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**Abstract**

Van Wageningen analyses legal relationships between national higher education and the European Union area of higher education. He considers these relationships to be a miracle. Member States are clear about blocking any transfer of powers in the area of higher education to the European Union (EU). Nevertheless, the EU exercises its influence on national higher education using internal market freedoms of services and of establishment. Van Wageningen discusses the legal variation in services or establishment applicable to higher education, thus providing the insights to understand the intertwinement between national higher education (policies) and these market freedoms. Furthermore, he raises awareness to avoid the pitfalls to regulate higher education a certain way, without taking into account EU internal market-driven legal consequences of those decisions. (HRK / Abstract übernommen)

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