The Governance of Public Universities: The Missing Parameters

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Introduction

Despite the recognition of the importance of the public universities (PUs) and the increasing complexity of the university business model, the PUs governance system has not changed significantly. There have been a limited number of mostly cosmetic changes without a coherent policy or strategy at work (Bakri, 2003; Navaratnam, 2006: 136). The "undue" student and staff political activism, the rising spectre of unemployed graduates, a vibrant private tertiary education sector and the fall in the ranking of PUs in international surveys have created some disquiet about the state of PUs (Ministry of Higher Education Report (MoHE), 2006; Navaratnam, 2006). The PUs governance debate and some changes have focused mostly on the structures and powers of the university vis-à-vis the minister. In the following sections of this short paper several salient missing parameters of PUs governance and the corresponding implications for PUs performance are briefly outlined.

Firstly, for all intents and purposes the PUs are a part of the civil service. Although the University and University Colleges Act (1972) grants the PUs some autonomy to accept, modify or reject rules and regulations emanating from central agencies, it is almost perfunctory that their respective Board of Directors (BOD) will accept directives *in toto*. Being mostly ex-civil servants, the BOD's belief in the rules-based management is still unshaken. There is great reluctance to distinguish or differentiate the role of the universities from the rest of the public sector. It is shackled tightly by the tentacles of the civil service. The universities have fought many a losing battle to seek some exception. The recent one is the raising of retirement age of the quintessential knowledge workers – the academic staff, and the *Penilaian Tahap Kecekapan* pass rates. The source of this treatment cannot be found in the legal texts. The explanation for this treatment is in the soft institutional and human aspect of the PUs. There is no sign that these parameters of governance will change in the near future as evidenced by the recent statement by the Deputy Prime Minister. "It will not be possible to separate scheme of service for public universities…" (*The Star, p. 6, 19 August 2006*). The professional values and stance of the civil servants, i.e., to implement policies and programmes "passionately" is expected of the university academics. They are not to engage in discussions of the technocratic or political merit of public policies and decisions. There is great incentive and scope for showing support for current policies and views whereas dissenting views and positions as well as scholastic works without hidden agenda are not received. The continued treatment of the PUs as part of the civil service limits the room for real governance changes. Reification of hierarchy and rank, dominance of authority over intellectuality, intellectual meekness and a culture of conformism are some of the "soft" governance parameters that are likely to remain stubbornly a part of the PUs despite some symbolic changes in the nominal structures.

Secondly, MoHE faced with growing disaffection over the state of PUs, has quite expectedly built a larger bureaucracy to take charge of the tertiary affairs. The impending creation of an enlarged and empowered quality assurance agency will further cement the rising role of MoHE in tertiary education. A stronger MoHE is likely to be more invasive of university affairs, prone to greater centralisation and preferring standardisation – the antithesis to autonomy (Bakri, 2003: 236; Hazman, 2005). MoHE is more likely to "steer and row" the PUs. Any suggestion that MoHE should limit its role to the steering function is viewed as diminution rather than rationalisation of roles. Recognising the power and control of MoHE over the universities, the BODs and the Vice-Chancellors (VCs) speak softly, privately, politely and politically correctly on issues of great importance to the future of PUs. Any impolite reactions to MoHE's positions and policies have and will usually receive a sharp rebuke or earn the displeasure of senior MoHE bureaucrats. In addition there is the attendant uncertainty about the tenure of the irksome VCs.

Thirdly, over the years there is a trend towards greater interest in and emphasis on managerial competence as opposed to the traditional academic accomplishment and distinction in the choice of key university administrators. Management rather than leadership appears to be the key attribute. This trend saw the appointment of senior and retired Administrative and Diplomatic Officers as VCs . These appointees trained as true blue civil servants (especially in the Administrative and Diplomatic Service Officers) found the universities to be quite disorderly, unfocused and having unhealthy levels of autonomy – all features found to be inconsistent with the demands for a modern organisational management. Despite the overt unpopularity of the old command and control style of leadership and management, it continues to thrive in the academia as it does also elsewhere. Homogeneity and standardisation are in vogue and legitimised by recent quality certifications to achieve operational discipline (often confused as operational excellence). A more collective, collegial, consultative and servant-leadership is, increasingly, not a common institutional feature in PUs (Marginson and Considine, 2000).

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Fourthly, at a time when level five or servant leadership (Greenleaf, 1996) is promoted and heroic leadership is reviled (Mintzberg, 2004: 94), there is growing reification of the reverential VCs. Even such towering figures as Royal Professor Ungku Aziz did not become the face of the university. As the stature and profile of the more recent VCs increased and as their powers become concentrated and unchallenged, there is a growing sense of reverence, not mere respect, of the VCs. These universities cultivated a culture of reification and worshipping that is highly smothering to the intellectual tradition that the university is expected to demonstrate. Some VCs conceived of their role, not as the head of a public institution, but the head of a government institution and therefore, become politically partisan. This role concept encourages the PUs to be legitimisers rather than critical reviewers and at times, arbitrators as the Prime Minister has outlined in his recent speech at Universiti Sains Malaysia (USM) launching the Tan Sri Noordin Sopiee Chair for Global Studies. This shortsighted and self-serving stance diminishes the role of the PUs. It does not become a centre of excellence but a centre of partisanship. A sort of intellectual "groupthink" develops adding credence to dominant viewpoints and expresses near hostility to alternative thinking. In the long run, the university community "loses" its ability to "think" beyond or outside the dominant or official or popular viewpoints.

Fifthly, the MoHE Report (2006) dwelled much on the legal position of the BOD vis-à-vis the Senate and the Minister. Legal autonomy and actual autonomy are not the same concepts. The BOD must be mentally prepared to exercise authority. Will the BOD members step up to the challenge? Will they be comfortable doing it? Civil servants schooled for almost 2-3 decades in the art of active conformance to and great reverence for precedence and procedures cannot make paradigmatic changes in the twilight years of their life. Contrary to the usual and perfunctory talk about innovation, leadership and entrepreneurship, the BOD is risk aversive, more of a follower than leader and more conventional than inventional. They fully understand the limits of their powers vis-à-vis the VC and especially the Minister of Higher Education. Even corporate directors succumb to the style of their more numerous public sector colleagues (Akroyd and Akroyd, 1999: 177). After all, PUs are public organisations and therefore, the BOD members from the public sector hold all the aces.

Conclusion

The present discussion of PUs governance tends to focus on the legal and institutional aspects of PUs governance leaving aside some very fundamental parameters of PUs governance. The totality of PUs governance can only be understood when the soft governance parameters are laid bare alongside the traditional foci of PUs governance. The role of MoHE, the managerialist orientation, the reification of the VC and the bureaucrat dominated BOD define the complex and conflicting parameters of PUs governance that is often missing in the governance debate. There is as much in the culture of the universities as there is in the legal texts of the universities' constitution that constrains its performance. The basic governance premises must be deeply and critically examined to reengineer and empower the PUs to achieve world class fitness.

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