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Challenges to university autonomy and evaluation

Taro MOCHIZUKI

Introduction

The tradition of university autonomy that originates from the first university established in medieval Europe in the eleventh and twelfth centuries, has a long history. When the University of Bologna began to function with its organisation as a corporation of students at the end of the eleventh century, scholarly privileges, i.e. certain forms of individually granted legal protections (*jurisdictiones*), were given to students as well as to faculty members by Emperor Frederick Barbarossa. The *Authentica Habita* (1158) certifies autonomy within the 'university' (*universitas*, which means community or corporation in Latin). Historians of higher education recognise it as the first legal document that testified university autonomy. However, this tradition has experienced, and is still experiencing substantive—even *trans-substantive*—metamorphosis in the course of history.

At the beginning of the nineteenth century, when university reforms took place in Europe along with the formation of nation states and the modern ideas of university materialised in national higher education systems, e.g. in the Prussian von Humboldt research university, a certain type of autonomy was granted to the faculty. This occurred despite the fact that nearly all aspects of educational administration procedures—including arrangement of the programmes, study contents, degree requirements as well as appointment of teaching staff—were under the strict control of the state. Concepts like academic autonomy, education through academic research (*Forschung*), scholarly life in solitude, and liberty as well as unity of all knowledge etc. have been adapted so well into academic life that academics still wistfully recall those ideals of past university culture.

The rectors of 430 European universities signed the *Magna Charta Universitatum Europaeum* on the occasion of the 900th anniversary of the University of Bologna in 1988. In the first paragraph of its fundamental principles, the *Magna Charta* declares:

'The university is an autonomous institution at the heart of societies differently organized because of geography and historical heritage; it produces, examines, appraises and hands down culture by research and teaching. To meet the needs of the world around it, its research and teaching must be **morally and intellectually independent of all political authority and economic power**'¹.

If such a dictionary-like definition of university autonomy were to be applied in a relevant manner to higher education institutions in the current situation—vertiginous worldwide massification of higher education and strong market forces in an era of globalisation—there would be no need to discuss it. Realistically speaking, is it possible for modern-day universities to be 'independent of all political authority and economic power'? Certainly, autonomy means 'regulation of behaviours' with relative or complete freedom from external control, which is applied to the activities of an individual, a group, or a society'². Given that university autonomy in the sense of 'complete

1 Cf. *Magna Charta Excerpts*. The Magna Charta Observatory on University Values and Fundamental Rights, <http://www.magna-charta.org>

2 Cf. Article 'autonomy' in *Cosmos Dictionary of Education* (2005). New Delhi: Cosmos Publications.

freedom' from all external powers is impossible, can we find any breakthrough in certain arguments in favour of possible, 'relative' autonomy that allows freedom of research and teaching at the university?

CEPES (i.e. Centre européen pour l'enseignement supérieur; European Centre for Higher Education, UNESCO, Bucharest) organised an International Conference on Academic Freedom and University Autonomy in 1992. The key-note speech of the Conference underlines, 'If the universities insist on retaining concepts of autonomy and academic freedom, which do not permit an accommodation with external forces, they will find themselves marginalized, as public and private bodies have research done elsewhere, and as students choose other types of institutions in which to obtain the education they desire'³. Since the 1970s, massification (or expansion of student enrollment as well as increased diversification of their backgrounds) of higher education and shortage of funding resources have universally affected higher education policies. In addition to these elements, since the mid-1980s, globalisation in the field of higher education (as it is apparent through the phenomenon of transnational or cross-border provision of higher education service launched by the private sector in particular) and worldwide emergence of the so-called 'neo-liberalistic' political trends have permitted the introduction of market economy into university administration.

In many countries, recent deregulation policies in university administration have resulted in the confinement of the responsibilities of programme planning, degree awarding, and institutional management to the university level on the one hand and the elimination of *ex ante* control processes is requiring the development of quality assurance mechanisms on the other hand. In short, *ex post* evaluations have become necessary for being counterpart to increased institutional autonomy. Accreditation of the quality of an academic programme is now considered to be especially important to protect students' interests as well as to ensure the effective functioning of higher education markets. Quality assurance mechanisms are expected to provide information not only to the public authorities but also to students, including potential users of higher education services. Publication of the report is considered to be the essential part of the accountability performance required.

Re-examination of the concept: what is university autonomy?

Keeping the historical perspective and the current situation briefly described above in mind, in this paper, we try to redefine the concept of university autonomy so that it can serve to ensure the university as a 'democratic public sphere'⁴.

If we agree with UNESCO that 'autonomy is the institutional form of academic freedom and a necessary precondition to guarantee the proper fulfilment of the functions entrusted to higher educational teaching personnel and institutions'⁵, we have to state that autonomy which tends to diminish the value of academic freedom—here, implying freedom of teaching and research at the intra-institutional and individual levels—is contradictory. It has been generally believed that academic freedom is best protected in an institution that enjoys the maximum level of institutional autonomy, although the concept of autonomy should be distinguished *in jure* from that of academic freedom. Historically speaking, however, this is not necessarily true. It is interesting to note here the fact that the less autonomous institutions such as the Prussian von Humboldt research university in the nineteenth century ensured more pedagogical freedom (*Lehrfreiheit*) and autonomy at the faculty level. This fact proves that *institutional* autonomy is not a sufficient condition to realise academic freedom but just an element which constitutes the

3 CEPES Papers on Higher Education (1992). *Academic Freedom and University Autonomy*, Bucharest, Vol.1, Proceedings of the International Conference 5-7 May 1992, Sinaia, Romania, pp.8-9.

4 Cf. Henry A. Giroux (2005). 'Higher Education and Democracy's Promise', in *Deconstructing Derrida*, edited by Peter Pericles Trifonas and Michael A. Peters (Newyork: Macmillan), pp.53-81.

5 UNESCO (1997). 'Recommendation concerning the Status of Higher-Education Teaching Personnel, Para.18.

inclusive concept of university autonomy. What matters here is to redefine university autonomy as an 'institutional form' in order to protect the academic freedom which is indispensable for higher education activities; the concept should be differentiated such that we can justifiably secure academic freedom.

CEPES organised the International Conference on Academic Freedom and University Autonomy in 1992. According to the proceedings, one of the objectives of the conference was to differentiate crucial concepts such as autonomy, accountability and responsibility. With regard to university autonomy, a distinction can be made, in the first place, between 'substantive' and 'procedural' autonomy. Substantive autonomy refers to self-setting of a fundamental mission and programmes of the institution. In contrast, procedural autonomy is related to self-setting of a budget as well as to self-control over personnel issues. It is also suggested, in the second place, that three levels of autonomy can be differentiated with regard to the concept of university autonomy⁶: *intra-institutional* autonomy, i.e. the autonomy of units within an institution; *institutional* autonomy, i.e. the autonomy of a university as a whole; *collective* autonomy, i.e. the autonomy of a group of universities (regionally, nationally, and internationally). Each dimension of these 'autonomies' plays its proper role of functioning in order to maintain the university autonomy as a whole.

If we wish to ensure democracy of a university against external forces, we should pay more attention to *intra-institutional* and *collective* autonomies of universities. Current discussions relating to university autonomy tend to focus exclusively on *institutional* autonomy. It is understandable that these discussions are making an issue of university autonomy in terms of organisation administration by discussing *institutional* autonomy. However, we should recognise the importance of *intra-institutional* autonomy which points to the dimension of internal democracy in universities. Further, *collective* autonomy is also important, for it points to the dimension of solidarity between universities. Excessively competitive environments might segregate individual scholars, units, and universities in rivalry, and finally allow the *institutional* autonomy to replace the others. However, university autonomy is such a multidimensional concept that an element cannot be missed without affecting the whole.

From our standpoint, when creating networks between academics or universities, the key to the expected breakthrough is whether the created networks could be utilised for the purpose of synthesising the different dimensions of university autonomy. It is acceptable to state that 'autonomy is a characteristic of the decision-making process of an institution'⁷. In a democratic institution, however, the ideal process to be observed is one of rational collective decision-making. Moreover, the rationality of any collective decision-making cannot be justified without 'combining individual rights and group solidarity', which 'the university has a special potential for'⁸. This is the first point that I would like to claim in this paper.

Autonomy, regulation mechanism, accountability, and evaluation

Market regulation means to replace government control of university administration. The emergence of accreditation/evaluation agencies can be perceived as the result of this change. It corresponds to the diversification of universities as a result of recently adopted deregulation policies. However, this change does not necessarily mean less control directed at the academic activities within the institutions. On the one hand, universities are granted increased institutional autonomy. In compensation for increased institutional autonomy, each university is requested to equip itself with internal quality assurance mechanisms. On the other hand, governments tend to delegate the power and authority to control educational and research programmes in universities to the so-called third party external accreditation/evaluation agencies. In the case of Japan, the authorised accreditation/evaluation agen-

6 CEPES (1992). *Op. cit.*, Vol.1, p.20.

7 CEPES (1992). *Op. cit.*, Vol.1, p.35, Working Document, I-4.

8 *Ibid.*, p.38, Working Document, III-7.

cies such as NIAD-UE (i.e. National Institution for Academic Degree and University Evaluation) and JAAA (i.e. Japan University Accreditation Association), as of 2005 have begun to conduct accreditation of programmes at universities and colleges under the new legal scheme that began in 2004. It is imperative that each university and college undergoes the accreditation process conducted by such agencies every seven years.

Amaral and Magalhaes (2001), who analysed the changes and the status quo of the relationship between governments and higher education institutions, argue that the changes in the regulation mechanism of university administration have led to a type of 'hybridism' where increased institutional autonomy is still confronting significant government regulation⁹. In the 'evaluative state'¹⁰ under which the government 'downsizes' its proper responsibility for controlling higher education administration by delegating authority to public evaluation agencies as well as by promoting 'autonomy' of higher education institutions, the market regulation mechanism can be introduced to the extent which the government limits its proper activities. However, given that the model of 'state supervision' has replaced that of direct control, government regulation still continues with indirect, remote steering through the governmental authorisation of the accreditation/evaluation agencies, as is the case in Japan.

Dill (2001) argues that 'three different approaches to accountability are being experimented within the new market environment of higher education'. 'These are...', he says, '...information provision, capacity building, and performance funding'¹¹. According to him, these are the result of 'procedural' deregulation as well as of 'substantive' deregulation¹². Substantive deregulation makes it possible for universities, seemingly at least, to set 'autonomously' their own mission and programmes. In compensation for this institutionally granted autonomy, however, universities are requested to achieve accountability in order to provide information on the quality of their academic programmes corresponding to the mission, the performance of which is assessed by evaluation agencies. Procedural deregulation makes it possible for universities, seemingly at least, to decide tuition income, generate revenues through their research activities, etc., and accordingly arrange 'autonomously' the use of their own budget. Budget allocation to universities (in the case of public universities), however, tends to be associated with their performance which is measured using predetermined criteria (Who set these criteria?). The state supervises these processes. Thus, we can understand how 'hybridism' operates in reality. It is in fact a challenge to university autonomy. Amaral and Magalhaes point out:

'... if on the one hand institutions have been given autonomy, on the other hand, the state has not disappeared in favour of the market. On the contrary, the government still keeps a firm hand on regulating the system ...'¹³

Under the 'evaluative state', universities find themselves in a paradoxical situation: The more universities are granted autonomy at the *institutional* level, the less autonomous will be the activities that their academics perform within the *intra-institutional* units or faculties. This is true particularly with regard to pedagogical activities when universities shift from being research-centred to being teaching-/learning-centred. Let us consider an example. In order to effectively enhance quality teaching, the contents, ways of teaching, and outcomes of each individual course are assessed using a well-known course evaluation form. Currently, course evaluations by students have

9 Alberto Amaral & Antonio Magalhaes (2001). 'On markets, autonomy and regulation the Janus Head revisited', in *Higher Education Policy*, The Quarterly Journal of the International Association of Universities (IAU), 14,7-20.

10 *Ibid.*, p.14.

11 D. D. Dill (2001). 'The regulation of public research universities: changes in academic competition and implications for university autonomy and accountability', in *Higher Education Policy*, The Quarterly Journal of the International Association of Universities (IAU), 14, 21-35, p.29.

12 *Ibid.*, pp.25-29

13 Amaral and Magalhaes (2001). p.14.

become popular in Japanese universities and colleges. Moreover, there seems to be a tendency to link the result of these evaluations to those of the teaching methods practised by individual teachers. In the event of an undesired result, teachers are requested to alter their method of teaching. Therefore, they have increasingly controlled their pedagogical activities.

How can we overcome these challenges? Again, in my opinion, we will require to newly design *a holistic vision of university autonomy*. There is no doubt that the idea of university autonomy should be interpreted appropriately according to the contexts in which we discuss it. Problems arise however, when we lose sight of the fundamental principles¹⁴ on which every interpretation must be based. Moreover, it is important to avoid defining the concept of accountability too widely. We should not confuse institutional accountability with the responsibility of the faculty or individual academics. The principles of evaluation for the purpose of institutional accountability performance, such as common, predetermined criteria, performance funding, and the like, should not be applied to the activities of intra-institutional units and individual academics.

14 Fundamental principles from the *Magna Charta Universitatum* (1988).