A Study on Student Power Through the History Survey of Medieval Bologna University

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Abstract

Student power plays an important role in constructing the modern university system and improving internal administering of the universities. University of Bologna was academically well-known and "university of students" was its character in the Middle Ages, where student power reached unprecedented climax under the support of student guild in this period of time. Here by analyzing the carrier, contents and characteristic of the student power in the viewpoint of their rise and development in Bologna University in the Middle Ages, the essay intends to inspire the theoretical thinking for position of designing of student power in the system construction in modern universities.

Key words: The middle ages; Bologna university; Student guild; Student power; Modern university

INTRODUCTION

Administrators, teachers and students are the three main subjects of educational activities. Eric Assby, the outstanding British educator and critic, hold that the success of a university is determined by who runs it. In a certain sense, the history of a university is the history of struggling and transitions of its internal power. Student power is growing in that process with the development of the student society—student guild. From the development of student power in Bologna University in the middle ages, we could clearly see the developing process of it. To consider the proper position of student power in modern universities, the history survey of the University at the beginning is necessary.

1. STUDENT GUILD: THE MAIN CARRIER OF STUDENT POWER

When the university first appeared in late middle ages, the guild composed of teachers or students was the first society of the university to manage its internal affairs and coordinate with its external relations. While University of Paris was regarded as the representative of teacher guild's administration and called "teachers' university" by academics, University of Bologna whose students thoroughly took over it was known as "students' university" and regarded as the founder of the student guild.

1.1 The Rights and Protection Students Acquired From the Student Guild

The accidental necessity of its birth was found by analyzing the process of the rise of the student guild. It didn't have any political undertones at the beginning. In the middle of the twelfth century, University of Bologna was famous in Europe owing to its contribution to law research and appealed to a large number of students from abroad. With their home far left behind, the students had no local rights for this reason or that. "It was not easy for a foreigner to live in a city in Middle Ages, who would be differently and harshly treated here no matter how prominent his family was." (Willies, 1984, p.18) Those students, homesick and lonely, always wished to have some "listeners". Thus, imitating the current industrial and commercial guild, "fellow-townsman party" came into

being in accordance with race and region. Initially, the party's construction was relatively loose, which "possibly was a happy gathering at some concert, or a student community organized spontaneously to fight against the greedy landlords who racketeered them." (Hastings, 2011, p.136)

When it came to the thirteenth century, the student guild became mature. It was mainly composed of two groups, taking Alps as the parting line, "southerners of Alps league"(namely the guild of the students in the south of Alps, or the student guild of ultramontanism in another name), and "northerners of Alps league" (the guild of the native students of Italy) (Kibre, 1984, p.5). The original purpose of the two groups was to protect the foreign students from the unjust treatment or persecution. The expense for managing the guild depended on the membership dues payed by students, the fines for violating the provisions of the guild and some occasional donation from the newly promoted bishop. The guild made no spare efforts to protect the students' rights: "the term which was the most possible to cost the fund in total and once for all was the one that the guild spent to save the member who had been unfortunately cast into the prison." (Hastings, 2011, p.136)

1.2 The Burgeoning of Student Power

There were more than five thousand students at the beginning of the thirteenth century, and the guild grew up with the students number increasing. Although the municipality took a neutral attitude, it did not mean that the student guild had been universally accepted, which was regarded even by the teacher guild as a threat. The law teachers' guild in the Lombard cities, for example, totally disagreed with the nonnative students in setting up a guild.

The attitude of the authorities in Bologna toward the student guild changed from indifference to ambivalence because of its continuous struggling. It was exhilarating that the university brought to the city glory, fame, and the interests of economy and education. Meanwhile, it was also disturbing for the authorities that the guild developed rapidly and determined to break away from it. The administrative leader's opinion swang with the school moving and students striking over and over. On May 27th, 1217, under the support of Honorius III, it left Bologna for the cities such as Vicenza, Arezzo, Padua and Siena. The students began to find universities modeled on the University of Bologna. As the activity of school moving struck a heavy blow on the economy in Bologna, in 1220 the authorities made major concessions to invite the students to return (He, 2009, p.139). With the deliberation through a long struggle, in the middle of the 13th century, they reached a compromise by admitting the leading position of the student guild in the university. When it came to 1321, the University of Bologna had been beyond the authorities ruling, and as early as 1252

before and after the Vatican admitted the legal status of the guild. So far, the student guild of the University of Bologna had grown into a legal entity of complete administrative responsibility. From a group safeguarding the students' rights and interests in the first place to an institution for students of autonomy at its mature stage, the student guild had walked throng a long and winding road (Lu & He, 2013). The guild's power continuing to expand, the students began to have a say in choosing the "administrative leader", the president of the university, and the privileges such as exempting from tax and military service at ordinary times, enjoying immunity from the jurisdiction of the ordinary judicial organs.

2. STUDENT POWER: A HISTORICAL EXAMINING OF THE STUDENT GUILD

The significance of examining the student guild of the University of Bologna in middle ages lies in the strength of "student power" which the guild exhibited. One side of the power was positive and necessary, but the other side occasional in the historical context.

2.1 The Contents of the Student Power

2.1.1 Ritht to Vote: Voting on Electing "a Administrative Leader" (the President of the University), Which Established the University Autonomy

The student guild observed the system of Lombard guild from beginning by carrying out the "administrative leader" democratic management system. The students elected the "administrative leader" through the fellow-townsman party, who would serve for the term of two years. There were clear regulations for the candidates of the administrative leader, such as

> He has to be a former priest so as to govern the clergy of the university; he must be single; he has not publicly pledged to follow any denomination; he must be 24 years old at least and have learned law for more than five years. (Cobban, 1975, p.72)

The high authority of the university was the Congregation of the two universities which was an official meeting attended by all the law students of Bologna. The Congregation went in three steps: Firstly, the administrative leader proposed a subject; then, all members discussed it and presented their opinions; at last, the administrative leader summed them up. If the subject was concerned with the electing procedure, the white beans and the black beans were used as votes (Cobban, 1975). In fact, the center of the university authority was the executive committee consisting of a few people, including the president and his consultants, the leaders and the representatives of the fellow-townsman parties who were the real administrative leaders of the university. The content and the agenda of the Congregation would be approved by executive committee members before its performance. The premier meeting turned out to

be powerless and became a place passively reflecting their decisions (Ibid.). *The Charter* formulated in 1159 specified that the president controlled the staff in keeping a register, deciding on lecture schedule, letting professors swear, supervising the faculty, managing teachers leave, setting teachers' salaries, recommending the students to attend the doctoral examination, limiting arm-bearing and giving permission to some financial affairs. Besides, the president must fulfill his obligations of making means of penalty, covering a deficit of fine balance, facing the interrogation of the council after his relinquishment, etc.. The "administrative leader" was above all the bishop and the archbishop, and even the cardinal was no exception[10]. It was this system that protected the university from the secular interference and established the university autonomy.

2.1.2 Rights in Employment: Consumers Becoming God, Which Displayed the Guild's Leading Role Toward the Teachers

The student guild and the teacher guild should focus mainly on their own businesses and have no interfering with each other, in fact, the former didn't have the thought of getting involved with the "sphere of influence" of the latter. But with the growth of the student guild, the teacher guild felt great pressure, especially teachers were always reluctant to face the student guild of autonomous power, and they always hoped to control the student guild by "mentoring". With the continuous development of the Bologna University, the influence of the student society finally fully surpassed the teachers community, and naturally took the academic authority away from the professors group by using the ultimate weapon of collective impeachment power called "gang resistance" at the time, through which the students' guild could impeach and reject the professors they disliked and the ones pandering those professors. Especially when teachers' salary, which had been closely combined with the local economy, was completely controlled by student guild, the guild of students of autonomy was also becoming more and more accepted. At the request of the students, it made terms with them: since then, the teachers were banned to personally charge their students, but received their salary from the student's council or the city authorities. In that way, the teachers further descended as the employed workers of the student guild. Therefore, it was nothing strange that the teachers gave their allegiance to the "administrative leader" of the university.

2.1.3 Rights of Management: Special Independent Kingdom Holding on to Student's Autonomy

The Bologna University and its students' guild had many rights of daily management, the most special of which was the independent jurisdiction exercised by the "administrative leader". The jurisdiction was mainly manifested in three aspects: firstly, according to the school charters, the university students and faculty abided by laws and regulations to ensure the effective implementation of laws and policies and would be punished when violating them; secondly, the gown was out of the city judicial system; thirdly, when they were in legal disputes with the ones outside the university, the members of the university were entitled to turn to the university court. Still, the authorities made some specific constraints on trial. For example, the university court had no right to summon the one of the local citzenship. Supplementary provisions of the university constitution in 1432 stated,

> Without the university administrative leader's permission, the magistrate was not allowed to arrest the students privately, with the exception of collaboration of treason, or drag them in the street. Also, the students who had been accused of carrying weapons could be bailed by the university.

With this, the university had the right to independently handle relations with the outside world. In addition, all the matters of the university, such as the student record management, the logistical support, were in the hands of the students, while in the constitution there were not specific and detailed constraints on the management of students.

2.2 The Core Characters of Student Power

2.2.1 The Coexistence of the Universality and Selectivity

The rights conferred to the students by the student guild were comprehensive, they could cover all the students' daily affairs, and we can say that it was unprecedented ever. The selective of it was shown by the facts that not all the students can participate in it, but only the foreign students outside Bologna were allowed. So the rights had preset terms and exclusive features.

2.2.2 The Coexistence of the Epochal Character and Institutional Feature

The rights the student guild endowed to the students showed the strong epochal characters. Without the insistence for the legal authentication and organization privilege, and the urgent needs by Bologna for economy and culture developments, the student power would not have reached to such climax, and the student guild didn't have the unique constitutional position and powerful internal controlling rights. The student power can be implemented with the guarantee of the student guild system and the university Statutes, and they were the legal provisions with constraint characters. It was no doubt that a strict and effective system was the safeguard for the efficient and stable running of the student power.

2.2.3 The Coexistence of the Equality and Hierarchy

The student guild and the university were the organizations with relative democracy and equality. In general, there was no privileged class in university and the guild, every teacher had the right to the campaign, the principal or dean, every student could enter as long as they pay the membership fee, they also can run for chair of the leader for the association for the fellow countrymen or the

hometown's people, and students also enjoyed relatively equal rights. Although members of the university were legally equal and they together shared the privilege, but this didn't mean that the equality of members of the university was really there. The absolute equality had never existed. Student status depended on their academic level, or their social status. The ones with noble birth, higher social status in the church and the ones who were willing to pay high tuition fees often had more privileges in the university. Even the seating positions during activities or having lectures were arranged according to the amount of wealth they owned. The ones took front seats always were the higher class clergymen, nobles or the ones from rich families (Ibid.).

3. STUDENT POWER: AN IMPORTANT PART OF THE MODERN UNIVERSITY SYSTEM

Two important requirements from the modern university system are democratization and scientific process. The third plenary session of the 18 further requested "improve the school's internal governance structure". That the students used their rights to participate in this process extensively and to deeper level was the inevitable requirement of university to perfect its governance structure. *The Declaration of the World Higher Education* stated that university of the 21st century should form the students-oriented educational idea and concept. Only students become a necessary part of the university internal management, as well as the student power a necessary part of the university power system, can the governance friction and the internal friction of university internal management be reduced, the cohesion and centripetal force be strengthened, then the democratization and scientific process of management in colleges and universities be promoted (Anonymous, 1998).

3.1 The Clarification of the Connotations of the Student Power

There are different expressions for the connotation of the student power in academic field. Cao Wei thinks that "the so-called student power is the ones to guarantee their own interests, and the students could directly or indirectly participate in the college or University internal governance." (Ibid.) Cheng-iun Ji hold the idea that on the one hand, the student power is something that the students are entitled during his higher education period, on the other hand, it refers to the students' function they played in the internal affairs of colleges and universities management. Fu-hua Li thinks that students power mainly is the "power resources" (students themselves and their life form are also resources). My personal idea is that students in the school play three different roles, which show different powers. First, the role of educates.

Students have the rights of living in school, engaging in scientific research. Second, the role of managers. Students have management rights, such as participating in school decision making, putting forward consulting opinions for the school management work, suggesting, commenting, and adopting a certain action (such as strike, a procession, a demonstration, or negotiation, etc.) to implement pressure on the school management etc.. Third, the role of consumers. Because the university education doesn't belong to the compulsory education, the students should pay or get fee-free educational opportunity by their own efforts, they have the rights of consumers, and university should provide education and training service accordingly.

3.2 The Student Power Shouldn't Be Ignored in Multple Perspectives

3.2.1 Structure Perspective of University Power

Whether the pure "student power" of the student guild of Bologna University, or the pure "teacher power" of teachers guild of Paris university, they were "Centralized power structure", which was a kind of single authority, and reasonable and advanced at the time of its era background. With economic development, social progress, government and social support for the university's growing, it required more, the desire to control got stronger. The internal affairs are gradually increased, hierarchy and bureaucracy structural features had become more evident, which formed the mutual checks and balances dual structure between administrative power and academic power. Executive power was the executive organization, and it could become the representative of managers. Academic power was from the knowledge, and it could become the representative of teachers. As we all know, university was composed of administrators, teachers and students, thereby a more stable "triangle" formed. If there was no reasonable student power, it would left an imbalanced university power system.

3.2.2 Source Perspective of Student Power

Firstly, the student organization is as the carrier with the power to exercise the powers. *The National Student Federation of the Constitution* explicitly stipulates that "student union, or graduate student union is students themselves organizations. Chinese students, regardless of nationalities, genders, religions, can be a member of student or graduate student union." Aside from students and graduate students unions, now there are many other students' organizations, such as student clubs volunteer associations, and they are organizations in which students implement power. Secondly, student power is endowed by national law or government. If the law regulated, student number should take a certain percentage in the board of university, department or senate, students enjoy the power endowed by the law. If the government requires student organizations to deal with student's stuff, the organizations also enjoy the power. At this time, the object of student power is the university or some certain sectors,

which is power the students enjoy to administer, and student representatives are likely to cast influence on the final decision of the university.

3.2.3 Development Perspective of Modern History of University Students

Student power has also experienced the process from the weak to the strong, which formed the mode of executing power with Chinese characteristics. Since the "Chinese May 4th campaign", the student power was closely linked to the student autonomy. Mr. Ma Xiangbo, the Fudan University president, presided over the school, and established a democratic court to solve disputes among students. Mr. CAI Yuanpei, the minister of education of Nanjing interim government, thought that student autonomy was better than being governed, and he advocated school authorities should establish student autonomy committee and council. Mr. Menglin and Mr. Tao Xingzhi's idea of student autonomy haves also been praised till now. After the founding of new China, the students' active participating in school management further improved. Before the "Cultural Revolution", the student's representatives of university stuff committee played an active role, but the student autonomy during the "Cultural Revolution" went to the other extreme, during which the student power was exaggerated and became tools of political struggle. Since Chinese reform and opening policy, and with the rapid development of the university, student power has gradually been enhanced, such as some schools make students choose elective courses, some schools allow students to participate in and make educational and management regulations, and school logistics staff. But for various reasons, we started to value student power late, and it developed slowly. Thus, status of university students' participation in management lags far behind the western world, and the effective powers of university students in our universities have not been implemented.

3.2.4 The Relation Perspective of the Government and University

Dealing with the relationship between the government and the university well is one of the key factors in the construction of modern university system, so it should be considered seriously. Governing theory, contract theory, principal-agent relationship theory, and the theory of responsibility and rights have advocated that government and university should maintain a certain tension and balance. Students become the common concern of government and university, so the government could give students more power to evaluate and select universities, make universities compete to survive. Universities could give students more power to take part in school management which could enhance the overall strength of the university. Students, standing between the government and universities, become the best regulator and balancer of both sides.

4. TAKE HISTORY AS A MIRROR: THE INSPIRATION OF AND REFLECTION ON THE STUDENT POWER OF THE BOLOGNA UNIVERSITY TO THE CONTEMPORARY ERA

Respecting student power is the foundation and prerequisite to reform understanding toward higher education, to make students be active, to improve education quality and to build modern university system. "Wise men correct their own faults by other's", and then is really improved and important way to protect student power and put forward the power of modern university students practical, effective solutions based on the summary of the Development of the University of Bologna student power of experience and lessons learned.

4.1 University Charter: System Guarantee for the Student Power

The reason why the student power in Bologna University has such a big influence, in addition to the student guild is mainly caused by the formation of a system of arrangement has become a mandatory law. For example, in 1317, University of Bologna in the Constitution states: absent teachers are not allowed, even if only one day need to obtain permission to leave school from student leaders; after permission, teachers need to pay a certain amount of margin, let go back to school then returned to the teachers themselves; if a teacher in one class lectures, students on less than 5 people, teachers shall be punished by a fine; when school teachers must strictly observe shall not postpone classes or prolong - even one minute is not allowed; forbidden teachers in teaching missing or over certain chapters may not be taught before the end of the course or drag difficulty to explain at the end; teachers must teach course content according to the plan drawn up before the start of the semester system; do not just teach introductory annual or covers only bibliography. For a long time, our construction of university system is relatively lagging behind, the legal status of student power has not been further clarified. And the construction of modern university system, one of the most important contributions "of university regulations" as the University's "constitution" in the university enjoys absolute authority and status. Chinese universities are entering the peak period and key university regulations, the university should take the initiative to grasp this historical opportunity, the student power into the category of university regulations, to ensure that their legal status, to clarify its responsibilities, rights and interests, safeguard measures and truly build the laws and act law varies considerably.

4.2 Student Organization: Institutional Guarantee for Student Powers

University of Bologna and its student guild tells us that in order to get highlights, the best way to acquire

student power is to rely on the power of organization. Student organizations are the main carrier of student power running, students are generally personal power exercised by student organizations. At present, China's university students reflect the power of the organization is the most concentrated student, graduate students, mainly students, adopted by the General Assembly on behalf of institutional and routine of some meetings. To say nothing of how effective, but the organization's coverage of it, it seems to be rather thin. Only a very small number of principal cadres can express their views, the leading student organization, other students hardly involved in the management of the organization or school, they do not have the opportunity to participate in the meeting, but also the lack of channels and platforms publish their own opinions and views. As autonomous organizations student organizations, youth self-organization to flourish, with interest as the main aggregation of organizations are more vulnerable to students of all ages. Enhance the cohesion of these organizations, grasp the development direction of these organizations, expand the scope of these organizations to collect public opinion has become an important way to enhance student power. We want to give more students an independent authority to manage student organizations and participation in school affairs. Students can manage field and relevant departments, which should be decentralization and respect for the dominant position of students, for students to give full play to their initiative, enthusiasm and creativity; students can indirectly join in the management field we must continue to cultivate and train student participation awareness and capacity to participate, to make up for deficiencies in the level of student politics and capacities, to enable students to speak their minds, give full play to its role in terms of politics.

4.3 Ternary Element Power: The Balance Guarantee for the University Governance

In 1960s, German university students, "with the right on all three" (Drittelparitat), namely students and professors, administrative staff tripartite they had equal rights to participate in the management and operation of the university, and enjoyed one-third of co-determination. Historical Development of the Western Higher Education student power can be divided into three periods, the first European medieval higher start-up period to the University of Bologna represented by the "university students" entered a special heyday student management authority; second, 17th century to the 20th century, during the formation of the higher education system, the management authority gradually fell into the hands of the church colleges, government, professors, school people, student management authority has been seriously weakened; Third, since the 1950s, has entered a period of further development of higher education, national education has been an unprecedented development, student power in this period because of the 1960s and

1970s student movement but gradually flourished. University of Bologna student single power, a single academic authority of the University of Paris and the University of the former Soviet Union during the single administrative authority also have historically proven to be unsuitable for the healthy and sustainable development of the university. Modern Oxford, Cambridge, Harvard University and other world-class universities also told us that the modern university in addition to academic power and administrative power, the students should have the power, so as to define a plane as different as three points on a straight line, maintaining the internal power of universities relative stability and balance. Of course, the "triangle" point of view of these three powers is not necessarily constitute a balanced position is not on a par, but should be based on a different background, different types of universities, and be given a different authority. Administrative power, academic power, student power three mutual checks and balances, mutual patronize. How to reconstruct the internal organization of university system, the distribution of the three powers, it has become a major problem for educators. Only by establishing an appropriate modern university system in order to guarantee the formation of the three powers of mutual restraint and maturity model, in order to truly ensure the effective operation of student power.

4.4 Power List: Security for the Student Autonomy Boundary

By the example of the Bologna University, we see that the university flourished because of the student power, and declined because of that too. As any kind of power can't be used without boundary, that the students blindly exercised power and unrealisticly expanded, it was harmful to the positive development of the university. To establish a modern university system, there must be a clear boundary for the student power. Through a "reverse thinking" approach, we can further clarify it so as to establish a list of powers clearly putting forward what they should not have in order to effectively grasp the degree of student power. Student power can mostly be achieved through student autonomy. But

> the student autonomy doesn't mean to act freely, but to manage together; it doesn't dispel the rules, but make and obey them; it is not a declaration of independence of the university, but a practice of the theory of the autonomy.

At the same time, student autonomy community should act in the range of laws and regulations with limited autonomy, through which the legitimacy and legality are supposed to be reflected.

> Generally, an organization is of a special force which is more powerful than that of an individual. Being used justly, it serves the public; if not, it can drive people to fight for power. As the student autonomy is also a kind of organization, it can possibly get into such trouble when its power is used improperly.

Therefore, to reduce the risk of student autonomy, a list of student power need to be made to build up a 'firewall' of the governance which intends not only to ensure the effective implementation of the student autonomy, but also to restrict it for the purpose of guaranteeing the student power operating effectively in the "cage" of system.

CONCLUSION

Shifting from Bologna University and Paris University separately represented by the student power and the teacher power to the modern Universities with academic power represented chiefly by teachers and administrative power entwined together, student power has never disappeared in spite of being neglected or discarded from time to time. The student power should be respected as students are the most immediate consumers and most important products of the universities. That view is the foundation of and prerequisite to change the conception of higher education in exerting students' subjectivity and improving the teaching quality in education. It is one of the important parts in constructing the modern University system. The development of the student guild and student power of University of Bologna in Middle Ages teaches us that student power should be kept and encouraged, and meanwhile, there should be a system boundary for

it regulated by the university charter. Theoretically, the idea that student power is supposed to be included in the modern university system construction process at the very beginning should be considered.

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