

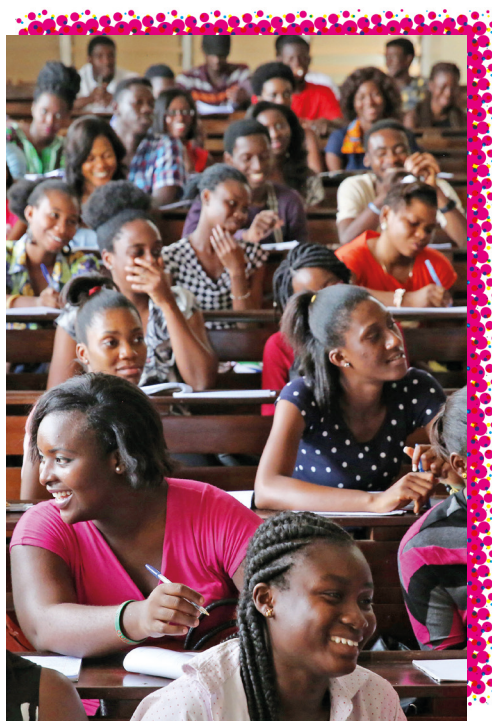


United Nations
Educational, Scientific and
Cultural Organization



International Institute
for Educational Planning

Reforms and changes in governance of higher education in Africa



Edited by
N.V. Varghese

New trends in higher education

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PREFACE

Higher education has undergone a revival globally in the early years of this century. Regions that lagged behind are now surging ahead, showing faster rates of growth in enrolment. The African region, which, historically, has failed to keep up with other regions in terms of enrolment in higher education, has witnessed the fastest rates of growth in higher education enrolment over the past decade. The fast growth of the sector is due primarily to government reforms introduced in many countries of the region.

These reforms, in general, reflected a move away from a reliance on state funding towards more market-friendly policies, making institutions more autonomous and self-reliant. They resulted in an increase in the amount of resource available to the sector and encouraged the diversification of providers, programmes, and sources of funding. The privatization of public institutions and the promotion of the private sector contributed substantially to the fast expansion of higher education. The privatization measures included the reduction, and, in some cases, the elimination, of subsidies, the introduction of cost-recovery measures, and the development of income-generating activities within universities. Private universities and institutions of higher education multiplied quickly and remain the fastest-growing segment of higher education in African countries.

The reforms resulted, in many instances, in changes to governance structures and decision-making processes. The establishment of buffer organizations, the creation of governing bodies at institutional level, and new measures to ensure greater accountability forced institutions to adopt new operational principles and managerial practices. IIEP initiated a study to analyse and understand the nature of these reforms and their effects on the governance and management of higher education. The first phase of the research programme was implemented in Asia and the second phase (the present study) in Africa. While the present study was conducted in Anglophone African countries, a similar study has been carried out by the Institute in Francophone African countries.

IIEP carried out in-depth studies in countries at varying levels of development selected on the basis of an agreed set of criteria. The countries selected were: Ethiopia, Ghana, Kenya, Nigeria, and South Africa. These countries vary in terms of economic and higher education development, thus providing a continuum from low-income countries such as Ethiopia to relatively high-income countries such as South Africa. All of the countries have several public universities, necessitating reforms at a national level to regulate these institutions.

The in-depth studies were carried out by national teams, which focused on the nature of the reforms, their implementation, and their effects on the governance and management of institutions of higher education. IIEP organized a research methodology workshop in Addis Ababa, Ethiopia, to develop a common understanding and framework for the study and its focus of analysis. The institute then organized a validation workshop in Accra, Ghana, to share the initial findings among decision-makers, and, finally, a regional policy forum in Nairobi, Kenya, to share the results of the completed study with a wider audience of planners, policy-makers, and researchers from countries of the region.

The IIEP research studies are also intended to develop research capacities in UNESCO member states and to support policy initiatives. While the methodological workshops helped reinforce research capacities among the national research teams, the policy forum helped widen understanding of the context of the reforms, their implementation, and their possible effects, which may help other countries to initiate similar reform processes.

I am grateful to the study authors for their contribution, to the Centre for Education Research in Ethiopia for organizing the methodological workshop, the University of Ghana for organizing the validation workshop, the University of Nairobi for organizing the policy forum, the Association of African Universities for their support and collaboration in bringing out a summary report of the forum, and to N.V. Varghese for directing the research studies and activities leading to the publication of this volume.

Suzanne Grant Lewis
Director, IIEP

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N.V. Varghese

EXECUTIVE SUMMARY

In the post-independence period, the idea of ‘development universities’, adopted in many African countries, reflected the perceived role of higher education in meeting the human resource needs of the economy. Higher education played an important role both in the indigenization of development and in the development of a national education system. The process of ‘Africanization’ led to the replacement of expatriates in administration and decision-making positions with nationals. Higher education institutions (HEIs) played a very important role in indigenizing teaching staff, curriculum, and the language of instruction at different levels of education. Consequently, the higher education sector benefited from a positive political attitude and favourable resource allocation.

Higher education was provided mostly through public universities funded and supported by the state. The rationale for this state-funded and heavily subsidized model of higher education was questioned in the 1980s. State funding did not keep pace with the resource requirements of an expanding system of higher education, leading to a deterioration of teaching standards and a depletion of research capacities. The higher education reforms of the 1990s centred on finding alternative ways to finance and expand the sector, as well as on improving the managerial efficiency of universities.

Many countries introduced market-friendly reforms. These can be broadly categorized as either: (a) the privatization of public institutions or (b) the promotion of private institutions. Under the former, institutions remained in public ownership but their operations were guided by market principles. Under the latter, non-state private HEIs were established. In the 2000s, private institutions became the fastest-expanding segment of higher education in Africa.

Public institutions introduced reforms which have resulted in substantial changes in the way their activities are organized and managed. IIEP initiated this research study to analyse some of these reforms and understand their effects on the governance of higher education at institutional and national levels. Reforms to higher education governance were studied in Ethiopia, Ghana, Kenya, Nigeria,

and South Africa. More specifically, the studies focused on reforms to institutional autonomy in Ethiopia and Nigeria; performance contracts in Kenya; internal reorganization and the operation of public universities in Ghana; and reforms in planning and funding to steer the higher education system in responding to national development needs in South Africa.

Closer examination of the effects of the reforms shows that institutions became more autonomous in the way they functioned, while new governance structures were created both at national and at institutional levels. Buffer organizations were established in all instances, governing boards were constituted at institutional level, and new managerial positions were created at all of the universities.

Greater autonomy led institutions to adopt more democratic processes, with heads of department and deans elected in many institutions, and committee systems introduced to oversee procedures and reduce arbitrariness in decision-making. Staff selection procedures also changed. New appointment procedures included an inter-departmental interview panel and a written examination and seminar presentation by applicants. In the process, institutional management style has become more transparent, accountable, participatory, and inclusive.

Financial management and budgetary procedures were also changed in some instances. While line-item budgetary procedures were replaced by a block grants system in Ethiopia, Kenya introduced zero-based budgeting with an automated accounting system. Nigeria introduced competitive research funding and set up a department finance committee, while the University of Ghana established a limited liability company (the University of Ghana Enterprises Limited or UGEL) to manage income-generating activities, and introduced integrated tertiary software (ITS) to handle many of the university's administrative and central financial functions. All these reform measures led to changes in crucial areas of governance and management within the universities of the countries studied.

Did these reforms improve the governance and management of higher education? The evidence is mixed. While members of some senior management teams report positive effects on the governance and management of their institutions, staff at other universities are less

enthusiastic. In Ethiopia, severe criticism has been made of the use of business process re-engineering (BPR) in higher education. Even those who supported the use of BPR in principle were highly critical of the reforms that resulted. This suggests that the reforms, intended to increase institutional autonomy, may not have improved institutional effectiveness as much as expected.

In Kenya, performance contracting led to the increased autonomy of public universities, helped reorganize internal operations, and made decision-making faster and more efficient. The use of performance contracting meant more accountability measures, which helped ensure increased output, notably at the University of Nairobi, which adopted a strong performance contracting strategy. Research productivity also increased, moving the university up the national rankings. In Ghana, the reforms strengthened the decision-making process at faculty level, and enhanced teaching and research. The reforms in South Africa helped the government to shape the system of higher education in the country. Institutions adopted national enrolment planning and funding frameworks to manage their operations. The reforms helped increase access. However, there is disagreement as to whether these changes constitute real success. The graduation rate of 19 per cent remains too low while a dropout rate of 48 per cent is very high.

Most reform measures indicated a move away from direct government control towards the adoption of market principles in the operation of institutions. Does this imply that government influence on decision-making declined? Government influence remains evident in many instances, including in the appointment of university chairs and members of university governing boards. The studies included here demonstrate that government intervention in the form of regulations is necessary to enforce accountability measures and to ensure the more balanced growth of higher education in the region. It may be more appropriate, therefore, to argue that the role of the state is being redefined in terms of developing a framework for operation and regulating the system rather than in terms of financing, managing, and controlling institutions of higher education.

ABBREVIATIONS

AAU	Association of African Universities
ASUU	Academic Staff Union of Universities
ADEA	Association for the Development of Education in Africa
BPR	business process re-engineering
BSC	balanced score card
CAO	chief academic officer
CPP	Convention People's Party
CEO	chief executive officer
CESM	Classification of Education Subject Matter
CHE	Commission for Higher Education/ Council on Higher Education
CUE	Commission for University Education
DHET	Department of Higher Education and Training
DoE	Department of Education
DVC	deputy vice-chancellor
ERSWEC	Economic Recovery Strategy for Wealth and Employment Creation
FME	Federal Ministry of Education
FTE	full-time equivalent
GER	gross enrolment rate
HDI	Human Development Index
HEI	higher education institution
HEMIS	Higher Education Management Information System
HEP	Higher Education Proclamation
HERQAA	Higher Education Relevance and Quality Assurance Agency
HESC	Higher Education Strategy Centre
HESO	Higher Education System Overhaul
HR	human resources
HSIU	Haile Selassie I University
ICT	information and communications technology
ISO	International Organization for Standardization
ITS	integrated tertiary software
JAB	Joint Admissions Board

KAIPTC	Kofi Annan International Peacekeeping Training Centre
KES	Kenyan shillings
KNUST	Kwame Nkrumah University of Science and Technology
KRA	key result areas
LPO	local purchasing order
MoE	Ministry of Education
MoFED	Ministry of Finance and Economic Development
MoHEST	Ministry of Higher Education, Science and Technology
NAB	National Accreditation Board
NASU	Non-Academic Staff Union
NBTE	National Board for Technical Education
NCCE	National Commission for Colleges of Education
NCHE	National Commission on Higher Education
NCTE	National Council for Tertiary Education
NEET	not in employment, education or training
NER	net enrolment rate
NGN	Nigerian Naira (currency)
NGO	non-governmental organization
NPHE	National Plan for Higher Education
NSFAS	National Student Financial Aid Scheme
NUC	National University/ Universities Commission
OECD	Organisation for Economic Co-operation and Development
PC	performance contract
PMP	performance monitoring and evaluation plan
PNDC	Provisional National Defence Council
PQM	programme qualification mix
RBM	results-based management
RCU	Reform Council of Universities
RDP	research development programme
RID	pro-vice-chancellor
SAPSE	South African Post-Secondary Education
SAREC	Sida Department for Research Cooperation
Sida	Swedish International Development Cooperation Agency
SMT	school management team
SPS	Sector Performance Standards
SRC	Student Representative Council

Abbreviations

SSA	social security agreement
TSC	Temporary Student Committee
UCAA	University College of Addis Ababa
UCC	University of Cape Coast
UCI	University College Ibadan
UCT	University of Cape Town
UENS	University for Energy and Natural Sciences, Sunyani
UGEL	University of Ghana Enterprises Limited
UHAS	University of Health and Allied Sciences, Ho
UIS	UNESCO Institute for Statistics
UNDP	United Nations Development Programme
UNES	university enterprise scheme
UoN	University of Nairobi
UPSA	University for Professional Studies, Accra
URC	University Rationalization Committee
USD	United States dollar
VC	vice-chancellor
VRIC	Visitation Report Implementation Committee
WGHE	Working Group on Higher Education

I. REFORMS AND CHANGES IN GOVERNANCE OF HIGHER EDUCATION IN AFRICA: AN OVERVIEW*

N. V. Varghese

1. Introduction

The 1980s was a decade of decline for higher education, with student enrolment falling or stagnating in many countries around the world (Altbach, 1984). Higher education in Africa experienced the erosion of both facilities and capacities during the 1980s (Kinyanjui, 1994; Mamdani, 1993; Saint, 1992). These trends were reversed in the early years of this century. Between 2000 and 2010, higher education expanded globally, with enrolment increasing by more than 7.7 million students annually. Developing countries accounted for a major share of this increase. Today, rates of growth in higher education are highest in countries in Africa, although the enrolment base remains low.

This revival is due, in large part, to reforms implemented within the sector and is reflected in terms of the increased availability of resources from non-governmental sources, new programmes, and more diverse forms of provision. The reforms helped reduce the sector's reliance on state funding. There was less state control of institutional governance and management, institutions became more autonomous and self-reliant, and households grew more willing to invest in higher education. These changes altered the way higher education was governed and institutions managed. This paper attempts to elaborate on these changes in Africa, drawing on case studies from some of the countries of the region.

The next section of the paper examines the development of higher education in Africa. This is followed by a discussion of the reforms and the resulting expansion of higher education in the continent in Section 3. Section 4 focuses on the reform measures outlined in the case study countries, with their effects on governance considered in Section 5.

* An abridged version of the theme paper was presented at the policy forum on *Governance reforms in the management of higher education in Africa*. The views expressed in this paper are the author's and should not necessarily be attributed to the institution in which he is employed.

Section 6 considers whether or not these reforms improved the sector as a whole, while the final section draws some general conclusions from the trends identified in the case study countries.

2. Public financing and development in higher education in Africa

At the time of independence, most African countries relied heavily on external experts to manage their economies. The idea of ‘development universities’ (Cloete *et al.*, 2011) implied a role for universities in meeting the human resource needs of the economy. The establishment of universities and the expansion of higher education served the political and economic aspirations of the newly independent governments in several ways.

The expansion of higher education supported the indigenization (nationalization) of development in general and of education in particular (Atal, 1995). The former meant the replacement of expatriates in administration and decision-making positions by nationals. During and after national liberation, there was a serious effort to Africanize administration and decision-making. ‘The first step in African independence was to put Africans at the top of the government ... Africanization has everywhere gone more quickly than the colonials anticipated ... There has consequently been a strongly expansionist view of higher education’ (Sutton, 1971). In the absence of national universities to train professionals, many countries had to send nationals abroad for training (Kidd, 1991). The establishment of national universities helped, in many instances, to train nationals and indigenize development.

In terms of educational development, this process meant indigenizing teaching staff, curriculum, and the language of instruction at different levels of education. The priority for national governments was to train nationals to teach in schools, especially primary schools. Although this sector too was dependent on expatriates, the domestic HEIs succeeded, over a period of time, in producing trained nationals who could replace expatriates in the teaching professions. The teaching profession, at all levels of education and in most countries in Africa, is now dominated by nationals.

State and public-sector institutions were central to the development strategies of the newly independent countries. This model was replicated in education. Higher education was provided through public universities. The 1960s and 1970s saw the establishment of new universities in African countries. Public universities in these countries ‘symbolized national pride and self-respect’ (Coleman and Court, 1993), as well as self-reliance. All these factors contributed to a positive political attitude and favourable resource allocation for higher education. Despite this, higher education throughout this period remained, by and large, the preserve of elites.

African universities, like those in other regions, were modelled on institutions of higher education operating in the respective colonial powers. Universities in Francophone Africa followed French universities while those in Anglophone countries were based on British and American models. The universities were characterized by limited access. Courses were taught in a foreign language and the institutions had little autonomy (Teferra and Altbach, 2003). In many instances, political leaders (including presidents and prime ministers) became university chancellors and patrons, thus wielding considerable power and influential authority over university affairs and limiting the autonomy of these institutions.

International agencies also helped shape the development of higher education in Africa. UNESCO sponsored the first Africa-wide conference on higher education in Tananarive in 1962, which paved the way for the creation of the Association of African Universities (AAU). The heads of universities who participated in the conference met again in Khartoum to form AAU, which was formally inaugurated in Rabat, Morocco, in 1967. AAU organized regular meetings to provide the vision and framework for the development of higher education in Africa.

External funding was found to supplement government money in financing higher education in Africa. The World Bank was the single largest source of external funding (Habte, 1989), though many private foundations also made substantial contributions to develop institutional capacity to carry out research and training in Africa. The Rockefeller Foundation concentrated its support on selected universities, also providing fellowships and grants for programmes of study abroad,

especially at master's and doctoral levels, appointing visiting staff, and providing research grants to promote local research (World Bank, 1988). The Carnegie Corporation, the Kellogg Foundation, and the Ford Foundation, among others, were also notable sources of external, private funding. Higher education institutions in Africa also received support from the governments and agencies of European countries such as Belgium, France, Germany, the Netherlands, Norway, Sweden, and the UK.

The state-funded, heavily subsidized model of higher education did not last long in Africa. During the 1980s, the share of higher education in state funding declined, as did external funding of higher education. As a result, many public universities fell into a 'severe state of disrepair'. Deterioration in physical facilities and academic provision, combined with faculty flight due to low pay and the non-payment of salaries, led to a sharp decline in the quality of higher education (Mamdani, 1993; Mwiria, 1992; Teferra, 1997; Adeyemi, 2000). Net migration under social security agreements (SSAs) doubled from 0.57 million in 1995 to 1.07 million in 2005, with an estimated one-third of this number university graduates (World Bank, 2009).

These developments, undoubtedly, contributed to a deterioration of teaching standards, a depletion of research capacities, and an erosion of national analytical capacities to provide policy support (Saint, 1992; Otieno, 2003). The major question in the 1990s was how to reconstruct and revive higher education in the region (World Bank, 1988; Eisemon, 1989). The educational reforms carried out in Africa during the 1990s were centred on finding alternatives to state financing to promote an expanding system of higher education and on managing universities more efficiently and effectively (Sanyal, 1995).

3. Market-friendly reforms and the expansion of higher education in Africa

Market-friendly reforms became common in economic sectors during the 1990s. Their influence was also felt in education, especially higher education. The pressure to reform higher education grew across the world, as knowledge-based economies became the motor of economic growth and competitiveness (Fielden, 2008). A global environment sympathetic

to market-friendly reform in higher education encouraged and promoted similar reforms in Africa.

Global pressures aside, countries in Africa had their own motivations to reform higher education. First, political change and the return to democracy in several countries of Africa in the 1990s were important influencing factors in democratizing higher education and improving access to it (Moja, 2004; Cloete and Bunting, 2000). Second, the fiscal crisis and the inability of the state to fund an expanding system of higher education forced countries to evolve alternative strategies for financing higher education (Kinyanjui, 1994; Court, 1999; Chuta, 1998). Positive economic growth, together with improved household income and better employment prospects, increased the capacity and willingness of households to invest in quality higher education for their wards and provided fertile ground for market operations in higher education.

There are some core concerns, common features of the reforms across several countries (Varghese, 2012). These include: a) a concern for knowledge production and the use of knowledge in production; b) a concern for realigning higher education with the employment market (Al-Samarrai and Bennell, 2003; UNESCO, 2012); and c) a concern for expanding higher education. The immediate and most important concern in Africa has been to expand the system. Not only has the region had the lowest gross enrolment rates (GERs), but enrolment stagnated throughout the 1980s and early 1990s. The expansion also reflected the greater interplay of markets and private agencies that followed globalization. It has been argued that the impact of globalization on higher education in Africa can be summarized in terms of 'six Cs': corporatization of management; collectivization of access; commercialization of learning; commodification of knowledge; computerization of education; and connectivity of institutions (Zezeza, 2004).

Closer examination of the reforms in the region reveals that they can be broadly placed into two categories: a) the privatization of public institutions; and b) the promotion of private institutions (Varghese, 2006). The privatization measures mean that, while the institutions remain in public ownership, their operations are guided by market principles. The

growth of private institutions, on the other hand, refers to non-state agencies which own and operate institutions of higher education.

The specific privatization measures adopted by countries and universities in Africa include the university enterprise scheme (UNES) and parallel programmes of the University of Nairobi (Kiamba, 2004), the dual-track admission policy – with sponsored and private students – in Benin, Burkina Faso, Mauritius, and Uganda (Makerere University) (Mamdani, 2008; Court, 1999), residential and non-residential programmes in Malawi, the institutional transformation programmes, cost-sharing, and revenue diversification strategies of the University of Dar-es-Salaam (Ishengoma, 2004), dual-track systems in Zambia, and the cost-recovery measures adopted widely through the abolition of subsidies, the pricing of services, and the introduction of tuition fees and student loan programmes in several countries in the region (Johnstone, 2003; Oketch, 2003; World Bank, 2010).

The establishment of private HEIs gained momentum from the late 1990s onwards (Oketch, 2003). There are private universities, private colleges, and non-university institutions in Africa. Private universities offer courses leading to a degree, while others offer short-duration courses leading to a certificate or diploma. In many African countries it is private higher education that is expanding most rapidly (Levy, 2006; Mabizela, 2002; Taver, 2003; Varghese, 2006). The number of private universities now exceeds that of public universities in many countries in Africa. It has also been noted recently that non-university private institutions are expanding faster than the university sector. These institutions offer market-friendly courses, but rarely offer courses in the sciences, or in medical and engineering subjects, which require heavy investment in laboratories and equipment (ADEA *et al.*, 2009).

Another major global reform was the effort to harmonize higher education which stemmed, very largely, from the Bologna Process. The harmonization efforts in Africa began with the Arusha Convention of 1981. Although some countries are still to ratify the convention conclusions, the African Union Convention has developed a plan of action for the harmonization and mutual recognition of degrees, contents, and quality of education offered in the institutions of different countries in the region (Oyewole, 2013).

Expansion of higher education in Africa

Africa has travelled a long way since the first two students graduated from an African institution (Fourah Bay College in Sierra Leone) in 1879. There were 5.2 million students enrolled in African institutions of higher education in 2010. The GER in sub-Saharan African countries, however, remains the lowest of any region of the world, at 7 per cent. In 2010, the GER in Malawi was as low as 1 per cent, and it was 2 per cent in Eritrea, Niger and Tanzania. Mauritius, on the other hand, with a GER of 25 per cent, ranks highest among countries in Africa (*Table 1.1*).

Table 1.1 Gross enrolment ratios for higher education in sub-Saharan Africa 1970–2010

	1970	1980	1990	2000	2010
Angola	0.5	0.4	0.8	1.0	4.0
Benin	0.1	1.4	2.7	4.0	11.0
Burkina Faso	0.0	0.3	0.7	n/a	4.0
Burundi	0.1	0.5	0.7	1.0	3.0
Cameroon	0.5	1.7	3.3	5.0	11.0
Central African Republic	0.1	0.9	1.5	2.0	3.0
Congo	1.7	5.1	5.4	5.0	6.0
Democratic Rep. of the Congo	0.7	1.2	2.4	1.0	6.0
Equatorial Guinea	n/a	5.6	1.8	3.0	2.0
Ethiopia	0.2	0.4	0.8	2.0	5.0
Ghana	0.7	1.6	1.4	3.0	12.0
Kenya	0.8	0.9	1.6	3.0	4.0
Madagascar	1.0	2.6	3.0	2.0	4.0
Malawi	0.4	0.5	0.6	n/a	1.0
Mali	0.2	0.8	0.6	2.0	6.0
Mauritius	2.5	1.0	3.5	11.0	25.0
Namibia	n/a	n/a	3.3	6.0	9.0
Niger	n/a	0.3	0.7	1.0	2.0
Rwanda	0.2	0.3	0.6	2.0	5.0
Senegal	1.4	2.7	3.0	4.0	8.0
Uganda	0.5	0.5	1.2	3.0	4.0
United Republic of Tanzania	0.2	0.3	0.3	1.0	2.0
Zimbabwe	n/a	1.3	5.2	4.0	6.0

Sources: (a) 1970–1990: Estimates provided in UNESCO *Statistical Yearbook 1999*; (b) 2000 and 2010: Estimates compiled from UNESCO *Statistical Yearbook 1999* and UIS online statistical database (www.uis.unesco.org) that provided values for 2000.

Trends in growth in enrolment in Africa over the past four decades are striking (*Table 1.1*). They show that the system of higher education was either growing very slowly or stagnating up to the beginning of this century when GER started improving quickly. Between 2000 and 2010, the GER doubled in many countries, and increased by three or four times in some others. This was partly due to the expansion of higher education through private institutions or through private student schemes within public institutions.

It seems clear that the reform measures discussed above helped expand the sector. This is confirmed by the fact that expansion is most prevalent in the private segment of public institutions (fee-paying students) and in private institutions of higher education. At present, many countries in Africa maintain high rates of growth in enrolment in higher education (Mohammedbhai, 2008) and the region can boast the highest rates of growth in enrolment in institutions of higher education in this century.

4. The nature of higher education reforms in the case study countries

The research studies initiated by IIEP analysed the similarities and differences in governance reforms and steering policies across countries at varying levels of development. The countries selected for the case studies were: Ethiopia, Ghana, Kenya, Nigeria, and South Africa. These countries vary in terms of economic and higher education development and thus provide a continuum from a low-income country (Ethiopia) to a relatively high-income country (South Africa). All of the countries have several public universities, necessitating reform at national level to regulate them.

The countries were selected in such a way that the variations between them are substantial, and taken together provide a development continuum. We identified four variables for use in selecting the countries. These were: (i) the 2011 Human Development Index (HDI); (ii) the net enrolment rate (NER) for primary education in 2009; (iii) the NER for secondary education in 2009; and (iv) the GER for higher education in 2010. Based on these indicators, Ethiopia seems to be the least developed, followed by Nigeria, Kenya, Ghana, and South Africa, which is the most developed (*Table 1.2*).

Table 1.2 Characteristics of selected countries

	HDI 2011	NER primary 2009	NER secondary 2009	GER higher 2010
Ethiopia	0.363	84.0	34.0	4.0
Nigeria	0.459	59.0	30.0	10.0*
Kenya	0.509	83.0	59.0	4.0
Ghana	0.541	76.0	57.0	9.0
South Africa	0.619	90.0	94.0	15.0*
World average		90.0	68.0	29.0

Sources: (a) UNDP, 2011 for HDI; (b) UIS, 2012 for enrolment data.

Note: *2006

The specific reform measures studied were identified by research teams drawn from the respective countries. The studies in Ethiopia and Nigeria focused on the issue of university autonomy. In Ethiopia, universities were granted autonomy by the higher education proclamation of 2003 (No. 351/2003). In Nigeria, public universities became autonomous following the Magna Charta Universitatum (1998). The study in Kenya focused on the performance contract (PC) introduced as a follow-up to the public service reforms of the 1990s. The government introduced results-based management (RBM) as the basic approach to the governance and management of public institutions. The Ghana study examined the internal reforms initiated in the University of Ghana in 2007, which led to the review and replacement of the act of parliament and statutes guiding the internal organization and operations of public universities in the country. The study in South Africa focused on the 2003 reforms to planning and funding that helped steer the higher education system to respond to national development needs.

5. The reforms and changes in governance and management of higher education

The details of the reforms discussed in subsequent sections indicate that they resulted in greater operational freedom for institutions of higher education while also enhancing accountability measures. The reforms and their effects were studied in areas such as changes in governance and management, academic domains, financial issues, staff management, and monitoring and evaluation procedures.

New structures for institutional governance

One of the visible effects of the reforms was the creation of new higher education structures. For example, as an initial step to implementing autonomy and other reforms, Addis Ababa University created a new executive office known as the reform office. The new governance structure also included five offices at the level of vice-president, for: (i) academics; (ii) business and development; (iii) research and postgraduate programmes; (iv) communication and external relations; and (v) health and the Black Lion Hospital. Six new senior academic offices were also created under these vice-presidents. Changes in the higher education governance system included a shift from a collegial model to a managerial model, the creation of buffer organizations, and the introduction of an outcomes-based strategic plan.

The existing faculties and schools at the university were clustered into seven colleges headed by the directors, in addition to the faculty or school deans. The directors now report directly to the university president while the deans report to the vice-presidents. The seven colleges became more autonomous in financial matters, and in executing and supervising their activities. Furthermore, greater autonomy gave each college the freedom to use its budget without the approval of officials in the central administration of the university.

In Nigeria, autonomy led to the formation of university councils which serve a four-year term. Institutional governance and structure were affected and the process whereby the vice-chancellor, deans, and heads of departments were selected changed. The National University Commission became involved in the management of institutional finances, as well as in the selection of institutional leaders and members of governing councils, the approval of new curriculum plans, and the physical development plans of each university. Consequently, however, as university autonomy became compromised, academic staff and student organizations voiced public criticism to the press calling for the restoration of institutional autonomy.

In Kenya, at national level, a permanent secretary position was created within the Office of the Prime Minister to oversee performance contracting. In the Ministry of Higher Education, two officers were placed in charge of performance contracting. At university level:

(i) an ad-hoc committee chaired by the deputy vice-chancellor (DVC) (administration and finance) was created with a mandate to develop university corporate strategic plans and performance contracts with the ministry; (ii) a full-time PC secretariat was created under the office of the DVC (administration and finance), involving some of the colleges; (iii) an ad-hoc International Standards Organization (ISO) steering committee was set up under the office of the Vice-Chancellor, with ad-hoc committees at the college level; (iv) a DVC was given responsibility for research, production, and extension; and (v) a DVC was put in charge of student affairs to improve service delivery.

With the introduction of PCs, institutional governance and management has become the joint responsibility of the Ministry of Higher Education, Science and Technology, the university councils, and the performance contracting secretariat. The buffer institution (the Commission for Higher Education) did not have much of a role. However, the Universities Act 2012 gives the Commission for University Education a supervisory role over all universities.

In Ghana, the University of Ghana constituted an expanded council with a number of committees and sub-committees in specific areas. The academic board was reconstituted with the following new boards and committees: (i) the Business and Executive Committee; (ii) the Academic Quality, Curriculum, and Staff Development Committee; (iii) the Office of Research, Innovation and Development Advisory Board; and (iv) the Office of Research, Innovation and Development Management Board. The new structure also included a new finance director and a director for audit.

Management processes

The principles guiding the governance reforms of Addis Ababa University were: (i) vertical decentralization; (ii) horizontal decentralization; (iii) self-governance; (iv) inclusiveness; (v) transparency; and (vi) recourse. These principles helped extend autonomy by creating decision-making bodies and committees at all levels. The university introduced a business process re-engineering (BPR) approach to manage its affairs. This was aimed at optimizing efficiency in service delivery and improving core work processes. One of the major issues at the university

is the large number of support staff. Sixty per cent of employees are support staff (5,000), and 40 per cent academic staff (2,000), a situation that continues despite expectations that the number of support staff could be reduced. The reforms have been unable to alter the ratio of support staff to academic staff.

In Nigeria, autonomy resulted in a more democratic process for the election of heads of department and deans. It also led to the introduction of a committee system with established processes and procedures, which reduced arbitrariness in decision-making. Selection procedures were changed in the area of staff management. The new appointment procedure at the University of Ibadan includes an inter-departmental interview panel, and a written examination and seminar presentation by applicants. The university also established promotion committees at departmental levels.

At Nairobi University, the management style has become more transparent, accountable, participatory, and inclusive, with greater scope for trade unions to negotiate for better terms. Kenya introduced the competitive hiring of senior managers so that, for example, the secretary in charge of higher education is hired competitively. Similarly, staff recruitment and promotion are based on the evaluation of their performance. Staff working in government ministries need to attend specific courses at the Kenya Institute of Management before they can be considered for promotion. The competitive hiring of all top managers has helped minimize political interference.

Academic programmes

Addis Ababa University established multidisciplinary centres, expanded and diversified programmes of study, and strengthened science and technology programmes. Fifteen new centres of excellence and institutes were established to provide multidisciplinary competency-based training and education. The university also introduced the modularization of curriculum and courses to enhance 'customer satisfaction'.

Performance contracts meant that the University of Nairobi could introduce many new academic programmes, raise student enrolment at all levels, including doctoral, and increase the publication of academic papers and the participation of academic staff in conferences. In Nigeria,

autonomy gave universities more freedom to develop innovative curricula. Academic programmes developed within the university are now more responsive to societal needs. Classroom interactions and research efforts reflect the needs of society and help develop new market-driven and employment-oriented courses.

The University of Ghana reviewed its course credit and semester system and introduced a four-year degree structure, as well as a new grading system to reflect the course-credit/semester system. The Department of Classical History and Civilization and the Department of Philosophy became the Department of Philosophy and Classics to ensure better use of resources. The university established faculty-based research review committees and mechanisms for the periodic review of departmental curricula. To improve quality, it was decided that a doctoral degree should be the minimum qualification for appointment to an academic position within the university.

Monitoring and evaluation mechanisms

In Kenya, monitoring and evaluation procedures were strengthened, with quarterly monitoring and semi-annual and annual evaluations introduced. However, there has been criticism that the department in charge of performance contracting very often has not found either the funds or the time to analyse institutions' quarterly reports or to check actual performance on the ground. Such issues have not affected universities such as the University of Nairobi, however, where systematic monitoring seems to have improved performance at both individual and university levels.

In Nigeria, changes were introduced to ensure staff accountability and evaluation procedures were put in place. The university established a quality assurance unit in the university, introduced team teaching and set up mechanisms to reward good performance and sanction poor performance.

In South Africa, the performance-based funding framework and a need to adhere to agreed enrolment and output targets required universities to put in place closer monitoring mechanisms to ensure delivery against the targets. The reforms also resulted in the establishment of the Higher Education Management Information System (HEMIS), a planning tool

to monitor enrolments and a mechanism for the distribution of subsidies to institutions. Institutions were obliged to use software and planning tools that were the same as those used by the department in order to facilitate the easy compliance and monitoring of plans. The use of HEMIS made the system more stable and predictable.

One of the features of the funding framework is that it is performance-based, rewarding institutions according to their outputs. Linking the distribution of funds to research outputs meant that institutions began competing for research funds, making the system as a whole more competitive. According to HEMIS (2012) data, there has been a 52 per cent increase in research publication units between 2002 and 2011, with a significant increase in the output of historically black institutions.

Financial management

Prior to the reform of university autonomy, an acute shortage of funds led to the near total collapse of the university system and a decline in research output and the quality of teaching at Addis Ababa University. In Ethiopia, the line-item budget-based resource transfer system was replaced by the block grants system. In Kenya, the reforms helped introduce an automated accounting system, zero-based budgeting, and better financial management. Some of these efforts helped the University of Nairobi to generate an operational surplus.

In Nigeria, the University of Ibadan diversified its sources of funding through competitive research funding, a special project fund, tuition fees, income-generating ventures, and other means. The university established direct collaborations with international organizations and grant partners. The changes introduced in the area of budget and financial management included the establishment of a finance committee at the department level and the use of a local purchasing order (LPO) for the purchase of important items. Autonomy allowed for an increase in the income-generating activities of departments and faculties, although the actual income generated was limited.

In Ghana, the government's National Institutional Renewal Programme required public universities to generate 30 per cent of their budgetary requirements. The University of Ghana has been

generating around 25 per cent of its income from student fees, from the privatization of services, such as guest house services and land leases for private hostels, and from market-driven courses. The university has an investment committee that oversees its investment portfolio. A limited liability company, the University of Ghana Enterprises Limited (UGEL), has been set up to manage its income-generating activities. The university introduced integrated tertiary software (ITS) to handle many administrative functions, such as its central financial functions, student records requirements, human resource management, and the payroll system. This has allowed the institution to reduce the number of bank accounts managed by the university and has made financial reporting easier.

The discussions above indicate that the reforms resulted in changes in crucial areas of university governance and management. However, the more difficult question is whether or not these reforms led to the improvement of higher education.

6. The reforms and their effects on higher education

The case studies indicate that the reforms in general were important in improving the governance of higher education. Reforms leading to autonomy in Ethiopia were also associated with the use of BPR. Many in the university community feel that the reforms based on BPR led to a shift in focus from academic competence to operational competence, resulting in the vocationalization of curricula. Administrative staff, too, expressed a very negative opinion of BPR and its implementation. Even those who supported BPR felt that it was a badly implemented idea. The reform council's 2011 assessment of the reforms at Addis Ababa University was also very critical of the changes and their implementation. It seems clear from this that the autonomy gained by the university did not contribute to improvements in institutional effectiveness to the extent expected.

In Kenya, performance contracting led to the increased autonomy of public universities and helped put the partnership between universities and the government on a more equal footing. The PC helped reorganize internal operations and its success made decision-making faster and more efficient. It also increased accountability measures, which, in turn, helped ensure increased output from the university. Research

productivity increased, leading to an improvement in the national ranking of the University of Nairobi, from 21st place in 2005 to 1st place in 2011. This is a very positive development.

The reforms in Ghana helped promote a greater sense of responsibility among staff and students and stimulated intellectualism in the country. They also strengthened the decision-making process at faculty level, and enhanced teaching and research. The reforms were beneficial particularly to the reorganization of the collegiate system. They also brought about greater clarity among administrators in terms of institutional direction and goals, and constraints on their effectiveness.

The reforms in South Africa brought stability and predictability to the higher education system. The new funding and enrolment planning policies helped the government to shape and orient the system. Institutions such as the University of Pretoria adopted the national enrolment planning and funding frameworks to plan and manage their operations at institutional level. Over the past decade, disadvantaged groups have been beneficiaries of the expansion of university institutions. However, the overall impact of the reforms was less significant than expected. For example, between 2000 and 2010, a large number of students sponsored by the National Student Financial Aid Scheme (NSFAS) failed to graduate (the graduation rate among them was only 19 per cent) and, more importantly, nearly 48 per cent of the students dropped out. Furthermore, the racial profile of enrolment rates in the country did not change substantially.

7. Some concluding observations

The evolution of universities and institutions of higher education in Africa shows that public universities, public funding, and government control characterized the governance and management of higher education during the period following independence. Inherited colonial structures reproduced elites in the respective countries. Limited access to universities, and use of a foreign language as the medium of instruction, advanced this process of elite formation. As Moja notes, ‘the reformed post-colonial universities continued to serve the same purpose as the colonial universities by producing the elite for the bureaucracy and the private sector’ (Moja, 2004: 26).

The reforms examined do, however, show how the higher education context has changed in Africa. Although the reform measures varied among countries, closer examination reveals one underlying feature which unites all these measures, namely their emphasis on institutional initiatives and autonomy. All the reforms provided institutions with enough scope to be autonomous in their operations, an important change in the governance of institutions of higher education in Africa. Similar trends have been noted in Asia (Varghese and Martin, 2013) and in Francophone countries in Africa (Martin, 2014).

It seems that many reforms to higher education in Africa stem from a realization that the resource requirements for an expanding higher education sector cannot be met by the public exchequer alone. There was, therefore, good reason to diversify provision, increase the number and range of providers, and multiply modes of delivery. The market-friendly reforms, while helping to diversify sources of funding, also demanded changes in the governance of institutions. The governance of higher education in many countries in Africa moved from state control to a model based on state supervision.

The reforms gave institutions autonomy, which permitted them to set priorities, develop strategies and study programmes, and mobilize resources. New legislation defining institutional governance structures was introduced (Saint, 2009). Most institutions created governing bodies to take decisions, develop staff recruitment and management policies, and new study programmes and courses, define institutional strategies, and regulate student admissions. Institutions diversified their sources of funding, mobilized resources, and allocated them internally based on widely accepted and objectively verifiable criteria (Varghese, 2013a).

Many countries created buffer organizations and introduced performance monitoring, and the use of external quality assurance mechanisms became common. Buffer bodies such as the National Council of Higher Education, the University Grants Commission/Committee, and their equivalents have become common in Anglophone countries and have redefined the relationship between government and institutions (Varghese, 2013b). These buffer institutions provided policy support, ensured quality control, regulated the growth of private institutions, and implemented many accountability measures to ensure

improved performance. Some of them have played a very important role in regulating the system. For example, interventions by the National University Commission (NUC) in Nigeria helped close down many of the ‘degree mills’ in the country (Okebukola, 2008).

The reforms also demanded increased accountability from institutions for their performance in meeting societal expectations, realizing targets, maintaining excellence and high quality, and using public funds responsibly. The strategic plans, performance indicators, and regular monitoring and evaluation procedures are all indicative of increased accountability.

Autonomy and the use of market processes helped many universities survive the financial crisis. Furthermore, the reforms contributed to an expansion of the system, as well as improved performance, increased research output, arrested staff depletion, improved market relevance of courses, and reduced reliance on state funds. That said, the expansion of the system through people’s capacity to pay has, in some cases, resulted in widening inequalities in access to higher education and that is an important concern.

Do greater autonomy and a growth in institutional initiatives imply the absence of any role for government in higher education development? Even when institutions are autonomous, governments do play a role – an important role – in ensuring that the system is functioning well. The state provides a framework in which all institutions (including private institutions) operate, and insists on accountability measures to ensure the sector helps achieve national objectives. The case studies show that government intervention in the form of regulations may be necessary to enforce accountability measures and to ensure a more balanced growth of higher education. Rather than being marginalized by these reforms, it can be argued that the state’s role has been redefined in terms of the development of a framework for operation and the regulation of the system, rather than in terms of financing, managing, and controlling institutions of higher education.

Note: All references to case study countries, unless otherwise mentioned, are taken from the following IIEP-sponsored research reports prepared by the national research teams:

- Ethiopia: Asgedom and Belay (2013)
- Ghana: Budu and Quashigah (2013)
- Kenya: Waema and Mbithi (2013)
- Nigeria: Olayinka and Adedeji (2013)
- South Africa: Sehoole and Phatlane (2013)

II. GOVERNANCE REFORMS IN HIGHER EDUCATION IN AFRICA: THE CASE OF AUTONOMY AND ACCOUNTABILITY IN ETHIOPIAN HIGHER EDUCATION

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1. Development of higher education in Ethiopia

The purpose of this study was to explore the effect of higher education policy reform on the governance of higher education in Ethiopia, focusing on autonomy and accountability. This paper starts with an overview of higher education in the country, surveys the policy context, and assesses the outcomes of higher education reform.

Evolution of higher education in Ethiopia

Higher education in Ethiopia dates back to the 5th century, though some authorities (Germa, 1967; Teshome, 1972 and 1990; Abebe, 1991) argue that traditional higher education in Ethiopia began as early as the 4th century, with church education aimed primarily at preparing priests, monks, and teachers to serve in the church, as well as educating civil servants, such as judges, governors, scribes, treasurers, and general administrators. Islam was probably established in Ethiopia in the 7th century, introducing the two-tier Quranic system of education, with its distinct lower and higher levels (Seyoum, 1995: 34; Abebe, 1995: 8; Haile-Gabriel, 1968: 58). Islam and Christianity have coexisted for a long time in Ethiopia, mostly peacefully, though there were periods of conflict during the invasion by Ahmed Gragn of Adal in the 16th and 17th centuries (Seyoum, 1995).

Modern higher education began in Ethiopia four decades after the opening of first modern primary school and a decade from the expulsion of the Italian invaders. On 20 March 1950, Emperor Haile Selassie decreed the opening of a junior college, Trinity College, which became, eight months later, the University College of Addis Ababa (UCAA).

In 1961, Haile Selassie I University (HSIU) was established through the consolidation of all the country's colleges. The new university was

granted a charter and given a mandate to coordinate and supervise the academic activities of the colleges.

The imperial system of rule was overthrown by a military government called 'the Derg' (which means 'committee' in Amharic) in September 1974. Under the Derg regime, education was viewed as an instrument for changing attitudes and inculcating 'in the young generation Marxism-Leninism, for promoting the knowledge of science and technology, culture and fine arts and for developing research and creativity' (Gumbel, Nystrom, and Samuelsson 1983: 3).

A new governance system was created, headed by a Commissioner of Higher Education. The different means of regulating higher education which had existed up to that point, including self-governance, secured through the imperial charter granted to Haile Selassie I University and its board of governors, was replaced in 1977 by proclamation 109/69 (Negarit Gazeta, 1977: 124–129), which brought all institutions of higher education under the central control of the government's new Commission for Higher Education.

Following a prolonged civil war, the military government was overthrown and a transitional government formed in May 1991. The new government issued a new Education and Training Policy in 1994. This sought to make the country's education system responsive to the needs and aspirations of its people.

Consequently, an Ethiopian higher education system that had comprised just two universities and fewer than 10,000 students, grew to include 33 government universities, 64 non-government universities, and close to half a million students.

Objectives of the study

This study examined the effectiveness of higher education reform in Ethiopia in steering policies and governance structures, and the impact the new governance structures have had on the management and managerial effectiveness of higher education, at national and institutional levels. The specific objectives were:

1. To study the evolution of steering policies and new governance structures to manage higher education at system level.

2. To examine the implications of steering policies and new governance structures to manage higher education at national level.
3. To analyse the implications of steering policies and governance structures for institutional effectiveness in higher education.

Research method

As this study explored both national and institutional levels of governance and management in higher education, Addis Ababa University, the largest and oldest HEI in Ethiopia, was selected as its institutional focus.

Evidence was collected at national and institutional levels. The national-level data included interviews with higher education officials at the Ministry of Education (MoE), the directors of the Higher Education Relevance and Quality Assurance Agency (HERQAA) and the Higher Education Strategy Centre (HESC). Research participants were asked about the content and intention of the reforms. They were also asked about the effects of these reforms on HEIs from the point of view of institutional autonomy and academic freedom.

For the case study at Addis Ababa University, quantitative and qualitative data were collected from four colleges (and one school). These were: the College of Natural and Computational Sciences; the College of Social Sciences; the College of Education and Behavioural Studies; the College of Informatics, Management and Economic Sciences; and the School of Law.

Eighty questionnaires were distributed and 72 returned completed, with respondents spread evenly across the colleges and the school. The profile of research participants varied from the most senior level of professor to that of lecturer. Assistant lecturers and graduate assistants were not targeted. Most of the participants had teaching experience of more than 10 years.

Documentary evidence on the content and effect of the reforms was collected from national offices as well as from the colleges and departments of Addis Ababa University. University-wide documents were obtained from the respective central offices.

2. Governance reforms at national level

Aspiring to increase the pace of economic and social progress, the present Ethiopian government decided to radically reform higher education by addressing the issues of access, quality, efficiency, and equity (Teshome, 2003).

The 2003 proclamation of higher education (Negarit Gazeta, 2003) set the conditions for establishing and developing HEIs in Ethiopia. This legal framework is the second proclamation to reinstate the autonomy of HEIs and protect academic freedom, after the Imperial Charter of Haile Selassie I University (issued in 1954) became defunct in 1977 (Negarit Gazeta, 1977).

The proclamation (351/2003) states that all HEIs must be established with autonomy and accountability. It also defines the governance structure as constituted by an independent board of governors, a senate (constituting academic deans and directors with a few elected academics), academic commissions and department assemblies.

This legal framework clearly defines the scope, type, and nature of HEIs and sets criteria for establishing and developing universities, colleges, schools, and institutes of education. It sets out the powers of HEIs and their limits, as well as formulating general objectives for these institutions.

The framework also defines the rights and responsibilities of academic staff and sets out how the promotion of academics should be managed within an institution (with the exception of appointments to full professorship, which have to be approved by the board). Tenure of academic staff is reinstated in acknowledgement of efficiency in performance (Article 23, Proclamation 351/2003). The duties and powers within each structure (from the board to department heads) are clearly defined by the framework. Article 23 also articulates the autonomy of the different sections of an institution, including administration, finance, and other affairs. The particulars of each section are matters for the individual institution. The organization and administration of colleges, schools, institutes, and departments are determined by the institutions themselves, while the appointment of their respective heads and other affairs are regulated by the law which established each institution.

The division or merger of institutions is the prerogative of government, with the MoE acting in consultation with the respective boards. The 2003 framework spells out the conditions under which HEIs can generate income by establishing enterprises. The initial capital necessary for establishing these enterprises is sometimes allocated by government. With the approval of the government and the board, an institution can establish an ‘income fund’ for activities such as capacity building, prizes, and so on.

The framework has, for the first time, allowed private HEIs to be established in Ethiopia. It also defines the conditions, rights, and responsibilities of private HEIs, requiring them to operate with integrity by maintaining standards of quality. For this purpose it sets out various criteria and procedures for accreditation.

Seven critical reforms to higher education are discussed in this paper. These are:

- Introducing cost-sharing to higher education,
- Changing the system for financing higher education,
- Devolution of power in managing higher education institutions,
- Establishing a Council of Universities,
- Establishing critical regulatory bodies,
- Changing the governance structure,
- Changing the curriculum of higher education institutions.

Introducing cost-sharing and privatization of higher education

The financial reform of 2003 introduced cost-sharing in public HEIs and set out regulations for the establishment of private HEIs.

Under the cost-sharing policy, each student of higher education is expected to cover 15 per cent of their education costs, in addition to paying for their own housing and meals. This used to be fully covered by the government, in contrast with primary and secondary education where students cover all costs apart from tuition. Recognizing the unfairness of the former arrangements for financing education, the authors of the cost-sharing policy lamented that, ‘the Ethiopian government was providing not only free higher education, but, in fact, ... was paying the higher education student for attending higher education’ (HESO, 2002: 5).

Under the new funding policy, student loans are arranged by the government, which, in turn, retrieves these loans through a graduate tax system. Each employing organization (private, public, or other) is entrusted with the responsibility of taxing the employee and transferring the sum to the government accounts.

Changing the system for financing higher education

The financial reforms which introduced cost-sharing also introduced a block grant system, replacing the old line-item financing system. The block grant system, which was intended to give greater financial autonomy to public HEIs to utilize government funding fully, is determined on the basis of a five-year strategic plan through which 20 per cent of the grant is disbursed each year. The grant is computed using six types of cost driver (such as whether programmes are at undergraduate, graduate, or postgraduate level, female enrolment, etc.) and estimated using enrolment and course cost data (calculated on the basis of six course bands). The educational loan of each student varies according on the band to which the student belongs.

Devolution of power in managing higher education institutions

The present reforms (Proclamation 351/2003) underline the importance of autonomy, coupled with strong accountability, by making provision for the self-administration of higher education institutions and by outlining a clear role for government in terms of regulation and coordination. The administrative board of each university plays a supervisory role in coordination with government, the business sector, and academia; while two independent buffer organizations (HERQAA and HESC) regulate the standards and assure the relevance of the higher education offer (whether from public or private institutions). The MoE coordinates higher education institutions through the office of its state minister and the Reform Council of Universities (RCU), which includes the president of every university in Ethiopia.

Establishing a Council of Universities

The Reform Council of Universities provides a forum for reviewing the implementation of the reforms in each university. This forum gives the

state minister feedback on the performance of the entire system. The council is expected to meet quarterly for deliberation and the exchange of best practice, and to conduct regular peer reviews of the performance of each university against the higher education reforms. Usually, an independent review commission is appointed by the council to review the performance of each university and to rank them. League tables are prepared to encourage internal competition and high performance among all public universities. The government has responded positively to this system, with presidents and vice-presidents of high-performing universities rewarded with senior posts in government.

Establishing critical regulatory bodies

Two independent bodies, HERQAA and HESC, were established by law (Negarit Gazeta, 2003) to regulate higher institutions in terms of standards and relevance. The two organizations set standards and assess the quality and relevance of the higher education provided by public and private institutions. HERQAA was established in 2003, in response to public and government dissatisfaction with the quality and relevance of much of the higher education provided by the public and private institutions that proliferated under the government's policy of expansion. The tradition of placing trust in the faculty was difficult to sustain in the context of a highly complex higher education environment and a globalized world.

HERQAA was given the task of assuring the relevance and quality of both public and private higher education. It did this by setting quality standards and assessing the performance of each institution to produce evidence for granting or denying accreditation. In addition, HERQAA advises the government and higher education institutions through its publications and conferences on quality and standards in higher education.

HESC is entrusted with providing, designing, and developing the strategic direction of higher education with the aim of ensuring relevance. It prepares strategic plans for higher education development which have to be approved by government, and advises the government on the type and number of higher education programmes. In addition, it is mandated to assess the demand for highly skilled workers in the country, and whether this demand is being met. It also seeks ways of promoting and

encouraging investment in higher education. Preparing the formula for the allocation of the higher education budget to institutions is another of the centre's responsibilities.

Changing the governance structure of higher education

Until 2003, all HEIs were governed directly by a department within the MoE, with the exception of two universities: Addis Ababa University and Haramaya University, which were ruled by their respective boards of governors.

Since 2003, higher education has been led by a state minister for higher education but has been mediated by the two buffer organizations, HERQAA and HESC, responsible for regulating standards and ensuring the relevance of education. The two organizations are intended to be autonomous and have their own boards of governors. Their relationship with the universities is indirect. They influence them through their assessments and publications. Of course, HERQAA has the power to accredit private HEIs, and the programmes of public HEIs. But each university has its own board, established by government proclamation, making it autonomous from the direct interference of the MoE.

Changing the curriculum of higher education institutions

In response to deficiencies observed in the skills and capacities of higher education graduates, four new courses – designed by a MoE taskforce – were introduced to improve the curriculum. The courses, in civics, ethics, entrepreneurship development, and communication skills, were intended to address the following deficiencies:

- weak communication skills, below the level required in the global world;
- poor teamwork skills;
- lack of personal integrity and sense of civic responsibility;
- political attitudes more in line with totalitarian than democratic perspectives.

The four courses, which add up in total to 11 credit hours (ethics accounts for two credit hours, the others three hours each), are expected to improve the professional skills and moral outlook of higher education graduates who, it is hoped, will contribute to the national development

programme to alleviate poverty. It is questionable, however, whether these accountability measures interfere with the academic freedom of professors to teach whatever they choose in whatever way they see fit.

Relationship between the Ministry of Education, buffer organizations, and autonomous institutions

In 2003, HEIs became legally autonomous, freed from the routine interference of the MoE. Their link with the ministry became looser, with the MoE's new role more supportive than administrative. The MoE, instead, took responsibility for steering reforms and coordinating HEIs. While governance shifted to the boards and the institutions themselves, regulation and supervision were taken over by buffer institutions, such as the RCU, HERQAA, and HESC. Rather than being directly accountable to the MoE, HEIs now have different accountability centres, which give them opportunities for deliberation and improvement. The buffer organizations mediate the power and authority of the ministry to the extent that the interests of the government and the interests of institutions can be negotiated. They also set standards, collect data, and provide advice to HEIs to help them improve their performance.

As noted above, the buffer organizations are independent and have their own boards of governors. Instead of a simple top-down linear relationship between the MoE and HEIs, the present relationship is more complex, characterized by multiple flows of information in different directions. This type of structural relationship allows multiple interests to be reflected in the process of consensus building. The presence of the buffer organizations creates the space for new centres of accountability while, at the same time, allowing a degree of autonomy for HEIs to manage their own affairs with minimal direct interference from the government.

3. Governance reforms at institutional level

This section documents the changes made at Addis Ababa University following the 2003 Higher Education Proclamation (HEP), which granted autonomy, with accountability, to all public HEIs in Ethiopia. It deals with areas affected by the reforms, the reform process itself, and the effects of the reform.

In the summer of 2002, before the HEP was introduced, the Ethiopian government organized a three-week deliberation involving the academic staff of all HEIs in a number of cities. In these discussions, the government made it clear that HEIs would be partners in achieving the national vision of 'accelerated development and poverty reduction', producing highly skilled graduates capable of performing competently in the civil service, industry, and in a wide variety of government projects.

Governance and management at Addis Ababa University

To implement the reforms, the government appointed a new leadership team to the university in December 2002. The team began the reform process by creating a new executive office (the Reform Office) at the level of vice president. To implement its strategic plan, the university embarked upon a programme of BPR in March 2008, mimicking the approaches of most other public institutions in the country.

A number of principles informed the governance reform of the university, as part of the BPR process. These were: vertical decentralization; horizontal decentralization; and improving the effectiveness of self-governance, inclusiveness, and transparency. In general, these principles relate to extending academic autonomy, academic freedom, and academic democracy by creating decision-making assemblies and committees from the highest bodies to the smallest units, that is, from programme units and departments to faculties and colleges. This had to be done in such a way that the assemblies were fully empowered so as to enable devolution of authority from higher to lower levels of university government. Academic democracy is enhanced through horizontal decentralization, encouraging the full participation of academic staff and students in relevant decision-making processes.

The effective delivery of services and fast work flow were important aspirations, with accountability assured through transparency, using communication tools such as deliberations and reports of proceedings, and producing regular assessment and evaluation reports. Appropriate structures were also developed for handling complaints and facilitating hearings.

To advance the self-regulation of the academy and to meet its research ambitions, the university put in place an extensive governance structure with five new offices at vice-president level. These offices are: academic vice-president, vice-president for business and development, vice-president for research and postgraduate programmes, vice-president for communication and external relations, and vice-president for health and Black Lion Hospital. Six new senior academic offices were also created under the vice-presidents.

The university's existing faculties and schools were clustered into seven colleges, creating a new management tier at the level of director, in addition to the faculty or school deans. Parallel accountability arrangements were put in place for college directors and faculty deans. The former report directly to the university president, the latter to a vice-president. Some departments took the opportunity to divide themselves into academic units and collectively form institutes headed by a different type of director (from the college director). These directors report to the vice-presidents rather than to the president. Academic units constitute the lowest echelon of the university's academic hierarchy.

The seven colleges had greater autonomy in terms of legislating, executing, and supervising their activities. Their autonomy extended to becoming budget centres, reflecting a new type of financial autonomy. In the past, only two or three campuses were budget centres in that they received their budgets directly from the Ministry of Finance and Economic Development (MoFED) rather than through university central administration. At one time, the university received its budget not from MoFED but indirectly through the MoE. The new autonomy gave each college the freedom to use its budget without the approval of officials in the central administration of the university.

Departments that are activity centres cannot be budget centres. Departments execute the daily activities of the university. Nevertheless, they depend on schools, institutes, or colleges for their daily expenditures. In other words, budgets are controlled by regulators rather than executors. This implies more responsibility for departments and more authority for faculties and colleges. Departments lack autonomy in the use of resources, specially their financial and material resources.

Changes in financing and implementation of cost-sharing

The university depends almost exclusively on government funding. This dependence on a single source of finance restricted its autonomy in using its funds to pursue its own aims and priorities. The university had, for a long time, used much of the meagre income generated through sale of services and donations from the Swedish International Development Cooperation Agency (Sida) – Department for Research Cooperation (SAREC) research fund to finance its postgraduate programmes. One of the reforms introduced a government budget allocation to finance postgraduate programmes, a change necessitated by the new policy of ‘graduate expansion’. Urgent graduate expansion was needed to respond to the staffing needs of the ever-expanding universities. In less than a decade, the number of public universities rose from two to more than 30. The policy of graduate expansion has resulted in the university budget more than doubling.

The 2003 proclamation allowed block grants to be given to HEIs. The block grant system is different to the traditional system of line-item financing in that the former gives institutions more freedom in utilizing the funds allocated for a designated period. Funds not utilized during a given year are rolled over into the following year. Under the line-item system, however, unutilized funds are disbursed back into government accounts.

Implementation of the block grant system remains incomplete, pending preparation of detailed work acceptable to the MoFED. The university continues to use the line-item system, despite the promise of more autonomy under the block grant system.

Changes in academic activities

The government’s reforms have resulted in many changes in the academic arena. These include establishing multidisciplinary centres, the expansion and diversification of programmes, and the strengthening of science and technology programmes.

The establishment of new centres and institutes (15 institutes and centres of excellence) was primarily intended to shift emphasis from the conventional disciplinary method of education and research to competency-based training and education for work.

A new higher education discourse has developed within the university that requires the realignment of training programmes according to the principles of transdisciplinarity, multidisciplinary and outcomes-based designing. Disciplines are now expected to identify their stakeholders, including employers, and redesign their academic programmes and course offerings in a way that is responsive to stakeholder needs.

To support the industrial transformation of the country, the government is demanding more graduates in the fields of engineering, science, and medicine, with strong competencies in the use of technology. To support its economic priorities, the government needs a workforce highly skilled in science and technology. A 70/30 graduate mix policy was issued for all universities to be pursued in their admissions.

In redesigning its postgraduate programmes, the university introduced the modularization of curriculum and courses. The move was in response to demand from students.

Expanding infrastructure and capacity-building

A number of buildings have been constructed on the various campuses of the university since the reform, mainly to house the ever-expanding student population but also to accommodate faculty expansion. For instance, a high-rise building was built to house the postgraduate programme of the Faculty of Science (Natural Science), while new buildings were erected for the Faculty of Business and Economics, the College of Education, the College of Health, and the College of Veterinary Medicine.

Government PhD scholarships were offered to junior academic staff to study abroad, mainly in India, as part of the university's capacity-building effort. Indian expatriate staff were employed with better remuneration than their Ethiopian counterparts. Many short-term training programmes were arranged for university heads and managers, locally and internationally, on such themes as governance and management, monitoring and evaluation, benchmarking, business process reengineering, and balanced score card (BSC).

Accountability measures

Contrary to the intention of the BPR design, which aimed to optimize efficiency in service delivery and to improve core work processes, the change created a highly complex structure and complicated centres of accountability. The original intention was for the university to be accountable for efficient public service delivery in the form of teaching and research as demonstrated by results. Accountability for results was a government strategy clearly articulated in its strategic national plans. In the case of Addis Ababa University, accountability for results meant producing a high number of graduates, mainly in the fields of engineering and health.

The university had also planned to use communications, assessments, and deliberations as forms of accountability. For this reason, it created offices and structures representing each of these. The complex structure of self-government that resulted includes offices of different levels, assemblies of different types and levels, and standing committees of different types and levels.

Assessment of the changes

Introducing the reforms using the BPR tool was intended to transform the university into a robust research institute. BPR had two components: design and implementation. The design was more or less completed. Implementation, however, was far from completed. Reform of the support staff function, for example, is still to begin. There are now about 5,000 support staff compared with 2,000 academic staff. The number of support staff was supposed to be reduced. However, implementation is still pending, probably for fear of adding to the country's unemployment problems. Moreover, the change management strategy and change implementation plan, both important tools in implementing the changes, were never created.

Effects of the changes

A general dissatisfaction developed among the university's academic community, the government, and other stakeholders, resulting, at the beginning of 2011, in a change in university administration. A new reform council assessed the university governance system and came to

six conclusions, all critical of the former change implementation process and proposing further changes.

4. Changes in the overall governance and management due to the reforms

Views of senior management at national and institutional level

The views of officials in the MoE demonstrate how the reforms have made universities far less dependent on the MoE for many of their decisions. One official said that from 1995 to 2003, higher education was highly centralized, with the MoE controlling budgets, management, and promotions, including academic rank. HEIs had no administrative autonomy. At present, however, the official explained, HEIs receive their budget directly from the MoFED. 'Previously, even air tickets were bought by the MoE'. Higher education officials within the MoE believe that government involvement in HEIs at present is merely supervisory and not administrative or managerial. The government's only interest, according to one official, was in whether or not HEIs were delivering.

From the officials' perspective, HEIs have been autonomous since 2003, though they remain accountable for their results and for their use of government funding. The officials argue that since the reforms, the government has restricted its interference in university affairs. Its involvement is related merely to capacity building, steering, and appointing university presidents and board of governors.

However, other officials, such as the directors of buffer organizations, view the autonomy granted to universities after the proclamation of 2003 as not ideal but, rather, practical. They point out that the proclamation gave the highest authority to the president, not to the senate, as was the case at Addis Ababa University before. The president used to be accountable to the university senate. The proclamation, however, reversed the direction of accountability.

Emphasizing the importance of accountability, a senior official from the university said: 'The university is autonomous and there is ample academic freedom. The problem is the lack of accountability.' He acknowledged the absence of a monitoring and evaluation system at the university. Responding to specific issues of autonomy, another official

asserted that the university could not fully use its autonomy and that the present government's interference in the university is only in engineering programmes due to its Growth and Transformation Programme.

Views of university middle-level management

Face-to-face interviews were carried out with members of the university's middle-level management, chief academic officers, deans, and department chairs regarding the introduction and implementation of higher education reforms after 2003. Their views were similar to each other as well as to those of the lecturers and professors. Generally, they were more critical and sceptical than the senior management group. A dean said:

We are in a worse situation in terms of our relationship with students, in quality of education, and in governance and management. People did not understand BPR. Even 'czars' and 'process-owners' did not understand BPR. This is what happens when changes are imposed from above. The major consequence of top-down reform is passivity on the part of professors.

Another dean expressed his concern at the change in paradigm, from academic competence to operational competence, which had resulted from the vocationalization and modularization of the university curriculum. The kind of disciplinary knowledge capable of producing the next generation of leaders, designers, policy analysts, and researchers was critically needed, he argued, in addition to creating more professionals and technicians. Well-established disciplines were being challenged to modularize and vocationalize their curricula, he said.

Reflecting on the 15 new centres of vocational excellence, he said: 'We need academic centres of excellence that can provide leadership and production of cutting-edge knowledge in this country instead of depending on foreign consultants.'

One director/chief executive officer (CEO) expressed an appreciation of BPR but criticized the way it had been designed and practised at the university. He wondered where in the world the BPR designers had travelled for the purposes of benchmarking. He argued that the intention of BPR was to give a 'one-window' service and remove all structures in the university that do not add value. 'Why should you keep

a system that demands the signature of 10 officials before your business gets done?’ he argued. The reforms had to cut off those unnecessary bureaucratic steps that are costly both to the customer (the student) and to the university, he said. Instead, the implementation of BPR had resulted in more offices and officers rather than fewer.

Views of officers in finance and administration

The university’s finance and administration officials viewed the BPR reform differently. One said: ‘The “as is” and “to be” process of BPR was a futile exercise; a lot of resources, including a huge amount of money, were wasted for no results.’ Most of the money remained unaccounted for. About 70 developers were paid remuneration, fuel allowance, and transportation allowance.

According to these officials, inflated payments were commonly paid to favourites, members of the Ethiopian diaspora, and unknown visitors. The university’s special fund (money donated to assist research and graduate programmes or collected from the sale of university services, etc.), which it uses freely without accounting to the government, served as a source of discretion, abuse, and corruption, it was said. One official observed that the freer the university the more irresponsible it becomes.

Views of academic staff

Academics at the university were asked to confirm or disconfirm changes in six areas related to autonomy and accountability: decision-making structures, academic programmes, staff management and evaluation, financial management and corporatization, admissions and student management, and administrative procedures. The results were mixed, with a minority affirming and the majority strongly disaffirming.

The majority of academic staff viewed the reforms as important. Yet, their implementation was seen as dysfunctional. They argued that the university lacked the leadership necessary to implement the reforms as intended. They said that the reforms were not well communicated or discussed and that they did not feel they fully understood them.

Other comments from academic staff included criticism that BPR, the main instrument of the reform, had brought about duplication of

offices and office holders, causing ‘hassles in the academic programmes by introducing additional tiers, such as the position of a director in a college. Key operational decisions were not made to be carried out at the department level.’ Others said that departments were engaged more in trivial issues than in strategic initiatives. The chain of command remains dysfunctional. ‘Department heads are working as part-timers and no one questions their practice,’ one academic said.

The university’s academic staff felt that the implementation of the reforms produced too many bureaucrats, while failing to distribute academic freedom and autonomy to the departments and to professors. Accountability was in poor shape. Above all, it made the university’s business less efficient and more costly.

5. Conclusions: Implications for introducing reforms in the universities

We have seen that the reforms were both timely and necessary for institutionalizing autonomy and accountability. However, it appears that they lack the support of the majority of academic staff, while managers appear to lack the commitment and leadership qualities to implement the reforms.

Why did the reforms not work well?

The government, higher education officials, and the academic community acknowledged that the reforms did not work well at Addis Ababa University. This was recognized by government and evidenced in the replacement of all university officials in 2011. Two critical factors were largely responsible for the failure of the reforms: (1) the absence of deliberation and communication; and (2) the absence of commitment to the changes. These two reasons will be briefly discussed below.

Absence of deliberation and communication

It is clear that the reforms were initiated by the government, not by the universities. However, the design of strategies and implementation of the reforms fell within the jurisdiction of the universities. However, the design and implementation of BPR at Addis Ababa University failed to secure the participation of the wider university community. The

university community did not get the chance to debate and comment on the design and implementation of BPR.

To design the BPR, the management selected experts from different faculties and research institutes to work out, by themselves, what were termed the ‘as-is’ and ‘to-be’ components of the university BPR. It took about six months to complete the design process. For unknown reasons, implementation did not commence immediately.

Implementation of BPR began with the reform team travelling to selected countries in Africa and the West to benchmark the governance system. No wider deliberations took place on the choice of the benchmarks adopted from different universities. Because of the non-participatory approach taken to the design and implementation of the reforms, they did not command wide support and commitment from within the university community. Aside from displaying the reform documents on the university website, little effort was made to communicate them to the university community.

Absence of commitment to change

The BPR reform documents named many process-owners. Yet, its implementation status suggests an absence of owners, committed leaders, and actors. In most cases, reforms succeed if they are led by visionary, committed, and competent transformational leaders. Transformational leaders have the capability to build team spirit and mobilize followers towards a certain vision. However, the university’s leaders did not possess these qualities. No one tried to defend BPR when critics questioned its theoretical and practical value to the university. Although a communication office was organized at a higher level, no communication material was produced or distributed by the office in defence of BPR. The process started to lack credibility, which led to wider resistance by front-line actors as well as by officials.

The way forward

The new university leadership team has acknowledged the weakness of BPR, both in its design and implementation. It has promised to redress the weaknesses and commence implementing the reform by applying a new planning tool called a balanced score card.

In their first year in charge, the new leaders have brought about several changes. These include changing the governance and management structure, changing senate legislation, abolishing the office of college directors, reducing the number of chief academic officers, incorporating the centres of excellence into their respective colleges, and appointing new officials in all positions. Responsibility for the postgraduate programme, which used to reside with the vice-president for research and graduate programmes, has transferred to the academic vice-president. Research institutes became autonomous, freed from governance by the colleges.

In spite of these changes, the top-heavy nature of academic governance remains an issue. The positions of five vice-presidents (with three to five directors each) are still maintained. The office of the president is crowded with a large number of assistants who are highly posted directors.

Applying the BPR principles of 'less is more' would mean reducing senior management to two vice-presidents (the academic vice-president and the vice-president for administration and finance) to oversee the performance of colleges, institutes, and others. The three senior leaders (the president and two vice-presidents) can provide senior leadership to deans and directors who, in turn, can manage the colleges and research institutes on the basis of the vision of the university. Multiplying the offices of supervisors, executives, legislators, advisors, and regulators by adding further tiers makes academic governance more bureaucratic, less efficient, and more costly. If need be, the president and vice-presidents can be assisted by a senior management team (SMT) which incorporates some capable and senior academic staff members.

The centres of activity, colleges, institutes, and departments, need to be empowered. This demands transferring decision-making authority (with accountability) to them. Their accountability can be assured through a results-based performance monitoring and evaluation plan (PMP). This demands creating a monitoring and evaluation office. This office can produce feedback on the basis of target plans and baseline data. Its function is merely to produce feedback on performance to the SMT and the colleges themselves, for improved performance rather than for control.

Good governance structures are a necessary but insufficient condition for effecting change. They need transformational leaders. Universities must attract leaders who are not only capable but also committed to change. Transformational leaders are change champions and enjoy wider public support, with good results. As the experience of Addis Ababa University shows, such leaders are badly needed now.

III. GOVERNANCE REFORMS IN HIGHER EDUCATION: GHANA

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1. Introduction

Background

This study¹ was in response to IIEP's proposal to study the reform of higher education in Africa, using six universities as case studies. The study aimed to analyse the nature of the reforms introduced to steer and govern higher education systems and their effect on improving the management of higher education in countries with varying contexts.

The importance of higher education in the life of a nation is obvious. It is equally the case that the way a country's higher education institutions are governed can affect the quality of delivery.

The 1962 conference of ministers of education on the development of higher education in Africa, held in Tananarive, Madagascar, defined higher education as post-high school education available to candidates who are 18 years and above. Since every institution of higher learning is meant to offer quality teaching, learning, and research in an environment that enables the pursuit of excellence, all institutions should be organized to achieve those aims in an optimal fashion. A governance system conducive to this is essential for creating the right sort of environment in these institutions. Although various structures have been put in place by the Ghanaian Government and other stakeholders to ensure the effective functioning of tertiary institutions, there is a need to understand how these institutions are designed and managed so that appropriate measures can be proposed for their improvement. It is also imperative to understand the steering policies that ultimately determine the governance structure of these institutions.

1. This paper is based on the case study carried out by the authors as part of the regional research study, 'The role of steering policies and governance reforms in the management of higher education', initiated by IIEP.

University governance

Edward (cited in Tetteh and Ofori, 2010) asserted that university governance is concerned with the determination of values within universities, their systems of decision-making and resource allocation, their mission and purposes, the patterns of authority and hierarchy, and the relationship of universities as institutions to the different academic worlds within and the worlds of government, business, and community without. Tetteh and Ofori further quote Gayle, who defines university governance as the structure and process of authoritative decision-making across issues that are significant for external as well as internal stakeholders within a university.

In confirmation of this fact, higher education is said to have an obligation, which has not been adequately fulfilled, to help lay the foundations of a critical civil society, with a culture of public debate and tolerance, which accommodates differences and competing interests. It has more to do, both within institutions and in terms of its influence on the broader community, to strengthen the democratic ethos, the sense of common citizenship, and commitment to a common good. More specifically, higher education institutions are expected to contribute to economic development in terms of human resource development, high-level skills training, and the production, acquisition, and application of new knowledge (UCT, 2000). Effah and Mensa-Bonsu (2001) further state that higher education institutions and their governance arrangements have been greatly influenced by patterns and trends in the western world, especially in the United Kingdom, the United States, and some of the Commonwealth nations.

In Ghana, no one law governs the operation of higher education institutions. All public institutions draw their authority and powers from the national constitution and individual acts of parliament which established the institution concerned. This provides the space and environment for the institutions to be as innovative as possible. However, this situation also poses serious challenges in terms of the interpretation of other laws that seem to run contrary to the letter and spirit of aspects of these acts. Examples of these laws are: the Financial Administration Act, 2003 (Act 654); the Fair Wages and Salaries Act, 2007 (Act 737); and the Procurement Act, 2003 (Act 663). In essence, while the individual acts of parliament appear to give institutions the

authority and power to manage themselves in all aspects on behalf of their stakeholders, the laws mentioned above seem to assign those powers to bodies other than the councils of public universities.

A brief on Ghana

Ghana was the first British colony in Africa south of the Sahara to attain independent status, in 1957. The Convention People's Party (CPP), under the leadership of Dr Kwame Nkrumah (who would become president when the country became a republic in 1960), led the country into independence. After a number of military incursions into governance, the country has become a stable democratic nation, guided by the 1992 constitution, which has been in force since 7 January 1993. The country currently has a population of approximately 25 million with an economy that is predominantly based on agriculture and mining, and, therefore, largely dependent on the export of primary products. The recent commencement of oil production in commercial quantities has introduced a new dimension into the economic system.

Brief on higher education in Ghana

Ghana has a long history of higher education, dating back to 1948 when its first public university, the University of Ghana, was established. The university came about as a result of agitation by educated Africans against the British Government. As the system expanded, the Kumasi College of Technology, established in 1952, became the Kwame Nkrumah University of Science and Technology (KNUST), in 1961. KNUST was intended to spearhead technological development in the country. The government established a third university in 1962, the University of Cape Coast (UCC), principally to train teachers for secondary schools. Since that time, university education has continued to expand, with the introduction of the University of Development Studies and the University of Education Winneba, both in 1992, and the University of Mines and Technology in 2005. In 2012, parliament passed a bill to create two more public universities with mandates in health and energy-related education.

Nature of government–university relationships

Between the declaration of independence in 1957 and 1992, the relationship between government and university changed. These changes

can be grouped into three periods. According to Sawyer (1994), 1957–1966 can be classified as the first republican period, 1966–1981 as the military rule period, and 1981–1992 as the third period (Sawyer, 1994). The first was the immediate post-independence period when ‘higher education was invested with the task of Africanizing the public services in Ghana and playing a critical role in national self-discovery, culture and sovereignty’ (Manu, Gariba, and Budu, 2007: 39). The nature of the relationship between the University of Ghana and the government of President Nkrumah can be best described as follows:

the government of newly independent Ghana took great pride in its universities and provided generously for them. But there was also impatience with what was seen as the elitism, conservatism and bureaucratic processes in the universities, particularly at the University of Ghana. Government attempts to exercise greater control than was deemed desirable by the academic community set it on a collision course with the universities. Government intervention in certain appointments and promotions, and the dismissal and deportation of some expatriate professors, was deeply resented, and many members of the University of Ghana applauded the coup that overthrew the Nkrumah Government in 1966 (Manu, Gariba, and Budu, 2007: 39).

The relationship between the government and the University of Ghana during the first period was therefore not cordial.

The second period, 1966–1981, has, like the period under Nkrumah, been described as one of state supervision rather than control (Manu, Gariba, and Budu, 2007: 41). Sawyer identifies three factors that determined the government–university relationship during this period:

1. First was ‘the fragmented organizational style’ in the universities. Going by this system ‘the traditions of academic freedom and the dispersal of decision-making power among the principal officers, senior professoriate, and committee systems in the universities that allowed these institutions to resist outside pressure, unless such pressure either became overwhelming or matched already-existing alignments within the institution’.
2. The second factor was ‘the leadership calibre of the university, including its stature, diplomatic skills, and willingness to stand up to government pressure’.

3. Third was the ‘popular esteem that universities in Ghana have always enjoyed’.

Although there were no serious attempts at governmental control during this period, the fortunes of the universities nevertheless plummeted in accordance with the economic, social, and political instabilities that pervaded the period. The general economic decline led to cuts in the budgets of the universities, resulting in an exodus of lecturers and other university personnel, among other consequences (Sawyer, 1994). This was a period of decline in the universities.

The third period has been described as one of ‘confrontation and directed change’ (Manu, Gariba, and Budu, 2007: 41). The military government of the Provisional National Defence Council (PNDC) ran the country, under the leadership of Jerry John Rawlings. The initial response to this government from the universities was cordial. Students supported the government through voluntary work to transport cocoa beans that had been abandoned on farms in the hinterlands. Legislation was passed to include student and workers’ representatives on the councils of the universities. The relationship, however, deteriorated when the PNDC government sought to introduce World Bank austerity measures, such as the removal of student subsidies.

It was during this period that the National Council for Higher Education, which had been responsible for university education under the office of the president, was abolished and replaced with the Higher Education Division of the Ministry of Education and Culture ‘to co-ordinate higher education under the advice of a newly established Education Commission’ (Manu, Gariba, and Budu, 2007: 41).

In addition, this period saw the establishment of the Committee of Vice-Chancellors (now known as Vice-Chancellors Ghana), which became an important player in the management of relationships between the government and public universities.

The country returned to constitutional rule in January 1993, under the terms of the 1992 constitution. The current post-1992 constitutional period has been an era of mutual respect between the various governments and the universities. Governments now operate tactically through the National Council for Tertiary Education (NCTE)

to make their expectations of universities known without appearing to be controlling. At the same time, Vice-Chancellors Ghana acts as the diplomatic agent of the universities in their dealings with government. This post-1992 period could be categorized as a period of ‘diplomacy’ arising from mutual respect.

Constitutional innovations for autonomy

With the re-introduction of democratic governance under the 1992 constitution, certain fundamental changes were introduced, all intended to ensure greater university autonomy.

Prior to the 1992 constitution, the head of state was the *de facto* chancellor of all the country’s public universities. During the periods of military administration, particularly under the rule of General Kutu Acheampong, this provided an excuse for direct government interventions in the affairs of universities, to the point of suggesting the transfer or removal of lecturers. Even under the Nkrumah administration, the policy of Africanization was extended to university faculty members, with the consequence that the government appointed or promoted a number of African scholars to professorial positions (Agbodeka, 1998: 147).

These incidences of interference in governance were strongly resented by the universities. When the 1992 constitution was being formulated, the universities lobbied for the exclusion of the position of chancellor from the functions of the head of state. Consequently, the 1992 constitution excludes the head of state from taking up the position of chancellor of public universities. By article 68 (1) (b) of the constitution:

- (1) The President shall not, while he continues in office as President –
- (b) hold the office of chancellor or head of any university in Ghana.

Additional effort was made to protect university employees from undue governmental and political influence. This was accomplished by the express ceding of the power to appoint or remove employees on university councils. Although, by article 190 of the 1992 constitution, appointments to the educational sector generally fall within the public service, and appointments into public service are the responsibility of the president, acting in accordance with the advice of the governing council

of the service concerned given in consultation with the Public Services Commission (article 195 [1]), article 195 (3) excludes appointments to offices in higher education institutions. According to article 195 (3):

The power to appoint persons to hold or act in an office in a body of higher education, research or professional training, shall vest in the council or other governing body of that institution or body.

This is intended to further protect educational institutions from undue political interference by governments.

Financially, however, public universities continue to be subject to the budgetary influence of the Ministry of Education (MoE). The bulk of their expenditure, staff emoluments, student tuition fees, and infrastructural development come from the government. As a matter of policy, Ghanaian students do not pay tuition fees; the state is expected to cover the tuition fees of all undergraduate students. There are some postgraduate programmes which attract some level of fees as a cost-recovery measure. There was a period during which government annual subsidies were linked to the level of student enrolment, but, over the longer term, increases in tuition disbursements from government have not kept pace with increases in student numbers. It is an open secret that governments are, nonetheless, uncomfortable with any attempt at a drastic reduction in student enrolments by universities for fear of political repercussions. This does create issues with respect to financial autonomy and, therefore, governance.

Why the need for reforms?

During the PNDC era, a committee known as the University Rationalization Committee (URC) was mandated to formulate a policy framework for tertiary education. The URC carried out its assignment from 1986 to 1988.

Bearing in mind the problems affecting tertiary education in Ghana, including the adverse effects of the 'national economic crisis leading to falling standards, lack of equipment and essential teaching materials, low morale among staff, and stagnation,' a white paper based on the URC recommendations was formulated to articulate the reforms intended for the tertiary education sector. The policy framework suggested by the URC, which subsequently received government approval in the 1991

white paper, became the basis for the Tertiary Education Project (1993–1998).

The white paper was critical of the existing system for the management of tertiary institutions in Ghana. This was split between the Higher Education Division of the MoE, which had responsibility for universities, and the Ghana Education Service of the MoE, which has overview of polytechnics and tertiary-level teacher training colleges, while another group of tertiary institutions came under specific ministries, such as Health and Agriculture. The white paper argued that this split in management structure was ‘resulting in gross inefficiency in the development of the country’s human resources’.

The URC white paper has been described, by Girdwood, as control-oriented, with reference to some of the measures recommended, for example: ‘The MoE shall work out criteria for the provision of admissions and scholarships on the basis of the government’s development priorities in consultation with the National Development Planning Commission.’ Provisions like these, according to Girdwood, posed challenges to institutional autonomy and were bound to generate tension (Girdwood, 1999: 22).

Earlier, in 1987, the need to develop an appropriate labour force for the country had been recognized and major reform of the educational sector was introduced to address the human resource needs of the country. According to Anum-Oddom (2007):

The reforms were relevant to national development in various ways. The 1987 reforms were aimed at providing broad-ranging manpower supply for the various sectors of the country’s economy. This included the training of people to engage in agriculture to provide the needed raw materials to feed the industries and provide adequate food for the nation. It was also intended to train people in science and technology for the advancement of science and technology in the Ghanaian society, protection and conservation of the environment and raising health standards.

In 1998, the nature of the problems confronting tertiary education in Ghana were categorized as issues of access, quality, relevance, governance, management, and inadequate funding, with the latter highlighted as the most profound (NCTE, 1998: Foreword).

As a result of the implementation of the educational reforms of 1987, the NCTE and the National Accreditation Board (NAB) were established. The NCTE was established to work towards the changes anticipated within the tertiary educational system.

The NAB was established by the Government of Ghana in 1993 with the enactment of PNDCL 317, 1993. The legislation has since been replaced by the National Accreditation Act 2007, Act 744. The NAB is responsible for the accreditation of public and private institutions with regard to the contents and standards of their programmes.

Objectives of the Ghana study

The general aim of the study was as follows:

The research will examine the effectiveness of reforms in steering policies and governance structures and their impact on the management and managerial effectiveness of higher education both at the national and institutional levels.

The specific objectives of the study were:

1. to study the evolution of steering policies and new governance structures at the system level;
2. to examine the implications of steering policies and new governance structures to manage higher education at the national levels;
3. to analyse implications of steering policies and governance structures for institutional effectiveness in higher education.

Based on these general study objectives, the University of Ghana, as one of the six selected case-study universities, selected as the theme of its specific study ‘The interface between the 2007 internal reforms of the University of Ghana and the national legal and educational framework of Ghana: Lessons in higher educational management’.

The rationale of the case study was to examine the degree to which reforms recently initiated by the university had achieved the internally desired results and the impact the University of Ghana’s strategy had on governance, both nationally and internally, for the other tertiary institutions in Ghana.

The University of Ghana was selected because of its experience in higher education and prominence in the West African sub-region. It is also thought that its rich experience could benefit other institutions.

The University of Ghana was established in 1948 as a college of the University of London. It became a fully-fledged university in 1961 and is now one of six publicly funded universities in Ghana. Parliament, in 2012, approved the establishment of two more public universities, and arrangements are under way for these new institutions to admit their first batch of students.

Methodology of the Ghana study

The background to the selected research topic concerns the period from 2000 to 2005. The University of Ghana found itself immersed in a management crisis that threatened its capacity to deliver on its mandate. This led to the re-thinking of its management structures and operations.

Official documents of the university, including reports, minutes of meetings, and correspondence, provided a basis for the description of the reform and its implementation. To assess the impact of these reform strategies, as stated in the study objectives, a descriptive rather than quantitative field research approach was adopted. Questionnaires were circulated to institutional decision-makers: the chairman of council, the vice-chancellor, a former vice-chancellor, the registrar, the directors for human resources and finance, deans, heads of department, and other academic staff. Interviews were also conducted with national decision-makers, such as the current executive secretary of the NCTE and members of the Parliamentary Select Committee on Education.

2. A review of the governance reform

Rationale for introducing governance reform

In addition to the general factors necessitating reform, as mentioned earlier, the University of Ghana had its own internal problems that also called for reform. At its inception, the university benefited from the country's economic buoyancy. The number of potential university applicants was also quite manageable, and it was possible to attract and retain high-quality academic staff. With the decline in the economic fortunes of the country, the quality of infrastructural development,

teaching, and learning in the university also declined. Infrastructural development came to a near halt and the retention of teaching staff became a problem. The situation was not made easier by the phenomenal increase in student numbers, from about 10,000 in 2000 to over 28,000 in 2006.

Over the years, the university suffered a decline in academic standards and general service delivery.² The management of large student numbers within existing administrative structures had become problematic, necessitating a re-think of the whole university management system. However, the most immediate trigger for urgent and comprehensive action was the considerable embarrassment caused by examination malpractice during the 2004/05 academic year (COL, 2007: v).

The council of the university, after considering various possible options for remedying the situation, decided to use a visitation panel to undertake a comprehensive review of the university's structures and operations, with a view to improving its performance. It was decided that the panel should be composed of internal and external experts who would be in a position not only to diagnose the problems but also to propose solutions to them. Given the possibility that they would arrive at conclusions with far-reaching consequences, including the need for additional funding, the government was informed and its consent and support secured.

The selection of panel members, and their terms of reference, was carefully made in order to ensure that the conclusions formed would be accepted by all stakeholders.

Expected changes due from the reform

To prevent further damage to the hard-won reputation of the university, the visitation panel was charged with responding to the following terms of reference, to review:

1. the academic programmes at the University of Ghana to determine their currency, quality and relevance to the mission of creating

2. Council of the University of Ghana, Statement on the report of the visitation panel.

- world-class human resources and capabilities to meet national development needs;
2. the infrastructure and resources currently in place and to advise additional resources (physical, financial, and human) required to enable the university to adequately discharge its mandate to an internationally accepted standard;
 3. the university's administrative and governance structures, its systems and procedures, and to advise on their appropriateness and adequacy in relation to the twin goals of effectiveness and efficiency;
 4. any other matters which, in the opinion of the panel, are relevant to the issues at stake.

The visitation panel was made up of distinguished individuals with extensive experience in academia and leading figures from industry and business. Members of the panel had, between them, a wide experience of institutional and academic leadership, university governance, management and administration, quality assurance, international academic relations, and public-private partnerships. Some had previously taken part in such visits, although mostly in somewhat different contexts. Some were already familiar with the University of Ghana or with Ghana generally.

The panel proceeded with its assignment by conducting an initial meeting with all stakeholders, subsequently dividing itself into three sub-groups which worked with local University of Ghana teams to undertake extensive consultations with relevant individuals and organs of the university, forming the basis of the findings and recommendations. This approach was adopted in order to ensure that the findings and recommendations were generally supported by most members of the University of Ghana community.

The panel, in its general overview of university education in Africa, noted the increased role of the state in higher education following independence, particularly through the various ministries of education that exercised greater control over governance and decision-making in universities (COL, 2007: 12).

In the case of Ghana, the head of state was the *de facto* chancellor of public universities. This was the case until the 1992 constitution prohibited it.

Unfortunately, this exercise of state authority in the governance of African universities did not, according to a World Bank report, improve their quality: ‘This was not always done in support of quality. Indeed, in some cases, the increased role of the state in university education contributed to a decline in the quality of higher education as a desire for political control of education; appointments to management and governing bodies were made largely on political rather than on merit basis’ (Materu, 2007 p. xvi).

The panel helped generate positive expectations of the impact of its work through its interactions with the then minister of state in charge of tertiary education, Elizabeth Ohene, and J. H. Mensah, the chairman of the National Development Planning Commission. According to the panel, its conversations with these two government officials gave the clear indication that ‘the Government expects the impact of the Panel’s work to go beyond the University of Ghana and lead to broader policy developments that might serve as a model for other tertiary institutions in the country’ (COL, 2007: 10).

The final recommendations of the panel addressed three essential areas: governance, management, and administration; the University of Ghana as an academic institution: and infrastructure and resources.

Important elements of the governance reform

Upon receipt of the visitation panel’s report, the council of the university discussed it at three special meetings and a retreat. Only a few of the panel’s recommendations were not accepted by the council.

Of particular interest is the fact that council accepted that changes should be made to its own composition and functioning. It was agreed that the council should be enlarged to include a majority of non-university members. The recommended committee structure required for the functioning of the council was also approved.

The council also ‘decided to replace the existing Executive Committee of the Academic Board with an enlarged Business and

Executive Committee to deal expeditiously with the Business of the Academic Board’.

On matters of discipline, the system of *ad hoc* disciplinary committees was replaced with standing disciplinary committees with executive powers to impose sanctions.

The process of implementation

It became clear that some of the recommendations of the panel would require an amendment of the University of Ghana Act, since the University of Ghana is a public entity established by an act of parliament. The university therefore proposed a new bill that went before the cabinet and was eventually approved by parliament and signed by the president.

The impact of the visitation process at national level includes, significantly, the repeal and replacement of the University of Ghana Act 1961 (Act 79). The memorandum for the proposed bill stated clearly that the reform of the law had become necessary ‘in view of the perceived deterioration in the university’s academic standards and general service delivery’. The university is a public entity and an important national asset. Its national and international stature are therefore of national concern.

The governance structure of the university was considered a key factor in any reform exercise, among other considerations. The memorandum therefore proposed a new council system with the following purpose:

to modify the role and composition of the University Council, restructure and reorganize the existing dysfunctional organizational structure by expanding the membership of the Council from fifteen to over twenty members. This is to enable it to play an effective role as the governing body of the university (Ghana, 2010).

The resulting legislation, the University of Ghana Act 2010 (Act 806), initiated reforms that relate to the governing structure of the university. The council must now comprise 21 members, including the Chancellor, and finance and management experts.

New regulations at the national level

The success of the University of Ghana visitation panel model has become the benchmark for other institutions in the country. There is evidence of the influence of the recommendations of the panel on the affairs of other institutions. For example, the Kwame Nkrumah University of Science and Technology (KNUST) restructured its collegial system by reducing the number of colleges. The panel had cautioned against rushing into a collegiate system. The other public universities have also embarked on exercises to review their statutes and acts to reflect current realities.

The research team had an opportunity to interact with members of the Parliamentary Select Committee on Education on 16 August 2012. At this meeting it was indicated that parliament used the University of Ghana Act as a guide in considering bills for the newly established public universities. Examples of these are the acts concerning the University for Professional Studies, Accra (UPSA), the University of Health and Allied Sciences (UHAS) at Ho, and the University for Energy and Natural Sciences (UENS) at Sunyani, as well as colleges of education and the Kofi Annan International Peacekeeping Training Centre (KAIPTC). The University of Ghana Act provided the model for these acts. In that respect, it is clear that the recommendations of the visitation panel greatly influenced the structure of these universities. The University of Ghana Act has, therefore, become the standard for the formulation of legislation for all other universities. The Ghana School of Law, which is governed by the General Legal Council, has also been considering a visitation panel modelled on the University of Ghana experience.

Relationship between the Ministry of Education, buffer institutions, and autonomous institutions

The self-directed visitation process pre-empted possible interference from the government to impose a review process on the university. The government respects the autonomy of the university within the law, subject to the limited monitoring roles of government agencies such as the NCTE and the NAB.

Even in the area of financial control, the university has, over the past few years, strongly held its grounds against the incessant efforts

of the Ministry of Finance and Economic Planning to assume more-than-necessary control over the financial administration of public universities, using some of the laws mentioned earlier as a basis. This matter continues to resurface occasionally.

3. Overview of implementation of the reform

This section captures the essential elements of the reforms. It relies extensively on the final report of the Visitation Report Implementation Committee (VRIC), submitted to the university council in June 2011. This is supplemented with information from the minutes of the academic board, the Business and Executive Committee, and council meetings. *Table 3.1*, *Figure 3.1*, and *Figure 3.2* summarize the key changes in terms of activities and organizational change.

Table 3.1 Summary of activities implemented under the reform

Reform item	Activity
Governance, management, and administration of the university	<ol style="list-style-type: none"> 1. Passing University of Ghana Act 2010 – October 2010 2. Approval of University of Ghana statutes – May 2011
Academic programmes and operations	<ol style="list-style-type: none"> 1. Review of course credit and semester systems 2. Introduction of university-wide required courses 3. Restructuring of the School of Research and Graduate Studies 4. Improving quality of academic programmes 5. Intensification of distance education programme offerings
Infrastructure and resources	<ol style="list-style-type: none"> 1. Re-organization of the Finance Directorate 2. Reorientation of the Audit Directorate 3. Merger of the ICT Directorate, PMIS Directorate, and Electronic Support Unit 4. Expansion of the ICT infrastructure 5. Implementation and deployment of ITS software 6. Improved library resources 7. Introduction of public–private partnership projects 8. Re-organization of the Physical Development and Municipal Services Directorate 9. Improved security on campus 10. Improved hospital services 11. Improved student accommodation facilities

Figure 3.1 University of Ghana organizational chart prior to the reforms

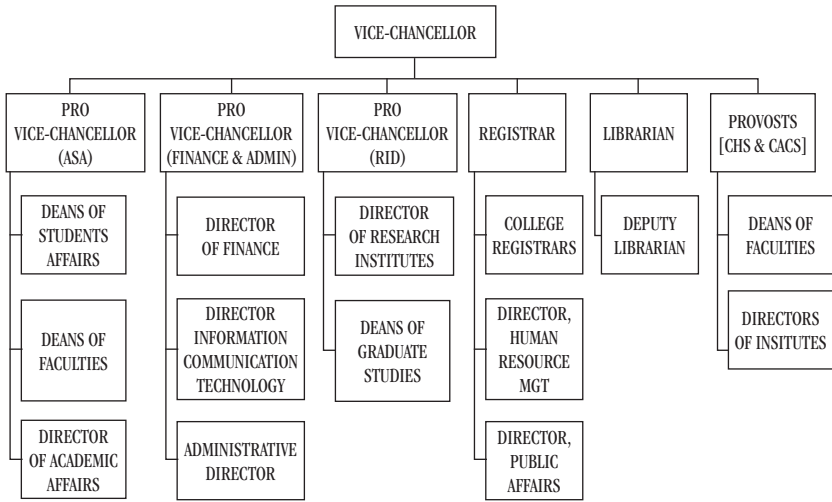
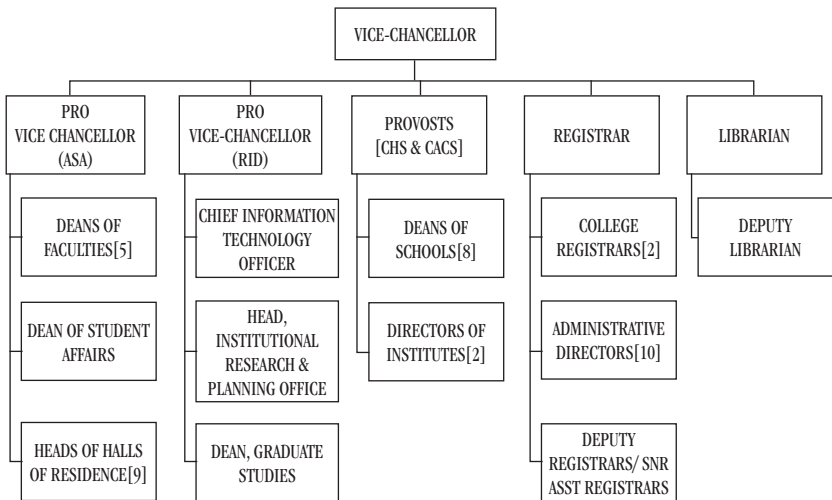


Figure 3.2 University of Ghana organizational chart after the reforms



The key difference between *Figure 3.1* and *Figure 3.2* is the designation of the registrar as the ‘chief operating officer’ and the abolition of the position of pro-vice-chancellor for finance and administration. A total of 11 positions have been placed under the responsibility of the registrar, as follows:

- College registrars (there are currently two of them, soon to increase to four)
- Director of Academic Affairs
- Director of Finance
- Director of Health Services
- Director of Human Resource and Organizational Development
- Chief Information Technology Officer
- Director of Internal Audit
- Director of Physical Development and Municipal Services
- Director of Public Affairs
- Director of Sports
- Legal counsel.

4. What has really changed? Perceptions of change

This section captures the responses of the university’s academic staff to the questionnaires. It includes comments from deans, directors, and heads of department. A total of 60 questionnaires were received from this category of respondent. *Table 3.2* and *Table 3.3* summarize the responses to the various questions in the questionnaire. The raw figures are provided, with the appropriate percentage in brackets. The percentages were based on the total number of valid responses for each question and, therefore, the denominator has not remained the same from question to question.

5. Opinions about the reforms and their impact

A majority of the respondents either agreed or strongly agreed that the following benefits had been derived from the reform, as indicated below.

In particular, the reforms enabled more freedom to develop innovative curricula (88.1 per cent) and the development of new employment-oriented courses (78.5 per cent).

Table 3.2 Responses to questionnaire by academic staff

Areas affected by the reform	Strongly disagree	Disagree	Agree	Strongly agree
The reforms enabled more freedom to develop innovative curriculum		7 (11.9%)	31 (52.5%)	21 (35.6%)
The reforms enabled the development of new employment-oriented courses	2 (3.6%)	10 (17.9%)	35 (62.5%)	9 (16.0%)
The reforms enabled the introduction of cost-recovery measures – levying of fees for the services offered by the university	1 (1.8%)	19 (35.2%)	27 (50.0%)	7 (13.0%)
The reforms enhanced the freedom to prioritize research areas/domains	1 (1.8%)	13 (22.8%)	35 (61.4%)	8 (14.0%)
The reforms strengthened the academic programmes of the university		8 (13.8%)	33 (56.9%)	17 (29.3%)

The reforms enabled the introduction of cost-recovery measures – levying of fees for the services offered by the university (63 per cent agreed). However, 37 per cent of respondents did not agree that this had been the case. This could be explained by the fact that the charging of student fees has been a very sensitive matter, and indeed an attempt to raise more realistic fees for some items on the user-fee list for the 2011/12 academic year resulted in student demonstrations and threatened to disrupt academic work. There is a lot of room for improvement in this area, given the right political atmosphere.

The reforms enhanced the freedom to prioritize research areas and domains (75.4 per cent). Funding, however, remains a major challenge so far as prioritization of research is concerned. For many people, although some research money has become available through the university’s own resources, it is still difficult to secure the level of funding that would make a difference to their research activity.

The reforms strengthened the academic programmes of the university (86.2 per cent). As indicated earlier, this has happened not only at undergraduate level but also at postgraduate level.

The number of respondents indicating that they either ‘agree’ or ‘strongly agree’ with the statement that the reform measures had improved access to and the sharing of faculty resources was 69.1 per cent. This could have been higher, given the fact that a great

deal of sharing was already going on and the reform may not have substantially increased this activity.

Table 3.3 Responses to questionnaire by academic staff

Areas affected by the reform	Strongly disagree	Disagree	Agree	Strongly agree	Total responses
The reform measures improved access to and the sharing of faculty resources		17 (30.9%)	31 (56.4%)	7 (12.7%)	55
The reforms led to the increased administrative workload of the academic staff		14 (24.1%)	32 (55.2%)	12 (20.7%)	58
The reforms reduced administrative costs	3 (6.3%)	33 (68.8%)	10 (20.8%)	2 (4.1%)	48
Reforms led to increased academic workload	2 (3.5%)	10 (17.5%)	32 (56.1%)	13 (22.8%)	57
Reforms led to more monitoring and control of resources		14 (26.4%)	24 (45.3%)	15 (28.3%)	53
Reforms led to strengthened accountability measures of the staff	2 (3.9%)	7 (13.7%)	33 (64.7%)	9 (17.6%)	51

The reforms led to increased administrative workload for academic staff (75.9 per cent). This observation is not a good sign and should engage the attention of university management, so that academic staff can spend more of their effort and time on academic matters.

Three-quarters (75.1 per cent) of respondents either ‘disagreed’ or ‘strongly disagreed’ that the reforms reduced administrative costs. This also is not a good sign and should be investigated to establish whether or not the reform has led to a reduction in administrative costs, or if it has led to higher administrative costs.

The question of whether the reform had led to increased academic workload elicited a response of either ‘strongly agree’ or ‘agree’ from 78.9 per cent of the respondents. The reforms also led to more monitoring and control of resources. Those who ‘agreed’ or ‘strongly agreed’ made up 73.6 per cent of respondents. Finally, 82.3 per cent of respondents ‘agreed’ or ‘strongly agreed’ that the reforms had strengthened staff accountability measures.

6. Decision-making at the faculty/department level

To these respondents, decision-making at the faculty level remained limited. They did, however, indicate that limited decentralization of appointments had given the faculty appointments committee greater decision-making powers, making the faculties and departments take greater responsibility for the recruitment and appointment of lecturers and research fellows.

Some respondents indicated that while decisions were supposed to be taken at the end of open consultations, with the use of a committee system, in practice this was not the case.

Budget allocation system at the department level

Budget preparation was noted to be so centralized that departments played only negligible roles in the process. It was suggested that units prepare their own budgets for approval, which would be transparent under the ITS system, and that the budgets should be itemized and based on needs and activities identified in the strategic plan of the university, as well as being within the available resources. Respondents wanted departments to generate additional income to support their budgets and also prioritize their expenditure and monitor their procurement. Some did not see any significant changes resulting from the reforms in terms of budgetary allocations at departmental level because allocations made were cut at the central administration level, painting a picture of ‘centralization in a kind of decentralization’.

Respondents felt that the reforms had resulted in more centralization of financial management in the university. Subsequent changes have led to the budget cycle including inputs from the departments. Every unit prepares its own budget, indicating the items needed plus the estimated costs, and sends it to a central body which provides the allocations on the basis of a quota system. There is limited flexibility in budget allocation and management at the department level. The budget is more centralized through the ITS system and feedback from administration is easily accessible. There has been a general increase in the allocation system but it is still below the budget required by departments.

Staff recruitment

Respondents thought the reforms had improved staff recruitment with the process now governed by strict timelines, reducing the waiting time between application and appointment, and controlled at the faculty level. The reforms facilitated the recruitment of highly qualified lecturers, with an emphasis on PhD holders and interviews for prospective lecturers held at faculty level. MPhil holders are appointed assistant lecturers and engaged for only three years, during which time they are encouraged to enrol on a PhD programme. For a few respondents, no change was noted and the procedure for staff recruitment remains cumbersome.

Staff accountability/evaluation procedures

Remarkable improvement was noted in the area of staff accountability evaluation procedures, though further improvement was suggested. The evaluation procedures are now more transparent, making staff more aware of promotion criteria and their place within the system. Another positive change cited was the evaluation of academic staff by students at the end of every semester. This creates greater awareness of expectations, performance criteria, and consequences. It also provides feedback to the deans and heads of department on academic staff performance. A few respondents, however, were of the view that nothing had changed in this area after the reforms. To them, the evaluation of lecturers by students had not made any impact.

A revised performance management system, where staff annually evaluate their work before the head of department does, has enhanced accountability/evaluation procedures. Peer evaluation of staff is also in place. Regular student evaluation of lecturers has improved staff performance. In general, the perception was that not many changes had occurred with regard to staff recruitment.

Student admissions

Some respondents noted that the reforms had introduced some improvements in admissions at the university, indicating that they had facilitated the process of online admissions. They believe admissions now to be well-controlled and more transparent. The introduction of the computerized system and enhanced public education had shortened the

admissions review processes. They also noted an increase in graduate admissions.

With respect to student admissions, changes noted included the recognition of Level 100 courses within the university's graduation programmes and the fact that admissions were now more centralized. Respondents pointed out that controls had been introduced to reduce the number of undergraduate enrolments, while, at the same time, there had been an increased number of graduate admissions. The university will concurrently increase both its city campus and its distance learning activities. It was revealed that a big change in student admissions has been the deployment of information and communications technology (ICT) in the application and admission process, drastically reducing the length of the admission process. The use of computers means that the admissions board now sits for a relatively short period while costs have also been reduced. Heads of departments are given laptops to facilitate admissions. The accuracy of student academic record-keeping has improved.

Student evaluations

On student evaluations, respondents noted that, with the establishment of the quality assurance unit, evaluations by students had become more transparent and relevant because it provides timely feedback and enhances student participation in managing staff performance. They saw the relevance of the proposed online evaluation but expressed some disappointment that it was yet to be fully implemented. These evaluations are presently being carried out in the first semester of each academic year. A course assessment form is filled out by students to centrally evaluate lecturers' performance. This has improved the attitude and commitment of lecturers towards teaching.

Respondents recommended a more regular evaluation of academic staff by students. Changes have been made to students' interim assessment and semester examinations as well.

Income-generating activities

On income-generating activities, respondents admitted that a lot needed to be done. They suggested the securing of grants and the introduction

of fee-paying academic programmes. They also suggested that schools and departments should be encouraged to engage in income-generating activities within the framework of the University of Ghana. They also argued that the university could optimize its income-generating activities through equitable share-out with the units because centralization could be to the disadvantage of research institutions particularly.

While unaware that any specific changes in income-generating activity were under way, they pointed out that there had been an impetus for better service delivery and that more innovative activities (not visibly income-generating) were being devised.

Administrative procedures

Despite the reforms, respondents complained about cumbersome administrative procedures. They indicated that although there was some flexibility, many areas had become more bureaucratic. They cited too many committees and the requirement that external travel by faculty members be approved by the dean as areas that needed to be looked at. The procurement of stationery and other materials online and the creation of the position of pro-vice-chancellor (RID) were noted as among the positive outcomes of the reform.

Respondents observed that the centralization of finances and the electronic processing of requests such as the procurement of stationery and other materials online had been major changes in administrative procedures. They raised concerns about conflicts between information from e-records and hard-copy records. They noted the increase in administrative processes resulting from the creation of an additional tier at college level, citing the involvement of too many committees and boards. Other changes included external travel applications being approved by deans rather than the vice-chancellor, and information being sent via the internet in many cases.

Overall comments on the benefits of reforms

Respondents acknowledged the relevance of the reforms to enhancing the image and the standing of the university. Another benefit they

recognized was that they had strengthened decision-making at faculty level and enhanced teaching and research. Some expressed reservations with regard to the full impact of the reforms. In their words, some units had improved but the majority remained the same because most of them were strongly opposed to change. They noted that the reforms were largely good because they had promoted a greater sense of responsibility among staff and students and stimulated intellectualism. However, there is weakness in the enforcement of the changes. Therefore, there have been many reforms but very little change. The commitment to unreservedly backing the reform with investments in resources such as equipment, lab space, and office space, in order to improve the teaching environment, was still lacking.

In summary, the respondents agreed that the reforms were generally beneficial to the university, particularly with respect to the reorganization of the collegiate system. They advised the early review of the impact of the reforms, such as on the relationship between the faculty boards and the college boards.

Observations

This section has highlighted how the University of Ghana's academic staff view the reforms emanating from the university's visitation recommendations on governance and management and their impact on their work conditions.

It appears that administrators have greater clarity when it comes to institutional direction and are working to address the constraints on their effectiveness. Academics are experiencing pressure to improve teaching performance as a result of the changes in organizational policies, such as routine assessment and the improving work environment and resources. In general, the significant, intrinsic problems encountered in the university's management in the past have concrete solutions now, some already implemented, others in the pipeline. This, in turn, continues to enhance significantly both academic quality and student experience at the University of Ghana.

7. Conclusions and recommendations

Summary of the findings of the study

The implementation of the reforms is ongoing, although the implementation committee is no longer in operation. Quarterly reporting to the council provided an avenue for continuous monitoring. This is now covered in the vice-chancellor's quarterly report to the council.

Resistance from students and staff to the implementation of some of the reforms was unexpected, especially in the case of projects considered to be to their benefit. For instance, students protested against plans to decongest their residences and provide them with a better learning environment.

On a positive note, the university has derived some unexpected benefits from these reforms. They include:

- Financial support from the Carnegie Corporation (\$200,000) for the review of semester and course-credit systems. One outcome of this exercise was the development of a quality assurance manual, *The craft of teaching*.
- Financial support from the Carnegie Corporation (\$2,000,000) for training librarians and the establishment of 'research commons' in the main library.
- Financial support from the Carnegie Corporation (\$1,800,000) for graduate studies.

The new four-year degree programme has also had a number of unintended positive effects. The admissions process has become much quicker so that instead of taking a month or more it can be accomplished within a week. The university gained a better understanding of its physical assets in terms of space allocation. And faculty members developed an improved appreciation of the need to critically review curricula on a periodic basis. The teaching skills of the faculty notably improved. The IT functions of the university improved. An appreciation of the role that graduate students can play in the instructional process improved.

Insofar as changes to the university's undergraduate degree programme provided the prospect of more professional opportunities for faculty, the university's status as an international institution improved.

The reform of undergraduate education created the foundation for the university to focus on graduate training and research and to enhance its reputation among peer institutions.

Specific benefits to the culture of internationalization within the university include:

- new programmes to attract international students – the institution of a ‘summer school’;
- an increase in international student numbers (from 832 in 2007 to 1,264 in 2010, from 66 countries);
- the provision of purpose-built premises (International House) for international activities;
- more international scholars on campus.

The culture of internationalization within the university has been promoted in the quest for world-class standards. It has strengthened the university’s appetite for foreign students and the demand by foreign students for University of Ghana courses.

To a large extent, the reforms have reached the intended national objectives for the University of Ghana. The government strongly supports the university and has high expectations of the positive transformations that could be catalysed by the recommendations of the visitation panel. This was demonstrated by the amendment of the act governing the university, to reflect many of the recommendations approved by the university council. Furthermore, the government expects the impact of the panel’s work to go beyond the University of Ghana and lead to broader policy developments that might serve as a model for other tertiary institutions in the country.

The university’s own initiatives have contributed to the national objective of widening access to tertiary education – by opening a city campus, and instituting distance learning and sandwich arrangements, as well as introducing new programmes. The university mentors more than 20 private tertiary institutions. It has also enhanced efforts at generating income, with the university now meeting at least 30 per cent of its recurrent budgetary needs through income generation.

The reform brought about by the process begun in 2007 has reached or is approaching national objectives for tertiary education.

The University of Ghana is now in a position to return to its historic position as the premier research and teaching institution in the country. The emergent awareness of the need to tie operations more closely to an effective business model is expected to have significant pay-off in future years.

Why did the reform work well?

There are many factors that could explain the largely successful implementation of the reforms, though some remain very much a work in progress. Looking back, it is possible to identify the following points, all acknowledged by the interviewees, as key:

1. An overwhelming desire for a change among many members of the university community, which made it an environment conducive to reform.
2. The use of internationally recognized experts from different countries was an important factor, helping to put the recommendations in a broader perspective, and making it easy for organizations like the Carnegie Corporation to provide funding for the implementation of parts of the reform.
3. A reliance on internal ‘wisdom’ throughout the exercise. Although there was extensive use of external experts, there was a fine balance in the use of internal collaborators as well, ensuring that the observations and recommendations of the visitation panel were appropriate, meaningful, and therefore largely acceptable in the local environment.
4. The implementation committee, reporting quarterly to the council. The level of transparency exhibited in publishing the full report of the visitation panel was followed by the setting up of a high-powered implementation committee which reported progress on a quarterly basis to the council.
5. The external environment in terms of the policy framework and the external stakeholders was supportive. This was demonstrated in the government’s active support for the reforms. Without this support, the reforms would not have had the level of success so far attained.

Advice to national and institutional managers

The current policy and legal framework for education appears very favourable and gives institutions considerable room to operate as independent institutions. However, either through deliberate action or by default, these freedoms appear to have been taken away through other pieces of legislation to do with salaries and wages administration, the use of ‘internally generated funds’, and the method of allocating funds to universities. The implementation of the Single Spine Salary Scheme for all employees in the public sector has created a lot of tensions within the universities, resulting in industrial action by all employee unions at one point or another. Questions have been raised as to who should determine the salaries and conditions of service of university employees. This issue needs to be resolved as quickly as possible before tensions rise beyond acceptable limits.

Another source of tension is the Ministry of Finance and Economic Planning’s intention to move the payment of salaries from individual institutions to the Controller and Accountant General’s Department. The numerous challenges associated with this measure have been amply demonstrated at the School of Public Health, University of Ghana, where the scheme is currently in operation. It is understood that the migration of payroll is the first step towards migrating all the finances of the universities to one finance information management system operated from the Ministry of Finance and Economic Planning.

The law establishing the NCTE indicates that it should advise on a block grant mode of financing universities, thus giving the institutions the freedom to use the finances as directed by the council. This has never happened and the universities are arguing that it should.

Another important point is that there appears to be no ‘negotiated’ role for the universities in national development. The universities are left on their own to determine for themselves national needs and priorities. As Cloete *et al.* (2011) state in their study, ‘in neither government nor the university did it seem that there was a strong agreement on the role of the university in development’.

This is a critical matter that should engage the attention of both government and the universities.

IV. GOVERNANCE REFORMS IN HIGHER EDUCATION: KENYA

Timothy M. Waema
Adelaide M. Mbithi

1. Introduction

University education in Kenya

University education in Kenya has gone through major reform in the last 10 years. Most recently, the direction of travel for the sector was set by the *Transformation of Higher Education and Training in Kenya* report of the Public Universities Inspection Board (Kinyanjui Report, 2006) and the National Strategy for University Education (Kenya, 2007). The enactment of Kenya's new constitution, in August 2010, had implications for university education and necessitated changes in the university system. These changes led to the establishment of the Task Force on Higher Education, Science, and Technology, which was charged with aligning higher education, science, and technology with the constitution, *Kenya Vision 2030*, and other realities in the sector.

One of the outputs of the task force was a university education policy and bill. Both the policy and the bill were approved in 2012, setting the stage for a major overhaul of university education in the country. For the first time, under the Universities Act 2012, both public and private universities will be governed by a single law, while the acts forming the seven public universities have been repealed. All universities in the country will now come under the law that has empowered the Commission for Higher Education, to be called Commission for University Education (CUE), as the new regulator for the entire university system.

In public universities, final approval of academic programmes, formerly the prerogative of the university senate, will now be granted by CUE. The law states that: 'The Commission will undertake or cause to be undertaken, regular inspections, monitoring and evaluation of universities to ensure compliance with set standards and guidelines.' This will increase scrutiny of public universities by CUE. At the same time, under the new law, chancellors of public universities will no

longer be appointed by the nation's president. Instead, the university community and alumni will determine who will hold that position.

Following the enactment of the Universities Bill in 2012, 15 public university colleges were upgraded into full-fledged universities, effectively tripling the size of Kenya's public university sector. They were granted their charters in 2013.

The Joint Admissions Board (JAB) formerly charged with the admission of government-sponsored students to public universities was disbanded under the new law, to be replaced by the Kenya Universities and Colleges Central Placement Service. Unlike JAB, whose main task was to admit government-sponsored students to the seven public universities and their constituent colleges, the new body has been given an extended mandate and will admit students to both public and private universities and public tertiary colleges.

The number of institutions in Kenya has grown rapidly, as have enrolments. From a single university, the University of Nairobi, in 1970, the system grew to seven public universities, 19 university colleges, and 24 private universities in 2010. As noted above, in 2013, 15 of the university colleges became fully fledged public universities, meaning there were 22 in total. Total enrolment in public universities increased from 3,443 students in 1970 to 159,752 students (59,665 females and 100,087 males) in 2009/10. In private universities, total enrolment rose from 9,541 students (5,128 females and 4,413 males) in 2003/04 to 37,179 (14,462 females and 22,717 males) in 2009/10. In the 2009/10 academic year, the total number of those enrolled in public and private universities thus rose to 196,931. However, despite the rise in enrolment, the transition rate from secondary level to university remains low. There are also issues regarding gender parity. Female students constituted 36.3 per cent of the student population (45,193 of the total enrolled 124,563) in public universities, and 41.1 per cent (14,462 of the total enrolled 35,179) in private universities in 2010.

Reforms at the national level have also had an impact on university education. These changes have included the use of performance contracting, which was introduced as part of wider public-sector reform. It is reviewed in the next section.

Performance contracting

Public service reform in Kenya began after independence, with the main focus on the Africanization of the public service and land reforms. Subsequent reforms were aimed at performance improvement and remuneration for better service delivery. The civil service reform programme of 1993 aimed at cost containment by reducing the civil service work force by 30 per cent. However, productivity and performance remained low. Consequently, in 2003, the government introduced yet another reform agenda in the form of results-based management (RBM), which was guided by the economic recovery strategy for wealth and employment creation (2003–2008). The objectives of the RBM reform agenda were to support, coordinate, and facilitate performance management and measurement for effective service delivery and efficient utilization of public resources.

The government adopted various reform strategies to measure performance as part of the RBM agenda. One of these was the performance contract (PC), a management tool aimed at improving efficiency and effectiveness in the management of the public service. A PC is a freely negotiated performance agreement between the government and the management of a government institution. It is a useful tool for defining an organization's objectives, supporting innovative management, monitoring, evaluation, and control methods. It provides managerial and operational autonomy to public institutions. The initiative has turned out to be a powerful force in restoring and building trust in government services. This reform has demystified government and the process of governance, through the creation of synergies in the relationship with citizens by involving and empowering the public to demand accountability from all holders of public office.

Why performance contracting?

The public sector reforms were introduced in Kenya in 2003. The PC strategy, which was a part of this reform drive, was introduced in public universities, particularly the University of Nairobi, in 2005. It is reasonable to study performance contracting as a reform strategy since:

- It has been implemented for more than five years, and there is, therefore, enough evidence to assess the extent of its impact on higher education.
- As a reform strategy the PC has had a great impact on public university administration and management in Kenya.
- Highlighting the benefits of the PC may create a buy-in for those resistant to the reforms and, consequently, entrench sustainability and continuity of the reform.
- Results/lessons learned from the study of the reform are likely to be useful to other universities in Africa.
- The researchers have access to the data relating to performance contracting in the country, as they were involved in the exercise at the university level.

Objectives and methodology

The purpose of the research was to examine the impact of performance contracting on the management and managerial effectiveness of higher education at the University of Nairobi and the national level. The specific objectives were:

- to study the evolution of performance contracting and new governance structures in Kenya;
- to examine the implications of performance contracting and new governance structures to manage higher education at national level;
- to analyse the implications of performance contracting and governance structures for institutional effectiveness in higher education.

Information was collected from both primary and secondary sources. The secondary sources included annual reports, corporate and unit strategic plans and performance contracts, relevant policy documents (e.g. public sector reform programme), PC evaluation reports, and PC ranking reports. Other sources were training policies, staff appraisal reports, and employee satisfaction and work environment survey reports.

The primary information was collected via semi-structured interviews with national decision-makers, the vice-chancellor and deputy vice-chancellors, the administration registrar, and the finance officer.

Primary data were also collected through questionnaires administered to deans or directors of selected faculties, schools, and institutes; heads of selected departments; and both academic and administrative staff members.

Both interviews and questionnaires focused on the effects of performance contracting on university management. In addition, questionnaires collected information on the perceptions of various informant groups with regard to the effectiveness of performance contracting. This made it possible to compare intended outcomes with the perception of the outcomes among groups of internal actors.

2. Governance reforms at the national level

Important elements of a performance contract

The strategic plan of an organization or agency is the cornerstone of the performance contracting process. As the saying goes, ‘if you do not know where you are going, any road will take you there’. A strategic plan defines the agency’s current situation, where the agency intends to go, how it will get there, what needs to be done, and who will do what and when. The steps in a typical performance-contracting process are design, pre-negotiation, negotiation and signing of contracts, monitoring and reporting, evaluation, and reward. The design of a PC consists of a preamble that defines the purpose of the contract. It sets out the vision and mission statement of the agency, its objectives as indicated in the strategic plan, and the commitments, responsibilities, and obligations of the contracted parties.

The PC is modelled on six key performance criteria or tenets of good corporate governance: financial stewardship, non-financials, service delivery, operations, dynamic/qualitative, and eradication of corruption. These are considered the key elements of the PC. Each performance criterion is associated with selected performance indicators that ensure the performance target for the set criterion is met. In a typical PC, performance indicators and targets for each criterion are represented in a matrix and form a part of the contract.

Performance indicators (or performance measures) specify exactly what is to be measured along a scale or dimension. Indicators

show whether sector activities are carried out as planned or whether the activities have caused an improvement in the key result area. They are expressed in the form of variables, either qualitative or quantitative, and can be based on inputs, process, outputs, outcomes, or impacts. The performance indicators for the financial stewardship, non-financials, service delivery, and dynamic/qualitative criteria are the same for all public institutions. In contrast, those for the operations criterion focus on the core functions of institutions as specified in their mandates, while those for the corruption eradication criterion are prescribed by the Ethics and Anti-Corruption Commission.

Each performance indicator is associated with a *performance target* that specifies the expected or planned levels of results to be achieved by specific dates and is used to gauge performance. Target setting is the centrepiece in the design exercise of performance contracting. Targets are expected to be growth-oriented, comprehensive, relevant, and fully linked to an institution's budget; they should also be *smart*.

The process of identifying performance indicators and setting targets is anchored in the Sector Performance Standards (SPS) policy document. The objective here is to ensure that performance is measured using international best practice and that performance targets are grown to the extent that the country is placed on the cutting edge of global competitiveness (Kenya, 2010). Within the SPS, each sector has key result areas (KRAs) upon which institutions in the sector are supposed to deliver results based on their mandate. Public universities belong to the research, innovation, and technology sector, in which their parent Ministry of Higher Education, Science, and Technology (MoHEST) is a sub-sector. The KRAs in this sub-sector are meant to develop among its institutions a culture of scientific innovation and global competitiveness in higher education.

Weights are assigned to each performance indicator based on the fixed sub-weights for each performance criterion and the relative importance of the indicator. The sub-weights in each criterion are distributed in negotiated proportions to all the performance indicators in the criterion.

Commitment and obligations of the government: these refer to the assistance extended to the agency by the government in order to fulfil the agreed-upon performance targets.

Implementing performance contracts in Kenya at the national level

The government signs PCs based on the ministry, department, and agency (MDA) criteria that determine the level of operation of the unit within the government. At the national level, we have the following model contracts:

- *Ministries/departments:* In this case, the contract will be between the government, represented by the permanent secretary, the secretary to the cabinet, and the head of public service, and the permanent secretary or accounting officer of the ministry/department.
- *State corporations/statutory boards:* Here the contract is between the government, represented by the permanent secretary of the parent ministry, and the board of directors of the state corporation/statutory board. Universities fall under this category.
- *Local authority:* The contract is between the government, represented by the permanent secretary of the Ministry of Local Government, and the council of a local authority.

Performance contracting guidelines

The design and implementation of the PC at any of the levels mentioned above is based on the performance contracting guidelines released by the government at the start of the PC cycle. The guidelines set out the PC implementation process for the cycle. The government is aware that performance contracting is a dynamic process that continually adopts new best practices and integrates lessons learned, including global developments in performance management. When releasing the guidelines, the government also gives a schedule of activities to be followed in the PC development and implementation process.

Negotiation

PC negotiations are integrative in that the two parties involved are not competing with each other. They have several issues to negotiate. The parties to the negotiation process are stipulated in the performance contracting guidelines. The negotiations form a part of the commitment of a government agency to the PC. The process is carried out in two phases: the pre-negotiation/consultations phase and the actual negotiation phase. Parties negotiate over the performance indicators and distribute the targets accordingly.

The *pre-negotiation/consultations phase* establishes the status of the agency at the time. It creates a common understanding as to the scope of operations, core business, financial status, and human resources of the agency, and any other factors that may affect performance. It is in this phase that the agency is assisted in gauging the scope of its performance targets in terms of comprehensiveness, relevance, and compliance with the SPS, as well as in meeting the requirements of the set guidelines. At this stage, the parties agree on ranking of performance targets, assignment of weights to the targets, and the basis for benchmarking performance targets to past performance patterns.

In the *negotiation phase*, parties are expected to establish that all inputs during the pre-negotiation/consultations stage have been considered in developing the ultimate targets. It is also the stage that signifies unequivocal agreement on all the performance targets. The agency is then guided to draft a PC based on the agreed performance targets for verification/vetting.

Vetting is the process of scrutinizing the negotiated PCs to establish conformity to the performance contracting guidelines. As a quality assurance measure, all PCs must be vetted by the PC secretariat before they are signed.

Signing of the performance contract

After vetting, the PC is signed by the agency and the government and counter-signed by all the parties concerned, as stipulated in the guidelines. All permanent secretaries are required to cascade this process downstream to all institutions within the ministry.

Performance monitoring and reporting

All government agencies are required to file quarterly performance reports to the designated agencies at the end of each quarter. Quarterly performance reports on cross-cutting indicators are submitted to the lead and specialized agencies, which, in turn, send quarterly reports to the permanent secretary for performance contracting. The permanent secretary submits quarterly reports to the government through the prime minister.

Institutions are also required to submit their annual performance reports to the Performance Contracting Department for evaluation within a month of the end of the financial year.

Performance evaluation, ranking, and reward

Evaluation is the most critical stage in the performance contracting process, as it is the culmination. The primary evaluation and moderation is conducted by the *ad hoc* moderation and evaluation committee, composed of independent experts drawn from outside the public service. The evaluation is carried out on an automated platform, and agencies are called upon to defend their results and to provide verifiable evidence of achievement of targets. The government, through the evaluation process, is able to compare the performance of the various government agencies, sort out performers from non-performers, and form a basis for ranking. It is used to reward the best as well as to benchmark with similar agencies.

New regulations at the national level

The initiative to introduce performance contracting in Kenya came from the president and was clearly spelled out in the Economic Recovery Strategy for Wealth and Employment Creation (ERSWEC) 2003–2007. This paved way for the implementation of Legal Notice No. 93, The State Corporations (Performance Contracting) Regulations, 2004.

A department headed by the permanent secretary for performance contracting and public sector reforms was established in the Prime Minister's Office to coordinate PC activities within government. This department has the task of monitoring the progress and trend of performance in public institutions as well as highlighting achievements or challenges hindering performance.

The performance contracting system is not optional; all public offices are expected to sign a PC with the government.

The introduction of performance contracting guidelines, to be followed by all public institutions in the implementation of the PC, is a standardization mechanism for the PC process.

To ensure that the PC process conforms to international best practice, the government developed sector performance standards to be applied by institutions in the sectors concerned.

Relationship between the MoHEST and universities

Since the introduction of performance contracting in public universities, the PC process has been managed by the MoHEST, the universities' councils, and the PC secretariat. The buffer institution, in this case the Commission for Higher Education (CHE), has played no part in the process. However, the new Universities Act 2012 gives the CUE a supervisory role over all universities, meaning the body is likely to have an active role in the PC process in future.

3. Governance reforms

Areas affected by the introduction of performance contracting

In this study, the researchers considered academic programmes, financial management, staff management, and governance and management to be the areas most affected by the introduction of performance contracting in the University of Nairobi.

Academic programmes

The focus on academic programmes in the university's PC made possible the achievements listed in *Table 4.1*.

Financial management

Government funding for higher education has continued to increase in past years. However, this increase has not realized any tangible benefits to the University of Nairobi due to inflationary trends in the economy and the general high cost of academic programmes. The major strides that the

university has made in financial management through the PC are shown in *Table 4.2*.

Table 4.1 Achievements in academic programmes

Area	Before PC	After PC (2011)
New academic programmes introduced	N/A	9
Review of curricula for relevance each year	N/A	106
Student enrolment	37,046 (2005/06)	55,000 (2010/11), partly through parallel programmes
Open and distance learning	N/A	364 modules (units/courses) in print media, 495 modules in electronic media in eight degree programmes
PhD graduates per year	23 (2005/06)	79 (2011/12)
International links and collaborations	201 (2006)	1,177
Research	1,179 conferences attended (2009) 311 papers published in peer-refereed journals (2006)	Introduction of policy on research and intellectual property 3,248 conferences attended 2,597 papers published in peer-refereed journals

Table 4.2 Achievements in financial management

Area	Before PC	After PC (2011)
Automated accounting system	N/A	Accpac ERP
Budgeting	N/A	Introduction of zero budgeting
Outstanding deficit	KES 2 billion	None
Operating surplus	KES 42.6 million (2006)	KES 636 million (2010)
Fixed asset value	KES 11 billion (2005)	KES 91 billion (2012)
Research and endowment portfolio	KES 343 million (2005)	KES 2.3 billion (2012)
Cost reduction	None	KES 50 million (2010)
Procurement plans	N/A	Introduced to ensure expenditure is in line with approved budgets

Staff management

The university, recognizing that people are the most important resource in any organization, has put in place mechanisms to attract, develop, and maintain high-calibre, qualified staff for improved performance. Areas that have been impacted by PC introduction are as shown in *Table 4.3*.

Table 4.3 HR areas affected by PC

Area	Before PC	After PC (2011)
HR practices	N/A	Introduction of annual staff performance appraisal Policy on recruitment, training, and promotion Introduction of scheme of service for various cadres
Training of academic staff	N/A	Pedagogical and andragogical teaching skills Introduction of streamlined postgraduate training and supervision
Consultancies conducted per year	499 (2009)	566
Employee satisfaction index	64.9% (2006)	73.1%
Work environment index	64.9% (2006)	74.3%
Industrial relations with unions	Non-cordial	Cordial

Governance and management

Since 2006, noticeable governance and management reforms have been introduced in the public sector. In the public universities, the management style has been more transparent, accountable, participatory, and inclusive. There is more freedom of expression, and members of staff, through their unions, are able to negotiate for better terms.

The appointment of chancellors who are not the head of state has made public universities more autonomous, particularly in using the money they generate internally.

Other changes

The introduction of performance contracting has earned the University of Nairobi recognition, internationally, regionally, and locally. This outstanding performance is attributable to the new and innovative ways of conducting business demanded by the performance contracting process. Below, we present an assessment of the impact of performance contracting on various fronts.

Excellent national ranking

The university has performed remarkably well since the first PC in 2005/06. According to results released by the government, the university

has been ranked among all state corporations in the country, as indicated in *Table 4.4*.

Table 4.4 National PC performance ranking of the University of Nairobi

Contract period	Composite score	Position	Grade
2005/2006	2.1912	21	Very good
2006/2007	1.8510	6	Very good
2007/2008	-	Results not released	-
2008/2009	1.7150	2	Very good
2009/2010	1.5385	3	Very good
2010/2011	1.4917	1	Excellent

Improved international ranking

As a result of the good governance and management strategies put in place through performance contracting, the university ranks better worldwide, regionally, and locally, as indicated by the Webometrics ranking shown in *Table 4.5*. The university improved its Webometrics ranking by 3,100 positions between July 2009 and January 2012. This great improvement is largely attributable to performance contracting.

Table 4.5 Webometrics ranking of the University of Nairobi

Period	World rank	African rank
January 2009	4,046	29
July 2009	4,467	24
January 2010	3,897	28
July 2010	3,190	26
January 2011	3,136	27
July 2011	2,452	26
January 2012	1,367	17
July 2012	1,435	14

ISO 9001: 2008 certification and compliance

Through performance contracting, each public institution was required to be certified to show international recognition.

Massive investment and expansion in ICT

Since 2005, the university has expanded and upgraded its ICT capacity.

Changes in governance structure

Changes in governance at national level

The following changes in governance at national level were made as a result of introduction of performance contracting in the public sector:

- Operationalization of Legal Notice No. 93 of 2004. This notice sets the basic framework for performance contracting in terms of who reports to whom, when, and at what frequency; as well as the rewards and sanctions to be applied.
- The introduction of a permanent secretary in charge of performance contracting and public sector reforms. This unit was formed to show the government's support for the reform and to facilitate implementation.
- Institutionalization of the *ad hoc* moderation and evaluation committee, which is responsible for the performance contracting process in the country.

Changes in governance at the institutional level

Changes in governance at institutional level as a result of introducing performance contracting at the University of Nairobi included:

- Competitive hiring: As a result of the reforms instituted in the public sector to ensure accountable and transparent leadership, the university has adopted a method of hiring its senior managers competitively.
- Operationalization of the PC secretariat, the unit in the Office of the Deputy Vice-Chancellor for Administration and Finance which coordinates performance contracting activities to ensure compliance.
- Introduction of the corruption eradication programme, which details the university anti-corruption policy, appointment of integrity officers, the operationalization of the anti-corruption committees, and sensitization of staff on integrity testing.

Accountability measures adopted in the university

As a result of performance contracting, the university has adopted several accountability measures. These include:

- Strategic planning: This has made it possible to focus on properly thought-out goals, objectives, and subsequent setting of targets across the entire university.
- Contracts between parties at different levels: Staff and units at the university are held accountable for their individual and collective performance.
- Introduction of staff performance appraisal: Since 2005, the university has conducted annual staff performance appraisals to gauge staff performance. Those whose performance has been found to be outstanding have been honoured and poor performers have been censured.
- Service charters: This is the main accountability instrument that emerged as a result of performance contracting. The service delivery charter outlines the range of services that are offered, standards of service, clients' expectations, and avenues for redress where services fall short of the set standards.
- Procurement plans and compliance with set budgetary levels: All units are required to develop and submit annual procurement plans that are aligned with the budget.
- Mandatory quarterly reporting and evaluation: This is done within and outside the university for monitoring and evaluation purposes, and been cascaded to all academic and administrative units.
- Streamlined university functions through restructuring: Within the period, management restructured the university to avoid duplication of departments and to ensure conformity with current trends worldwide.
- ISO certification: This process ensures compliance with the ISO 9001: 2008 standards.

4. Changes in overall governance and management due to the reforms

Effect on the academic and administrative decision-making process

Table 4.6 shows the effect of performance contracting on decision-making in higher education. In general, it illustrates that performance contracting has mostly affected decision-making processes related to strategic planning. As one of the institutional decision-makers said, decision-making has become more goal-oriented, necessitating alignment of decisions with the strategic plan. At the same time, according to one of the top decision-makers in the university, PC has made it mandatory that all decisions be based on evidence. This has also had the effect of minimizing the role of politics in the decision-making processes, especially in negotiations between the government and universities, where evidence is required. In the words of one of the national decision-makers, as a result of performance contracting, evidence of achievement has become the basis for evaluation.

Table 4.6 Effect of performance contracting in decision-making processes

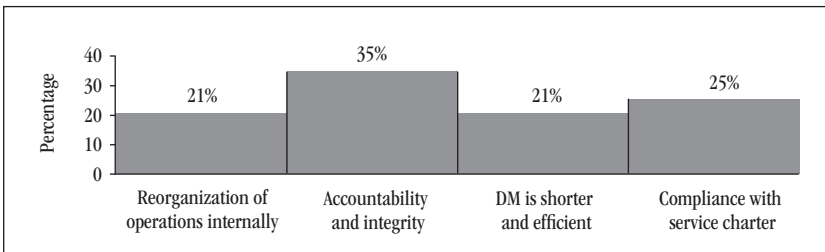
Effect	Frequency	Percentage
Decision-making related to set goals, plans, mission, and vision	12	50
Autonomy in mandate	3	13
Empowered staff	1	4
Competitiveness in recruitment	1	4
Improved performance	7	29

The interviews also established that performance contracting has led to enhanced respect for decisions made by the university, increased the autonomy of public universities, brought a greater feeling of partnership between universities and the government, and increased the participation of university managers at all levels in decision-making.

Figure 4.1 shows that the majority of those interviewed agreed that the greatest contribution of performance contracting has been increased accountability and integrity in the university. The figure also shows that performance contracting had significant effects on compliance with

service charters, enabled the reorganization of internal operations, and made decision-making shorter and more efficient. One of the national decision-makers agreed, remarking that the performance contracting process had shifted decision-making to focus on customers and other beneficiaries, while another was of the view that it had forced national decision-makers to understand, monitor, and evaluate the performance of higher education institutions.

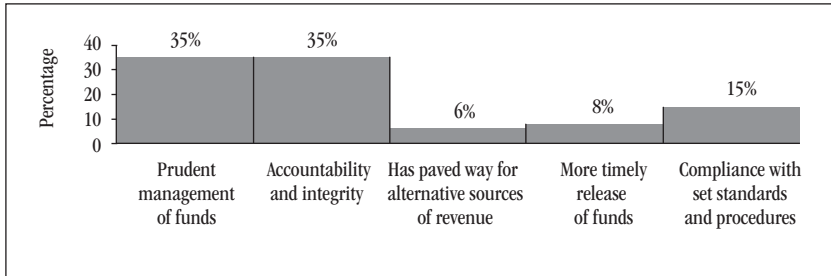
Figure 4.1 Effect of performance contracting on decision-making



Effect on financial matters

Figure 4.2 shows overwhelming agreement that performance contracting has contributed to the prudent management of finances and improved accountability and integrity. For example, several respondents indicated that universities had become less dependent on the exchequer. In the performance contracting process, higher education institutions (HEIs) were challenged to increase revenue from other sources (e.g. privately sponsored students, research grants, and alumni). In addition, the government now released funds on time (compared to typical two-week delays previously), was responding faster to financial requests from institutions, and was coordinating more effectively with the finance function of HEIs on financial matters. Finally, the ministries increased their utilization of budgeted funds. For example, the government used to return 29 per cent of allocated funds to the treasury at the end of the fiscal year. With performance contracting there is about 97 per cent compliance with the budget, according to the Performance Contracting Department.

Figure 4.2 Effect of performance contracting on financial management



As an illustration of the effect of performance contracting on financial management, one national decision-maker said: ‘The PC had streamlined and strengthened financial management. This is one aspect of the PC that is fully tracked from budget conformity and implementation, to recurrent to development ratios and to laid-down financial procedures.’

At national level, one of the challenges was corruption, which tended to occur towards the end of the fiscal year. During this period, there was increased procurement to avoid returning budgeted funds to the exchequer. Performance contracting drastically reduced this phenomenon by closing the procurement module of the integrated financial management system in May.¹

At institutional level, the most dramatic effect is that the university moved from a debt of KES 2 billion (about \$25 million) in 2005 to a surplus of KES 636 million (\$7.5 million) in 2010, largely due to the introduction of zero budgeting and the financial discipline that came with performance contracting. The other significant effect is that resource allocation and expenditure are now more rational: the former is based on the PC, while the latter is based on budgets and procurement plans, which are required by the PC. The interviews also revealed that performance contracting had enabled the university to devote more resources to development, as opposed to the previous situation of massive allocation to recurrent expenditure. Finally, performance contracting created the

1. In Kenya, the government fiscal year starts on 1 July and ends on 30 June the next year.

need for more quarterly and semi-annual financial reports, and these are prepared on time.

Effect on staff performance and evaluation

Table 4.7 shows the results of the interviews concerning the effect of performance contracting on human resource (HR) management. It is evident that performance contracting has contributed to increased transparency in appointments, promotions, and placements. The other two important effects are increased HR capacity-building and enhanced staff productivity.

Table 4.7 Effect of performance contracting on HR management

	Frequency	Percentage
Increased productivity through setting and attaining targets	6	25
Appointments, promotions, and placements based on merit	10	42
Capacity building through training and workshops	7	29
Need sensitization of staff to appreciate performance contracting	1	4

Competitive hiring of senior managers is one of the most significant effects of performance contracting. At national level, for example, the secretary in charge of higher education was hired competitively and understands university affairs, being a professor from one of the universities. In addition, staff could not be recruited or promoted if their performance had not been evaluated and deemed to meet the requirements. In the ministries, staff were required to attend specific courses at the Kenya Institute of Management before they could be considered for promotion.

At university level, the appointment of a chancellor who is not the head of state was one of the early milestones, although this was not a result of performance contracting. The next milestone was the competitive hiring of all senior managers and the balancing of competences in the appointment of the council. This was aimed at minimizing political interference in the business of the university. At lower levels, most employees became more empowered through greater involvement in decision-making. In addition, units made efforts to ensure that they had qualified and adequate staff to achieve the PC targets.

Table 4.8 Summary of changes at national and university levels

Area	Changes at national level	Changes at the University of Nairobi
Governance structure	The function in charge of performance contracting was promoted to the level of a permanent secretary for performance contracting and public sector reforms Creation of <i>ad hoc</i> moderation and evaluation committees	Appointment of a chancellor other than the head of state Council appointments made to reflect competences Top managers recruited on a competitive basis PC secretariat created in the Office of the Deputy Vice-Chancellor (Administration and Finance) and other units created at college level charged with coordination of the PC
Decision-making	Decisions at all levels were guided by the commitments contained in the strategic plan, performance contracts, and service charters	Decisions at all levels were guided by the commitments contained in the strategic plan, performance contracts, and service charters Faster decision-making Increased participation in decision-making Increased accountability and integrity of decision-makers
Financial management	More timely release of funds to universities	More prudent financial resource management Enhanced accountability for and integrity of financial decisions
HR management	Capacity-building programmes to implement PC	Appointments, promotions, and placements based more on merit Capacity-building programmes for implementation of the PC Enhanced employee performance
Monitoring and evaluation (M&E)	Quarterly monitoring and both semi-annual and annual evaluations took place without fail An automated system for M&E	Quarterly monitoring and both semi-annual and annual evaluations took place without fail Institutionalization of M&E of strategic plans An automated system for M&E
Academic management	Performance targets that obligate public universities to meet targets in the sector performance standards policy document, e.g. number of science and engineering graduates	More strict adherence to set academic standards and procedures (ISO) Improved work environment through provision of facilities required by academic programmes Improved management of student affairs; hiring of a deputy vice-chancellor for student affairs

The effects of performance contracting on HR management at the institutional level were summarized by one of the national decision-makers as follows:

- Succession plans had been developed.
- Schemes of service had been improved.
- More staff had been employed.
- Welfare had improved through implementation of employee satisfaction surveys.

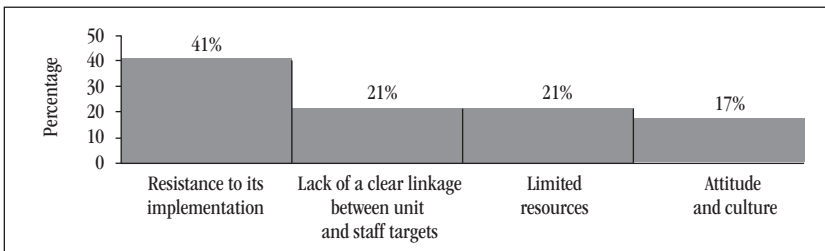
Perceptions of changes by the university community

Senior management at national and institutional levels

Table 4.8 summarizes the major changes deemed, by senior managers at both national and institutional levels, to have taken place.

Despite the achievements, there were challenges to the implementation of performance contracting as a reform in the university. The most severe challenge was the resistance to change brought about by the reform, as shown in Figure 4.3. Other significant challenges were the lack of alignment between unit and staff targets, limited resources to implement some aspects of the reform, and the challenge of attitudes and culture, which is linked to the main challenge of resistance to change.

Figure 4.3 Challenges in implementing performance contracting

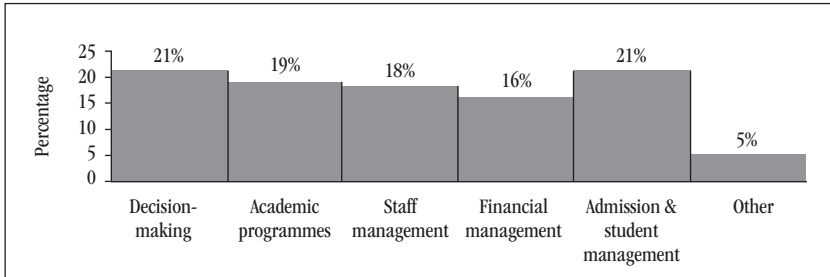


Senior administrative staff

Figure 4.4 shows the areas in which major changes have been introduced through performance contracting. Senior managers at both institutional and national level believe that decision-making, financial management,

and human resource management are where performance contracting has made a huge contribution.

Figure 4.4 Areas where major changes have been introduced by performance contracting (senior administrative staff perceptions)



Other opinions are summarized in *Table 4.9*. There was strong agreement that performance contracting had greatly contributed to monitoring and evaluation and led to increased accountability. In addition, performance contracting enhanced the freedom to prioritize research areas/domains, strengthened academic programmes, and improved access to and the sharing of faculty resources. Overall, the table shows that the majority of the senior administrative staff agreed or strongly agreed that performance contracting had made a positive impact on most aspects of academic programmes. The most interesting result is the overwhelming perception that performance contracting had not reduced administrative costs. This was contrary to the senior management perception that there had been significant cost savings, which was corroborated by the results of PC evaluation.

The following list summarizes a number of other areas where the majority of senior administrative staff (close to or above 50 per cent) agreed that performance contracting had an impact:

- enhanced collective decision-making and accountability (69 per cent),
- prioritization of budget and costing (47 per cent),
- recruitment procedures adhered to and recruitment conducted in a timely manner (75 per cent),
- increased efficiency in process of student admission (63 per cent),

- student evaluations conducted regularly (55 per cent),
- new income-generating activities launched by departments (91 per cent),
- enhanced standardization and compliance (46 per cent),
- improved service delivery (46 per cent).

When asked about the benefits of performance contracting, senior administrative staff overwhelmingly agreed it had improved service delivery and accountability. Although this may be the case, their general agreement could also be due to the fact that it is this staff category which is most involved in ISO certification and service charter implementation. Other significant comments were that the university had become more results-oriented. Only a few of the staff interviewed mentioned any challenges.

Table 4.9 Summary of senior administrative staff perspectives on the impact of the PC in the university (in percentages)

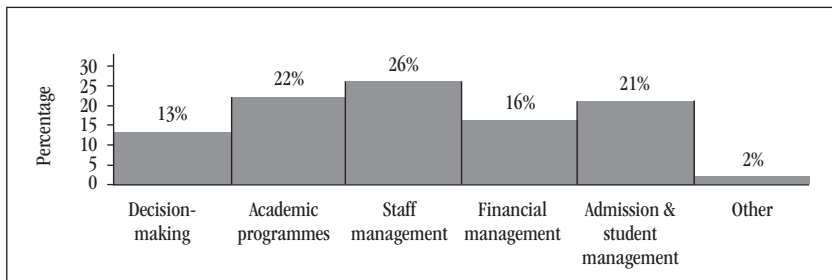
	Strongly disagree	Disagree	Agree	Strongly agree
The PC gave more freedom to develop innovative curricula	0	18	46	36
The PC enabled the development of new employment-oriented courses	0	18	64	18
The PC enabled the introduction of cost-recovery measures, i.e. levying of fees for the services offered by the university	0	28	36	36
The PC enhanced the freedom to prioritize research areas/ domains	0	8	46	46
The PC strengthened academic programmes	0	0	73	27
The PC measures improved access to and the sharing of faculty resources	0	8	56	36
The PC increased the administrative workload of academic staff	0	27	46	27
The PC reduced administrative costs	9	67	18	9
The PC increased the academic workload	0	18	55	27
The PC led to more monitoring and control of resources	0	18	27	55
The PC led to strengthened staff accountability measures	0	9	36	55

Teaching staff

Figure 4.5 shows the areas in which major changes have been introduced through performance contracting, according to the perceptions of teaching

staff. Like senior administrative staff, teaching staff felt that academic programmes, admissions, and student management were areas where performance contracting had made a huge contribution. Interestingly, most respondents perceived performance contracting to have had an effect on staff management. A few academic staff members, however, were of the view that performance contracting had affected financial management and decision-making.

Figure 4.5 Areas where major changes have been introduced by performance contracting (teaching staff perceptions)



Other opinions are summarized in *Table 4.10*. Comparison with the perceptions of senior administrative staff leads us to make the following observations:

- In both categories of staff, a majority disagreed that performance contracting had reduced administrative costs.
- The majority in both categories agreed or strongly agreed that performance contracting had enabled the introduction of cost-recovery measures.
- There was agreement between both categories of staff that performance contracting had led to an increased workload, both academic and administrative; given more freedom to develop innovative curricula; enabled the development of new market-oriented courses; and strengthened academic programmes.
- There was also strong agreement between the two categories that performance contracting had greatly improved monitoring and evaluation and led to increased accountability.

Table 4.10 Summary of teaching staff perspectives on the impact of the PC in the university (in percentages)

	Strongly disagree	Disagree	Agree	Strongly agree
The PC gave more freedom to develop innovative curricula	4	20	58	18
The PC enabled the development of new employment-oriented courses	4	16	64	16
The PC enabled the introduction of cost-recovery measures, i.e. levying of fees for the services offered by the university	4	11	67	18
The PC enhanced the freedom to prioritize research areas/ domains	9	20	49	22
The PC strengthened academic programmes	4	11	47	38
The PC measures improved access to and the sharing of faculty resources	2	33	58	7
The PC increased the administrative workload of academic staff	4	18	42	36
The PC reduced administrative costs	2	56	42	0
The PC increased the academic workload	7	29	51	13
The PC led to more monitoring and control of resources	4	9	42	44
The PC led to strengthened staff accountability measures	2	7	60	31

In addition, the following list summarizes a number of other areas where the majority of teaching staff (at least 50 per cent) agreed that performance contracting had an impact:

- Collective decision-making and accountability have been enhanced (50 per cent).
- Recruitment procedures are adhered to and recruitment conducted in a timely manner (52 per cent).
- Student evaluations are conducted regularly (69 per cent).
- New income-generating activities have been launched by departments (81 per cent).

When asked about the benefits of performance contracting, teaching staff overwhelmingly agreed it has improved service delivery and accountability. This was also the view of senior administrative staff.

Box 4.1 shows other interesting positive comments made by the teaching staff.

Box 4.1 Positive comments on PC impacts by teaching staff

'It has made us more results-oriented. We are more time- and cost-conscious.'

'It has made people/staff assigned duties to work hard knowing that their performance will be evaluated and this has improved the performance of the university in general.'

'It has improved the governance and management of the university making the institution a better learning institution and more accountable to her clientele.'

'It has positively contributed to quicker decision-making and contributed to good overall performance of UoN.'

There were also negative comments, which represent the challenges that implementation of performance contracting still faces. Some of these challenges are presented in *Box 4.2*.

Box 4.2 Negative comments on PC impacts by teaching staff

'Performance contracting has not been cascaded to the academic units – most staff are not aware of their role and targets.'

'There is need to sensitize staff more on benefits – some see it as a useless bureaucratic burden. Feedback should be given where need be.'

'The process of setting departmental/school PC targets should be more inclusive and participatory to ensure buy-in from all players, and that targets are also reasonable and achievable'

'It would be more useful if all stakeholders were more involved in the processes.'

'There is need to seek ways to use more ICT, such as in student evaluations, where manual processes cannot work because of large numbers.'

'There is need to institute more efficient mechanisms and systems to support the PC system. Currently, there is too much paperwork and a high demand for time to keep the information and records required.'

'It will take time to see benefits.'

'There are no incentives tied to performance. Give incentives to performance and you will see wonders.'

In our view, these negative comments, which contradict the general perception of a positive impact of performance contracting at the university, are symptomatic of resistance to change.

5. Conclusions and recommendations

Why did the reform work well?

The reasons why performance contracting worked well as a reform are outlined below.

Mandated reform

The initiative to introduce performance contracting in Kenya is clearly set out in the ERSWEC 2003–2007, which implemented Legal Notice No. 93. This contains the state corporation's performance contracting regulations for 2004, which explain the PC process from the negotiation of targets to rewards/sanctions. It was part of broader reforms aimed at improving efficiency and effectiveness in the public sector. The PC was viewed as a management tool for ensuring accountability for results, creating transparency in the management of public resources, and thereby converting tax shillings into goods and services provided by public officials. The PC is a negotiated performance agreement between the government and the institution and clearly specifies the intentions, obligations, and responsibilities of each party.

In short, performance contracting is a mandated reform that was championed and supported by the highest political leadership of the country, starting with the president and the prime minister. The implementation of performance contracting was managed by the Department of Performance Contracting in the Prime Minister's Office, headed by the permanent secretary (performance contract and public sector reforms), which ensured that all public institutions implemented the reform.

Commitment by top management at national and institutional levels

Performance contracting was not only a government-driven reform; it also had strong support from senior management at institutional level. The PC between the government and the institution was signed by the vice-chancellor and members of the council and was, in turn, cascaded to other levels of management. Therefore, the university's senior management was committed to implementing performance contracting and regularly reviewed performance during management meetings.

Positive attitude of staff in the university

Members of staff are individually and collectively responsible for the success of the PC at institutional level. Through the service delivery charter, the university had given a commitment to clients on service delivery. This commitment was generally met through staff members who are in constant contact with customers. A positive attitude by these staff members towards the PC greatly contributed to its success.

New and innovative organizational structures to implement the PC

The setting up of secretariats at national and institutional levels to oversee the implementation of the PC had a great impact on its success in the country and at the University of Nairobi. At the university, the PC secretariat coordinates performance contracting activities, manages follow-up, internally and externally, to ensure deadlines are met, and raises a red flag when the university lags behind in its processes.

Appropriate resource allocation to the reform

The government ensures that the resources required by its agencies to implement the PC within a cycle are available on time and that agencies do not face unnecessary hardships due to lack of resources. Resource allocation is one of the commitments towards its agencies that the government must meet in order to make the performance contracting process a success. At the institutional level, senior managers made sure that all resources required to implement commitments in the PC are allocated and available.

Unintended consequences

Performance contracting had some unintended consequences, both positive and negative. One positive consequence is the intense competition that it brought about between units in the university and among public universities. The units were competing for the top ranking after the annual evaluation. At the same time, every university wanted either to be ranked at the top or to improve on its previous ranking in the annual evaluations. This, in turn, enhanced the competitiveness of public universities in Kenya.

One negative unintended consequence is the additional workload that came with the implementation of the PC. The flip side of this, however, is the effort put in dealing with the additional workload, which led to the successes mentioned.

Lessons

The lessons for successful implementation of performance contracting in an institution, as drawn from the study findings, are summarized in *Box 4.3*.

Box 4.3 Lessons for successful implementation of performance contracting

Support by top management: The university management put the PC at the top of its reform agenda.

Commitment of resources for the implementation of the PC: The resources (financial, human, etc.) required to implement the PC within the university were allocated and made available.

Training on the reform: A good understanding of the PC is practically a prerequisite for the commitment to implementation. Hence all staff involved in PC implementation were trained on the reform for ease of implementation.

Involvement of stakeholders: All those concerned with the reform were involved in its implementation and clear responsibilities were spelled out.

Championship of the reform: For any reform to succeed, it must have strong champions at all levels of implementation. In the university, the vice-chancellor and deputy vice-chancellor for administration and finance were the top-level champions of the PC. At lower levels, the champions were the principals and heads of central administration units.

The absence of the above factors could lead to the failure of a reform. The main contributing factors to the possible failure of a PC include:

- lack of adequate resources to implement the reform,
- lack of champions for the reform,
- resistance to change by members of the institution,
- lack of reward and sanction mechanisms.

Recommendations

Recommendations to national managers

There has been concern over the comparison between public institutions in different sectors. For example, Nyayo Tea Zones, a parastatal body in the agricultural sector, has been competing with leading universities, which are in the research, innovation, and technology sector.

Recommendation 1: National comparison and ranking should be done at the sectoral level. For example, public universities or tertiary institutions should form their own category.

One of the challenges at national level is the lack of adequate capacity to act upon the quarterly monitoring results to improve performance in public institutions. It is critical to strengthen the monitoring and evaluation capacity at the Performance Contracting Department and to computerize the entire performance contracting process. Computerization will allow those monitoring various indicators (e.g. corruption) in the public sector to access relevant information, and allow returns to be submitted and acted upon electronically, for increased efficiency and effectiveness.

Recommendation 2: Increase the monitoring and evaluation capacity of the Performance Contracting Department to enable it to cope with the requirements of the performance contracting cycle.

Recommendation 3: The Performance Contracting Department should computerize the performance contracting process in the public sector to allow returns to be submitted and acted upon electronically for increased efficiency and effectiveness.

Poor formulation of institutional strategic plans has been cited as a challenge. For example, looking at some strategic plans, there is confusion between outcomes and outputs and between strategies and activities. This suggests an inadequate knowledge of strategic planning on the part of the facilitators/consultants used by the institutions.

Recommendation 4: A standard format for a strategic plan should be developed and a mechanism to certify facilitators for strategic planning should be created and implemented.

The formula for evaluation and ranking is very complex.

Recommendation 5: The government should simplify the ranking formula for ease of understanding and computation by institutions.

Recommendations to institutional managers

At the institutional level, resistance to change was a challenge. It was generally felt that there was a need for improved communication of the benefits of performance contracting to all stakeholders, cascading the reform to the lowest operating level and empowering stakeholders to implement the reform. This would increase buy-in and enable stakeholders to be more committed to and effectively participate in the performance contracting process.

Recommendation 6: The university should implement a change management programme for performance contracting and related reforms.

The other challenge to the performance contracting process is increased data overload. One way to address this problem is to computerize all the performance contracting processes in order to increase efficiency and effectiveness. At the time of writing, a performance contracting management system is in use. However, there is a need to upscale the necessary skills among staff. Appropriate utilization of the system will also make individual, unit, and corporate performance evaluations available as standard reports in the system.

In addition, there is a need for a reward and sanction mechanism at the unit and individual employee levels. At the same time, adequate efforts should be expended to ensure that the annual staff performance appraisal is automated to enable efficient monitoring and evaluation.

Recommendation 7: The university should enhance staff training on the use of the PC management information system and automate the annual staff performance appraisal process.

Recommendation 8: The university should review the annual staff performance appraisal to ensure alignment with the strategic plan and performance contract at the unit level.

Recommendation 9: The university should review its reward and sanction mechanism at the individual level.

This preliminary study has elicited some very interesting findings on the implementation of performance contracting as a reform in the public sector, and specifically in a public university. This reform, although labelled ‘performance contracting’, was an integral part of a larger reform, including ISO certification, service delivery charters, and strategic planning. A more in-depth study is therefore needed to establish the efficacy of these reforms and their implications for universities and higher education in general.

Recommendation 10: Stakeholders should make an effort to commission a more in-depth study to evaluate the efficacy of performance contracting and its implications for planning and management of universities and the higher education sector.

V. HIGHER EDUCATION AND GOVERNANCE REFORMS IN NIGERIA: UNIVERSITY AUTONOMY

*Idowu Olayinka
Segun Adedeji*

1. The evolution of higher education in Nigeria and recent reform efforts

Higher education institutions (HEIs) in Nigeria have gone through various reforms and been subject to considerable growth. The system, according to the International Association of Universities (IAU, 2000), comprises universities, polytechnics, colleges of education, and professional/specialized institutions. At its heart are the universities, the highest institutions of learning and research in the country. University education in Nigeria began from modest beginnings during the late colonial era as a public sector project. Yaba Higher College was established in 1934, its staff later being transferred to University College Ibadan (UCI), set up in 1948 with 104 students. By 1960/61, the student body had risen to 1,250.

In the late 1950s, when two of the regions in Nigeria attained internal self-government, it became clear that, unless the training of high-level workers was accelerated, it was unlikely that Nigerians would be able, adequately, to take control of their affairs on independence. In response, the University of Nigeria was established, on 7 October 1960. The Ashby Commission in 1959 proposed the establishment of two additional universities in Zaria and Lagos. Dr Sanya Onabamiro, in a ‘minority report’, advocated seven universities – four federal and three regional – to meet the need for university places for Nigerians in the next 10 years (1960–1970). By 1962 there were five universities in Nigeria, two owned by the federal government (Ibadan and Lagos) and three regional universities (Nsukka; Ahmadu Bello University, Zaria; and Ife). The University of Benin was established in 1972 by the Mid-west Region, bringing the total to six. This was the first generation of Nigerian universities.

The oil boom of the 1970s and the geopolitical restructuring of Nigeria into 12 states led to a persistent demand for more universities in the newly created states. The federal government acceded to this demand by establishing seven additional universities in Jos, Maiduguri,

Sokoto, Kano, Ilorin, Calabar, and Port Harcourt. These became the second generation of universities in the country. At the same time, the federal government took over the four regional universities.

In the 1990s, because of the severe admissions bottleneck experienced by large numbers of potentially qualified candidates, and the desire of the government to introduce private sector efficiency in the provision of higher education, many privately owned universities were established to mitigate the problems faced by admission seekers. As of 2013, there were 127 universities in Nigeria (39 federal, 38 state, and 50 private) running close to 1,450 programmes for nearly 1.2 million registered students (5.4 per cent at sub-degree level, 87.5 per cent at undergraduate level, and 7.1 per cent at postgraduate level). However, efforts to expand enrolment and improve educational quality have been severely constrained by growing shortages of qualified academic staff. Between 1997 and 1999, the number of academic staff declined by 12 per cent at the same time as enrolments expanded by 13 per cent. At the time of writing, there are about 28,000 academic staff in the system, which represents a shortfall of about 8,000 with respect to the estimated staff requirement of 36,000, with consequent negative effects on the quality of programme delivery (Bamiro and Adedeji, 2010). The number of polytechnics, monotronics, colleges of education, and vocational institutes also increased significantly. This made Nigeria the largest higher education market in Africa.

Table 5.1 The breakdown of Nigerian higher education institutions as of 2013

Type of institution	Federal	State	Private	Total	Enrolment	%
Universities	40	38	50	128	1,131,312	58.4
Polytechnics	21	38	12	71	360,535	18.6
Monotechnics	23	2	2	27		
Colleges of agriculture	17	19	0	36	91,259	4.7
Colleges of health technology	9	40	1	50		
Vocational institutes	0	0	69	69		
Colleges of education	21	41	17	79	354,387	18.3
Total	131	178	150	460	1,937,498	100

Source: Compiled by Olayinka and Adedeji, 2013.

Although it is Africa's largest higher education market, Nigeria is still unable to admit all qualified applicants each year because of the limited capacity of public universities to provide access and the exorbitant fees charged at privately owned institutions. These access problems have made Nigeria a ready market for the recruitment of potential students by foreign universities. For instance, in the 2008/09 session alone, 6,256 and 10,090 Nigerian students were registered in United States and United Kingdom universities, respectively, with tuition and living expenses averaging £19,000 per session for international students in UK and \$21,000 in US universities. Thus, Nigerian students in the two countries combined must have spent close to NGN 70 billion on tuition and living expenses per session. It is pertinent to note that the federal government budgeted NGN 249 billion for the entire Nigerian education sector in 2009. The implications of this for the fragile economy cannot be overemphasized. As a way of responding to this access problem, the federal government established nine additional universities in 2011, bringing the total number of federal universities to 36. Many other challenges have faced higher education in Nigeria over the last three decades, also necessitating the introduction of reforms.

2. Objectives of reforms and methodology adopted to carry out the research study

Changing economic, social, and political situations in developed and developing countries have combined to create the need for constant innovation and reform in education. As Durkheim argues, 'Educational transformations are always the result and the symptom of social transformations ... it is necessary because new ideas and needs have emerged, in which the former system is no longer adequate' (Durkheim, 1977: 167). Educational reforms emanate from the basic conviction that significant progress can be made in a nation by its people through careful engineering of the education reform process. A cursory look at the philosophy of Nigerian higher education, as articulated in the National Policy on Education (Nigeria, 2004), will help to elucidate the basis for some of these reforms. The goals of tertiary education are to:

- contribute to national development through relevant, high-level workforce training;
- develop and inculcate values required for the survival of society;

- develop the intellectual capability of individuals to understand and appreciate their local and external environments;
- acquire physical and intellectual skills that will enable individuals to be self-reliant and useful members of the society;
- promote and encourage scholarship and community service;
- forge and cement national unity;
- promote national and international understanding.

For Nigeria to achieve the above goals, its educational system must be highly responsive. To assess responsiveness, El-Khawas (2001) uses four parameters: access, teaching/learning, financing, and management/governance. These criteria can be adopted for appraising the performance of Nigeria's university system in relation to the introduction of the University Autonomy Act in 2003. This study aimed to establish whether the intended objectives of the reforms on university autonomy were achieved, as well as the broader (intended and unintended) effects of autonomy on the management of HEIs in Nigeria. Specifically, the study aimed to answer the following questions:

- What is the objective of the university autonomy reforms and what are the key elements?
- What areas are affected by the introduction of these reforms?
- What are the intended and unintended effects of the reforms on the management and effectiveness of the university system?
- What conclusions and implications can be drawn from the introduction of the reforms?

3. University Autonomy Acts in Nigeria

Babalola, Jaiyeoba, and Okediran (2007) quote from a University of Ibadan press release (No. 46, 15 May 1981) which defines university autonomy as a system of internal regulation to ensure survival, in contrast to regulation by an external body. The federal government of Nigeria, in response to demand for the democratization of public educational institutions, passed the University (Miscellaneous Provisions) Act 2003 (as amended), which provided improved autonomy for the university system. The objective of the Act was to give universities the freedom to govern themselves, appoint key officers, determine the conditions of service for staff, control students' admissions and academic curricula,

control finances, and generally regulate themselves as independent legal entities without interference from the government and its agencies. The reforms aimed to promote greater system differentiation, stronger institutional governance, and mechanisms for quality assurance. In other words, the reforms sought to create a more flexible and responsive system of university teaching and research that, over time, would contribute increasingly to national innovation capacities, productivity gains, and economic growth.

4. Pre-autonomy era

In the pre-autonomy era, management of the university system in Nigeria was characterized by arbitrariness and overbearing government control in administration. Student admissions, staff employment and promotion, the appointment of principal officers, and the structure of capital expenditure were all controlled by the government. The principle of checks and balances gave way to tribalism, nepotism, insecurity, corruption, and uncertainties. For instance, in 1980, at the University of Lagos, an internal dispute between the vice-chancellor and six professors led to all of them, including the registrar, being fired by the government without due process. Similarly, in 1990, Obaro Ikhime, a professor of history in the University of Ibadan, was arrested and arbitrarily detained for statements he made on a church pulpit that were considered offensive by the government. On his release from detention, his appointment with the University of Ibadan was terminated without any formal charges being brought against him. At Obafemi Awolowo University, Ile-Ife, a professor of botany and a senior lecturer were detained and their appointments terminated, on similar grounds. These government actions run counter to the general goal of the national policy on education as well as to fundamental human rights conventions, to which Nigeria is a signatory. For example, values such as promotion of scholarship, inculcation of physical and intellectual skills, and human capital development are clearly articulated in national policy, but they are rarely practised.

5. Important elements of the autonomy reforms

Weber (2006) argues that, throughout human history, whenever a government has imposed restrictions on university autonomy, it has resulted in intellectual and social stagnation. This supports the view that

university development and capacity building are negatively affected by an environment of political interference in university administration. Moreover, when restrictions are placed on the academic functions of the university, the system stagnates. In Nigeria, as university autonomy was steadily compromised, academic staff and student organizations voiced public criticism of the regimes in power. This intense criticism led President Olusegun Obasanjo to launch a number of reform initiatives in order to restore democracy to public institutions. Consequently, the Miscellaneous Provisions (Amendment) Act was passed by both houses of the National Assembly and given assent by the president on 10 July 2003.

Table 5.2 Pre-autonomy and autonomy eras in Nigerian universities

Issues	Pre-autonomy	Autonomy era
Appointment and removal of vice-chancellor (VC)	Characterized by overbearing government control. The VC was appointed or removed by the country's president and commander-in-chief of the armed forces. Sometimes sole administrators were appointed to run universities.	The council selects and appoints a VC by picking one of three candidates recommended to it under sub-section 3 of the Act and thereafter informs the visitor, the official formerly responsible for approving the recommendation. There can be no sole administration in any Nigerian universities.
Financial management	Expenditure control was highly centralized and was the responsibility of the government.	Decentralized expenditure control. Authorization of expenditure is based on the amount involved.
Staff management	The principle of checks and balances was jettisoned, providing enormous room for tribalism, arbitrariness, corruption, and favouritism.	Democratic principles adopted, especially in the appointment, promotion, and discipline of staff.
Quality management	Gradual erosion of value in the entire university system in Nigeria.	Internal and external quality assurance mechanisms were put in place to improve the quality of products and services.
Academic activities	Restrictions were placed on academic functions of the university, leading to system stagnation.	The senate exercises powers in all academic matters, including the organization and control of teaching and research; admission of students; and awarding of degrees, including honorary degrees, certificates, and diplomas.

The act made provision for the autonomy, management, and re-organization of universities in Nigeria. Significant features of the bill included the restoration of powers, to the council on administrative

matters and to the senate on academic matters. Other issues discussed in relation to the act included academic freedom, financial autonomy, and university management. Another important element was the need to ensure student participation in every aspect of university governance. To further elucidate the essential elements of this reform, *Table 5.2* presents a comparison between the pre-autonomy and autonomy eras in Nigerian universities.

6. The implementation process

Table 5.3 presents the process of reform implementation at the University of Ibadan from 1983 to 2010. The period between 1983 and 2000 was the pre-autonomy era, when vice-chancellors were appointed for a four-year term and could serve for two terms. With the introduction of the Autonomy Act, the vice-chancellor's appointment became a five-year non-renewable tenure.

Between 1983 and 2005, three people served University of Ibadan as acting vice-chancellor for 15 months. This meant that, with only an acting chief executive in post, no long-term planning could take place.

7. New regulations at the national level

Regulation of university administration takes two forms: external and internal. External regulation is the control exercised by the federal government through the National Universities Commission (NUC), a body charged with the coordination of university management in the country. According to Ibukun (1997), the main objectives of the NUC are to ensure the orderly development of university education in Nigeria, maintain high standards, and ensure adequate funding. Okojie (2009) notes that the NUC's activities in improving the quality of university education in the country include:

- accreditation of courses,
- approval of courses and programmes,
- maintenance of minimum academic standards,
- monitoring of public and private universities,
- giving guidelines for the establishment of universities,
- prevention of the establishment of illegal campuses,
- implementing appropriate sanctions.

Table 5.3 Appointment of vice-chancellors in the University of Ibadan (1983–2010)

Name of VC	Period	Method of appointment
Professor A. Banjo	1983 to Nov. 1991 Pre-autonomy era	Appointed as VC for four years and reappointed for a second term.
Professor A.B.O.O. Oyediran	Nov. 1991 to Nov. 1995 Pre-autonomy era	Governing council rated three candidates and forwarded their names to the visitor to the university. However, the candidate rated second, Professor Oyediran, was appointed as VC in preference to the first-rated, Professor Akinyele.
Professor O. Ojengbede	Nov. 1995 to March 1996 Pre-autonomy era	Governing council forwarded three names (rank-rated) to the visitor to the university. However, an acting VC, Professor Ojengbede, who until then was the Provost of the College of Medicine, was appointed for the four-month interregnum.
Professor O. Adewoye	March 1996 to March 2000 Pre-autonomy era	Government picked the candidate who was ranked first, and he was appointed VC.
Professor O.O. Olorunsogo	March 2000 to Sept. 2000 Pre-autonomy era	No governing council was in place to commence the process of appointing a new VC. An acting VC was therefore appointed, who, until then, had been the deputy VC (admin.). Thus, the university had an acting VC for six months.
Professor A.O. Falase	25 Sept. 2000 to Sept. 2005 Autonomy era, but the amended act was yet to be implemented	Governing council forwarded three names to the visitor. Government named the candidate ranked second as the VC. Thus, Professor Falase took office as VC.
Professor A.O. Bamiro	Sept. 2005 to Dec. 2005 Acting VC Autonomy era, but the amended act was yet to be implemented	Council forwarded three names to the visitor. The process was not concluded on time. The deputy VC (admin.), Professor Bamiro, therefore served as acting VC for three months.
Professor A.O. Bamiro	1 Dec. 2005 to 30 Nov. 2010	Visitor picked the candidate ranked first as the VC. Thus, Professor Bamiro became the permanent VC.
Professor I.E. Adewole	1 Dec. 2010 to date Full autonomy with implementation of the Act.	Governing council interviewed candidates for the VC position and selected one, who was then appointed. The visitor was subsequently informed, as stipulated in the Act. Thus, Professor Adewole was appointed VC by the governing council, with effect from 1 December 2010.

Internal regulation consists of quality assurance mechanisms at institutional level. This is firmly rooted in the agenda for higher

education in many developed and developing countries around the world. The demand for greater accountability and efficiency in respect of public financing, the trend towards mass participation in the face of shrinking resources, and greater stakeholder scrutiny of education and training processes have led to increasing implementation of internal mechanisms to regulate the activities of the system. Regulation is necessary to ensure that higher education and training programmes at undergraduate and postgraduate levels are relevant and responsive to the needs of learners, employers, and other stakeholders in the context of the social, intellectual, and economic requirements of societal development. The internal regulation framework is guided by the following criteria:

- Cultivate and maintain a culture of continuous performance improvement.
- Develop and validate self-evaluation reports.
- Develop reliable quality assurance performance indicators.
- Provide information for stakeholders about the strengths and weaknesses of the institution.
- Enable the national regulatory body to obtain baseline information through a common set of audit criteria for the institution.

8. Relationship between the Ministry of Education, buffer institutions, and universities

The higher education system comprises much of the country's research capacity and produces most of its skilled professionals. The responsibility of the Federal Ministry of Education (FME) is to supervise the regulatory agencies, such as the NUC, the National Board for Technical Education (NBTE), and the National Commission for Colleges of Education (NCCE). These vital parastatal agencies of the FME ensure effective regulation of higher education. They plan, organize, coordinate, and control HEIs. They also manage funds and supervise and monitor HEIs' provision and development, as appropriate to each commission or board. Each parastatal helps to ensure minimum standards and quality among the institutions. They also play the intermediary and advisory roles between the federal government and the institutional authorities. *Table 5.4* describes the roles of the FME parastatals established for regulating and supervising HEIs.

Table 5.4 Regulatory bodies for higher education in Nigeria

Parastatal/Year established	Enabling instrument	Basic functions
National Universities Commission (NUC). Established in 1962.	National Universities Commission Decree No. 1 of 1974; Amendment: Decree No. 49 of 1988; Decree No. 10 of 1993.	Advises the federal government on: establishment and location of universities; creation of new facilities/postgraduate institutions in universities; financial requirements of universities; periodic review of terms and conditions of service of university staff. Executive functions include: preparation of periodic master plans for balanced and coordinated development of universities; receipt and disbursement of grants to federal universities; establishment and maintenance of minimum academic standards in universities; accreditation of degrees and other academic programmes.
National Board for Technical Education (NBTE). Established in 1977.	National Board for Technical Education Decree No. 9 of 1977; Amendment: Decree No. 8 of 1993.	Advises the federal government on: all aspects of technical and vocational education outside the universities; national policy necessary for the development of technical and vocational education; financial requirements of polytechnics and colleges; establishment and maintenance of minimum standards in polytechnics and colleges of technology; accreditation of programmes in these institutions.
National Commission for Colleges of Education (NCCE). Established in 1989.	National Commission for Colleges of Education Decree No. 3 of 1989; Amendment: Decree No. 12 of 1993.	Advises the federal government on: all aspects of teacher education falling outside the universities and polytechnics; establishment and location of colleges of education; financial requirements of federal colleges of education; periodic review of terms and conditions of service of personnel in colleges of education. Executive functions include: preparation of periodic master plans for balanced and coordinated development of colleges of education; receipt and disbursement of federal grants to federal colleges of education; establishment and maintenance of minimum standards for teacher education programmes and accrediting teachers' certificates and awards.

According to Okojie (2009), the NUC ‘ensures orderly development of universities’. It is responsible for accreditation of all programmes in all universities. It also monitors universities and programmes. With respect to state universities, the NUC has no role with regard to their establishment but only on accreditation.

The National Universities Commission was created in 1962 and reconstituted as a statutory body in 1974. The NUC was originally intended to function as a modest university grants commission, advising government on policy issues, defining norms for quality assurance, channelling block grants from government to the universities, and ensuring the balanced and coordinated development of the system. By the end of the military era in 1998, however, the NUC had become a large and unwieldy organization involved in all spheres of university management. It evolved a centralized model that eroded what was left of university autonomy.

The NBTE and the NCCE were established to provide regulatory and supervisory functions for all aspects of technical and teacher education, respectively. All these institutions, under the auspices of the FME, work in synergy to achieve the objectives articulated in the national policy on higher education. Considering this institutional arrangement, the World Bank concludes that: ‘more than any other country in Sub-Saharan Africa, the structures exist in Nigeria that could provide for a rational and effective development of higher education’ (World Bank, 1988: 3).

This structure was adversely affected when, in 1985, the Buhari/Idiagbon military regime promulgated the much disliked Decree 16, which led to a highly centralized university system and gave the state agency power to dictate what was taught and the number of students admitted to Nigerian universities. By the end of the military era, in May 1999, the NUC had become a clog in the wheel of true autonomy in the university system. It stage-managed institutional finances through a series of predetermined expenditure guidelines and constant expenditure monitoring. It was involved in the selection of institutional leaders and members of governing councils. Its approval was required for all new university course offerings and for the physical development

plans for each campus. It participated in the negotiation of staff salaries with the various staff unions. Furthermore, the NUC's governing board was dissolved in 1992, leaving it accountable solely to the minister of education and the head of state. At present, there is a need to re-examine the roles played by the NUC in terms of its ability to provide national leadership in developing a vision for the future of the university system and its capacity to play a useful role in anticipating and analysing the important issues of relevance to higher education in Nigeria.

9. Areas affected by university autonomy reforms

University autonomy is essential for the advancement, transmission, and application of knowledge. It relates to protection from interference by government officials in the day-to-day running of an institution, especially on issues relating to: the admission of students; the appointment and removal of academic staff, including the vice-chancellors; determination of the content of university education and the control of degrees and standards; determination of the university's size and rate of growth; establishment of the balance between teaching, research, community services, the selection of research projects, and freedom of publication; and the allocation of recurrent income among the various categories of expenditure. This section considers how the reform has affected the operations of the university system in terms of academic freedom, financial autonomy, and institutional management.

University autonomy and academic freedom

Universities have always regarded institutional autonomy and academic freedom as indispensable ideals. Academic freedom is fundamental for the university to fulfil its responsibility of educating students and advancing knowledge. Academic freedom and responsibility have long been issues of public concern and debate. The term connotes the principle of self-direction in inquiry and in the acquisition of knowledge in research, teaching, and learning, as long as this is undertaken within the framework of established scholarly methodology and professional practice. Moreover, academic responsibility requires professors to submit their knowledge and claims to rigorous public review by peers who are experts in the subject matter under consideration, to ground their

arguments in the best available evidence, and to work together to foster the education of students.

The fact remains that, without autonomy, there will be no academic freedom, while academic responsibility and accountability will be difficult to attain in the absence of academic freedom. The Academic Staff Union of Universities (ASUU) has always insisted on the sanctity of university autonomy and academic freedom, which implies that state responsibility in the area of university funding should not translate into undue government meddling in university affairs. Education has to do with the unfettered acquisition of knowledge and its use for the benefit of society. As educational institutions, universities should be committed to these twin freedoms in relation to the search for and use of knowledge.

To be faithful to this commitment, a university is duty bound to recognize the connections between knowledge and the multi-faceted realities of our time, by allowing the free interplay of different opinions in the pursuit of learning (ASUU, 1979: 20). Moreover, Onyeonoru (2004) observes that the university system in Africa can play a meaningful role and discharge its responsibilities effectively only if it enjoys a high degree of institutional autonomy. In other words, it must have the freedom to run its affairs without external interference. It must have the right to organize its internal affairs, to make decisions, and to establish its academic programmes. Thus, autonomy protects the corporate right of self-regulation, which the state confers upon a university in the law establishing it as an institution. Its extent and identity therefore depend on the nature of the state and may be subject, from time to time, to negotiation between academy and state.

Weber (2006) has observed that university autonomy does not connote independence from the state. It is best understood in the spirit of partnership with the state. Academic freedom finds its basic justification in its functional significance with regard to the advancement of knowledge, which demands that ideologies and interests should not corrupt the processes of seeking objective truth or hamper creative minds in their attempt to follow the path of discovery that they consider the most promising (de Moor, 1993; Ade-Ajayi, Goma, and Johnson,

1996). Thus, the reform has, to a large extent, enhanced academic freedom through:

- supporting the role of the library in teaching and research,
- removing restrictions placed on classroom freedom and replacing them with affirmative principles,
- general standards of professional conduct and ethics,
- commitment to responsibility.

University autonomy and financial freedom

The question of reconciling the autonomy of the university with financial freedom is always a contentious issue, both within and outside the university system. The state is indeed accountable for public funds and has the specific duty and responsibility of ensuring that such funds are used in a manner that assures the efficiency of the educational system and the economical use of available resources. Some university administrators tend to resolve the dilemma by devising a formula for simultaneously serving both government and the university community.

In this context, financial autonomy has become severely constrained. The federal government still maintains the policy of free tuition in federal universities. In 2002 it issued an order forbidding federal universities from charging for tuition, at a time when they were contemplating charging as a cost-recovery strategy. Such decisions from government impede institutional flexibility in identifying options for the financial sustainability of academic programmes and staff. Moreover, it makes it more difficult for universities – especially that of Ibadan, the oldest university in Nigeria – to compete with state and privately owned institutions, which are allowed to charge fees.

Other factors limiting the power of the system include pressure from government to control the disbursement of internally generated revenues and its setting of percentage requirements concerning the amount that the university can generate.¹ This pressure for greater responsiveness has made financial autonomy in federal universities in Nigeria a *sine qua non*. Moreover, the global trend towards massification of access

1. The NUC mandated each university in Nigeria to generate at least 10 per cent of its total revenue internally.

in higher education has made financial diversification imperative. The Autonomy Act stated that the governing council of the university should be free in the discharge of its functions and exercise of its responsibilities for the good management of university finance, as well as the growth and development of university programmes. In the discharge of its financial functions, however, the council must ensure that disbursement of university funds complies with the approved budgetary ratios for:

- personnel costs,
- overhead costs,
- research and development,
- library development,
- balance in expenditure between academic and non-academic activities.

The issue of financial autonomy at the University of Ibadan is clearly explained in its five-year strategic plan for internationalization, which stated that the university is to be an institution where scholarship and service are supported by a sound, secure, and sustainable foundation of financial resources. The document went further to state that the university will manage and develop existing resources strategically and prudently. The university's financial policy is based on the argument that government alone cannot provide all the resources needed for the education of its citizens. Thus, it is expected that the autonomy bill will make the university more financially autonomous.

University autonomy and human resource management

University autonomy has had significant impact on staffing and human resource management in the university system in Nigeria, especially in the areas of staff recruitment, selection, and placement. It is alleged, however, that such autonomy perpetuates nepotism and internal succession in academic staff recruitment and limits the chances of potentially qualified external candidates. An overall evaluation of the reform in relation to human resource management has not been undertaken within the university system. In the University of Ibadan, it appears that the reform has, to some extent, achieved the intended national objectives, especially in relation to the prudent management of funds, the quality of staff recruitment, and the establishment of a functional system. However, it is

feared that there remains scope for internal politics to lead to the abuse of selection, appointment, and disciplinary procedures for key officers, in cases where bodies like the ASUU and the Non-Academic Staff Union (NASU) hijack the process of disciplining erring members. An unintended effect of the reform at the University of Ibadan is that it allows subtle victimization: key staff may not get a second term in office even when they have been deemed to perform very well. However, the reform also promotes a culture of internationalization within the university in the areas of staff recruitment and development, attraction of foreign students, staff exchange programmes with international universities, self-accountability, the freedom to link with relevant international organizations, and the participation of non-governmental organizations (e.g. the MacArthur Foundation) in the university's programmes. That said, many would argue that the culture of internationalization at Ibadan is as old as the university itself.

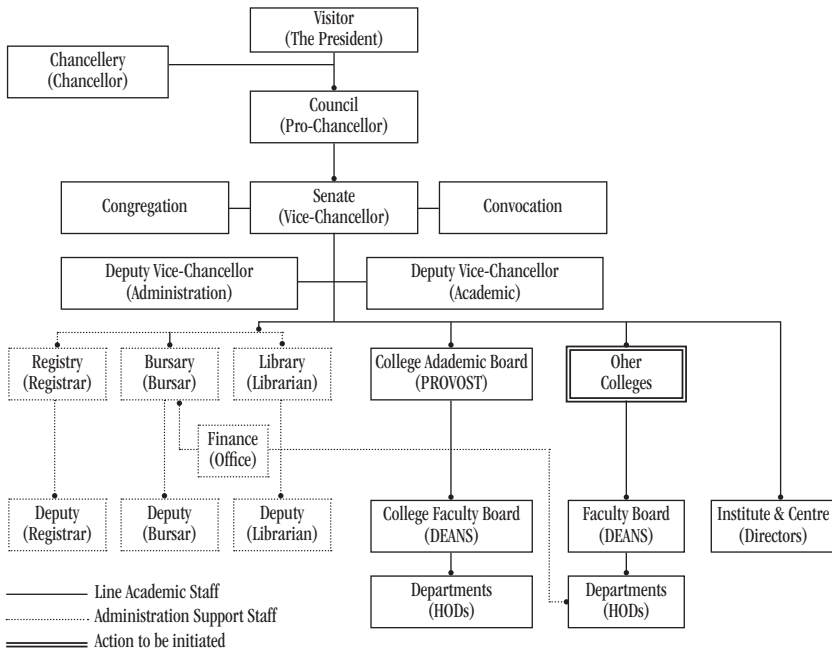
University autonomy and institutional governance/management

Responsive university systems around the world have been moving towards more business-like forms of management and governance (Clark, 2001). In the process, accountability, quality assurance, and performance monitoring have become more important, and management innovation has become a permanent quest. In Nigeria, capacities for managing the university system and individual institutions have struggled to keep pace with the increasingly large and complex federal university system. Professional management techniques and training have generally not been applied. The use of management information systems varies widely, and their development is limited. Strategic planning is in its infancy. Institutional communication with internal and external audiences is poorly developed. Moreover, management innovation does not seem to be consciously pursued.

Recognizing these shortcomings, the NUC took steps in 2001 to promote more professional institutional management by encouraging institutional strategic planning, organizing annual two-week management training workshops for senior administrators, and establishing a uniform accounting code for the university system. As yet, more efficient and responsive management has been slow to materialize. The University Autonomy Act, however, provided a possible way forward. It stipulates

that each university must have a council consisting of: (i) the pro-chancellor; (ii) the vice-chancellor; (iii) deputy vice-chancellors; (iv) a representative from the Federal Ministry of Education; (v) four individuals with a variety of interests, broadly representative of the whole federation, to be appointed by the National Council of Ministers; (vi) four appointed by the senate of the university from among its members; (vii) two appointed by the university congregation from among its members; and (viii) one appointed by the convocation from among its members. A typical governing structure in the University of Ibadan, Nigeria, is shown in *Figure 5.1*.

Figure 5.1 Organogram of the University of Ibadan



University autonomy and changes in governance structure

Changes in governance often come about when current practices are challenged and questions are raised about the way things are done. The Autonomy Act has changed the face of decision-making and the governance structure as a whole in a significant manner. The Act states

that a university council must be constituted and should serve a four-year tenure, effective from the date of its inauguration. The Act includes provision for the dissolution of a council by the visitor where it is found to be incompetent or corrupt, and for its replacement with a new council constituted immediately for the effective functioning of the university. The Act states also that the power of the council should be exercised as specified in the laws and statutes of the university and, hence, that the establishment of circulars inconsistent with the laws and statutes should not apply to the university. According to the Act, appointees to the council must be people of proven integrity, highly knowledgeable, and familiar with the affairs and tradition of the university.

University autonomy and accountability measures

To what extent is the university system free and accountable to the society? The truth is that hardly any institution, educational or otherwise, that receives financial support from public funds or from private organizations can claim to be fully autonomous and free. Every institution within the system responds to some form of control or prescription from superior officials or groups of officials within the system. The education system was created in order to render a particular kind of service to society. Universities and other HEIs in Nigeria have had their programmes vetoed, either by the state or the federal government, through the manipulation of grants and bursary awards. Institutions have had their vice-chancellors and senior academic staff fired by the federal government, as well as having their vice-chancellors, pro-chancellors, and some members of their governing councils appointed by government. For the university system to be held totally accountable for its activities, the system must enjoy a high degree of autonomy and freedom to select its students and staff, set its standards, design its curriculum, decide its spending priorities, and award degrees, diplomas, and certificates. Given this freedom, the university can be held accountable if the products of the system fail to meet the needs of the society and fade away through the economic laws of supply and demand. The Autonomy Act made provision for accountability procedures, particularly in the establishment of quality assurance directorates within universities, the introduction of modified guidelines to guide staff promotion exercises, and the introduction of staff and student evaluations. Moreover, a reward mechanism was introduced

to encourage good performance as well as sanctions and disciplinary procedures for erring staff.

10. Changes in overall governance and management due to the reforms

The capacity of nations, in the world's most advanced economies as well as those experiencing rapid development, to compete in the global knowledge economy increasingly depends on the ability of their educational institutions to meet a fast-growing demand for high-level skills. The reforms to university autonomy in the Nigerian higher education system were predicated on this principle. This section, based on the information gathered through guided interviews, presents the effects of university autonomy on the overall governance and management structure of the University of Ibadan, particularly in terms of academic and administrative decision-making, financial matters, staff performance and evaluation, and the university community as a whole.

Effect on the academic and administrative decision-making process

The opinions of the lecturers interviewed showed a consensus with respect to the changes in the academic programme as a result of the reform. More than half of the sampled lecturers believed that there had been a major change in the academic programmes. Moreover, more than half agreed that increased autonomy allowed more freedom in academic programmes, especially freedom to develop more innovative curricula; that university curricula were now more responsive to societal needs; that there existed a nexus between university teaching and research, on the one hand, and the needs of society, on the other. In addition, increased autonomy provided for the development of new market-driven and employment-oriented courses.

With respect to the effect of the reform on the university's decision-making process, however, the opinions of the lecturers varied greatly. This is probably due to the sampled lecturers' limited understanding of the university's decision-making functions. A majority of lecturers (75 per cent) believed that autonomy had brought about major changes in both decision-making and academic programmes in the University of Ibadan. In its early years, the University of Ibadan was among the leading

universities in the world, with a high academic reputation. At that time, the authorities consciously attracted high-calibre academic, technical, and administrative staff. This effort included special encouragement to promising young Nigerian professionals and academics. This period also witnessed the emergence of Ibadan-trained Nigerian scholars who became world-acclaimed academics in various disciplines. However, the era of the military administration, from 1966 to 1999, brought a severe academic crisis to the Nigerian university system in general and to Ibadan in particular.

Figure 5.2 University of Ibadan academic reputation (1948 to date)

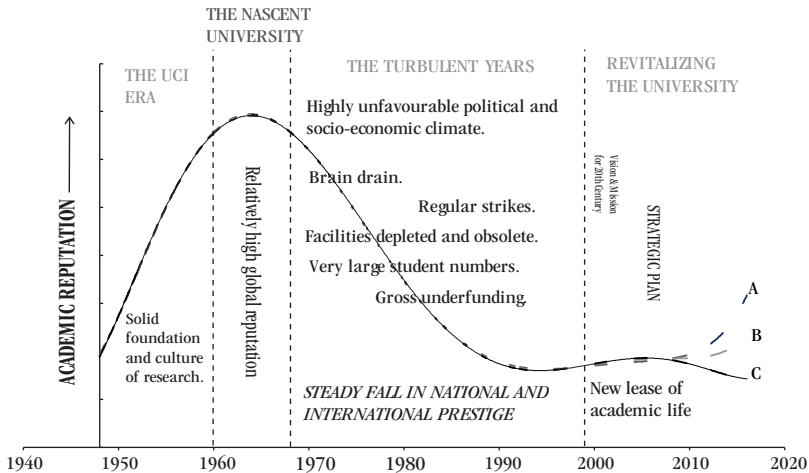


Figure 5.2 represents the evolution of the academic reputation of the University of Ibadan. This, as Materu, Obanya, and Righetti (2011) observe, fits neatly into three distinct phases: the University of London years (1945–1962), the era of the nascent national university (1962–1966), and the turbulent years (1966–1999). Each phase represents some form of landmark in Nigeria’s political and socio-economic evolution and has had a major impact on the development of the University of Ibadan. The period from 2000 to date represents the era of reformation and revitalization in the university.

Effect on financial matters: changes in the sources of financing and fund flow mechanisms

The findings of this study reveal a linear relationship between university autonomy and fund generation, suggesting that the more funds a university can generate internally, the greater the degree of autonomy it enjoys, and vice versa. Three-quarters of the respondents (75 per cent) agreed that increased autonomy allowed, to an extent, the introduction of cost-recovery measures, i.e. the levying of fees for the services offered by the university. They felt, however, that autonomy should give the university full power to generate additional income through alternative sources. In other words, cost sharing should be introduced in federal universities, with the implementation of tuition fees or selective users' charges. This option may be necessary in order to allow the university system to address its funding challenges and improve the quality of education offered to the public. However, the incentives for generating institutional revenue are weak or, in many cases, non-existent. Adedeji and Pundi (2009) suggest that institutions make little effort in this regard because they fear cuts in federal grants if they raise large amounts of money.

To address resource constraints in public universities, it was suggested that government give serious consideration to financial autonomy or support the creation of public-private partnerships. In Botswana, for example, a new University of Technology is being established on a private-public partnership basis. In this model, the state is providing the financial resources for capital expenditure, while the private sector will be responsible for operational expenditure. A similar venture is being undertaken in Zambia at Mulungushi University (Adedeji and Pundi, 2009). Expanding the role, function, and involvement of the private sector in this way could mobilize additional resources and stimulate competition, encouraging improvement in the quality and relevance of university education. Two other mechanisms that could also be used to mitigate resource constraints in the university system and promote equity in public financing are scholarship and student loan schemes. Nigeria has already had some experience with loan schemes. In designing an appropriate scheme for the country, education policy-makers in Nigeria can learn from the schemes being implemented successfully in Kenya and South Africa. For instance, it may opt to provide loans only for the poor (as in South Africa) or to

implement a scheme that provides loan funding for both the poor and the middle classes (as in the UK and Australia).

Effect on staff performance and evaluation

Opinion varied among lecturers as to the effect of the reform on staff management and evaluation at the University of Ibadan. Only half of those sampled felt that the reform had brought major changes. Those who felt there had been major changes in staff management and evaluation viewed it from the perspective of changing policy on appointments: initially, a master's degree holder could be appointed as an assistant lecturer, but since the reform, the minimum entry qualification has been a PhD. Those who were appointed before the policy change and have not been confirmed must obtain a PhD before confirmation. The appointments procedure has changed in another way: candidates must present a seminar to the faculty members and students at the preliminary stage, and are invited for interview if they perform well.

Perception of the university community on institutional autonomy

The perception of the university community is that increased university autonomy has brought about major changes in the management of the university system, especially on admissions and student-related issues. Undergraduate admissions, which were formerly processed manually, are now managed electronically, using the internet and online platforms. There have been dramatic changes in the processes of student registration and clearance. In the past, students queued up at the admissions office for several days waiting for registration and clearance. Now, these processes are web-based and take only hours to complete. The university community also reported that the reforms had brought major changes in administrative procedures at the university.

11. Conclusion: Implications of introducing reforms in the universities

The return of university autonomy has introduced a new dimension in the management and governance of Nigerian higher education institutions, especially the university system. Prior to the autonomy reforms, an increase in university enrolments and low staffing capacity, combined

with an acute shortage of funds, led to the near total collapse of the university system. Political interference in the higher education system under military government imposed serious distortions and constraints on the system's development. As university autonomy was usurped by central government, incentives and rewards for research productivity, teaching excellence, and associated innovation gradually disappeared. In consequence, research output diminished, educational quality declined, and management structures rigidified. The NUC, established to provide regulatory and supervisory functions, also took on a centralized role that eroded what was left of university autonomy. The NUC became involved in the management of institutional finances, the selection of institutional leaders and members of governing councils, the approval of new curricula, and the physical development plans of each university. As university autonomy became compromised, academic staff and student organizations voiced public criticism and pressed for institutional autonomy. This demand led to the passing of the Miscellaneous Provisions (Amendment) Act on 3 July 2003, assented to on 10 July 2003. The Act made provisions for the autonomy, management, and re-organization of the university system in Nigeria.

Did the reform work well and achieve its objectives?

The reforms promoted a culture of internationalization at the University of Ibadan, in the areas of staff recruitment and development, attraction of foreign students to study at the university, staff exchange programmes with international universities, self-accountability, freedom to link with relevant international organizations, and increased participation of NGOs in university programmes. In other words, in relation to financial autonomy and management, the reform has provided a template for the university to enjoy considerable financial freedom by attracting alternative sources of funding in order to mitigate the system's perennial shortage of funds. In terms of staff management, academic freedom, and the structure of governance and management, considerable progress has been made in the university. The reforms provided opportunity for checks and balances in the university. The new policy framework invested the university councils with the functions of setting institutional policies, appointing the vice-chancellor, hiring principal officers, managing the institution, and preparing the budget, to be forwarded to the government

for approval. Other areas positively affected by the reforms are participatory decision-making, especially the involvement of students in university management; accountability; and probity in financial matters.

What are the unintended effects of the reform?

Although the reforms were essential in helping higher education play its full role in Nigerian life, they nonetheless had some unintended consequences. For instance, as noted above, it is feared that greater autonomy could lead to internal politics and the abuse of the selection, appointment, and disciplinary procedures, giving bodies such as the ASUU and NASU an opportunity to hijack the process of disciplining erring members. Another possible unintended effect, raised within the University of Ibadan, is danger that the reform could allow subtle victimization, for example where key staff do not get a second term in office despite performing well. Moreover, the reform created an unwieldy university council and senate. As Materu, Obanya, and Righetti (2011) observe, a typical university council in Nigeria today draws about 55 per cent of its membership from within the institution, 25 per cent from government, and the remaining from various other sources, including the private sector.² The regime of university autonomy created a decentralized system that allowed for overlap of functions, which is necessary to ensure that neither the government nor the university's officers have absolute control over the activities and affairs of the university.

Lessons drawn from the implementation of the reform

The following lessons may be drawn from this study.

On financial autonomy: The relationship between university autonomy and funding has been interpreted as a linear effect, suggesting that the more funds a university can generate internally, the greater the degree of autonomy it enjoys. This simplistic vision is incomplete, however, since it ignores the complicated nature of university autonomy. The latter should be defined contextually and politically. Its interpretation should also be placed in the context of changing government–university

2. The council of a federal university in Nigeria in 2012 drew about 56 per cent of its membership from within the institution, 37.5 per cent from government, and 6.5 per cent from the alumni association.

relationships. The effect of the reform on financial autonomy, as shown in this study, is incongruent with the above-mentioned vision. While university autonomy involves more than a financial tie, universities' efforts to diversify their funding base may not be enhanced by the reform. The degree of university autonomy depends upon institutional ability to respond to growing imbalances in the university's relationship with its environment and upon its efforts to fulfil its mission. It is, therefore, in the university's best interest to look for increased levels of funding from private sources. The study also reveals that under the present funding mechanism, the university system in Nigeria cannot exercise effective control over its activities without the mechanisms of control being linked to financial freedom.

On academic freedom: Academic freedom, as this study shows, entails allowing the university to decide what degrees to award, what curriculum and teaching methods to adopt, and what research methods to apply. It must also include the conditions necessary for the university to fulfil its mission of creating new knowledge and effectively communicating accumulated knowledge and understanding to students and to the community at large. The university should be an institution whose members are free to express themselves, while protecting and respecting the rights of others to learn, do research, and carry out the essential functions of the university free from interference or obstruction.

On university management: The development of competent human capital resources hinges on good management of the educational system. This principle, as the study demonstrates, should be carefully considered when planning and implementing the educational reform agenda in Nigeria. Many educational reforms in Nigeria have not been able to address fully the issues of teacher quality (getting the right people to become teachers), professional development (training faculty to become effective instructors), and curriculum development (ensuring that the system is able to deliver the best possible market-driven instruction for every student). The Nigerian university system should be responsive, globally competitive, and locally relevant. Responsive university systems around the world have been moving towards more business-like forms of management and governance (Clark, 2001). In this process, accountability, quality assurance, and performance monitoring should become more important, and management innovation should become a

permanent quest. In addition, institutional communication with internal and external audiences should be improved.

Finally, as the experience of Nigeria suggests, university autonomy may not be successful unless universities have the freedom to reform themselves financially, express themselves freely, and manage their affairs without external interference.

VI. GOVERNANCE REFORMS IN HIGHER EDUCATION IN SOUTH AFRICA

*Chika Sehoole
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1. Introduction

Higher education in South Africa emerged in the second half of the 19th century, when the first South African university was established, in 1873. Higher education evolved into a segregated system divided by race and ethnicity. This system was formalized with the adoption of apartheid (separateness) policies in 1948. Between 1948 and 1994, higher education developed into a binary system made up of 21 universities and 15 technikons (polytechnics) that served the four racial groups in South Africa (white, Indian, ‘coloured’, and African), as defined by the apartheid laws. In 2002, government adopted a merger policy that reduced the number of public higher education institutions from 36 to 23: six universities of technology (established from the merger of technikons), six comprehensive universities (each established from the merger of a university and a technikon), and 11 traditional universities that were not affected by the merger.

South Africa has a small private higher education sector that began to grow in earnest after the adoption of the Higher Education Policy and Act of 1997, which made private higher education legal. By 2010, the South African higher education system had 23 public higher education institutions, as well as 87 registered and 27 provisionally registered private higher education institutions. In 2011, the 23 public universities enrolled 938,201 students. The public universities produced 160,626 graduates, of whom 9,691 were master’s graduates and 1,576 doctoral graduates (South Africa, 2013).

The distinguishing feature of higher education in South Africa under apartheid was unequal access to education for different racial groups. In his analysis of the architecture of apartheid, Sehoole (2005) showed how, in its funding, resourcing, and philosophy, higher education was meant to reproduce racial inequalities that were to protect whites as the ‘superior race’ at the expense of the development and advancement

of black people.¹ Unequal access to opportunities for higher education had an impact on participation rates (i.e. the total number of enrolled students divided by the total population in the 18–24 age band, as per international norms), which was evident in the higher education sector. According to the Council on Higher Education (CHE, 2004), the gross participation rate at the dawn of democracy in 1994 was approximately 15 per cent, higher than that of many developing countries, but lower than that of fast-developing or developed countries. The breakdown of the participation rate by ‘race’ was highly skewed, with approximately 9 per cent for Africans, 13 per cent for ‘coloureds’, 40 per cent for Indians, and 70 per cent for whites.

In order to overcome these problems, new higher education policies identified planning, funding, and quality assurance as levers to steer higher education away from the apartheid system to a new system based on the values and principles enshrined in the new South African constitution (South Africa, 1997a, 2001). This paper focuses on the new funding framework and enrolment planning as policy reform measures that were introduced to steer the system. It analyses the effects of these policies at national and institutional levels and poses the following research questions:

- What were the background to and rationale for the introduction of the new funding framework and enrolment planning?
- How were these policies implemented at national and institutional levels?
- What were the effects of these policies on governance arrangements at national and institutional levels, especially in terms of their stated goals and the autonomy of institutions?

Objectives

This paper has the following objectives:

- to provide an analysis of the background, rationale, and context of the emergence of the new funding framework and enrolment

1. In this report, the term ‘black’ will be used to refer to Africans, Indians, and ‘coloureds’, as defined and classified in the new Constitution of South Africa, Act 108, of 1996.

planning as governance measures to reform higher education in South Africa;

- to provide an analysis of the implementation of these policies at both national and institutional levels;
- to provide an overview and critique of the effects of these policies and the changes that resulted from the reforms;
- to draw lessons and make policy recommendations.

Methodology

This paper is a result of a study that relied on a literature review, analysis of documents, and interviews as data-gathering techniques. A review of literature was conducted in order to place the reform measures within the national and global contexts of reforms in higher education. It analysed national and institutional policies related to governance, planning, and funding used to steer higher education towards change. Interviews were then conducted with current and previous officials of the Department of Higher Education and Training (DHET). These interviews provided insights into the background and context of the emergence of those policies, their implementation, and their effects on the national higher education system.

Interviews were also conducted at institutional level with members of senior management at the sampled institution (University of Pretoria), including the vice-principal, executive directors, directors, heads of sections, deans, and heads of academic departments. Those interviews enabled the researchers to collect rich institutional data. All interviews were recorded and transcribed for analysis. Thematic content analysis was used, and interview data were stored electronically for audit trail purposes.

2. Governance reforms at the national level

New structures and regulations at national level

In response to the challenges posed by the inheritance of the apartheid system, the post-apartheid government put in place new structures and developed policies with a view to transforming higher education. The purpose of these legal and policy frameworks was to re-engineer a higher education system that was highly fragmented and uncoordinated,

fundamentally inequitable, 'effective' only in terms of rigid categorizations superficially imposed by apartheid, and profoundly inefficient as a result of its duplications (CHE, 2004).

The South African higher education system has been subject to various models of governance, based on the different purposes for which higher education institutions (HEIs) were created and on their relationships with the state. Three main governance models feature strongly in the history of higher education in South Africa: state control, state supervision, and state interference (NCHE, 1996). The adoption of the Extension of University Education Act of 1959, which was an attempt to separate the youth of South Africa at the level of higher education on the basis of race, led to the creation of 'state university colleges', which evolved into black universities.

These institutions were characterized by the state control governance model, where control by legislation was backed up by central government administrative and executive powers with respect to the composition of governance management, administrative and academic structures, access, student affairs, and funding, as well as, in some cases, the appointment of all senior staff members (Sehoole, 2005). In white universities these powers were the exclusive right of councils.

White universities, which were state-aided, had full councils with decision-making powers but contained elements of a weak state supervision governance model, particularly in terms of growth and funding. Weak state supervision was gradually supplemented with irregular state interference, especially as the agendas of the government and higher education diverged. Thus, South Africa experienced three models of relationships between higher education and government: state control, state supervision, and state interference (NCHE, 1996).

In imposing these three governance models, in different ways, across the fragmented higher education system, the apartheid government ensured that its policies were implemented and reflected in every state institution, including universities, even if this meant compromising the ethos of academic freedom and autonomy. In this respect, the Holloway Commission, the recommendations of which led to the passing of the Extension of University Education Act 1959, in laying the bases for the

state's intrusion into the running of universities in South Africa, argued that:

The measure of autonomy conferred on universities, by the State can also be modified by the State No organization established by the State for the fulfilment of particular social functions may prescribe to the state the course of action which the latter should take in the treatment of the social problems with which it may have to deal.... If the State should deem it necessary to prescribe a particular policy regarding relations between European and non-European, the validity of its dictates would not end in the portals of a university (quoted in Nkomo, 1984).

This principle gave the state absolute powers to adopt policies and take actions in line with the apartheid policy. Flowing from this principle were the powers vested in the state to determine through legislation university admissions and curricula, thus compromising academic freedom. Autonomy and academic freedom were permissible only insofar as they were not in conflict with the state's intentions.

When the post-apartheid government took over in 1994, the question of which governance model should inform the new higher education system had to be addressed. Government embarked on a wide consultative process, involving the participation of a range of stakeholders, with the aim of freeing higher education governance from the state domination of the apartheid period.

The National Commission on Higher Education (NCHE), appointed in 1995 to advise government on how to transform the higher education system, proposed a 'co-operative governance' model. This model could be broadly located within the framework of state supervision. The commission characterized the higher education system in South Africa under apartheid as having certain conditions that distinguished it from countries where state supervision was dominant. First, in most state supervision situations higher education systems were well established, and supervision was required to modify them and ensure greater effectiveness. In contrast, an integrated higher education system had still to be created in South Africa. Second, there were no planning, regulative, and administrative structures or capacity in place to coordinate and steer the system. Third, the historical antagonisms between the state and institutions, and between sectors and among institutions, meant that

South Africa did not, in 1996, have the minimum conditions of trust, mutual understanding, and willingness to take common responsibility required for a modern state. Lastly, the demands for equity after half a century of apartheid made it difficult for organized constituencies to develop self-binding behaviour (to prioritize the common interest over their own interests) for the larger common good (NCHE, 1996).

On the basis of the above factors, the commission realized that conditions in South Africa did not favour a conventional state supervision model and therefore proposed that a cooperative governance model would be ideal. Cooperative governance, which is a compromise between state control and state regulation, envisaged a partnership between the state and higher education stakeholders in the governance of higher education. There were criticisms of the adoption of cooperative governance by some stakeholders involved in the policy development process leading to the adoption of the Higher Education Act. The outcome of these policy negotiations was the adoption of the cooperative governance model in the White Paper on Higher Education (1997) and the Higher Education Act (1997), which brought into existence the following structures:

- The higher education branch of the Department of Education (DoE) was created to perform policy development and implementation functions. It replaced the fragmented education structures that were responsible for provision of higher education under apartheid.
- The CHE was established as an advisory body on quality assurance. The CHE replaced the Advisory Council on Universities and Technikons, the Committee of University Principals, and the Committee of Technikon Principals, which had operated under the apartheid system.

In its adoption of the governance proposal, the White Paper on Higher Education explains governance at the systemic level as follows:

To give effect to the transformation of higher education in the spirit of co-operative governance, the Ministry will enhance the capacity of the Higher Education Branch of the Department of Education, establish a Council for Higher Education (CHE) and enable reform of governing structures of higher education institutions. These measures will provide opportunities for

organised constituencies to express and negotiate their concerns, and will permit the government and the representative structures of the higher education sector to plan and transact the transformation and development of the system in an orderly way (South Africa, 1997a).

The governance model adopted by government saw more powers passed to the minister of education. The legislation on new governance structures was accompanied by policy instruments to transform higher education. White Paper No. 3 (South Africa, 1997a) on higher education identified planning, funding, and quality assurance as the three levers to steer the new system. In 2001 the government unveiled a National Plan for Higher Education (NPHE), which provided guidelines and implementation plans to give effect to the policy directives contained in White Paper No. 3. The recommendations of the national plan led to the development of the new funding framework and enrolment planning policies, which were aimed at redressing the inequalities and inequities of the apartheid system. The nature of the problem that necessitated policy reforms in higher education was best captured by the NPHE:

Although the demographic composition of the student body is changing and is beginning to reflect the composition of the population, equity of access still remains a problem as black people and women are under-represented in business, commerce, science, engineering and technology programmes, as well as in postgraduate programmes in general. Furthermore, equity of access has also not been complemented by equity of outcomes, with black students accounting for a larger proportion of dropout and failure rates than white students (South Africa, 2001).

Key proposals included:

- Increasing participation rates from 15 per cent to 20 per cent over a 10- to 15-year period, to address the equity and human resource development imperatives. In pursuit of this goal, the focus would be on the promotion of equity of access and fair chances for success, as well as the advancement of redress of past inequalities.
- Shifting the balance in enrolments between the humanities, business, and commerce, and science, engineering, and technology from the ratio of 49:26:25 to 40:30:30 (South Africa, 2001).

Governance at institutional level

At institutional level, the Higher Education Act (South Africa, 1997b) legislated on university councils, senates, academic boards, and student representative councils (SRCs) as official structures for institutional governance. The government gave its support to transforming institutional governance structures and procedures from those of apartheid by recommending that there should be a balance of representation on councils, restructuring senates and academic boards, and forming student services councils.

In this study of the reforms introduced through the new funding framework and enrolment planning, the interplay between the newly created structures in the form of the higher education branch and institutional councils and management will come under scrutiny in terms of how they worked together to effect the desired changes in higher education. The analysis will address the following questions:

- Did the introduction of planning and funding policies enhance the autonomy of institutions as envisaged in the cooperative governance model?
- What were the effects of these policies in terms of attaining equity of access and of outcomes?
- How is the outcome of these policies explained?

The new funding framework and enrolment planning

The new funding framework was adopted by the government in December 2003 and was implemented in the 2004/05 financial year, replacing the South African Post-Secondary Education (SAPSE) funding model. Under SAPSE, the number of students enrolled was based on institutions' and students' choices (Steyn and de Villiers, 2007), which did not address national development goals. Government had identified unplanned enrolment growth, unrelated to available funding resources and detached from the available institutional, physical, and personnel resources, as one of the troubling features that enrolment planning needed to address (South Africa, 2005). This model became unsustainable, and government wanted to change the situation. 'Planning had to reflect what we have, which was related to the amount of available money that had to be distributed to institutions' (Respondent 1, IDM, March 2012). These

institutional enrolment plans were to be negotiated between government and institutional councils and management on the basis of physical and personnel resources and the country's human resource needs. Councils were to hold institutional managers accountable for the attainment of the agreed plans, just as government held councils accountable for attaining them.

Higher Education Management System Directorate

During the operationalization of the funding and enrolment plans, the higher education branch of the DoE introduced the Higher Education Management System (HEMIS) Directorate to approve programme qualification mixes (PQMs) and to monitor enrolments in institutions. HEMIS software tools were also introduced as planning tools and mechanisms for generating teaching input and output and research outputs, which were the bases for the calculation and allocation of subsidies to institutions. The principle underpinning enrolment planning was that only programmes approved by the DoE would be funded, on the basis of the agreed number of full-time equivalent (FTE) students per institution (South Africa, 2005). The effect of this was that, in the event an institution enrolled more students than the number agreed with government, these would not be funded through government subsidy. The plans further included the number and types of graduates, the fields they were to be produced in, and the research outputs in terms of publications and postgraduate students which government could expect from each institution.

In order to facilitate compliance and the monitoring of plans, institutions were obliged to use software and planning tools the same as those used by the DoE. The major effect of the use of HEMIS was to bring stability and predictability to the system. As one former official of the department put it: 'One of the things HEMIS did was to stabilise the system. We didn't have erratic enrolment patterns which, in turn, would affect the funding and, therefore, the stability of an institution. From the HEMIS point of view ... we now have more accurate and more reliable data about an institution' (Respondent 3, NDM, April 2012).

The new DHET, created in 2009, established two new directorates in order to support the implementation of funding and planning policies.

The first was the Directorate of Academic Planning, Monitoring and Evaluation, which was established to strengthen academic and enrolment planning and to support the output of quality graduates. Second was the Directorate of Financial and Physical Planning, established to support improvement in the quality of teaching and learning and to ensure that earmarked funds were effectively used by universities for the intended purposes.

Implications of stated goals for planning and funding

Under the terms of the NPHE (South Africa, 2001), funding and planning were to facilitate equity of access and attainment and to ensure that higher education responded to national development needs. There are *three policy goals* stated in the NPHE which are central to an analysis of the equity concerns that funding and planning policies would need to address. These are outlined below.

First, to increase participation rates from 15 per cent in 2001 to 20 per cent over a 10- to 15-year period. The NPHE noted that participation rates in South Africa were both low (at 15 per cent) and racially skewed, with high participation rates among whites (70 per cent) and low rates among blacks (between 9 per cent and 13 per cent). The implication was that not only was there a need for an increase in the number of students between the ages of 18 and 24, but that the majority of these had to be black students. For black students to qualify to enter higher education, there needed to be an improvement in the quality of the school system in order to produce a sufficient number of quality graduates to enter higher education.

Second, to redress skewed enrolment and strive for balance in enrolments between the humanities, business, and commerce, and science, engineering, and technology, from the previous ratio of 49:26:25 to 40:30:30. Steering the system in terms of reshuffling numbers is the easy part, as government could slowly redirect institutions to increase enrolments in priority fields while reducing numbers in areas that are over-enrolled. However, the increase of enrolments in science, engineering, and technology has resource implications that would require government to invest additional resources.

Third, to attain equity of access and increase the participation rates of black students would require financial aid for black students to enter higher education. Given the poor school background of many black students, additional financial and academic support would be required to enable them to survive the first year and to progress beyond the second year. Once again, this had implications for resources (physical and human). To facilitate the access of poor but academically eligible students to universities, government introduced the National Student Financial Aid Scheme (NSFAS). Students qualified for funding on the basis of meeting the means-test criteria set by the government. The above analysis points to the fact that additional resources are required in order for enrolment planning to attain the intended goals and have the desired effects. There needs to be an increase in government expenditure on higher education in real terms.

The new funding framework and enrolment planning to facilitate equity of access

One of the stated goals of White Paper No. 3 was ‘promote equity of access and fair chances of success to all who are seeking to realize their potential through higher education, while eradicating all forms of unfair discrimination and advancing redress for past inequalities’ (South Africa, 1997a: 4). In order to address the transformation goals of the government, the funding framework distributed funds to universities through two main categories: earmarked funds and block grants. Earmarked funds were allocated for specific institutional purposes designated by the minister of education in order to steer the system and align it with government priorities.

Block grants were allocated for operational purposes and were used to fund the core activities of the universities. The new funding framework made provision for financial aid as a mechanism to facilitate access, and for foundation programmes and teaching development grants to facilitate the success of especially disadvantaged students in higher education. While the former supported physical access of students, it was also necessary to address the quality of their teaching and learning experience to ensure that they were leaving higher education with qualifications. The following elements of earmarked categories are relevant for the discussion of the government’s transformation goals.

National Student Financial Aid Scheme

NSFAS was established in 1996 and embraced by the new funding framework. Students qualified for funding on the basis of meeting the means-test criteria set by the government. Government had also built in incentives in the conditions of the scheme awards, including that a portion of the student's loan would be converted into a bursary if the student passed all the courses for which they had registered. That made it possible for the student to repay a lower amount than the one received for studying. The NSFAS review (South Africa, 2010) indicates that between 1999 and 2009 about 650,000 disadvantaged students benefited from this scheme through the distribution of R12 billion (South Africa, 2012).

The NSFAS review paints a gloomy picture of the success of these NSFAS-sponsored students, indicating that 'only 19 per cent (125,210) of the 650,000 students have graduated over the past decade, while 48 per cent (316,320) have dropped out or have not completed their studies. The remaining 33 per cent (217,470) of NSFAS students are still studying' (South Africa, 2010).

The above statistics, while representing the experiences of a decade, indicate that some of the goals of the national plan (2001), White Paper No. 3 (1997), and the new funding framework of 2003 have not been achieved. The NSFAS report observes that the 72 per cent dropout rate is precisely the 'revolving door' outcome against which the white paper warned in 1997: 'Poor students being enabled to enter the higher education system, but being unable to complete their studies, so being "revolved" back into poverty – in this case with the burden of a student loan debt they are unable to pay because they lack the qualifications to secure the formal employment' (South Africa, 1997a).

Foundation programme grants

Foundation programme grants were introduced to enable students from disadvantaged educational backgrounds to acquire the foundational and literacy skills necessary for success in higher education. This was necessitated by the poor school experiences of some first-year students, which resulted, by the second year, in a 50 per cent dropout rate among these students, the majority of whom were black (CHE, 2010). Through this grant the government expected universities to take another look

at their students and see what their academic needs were and start responding to them in order to improve their chances of success. As one senior government manager succinctly put it, ‘the students are the clients of the universities and they should be taken care of’ (Respondent 1, NDM, March 2012). From the analysis of the performance of NSFAS grantees, who would most likely be beneficiaries of the foundation programmes, it appears that foundation programmes had little success in assisting students to overcome the challenges of study, especially in the first year. This factor is elaborated on below.

Teaching development grants

Teaching development grants were used to support teaching and learning in order to improve the student throughput rate (pass rate from year to year) and graduation rate (the number of graduates divided by the total number of students enrolled in a given year). The intervention was aimed at ensuring that students not only survived the first year but were supported until they graduated. Despite an observable increase in access to higher education, it was realized that access did not always translate into success, as demonstrated by the low performance in terms of completion rates and efficiency, all of which are important for meeting national development goals (CHE, 2010). Institutions that failed to meet their graduation norm qualified for the teaching development grants. These funds targeted student support throughout the cycle, from the first year until a student graduated.

Research output and research development grants

Research output grants were paid out to institutions on the basis of their outputs of research, master’s and doctoral graduates, and of publication units (books, book chapters, peer-reviewed conference proceedings, and journal articles). In 2010, an institution was awarded R120,000 (\$13,000) for a graduate with a research master’s degree and R360,000 (\$45,000) for a doctoral degree graduate. A journal publication received a full unit of R120,000 (\$13,000).

Research development grants, on the other hand, are earmarked funds to increase research capacity in the form of the production of research graduates and research publications. Given the premium

placed on knowledge in the knowledge economy, the South African government prioritized the development of research capacity and the production of research outputs. A norm was set for each academic to meet. That norm was aggregated into an institutional norm based on the number of academics employed at that institution. The shortfall between the set norm for an institution and the actual outputs made in terms of publication units, research master's, and doctoral graduates would generate research development grants. Those grants would be re-invested in the institution for research capacity development.

The high level of weighting for research outputs and the rewards that went with it demonstrated the kind of priority government was giving to postgraduate training at the master's and doctoral levels as well as to knowledge production in the form of publication units. Available data show that the sector responded well to the new funding framework, which rewarded research output. It shows that the delivery proportion of the sector increased by 8 per cent between 2002 and 2006 and by a further 7 per cent from 2006 to 2010 (South Africa, 2012). As a result of this increased research output, there has been a substantial increase in the amount of the research output grant, which doubled between 2006 and 2010. At the same time, the amount of research development grant was eroded as institutions met their norms.

The effects of these reform measures on governance and management structures at national level

The effects of reform measures on governance will be analysed in relation to autonomy, participation rates, enrolments in disciplines, equity of access and attainment, research and funding levels, and their effects.

Effects in relation to autonomy

There has been criticism of the nature of the cooperative governance model adopted by government, which was based on the view that South Africa's social, political, and economic transformation has to be driven by a 'strong state' (Bunting, 1997). In the case of higher education, the underlying assumption was that the transformative processes should be driven by the minister of education, who should have total power and control over the system. The transformation agenda, the assumption

seems to be, would fail if the minister ‘surrendered’ any of these powers to other bodies. In his elaboration of this thesis, Bunting (1997) argued that this was demonstrated by:

- *The steering role* by government of the higher education system through the MoE and the DoE without the involvement of the CHE, which played only an advisory role.
- *Institutional plans*: the negotiation of institutional plans between institutions and the MoE without the involvement of the CHE.
- *Institutional management*: the conferring to the minister of the legal right to have independent assessments made of the management of an institution whenever he or she considered it necessary (South Africa, 1997a).

The critique of cooperative governance that found expression through the adoption and implementation of funding and planning policies suggests that government employed a variant of the state control governance model, which would enable government to steer the system towards identified national development and transformation goals. We argue that locating power within the MoE was important during this transition, given the challenges faced by the government that came into power through negotiated settlement. The challenge was whether to locate power in buffer institutions like the CHE or within the state, and it is clear that the government opted for the latter. With all policy formulation, approval, and implementation powers vested in the ministry and in the department, the cooperative governance model constituted a version of a state control model of higher education governance.

In his analysis of this governance model, Bunting (1997) argued that government had slipped back into a state control model. The implication was that whatever autonomy institutions had would not, in fact, be theirs by right. ‘Institutions would have a degree of “pragmatic autonomy” – autonomy granted to them by the Minister on pragmatic, administrative grounds, which he argued, could be revoked at any time’ (Bunting, 1997: 17).

The implementation of enrolment plans and the new funding framework was based on the leadership of the DoE in negotiations with institutional councils. This might be seen to constitute state control. We argue, however, that rather than being seen as state control, it should be

seen as state *intervention*, and not even interference. In every society, the state has a role in providing leadership and allocating resources for the good of the broader society. The state cannot be expected to execute such roles without having the necessary legislative powers to do so. This issue has characterized debates on the sort of state capable of leading transformation in the higher education sector, and it continues to do so. The popular view among stakeholders aligned to the new government has been that the nature of the challenges during transition required a strong state with constitutional and legislative powers to drive the transformation process.

In his critique of enrolment planning and the new funding framework, Jansen (2004) argued that this posed a threat to the autonomy of institutions. He elaborated this by pointing out that:

- The state now decides *what* can be taught, or rather, what institutions might be willing to teach without subsidized income, through skilful manipulation of the funding formula. What the ‘programme and qualifications mix’ exercise does, in effect, is to authorize the state to decide what can be taught, and where it can be taught, if at all, irrespective of the local demand or institutional capacity.
- The state now decides *who* can be taught, or rather, how many students are allowed to enter universities and in which specific fields. The cap placed on student enrolments cannot be read other than as an official retreat in the face of declining central funds from a fundamental commitment of the White Paper on Higher Education – that is, the goal of increasing access to higher education.

With respect to the first point concerning what can be taught as determined by the ‘programme qualification mix’, whereas this could be perceived as an intrusion on the autonomy of institutions, it is important also to acknowledge the need for the state to ensure that higher education is responsive to societal needs. Was it desirable for enrolments in higher education to be skewed towards the humanities, as was the case when the new government took over in 1994? In an increasingly globalized environment requiring a supply of new skills in sufficient quantities, a responsible state was needed to intervene to ensure that higher education became more responsive to societal needs by producing relevant skills.

The counter-argument from within government is that enrolments within institutions could not be left to the whims of the market or individual institutions. Enrolment planning assisted government in dealing with unplanned growth in the system where institutions enrolled students without taking into consideration their infrastructure capacity and the availability of qualified staff to deal with such numbers on the institution's various programmes. Jansen's (2004) perspective on the relationship between universities and the state is helpful in addressing this conundrum. He argues that the relationship between the two will always be 'a *contested* one because the state finances universities while its expectations about what universities should deliver in response to such patronage are subject to change' (p. 3).

At the same time, the universities retain the view that the pursuit of truth requires minimal external interference, despite state financing of the enterprise. The autonomy that universities pursue will naturally lie between two extremes: 'complete governmental control and supervision, and complete autonomy and independence of institutions. Exactly where universities find themselves between these two extreme points is crucial for their intellectual vitality and academic freedom' (Jansen, 2004: 3). This perspective is helpful as it provides room to explore the dynamic and often complex relationship between universities and the state. Rather than being seen in terms of control or interference, we propose the concept of state intervention as best characterizing the nature of the relationship between the state and universities in South Africa during the period under review. State intervention allows room for institutions to pursue their mandate without the control of the state, while the state is also free to step in (intervene), to steer the system in fulfilment of the mandate bestowed on it by the electorate.

The effect of the relationship between the state and universities, as expressed through the governance model adopted, is that through the use of earmarked grants, there has been more reporting and accountability on the part of institutions. This is similar to the international trend.

Effects with respect to shift in enrolments according to disciplines

The use of planning and funding instruments has also been successful in shifting the number of enrolments in different fields of study from

a focus, predominantly, on the humanities to science, engineering, and technology, and to economic and management sciences. These were the disciplines in which skills needed to be developed to support the human resources needs of the country. The proposed shift in enrolment by field was attained in 2007 in the following manner: in 2001 the humanities and social sciences stood at 44 per cent, business and commerce at 30 per cent, and science, engineering, and technology at 26 per cent. By 2007, the ratio of 40:30:30 had already been achieved.

Effects of governance reforms at national level with respect to performance in research

Government used research development and output grants to steer the system towards performance in research. Research development grants provided resources for institutions to support staff to improve their qualifications, build research capacity among staff members, and change the race and gender profiles of research staff; all of which, it was assumed, would lead to increased research output by staff. According to an official in the DHET, since the funding framework rewarded actual research outputs, it has had the following effect on the system: ‘Stronger universities automatically started to produce a lot more publications than the historically black universities. Because of the much larger numbers of publications by the historically white universities, the development money was eroded’ (Respondent 5, IDM, April 2012). Despite the erosion of development funds by historically white universities, historically black universities continued to grow their capacity in research output and publication. As a DHET official elaborated:

But even though the historically black universities’ development money was eroded by the stronger universities, the historically black universities were able to increase their share of total publications produced by the sector. What I mean is, let’s assume when the process started, the share of historically black universities was maybe 10 per cent of all publications, eight years later, it’s 15 per cent of the share (Respondent 4: IDM, April 2012).

It appeared that funding for research had the desired effect in the system. It encouraged competition among institutions, with historically white universities increasing their rate of research output while historically black universities also increased their research capacity to

compete for those grants. One of the features of the funding framework was the linking of the distribution of funds to research outputs, which made institutions compete for research funds and increased their competitiveness. According to HEMIS (2012) data, there was a 52 per cent increase in research publication units between 2002 and 2011, with a significant increase in the output of historically black institutions. The production of research output is now a shared responsibility among all South African universities and is no longer a monopoly of a few.

A recent analysis of South Africa's scientific performance shows that research outputs between 2000 and 2010 more than doubled. The country has improved its international publications ranking by two positions to be ranked 33rd in the world (Pouris, 2012).

3. Governance reforms and their effects at the University of Pretoria

The governance structures that were legislated in the Higher Education Act had to be introduced at institutional level. A precondition for the successful transformation of the higher education system is, as White Paper No. 3 argues, the 'transformation of the structures, values and culture of governance' (South Africa, 1997a: 3.1). This is important as governance is at the centre of the policy-implementation nexus, that is, its role is to 'chart and steer' HEIs, in order to enable them to contribute to meeting national policy goals and objectives (South Africa, 1997b). The manner in which this is done is largely left to institutions. As the white paper (1997) states in relation to institutional governance:

It is the responsibility of higher education institutions to manage their own affairs. The Ministry has no responsibility or wish to micro-manage institutions. Nor is it desirable for the Ministry to be too prescriptive in the regulatory frameworks it establishes. Diversity and flexibility are important aspects of institutional responses to varying needs and circumstances (South Africa, 1997: 3.33).

The creation of optimally functioning governance structures is of critical importance for the smooth functioning of institutions, as well as for the achievement of the transformation goals set by the white paper. As indicated earlier, the government legislated for institutional councils as the highest decision-making governance bodies, and for SRCs for student governance.

The university council

The council of a university is responsible for governance, policy-making, and monitoring. It is responsible for laying down guidelines relating to strategic governance, financial governance, human resources matters, fostering a positive academic atmosphere, disciplinary matters regarding staff and students, and the admission and language policies of the university.

The council of the University of Pretoria comprises 30 members, of whom 18 are external members (not employed by the university) and 12 internal. Council members are required to have knowledge, expertise, and experience relevant to the objectives and management of the university.

Until the early 1930s, the University of Pretoria was the only fully bilingual university in South Africa. By 1931, however, the majority of students were Afrikaans-speaking, with the result that the university council decided, in 1932, that Afrikaans would be the sole medium of instruction. English was reintroduced as the second language of tuition in the early 1990s. The majority of students now choose English as their medium of instruction.

Student representative council

The SRC aims to ensure that each and every student of the University of Pretoria is treated with the utmost respect and that the rights of no students are infringed upon.

A temporary student committee (TSC) was appointed for the first semester of 2013 in response to the pressing issues facing the student representative council. The TSC became operational on 17 January, replacing the SRC.

It is the main role and core function of the SRC to advise and assist students with problems related to academics, finances, accommodation, day and faculty houses, community projects, student safety and security, student rights, and student life in general.

Given the history of the University of Pretoria as a former whites-only, Afrikaans institution, the leadership of both the university council and the SRC was traditionally composed of white male representatives.

As a result of the government directive on the deracialization of governance and management structures, the university had no option but to deracialize. However, this was not to be easy. The university saw the first black SRC president elected in 2012. Shortly after this, as early as 2013, the SRC was swamped with so many problems that management decided to appoint a TSC. Some of the challenges encountered in the deracialization have to do with language barriers.

The Ministerial Committee on Higher Education Transformation was appointed in 2008 to investigate progress made in the transformation of higher education. The committee noted how interviews with black academics revealed the role and impact of institutional culture and the use of Afrikaans as the language of communication in all committees and governance structures in preventing new staff from fully participating in the academic governance of the institution, ranging from departmental meetings to senate committees (South Africa, 2009). Whereas this observation is attributed to the University of Stellenbosch, the report shows similar practices in other Afrikaans institutions, including the University of Pretoria.

The governance and policy reforms at national level had effects on management arrangements at the University of Pretoria as well. New structures, portfolios, and positions were either created or strengthened to support the teaching and learning, research, and postgraduate mandate of the university, in line with the signed enrolment plans. At executive management level, the roles and responsibilities of vice-principals were redefined in line with the national policy environment. Prior to and in the early days of the new funding framework, the role and responsibilities of vice-principals were defined with respect to supervisory roles they were to perform in relation to faculties. For example, vice-principals' roles would be divided among the nine faculties, with each vice-principal being responsible for two or three faculties. In the new context, the vice-principal roles were re-organized and re-categorized as follows:

- Vice-Principal, Teaching and Learning: to take care of the teaching and learning portfolio of the whole university and to ensure the production of a sufficient number of quality graduates, as agreed to in the enrolment plan.

- Vice-Principal, Postgraduate and Research: to support the postgraduate and research mission of the university.
- Vice-Principal, Academic and Faculties: to take care of the academic mission and administration of all nine faculties.
- Directorate of Academic and Institutional Planning, headed by the executive director, to support the process of implementing the enrolment planning. This process entailed negotiating with the Department of Education its PQM in terms of the number of students enrolled, the number of graduates, and the research outputs to be expected. Each institution was therefore expected to monitor its enrolments and performance agreements to ensure compliance with agreed plans, as the funding was now based on delivery and performance with respect to agreed plans and targets. This directorate ensured the compliance of the institution with approved plans.

The use of earmarked funds at institutional level

The introduction of the new funding framework and enrolment planning did have some effects on institutional governance. For example, through the use of foundation programme grants, the University of Pretoria introduced new programmes such as the ENGAGE programme to support disadvantaged students in engineering programmes. The success of that programme led to its extension to other programmes in the Economic and Management Sciences Department.

The efficacy of the use of these earmarked funds was questioned by some university officials who perceived that the earmarked funds imposed additional responsibilities on the institution, as it had to account for the use of those funds to the state. The reporting requirements on the use of these earmarked funds had become costly to the university, as more staff members had to be employed in order to assist with reporting requirements. There was a perception that government was over-regulating the use of earmarked funds, which consequently had an impact on the long-term planning of institutions. For example, the ENGAGE programme provided academic support to academically under-prepared students to succeed in engineering programmes. That programme was supported by earmarked funds (foundation programme funds) for a period of three years. Staff had been appointed for a three-

year period, which coincided with the period when the funds would be made available, but the university was not always sure that the period of the funds would be extended. This perception points to the need to have an efficient system in place in the administration of earmarked funds to ensure timely communication concerning future availability of these funds, so as to avoid uncertainty on the part of staff.

The allocation of earmarked funds to the university also affected the operational plans of the human resources section of the university. Due to the need to administer these funds and to report back to government on an annual basis, the services of more administrative staff members at both senior management level and junior assistant level became a necessity.

This further indicates the burden the use of earmarked funds put on institutions and on government. The preferred solution to this problem, according to one official, is for government to supply the university with these funds and let the university put in place structures and programmes to achieve whatever government goals should be pursued. This was not the case at the time of conducting this research.

Changes in the management of the finances due to the reforms

The new funding framework was developed as a system funding mechanism and was never intended to be an institutional funding mechanism. The University of Pretoria appropriated the instrument and used it to fund and allocate resources to its different components: for example, universities get allocated research funds based on research outputs such as books and journal publications, on the one hand, and research master's and doctoral graduates output on the other. Similarly, at the university, every academic has a research cost centre where he or she is allocated funds based on subsidy-generating research outputs.

This has had the effect of incentivizing academics to prioritize their research output activities. Just as the government provides research development grants for those institutions that have failed to meet their research output norm, the university has a research development programme (RDP), a start-up research fund for newly appointed staff with PhDs and staff members who have just acquired their PhDs. The funding is for three years, and is meant to give support to staff to get

their research activities off the ground. One can emphasize the effect of steering mechanisms by government here. While the state provides the money, the university could still decide how to use it to support staff in a way that worked for the institution. Members of staff at different levels of competency have different support mechanisms.

Differentiation at the University of Pretoria

As part of the strategy to align its operations to national policy and to maximize its access to resources in a competitive funding environment, the University of Pretoria has adopted a new strategic plan known as 'Vision 2025' (University of Pretoria, 2011). It envisages itself to be 'a leading research-intensive university in Africa'. Vision 2025 further embraces the principle that, in a research-intensive university, all academics must be scholars who teach, conduct research, and develop new insights and perspectives. It further acknowledges that, depending on disciplinary and academic interests, differentiation among faculties, academic departments, and members of staff is to be expected.

Differentiation among academic departments will be based on assessment of their capacity to carry out research and teaching responsibilities. The university commits to developing strong core disciplines on which to base each of its faculties, and this is used to determine which departments will be required and resourced to achieve high-level research (University of Pretoria, 2011). The strategic plan further puts emphasis on postgraduate research students – master's, doctoral, and postdoctoral students – through active recruitment and appropriate academic and financial support. This includes focusing on providing a high-quality environment and study programmes to enable postgraduate success.

The vision of the university to become research-intensive, and the priority put on research and postgraduate research students, could be seen as informed by the generous rewards for delivering in these areas under the new funding framework. With respect to differentiation between faculties, the University of Pretoria envisages growth at postgraduate level in faculties and disciplines which fall in the high categories of the Classification of Education Subject Matter (CESM), such as natural and agricultural sciences, engineering, and economic and management

sciences. Faculties whose disciplines are in the low categories on the funding grid, such as humanities and theology, are accorded a low growth rate. It appears from this analysis that national policy frameworks had an impact on the ways in which universities such as Pretoria planned for the future. This was a voluntary alignment of institutional strategic plans with national policies with the view to taking maximal benefit from the rewards systems set out in the policies. The University of Pretoria has located its mission at the apex of this differentiated system by pursuing a distinctive research agenda. As indicated earlier, this focus has favourable funding rewards. Differentiation between departments and academics based on their ability to produce research also mirrors differentiation in the allocation of funds in the new funding framework based on research outputs.

4. Overview of the governance reforms in South African higher education and recommendations

The introduction of planning and funding regimes in higher education brought about both success stories and challenges. On the positive side, this paper has shown how the government was able to introduce new governance structures at national and institutional levels and have control over the shape and size of the system by using the two policies as steering levers. This is clear in relation to approval and monitoring of the national and institutional plans, at both the macro and micro levels. Institutions such as the University of Pretoria adopted the planning and funding frameworks used at national level to plan and run their operations at institutional level. This led to a situation where, in many instances, the planning and funding instruments at national level were able to speak to planning and funding practices at institutional level. As pointed out in this paper, the process had the positive impact of bringing about stability and predictability in the system.

Whereas there were concerns and arguments about the state adopting a state control version of cooperative governance, developments at the University of Pretoria show fewer elements of control. Instead, there has been voluntary compliance with policy frameworks whereby instruments such as HEMIS tools, which are used to generate and distribute subsidies, have been adopted at institutional level to distribute resources. The universities redefined the positions and roles of vice-

principals to align them with priority areas such as research and quality of teaching and learning, which are targeted for funding in the new funding framework. The Directorate for Academic Planning has been created to work closely on monitoring institutional plans, as agreed with government. In this sense, the cooperative governance model seems to be working well, with the institution complying with government policy to the point of taking pride in it, as expressed by one university officials: ‘You know the University of Pretoria is always ahead of everyone else! If government asked UP to jump, we are already there!’ (Respondent 2, IDM, April 2012).

5. Effects of the steering mechanism on the attainment of a 20 per cent participation rate

The NPHE had set a target of a 20 per cent participation rate over a 10- to 15-year period. This was to redress the racially skewed participation rate. The target was not achieved, since the participation rate still stood at 17.8 per cent in 2011. It was a cause of concern that the participation rate by race had not shifted much from what it was a decade ago. In 2011, the participation rate for African students stood at 14.1 per cent; ‘coloureds’, 15 per cent; Indian, 45.6 per cent; and white, 58.9 per cent. (Respondent 3, NDM, April 2012). Even though the participation rate did not increase, the enrolment figures showed that there had been some progress in the enrolment of black students in the sectors in which they were not enrolled previously; with an increase of 13 per cent between 2003 and 2011 (South Africa, 2012).

The attainment of 20 per cent participation, which needed to be accompanied by an increase in the enrolment of black students from poor backgrounds, required additional resources to be invested in higher education. The most important source of funding for South Africa’s public universities is the state. The NSFAS Review Report (2009) showed that between 2000 and 2004, government funding of higher education declined by 3.1 per cent in real terms (South Africa, 2007*b*). From 1995 to 1999, total state spending per FTE student in higher education increased annually by R352 in real terms (in 2000 rand) but declined annually by R515 between 2000 and 2004 (South Africa, 2009).

The above figures suggest that growth in higher education enrolments, which would positively impact on participation rates, had been curtailed or stunted by the decline in total spending per FTE student. Not only does this decline in spending affect participation rates, it also impacts negatively on some of the policy goals and strategies addressed in this paper, namely, equity of access and equity of outcome. Wangenge-Ouma and Cloete (2008) offer helpful insights into the effects of this decline in their analysis. Using the resource-dependency theory which provides a framework for understanding the responses by public universities to conditions of resource decline, the authors argue that to 'survive' declining state financial support, South African universities have, in the main, adapted existing economic exchange relationships to address their current resource needs and have also initiated new exchange relationships. The most important economic exchange relationship that almost all the universities have utilized to improve their resource condition is tuition fees.

In another study, Ouma (2007) shows that tuition fees are one of the fastest-growing sources of non-government revenue for public universities in South Africa. This has been raised as a concern by government, especially in the light of the fact that tuition fees have increased at a higher rate than government's contribution to the NSFAS. According to the minister of education, as quoted by Ouma (2007), while fees have doubled over the last five years, the increase in funding to NSFAS has risen by only 30 per cent.

Another criticism of tuition fee increases is that universities have been raising tuition fees over and above the general rate of inflation. In response, public universities have argued that universities' internal inflation is usually higher than the national inflation rate (Wangenge-Ouma and Cloete, 2008). The increases in tuition fees, as suggested, have impacted negatively on the quantum of financial aid available through NSFAS. The low percentage increase in NSFAS relative to tuition fees means that fewer students would be supported through NSFAS, thus undermining the realization of the goal of equity of access, as this would mean that students needed more financial resources to be able to support themselves at the institution. This is obviously another contributory factor to the high dropout rate in higher education in general and of

NSFAS students in particular, as their sources of support are diminished by tuition fees, as discussed above.

For those who have entered higher education, the increase of tuition fees at a rate higher than the rate of inflation and higher than the rate of NSFAS increases is likely to be a contributory factor to the problem of student debt. This is supported by the fact that the loan does not cover the full costs of their studies, as a result of institutions' spreading their NSFAS allocation to cover as many students as possible. The review of the NSFAS (South Africa, 2009) found that, as a consequence of underfunding and simultaneous efforts by institutions to increase access by black students, institutional debt had increased to R2.7 billion (\$207 million) in 2009. This has resulted in some students, the majority of them black, being excluded or dropping out of higher education for financial reasons.

The decline in state expenditure in real terms may also suggest that the allocation of resources to support the success of students through foundation programmes and teaching development grants might be affected negatively, thus undermining a potential source of academic support for deserving students. Given this lack of support, while improvements in access might be realized, equity of success may well still be undermined by a lack of access to the kinds of knowledge that could be supported through the foundation and teaching development grants. Failure to address this issue will result in dropout by students.

Funding is not the only contributory factor to the undermining of equity of access and of attainment. As the Ministerial Committee on Higher Education Transformation points out: 'The poor performance by black students in higher education is also due to the poor quality of black schooling, including the fact that for the majority of black students, English and Afrikaans, the two main languages of instruction in higher education, constitute at best their second and at worst their third or fourth language' (South Africa, 2009: 70).

The failure of qualifying students to enter higher education as a result of lack of finances, and the non-completion and exclusion of NSFAS students as a result of lack of funds, have contributed to the emergence of the so-called 'NEET' group of young people. These are young people between the ages of 18 and 24 who are not in employment,

education, or training. They have been estimated to number 2.8 million and to constitute 41.6 per cent of this age group (South Africa, 2010). This is a large number compared with the current 17.8 per cent participation rate in higher education by the same age group. Among the young people in the NEET category, more than 60 per cent are reported to have completed grades 10, 11, or 12; 98 per cent of them with a university entrance pass (South Africa, 2009). This shows that despite the concerted efforts of government to facilitate access to higher education, not everyone is accommodated, as the means do not satisfy the needs on the ground.

6. What lessons can we draw from the reform implementation?

This paper has shown how, in the development of post-apartheid higher education policy, the government adopted a cooperative governance model as a framework for defining the relationship between the state and HEIs. This model, combined with different policy instruments, such as funding and planning, has been interpreted by some (Jansen, 2004; Bunting, 1997) as a variant of state control and, therefore, as encroaching on academic freedom. This paper has argued for the necessity of government adopting such a model given the pressures and dire need to transform higher education. This required a strong state. Through that model, the government laid the basis for the development and implementation of policies that would hold institutional councils accountable for the delivery of agreed institutional plans. Rather than being seen as control or interference, the paper has argued that the state needs to be able to intervene as and when it sees fit, in carrying out the mandate of the electorate.

Contrary to experience elsewhere, where governments transferred their authority and responsibility to institutions in the form of increased institutional autonomy, South Africa adopted a different approach based on the transformational challenges that needed to be addressed. The cooperative governance model was utilized to empower government to require more accountability in enrolments of students in various programmes, in the utilisation of resources to contribute to national development goals, and in institutions' adherence to approved plans and outputs. The paper has further pointed out the successes and challenges

entailed in the implementation of these reform measures, at both national and institutional levels.

The paper has noted the failure to realize the 20 per cent participation rate and argued that this failure is linked to the decline in real per capita expenditure. The best solution to this challenge may be to come up with alternative means of providing post-school education and training through other institutional types, like further education and training colleges, both private and public, and other registered private HEIs.

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Higher education in Africa has received favourable political attention and funding support in the period following independence. The rationale for state funding was questioned in the 1980s, and the higher education reforms in the 1990s centred on finding alternative ways of financing and on improving the managerial efficiency of universities. This focus was reflected in the market-friendly reforms that led to the privatization of public institutions and the promotion of private institutions. These reforms resulted in substantial changes in the governance and management of higher education.

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