

Danuta Apanel
Tomasz Maliszewski
Akademia Pomorska w Słupsku

Implementation of the Concept of Lifelong Education in Polish Higher Education Law before 1989. Outline of the Problem

Implementacja koncepcji edukacji ustawicznej w polskim prawie o szkolnictwie wyższym przed rokiem 1989.
Zarys problematyki

Streszczenie. Współcześnie coraz wyraźniej realizowana jest w europejskim szkolnictwie wyższym idea uczenia się przez całe życie. Jest to odpowiedź na wyzwania cywilizacyjne, którą na gruncie Unii Europejskiej regularnie wzmocnia się kolejnymi rekomendacjami i innymi dokumentami (strategiami, kartami itp.) dotyczącymi różnorodnych aspektów rozwoju *lifelong learning* w krajach członkowskich. Wiele z tych zapisów implikuje także zmiany w środowiskach uczelni wyższych. We wszystkich krajach UE redefiniuje się bowiem ich misję, określa zadania, modernizuje programy kształcenia. I inaczej niż dawniej określa się standardy wymagań dla studentów itp. Zmienił się również język opisu „nowej” europejskiej rzeczywistości akademickiej. Pojawiły się „nowe” kategorie, takie jak: kompetencje kluczowe, europejskie (i krajowe) ramy kwalifikacji, walidacja pozaformalnego i nieformalnego uczenia się itp. Zmiany te coraz wyraźniej widoczne są również w Polsce.

Celem artykułu jest przypomnienie czytelnikom, że dla polskich szkół wyższych proponowane przez Unię Europejską rozwiązania nie są nowością, gdyż już na długo przed r. 1989 niektóre z rozwiązań prawnych dotyczących szkolnictwa wyższego zawierały regulacje od strony praktycznej przybliżające do polskich uczelni koncepcję *lifelong education* B. A. Yeaxlee’a. Autorzy przygotowali więc przegląd tych regulacji zawartych w polskim prawie o szkolnictwie wyższym z okresu dwudziestolecia międzywojennego oraz z czasów Polskiej Rzeczypospolitej Ludowej (1945–1989), które mogłyby być współcześnie uznane za przejaw realizacji w uczelniach wyższych koncepcji uczenia się przez całe życie. Główną metodą badawczą na potrzeby artykułu stała się analiza dokumentów prawnych. Poddano jej zapisy ośmiu aktów polskiego prawa rangi ustawy sprzed 1989 r., zawierających przepisy o szkolnictwie wyższym: Ustawa z dn. 15 marca 1933 r. o szkołach akademickich (Dz.U. z 1933 r. Nr 29, poz. 247), Ustawa z dn. 2 lipca 1937 r. o zmianie ustawy z dnia 15 marca 1933 r. o szkołach akademickich (Dz.U. z 1937 r. Nr 52, poz. 406), Ustawa z dnia 15 grudnia 1951 r. o szkolnictwie wyższym i o pracownikach nauki (Dz.U. z 1952 r., Nr 6, poz. 6), Ustawa z dnia

5 listopada 1958 r. o szkołach wyższych (Dz.U. z 1958 r., Nr 68, poz. 336), Ustawa z dnia 31 marca 1965 r. o zmianie ustawy o szkołach wyższych (Dz.U. z 1965 r., Nr 14, poz. 98), Ustawa z dnia 20 grudnia 1968 r. o zmianie ustawy o szkolnictwie wyższym (Dz.U. z 1968 r. Nr 46, poz. 334), Ustawa z dnia 4 maja 1982 o szkolnictwie wyższym (Dz.U. z 1982, Nr 14, poz. 113), Ustawa z dnia 25 lipca 1985 r. o zmianie ustawy o szkolnictwie wyższym (Dz.U. z 1985 r., Nr 36, poz. 167).

Słowa kluczowe: edukacja przez całe życie, szkolnictwo wyższe, szkolnictwo wyższe w Polsce przed rokiem 1989, szkoła wyższa a edukacja dorosłych.

Summary. The article is a review of the regulations of higher education legislation in Poland adopted by the parliament during the twenty years between the two World Wars and in the People's Republic of Poland (1945–1989) that today could be treated as symptoms of the implementation of the concept of lifelong learning in Polish schools of higher education. An analysis of the relevant legislation was the main research method for the purpose of this article. The authors try to answer the question whether in the decades before the Third Republic of Poland there were legal solutions referring to the connections of higher education with practical implementation of the idea of lifelong education. And if, what were they?

Today, when the tasks of higher education connected with the practical implementation of the idea of lifelong learning seem obvious in all European Union states, it is worth remembering that in many countries – including in Poland – the issue has a much longer tradition than just the last twenty five years. In the final parts of the article the authors also postulate comparative studies of Polish solutions and the legislation in other European countries before 1989.

Keywords: lifelong education, higher education, higher education in Poland before 1989, schools of higher education vs. adult education.

1. Introduction

When at the end of the 1920s Basil Alfred Yeaxlee (1883–1967) presented his pioneer idea of lifelong education and the necessity of comprehensive approach to all forms of educational activity of man – both horizontal (by combining in one whole all components of education: formal, non-formal and outside-formal), and vertical (by recognizing that education lasts from birth to death) (Yeaxlee 1929), not many people thought it was important for schools of higher education. In fact, for a few decades of the 20th century adult and higher education were considered to be two separate “educational worlds”, and that division was supported by a deeply rooted tradition of elite academic education on the one hand and clearly “plebeian”, mainly folk-proletarian or religious on the other hand.

It seems that it is only the past few years that brought significant changes in this area, which can be seen more and more clearly in, for example, most European Union Member States (and other European countries), especially after adopting such documents as:

- *Adult learning. It is never too late to learn*, Brussels 2006 (Commission of the European Communities, 23-10-2006);
- *Action Plan on Adult learning. It is always a good time to learn*, Brussels 2007 (Commission of the European Communities, 27-09-2007);
- *Europe 2020: A strategy for smart, sustainable and inclusive growth*, Brussels 2010 (European Commission, 03-03-2010).

The last document has a direct reference to higher education. It was emphasised there that adults should have a possibility to acquire qualifications at least one level higher than the ones they have now. The plan also assumes implementation of actions increasing the possibilities of taking up academic studies. Higher education is often perceived as a sector imposing the biggest requirements in terms of procedures of confirming the education already obtained. The significance of implementing the policy of lifelong learning in higher education sector was emphasized also in the *Leuven & Louvain-la-Neuve Communiqué of European Ministers Responsible for Higher Education* in 2009 (EMRHE, 29-04-2009). The document suggests that up to 2020 European higher education has a vital contribution to make in realising a Europe of knowledge. It emphasised the necessity of increasing availability of education and transparency of information. Lifelong learning assumes the possibility of acquiring qualifications through flexible educational paths, including part-time studies and learning in work environment (Frąckowiak, 2012, p. 106–107). *European Universities' Charter on Lifelong Learning* adopted at the conference in Sorbonne in 2007, has also played a significant role in including European higher education into the implementation of the idea of lifelong learning (EUA, 2008).

In the context of tightening the relations between adult education and schools of higher education in Europe at least some of the recommendations of the European Parliament and the Council of the European Union on lifelong learning are mentioned, such as for example:

- recommendation on key competences (KC 2006);
- recommendation on the European qualifications framework (EQF 2008);
- recommendation on the validation of non-formal and informal learning (VofL 2012).

As they significantly influence the changes taking place in the educational systems of European Union Member States, setting also directions of the transformations in their higher education systems that become more and more open to cooperation with various adult education institutions and non-traditional groups of students.

2. Lifelong education in Polish higher education law before 1989

The changes mentioned above are also visible in Poland as a European Union Member State. It can be seen in more and more numerous studies, research papers and reports published over the past few years in, *inter alia*, „Rocznik Andragogiczny” (comp., for example, Pierścieniak, 2010, p. 182–208; Kula, Pękowska, 2012, p. 272–285; Jurgiel-Aleksander, Jagiełło-Rusiłowski, 2013, p. 65–73; Solarczyk-Szwec, 2013, p. 41–63; Przyborowska, 2014, p. 89–99) or in various governmental documents – such as, for example, *The Perspective of Lifelong Learning* adopted by the Council of Ministers of the Republic of Poland in September 2013 (The Council of Ministers, 2013). It is worth remembering that the solutions proposed by the European Union are not anything new for Polish schools of higher education. Some researchers say that the first signals of implementation of the idea of lifelong learning in Polish academic circles can be found at the end of 18th century, in the works of the Commission for National Education (Cieślak, 1981), and even a few decades earlier – in the activities of Academic Grammar School in Gdańsk for the residents of the city (Cyboran, 2012, p. 145–146).

2.1. Twenty years between the two World Wars

In November 1918 – after 123 years of partitions, Polish state again found its place on the map of Europe. In the reborn after the First World War Poland, at the beginning of the regained independent state, the tasks of higher education and adult education were treated as clearly separate (Maliszewski, 2011, p. 143–157). The first elements of higher education that today could be qualified as implementation of the idea of lifelong learning can be seen already in the legislation of the twenty year period between the two World Wars. For example, in the parliamentary Act of the 15th of March 1933 on academic schools (Journal of Laws of 1933 No 29, pos. 247) the tasks of schools of higher education were formulated in the following way:

Academic schools are organized based on freedom of scientific research and teaching. They are to conduct research and creative scientific or artistic work, prepare students for independent scientific research and artistic work, educate them to become citizens of the Republic of Poland aware of their duties and to prepare them for performing professions that require scientific acquisition of knowledge in the given area and independent judgment on theoretical and practical issues of that area (art. 1, item 1).

The legislator did not directly refer to adult education in the catalogue of the basic functions of academic schools of higher education. A semblance of regulations connected with lifelong learning can be seen in the further part of the Act of 1933, in the article devoted to the categories of people that can participate in academic life as students:

“Students are divided into the following categories:

a) Students, that is the persons that were accepted in accordance with the provisions of the Act on educational system;

b) Unenrolled students, that is the persons that were accepted under the framework of general system of studies, despite the fact that they did not meet the conditions required from students, or the ones that did not request enrollment;

c) Doctoral students, that is the persons that have a lower degree and run for a Ph.D.” (art. 43, item 1).

The Act mentions the institution of an unenrolled student, which will continue to function in Polish higher education legislation till the beginning of the 1990s. As art. 43 (item 1 point b) clearly specifies, an unenrolled student – on the one hand does not have to meet the formal criteria that a regular or doctoral student has to meet, on the other hand – it can also be a person that will have not an intention of becoming a regular student. Another article (art. 49, items 1–3) specifies in more detail the status of unenrolled students, saying that they are not matriculated (although “they make a promise in writing that they will observe the dignity and regulations of the school”) and they cannot take exams (although, if they become students in the future, a relevant Faculty Council can accept the lectures and classes taken as those of enrolled students).

The above mentioned regulations were not abolished by the Act of the 2nd of July 1937, on amending the Act of the 15th of March 1933 on academic schools (Journal of Laws of 1937 No 52, pos. 406). It also specifies in more detail the rights and disciplinary accountability of unenrolled students, saying, *inter alia*, that:

“Unenrolled students do not have the right to take exams but they can take tests on the lectures they attended” (art. 49, item 4)

and that

“as for disciplinary procedures, unenrolled students are subordinated to the school’s authorities [and] the same disciplinary procedures that apply to regular students apply to them” (art. 49, item 6).

The following statement in the Act of 1937 was a step backwards in relations to the Act 1933.

“Faculty councils can adopt a resolution on not accepting unenrolled students in their faculty. Such a resolution needs to be approved by Minister of Religious Denominations and Public Enlightenment” (art. 49, item 2).

2.2. The period of 1945–1989

Post Second World War acts on higher education also contained provisions introducing adult education elements to schools of higher education. In the Stalinist disgraceful Act of the 15th of December 1951 on higher education and research staff (Journal of Laws No 6 of 1952, pos. 6) in Section V “Students”, a separate chapter (Ch. III) is devoted to unenrolled students, part-time students and external students. The regulations of 1951 (art. 37 and art. 38) still included the institution of an unenrolled student, copying many provisions of the Act of 1937, but said that unenrolled students could be accepted in individual schools “with the consent of the rector and on the conditions specified by the minister” (art. 37). For the first time in such high ranking regulations there appeared a possibility of being a part-time student:

“In schools of higher education the minister can, for individual fields, establish part-time studies, for people who both study and work [...]” (art. 38) and of completing studies in an external form:

“The minister can allow people who are not students to take exams and be awarded a studies completion diploma in specified fields of study and in specified schools as “external” students [...]” (art. 40).

The Act of the 5th of November 1958 on schools of higher education (Journal of Laws No 68 of 1958, pos. 336) kept the regulations on unenrolled students (art. 48, item 1, items 4–5) and specified in more detail the regulations on external students:

“A person who has a high school completion certificate or equivalent but cannot study in a school of higher education according the binding rules

and regulations can be accepted to the school as an external student with the consent of the rector” (art. 48, item 2).

The same Act of 1958, among the basic tasks of research staff, specifies the tasks connected with popularization of science and research (art. 99, point 5).

The amendment of the 1958 Act in mid 1960s (the Act of 31st of March 1965 on amending the Act on schools of higher education, Journal of Laws No 14 of 1965, pos. 98) clearly emphasized the popularization duties of all research and teaching staff employed in Polish schools of higher education:

“[...] the basic duties of professors, associate professors, docents, assistant professors, senior assistants and assistants include [...] popularization of research and science” (art. 99, item 2, point 2).

The Act of 1965 specified a number of new forms of courses that can be run in schools of higher education:

- courses for working students,
- vocational courses,
- post-graduate and professional further studies,
- doctoral studies,
- and other studies and other special courses (art. 11, item 1).

It can be seen from the above that many of those forms would be now treated as activities in the area of lifelong learning. That variety of the forms of academic education was confirmed in the next amendment – of 1968 (the Act of the 20th of December 1968 on amending the higher education law, Journal of Laws z 1968 No, 46, pos. 334).

The Act of 4th of May 1982 *on higher education* (Journal of Laws No 14 of 1982, pos. 113) brought a clear change in the approach to lifelong learning. Among the basic tasks of schools of higher education it specified, *inter alia*, (art. 3, item 2):

- “shaping patriotic attitudes, building the feeling of civic responsibility and social activity, respect for truth and justice” (point 4);
- “participation in practical application of science and art in social and economic life” (point 7);
- “implementation of the idea of open school of higher education and making sure that it participates in the process of continuous national education” (point 8).

Especially including in the Act the open character of schools of higher education seems to be a significant qualitative change.

Unfortunately, the same Act of 1982 introduced stricter regulations on unenrolled students – specifying that from that time on “only a person who

passed the entrance exam can be an unenrolled student” (art. 96, item 3), which limited the number of such people only to those who passed the entrance exam, but since the number of places available was also limited, such people had to wait till there would be a vacancy.

The Act of 25th of July 1985 on amending higher education law (Journal of Laws of 1985, No 36, pos. 167) did not bring any changes in this respect. So the provisions of the Act of 1982 on the subject of our considerations survived till the fall of People’s Republic of Poland and the change of the system at the turn of the 1980s and the 1990s.

3. Conclusion

In the light of the presented review of Polish higher education legislation, starting Poland’s independence in 1918 till the end of the 1980s, one can see that certain elements today qualified as components of lifelong learning could be seen in schools of higher education already at the time of the Second Republic of Poland and that of People’s Republic of Poland. Some of them became established in the following years, after 1989, that is at the time of the Third Republic of Poland (external studies, post-graduate studies, part-time studies, evening studies, etc.), other – disappeared from Polish higher education space (e.g. the institution of an unenrolled student) (Apanel, Maliszewski, 2015, p. 252–256). Nevertheless, in Poland they somehow prepared grounds for the development of thinking that a school of higher education can/should be also a place of lifelong learning, which is in line not only with the documents drawn up by various international bodies (e.g. by the EU institutions) but also with the challenges which more and more often appear in the world today.

The assessment of Polish solutions before 1989 in comparison with other countries is another issue. And although it was not the aim of the article, we have formulated a few remarks also in that area. It seems that Polish solutions were similar to those of the countries that appeared or reappeared (as Poland, for example) on the map of Europe as a result of the First World War. They could build their higher education law without the ballast of the legal tradition developed over the entire 19th century. It was easier for them to “open” the door of schools of higher education a bit wider to non-standard students, such as, for example, unenrolled students than it was, e.g., in France, Germany or Great Britain. It also seems that Polish legislation was a few decades ahead of the Scandinavian solutions where a strong

position of adult education sector did not for a long time force the necessity of combining it with higher education (comp., for example Maliszewski, 2013, p. 297–313). Comparative studies of an international research group in this area seem advisable.

To conclude the considerations on the main subject of this article, we want to emphasize that nowadays, when the tasks of individual schools of higher education connected with implementation of the idea of lifelong learning are already obvious in (almost) all European countries, it is also worth remembering that in Poland – as probably in many other countries – the issue has a much longer tradition than just the last twenty five years.

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