Leuven's mission statement, and probably in similar documents in many other universities, equal importance is given to education and to service to society. These too are university activities for which we will be held accountable.

Similar to the freedom that a professor enjoys in his research work, in the sense that nobody dictates the direction his research should go, there is also nobody who dictates what he should teach. Once again, to what extent? In some countries, the government prescribes the topics to be taught in certain curricula. That used to be the case in Belgium too, at least for some degrees. There were a limited number of university degrees for which the programme was stipulated by the government. For others, universities were free to design the programmes themselves. That system of so-called official and scientific degrees no longer exists.

That does not mean, however, that universities are now free to teach whatever they like. At least part of their finances are directly linked to the number of students they recruit, so they will be adjusting their programmes accordingly. They will also organize programmes according to what future employers want, for instance, by offering programmes with a high level of practical skills and employability. In both cases, however, it would not be wise to only organize their programmes according to what students or employers want. The most important consideration should always be: what deserves to be taught, according to current academic insights. In the eyes of the public at large, this may not always be the most appealing programmes, at least not in the short run. Here too, a careful balance needs to be made, between what is in demand by the public and what is in demand by the discipline.

Evaluating university education is a tricky business. It is, however, an undeniable part of modern accountability. In Leuven, part of our professor's career progress is determined by his results in teaching. And part of that evaluation is done by the students themselves. Our students are asked to grade their professors and their courses. Although this can be a very touchy subject, our experience up to now has been very positive. The number of professors who are sanctioned owing to sub-par educational achievements is limited, luckily.

Another part of educational accountability stems from our application of the Bologna agreements. In order to be able to compare our programmes with those of other universities, in Flanders as well as in Holland, a system of so-called visitations has been set up. A very thorough survey of similar programmes in different universities is organized. All of the people involved, the faculty staff and students, go through a very thorough series of surveys. This results in a report, and a set of recommendations for improvements. A time schedule is set up, within

which the weaker points of the programme need to be remedied. If a programme really and systematically does not live up to expectations, it can have difficulties obtaining its accreditation, which means it can effectively be terminated.

Service to society

Next to research and education, service to society is the third pillar of any university's profile. A careful balance between freedom and accountability is also what matters. We need freedom to perform this service. Especially in this day and age of information overflow, of being flooded by too much information, very often of questionable quality, there is a dire need of an institution which, by its very nature, is what we could call a safe haven for truth. When nothing else seems trustworthy, not governments, business, politics or popular opinion, there is a very urgent need for something to provide the final guarantee of truth, and that can be us, universities. We need to earn this venerable, but demanding, responsibility. We need to do this by performing at our best, in order to reach top quality in research and education, and with an unwavering sincerity in our opinions. Sometimes, we will even be required to go against those who provide us with our finances. And sometimes, we will even be required to take a stand against the very instance that gives us our freedom, which is, ultimately, society.

Epilogue

Many more aspects of academic freedom can be discussed. That is not surprising. It is one of the most important, probably the most important, characteristics of universities. It is what makes us tick. The idea that accountability would jeopardize our freedom is wrong. Accountability is the cornerstone of trust. It is, if you want, the final test. If we live up to it, freedom comes within reach. Society trusts us, and therefore grants us freedom. But as in all cases where trust is involved, it needs to be continuously earned, and it can disappear. In order to prevent this, we only have limited possibilities. Honesty and quality in what we do will be the most important ones, and accountability will be vital to providing them.

The Magna Charta Universitatum and the Bologna Declaration, although written in a different style and with a different purpose, both convincingly stress academic freedom as a prerequisite for a modern university to exist. In their own distinct way, they also underline that universities are an essential part of society. Therefore accountability is an equally essential cornerstone of any modern university, simply because society expects it and requires it, not as a limitation of academic freedom, but as a guarantee.

Comments by Alessandro Cavalli²

Professor Oosterlinck's starting point is an insightful interpretation of the Magna Charta Universitatum issued in 1988 and signed by now by more than 700 rectors

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and/or presidents of universities around the world. The formulation of this historical document coincided with the celebrations of the 900th anniversary of the foundation of the University of Bologna and with the starting point of the Erasmus Program, which was to have a conspicuous impact on the education of Europe's future social and cultural elites.

A substantive part of the document is devoted to academic freedom. I understand that academic freedom was a vital issue after the Second World War in countries coming out of dictatorships or still living under totalitarian regimes. One should, for example, never forget that only twelve out of approximately 1500 Italian academics refused to sign the 'Manifesto della Razza' when in 1938 the fascist government fired 96 professors of Jewish origin. Dangers of this kind are still present even in our time. There are, however, also less dramatic instances where academic freedom is endangered. Some academics perceive accountability as a threat to academic freedom. In my country they are called 'chair barons'. Some understand academic freedom not only as the freedom to teach whatever they want and in the manner they want, but also to teach where (in which lecture room) and when they want. They are persons with very strong egos and very high self-esteem, who think they deserve gratitude from society (and taxpayers) for their generous willingness to disseminate their learning.

Now, everywhere, accountability is rightly understood as the duty to report to stakeholders (agencies paying for what they get) about the performance of the institution. However, the Magna Charta Universitatum reflects a traditional idea of the university where research and teaching are still inseparable. This is no longer true for all institutions, however, under conditions of mass higher education. The Humboldt's model is still highly praised, and rightly so, but it is a normative standard that can be applied only in a limited number of universities; it does not fit all types of Higher Education Institutions.

Contemporary higher education systems are becoming more and more internally diversified: some institutions are devoted exclusively to research [think of the CNRS (French National Centre for Scientific Research) in France, and similar institutions in other countries, such as the science academies in Eastern Europe]; some are true research universities (generally no more than 10–20% of all Higher Education Institutions of every single country); some combine teaching and research only in selected disciplinary areas; some are purely teaching institutions (and some are even 'very good' teaching universities). It is not always a matter of quality. Every system is developing toward greater internal diversification. Each institution has its own stakeholders (or combination of stakeholders) and therefore its own problems of accountability. Of course, the degree of autonomy from each stakeholder is the real insurance against violations of academic freedom. The capacity to respond to stakeholders without endangering academic freedom is becoming more and more of an important cultural asset of academic management. The diversification has not only to do with the balance or the mix of teaching and research, but refers also to the so-called third mission. Between a university and the territory within which it operates, tensions (and even sometimes conflicts) are always generated. This is even desirable: universities, or at least some of them, move or behave hopefully on a cosmopolitan scale and should not be too strongly conditioned by the needs of the local territory. In this sense universities are truly

‘glocal’ institutions that need to develop trustful relationships with a variety of environments at different levels.

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