

## **REFOCUSING THE INSTITUTIONAL AUTONOMY AND ACADEMIC FREEDOM DEBATES: A RESPONSE TO DR ADAM HABIB**

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### **INTRODUCTION**

In response to Dr Habib's presentation, I wish to align myself with the observation that this is an opportune moment for discussions on institutional autonomy and academic freedom to take place. But in addition, I want to invite higher education institutions (HEIs) represented here today to further pursue the debates at their own institutions because as far as one can gather these issues have not been adequately interrogated at the institutional level.

Dr Habib recasts a pertinent stance that reconciles the introspective and externally-focused approaches to the discourse of institutional autonomy and academic freedom. For an extended length of time, there has been a sweeping consensus among universities that whenever matters of institutional autonomy and academic freedom are discussed, the villain springs in from the outside, often in the epitome of the state or some quality assurance agency. Depending on the case at hand, there could be some validity to the assumption. In our context, I would concur with Dr Habib that the Council on Higher Education (CHE) and the Department of Education (DoE) are the potential suspects. However, I make this submission with a degree of reservation and I will extrapolate the basis for my discomfort in aligning myself with Adam Habib's and indeed Prof. Jonathan Jansen's identification of the state and the CHE as primary antagonists.

My intention is not to dwell much on the external environment except to outline a few issues which may explain the ever-increasing intervention by external stakeholders.

### **THE COUNCIL ON HIGHER EDUCATION**

The CHE and specifically the Higher Education Quality Committee (HEQC) stand accused for the implementation of institutional audits and programme reviews. Admittedly, the audit processes cannot be exonerated from flaws which in some cases tarnished the image of the universities concerned. Nevertheless; I would like to submit that criticism lodged against the CHE should be restricted largely to the process and not so much the purpose; beyond that the proposition is that the work of the HEQC should be viewed as a mechanism for enhancing public responsibility and should be embraced by "confident" higher education institutions as an opportunity for them to demonstrate high levels of performance (EL-Khawas, 2002).

### **THE DEPARTMENT OF EDUCATION**

The Department of Education is allegedly guilty of imposition through the implementation of the output-linked funding formula, by capping student enrolments and by reserving the right to authorise the Programme and Qualifications Mixes (PQMs) of institutions to mention just a few of the grievances that have become commonplace to higher education in South Africa. Ironically universities cry foul on the new funding formula when they themselves are busy developing in some cases, and tightening up in other instances, systems of performance-related remuneration for their own employees. Now the question to ask is the following: Is performance measurement a positive construct only when it is applied by the university technocrat to staff members? If so, under what circumstances does it turn negative?

## **CAPPING**

Enrolment capping is largely perceived to be the consequence of the state's inability or reluctance to increase financial allocations to higher education. In particular, the Minister of Finance's budget speech, during which intentions to increase a portion of higher education budget by not more than 5%, became the basis for contention. While one cannot outrightly dismiss the suspicions, one would like to shed a different light on the deliberations. Among the multiplicity of government's roles lies the duty to create employment opportunities. What has happened in the past which is continuing currently is that universities have distorted the labour supply by training for unemployment. This has occurred in two ways: either by over-production of graduates or by offering training that is disjoint from the national skills priorities. It is tempting to assume that it is this kind of conduct that led to the state's insistence on requirements such as approval of the PQMs by the Department of Education .

Allow me to further complicate the conundrum by referring to the recent wave of alleged institutional maladministration, abuse of authority as well as misappropriation of public funds by Vice-Chancellors for which three institutions came under the spotlight in 2005 and 2006. Prior to these incidences, universities were exempted from the prescripts of the Public Finance and Management Act of 1999 (PFMA). But recently, the Minister of Education announced that HEIs are bound to comply with the Internal Audit Act of 2004 which supersedes the exemption HEIs enjoyed from the PFMA.

## **THE VITIATOR FROM WITHIN**

### **The University Councils**

As far as the universities are concerned, a motion is advanced that the prime suspects vitiate from within the universities. Dr Habib cites Prof. Jansen's postulation that certain agencies within universities should accept the blame for the loss of institutional autonomy and the violation of academic freedom; the Vice-Chancellors and the Deans are identified. But I want to add the third vitiator, the university Council.

There is evidence that university councils have trampled on institutional autonomy and academic freedom in one/or both of two ways: as perpetrators and/or collaborators:

- a) Councils are alleged to have the tendency to condescend from the responsibilities of governance and encroach on the administrative responsibilities of the executive managers.
- b) At another level, they allegedly collaborate with centrifugal executives masquerading as leaders, who suppress the rights and freedoms of other constituencies within universities. These sentiments are recurrent in discussions amongst higher education employees across systems – and particularly here in South Africa.

### **The Institutional Technocrat as the Chief Defaulter**

Literature (Johnstone & Bains, 2002) suggests that institutional autonomy and academic freedom crumble in the hands of incompetent university administrators who through lack of leadership skills coupled with self-interest, plunge otherwise potentially vibrant universities into beleaguered organisations and demoralise committed staff members to conditions of acrimony.

These, as Plank and Verhine 2002 observe, are university “leaders” who stamp their authority not by virtue of scholarly competence, but instead mobilise incentives and sanctions for key groups in order to suppress active dissent.

According to Prof. Jansen 2004, such managers stand in the way of institutional autonomy by expending energy and time in doing “nothing else other than try to keep student outrage down and manage constant threats of staffing action ..., they are [managers] who lend no face to the academic project”. These are the same forces that create institutional cultures that are non-receptive to reflective viewpoints and a diversity of cultures that Dr Habib refers to in his exposition.

I perused with an immense sense of disbelief an account of how the Professors’ Union in Brazil and student organisations objected to the government’s edict of granting autonomy to universities. But my dismay vanished when Johnston and Bains insightfully observed that such opposition was triggered by perceived protection of staff and students by the state in the face of persecution by the institutional technocrat and the senior academic. Johnstone and Bains (2002) further moot that a closer scrutiny facilitated the unveiling of the fact that the “institution”, for which autonomy is being sought, is in fact either 1) the Rector 2) the Council 3) the Academic Manager and (in rare cases) 4) the Senate.

If the above contention is anything to go by, it would seem then that institutional autonomy has been the preserve of the university technocrat while academic freedom is a matter for staff and students. The challenge remaining is how to strike the balance!

### **FINANCING**

Dr Habib’s expresses an opinion that financial self-sufficiency may be a way to escape government involvement in the affairs of higher education. Please be cautioned that the probability that such a scenario will materialize is close to zero. It might be significant to record that although funding could be used as a control mechanism by the state, the primary motivation

for state involvement in higher education is derived from its responsibility to protect the public good and that happens in all types of organisations including self-financing institutions such as banks and pharmaceutical companies as we have recently borne witness to in South Africa.

### **COOPERATIVE GOVERNANCE**

It has been confirmed today that cooperative government is not realized. And this has not collapsed only as far as state-university relations are concerned but cooperative governance arrangements have collapsed within institutions as well. This finding might intensify/consolidate the view that in actual fact, the state should be criticized more for negligence of its duty to safeguard the public good than for interfering with the affairs of universities.

### **CONCLUSION**

In conclusion, is it not worth observing that the petition for the state to “back off” has not been supported by practical proposals outlining the alternative stakeholder that commands acceptable legitimacy to intervene in situations where HEIs fail to self-govern?

The recommendation by Profs Jansen and du Toit that the state should consider granting differentiated autonomy – would, if one may observe, not pass a test on the practical side. Mechanisms for determining the degree of efficiency leading to exemption from state involvement would in any case involve some kind of auditing or performance measurement.

### **SO WHAT AM I SAYING?**

The thesis of this presentation is that on the one hand greater focus should be placed on creating resurgent organisations. This can be achieved by identifying a cadre of higher education leadership that commands high levels of scholarly integrity and respect, as well as leadership and management competence. Universities need to get their house in order and only then may they have the credibility to demand institutional autonomy and academic freedom.

Academic staff and students should assume the role of stewardship for academic freedom and scholarship. If these were to happen consistently, it is my belief that it would not matter whether the state wanted to peep in or explore in full view what happens within HEIs. The state would be pleasantly surprised.

I THANK YOU.