

swissuniversities

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Effingerstrasse 15, Postfach

3001 Bern

www.swissuniversities.ch

Towards Responsible International Collaborations: A Guide for Swiss Higher Education Institutions

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Foreword from the President

Swiss Higher Education Institutions are highly internationalised. This openness to the world benefits education and research, students, faculty and staff and society at large, but it also brings challenges for the institutions. Defending and promoting academic values is one of the biggest challenges institutions face when engaging in international collaborations-

swissuniversities observes with growing concern the gradual erosion of institutional autonomy and academic freedom in many parts of the world in recent years. Academic freedom is questioned on a regular basis through restrictions of freedom of expression, threats to researchers and teachers, or the erosion of institutional autonomy through state or third-party involvement. In this context swissuniversities has become a member of [Scholars at Risk](#) and signed the [Vienna Statement of Universities4Enlightenment](#).

The present guidelines are intended to support Swiss Higher Education Institutions and their communities when engaging in international collaborations. They should help them to clarify important aspects of the collaboration in advance to ensure that it is based on mutual values and shared interests. In this way, swissuniversities hopes to contribute to the defence and promotion of university values wherever possible.

Yves Flückiger, President swissuniversities

1. About this guide

Background

Higher Education Institutions (HEIs) in Switzerland and around the world are increasingly engaged in international collaboration. While this offers them unique opportunities to broaden their reach, address pressing global issues and offer their students and staff international opportunities, it also calls for greater awareness and responsibility of all stakeholders involved.

Over recent years, HEIs in Switzerland and the Swiss research community at large have gathered a wealth of experience in international collaborations through joint research or education programmes, knowledge transfer with the private sector, the exchange of students, faculty and staff, and other forms of partnerships.

Swiss HEIs and their respective communities are diverse and unique, which translates into specific needs and interests. Nevertheless, they share the need and the responsibility to assess each potential collaboration in the face of values such as academic freedom and institutional autonomy, ethical and legal aspects as well as benefits and limits of knowledge transfer. Resulting from a discussion within swissuniversities, the umbrella organisation of the Swiss HEIs, the present guide draws on existing guidelines and addresses issues of shared concern.

Purpose

The purpose of this guide is to support Swiss HEIs, their decision makers and their academic communities – faculty members, researchers, students, technical and administrative staff – to:

1. assess the benefits, challenges and risks associated with international collaboration,
2. use existing resources and learn from successful practices, and
3. promote greater consistency across HEIs in Switzerland.

The document is intended as a tool for reflection and discussion. It proposes dimensions and issues to consider when planning, preparing, conducting, evaluating or consolidating collaborative activities with academic or private partners in an international context.

Autonomy and institutional responsibility

Within their autonomy Swiss HEIs and their respective communities are responsible for their own activities. This guide does not place additional compliance or regulatory burdens on the institutions. The guide is non-exhaustive and offers a complement to the respective policies and regulations of individual institutions.

A practical guide

The guide explores four dimensions to be considered in international collaborations. Each chapter is structured with a general description, practical questions, and additional resources available. The questions and resources in each sub-section do not claim to be exhaustive. They are meant as starting points rather than checklists for shaping the type, nature and implications of an international partnership.

2. Switzerland in the global higher education landscape

Switzerland occupies a leading position globally in education, research and innovation. Its higher education landscape is highly international. It has become even more so in recent years with a constant increase in student mobility, internationalization of university teaching staff, and the interest of researchers in co-operating with European and global partners (see graphics below). This openness is beneficial to both the Swiss academic community and to its international partners.

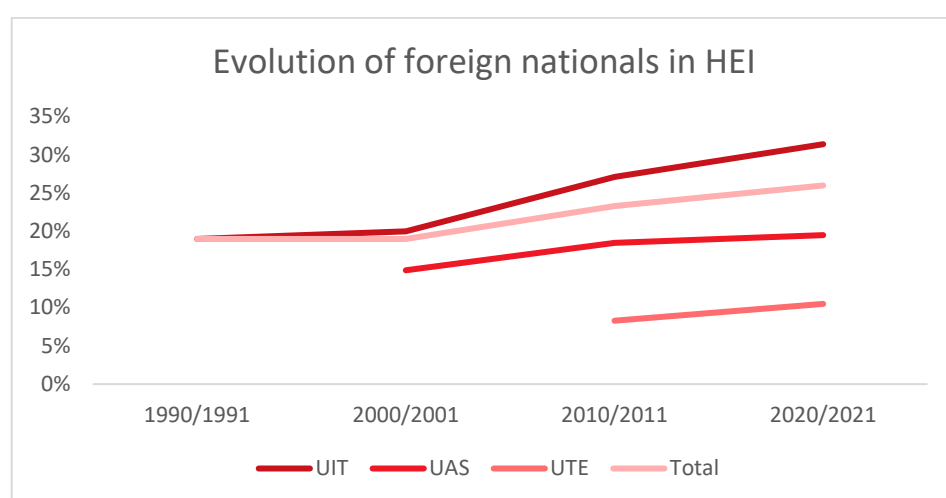


Fig. 1: Evolution of proportion of foreign nationals in HEI (Federal Statistical Office)¹
 Legend: UIT: Universities and Federal Institutes of Technology; UAS: Universities of Applied Sciences and Arts; UTE: Universities of Teacher Education.

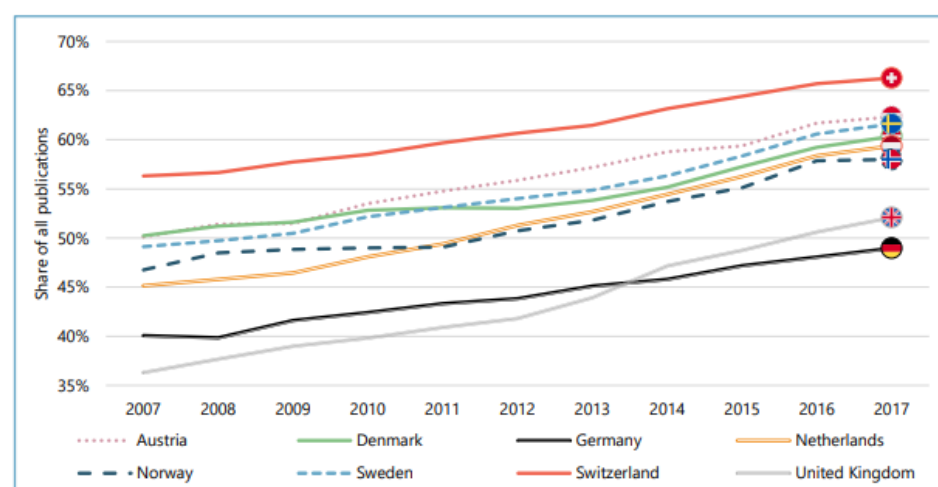


Fig. 2: Growth in publications with international co-authors in selected all countries as a share of all publications, 2007–2017²

¹ <https://www.bfs.admin.ch/bfs/en/home/statistics/education-science/pupils-students/tertiary-higher-education-institutions.html>

² Evaluation of Switzerland's bilateral cooperation programmes in science and technology, IRIS-Group, 2020, p. 69.

It can be noticed that all of the countries experienced an increase from 2007 to 2017, and that Switzerland had the highest share in every year represented (although some countries have also narrowed the gap with Switzerland during the period). Switzerland's share in 2017 was about 66%. Thus two-thirds of all Swiss publications were prepared in collaboration with researchers from at least one foreign country.

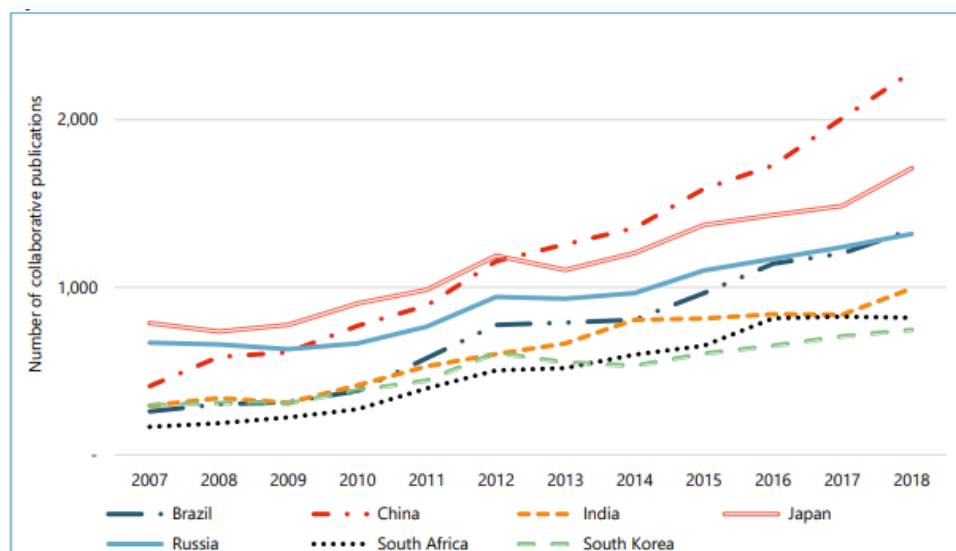


Fig. 3: Growth in the number of publications co-published with researchers from the seven priority countries of Switzerland's bilateral cooperation programmes ³

The figure shows that in all of the priority countries, the number of collaborative publications involving Swiss researchers over the period 2007–2017 increased. Among the priority countries, over recent years, the largest number of collaborative publications has been with China, followed by Japan, Brazil and Russia.

International collaborations provide a fertile ground for finding solutions to the major global challenges: Sharing knowledge, complementarity of expertise, addressing problems from different perspectives and diverse cultures, pooling funding and other resources, access to data, joint use of research infrastructures and creating synergies for the individuals and institutions involved.

International collaboration also entails a series of challenges. Differences in political, legal and academic systems and cultures, diverging values, ethical or personal security risks can lead to challenges for successful international partnerships.

Some of these challenges may not be apparent from the start. They might surface along the way and may threaten the success of the collaboration. Having an informed assessment of the content and the consequence of all activities before, during and after a collaboration is therefore crucial for building mutual trust and shared responsibility, which is the basis for successful collaboration.

3. Four main dimensions

The guide is structured following four main dimensions of equal relevance when setting up a collaboration: Purpose and form of collaboration, Academic freedom and institutional autonomy, Ethical and legal aspects, and Knowledge and technology transfer. The dimensions have to be considered together, in a holistic approach. Each dimension provides questions as well as resources to bring the reflection and discussion further.

³ Evaluation of Switzerland's bilateral cooperation programmes in science and technology, IRIS-Group, 2020, p. 68.

3.1 Purpose and form of collaboration

Why?

In addition to the general benefits, there can be direct reasons for a specific collaboration with international partners, such as building on prior relationships or because certain studies can be more easily or exclusively conducted in certain countries due to different environmental or social conditions, or different regulations or legal frameworks.

How?

International activities of HEIs can take a wide range of forms, from collaboration between single individuals, groups of individuals, between researchers and private companies, covering research, education or innovation activities, with partners from the same discipline or as an interdisciplinary partnership. The collaboration can also take the form of the exchange of students, scholars or staff, for short-term activities or longer stays, the delivery of joint educational programmes or degrees, attendance of conferences, or the joint publication of research papers. The principles of this guide also apply to field work abroad by students and researchers.

Collaboration can be set up as a one-off project or as a strategic partnership and can be on a bilateral basis or involve partners located in more than one country.

Regardless of their form, sustainable and resilient international collaborations should be designed in a participative way and make sure that the interests of all parties are adequately represented.

Identifying the benefits and expectations of the collaboration at the planning stage lays the foundation for later success. If the aims are clear and all parties have a shared understanding, and the partnership is balanced in terms of resources and benefits, the collaboration is likely to be more resilient and sustainable. Due diligence according to the institutional practise of all partners involved is essential.

Questions:

- What is the aim of the collaboration? (why)
- What are the goals pursued by the involved cooperation partners in the collaboration? (why)
- What form will the collaboration take? (how)
- What are the mutually agreed conditions for the collaboration? How is transparency and accountability ensured in the partnership? (how)
- Under which circumstances should the collaboration no longer take place? What are the safeguards to step out of the collaboration? (how)
- Do the persons involved have relevant knowledge of the political, regulatory/legal, social and cultural conditions in the partner country/countries? (who, how)
- What type of support is offered to the persons involved by their institutions to help them understand and navigate the context of the partner country/countries? (who, how)
- Do you/does your research unit/institution, have the necessary IT infrastructure (hardware, software) and processes to support this collaboration? (how)
- Has the collaboration been approved and established at the right levels at the HEIs involved? (how) Is there experience of similar collaborations and how these have been managed? (who, how) Should a formal agreement be signed and, if so, at what level of management? (who, how)
- Do the persons involved understand the potential risks and know about precautions that have been taken or need to be taken? (who) Is there an alternative plan if risks materialize? (how)
- To what extent can students, employees or others involved in the collaboration be exposed to risks of a political nature? (how)

Case study 1

A Swiss Higher Education Institution (HEI) is involved in a large international partnership (teaching, research, governance) with a Chinese university. The question arises as to how to engage in this cooperation in a responsible way.

The Swiss HEI develops a set of principles and guidelines for international collaboration to govern this partnership. They address academic freedom; institutional autonomy, excellence, openness and diversity in teaching and research; safety of staff and students; open science and intellectual property rights. An Ethics Committee is put in place to deal with potential cases of non-respect of these principles and issue recommendations on how to deal with it.

Resources:

KFPE's Guide for Transboundary Research Partnerships: The Swiss Academy of Science's Commission for Research Partnerships with Developing Countries (KFPE) has defined 11 principles and 7 key questions for building research partnerships in the most constructive, balanced and results-oriented manner.

Swissnex network and Swiss embassies: The swissnex network, the Science and Technology Offices and Swiss embassies around the world offer insights in the respective countries' science and technology environments.

Towards Sustainable Europe-China Collaboration in Higher Education and Research: Ingrid d'Hooghe and Jonas Lammertink, Leiden Asia Centre, 2020.

Tackling R&I Foreign Interference. Staff Working Document: European Commission, 2022.

Deutscher Akademischer Austauschdienst (DAAD), Länderinformationen.

3.2 Academic freedom and institutional autonomy

Academic freedom

Academic freedom is guaranteed by Article 20 of the Federal Constitution of the Swiss Confederation in once sentence: "Freedom of research and teaching is guaranteed"⁴. This guarantee can be spelt out with the definition of academic freedom adopted by European ministers of higher education as the "freedom of academic staff and students to engage in research, teaching, learning and communication in and with society without interference nor fear of reprisal"⁵.

In research, academic freedom "encompasses the right to freely define research questions, choose and develop theories, gather empirical material and employ sound academic research methods, to question accepted wisdom and bring forward new ideas. It entails the right to share, disseminate and publish the results thereof openly, including through training and teaching. It is the freedom of researchers to express their opinion without being disadvantaged by the system in which they work or by governmental or institutional censorship and discrimination (...) Freedom of scientific research needs opportunities for physical and virtual mobility in pursuit of one's research work, requires a culture of gender equality and the freedom to interact with students and colleagues"⁶.

While these academic values may have a claim to be universal, in reality they are not, and increasingly the idea of such universal values is being challenged or interpreted differently. This question should be addressed in a collaboration partnership.

Institutional autonomy

Institutional autonomy is fundamental to Switzerland's higher education system. The country's Education Research and Innovation (ERI) policy is based on the principle that "education, research and innovation cannot be prescribed top-down. Recognising novelties and constructively dealing with them is a task that needs to be carried out bottom-up by ERI actors themselves⁷."

4 Art. 20 'Academic freedom', Federal Constitution of the Swiss Confederation of 18 April 1999 (Status as of 7 March 2021), <https://www.fedlex.admin.ch/eli/cc/1999/404/en> (visited on 28 October 2021)

5 Rome Ministerial Communiqué, of the conference of ministers of higher education of the European Higher Education Area, 11 November 2020 (visited on 1 November 2021)

6 Bonn declaration on freedom of academic research, Adopted at the Ministerial Conference on the European Research Area on 20 October 2020 in Bonn

7 Switzerland's International Strategy on Education, Research and Innovation, Strategy of the Federal Council, July 2018 (p.7) (visited on 1 November 2021)

Nevertheless, while Swiss HEIs act within their institutional autonomy, they must respect certain overarching principles. Article 6 “Principles and mission” of the Federal Act on the Promotion of Research and Innovation (RIPA) states the following⁸:

“When planning federally funded activities, research bodies shall take the following into account:

- a. the freedom of research, the scientific quality of research and innovation, and the variety of scientific opinions and methods;
- b. the freedom of teaching and the close relationship between teaching and research;
- c. scientific integrity and good scientific practice.”

Questions:

- Does the way the collaboration is organized and funded entail risks regarding academic freedom, independence, integrity or ethics? How will these risks be addressed?
- Is there a need to define any red lines in the collaboration?
- Who will fund the collaboration, and how will this affect the rights, obligations and responsibilities of those involved?
- Can all parties access and use the findings of the collaboration?
- What measures will be taken when the principle of academic freedom is restricted or interpreted differently within the collaboration?
- Is the collaboration addressing issues perceived as sensitive by a partner institution or in their country?
- Is there a risk that political actors will seek to influence the topic, content or data collection of the collaboration beyond the scope of what is deemed acceptable in the field?
- Does a collaboration with a partner involve a reputational risk for the researcher, department, or HEI?
- Could a collaboration affect the independence of one’s own HEI in relation to other parties?
- What resources, support and training will be available to the persons involved in the collaboration?

Case study 2

A German HEI is running a double degree programme and several research projects with a Chinese university. The collaboration is suspended by the Chinese university because the city where the German HEI is located awards its Human Rights Award to a member of the Uighur community.

Since all official communication channels towards the Chinese university are closed, the only channel of exchange is via the Chinese Embassy in Berlin. Although no solution is found to solve the situation, at least a deal is struck so that the students currently enrolled in the double degree programme can finish their studies as planned.

Case study 3

Findings from a joint research project between universities A, B, and a Swiss university C are about to be published. Board members from university A interfere in this process and put the PI from university A under great pressure – including personal threats to close family members – not to publish the results with university B.

The PI at the Swiss university C stops the publication process and consults the partners to amend the publication manuscript. A bilateral solution is found for the publication process between A and C, and B and C.

⁸ Art 6. ‘Principles and mission’, Federal Act on the Promotion of Research and Innovation (RIPA) of 14 December 2012 (Status as of 15 April 2021), <https://www.fedlex.admin.ch/eli/cc/2013/786/en> (visited on 28 October 2021).

Case study 4

During a public event in a Swiss university about a topic considered “politically sensitive,” Embassy members from country A with a low academic freedom index score are recording and taking photographs of students from that country. How do you react in this situation? How do you make sure that the research activities of students from country A are not being adversely affected by control mechanisms set in place by Embassies or other government agencies active in Switzerland?

The organizers of the event interrupt the event and announce that recordings or photographs of the event or of individuals participating in the event must not be taken without consent. As a follow-up, the university sets up guidelines prohibiting this type of behaviour unless explicitly allowed by the organizers.

Resources

[Magna Charta Universitatum](#)

[Bonn declaration on freedom of academic research](#), Adopted at the Ministerial Conference on the European Research Area, 20 October 2020

The global **Academic Freedom Index** provides a good first orientation about the situation in the country [Academic Freedom, Institutional Autonomy and the Future of Democracy](#), edited by Sjur Bergan, Tony Gallagher and Ira Harkavy: Council of Europe, 2020

[Scholars at Risk Network](#)

3.3 Ethical and legal aspects

International collaboration often takes place across different cultural environments, each with its own set of values and norms. For the collaboration to be successful, a common basis of ethical standards of those involved is necessary. The parties need to be aware of the ethical norms of their counterparts and of any possible conflicting values.

Different legal systems can also pose challenges for international collaboration, e.g. in terms of contracts or legal procedures, data management, storage and access. Certain national contexts are more permissive or pose stricter research norms than others.

In practice, collaboration has to be assessed at the beginning and on a regular basis, balancing values such as the expected outcome of the collaboration with moral, ethical and legal considerations.

Questions:

- Does your institution have a code of ethical conduct in research or international collaboration?
- How does the legal and regulatory framework in the country where the collaboration is implemented compare or relate to Swiss laws and regulations?
- Will experiments with animals or humans be conducted abroad as part of the collaboration? Have they been ethically approved both in the partner country and in Switzerland?
- Is research or other forms of collaboration conducted in countries and regions where there is a risk that the activities may contravene data privacy or other human rights?
- Does the collaboration comply with the requirements of all parties involved regarding data management, storage and access?

Case study 5

A scientist from Switzerland plans to travel to Iran for her research. She plans to take some equipment with her for the research on site, which will be sent back to Switzerland after use. Some parts of the equipment are of US origin. To make sure to comply with export control regulations, she seeks advice from the export control specialist at her university.

Although none of the equipment is included in any of the international lists of controlled goods, the export control specialist points out that equipment of US origin falls under US rules. Items that are not explicitly listed in US Commercial Control lists are classified with Export Administration Regulation code

EAR99. This classification requires compliance with the "General prohibitions", covering sanctioned countries such as Iran, Cuba, North Korea, and Syria. To receive an export license from the US authority is lengthy and a denial for such license of more than likely.

The Export Control specialist recommends replacing the US-origin item with an equal equipment that has its origin outside the US.

Case study 6

An international research project includes studies on humans or animal experiments that are performed in the partner country.

The Principal Investigator based in Switzerland needs to make sure that all experiments performed within an international collaboration follow and comply with Swiss law. In particular, the PI ensures that all experiments are in line with the applicable laws of the country of the collaboration as well as compatible with professional and ethical guidelines in Switzerland. For research on humans and animals, the PI in Switzerland is responsible for requesting the original authorisations as well as their translations and to guarantee that all documents fulfil the requirements.

Case study 7

A professor from Switzerland would like to accept a doctoral student from Cuba. As Cuba is on the US list of sanctioned countries, the professor screens the export control relevance of the desired doctoral program and the planned area of research.

As some of the work in the professor's lab is affected by US-export control regulations, he looks for a pragmatic solution that meets the legal requirements. The research project of the doctoral student is defined so that it excludes areas subject to export control regulations and complies with the university's security measures.

Resources

[Swiss National Research Foundation \(SNSF\) on Animal Testing in Switzerland and abroad](#) (including SAMS and SCNAT Ethical Principles and Guidelines on Animal Testing; SAMS and SCNAT Ethics Committee for Animal Experimentation)

[Swiss Academies of Arts and Sciences \(2021\): Code of conduct for scientific integrity.](#)

[Federal Act on Research Involving Human Beings \(Human Research Act, HRA\)](#)

[Code of Conduct for scientific cooperations at ETH Zurich](#)

[Swiss National Science Foundation \(SNSF\) Data Management Plan](#)

3.4 Knowledge and technology transfer

Knowledge transfer refers to the exchange of knowledge between science and individuals and organisations in society, addressing all groups of society (including policy makers, public administration, businesses, civil society, education, media).⁹ Technology transfer is defined as the transfer of technologies or the transfer of research and development results between organisations.

Collaboration should mean a desirable transfer of science and technology between the partners, while protecting the competitive interests of both sides. People and institutions should be aware not to endanger or directly damage national security interests.

Intellectual property rights and dual use

Collaboration with international partners often raises questions regarding intellectual property. The collaboration may also expose the partners to the risk of industrial espionage. It is paramount to address

⁹ [Wissenstransfer der Helmholtz-Gemeinschaft. Konzept zur strategischen Weiterentwicklung und Stärkung](#), Chapter 1.2, p. 4.

these questions from the outset and on a regular basis of any collaboration. Fairness, clearly defined ownership, protection of outcomes and the use of any commercial benefits are important guiding principles.

Commercial interests and the interest of the public institutions may be in direct conflict. As publicly funded institutions, Swiss HEIs must balance the need to guarantee their long-term freedom of teaching and research and striving for socio-economic benefit. The global dissemination of knowledge is generally desirable and should not be unduly hindered. Nevertheless, export control legislation limits the transfer of knowledge from certain areas of research. This affects research findings that can be used in civilian and military applications. Dual-use technology, which is misused for purposes related to proliferation is considered as a threat to world peace and security by the international community.

Questions:

- Will the collaboration lead to results that may be regarded as strategic interests? Is there a risk of confidential information leaking out of the partnership?
- Are the activities and roles of all partners transparent and documented?
- Are commercial interests at stake?
- How is potential intellectual property protected?
- Are there direct risks for dual use of research results?
- Could the scientific content and process of the project fall under international sanctions (e.g., export control restrictions?)
- What is the privacy, data protection and security situation in the partner country?
- Does data management meet the required standards (e.g., institutional policy, funding agency requirements etc.)?
- How and where is data stored? Can both parties have access to the collected data?

Case Study 8

In the framework of a bilateral agreement, a number of Master's students spent a semester at a Swiss university. The students followed courses and had some contact persons within the organisation. Working in the lab, the students also had contacts with local researchers. Some of the students were in contact with very sensitive research, which was subject to export control. Their status as Master students gave them access to the laboratories and the internal computer network.

The university implemented an inventory of research that may be subject to export control. In the case of visiting students from sensitive countries, the university's guidelines require that they are accompanied when in contact with sensitive research. The persons providing support to the visiting students are made aware of these risks.

Case study 9

A scientist from Switzerland collaborates with a partner from a sensitive country on an applied research project taking place in Switzerland and in the sensitive country at the same time. They want to analyse data produced in the framework of this project with one of the best software available on the market. But the software of interest has been developed in the USA and cannot be provided to anyone from a sensitive country by law without approval by the US authority. In addition, the license contract of the software prohibits the re-export of the software to sensitive countries. To overcome this problem, the partner suggests that the Swiss researcher shall provide the software on a temporary basis to the collaboration partner with the argument, that no export license is needed as no transfer of ownership takes place.

The Swiss researchers' department warns him about the risks of exporting the specialised software, as it is subject to export restrictions and constitutes an evasion of sanctions. Such actions are punishable by law and may result in a fine or even imprisonment for the Swiss institute and the Swiss scientist. In a collaboration with a sensitive country, especially when it is an applied research project that may lead to applications, it is important to seek advice from export control experts.

Resources:

State Secretariat for Economic Affairs (SECO) Export Controls and Sanctions Website

Swiss Intellectual Property Institute

Federal Intelligence Service

European Commissions' Dual Use Items List

Federal Act on Data Protection (FADP)

Guidelines to counter foreign interference in the Australian university sector, Australian Government, Department of Education, Skills and Employment

Swiss National Science Foundation (SNSF) Data Management Plan

Principles for the Protection of Intellectual Property (IP), Empa

Wirtschaftsspionage, Prophylax, Federal Department of Defence, Civil Protection and Sport

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