

How the Bologna Process Governs Without Law: A Para-Comitological Perspective on European Higher Education

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<https://doi.org/10.65158/OYFT3862>

| Abstract

This article proposes a para-comitological interpretation of the Bologna Process, arguing that its governance architecture is committee-centred and functionally comparable to EU comitology while remaining legally distinct. Although the Bologna Process is formally intergovernmental and non-binding, it has developed a stable and highly structured coordination system based on permanent and semi-permanent bodies, proceduralised working methods and iterative policy cycles. While existing literature has analysed the Bologna Process mainly through the lenses of soft law, Europeanisation and experimentalist governance, limited attention has been paid to the implications of its committee-based architecture as a governance model in its own right.

Drawing on a qualitative analysis of institutional documents – including ministerial communiqués, the Rules of Procedure of the Bologna Follow-Up Group (BFUG), mandates of working groups and documents relating to the Bologna Secretariat – this article reconstructs the operational structure of the process and compares it functionally with EU comitology under Article 291 of the Treaty on the Functioning of the European Union (TFEU). Rather than claiming legal equivalence, comitology is used as an analytical benchmark to identify similarities in governance practices, including delegated technical work, reliance on expertise, procedural continuity and structured follow-up mechanisms.

The concept of para-comitology is introduced to capture these dynamics. The article argues that the Bologna Process represents a mature form of institutionalised soft governance, offering a useful perspective for analysing coordination mechanisms in policy areas characterised by limited formal competences and raising broader questions about legitimacy, accountability and governance beyond hard law in European integration.

Keywords: Bologna Process, European Higher Education Area (EHEA), Comitology, Para-comitology, Committee-based governance, Bologna follow-up group (BFUG), Experimentalist governance.

1. Introduction and Structure of the Article

Over the past two decades, the Bologna Process has profoundly reshaped the landscape of higher education in Europe, contributing to the creation of the European Higher Education Area (EHEA) through a wide range of shared objectives, instruments and policy priorities¹. Despite its formally intergovernmental character and the absence of binding legal obligations, the process has demonstrated a remarkable degree of continuity, resilience and capacity for coordination across diverse national systems².

Scholarly analyses have extensively examined the Bologna Process as a paradigmatic example of soft law governance, voluntary cooperation and Europeanisation beyond formal competences³. In this literature, particular attention has been paid to its reliance on political commitments, peer learning and mutual trust, as well as to its interaction with European Union policies in the field of education⁴. More recently, the Bologna Process has also been interpreted through the lens of experimentalist governance, highlighting its iterative policy cycles and adaptive capacity⁵. While these approaches have significantly advanced the understanding of the Bologna Process, less attention has been devoted to the implications of its internal governance architecture as a structured and stabilised mode of coordination. In particular, the role played by the Bologna Follow-Up Group (BFUG), its Board, the Bologna Secretariat and the various working and advisory groups has often been described in functional or descriptive terms, without being systematically analysed as part of a broader committee-centred governance arrangement⁶.

This article addresses this gap by focusing on the organisational and procedural features through which the Bologna Process is governed between ministerial conferences. Rather than asking whether the Bologna Process produces binding effects or should be legally formalised, the analysis examines how governance is exercised in practice through permanent and semi-permanent bodies, delegated technical work and proceduralised follow-up mechanisms⁷.

To capture these features, the article proposes a para-comitological reading of the Bologna Process. This perspective does not seek to assimilate the Bologna Process to EU comitology in legal terms, nor to suggest the existence of executive powers comparable to those established under Article 291 of the

¹ European Ministers of Education. The Bologna Declaration of 19 June 1999. <https://www.ehea.info/page-ministerial-declarations-and-communiqués> [last accessed 9 June 2026]. Corbett, A., *Ping-pong: Competing leadership for reform in EU higher education 1998–2006*, "European Journal of Education, Research, Development and Policy", Vol. 46, no. 1, 2011, pp. 36–53. <https://doi.org/10.1111/j.1465-3435.2010.01466.x>.

² Lažetić, P., *Managing the Bologna Process at the European level: Institution and actor dynamics*. "European Journal of Education", Vol. 45, no. 4, 2010, pp. 549–562. <https://doi.org/10.1111/j.1465-3435.2010.01451.x>.

³ Ravinet, P., *From voluntary participation to monitored coordination: Why European countries feel increasingly bound by their commitment to the Bologna Process*, "European Journal of Education", Vol. 43, no. 3, 2008, pp. 353–367. <https://doi.org/10.1111/j.1465-3435.2008.00359.x>. Deca, L., Harmsen, R., *Taking Stock of the Bologna Process at 20. The Possibilities and Limits of Soft Law Governance*, in Curaj, A., Deca, L., Pricopie, R., (eds.), *The European Higher Education Area: Challenges for a New Decade*, Springer, 2020, pp. 417–436. <https://doi.org/10.1007/978-3-030-56316-5>.

⁴ Corbett, A., *Ping-pong: Competing leadership...*, cit.

⁵ Harmsen, R., *Future Scenarios for the European Higher Education Area: Exploring the Possibilities of "Experimentalist Governance"*, in Curaj, A., Matei, L., Pricopie, R., Salmi, J., Scott, P. (eds) *The European Higher Education Area*, Springer, 2015, pp. 785–803. https://doi.org/10.1007/978-3-319-20877-0_48

⁶ Lažetić, P., *Managing the Bologna Process at the European level...*, cit.

⁷ European Higher Education Area (EHEA), *BFUG Rules of Procedure 2021–2024*. <https://www.ehea.info>. [last accessed 9 June 2026].

Treaty on the Functioning of the European Union (TFEU)⁸. Instead, it uses comitology as a conceptual reference point to explore functional similarities in committee-based governance, while explicitly acknowledging the legal and institutional distinctiveness of the Bologna Process⁹. By adopting this analytical lens, the article aims to contribute to ongoing debates on governance beyond hard law in the European integration context. It argues that examining the Bologna Process as a form of committee-centred governance helps to explain its durability, its capacity to generate policy coherence and its increasing degree of institutionalisation, despite the absence of binding regulatory instruments¹⁰. The following section sets out the methodological and analytical framework used to develop this argument.

The article is structured as follows. Section 2 outlines the methodological and analytical framework, explaining the qualitative and functional-comparative approach adopted and clarifying the use of para-comitology as an analytical concept. Section 3 reconstructs the governance architecture of the Bologna Process, focusing on the roles of the Ministerial Conference, the Bologna Follow-Up Group, its Board, the Bologna Secretariat and the working and advisory groups. Section 4 situates the Bologna Process within the broader literature on soft law and experimentalist governance, highlighting the mechanisms through which coordination and policy learning are organised in the European Higher Education Area. Section 5 introduces the concept of para-comitology and develops it as an analytical framework, discussing its scope, limits and relevance for the analysis of Bologna governance. Section 6 presents a functional comparison between EU comitology and the Bologna Process, supported by a comparative table that summarises key structural and procedural dimensions of committee-based governance. Finally, Section 7 discusses the broader implications of the findings for European higher education governance and governance beyond hard law, before the concluding remarks in Section 8.

2. Methodology and Analytical Framework

The analysis developed in this article is based on a qualitative and interpretative research design aimed at examining the governance mechanisms of the Bologna Process through a functional-comparative perspective¹¹. Rather than assessing legal effects or national implementation outcomes, the focus is placed on the internal organisation of the process and on the operational role of its governing bodies.

The empirical basis of the study consists of a structured review of official documents produced within the European Higher Education Area, including the Rules of Procedure of the Bologna Follow-Up Group, the Terms of Reference and final outputs of Bologna working and advisory groups, Ministerial Communiqués and documents outlining the mandate and functions of the Bologna Secretariat¹². These materials are analysed to identify patterns of coordination, delegation and procedural continuity¹³.

⁸ Craig, P., de Búrca, G., *EU Law, Cases and Materials* (7th ed.), Oxford University Press, UK, 2020.

⁹ Cf. Christiansen, T., Larsson, T., (eds), *The Role of Committees in the Policy-Process of the European Union*, Cheltenham, Edgar Elgar Publishing, 2007.

¹⁰ Bergan, S., Matei, L., *The Future of the Bologna Process and the European Higher Education Area: New Perspectives on a Recurring Topic. European Higher Education Area: Challenges for a New Decade*, in Curaj, A., Deca, L., Pricopie, R., (eds) *European Higher Education Area: Challenges for a New Decade*, Springer, 2020, pp. 361-373. https://doi.org/10.1007/978-3-030-56316-5_23.

¹¹ Harmsen, R., *Future Scenarios for the European Higher Education Area...*, cit.

¹² Bergan, S., Matei, L., *The Future of the Bologna Process and the...*, cit. European Higher Education Area (EHEA), BFUG Rules of..., cit.

¹³ Lažetić, P., *Managing the Bologna Process at the European level...*, cit.

Documents relating to the governance of the process were analysed and categorised as follows: Ministerial Conferences and Communiqués, BFUG meetings, BFUG Board meetings and the EHEA Secretariat. With regard to the working structures of the process, the period 2018–2025 was analysed in particular, given that, from 2018 onwards, under the Italian EHEA Secretariat, countries have structured the process's work plan more effectively and introduced more standardised, clear and transparent processes and methodologies, an approach that has been continued by both the Albanian Secretariat and the current one entrusted to Romania and Moldova¹⁴.

From an analytical standpoint, the article adopts a functional approach to governance, focusing on how decision-shaping and coordination occur in practice rather than on formal legal classifications. This approach is informed by scholarship on soft governance and experimentalist policy-making in the European context¹⁵.

Within this framework, EU comitology is used as an analytical reference model. Comitology, as defined under Article 291 TFEU, provides a structured example of committee-based governance designed to support policy implementation through technical coordination and state oversight¹⁶. In this article, comitology does not function as a legal comparator but as a heuristic device. Building on this comparison, the concept of para-comitology is introduced to describe governance arrangements that rely on committee-centred structures and proceduralised coordination while operating outside the framework of binding EU law. The concept captures the specific institutional configuration of the Bologna Process, which combines political steering at ministerial level with sustained technical work carried out by stable bodies over successive policy cycles¹⁷. Finally, the methodological choice to privilege functional comparison over formal equivalence allows the analysis to remain sensitive to the distinctive legal and political nature of the Bologna Process¹⁸. The para-comitological framework is not intended to redefine the legal status of the process, but to offer an interpretative tool for understanding how governance in the European Higher Education Area has become increasingly institutionalised through committee-based practices, despite the absence of binding regulatory instruments.

3. The Current Governance Architecture of the Bologna Process

The governance of the Bologna Process is organised around a multilayered institutional architecture that operates between ministerial conferences and ensures the continuity of policy coordination within

¹⁴ European Higher Education Area, *BFUG Work Plan 2018–2020 – Final Reports from Advisory and Coordination Groups*, Rome Ministerial Conference, 2020. <https://ehea2020rome.it/pages/documents>.

European Higher Education Area, *Role of the BFUG Secretariat: Terms of Reference for the Period 1 July 2018–30 June 2020*, BFUG Meeting, 3 October 2018. https://ehea.info/Upload/document/bfug/63/BFUG_AU_CH_63_5_ToR_Secretariat.pdf [last accessed 9 June 2026].

European Higher Education Area, *Bologna Follow-Up Group Work Plan 2021–2024*, 2021. https://ehea.info/Upload/Board_PT_AN_75_DraftWorkPlan_andTORs_Annex_I%20-%20Copy%201.pdf [last accessed 9 June 2026].

European Higher Education Area, *Role of the Bologna Secretariat: Terms of Reference (ToR) 2021–2024*, Meeting, 20 April 2021. https://ehea.info/Upload/BFUG_PT_AD_76_4.1_bfug%20secretariat_tors_for_2021-2024.pdf [last accessed 9 June 2026].

¹⁵ Sabel, C. F., Zeitlin, J., *Learning from difference: The new architecture of experimentalist governance in the EU*, "European Law Journal", Vol. 14, no. 3, 2008, pp. 271–327. <https://doi.org/10.1111/j.1468-0386.2008.00415.x>. Deca, L., Harmsen, R., Taking Stock of the Bologna Process at 20..., cit.

¹⁶ Craig, P., de Búrca, G., *EU law: Text...*, cit. Christiansen, T., Larsson, T., (eds), *The Role of Committees in the Policy-Process...*, cit.

¹⁷ Lažetić, P., *Managing the Bologna Process at the European level...*, cit. Harmsen, R., *Future Scenarios for the European Higher Education Area...*, cit.

¹⁸ Deca, L., Harmsen, R., *Taking Stock of the Bologna Process at 20...*, cit.

the European Higher Education Area (EHEA). While the Ministerial Conference constitutes the highest political authority within the process, defining priorities and strategic orientations through ministerial communiqués, the operational management of the process is delegated to a set of permanent and semi-permanent bodies that sustain the policy cycle¹⁹.

At the centre of this architecture stands the Bologna Follow-Up Group (BFUG), which functions as the principal coordinating body of the Bologna Process between ministerial meetings. The BFUG brings together representatives of EHEA member states, the European Commission and consultative members²⁰ representing higher education stakeholders. Its functions include translating ministerial priorities into operational agendas, coordinating thematic policy work, establishing subsidiary groups and monitoring the implementation of commitments adopted at ministerial level²¹.

From an institutional perspective, the BFUG plays a role comparable to that of coordination committees within other multilevel governance systems. Although it does not possess formal legislative or executive powers, its capacity to organise work programmes and to steer policy discussions has gradually contributed to the stabilisation of governance practices within the EHEA²². In this sense, the BFUG can be interpreted as a central node of coordination within a “transnational policy network”. Supporting the BFUG is the BFUG Board, which performs an agenda-setting and coordination function. The Board prepares BFUG meetings, oversees the work of thematic groups and ensures continuity across policy cycles. This smaller body plays a crucial role in maintaining institutional coherence and facilitating communication among the different actors involved in the process²³.

The Bologna Secretariat represents another essential component of the governance architecture. Hosted on a rotating basis by the country holding the BFUG co-chairmanship, the Secretariat provides administrative and logistical support, prepares documentation, coordinates communication among participating countries and maintains institutional memory. Although its mandate is primarily technical and organisational, the Secretariat contributes significantly to the continuity and effectiveness of the governance process²⁴. In addition to these central structures, a significant share of the policy work within the Bologna Process is carried out through working groups, advisory groups and thematic initiatives established by the BFUG. These groups address specific policy priorities, including quality assurance, recognition of qualifications, the social dimension of higher education and learning and teaching. Their activities typically involve the production of analytical reports, policy recommendations and guidelines that inform subsequent ministerial decisions.

An important development in the institutional evolution of the Bologna Process occurred with the introduction of Thematic Peer Groups (TPGs) during the Italian BFUG co-chairmanship and Secretariat (2018–2020). The structure of the TPGs was proposed by Italy in its work plan adopted by the countries as a mechanism to strengthen support for the implementation of the key principles of the process (qualification framework, recognition and quality assurance) and the TPGs were designed to facilitate

¹⁹ Lažetić, P., *Managing the Bologna Process at the European level...*, cit. Bergan, S., Matei, L., *The Future of the Bologna Process and the...*, cit.

²⁰ European Higher Education Area (EHEA), *Consultative members*, <https://ehea.info/about-ehea/consultative-members/> [last accessed 9 June 2026].

²¹ European Higher Education Area (EHEA), *BFUG Rules of...*, cit.

²² Lažetić, P., *Managing the Bologna Process at the European level...*, cit.

²³ Bergan, S., Matei, L., *The Future of the Bologna Process and the...*, cit.

²⁴ European Higher Education Area (EHEA), *BFUG Rules of...*, cit.

peer learning and targeted cooperation between groups of countries working on common policy priorities. Although participation remains voluntary, the structured functioning of TPGs – which includes regular meetings, shared reporting and coordination with the BFUG – reinforces the procedural and committee-focused nature of Bologna governance. Taken together, these elements reveal a governance architecture that, while formally intergovernmental and non-binding, relies on stable institutional structures capable of sustaining policy coordination over time²⁵.

4. The Bologna Process in the Literature: Soft Law and Experimentalist Governance

The Bologna Process has frequently been analysed as a paradigmatic example of soft law governance in the European context. Soft law refers to norms, guidelines and commitments that lack formal legal binding force but nevertheless influence behaviour and policy development²⁶. Within the EHEA, ministerial communiqués, policy frameworks and shared standards play precisely this role.

As Ravinet (2008)²⁷ has shown, the Bologna Process illustrates how voluntary commitments can gradually generate expectations of compliance among participating states. Through successive ministerial meetings and monitoring exercises, governments become increasingly embedded in a shared policy framework that encourages convergence in higher education reforms.

Another important analytical perspective is offered by the literature on experimentalist governance. According to Sabel and Zeitlin (2008)²⁸, experimentalist governance systems operate through recursive cycles of goal-setting, implementation, monitoring and revision. Rather than imposing uniform rules, they rely on processes of mutual learning and adaptive policy adjustment. The Bologna Process exhibits several characteristics consistent with this model. Ministerial conferences establish broad policy goals, while national governments retain responsibility for implementation. Monitoring exercises and implementation reports generate feedback that informs subsequent policy discussions, allowing objectives to be refined and adjusted over time²⁹. However, the influence of the Bologna Process has in practice extended beyond what might normally be expected from voluntary coordination mechanisms. In several cases, Bologna commitments have provided an important reference framework for national legislative reforms in higher education, sometimes exerting a stronger policy influence than formally binding international instruments. Two main mechanisms help explain this phenomenon.

²⁵ European Higher Education Area, *Paris Communiqué*, Paris Ministerial Conference, 25 May 2018. https://ehea.info/Upload/document/ministerial_declarations/EHEAParis2018_Communique_final_952771.pdf [last accessed 9 June 2026].

European Higher Education Area, *Bologna Implementation Coordination Group – Final Report*, Rome Ministerial Conference, 2020. https://ehea2020rome.it/storage/uploads/0479534b-a889-4fd9-9d15-64b49e6ee768/BICG_Final_Report.pdf [last accessed 9 June 2026].

European Higher Education Area, *Rome Ministerial Communiqué*, Rome Ministerial Conference, 19 November 2020. https://ehea2020rome.it/storage/uploads/5d29d1cd-4616-4dfe-a2af-29140a02ec09/BFUG_Final_Draft_Rome_Communique-link.pdf [last accessed 9 June 2026].

European Higher Education Area, *Role of the BFUG Secretariat: Terms of Reference 2018–2020*, BFUG Meeting, 3 October 2018. https://ehea.info/Upload/document/bfug/63/BFUG_AU_CH_63_5_ToR_Secretariat.pdf [last accessed 9 June 2026].

²⁶ Deca, L., Harmsen, R., *Taking Stock of the Bologna Process at 20...*, cit.

²⁷ Ravinet, P., *From voluntary participation to monitored coordination: Why European countries feel increasingly bound by their commitment to the Bologna Process*, "European Journal of Education", Vol. 43, no. 3, 2008, pp. 353–367. <https://doi.org/10.1111/j.1465-3435.2008.00359.x>.

²⁸ Sabel, C. F., Zeitlin, J., *Learning from difference: The new architecture of experimentalist governance in the EU*, "European Law Journal", Vol. 14, no. 3, 2008, pp. 271–327. <https://doi.org/10.1111/j.1468-0386.2008.00415.x>.

²⁹ Harmsen, R., *Future Scenarios for the European Higher Education Area...*, cit.

First, the presence of the European Commission within the Bologna Process has created an indirect form of policy conditionality through financial instruments. EU programmes supporting higher education cooperation – most notably Erasmus+ – have frequently incorporated key Bologna objectives and policy priorities into their funding frameworks. As a result, participation in these programmes has often required countries and higher education institutions to align their policies with EHEA standards and practices. In this sense, financial incentives have reinforced the normative influence of Bologna commitments, illustrating what has been described in the literature as governance through incentives or “soft conditionality”³⁰.

Second, the monitoring mechanisms developed within the Bologna Process have generated significant reputational pressure among participating countries. Periodic implementation reports assess national progress across key policy areas using comparative indicators and visual benchmarking tools, often represented through colour-coded “traffic-light” systems ranging from red to green. These instruments make levels of implementation publicly visible and comparable across countries, thereby creating incentives for governments to avoid being perceived as lagging behind their peers. Such dynamics correspond to what scholars of European governance have described as mechanisms of peer pressure, benchmarking and “naming and shaming” within soft coordination frameworks³¹.

Through the combination of financial incentives and reputational monitoring, the Bologna Process has therefore developed mechanisms capable of encouraging compliance even in the absence of formal legal obligations. These dynamics help explain why voluntary commitments adopted within the process have often played a significant role in shaping national reforms in higher education systems. However, both soft law and experimentalist governance perspectives tend to focus primarily on policy dynamics rather than on the institutional structures that sustain coordination. As a result, the committee-centred character of the Bologna Process has received comparatively limited analytical attention. In this respect, the Bologna Process demonstrates how voluntary governance arrangements may achieve substantial policy convergence when supported by reputational monitoring mechanisms and financial incentive structures.

5. Para-Comitology as an Analytical Framework

To address the analytical gap identified in the previous sections, this article introduces the concept of para-comitology as an analytical framework for understanding the governance of the Bologna Process. The gap refers specifically to the limited attention devoted in the literature to the institutional and organisational architecture through which coordination within the European Higher Education Area (EHEA) is structured. While existing studies have successfully analysed the Bologna Process as an example of soft law governance and experimentalist policy coordination³², they have tended to focus

³⁰ Borrás, S., Jacobsson, K., *The open method of co-ordination and new governance patterns in the EU*, “Journal of European Public Policy”, Vol. 11, no. 2, 2004, pp. 185-208. <https://doi.org/10.1080/1350176042000194395>. Corbett, A., *Universities and the Europe of knowledge...*, cit.

³¹ Ravinet, P., *From voluntary participation to monitored coordination...*, cit. Zeitlin, J., *EU experimentalist governance in times of crisis*, “West European Politics”, Vol. 39, no. 5, 2016, pp. 1073-1094. <https://doi.org/10.1080/01402382.2016.1181873>.

³² Ravinet, P., *From voluntary participation to monitored coordination...*, cit. Deca, L., Harmsen, R., *Taking Stock of the Bologna Process at 20...*, cit. Harmsen, R., *Future Scenarios for the European Higher Education Area...*, cit.

primarily on policy dynamics, learning processes and voluntary cooperation mechanisms. Much less attention has been devoted to the committee-centred structures through which the process operates on a day-to-day basis.

In the European Union, comitology refers to the system of committees composed of representatives of member states that assist the European Commission in the implementation of EU legislation. These committees provide a mechanism through which national governments can exercise oversight over implementing acts adopted by the Commission and ensure the involvement of member states in the technical phases of policy implementation³³. The Bologna Process does not operate within such a legal framework. It does not produce binding implementing acts, nor does it rely on the delegation of executive powers comparable to those existing within EU law. Nevertheless, the governance architecture of the Bologna Process displays several functional similarities with committee-based governance arrangements. These similarities include the presence of stable coordinating bodies, the delegation of technical tasks to specialised groups, the reliance on expertise and peer interaction and the existence of procedural rules that structure participation and reporting. Such features suggest that the Bologna Process operates through a form of governance that resembles comitology in functional terms while remaining legally distinct.

An important step in the consolidation of this governance structure can be observed from 2018 onwards, during the Italian BFUG vice-chairmanship and Secretariat of the Bologna Process. During this period, particular attention was devoted to the systematic development and formalisation of Terms of Reference (ToR) for the various working groups, advisory groups and thematic structures operating under the Bologna Follow-Up Group. These documents defined in a more explicit and structured manner the objectives, mandates, tasks, delegated responsibilities, expected outputs and timelines of the different bodies involved in the policy cycle of the European Higher Education Area³⁴.

The increasing use of Terms of Reference represented a significant step in the proceduralisation of governance within the Bologna Process. By clarifying the scope of action, reporting obligations and expected results of the various groups, these documents contributed to strengthening both the transparency and the organisational coherence of the process. At the same time, they reinforced the perception of an internal regulatory framework structuring the work of the Bologna Process through defined mandates and procedural guidelines. From an analytical perspective, this development can be interpreted as a further stage in the institutionalisation of para-comitological governance within the EHEA. Earlier phases of the Bologna Process relied more strongly on informal coordination mechanisms and relatively flexible working arrangements. The progressive formalisation of Terms of Reference has instead contributed to consolidating a more structured internal governance logic. In this sense, the proliferation of ToR documents can be interpreted as a mechanism through which the Bologna Process has gradually developed an internal procedural order resembling committee-based governance systems, even in the absence of binding legal authority.

Building on this observation, the concept of para-comitology can be operationalised through four core analytical dimensions that characterise the governance architecture of the Bologna Process. First,

³³ Christiansen, T., Larsson, T., (eds), *The Role of Committees in the Policy-Process...*, cit. Craig, P., de Búrca, G., *EU Law: Text, Cases and...*, cit.

³⁴ European Higher Education Area, *EHEA Work Programme, Overview (2018–2020)*..., cit.

“mandate-based coordination”, whereby political objectives defined at ministerial level are translated into operational tasks through formally defined mandates assigned to working structures. Second, “delegated technical work”, carried out by specialised groups composed of national representatives and stakeholders who elaborate reports, guidelines and policy recommendations supporting the implementation of ministerial priorities. Third, “proceduralised interaction”, whereby the activities of these groups are structured through formalised procedures, reporting obligations and predefined timelines, increasingly reflected in the Terms of Reference adopted by the Bologna Follow-Up Group. Fourth, “institutional continuity”, ensured through the combined roles of the BFUG, its Board, the rotating Secretariat and the network of working groups and thematic initiatives that sustain the policy cycle between ministerial conferences.

Taken together, these elements illustrate how the Bologna Process has gradually developed a governance architecture that mirrors several characteristics of committee-centred coordination systems while remaining embedded in a voluntary and non-binding framework. The concept of para-comitology therefore captures this hybrid configuration. It refers to governance arrangements that reproduce key characteristics of committee-centred coordination – such as defined mandates, delegated technical work, structured reporting mechanisms and procedural oversight – while operating outside the framework of binding legal authority. By conceptualising the Bologna Process in this way, it becomes possible to analyse its institutional dynamics more precisely while preserving the distinction between formal legal authority and functional governance practices.

6. Functional Comparison Between EU Comitology and the Bologna Process

The analytical relevance of the concept of para-comitology becomes clearer when the governance structures of the Bologna Process are compared with the institutional features of EU comitology. While the two systems operate within fundamentally different legal frameworks, they share a number of structural and procedural characteristics that justify a functional comparison. EU comitology represents a formalised system of committee-based governance through which Member States participate in the implementation of EU legislation. Committees composed of national representatives assist the European Commission in the adoption of implementing acts, providing a mechanism of oversight and coordination between supranational and national levels of governance³⁵.

The Bologna Process, by contrast, operates within a voluntary and intergovernmental framework and does not produce binding implementing acts. Nevertheless, its governance architecture relies on a network of coordinating bodies that perform functions comparable to those of committees in other multilevel governance systems. From the perspective developed in the previous section, the governance architecture of the Bologna Process can be analysed through the four analytical dimensions of para-comitology: mandate-based coordination, delegated technical work, proceduralised interaction and institutional continuity. Each of these elements finds an institutional counterpart within the operational structures of the Bologna Process.

³⁵ Christiansen, T., Larsson, T., (eds), *The Role of Committees in the Policy-Process...*, cit. Craig, P., de Búrca, G., *EU law: Text, cases and...*, cit.

The progressive formalisation of Terms of Reference for the various working and advisory structures, particularly since the Italian BFUG vice-chairmanship and Secretariat (2018–2020), further reinforces these parallels. By defining mandates, tasks, reporting obligations and expected outputs for each group, the ToR contribute to the proceduralisation of governance within the Bologna Process. Although these instruments do not create binding legal authority, they nevertheless structure the internal functioning of the process in a way that resembles committee-based governance arrangements. The comparison between EU comitology and the Bologna Process can therefore be summarised along several key dimensions, as illustrated in Table 1.

Table 1 - Functional comparison between EU Comitology and the Bologna Process through the lens of Para-Comitology

Analytical Dimension	EU Comitology	Bologna Process (EHEA)	Para-Comitology Dimension	Interpretation for Bologna Governance
Legal foundation	Binding EU law (Art. 291 TFEU) and secondary legislation	Political commitments adopted through Ministerial Communiqués	Mandate-based coordination	Political mandates structure the work of Bologna bodies without creating formal legal obligations
Mandate and agenda setting	Legislative acts define the mandate of implementing committees	Ministerial priorities translated into BFUG work plans and group mandates	Mandate-based coordination	Policy objectives defined politically and operationalised through group mandates and Terms of Reference
Committee structures	Formal comitology committees composed of Member State representatives	BFUG working groups, advisory groups and Thematic Peer Groups (TPGs)	Delegated technical work	Technical policy elaboration delegated to specialised transnational expert groups
Procedural framework	Procedures defined by EU regulations governing comitology	Terms of Reference increasingly formalising mandates, tasks and outputs	Proceduralised interaction	Internal procedural rules structure participation, reporting and coordination
Administrative support	European Commission services acting as Secretariat	Rotating Bologna Secretariat hosted by member states	Institutional continuity	Administrative coordination ensures continuity across ministerial cycles
Policy outputs	Binding implementing acts adopted under EU law	Guidelines, reports, policy frameworks and recommendations	Delegated technical work	Soft policy instruments supporting policy convergence
Implementation mechanisms	Mandatory implementation by Member States	Voluntary national reforms monitored through implementation reports	Proceduralised interaction	Monitoring and benchmarking encourage alignment with shared objectives
Accountability mechanisms	Vertical institutional accountability within EU legal system	Peer review, benchmarking and reputational pressure among states	Institutional continuity	Horizontal accountability through monitoring and reputational incentives

Source: Author's elaboration based on Craig, P., de Búrca, G., (2020); Christiansen, T., Larsson, T., (eds), (2007), BFUG governance structures.

While the legal differences between the two systems remain substantial, the comparison highlights significant functional similarities in the way coordination is organised. Both governance systems rely on committee-like structures to translate political mandates into technical policy work and to ensure continuity in policy implementation. At the same time, the Bologna Process relies on additional mechanisms that compensate for the absence of legal enforceability. As discussed in the previous section, financial incentives associated with EU programmes such as Erasmus+ and reputational dynamics generated by monitoring reports and benchmarking exercises contribute to reinforcing compliance with Bologna commitments. These mechanisms produce what can be described as a form of de facto obligation, whereby voluntary commitments become politically binding through peer pressure, reputational considerations and access to financial resources³⁶. In this respect, the Bologna Process demonstrates how governance arrangements operating outside formal legal authority may nevertheless achieve substantial policy convergence when supported by institutionalised monitoring mechanisms and complementary financial incentives.

7. Findings and Implications for European Higher Education Governance Beyond Hard Law

This section presents the main analytical findings of the article and discusses the implications of the para-comitological interpretation of the Bologna Process for the governance of the European Higher Education Area (EHEA). This interpretation offers several insights into how governance beyond hard law operates through institutionalised procedures, peer learning, monitoring mechanisms and stable working structures. First, it demonstrates that sustained policy coordination can emerge even in the absence of binding legislation. Through institutionalised procedures, peer learning and monitoring mechanisms, the Bologna Process has fostered significant convergence among national higher education systems. The experience of the EHEA therefore illustrates how voluntary governance arrangements may achieve substantial policy alignment when supported by reputational monitoring mechanisms and financial incentive structures³⁷.

Second, the analysis highlights the importance of procedural legitimacy in governance beyond hard law. Participation in Bologna structures involves expectations of engagement, transparency and cooperation that contribute to the perceived legitimacy of policy outcomes³⁸. Through regular ministerial meetings, monitoring exercises and the work of the Bologna Follow-Up Group (BFUG) and its subsidiary bodies, the process has gradually created a shared governance framework that shapes policy development across national systems³⁹.

At the same time, the increasing institutionalisation of the Bologna Process raises several issues that deserve further reflection. Although participation in the process is formally voluntary and its outputs are not legally binding, the degree of policy convergence achieved over time suggests that

³⁶ Ravinet, P., *From voluntary participation to monitored coordination...*, cit. Borrás, S., Jacobsson, K., *The open method of co-ordination...*, cit.

³⁷ Deca, L., Harmsen, R., *Taking Stock of the Bologna Process at 20...*, cit. Cf. Brøgger, K., *Governing through Standards: The Faceless Masters of Higher Education. The Bologna Process, the EU and the Open Method of Coordination*, Springer, 2019.

³⁸ Bergan, S., Matei, L., *The Future of the Bologna Process...*, cit.

³⁹ Brøgger, K., *Governing through Standards: The Faceless Masters of Higher Education...*, cit.

Bologna commitments have acquired a form of de facto binding character within the European higher education policy space. National reforms are frequently justified with reference to Bologna commitments and governments may face reputational costs when they are perceived as lagging behind in implementation⁴⁰. This dynamic illustrates how political commitments can generate normative expectations and policy constraints that resemble those typically associated with legally binding instruments.

It should nevertheless be emphasised that, within the broader governance framework of the Bologna Process, the only formally binding legal instrument shared by participating countries is the Lisbon Recognition Convention (1997)⁴¹. Adopted under the auspices of the Council of Europe and UNESCO, this convention has been explicitly recognised by the Bologna Process as a fundamental normative pillar for the recognition of qualifications within the European Higher Education Area. While the other instruments of the Bologna Process – such as ministerial communiqués, guidelines and policy frameworks – remain non-binding political commitments, the Lisbon Recognition Convention constitutes the sole legal instrument that directly creates binding obligations for participating states within the policy domain associated with the EHEA.

A first area of reflection therefore concerns the relationship between the Bologna Process and the role of the Council of Europe (CoE) in the field of higher education governance. The Council of Europe has historically played a central role in shaping the normative foundations of European cooperation in higher education, most notably through the Lisbon Recognition Convention. At the same time, within the governance structure of the Bologna Process, the Council of Europe participates as a consultative member rather than as a full member of the decision-making framework. This institutional configuration raises questions about the relationship between the broader normative framework developed by the Council of Europe and the policy coordination mechanisms operating within the EHEA. As the Bologna Process continues to evolve, it may therefore become increasingly important to clarify the interaction between the policy initiatives of the EHEA and the legal and normative instruments developed by the Council of Europe in the field of higher education.

A second issue concerns the question of political mandate and representation within the Bologna Follow-Up Group. The BFUG and its working structures play a central role in shaping the operational agenda of the Bologna Process and in translating ministerial commitments into concrete policy initiatives. In practice, the representatives participating in these bodies often come from national administrations or specialised agencies rather than from political offices. Their work therefore contributes significantly to the formulation of policy orientations that may influence national higher education reforms. This situation raises an important question regarding the clarity and scope of the mandate under which BFUG representatives operate. While ministers formally retain responsibility for the adoption and implementation of ministerial communiqués, the technical work carried out within the BFUG and its subsidiary groups inevitably shapes the interpretation and operationalisation of these commitments. If the mandate of national representatives is not explicitly defined or clearly communicated at the political level, there is a potential risk that policy developments within the

⁴⁰ Ravinet, P., *From voluntary participation to monitored coordination...*, cit.

⁴¹ Council of Europe, UNESCO. *Convention on the recognition of qualifications...*, cit.

process may be driven primarily by administrative coordination rather than by explicit political deliberation⁴².

This issue does not necessarily undermine the legitimacy of the Bologna Process, but it highlights the importance of ensuring transparency and political awareness regarding the governance mechanisms through which the process operates. In this respect, the para-comitological interpretation proposed in this article can also serve as a useful analytical tool for reflecting on questions of accountability, representation and legitimacy within transnational governance arrangements that operate beyond formal legal authority. These considerations suggest that the Bologna Process should not only be analysed as a successful example of voluntary policy coordination, but also as an evolving governance framework that raises important questions regarding legitimacy, institutional balance and political accountability in transnational higher education governance.

8. Conclusions

This article has proposed a para-comitological reading of the Bologna Process, arguing that its governance architecture is committee-centred and functionally comparable to EU comitology while remaining legally distinct. By combining a qualitative analysis of institutional documents with a functional comparison with EU committee governance, the study has shown that the Bologna Process relies on a stabilised set of governance structures capable of sustaining policy coordination across the European Higher Education Area (EHEA).

The article has addressed a specific analytical gap in the literature. While previous studies have successfully interpreted the Bologna Process through the lenses of soft law governance, Europeanisation and experimentalist coordination, comparatively limited attention has been devoted to the organisational architecture through which these dynamics are operationalised in practice. By focusing on the Bologna Follow-Up Group (BFUG), its Board, the rotating Secretariat and the network of working, advisory and thematic groups, this article has highlighted the central role of committee-centred coordination in the everyday functioning of the process.

To capture this configuration, the article has introduced the concept of para-comitology. Rather than equating the Bologna Process with EU comitology in legal terms, para-comitology has been used here as an analytical concept to identify a form of governance characterised by four core dimensions: mandate-based coordination, delegated technical work, proceduralised interaction and institutional continuity. These dimensions make it possible to explain how a formally voluntary and non-binding process can nevertheless develop a highly structured internal governance logic.

The analysis has further shown that this logic has become more visible over time. In particular, the increasing formalisation of Terms of Reference for working groups, advisory groups and thematic structures – especially from 2018 onwards, during the Italian BFUG vice-chairmanship and Secretariat – has contributed to the proceduralisation of the Bologna Process. By explicitly defining mandates,

⁴² Ravinet, P., *From voluntary participation to monitored coordination...*, cit.

objectives, delegated responsibilities, expected outputs and timelines, these instruments have strengthened the organisational coherence of the EHEA and reinforced the interpretation of Bologna governance as an increasingly institutionalised para-comitological order.

At the same time, the article has shown that the policy impact of the Bologna Process cannot be explained solely by its internal structures. Its effectiveness has also depended on two complementary mechanisms that have transformed voluntary commitments into politically consequential ones. The first is the role of financial incentives, particularly through the presence of the European Commission and the alignment of EU funding instruments with Bologna objectives. The second is the role of reputational monitoring, especially through implementation reports and comparative benchmarking tools that publicly display the degree of national compliance. Together, these mechanisms help explain why Bologna commitments have often influenced national legislative and policy reforms more strongly than some formally binding international instruments.

In this respect, the Bologna Process demonstrates how governance arrangements operating outside formal legal authority may nevertheless achieve substantial policy convergence when supported by institutionalised monitoring mechanisms, reputational incentives and complementary financial structures. This finding is central to the broader contribution of the article: governance beyond hard law should not be understood as weak, merely informal, or politically insignificant. On the contrary, under certain institutional conditions, voluntary coordination may produce durable and meaningful policy alignment across diverse national systems.

However, the article has also shown that this success raises important questions. A first area of reflection concerns the relationship between the Bologna Process and the Council of Europe. While the Council of Europe has historically played a foundational normative role in European higher education cooperation, particularly through the Lisbon Recognition Convention, it occupies only the status of a consultative member within the institutional architecture of the Bologna Process. This creates an asymmetry between normative authority and institutional position that deserves closer analytical and political attention. In this broader framework, it should be emphasised that the Lisbon Recognition Convention remains the only formally binding legal instrument shared by participating countries and explicitly adopted as a central normative pillar of the Bologna Process. All other core Bologna instruments – ministerial communiqués, guidelines, reports and work plans – remain non-binding political commitments.

A second area of reflection concerns the issue of political mandate and representation within the BFUG. As shown in the analysis, the technical work of national representatives and specialised bodies plays a decisive role in shaping the operational agenda of the Bologna Process and, indirectly, in influencing national policy choices. This raises a question that goes beyond Bologna itself and touches on wider debates in European governance: to what extent are these representatives politically mandated to shape policy and to what extent does administrative coordination risk substituting for explicit political deliberation? This does not invalidate the legitimacy of the process, but it highlights the importance of greater transparency concerning representation, mandate and accountability within transnational governance structures.

A third and closely related area of reflection concerns the role of the European Commission within the Bologna Process. Formally, the Commission does not possess a direct mandate to harmonise national legislation in the field of education and higher education remains an area of limited EU competence. Yet, through its membership in the Bologna Process, its influence on policy agendas and its capacity to align European funding instruments with Bologna priorities, the Commission may be seen as using the process as a framework through which to legitimise and expand its role in higher education governance. This does not necessarily imply a formal transfer of competence, but it does suggest that the Bologna Process may function, at least in part, as an indirect mechanism through which the Commission supports convergence among national systems in a policy area where it could not directly impose legislative harmonisation. This point deserves particular attention, since it raises broader questions about the relationship between soft governance, institutional legitimacy and the strategic use of intergovernmental processes by supranational actors.

For these reasons, the Bologna Process should not only be analysed as a successful example of voluntary policy coordination, but also as an evolving governance framework that raises broader questions regarding legitimacy, institutional balance and political accountability in European higher education governance. The concept of para-comitology, as developed in this article, is intended to contribute to that discussion by offering a tool to analyse how governance can become increasingly structured, influential and institutionally robust even in the absence of binding legal authority.

Future research could extend this analysis in at least four directions. First, it could examine more closely how para-comitological dynamics operate in specific Bologna policy domains, such as quality assurance, recognition, or the social dimension. Second, it could explore more systematically the relationship between the Bologna Process and the Council of Europe as overlapping but institutionally differentiated sources of European higher education governance. Third, it could investigate whether similar forms of para-comitological governance can be identified in other transnational policy spaces characterised by voluntary cooperation, structured monitoring and committee-based coordination. Fourth, it could examine more directly the role of the European Commission in the Bologna Process as a possible mechanism of indirect legitimation and policy influence in a field where formal harmonising competences remain limited.

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