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Higher Education in the Arab World

Government and Governance

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Introduction

This book is the fourth of the series on higher education in the Arab world produced by the Arab Academy of Sciences (AAS) and published by Springer Nature Switzerland AG. The previous three books (*Universities in Arab Countries: An Urgent Need for Change*; *Major Challenges Facing Higher Education in the Arab World*; and *Higher Education in the Arab World: Building a Culture of Innovation and Entrepreneurship*) all refer briefly to interactions with governments but here the focus is exclusively on the processes and aims of governance, primarily in universities and also in the functioning of governments particularly in respect of higher education. The prevailing social and economic problems facing the Arab world were detailed in these previous volumes, and several years ago the AAS came to the conclusion that the universities represent the most promising, peaceful, and efficient route for Arab countries to participate fully in the global knowledge economy and thereby prosper. That is why the AAS concentrates on raising the standards of university teaching, research, community and international engagement, and contributing to economic and social advancement. Although a proportion of the text is centred on the Arab world, the 22 authors draw on extensive international expertise and specific examples gained in senior academic and government posts. Thus, the book has universal relevance to academic governance and the role of governments around the world, and especially so during a period of a series of unprecedented changes and difficult challenges. Accordingly, the target readership comprises government ministers, parliamentarians, and civil servants with responsibility for higher education; members of governing bodies and boards of trustees in higher education; university senior executives including human-resources and financial managers; faculty staff; students; and those individuals and organisations funding education and research.

In the 14 chapters of this book, the authors explore and analyse the main governance issues. Importantly, the underpinning theme is one of being constructive and proposing recommendations for improvement. In this modern era, governments and universities are inextricably linked. Governments determine the operating environments for higher education and therefore the success or otherwise of the various types of institution they host. For universities of all types, governments have the

ability directly to affect their financial health, quality, and relevance of the teaching and research, the employability of their graduates and postgraduates, and the extent to which university-derived innovation, creativity, and entrepreneurship can prosper. In many respects, however, universities need a large degree of autonomy in order to adapt timeously to technology-induced and political changes, contribute to national social and economic advancement, as well as provide independent policy advice to governments. With autonomy comes the responsibility to be subject to independent quality-assurance, relevance, and impact assessments — in other words, demonstrate accountability. The quality of governance in higher education is crucial, both at the board level and in the operation of the institution by the executives. There is particularly a close linkage between governance and the quality of management and management services. In essence, the mission, vision, adaptability, and capacity of higher-education institutions to deliver societal needs are dependent on the quality of both national governments and university governance.

As the chapters were being prepared, the world was forced to face the coronavirus (COVID-19) pandemic caused by severe acute respiratory syndrome coronavirus (SARS-CoV-2). There is still much to learn about this new virus and how to stop its spread and cure the disease. At this juncture, it is patently clear that the global economy has been seriously damaged, and poorer countries will face unprecedented economic and social hardships. Universities, too, have been adversely affected both financially and operationally. Until further notice, the need for physical distancing, curbing mass meetings, strict limitations on the conduct of conferences, wearing protective apparel, testing and monitoring, and continuous surface sterilisation will pose almost insurmountable problems for most weaker conventional institutions as they try to adapt to online learning and assessment. Research progress will be impeded and its costs will rise substantially. Their quality of governance will be sorely tested, yet it represents the route by which institutions will eventually succeed. In the meantime, there is ongoing severe disruption to undergraduate and postgraduate teaching and research, and salary reductions and redundancies are beginning to be implemented, facilitated by the cost-saving possibilities with outsourcing and delivering high-quality online learning and assessments. Student exchanges are temporarily under threat and the sources of funding, both governmental and private sector, are entering a phase of severe constraint unless both sectors appreciate fully the pivotal role that higher education and research will play in economic regeneration. The effects and implications of the pandemic are noted in several of the chapters.

Pandemics notwithstanding, no single higher-education governance model is capable of adequately encompassing the diversity of types of higher-education institutions in the Arab world, or elsewhere for that matter, but there are fundamental principles and processes that are international. Specific examples are presented of the strengths and weaknesses in the national systems of Egypt, Jordan, Lebanon, Oman, UAE, the Maghreb countries, and the UK, and the specific case of post-conflict Syria is considered. All the authors offer potential developments to bolster the effectiveness, reputation, standing, and societal contributions of their respective universities. Throughout, there is the inexorable thrust towards

good-governance processes and protocols. Also explored are the close relationships between autonomy, accountability, risk management, digitisation, massification, academic freedom, and the principles of New Public Management. The qualities and operation of boards are described; as are the concepts of leadership and the need for governance processes to inculcate the culture of innovation, creativity, and entrepreneurship. Some key research and development themes have been proposed. Special attention has been given to the structural variations, duties, processes, and the qualities needed to be members of governing bodies and boards of trustees, as well as those of government ministers and other parliamentarians with responsibilities for higher education.

The New Growth theory (or the Endogenous Growth theory) provides the basic rationale for governments to invest in universities so as to enable them to contribute to the advancement of society and the economy. Another factor that should influence governments to invest in their universities are the imperatives of the United Nations Sustainable Development Goals with targets that will be even harder to achieve as a result of the coronavirus pandemic. Dealing effectively with corruption in government, education, and society at large is essential to prevent confidence collapsing in all forms of leadership and should be one of the main thrusts of governments and universities. The scale of challenges now facing all nations demands governance processes of the highest quality in every sector of society, and both governments and universities should lead by example, and they must work in unison.

Our next publication will focus on research and development (R&D), noting its contribution to the advancement of knowledge and its crucial role in socio-economic development. The various types and classifications of R&D have been used by international and national agencies, and governments can allocate their support funding according to the criteria associated with these classifications. Other governments fail to support universities in their R&D endeavours, essentially impoverishing their countries. The rationale for funding R&D is described in detail, followed by an analysis of the processes used to set R&D priorities, and descriptions of the various types of R&D conducted by universities. Descriptions of the types of funding and monitoring mechanisms are considered alongside best practice recommendations. Authors will present examples of R&D in their institutions. Linkages between universities, university consortia, international funding bodies including charities, international and national research institutes, and various types of private-sector organisation are analysed. This introduces the roles and drawbacks of intellectual-property registration. Another aspect is the role and sometimes misapplication of R&D performance indicators, including value for money. Career development and the establishment of successful teams to address large and complex problems are discussed.

Publications by the Arab Academy of Sciences

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Chapter 1
Review of the Roles of Governments and Universities and Their Interrelationships: An Urgent Need for Governance Reform in the Arab World

John R. Hillman and Elias Baydoun

Abstract Governments set and administer public policy, and exercise executive, political, and sovereign power via laws, institutions, and custom and practice. Almost all have legislative, executive, and judiciary branches. At a national level, governments determine the operating environment for universities and can constrain and even damage development and competitiveness of both higher education and the national economy. Local governments can also influence universities in their sphere of operation. Governments can directly affect university quality, relevance of teaching and research, student employability, and the extent to which university-derived innovation and entrepreneurship can flourish. Of the diverse forms of government in the world, western-style, liberal and essentially free-market democracies have provided the best operating environments for universities and their graduates and postgraduates. Political and economic stability coupled to free speech and strong measures to control corruption are of paramount importance to the functioning of universities in the global economy. Universities vary widely in their types of governance, ownership (public sector or not-for-profit, or profit-making in the private sector), age, size, financial resilience, reputation, contributions to society and the economy, existence of commercial arms and satellite bodies, the extent and breadth of research conducted, the amount of autonomy they have from government, recruitment of international staff and students, ethnic and religious influences, bureaucracy, value for money, quality assurance and relevance assessments, embedded integrity, and degree of competitiveness. As a consequence, there is no single best governance model for universities. Nevertheless, the quality of a university and whether or not it really meets the internationally accepted definition of a university is shaped by the quality of its governance, staff, and student-body while appreciating that finance lies at the heart of

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whether or not the institution can survive. Meeting the oft-unwritten social contracts with the host country and its students is determined by the quality and relevance of education and research carried out, and importantly, the encouragement and facilitation of innovation, creativity, novelty, and entrepreneurship. The employability of graduates and postgraduates is a crucially important indicator of the true value of a university. Reputation and international rankings of higher-education institutions are directly affected by the quality and integrity of their boards, trustees, governing bodies, and so on, and also of those occupying key leadership positions. Institutional reputations can be destroyed by a wide range of inappropriate behaviours, or even the perception of such behaviours. Thus, the mission, vision, adaptability, and capacity of higher-education institutions to deliver the societal needs are dependent on the quality of both national governments and university governance. No Arab country functions as a western-style liberal democracy with strong public finances, robust civil-society institutions, and essentially free markets. Most Arab countries have high levels of poverty and are politically unstable. Various forms of corruption can be endemic. Arab countries are not able to provide solutions or adapt to the existential threat of climate change or major health issues such as pandemics and pollution. For some of these countries, university autonomy is regarded as a threat. Yet, in order for universities, research institutes, and other institutions of higher education to thrive in the Arab world and contribute to national growth and prosperity, there is a need for much greater institutional autonomy that they currently have. This increased freedom to operate requires legislation that encourages innovation, entrepreneurship, respects intellectual property, and invests in lifelong learning. Universities in turn must accept independent assessments of the quality and relevance of their education and research. Senior civil servants, political advisors, and politicians must be capable of appreciating the potential of the rapidly developing raft of transformative technologies, and should consult the intellectual resources in higher-education institutions for guidance in generating and implementing policy. There should also be consultations with regional partners to establish advanced regional research facilities as well as developing functional links with international agencies monitoring, stimulating, and funding education and research. In order for all institutions of higher education to produce employer-ready graduates and postgraduates, and innovators and entrepreneurs, the education and research they offer should demonstrate quality, be relevant to the needs of employers and society more generally, and offer value for money. Their boards or governing bodies should comprise individuals of high moral and ethical standing and committed to the precepts of advanced scholarship and societal improvement. They must ensure that the institution has a viable mission and suitable performance targets, including the fight against corruption. Those in leadership positions throughout these institutions must be of demonstrable competence, integrity, ambition, and vision. To these attributes, the ability to adapt to change is a prerequisite, especially as numerous new technologies, forms of employment, and economic models evolve. There is now greater awareness of the need to focus on the institutional governance processes. Many of those in senior positions were appointed on the basis of attributes unrelated to their managerial and governance competencies. Large numbers of unemployed and underemployed graduates and postgraduates

testify to underperforming, sometimes irrelevant, resource- and time-wasting education and research. No wonder governments can be disappointed with universities in their bailiwicks, and be reluctant to fund them adequately. Particular attention must be given to interactions between governments and institutions of higher education. In most countries, universities have to deal with school leavers following state-funded secondary education, over which universities have little control. Accordingly, they may have to offer remedial-style teaching. State-funded education usually requires upgrading, sometimes in the face of resistance from teaching unions. Some governments control senior appointments in higher-education institutions and may even control the curricula and spending, much to the detriment of the institutions and therefore their students and staff. International competitiveness, demands of parents and sponsors, the needs of commerce and business, and the parlous state of public finances mean that new models of interactions between governments and higher-education institutions are crucial for the Arab world. This review chapter describes the role and diversity of governments; notes that democracy is vulnerable to various pressures; considers the role of local government in terms of interacting with universities; proposes what Arab governments ought to do; discusses national economies, trade, and commerce; defines what is meant by the term university and gives an overview of Arab universities; emphasises that most academics regard themselves as part of a global community; describes the types of university-governance strategies; considers essential leadership and management attributes; reviews the relationship between public-sector research institutes and universities; reflects on problems with spreadsheets in management and research; appraises the critical issue of corruption; relates the issues of governments and governance to the United Nations Sustainable Development Goals; and finally makes suggestions on the roles of sovereign-wealth funds, plastic pollution, and air pollution.

1.1 Introduction

In this chapter, the definition of the noun "government" refers to the systems used to govern a State, with its etymology derived from the late fourteenth-century-old French "government" [72], itself derived from the Greek verb *kubernao*—to steer with a rudder, alluding metaphorically to Plato's "Ship of State" likening governance of a city-state to command of a naval vessel [73]. The word "governance" refers to the processes of governing, and in this instance refers both to governments of nation-states and to universities and other institutions of higher education. Governance of institutions, companies, and other structures in the private sector should adopt parallel

guidelines to ensure the concept of "good governance". The governance processes encompass those processes enacted by laws (i.e. have a legislative framework) or conventions, and often involve interacting institutions. Normally, these processes are rule-based, regulated in various ways, sustained over time, formally structured, follow precedence, and should be held accountable. Moreover, the processes are often influenced to varying extents by various external actors [69]; for example, most public-sector-funded universities are directly regulated to varying extents by ministries of education or higher education, or indirectly by government through semi-autonomous intermediary (buffer) bodies to allow greater levels of institutional autonomy (defined as self-governance). Some universities themselves have schools of governance, often concentrating on business, corporations, and regulation rather than on the governance of universities themselves or higher education generally.

The progress of human societies and civilisations is a product of the ability and ingenuity of certain people to organise and coordinate the efforts of their communities to (a) exploit their talents, (b) exploit natural resources, (c) plan for the future, (d) wage war and provide defence against aggressors, and (e) develop new technologies, while gaining an understanding of the world, the universe, and life itself. Technological advancement remains a key factor, beginning with the development of agriculture and the predictable provision of food supplies enabling the transition from a hunter–gatherer existence into complex communities with the division of labour and increasing social sophistication, eventually allowing the arts, humanities, and sciences to thrive. In order to organise control over the organisation and coordination of societal groups, countries, or civilisations, two preconditions have to be met or chaos would ensue. Firstly, there must be the acceptance of authority by acclaim, election, or by force. Secondly, there must be basic governance processes, including economic management; forward planning; bureaucratic machinery for record-keeping and sustaining laws, custom, and practice; and defence of borders. Public-spirited individuals, including professionals providing pro-bono-publico services, and volunteers aid in the cohesion of societies.

To most people in the modern era, governments are meant to organise society competently so as to ensure economic stability, security, and help meet basic human needs such as food, water, shelter, clothing, healthcare, employment, and income [47, 73, 131]. Governments should set societal standards. They are given, or in some instances take advantage of the ability to tax in order to administer and deliver the help for these basic needs. Governments are expected to plan for the future, not least by supporting or permitting the advancement of soft infrastructures (e.g. education, banking, healthcare, legal systems, civil defence, other civil-society institutions, coordinated planning of nationally important transport and utilities, systems for waste management and environmental protection, etc.) and hard infrastructures (e.g. road, bri, dges, rail, airport, canals, levees, ports, utilities systems including energy-generation and water-purification systems and their distribution networks, education and research centres, retail centres, telecommunications including broadband, etc.). Other forms of infrastructure classification also exist [87]. Governments are also expected to meet the conditions of membership of the United Nations (UN)

[1, 46], namely: (a) be a State, (b) be peace-loving, (c) accept the obligations of the UN Charter, (d) be able to carry out these obligations, and (d) be willing to do so.

The obligations of the UN Charter are extensive [42, 43] but many are blatantly ignored by certain Member States. The UN and its agencies act mainly through consensus. In summary, the Charter sets out to maintain worldwide peace and security, develop relations among nations, foster cooperation between nations in order to solve economic, social, cultural, and humanitarian international challenges. These aims are delivered through the administrative vehicles of the Security Council, General Assembly, Economic and Social Council, Trusteeship Council, International Court of Justice, Secretariat, and Military Staff Committee, in association with its specialised agencies. Each of the United Nations' specialised agencies (Table 1.1) has its own constitution, rules, membership, governance, and financial resources. As such, the process and criteria for admitting new members vary depending on the organisation. In 11 specialised agencies, UN membership gives a state access to membership in the agency without requiring its admission to be approved by the current membership. Of these 11 agencies, three also provide membership, without a vote, to any member of any other specialised agency. Two other specialised agencies require a separate voting process to admit new members [36, 100]. Human-rights considerations are becoming especially relevant in assessing the competencies and ethical values of governments. The UN Charter contains a group of provisions about human rights (Table 1.2) that are ambiguous as to the obligations they impose on the UN itself and its Member States, especially as other provisions prevent the organisation from intervening in the domestic affairs of any state [139]. The utterly ludicrous and reprehensible situation has arisen in recent years of many countries known to

Table 1.1 Specialised Agencies of the United Nations [42, 36]	• Food and Agriculture Organization (FAO)
	• International Civil Aviation Organization (ICAO)
	• International Fund for Agricultural Development (IFAD)
	• International Labour Organization (ILO)
	• International Maritime Organization (IMO)
	• International Monetary Fund (IMF)
	• International Telecommunications Union (ITU)
	• United Nations Educational, Scientific and Cultural Organization (UNESCO)
	• United Nations Industrial Development Organization (UNIDO)
	• Universal Postal Union (UPU)
	• World Bank
	• World Health Organization (WHO)
	• World Intellectual Property Organization (WIPO)
	• World Meteorological Organization (WMO)
	• World Tourism Organization (UNWTO)

Table 1.2 Universal Declaration of Human Rights (abbreviated) [1, 43, 46, 139]

1. Right to equality. Innate freedom and equality
2. Freedom from discrimination
3. Right to life, liberty, and personal security
4. Freedom from slavery
5. Freedom from torture and degrading treatment
6. Right to recognition as a person before the law
7. Right to equality before the law
8. Right to effective judiciary
9. Freedom from arbitrary arrest and exile
10. Right to fair public hearing
11. Right to presumption of innocent until proven guilty
12. Right to privacy
13. Right to freedom of movement
14. Right to asylum
15. Right to a nationality and the right to change it
16. Right to marriage and family
17. Right to own property
18. Right of belief and religion
19. Right to freedom of opinion and expression
20. Right of freedom of assembly and association
21. Right to take part in government
22. Right to social security
23. Right to work
24. Right to rest
25. Right to an adequate standard of living
26. Right to education
27. Right to participate in cultural life
28. Right to a social and international order
29. Duties and limitations
30. Salvatory rights—freedom from state or personal interference in the above rights

be serial abusers of human rights being appointed to sit on the UN Human Rights Council. Questions have to be asked about the consequences of theocratic laws in many Arab and other countries overriding modernity, democratic obligations, human rights, and the progress of humanity. Similar to the wanton disregard of human-rights obligations, certain UN members wantonly violate arms embargos imposed on conflict-affected countries, an issue relevant to the Arab world.

Complaining about governments is a long-standing feature of most countries. The level of dissatisfaction varies according to prevailing economic and social conditions, and is not always dependent on the standard of living because expectations rise with time, particularly as comparisons are made with other seemingly more successful economies. Justifiable concerns are widely expressed about corruption, lobbying by individual industries; groups of industries; activist pressure groups; non-governmental organisations (NGOs); and individuals with influence, especially through social media, including former and current politicians. Other concerns include covert funding and support for political parties, such as clientelism, the exchange of goods and services for political support, often involving an implicit or explicit quid-pro-quo. Clientelism involves an asymmetric relationship between groups of political actors described as patrons, brokers, and clients [44].

In peaceful times, governments through their economic and social policies set the operating environment for all forms of education in both the state and private sectors. They can and should apply high standards and ensure that their countries can fully participate in the global knowledge economy and act as responsible custodian of valuable natural resources and the natural environment. The knowledge economy contrasts with agrarian and industrialised economies with its foundation in education, information including databases, intellectual property, sophisticated know-how, and advanced skills; hence its alternative name of post-industrial economy. Governments in economically struggling countries can seek the assistance of the international community although it is usual for strict conditions to be imposed. Some countries fail to address their underlying problems by restructuring their economy and prefer to maintain the status quo regardless of the ultimate price paid by their populations for their poorer-then-necessary standards of living. With regard to universities, governments can and should insist on independent assessments by demonstrably competent organisations of the quality and societal relevance of their teaching and research whether or not public funding is involved [32, 83]. In accordance with the New Growth theory or Endogenous Growth theory, governments should be obliged to invest in universities and advanced education institutions through various mechanisms.

The New Growth theory [50, 84, 110], as outlined by Economics Online, logically posits that knowledge is not subject to diminishing returns, unlike land and capital. Knowledge is now indisputably the key driver of economic development. If they have not already done so, in order to develop economies must transition from an exclusive reliance on natural resources (a commodity economy) to expand their knowledge base, and support those institutions that help develop and share knowledge (see Sect. 1.2.6). Moreover, governments must invest in knowledge in all its forms, mainly because individuals and firms at present do not necessarily have sufficient incentives and resources to do so. For example, while knowledge is of intrinsic merit, its acquisition does not usually deny anyone else or organisations that knowledge. Its usefulness to individuals, industries, and companies is clearly undervalued, yet knowledge has been demonstrated to generate economic growth and thereby enhance the standard of living and quality of life. Raising the standards of education and therefore the knowledge base will reduce but not eliminate extremism or

focus on the most economically productive areas. Government should, therefore, invest in human capital and the development of education in general and of skills specifically. It should also support, by various types of partnership, private-sector and public-sector research and development (R&D), and encourage inward investment, which together will therefore help introduce new knowledge and attitudes. Because investment in social capital is subject to market failure, New Growth theorists and supporters argue that government should allocate tax resources to compensate for this failure (e.g. develop new vaccines for impoverished societies and for uncommon diseases). Essential utilities (especially electricity, water, and to a lesser extent gas—curbing fossil-fuel combustion is under scrutiny) are natural monopolies, as are roads, railways, and other utilities; in many countries they are provided directly or indirectly by the public sector. Nevertheless, if these utilities are under-supplied due to under-funding and/or mismanaged, both the private sector and society at large will suffer, and growth and well-being of the population will be adversely affected. After all, to be both efficient and competitive, the industrial sector and parts of the service sector rely on energy and water for production and transport networks for distribution. In the modern world, therefore, the accumulation of private-sector capital and resources depends on the appropriate level of expenditure and its appropriate allocation by government. Similarly, New Growth theorists also reckon that government should also finance (in part or totally) all major infrastructure projects, such as broadband and telecommunication networks, sewage and drainage systems, and road, rail, sea, and air transport. Such communication-related and other major projects involve the creation of quasi-public goods, and the theory of market failure suggests that they would be "under-supplied" without government involvement. Market failure usually refers to the inefficient distribution of public and private goods, market controls, negative externalities, and information in free (in reality mixed) markets leading to a loss of economic value. Huge fixed costs and the difficulty of charging users prevents the private sector delivering the service adequately, and the state may choose to act like a producer and low-cost financier especially in a period of unusually low interna-tional interest rates and shortage of capital funds, and accordingly provide necessary legislation and co-ordination of these infrastructure projects. Once constructed, these infrastructure developments should not require governments to operate them, only regulate the operators to prevent monopolistic behaviour and poor service. Impor-tantly, these projects also generate positive externalities, and as such justify govern-ment involvement. For example, an improved infrastructure improves the quality of life across all sectors, enhances productivity, encourages a range of other inward investments, stimulates economic growth, increases the likelihood of tourist revenue, as well as reduces production and pollution costs. It has to be recognised that initial estimates of hard infrastructure costs and completion dates are often significantly underestimated, sometimes to make them appear more attractive to persuade politi-cians and governments to back them. These underestimates can be induced by unrea-sonable cost/benefit and life-cycle analyses that themselves woefully underestimate long-term benefits. Sometimes major infrastructure projects are only funded to give only short-term benefits whereas more generous visionary schemes can offer long-term, multi-generational benefits. A word of caution is needed. The issue of foreign

governments or their proxy "private companies" constructing (often using their own labour) and owning strategically important infrastructure facilities (including ports, airfields, and agricultural land) is becoming commonplace in several poor countries, raising geopolitical concerns, not least when there is no counterbalancing reciprocity.

As centres of knowledge generation and scholarship, universities should be central to economic and social development. Modernity means that the roles and practices of universities must change. To contribute positively to the knowledge economy, universities need to understand the implications of the twenty-first century skills framework [84]. Formal education must focus on new skills and attitudes ("future-proofing") required for the realities of the modern knowledge-based enterprise economy. In summary, individuals are required who have awareness at least, or functionality, of more than a few of a remarkably lengthy list of diverse skills that encompass: global awareness; financial, economic, business, and entrepreneurial literacy; civic literacy; health literacy; creativity and innovation; critical thinking and problem-solving; communication and problem-solving; communication and collaboration; information literacy; media literacy; information and communication technology (ICT) literacy; flexibility and adaptability; initiative and self-direction; cultural and cross-social skills; productivity and accountability; leadership and responsibility; and environmental literacy. As stated hitherto [84], we can think of no university that deliberately structures its various curricula to deliver effectively this cohort of skills or produce polymath individuals that possesses all or most of them, but universities must note the mention of innovation, creativity, and entrepreneurial literacy in the list of essential skills.

In considering both the pivotal roles of universities to the development of economies and the differences between the potential and actual performance of universities to advancement of society and wealth creation through the knowledge economy, governments have a duty to set high standards of university governance without endangering the precious concepts of university autonomy. Likewise, universities should and must have the highest standards of governance so that any legal and honest enforced governmental impositions to ensure high standards would be unnecessary anyway. Obviously, the starting point is the legitimacy, competence, and integrity of the government itself, including local-government sub-sets. Do government policies promote high standards of behaviour, free speech, economic growth, innovation, entrepreneurship, employment, and the security of food, water, and energy? After all, these are essential components of university-friendly environments. This is followed by assessments of the nature of the interactions between governments and universities, bearing in mind the influences of various other actors. Issues such as transparency, interference in appointments and organisation, funding and support measures including planning, competition, and international agencies all have to be taken into account. Finally, how does the type of university governance affect the leadership, missions, vision, values, financial resilience, and achievements of the universities? Regardless of self-praise in websites and presentations by universities, how do they explain their position in independent rankings tables, and what are they doing to improve their position? What recommendations are needed to improve

the Arab world, and what recommendations are needed to improve universities in the Arab world?

1.2 Governments and Sovereignty

1.2.1 What Are Governments?

Developing the definition of Businessdictionary.com [74], a government of a country or nation comprises a group of people that governs a community or unit. It should establish and administer public policy and exercise executive, political, and sovereign power through customs, institutions, and laws within the nation-state or country. It engages in international negotiations and agreements. Based on the important principle of the separation of powers, most governments of nation-states consist of three distinct components: (a) legislature or parliament of one or more assemblies that create laws; (b) executive, the body responsible for governance of the nation-state and for enforcing laws created by the legislature—ministers or their equivalent are normally the elected politicians (sometimes they can be non-political appointees) assumed to be managerially and technologically competent individuals in charge of ministries of civil (public) servants that are the (assumed) politically and religiously impartial and unelected career bureaucrats; and (c) judiciary, the body that operates the courts which interpret and apply the laws [73]. Senior politicians, usually ministers, are meant to explain policy decisions and account for their implementation and impacts.

Defining the term "country" with specific regard to the thrust of this chapter is not straightforward. It encompasses an independent sovereign state, nation, territory occupied by a nation, kingdom, realm, part of a larger state, a physical territory, a geopolitical region, a dependency, a unit in a federation, uninhabited islands, a political body under a single government, an historical construct, a geographical area with borders, people, a society, and so on [51, 67]; see also Sect. 1.2.3. It is a term of ambiguity, interchangeability, interaction, and replete with emotion and often schisms over interpretations of historical events and lingering feelings of injustice. More commonly, it is regarded as a distinct entity in political geography not necessarily but most often registered as a member of the UN, and with distinct cultural and ethnic attributes but may have varying degrees of political autonomy and economic and political dependency on other countries. Most countries are relatively modern constructs. The existence of a country implies the existence of borders and usually barriers to the movement of peoples and goods, often overriding the historical rights of nomadic peoples and long-standing trade routes. Nation-state is a more precise term in having a predominant ethnic group, but in recent times the idea of a civilisation-state has been expressed in which entire civilisations are projected as self-protecting geopolitical entities with attributes greater than those of most nation-states conceived during the nineteenth century [86]. It may be argued

that if most (if not all) of the Arab world were organised and governed coherently, it would comprise a proper civilisation-state. Sadly, its current governance structures make that a utopian dream.

1.2.2 Diversity of Types of Government, Sovereignty, Nationality, Citizenship, Suffrage, and Voting System—The Quest for Democracy

There are numerous classifications and accompanying definitions of the various forms of government and sovereignty that once existed but were replaced and those that currently exist (Table 1.3) [99], but the descriptions overlap and governments in many unstable nations are in a state of transition. In the medium to long term, all dictatorships are inherently unstable and prone to revolution.

To summarise, systems of government range from presidential republics; semi-presidential republics; parliamentary republics; parliamentary republics where an executive president is elected by and dependent on parliament; parliamentary constitutional monarchies in which the monarch does not personally exert power; constitutional monarchies in which the monarch personally exercises power, often alongside a weak parliament; absolute monarchies; republics whose constitutions grant only one party the right to rule; monarchies where constitutional provisions for government have been suspended; states that do not conform with the foregoing; to unstable states with no functioning government. Most governments adopt economic systems that can be classified under the general headings of various forms of capitalism, communism, distributionism, feudalism, socialism, statism, theocratic, or welfare state, but prevailing circumstances mean that these systems can change at short notice.

Sovereignty provides a country with the ultimate power and jurisdiction over its people and territory, allowing it to form and administer its own laws, and determine the use of its own land, subject to the limitations of international law [116, 136]. Sometimes, a nation may make a contested unilateral claim of jurisdiction over a territory, as is currently the case with China and the Spratly (Nansha) and Paracel (Xisha) islands in the South China Sea, or its incursions into India at the Himalayan border. It is also the case of Israel with annexation of parts of the occupied West Bank, or the annexation by Russia of Crimea and the Donbas region of Ukraine. The concept of sovereign immunity is the legal doctrine whereby a state cannot commit a legal wrongdoing and is therefore immune from civil suits or criminal prosecution. This type of immunity relates to the concept of state immunity, that is, the principle in international law whereby states claim that foreign courts and tribunals do not have jurisdiction in any respect over them and cannot be enforced. Nation-states have sovereignty recognised reciprocally by other nation-states and are members of the UN. Sovereignty is acquired by acquisition, cession, conquest, effective occupation, and prescription (Table 1.3). Competing claims for sovereignty can be resolved wholly or in part by treaty, decision of the International Court of

Table 1.3 Types of government and sovereignty [modified from reference 21]. Many types interrelate

(a) *Based on Power Structure* Anarchy, Confederation or League of Sovereign States, Federation, Unitary state
(b) *Based on Power Source* Autocracy, Democracy, Oligarchy *Types of Democracy* Demarchy, Direct democracy, Electocracy, Liberal democracy, Liquid democracy, Representative democracy, Social democracy, Soviet democracy, Totalitarian democracy *Types of Oligarchy* Aristocracy, Ergatocracy, Geniocracy, Kraterocracy, Kritarchy, Meritocracy, Netocracy, Noocracy, Plutocracy, Particracy, Stratocracy, Technocracy, Theocracy, Timocracy *Types of Autocracy* Civilian dictatorship, Military dictatorship
(c) *Based on Power Ideology* Constitutional, Monarchy (absolute, constitutional, crowned republic, elective), Republic (constitutional, democratic, federal, Islamic, parliamentary, people's, presidential)
(d) *Based on Socio-Political Attributes* Anarchism, Capitalism, Colonialism, Communism, Despotism, Distributism, Feudalism, Minarchism, Monarchism, Republicanism, Socialism, Totalitarianism, Tribalism
(e) *Based on Geo-Cultural Attributes* National, City-State, Commune, Intergovernmental Organisation, World
(f) *Other Pejorative Terms for Governments* Banana republic, Bankocracy, Corporatocracy, Kakistocracy, Kleptocracy, Narco-state, Mafia-state, Nepotocracy, Ochlocracy, Adhocracy, Anocracy, Band society, Bureaucracy, Cybersynacy, Nomocracy
(g) *Concepts of Sovereignty* Domestic, Interdependence, International legal, Westphalian, Classical, Medieval, Reformation, Age of Enlightenment, Absoluteness, Exclusivity, De jure and de facto, Internal, Modern Internal, External, Shared and pooled, Nation state, Federation
(i) *Limitations and Breadth of Jurisdiction and Sovereignty* Geography (land, below ground, airspace, seas and rivers, continental shelves), International agreements and obligations, Exclusive economic and defence zones, Relationship to rule of law, Suzerainty over tributary state for foreign policies and relations, Moral basis (divine/theocratic, natural, based on people), Sovereignty of the individual, Popular sovereignty, Parliamentary sovereignty, Monarchy sovereignty

Justice, or by war. Self-determination faces the challenges of there being no legal definition of "peoples" in international law, that those seeking self-determination may be unrepresented or have inadequate representation, their quest may not be recognised by constitutional law applied (or unilaterally enforced) in the disputed territory, and there may be acute difficulties in drawing up and agreeing to borders. Powerful nations can wantonly ignore international law if it is not operating in their interests.

Attempts to formulate internationally agreed concepts of nationality and citizenship reveal that the processes are far from straightforward [146]. A national can be defined as a member of a state or nation with nationality acquired by birth, descent,

adoption, or marriage dependent on laws of that state or nation, and those laws may be amended potentially casting certain groups of people stateless although such unilateral action may not be recognised by other states. In fact, nationality is recognised under international law (see Article 15 of the Universal Declaration of Human Rights which states that everyone has the right to a nationality and that no one shall be arbitrarily deprived of his/her nationality nor denied the right to change his/her nationality; Table 1.2). Nationality has underpinning ethnicity, racial, or ethical concepts.

Citizenship has a much narrower concept than nationality in that it confers certain rights and responsibilities and is a legal construct between the citizen and the state. Citizenship may be age-related, has several categories, and offers voting rights and the ability to hold elected office and certain social positions. Many countries permit individuals to have two or more nationalities; others do not lead to international discord. Bureaucratic systems are essential for registration of births, deaths, and marriages, as well as systems to award benefits, passports, voter registration, and so on with capability for interoperability with other countries. The construction of these registers needs to be done on a secular basis so as to avoid deliberate and inflammatory categorisation that would aid in exclusions of certain religious or ethnic groups.

Despite human migration occurring in significant numbers since Upper Palae-olithic and Neolithic times, migration has become a serious geopolitical issue. The relatively recent advent of nation-states, the concepts of nationality and citizenship, and border controls can place in jeopardy nomadic peoples and migrants, espe-cially those forced to move by conflict, climate change, and natural disasters, even if the migration is within a nation-state. Uncontrolled migration in particular may cause economic challenges to recipient countries as they try to meet humanitarian demands on welfare benefits, housing, education, and healthcare facilities, as well as test the degree to which cultural changes can be tolerated. Accommodating immi-grant cultural changes (e.g. different appearance, dress, religion, diet, and languages) tests the absorptive capacity of a country; wealthy countries with large multi-cultural cities are best able to cope with immigrant influxes but many poorer countries have been forced to accept large-scale immigration, some with a considerable degree of success. Even the existence of treaties guaranteeing human rights and humanitarian assistance often fail to address the anguish of many and probably most migrants. A distinction is made between refugees who escape conflict, persecution, and natural disaster and "economic migrants", even though many countries wantonly misinter-pret definitions, and fail to understand that severe economic deprivation (that may include restricted access to water and food) is sufficient inducement to migrate. The burden of addressing migration falls unequally around the world. The Middle East has always experienced migratory flows, now restricted by the imposition of borders where none existed before, and continuing conflicts. According to the World Migra-tion Report 2020 [56], 3.5% of the world's population are migrants. This figure is likely to increase sharply and solely as a result of the impacts of climate change. Simplistic populist arguments opposed to migration are easily counterbalanced by the moral, economic, and practical arguments in support of migration as well as

examples of best practice to avoid a populist backlash, for example, Caplan and Weinersmith [89] and Guest [39].

In our analysis of current affairs, autocratic regimes where absolute unrestrained power resides in a single person or polity, and the related oligarchies where power resides in very few hands (e.g. the wealthy, certain types of monarchy, religious hierarchies, military, etc.) are subject to increasing pressures to give way to democracies of various types, although some essentially dictatorial regimes have remarkable degrees of persistence. Stiff resistance to retain the status quo is to be expected, not least to prevent retribution by the disaffected. Nevertheless, the trend towards greater democratic principles seems inevitable despite attempts by the ruling regimes to promote "tradition" and divert public attention by stirring nationalistic feelings, victimhood, sectarian interests, blatant lies unchallenged internally by media and a judiciary compromised by the regime, and highlighting supposed threats by hostile external powers. Often, the transition to greater democracy involves violent revolution to overthrow the government with adverse social, economic, and physical health and psychiatric impacts that take generations to overcome. Revolutions can impose a high price on a population and its soft and hard infrastructures. Establishment of a stable democratic system thereafter may take generations, too.

Developed countries consider representative liberal democracies with strong adherence to the rule of law, respect for minorities, and a market economy to offer the most innovation- and entrepreneur-friendly operating environments essential for the international knowledge-based economy [84]. According to Acemoglu et al. [75], democracy adds about 20% to a country's gross domestic product per person over the long run, and is driven by greater investment in capital, education, and health. In this chapter, we refer to liberal democracy to be the type of representative (indirect) democracy operated in the much of the Western world [23, 155].

A liberal democracy, as distinguished from other types of democracy, is characterised by encouraging political, social, and economic competition, and peaceful debate and accommodation between political parties and pressure groups. Minorities are respected and certainly not persecuted. The government gets its legitimacy directly from the people through regular elections, in which virtually all adults can vote, with a choice of candidates, a secret ballot, and open declaration of results. The elected government should be accountable to the electorate for what it does or fail to do, with the national parliament the vehicle for holding it accountable during its period in office. Governments and politicians must obey the law that operates with an independent judiciary. There should be a free press and broadcast media, free speech, and in most countries a written Bill of Rights that prioritises the rights of the individual and other laws that guarantee these rights. Associated with the Bill of Rights is a nation-state's Constitution that comprises an aggregation of fundamental principles and established precedents; in other words, a set of rules that gives the legal basis for how a government is permitted to function; it may detail the various arms of government and how they work, and it may be a separate document of a compilation of various laws and principles established over generations. Mechanisms are needed to update constitutions in ways that are acceptable to the electorate and independent judiciary. A central tenet of liberal democracy is that it has mechanisms to limit the

power of the main branches of government over the individual. Liberal democracy was developed from the ideas of ideological thinkers such as Adam Smith (1723–1790) [20], who felt that individuals should have reasonable freedom, particularly in trade and business. Before Smith, John Locke ("the father of liberalism", 1632–1704) [133] reasoned that the people should be able to remove governments from power should they abuse it. Democracy and its tenets and principles (that now include universal public health, education, and pensions; equal treatment and equal access to basic services; defence and maintenance of public order; independent central bank; strong civil-society institutions; and a fair taxation system) are referred to as public goods.

The right to vote in political elections and referenda (active suffrage) and the right to stand for election (passive suffrage) are other central tenets of liberal democracy, as are the rights to own property and to work. Suffrage is granted to qualifying members of society, often those who are resident registered citizens over a certain age. Sometimes, nationals of linked countries and certain businesses are allowed the vote whereas non-resident citizens and nationals, criminals, and those of restricted mental capacity are excluded. The aim is to have universal suffrage, that is the right to vote without restriction to race, ethnicity, religion, social status, education, wealth, and income (see Sect. 1.2.3). Suffrage is closely aligned with the electoral (voting) system that may take the form of (a) first-past-the-post; (b) single transferable vote; (c) additional member system; (d) alternative vote plus; (e) two-round system; (f) alternative vote; (g) supplementary vote; (h) "Borda" count; and (i) party list proportional representation [58, 101, 148]. These proportional, majoritarian, and mixed systems of voting electoral systems have their advocates and detractors. The first-past-the-post system has the advantage of clarity and avoids the need to set up coalitions that need "behind-closed-doors" to agree a policy manifesto that nobody actually voted for. Nevertheless, the issues of proportionality, voter choice, and local representation are not fully addressed by any system yet in operation. Sometimes, voting thresholds may be applied to contentious referenda. Uncompromisable voting systems, universal suffrage, and electoral registration systems underpin liberal democracy. Many parts of the Arab world have much to learn and adopt best practice.

1.2.3 Democracy Is Vulnerable

Democracies are seemingly fragile social constructs although once embedded have remarkable resilience to drifting to other forms of government (see Sect. 1.2.6). Nevertheless, widespread dissatisfaction with democracy is undoubtedly taking place in developed countries as a result of financial crises, corruption, the role of elites, political decisions seen as divisive, blatant cases of incompetence bordering on corruption by governments and their civil-service arms, and diminished prospects for employment and housing for the young. Furthermore, there is a widening disconnect in most jurisdictions (democratic and autocratic) between the processes, duration, and expense of excessively complex law and the delivery of justice, except for the

wealthy; for most, the concept of *ignorantia juris non excusat* (ignorance of the law does not excuse) has become meaningless because lawyers and courts often disagree over excessively complex laws. These manifold deficiencies are the breeding ground for revolution, and events such as the current coronavirus pandemic may well lead to the reshaping of society. In Western societies, there has been a pronounced drift from stoicism and mental resilience to severe (and not so severe) social challenges and blunt opinionated free speech, giving rise to "woke" and "snowflake" generations.

A wholly disproportionate amount of human activity and wealth creation in democracies seems to be associated with peripheral and arguably relatively superficial activities (mainly associated with the pursuit of enjoyment) when considered in the context of human development, for example, most forms of entertainment including professional sport; financial services and financial manipulation that may be legal but are morally bankrupt; the celebrity culture; incessant background music; most social-media networking; climate-affecting holiday-related travelling (cruises, flights, and long-distance travelling) as opposed to the laudable role of travelling to learn about, trade, and interact with different cultures and environments; the short-term readily disposable fashion-clothing industry; most advertising for non-essential products; and so on (and not forgetting the insidious relationship between social media, advertising, surveillance, deliberately damaging fake news, and autocratic regimes). Contrasting with professional sport, there is much that is beneficial in amateur sport, with the Corinthian Spirit, teamwork, and the essence of fair play and integrity seen for example in rugby and cricket played for enjoyment and exercise. For the most part, the essentially peripheral activities listed above should be compared with human endeavours to ensure the security of water, food, energy, and medical supplies; sustainable manufacturing and processes to improve the quality of life (including health and well-being); and environmental protection combatting climate change and pollution. In any case, global travelling as well as international conventional trade currently take place with inadequate biosecurity measures to prevent invasive organisms affecting agriculture and ecological habitats (marine, freshwater, and terrestrial), and prevent the spread of epidemics and pandemics in human populations. The risk of this disproportionate amount of economic activity reliant on peripheral activities is systematically being brutally exposed in the current coronavirus (COVID-19) disease pandemic caused by severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2). Poor countries are especially at risk of deep recession and abject poverty, not least because so much of their economies are tied to tourism and the world's economy has been through a relatively long period of debt-fuelled growth. Throughout the world, legislation is being enacted that constrains human rights and freedom to reduce the spread of infection. Democratic countries should have sunset clauses in this type of legislation as well as regular reviews; non-democratic countries may well use these constraints to ramp up surveillance, ban political rallies, and postpone elections. Data tools are being used by various governments for quarantine enforcement, contact tracing, flow modelling, and socio-graph making to monitor people meeting repeatedly. Autocratic governments thrive with declarations of emergency and play on fears to justify draconian legislation.

Missing from most accounts of democracy are details of the roles, obligations, and responsibilities of individuals to contribute to democratic ideals and the functioning of society; at present, more attention is given to rights, leading to growing expectations of entitlements and services from the state. These roles, obligations, and responsibilities of individuals need also to be translated into the actions of institutions, corporations, other organisations, as well as civil-society groups.

The topic of democracy in modern times has often been discussed in the literature largely from the perspective of the United States [141] but a series of recent developments in long-established as well as newly created democracies points to the need for measures to reinforce the essential principles of the democratic ideal and to focus on its threats. These threats include terrorism, lapses of democracy, military take-overs, populism, nationalism, hostile foreign powers, aspects of the behaviour of the digital-tech companies and non-meritocratic capitalism, and creeping widespread cynicism with political behaviour. These threats are magnified by pronounced economic downturns.

Terrorism of various kinds can find fertile territory in democracies even though dissenters of all types are free to use peaceful means to draw attention to their beliefs and malcontentment. This freedom, though, provides an environment to organise, raise funds, recruit, and commit acts of terrorism while operating in secrecy in difficult-to-penetrate cells [112]. Ill-drafted human-rights legislation can sometimes come to the aid of terrorists and those complicit in assisting them.

In the post-colonial era especially, manipulation of the democratic ideal comes from those in power that might have been democratically elected but thereafter fail to safeguard minorities and respect minority and even majority views. They manipulate the law and ignore democratic processes even in the face of opprobrium by the international community. Their actions may provoke revolution but invariably lead to impoverishment without access to natural-resource riches. Bodies such as the United Nations are unable to insist on the restoration of democracy despite the clearly written obligations of membership. Some citizens in troubled countries (including those in parts of the Arab world) seem to favour the "strong man" syndrome, especially in ethnically and religiously diverse and seemingly incompatible communities, simply as a way to enforce and maintain some form of political and economic stability. Even so, favouring an authoritarian leadership is understandable in the face of unrelenting terrorism and malevolent interference from foreign actors. A more direct destruction of democracy comes with indigenous military take-overs or foreign invasions (annexation), often on the pretext of protecting certain communities and/or ensuring social stability. Foreign annexation provides geopolitical and economic advantages to the invader as well as damaging disadvantages to the invaded and its allies.

Besides the alarming prospects of pronounced climate change and global warming, there are legitimate concerns about the generation and release of deliberately engineered pandemics; biological weapons affecting humans and crops; and an increasing worry about prospects of unaligned artificial intelligence that does not share human values. Humanity has to guard against fanatics investing in biological and AI-related warfare, including desperate despotic politicians and dictators

able to function with ineffective non-representative governments. Even less fanatical politicians can ruin a country. Democracy is a safeguard for humanity.

Democracy is also vulnerable to populism and simplistic solutions from those malcontented with their circumstances and future [127]. Developing the description of Businessdictionary.com, populism refers to a range of ideologies or political movements that mobilise a section of the population against an institution, organisation, other groups in the population, or local or national government. Most often the ideology purports to be acting in defence of the perceived underdog or those that perceived to be wronged. Regardless of political persuasion, populism seeks to unite groups of people against those perceived or alleged to be out of touch or plain corrupt—usually elites including orthodox politicians, the rich, and certain intellectuals. In this chapter, we define elites (often called "metropolitan elites" or "overclass") in a broad non-pejorative way as small groups of individuals holding a disproportionate amount of wealth, income, privilege, political power, specialist skills, outstanding intellect, and/or social influence (increasingly through the social media). Elites can act beneficially for society or be economically parasitic with an ingrained sense of importance and entitlement. Their behaviour can induce socially destructive jealousy and anger; they represent easily identifiable targets. We note that populists are adroit in recognising that perception can be reality in both marketing and political terms (an anathema to scientists and other academics in their constant quest for truth and more knowledge). Some types of populism may have a revolutionary edge and share the belief of some other ideologies that its socio-political and economic goals are best achieved by democracy-circumventing direct actions of its supporters even though they are in the minority. Oftentimes, the nation's economy may become imperilled as investors lose confidence. At this juncture, there are few readily identifiable economic or social conditions that give rise to populism and its ilk, nor are there easily identifiable social categories. In fact, extremists and populists tend to be politically active in most democratic systems and are often linked to professional protesters (some of whom ironically are dependent on social-security payments in wealthier societies), prominent politicians with a predilection towards street actions, and elites especially in the arts and entertainment industry that both pander to and lead them, feeding on victimhood and identity politics. They can have a deleterious effect on a wide spectrum of civil-society institutions. Extreme belligerent nationalism seeking separation of an otherwise peaceful region, excessive patriotism, imperialism, and certain religious persuasions are common sources of provocation: emotion-led and usually involving highly selective, often deliberately erroneous views of history and morality that pander to the poorly educated and unquestioning for the most part, but also to the prejudiced. Social media are now used widely to promulgate the ideologies of the populists and various belief systems without subjecting them to proper debate and analysis. Special care is needed in appointments to the civil service and other areas of public administration to ensure that extremists are not embedded in the functioning of government. Education, and especially the work of the universities, must be brought to bear on independent political and social analyses.

The right to seek separation from an existing country—self-determination—is enshrined in the founding document of the UN (see Sect. 1.2.2). Several small and medium-sized self-claimed countries not members of the UN actively seek self-determination, a process arguably easier to accomplish in peaceful and prosperous times. It is a stark reality that small countries are subject to the controlling pressures of larger nations, especially in times of conflict or economic stress when toleration of difference is diminished. The aphorism "might is right" ("might makes right") demonstrably applies in geopolitics, a point that ardent separatists often ignore or fail to appreciate. Countries affected by foreign annexation are forced to accept subjugation without gaining the unequivocal support of one of the superpowers. Nine crucial factors ultimately determine the long-term future of an existing or prospective country: (a) population size; (b) cultural distinctiveness; (c) economic independence and resilience with its own currency and reserve (central) bank, and ability to ensure food, water, energy, and medical-supplies and medical-equipment security; (d) readily identifiable geographical area with clear historical and functional borders able to control migration; (e) previous existence as a separate nation; (f) ability to defend itself and its values and customs; (g) ability to form a stable government; (h) education system appropriate for operating in the global knowledge economy; and (i) membership of a defence pact with powerful supportive countries and a geopolitical presence. On the basis of these nine factors, several current UN Member States are not and will never be proper independent countries because of (i) their fundamental dependency on other countries, (ii) small population; (ii) their inability to defend themselves; and (iv) their small economies and lack of self-sufficiency. Some small countries are protected because they are tax havens for the wealthy and corporations. Self-declaration of nationhood and recognition as a separate country can be (and usually is) challenged immediately or at a later stage by the existing larger country and by neighbouring countries, especially if they, too, fear fragmentation of their nation-state. Economic reality can also present another challenge. All democratic countries facing self-determination challenges from within their borders reluctantly permit a referendum on independence or separation, advisably with the need for a super-majority (e.g. 65% in favour) to ensure short-term emotional provocations and unproven promised economic benefits do not override thoughtful consideration of the constitutional, defence, economic, and geopolitical implications of separation. The constitution may need to be amended and there is also the issue of dealing with bruised emotions on both sides of the putative debate. For the majority of nation-states, the world surely should be globalising and coming together rather than engage in fissiparous behaviour. This is apparent in the formation of trading, economic, and defence blocs that have pooled sovereignty (e.g. the European Union—EU) giving special protection for its many small countries that would find it difficult to justify their continuing existence in a truly competitive and aggressive world. Bearing in mind the nine points above, the Arab world demonstrates par excellence the vulnerability of supposedly independent countries that are dependent on as well as profoundly affected by numerous foreign powers as well as religious, political, and economic influencers.

Nationalism, usually the driving force behind separation, is a political ideology that can be defined in various ways: from a feeling of pride, even patriotism for a homeland or nation while recognising its faults and deficiencies as well as achievements; to seeking and maintaining national sovereignty; through to full-blown extreme nationalism with its identification and support for all its interests especially to the exclusion or detriment of the interests of a portion of its own population as well as the interests of other nations, in so doing invoking introvert behaviour, favouritism, and feeding on victimhood. Nationalism can develop aggressive racial and ethnic overtones. Race is variously defined for human categorisation and social taxonomy but as scientists, we regard race as referring to physical characteristics (phenotype) common to a group. The topic, however, is replete with extremely poor science, dreadful prejudices, and false assumptions; the genetics of race are also far from clear as a result of environmental factors, gene flow, mutations, and genetic drift. Ethnicity, however, relates essentially to cultural characteristics such as language, nationality, regional culture, diets, ancestry, traditions, and so on; in other words, a result mainly of environmental influences with variable levels of genetic influence (Gene x Environment interactions). Bearing in mind the commentary in the paragraph above and reviewing separatist movements around the world, it appears that members and supporters of many nationalist separatist parties, particularly in peaceful western liberal democracies, are characterised by the phenomenon of identity politics in sharing the belief, creed, or political ideology focused on a distinct identity. Their nationalism has both primordialism (akin to perennialism) elements—contending that their nation is ancient, has a homeland, major achievements, and holds a fixed nature over time, as well as some elements of modernity—with distinct purportedly unique philosophical, aesthetic, historical, and cultural elements such as specific symbols (especially hijacking national flags and dress), music (especially anthems), literature, language (or simply style of pronunciation and use of local terms), foodstuffs, and precise borders. Nationalist governments are noted for their promotion of their "national" languages by massive injections of public funds, even if the languages are confined to a minority of the public in those countries and have little or no utility elsewhere. Like many types of nationalists, past and present, their ideology and modus operandi can have profoundly worrying and potentially dangerous aspects founded not only on inter alia anti-ruling-party sentiments but also seeking support from non-democratic enemies of the ruling party if they are in opposition and/or support from questionable international groups that might provide sustenance for their aspirations. In addition, there are strong elements of racism and isolationism/introvert attitudes despite strong denials. Many nationalistic parties have fascist-related roots. In this modern era, most borders are simply political constructs and relatively modern; few are natural borders (e.g. major rivers, mountain ranges, deserts, oceans, and seas) lacking transport links and separating widely distinct ethnic, language, and religious groups. Populations have mixed with strong evidence of gene flow (applicable to humans and the natural flora and fauna) over thousands of years. International trade and travel coupled to intermarriage and greater knowledge are steadily bringing the world's nations together whereas nationalism in its strident form seeks to separate and maintain or install borders.

The writings of Deutsch and Orwell were prescient in their identification of the main features of nationalism currently taking place around the world. Based on the comments of Karl W. Deutsch (1912–1992), the Czech political scientist, nationalists are defined as a group of people united in a mistaken view about the past and genetics, and possessing a hatred of their neighbours; they have a mistaken view about the present, too [109]. George Orwell (real name Eric Arthur Blair; 1903–1950) in his 1945 essay "Notes on Nationalism" [121] pointed out that it involves "identifying oneself with a single nation or other unit, placing it beyond good and evil and recognising no other duty than that of advancing its interests". "Patriotism is of its nature defensive… Nationalism, on the other hand, is inseparable from the desire for power". Benefiting from lessons learned in the aftermath of World War II and the rise of the Soviet Union, he noted that nationalism causes dishonesty within people because, he argues, every nationalist, having chosen one side, persuades himself that his side is the strongest, regardless of the arguments against the faction. From that sense of superiority, people then argue for and defend their faction; the slightest slur or criticism from another faction causes them to retort or be violent, since they realise they are serving a larger entity, which provides them with this sense of security, and so they have the obligation to defend it. Such people become susceptible to bias by acknowledging only information that they judge as true, as emotions hinder them in properly addressing facts. Also, Orwell provides three characteristics to describe those who follow nationalistic sentiment: obsession, instability, and indifference to reality. To Orwell's observations, we note specially in the context of the Middle East and North Africa the same ideological extremism extending to religious groupings that are intolerant of those holding different beliefs or opinions. Nationalism and populism should have no place in institutions of higher education other than as subjects of study and analysis. As an aside but with particular resonance to governance in the Arab world, Orwell was the author of the allegorical novella "Animal Farm" and the dystopian novel "Nineteen Eighty-Four". A politically driven concoction of nationalism and religion is demonstrably a powerful synergistic formulation for introversion and aggressive behaviour.

The quest for self-determination, however, can be fully justified where there has been forced assimilation of demonstrably distinct populations and forced existence under authoritarian regimes. In such cases, self-determination must be distinguished from the type of nationalism discussed above. For those countries within autocratic or aggressive regimes seeking self-determination following enforced assimilation, exile, conflict, and suppression from lack of representation and recognition of distinctiveness, the only routes are by sustained rebellion and/or seeking help of the international community. Reference may be needed to the UN, notably to the four 1949 Geneva Conventions, Additional Protocols, and subsequent updates [53]. These comprise a body of public international law designed to provide minimum protection, standards of humane treatment, and fundamental guarantees of respect to individuals (civilians, prisoners of war, armed services personnel) who become victims of armed conflict. Not all nations have ratified the Additional Protocols, and, sad to say, ratification of UN agreements does not necessarily mean adherence or even minimal compliance as is evident in the Middle East and North Africa. Sadly,

the principle in international law of "uti possidetis" (Latin for "as you possess" referring to belligerents being allowed to keep what they have acquired) persists in modern-day geopolitics.

Democracies can be weakened by pressures from non-democratic foreign powers that regard democracy as an existential danger to their own survival. Covert funding of terrorist or extremist groups, fake news inserted into social media and meant to sow discord, use of sympathisers in key administrative and social positions, trade embargos, difficult-to-attribute cyber attacks, and overt military threats are in the armoury of hostile states. Such states can also financially support indigenous military take-overs.

Democratic norms are under pressure nowadays as both the digital tech companies with financial assets bigger than those of many countries, as well as several governments show great reluctance to allow people unrestrained use of the internet. Their aim is to control, and in some instances, exploit the internet and personal data at the expense of those providing the personal data and using the internet. In other instances, censorship is carried out to restrict access to information at odds with the ruling ideology.

There are also tensions between democracy and certain types of capitalism questioning whether they are compatible (see Sect. 1.2.6). Citizens need to have confidence in the fairness of their economic frameworks, and the aspects of capitalism are undoubtedly bringing the whole of capitalism and all its undeniable achievements into disrepute.

Of particular relevance and discomfiture to the Arab world is the compatibility of democracy with various forms of religion. Modernity, enlightenment, human rights, equity between men and women, secularism, and apostasy are regarded as blasphemy and Western imperialism by some radical Jihadi Islamist writers [111] and harsh laws and punishments for apostasy and blasphemy demean Muslim-majority countries. Jihadist insurgencies contaminate several Arab countries in the Middle East and North Africa, with evidence of support from within other Arab and Islamic countries. Nevertheless, intense intolerance is not confined to some branches of Islam but accounts for virtually all of the conflicts in the region. The profound challenge facing the Middle East and North Africa is to achieve a peaceful co-mingling of the mosaics of ethnic, religious, and non-religious groupings within political borders as well as between those borders. Many of the political borders in the Arab world are relatively recent impositions following the collapse of the Ottoman Empire [see pages 25–27 in 16]. What happened in the Arab world with the collapse of the Ottoman Empire was mirrored in the Balkans. Hope springs from the combination of (a) demographic changes and questioning attitudes of the young with their ideals and aspirations in an era of globalisation; (b) access to the worldwide web, and social media; (c) inter-marriage; (d) foreign travel; (e) improved standards and breadth of education, not least in the universities; (f) advances in knowledge around the world; (g) emigration and migration; (g) urbanisation; (i) demands for economic improvement and participation in the global knowledge economy; (j) demands for democratic rights; (k) pressures from influential democratic countries and international organisations; and (l) renewed interest in the achievements of the Arab world during the Islamic

Golden Age when there was a flourishing of economic and social development and scientific thought.

Public gatherings to protest (including demonstrations, marches, rallies, and sit-ins) have become surprisingly common in a wide range of countries, democratic and non-democratic alike. Some would say it was ever thus, and protests are not revolutions but could morph into them if remedial actions are not taken. At this juncture, we do not perceive a single common thread other than the use of social media linking these protest movements, some of which are clearly politically orchestrated whereas others represent a groundswell of opinion to bring about economic and/or political change. There appear to be six themes underpinning these recent protests, many of which are interrelated. (1) A decline in living standards that may seem to be irreversible without changes in economic and other policies, and possibly the government, provide an economic motivation. Protestors contrast their lifestyles with the lifestyles of elites. Widening wealth inequality fuels these protests. (2) Demography has a role because most protests involve the young demanding decent housing and gainful employment. Perhaps such demonstrations are to be expected with population growth and a substantial increase in higher education and thus in the numbers of graduates and postgraduates, a portion of whom are unable to secure employment commensurate with their purported educational attainment, some of which may lack quality and relevance. (3) More mature members of the population can be attracted to some protest causes that are not simply about their declining standards of living (e.g. pollution, climate change, anti-corruption drives, planning regulations, restrictions on free travel, treatment of females, religious practices etc.). (4) Some protestors are driven by a sense of solidarity and even excitement and emotion, perhaps involving copycat actions. Their demands may be unrealistic without economic sacrifice and severe social disruption. (5) Frustration with inflexible, lethargic, complex, outdated, and sometimes corrupt political and legal systems that are unable to address economic, social, and democratic challenges. (6) Fomenting of discord and unrest mainly via social media. Most protests, though, are a societal safety valve and an indication to both politicians and civil servants that changes are needed to avoid serious conflicts; some protests, however, may have sinister non-democratic motives wishing to inflict their minority beliefs on the majority.

More research is needed on attitudes and voting behaviour. The extent to which morality and ethics can be aligned with emotion, and when emotion can trump rationality and reasoning need to be explored. There is widespread interest in de-radicalisation—attempting to counteract violent extremism. Political ideologies and the careers of politicians in both democratic and non-democratic countries are all too often built on lies, duplicity, and mendacity. Such behaviour emphasises the need for independent fact-checking analyses of broadcasts, manifestos, announcements, and policies. A free press, uncensored broadcast media, processes to counter fake news, and open access to the internet are prerequisites to ensure honesty and integrity, especially if accompanied with severe penalties for miscreants. A statement beloved of all proper scientists was reputed to have been said by the economist, John Maynard Keynes (1883–1946) in reply to criticism during the Great Depression of having changed his mind on monetary policy, namely "When my information changes, I

alter my conclusions. What do you do, sir?" (Sometimes paraphrased as "When facts change, I change my mind. What do you do, sir?") [88]. Depressingly, it would appear that in politics and many aspects of life, a substantial proportion of the population would reply that they would stick to their opinions and beliefs regardless.

In summary, democracy is vulnerable to ignorance, coups, revolutions, sharp downturns in the economy, and undemocratic behaviour by those in power or in activist groups. Such behaviour includes manipulating the law so as to affect elections (e.g. excluding candidates); directly interfering with the voting processes; manipulating the composition of the judiciary and politicising the courts; preventing proper functioning of the media; modifying taxation and benefits; manipulating parliamentary/legislature procedures; and permitting corruption to become ingrained (see Sect. 1.4). The concept of values-based meritocracy that should operate in a democracy is being undermined both by parasitical elites and by transactional relationships attitudes of "get as much as you can in exchange for as little as possible"—attitudes that hinder productivity and voluntary actions for the betterment of society. We consider the social expression of meritocracy to be the social, economic, and political influence of a person that arises from their own efforts, talents, dedication, character, and achievements rather than from their personal wealth, family, or other influences. Selection processes for admission to higher education in elite institutions, certain professions, certain senior political positions, and well-paying jobs reveal dynastic characteristics—the selectors are unable or unwilling to distinguish the well prepared from the talented, and rely on influence and contact networks. Another significant danger is creeping excessive cynicism with politicians deemed to be underperforming, liars, hypocrites, and corrupt. Politicians must prove otherwise. Meanwhile, the distinct separation of executive, legislative, and judicial powers must be sustained and not be placed in one pair of hands. Sorry to say, even the most highly regarded democracies can elect fools, nincompoops, incompetents, dullards, and even dangerous individuals into prominent political positions. Fortunately, they can be removed at subsequent elections and replaced by a competent opposition. More insidious is the influence of "political correctness" as well as the political use of "woke" to suppress free speech and robust challenges to orthodoxy. Individuals, institutions, corporations, and organisations have the responsibility to uphold the tenets of democracy.

Finally, nationalism and globalisation are countervailing forces made more complicated by political extremism, religious and cultural intolerance, and conflicts. At the present time, there is widespread cultural resistance to a multi-racial and multi-cultural future. In general, most academics have a predilection towards globalisation and the commonality of humankind. Democracy has the power to transcend differences to deliver peaceful co-existence, even if there has never been a "Golden Age" of democracy as it evolves throughout various societies.

1.2.4   Local and City Government

With a few notable exceptions, cities and associated regions are only able to exercise power within legal frameworks, commonly known as local-government laws created by national or sub-national federal governments such as those in the USA [21]. Local governments may be elected or appointed and are responsible for a range of services. Capital cities often have special responsibilities for hosting the legislature, main offices of the executive, and the main offices of the judiciary. They often host one or more major universities. With regard to interaction with universities, local government often influences planning, utilities, transport, local taxation, feeder schools, and may even provide funding and scholarships. Some political influences on universities may be more subtle for good or ill, but there is no doubt that supportive local government can greatly assist the development of universities, much to the benefit of local socio-economic development.

Local and city government can have more flexibility than national governments to act in cases of social unrest and malcontentment despite the constant drive by autocratic regimes for centralisation of all significant forms of decision-making.

1.2.5   What Arab Governments Should Do in Theory and in Practice

Under ideal circumstances, governments should ensure the well-being, happiness, prosperity, and security of the population. Their legitimacy must come from the voting intentions of the public. They must defend the nation from attacks and hostile acts. In this modern era, they need to set up international security alliances and become members of one of the major trading blocs. In creating and enforcing laws, they must sustain the absolute independence of the judiciary and remember that the police are a civilian force and all people (politicians and ministers included) are equal before law. Governments must respect and obey the law. The administration has to be efficient, fair, and confidential where necessary; civil servants need to be competent and display integrity, and must be paid adequately to avoid corruption by having to seek bribes. In fact, corruption of all types must be a specific priority target of governments (see Sect. 1.4). The press and broadcast media must be free (and allow political cartoons), and free speech, peaceful demonstrations, and right of assembly permitted. Active social safety nets are essential for the poorest and unfortunate in society. Taxation should be straightforward, with care to avoid loopholes and must be fair to all sectors of society. Market abuses should not be tolerated. Lobbying of government and politicians needs to be closely checked. Thus, we recommend that Arab governments should establish openly available lists of lobbyists together with details of the ownership of such firms, list of client organisations and individuals, and records of all meetings (e.g. dinners, receptions, sports events etc.). Some lobbying organisations prefer to describe themselves as public-relations bodies. The talents

of the people should be allowed full expression, and encouragement given to education, lifelong learning, innovation, creativity, and entrepreneurship. A combination of investigator-led and top-down mission-oriented research should be funded, with appropriate quality-control measures. Education at all levels must be upgraded as a matter of urgency, and bad practice and violent intolerance of other opinions eliminated. This means that there must be continual review and upgrading of policies and their associated legislative and regulatory frameworks for higher education generally and universities specifically, avoiding underfunding and excessive interference. The nation's hard infrastructure should be properly maintained and upgraded. Housing developments should provide a social mix so as to prevent ethnic and other ghettos. Gross wealth and other forms of inequality must be constrained. Governments reflect the cultural values and beliefs of a country, but surely these must include tolerance and basic integrity. The central bank should be independent from direct political control, and robust independent civil-society institutions sustained. These ideals are the basis of a values-based liberal democracy (see Sect. 1.2.2). Arab governments patently have much to aspire to, at the same time they address climate-change impacts; the security of water, food, and energy supplies; food safety; poverty; and multiple health issues (see Sect. 1.7).

Recognition has to be given to the challenges faced by many Arab governments of having to deal with (a) a combination of weak public finances, services, and currency; (b) poverty alongside gross inequality; (c) disparate potentially violent factions of socially incompatible beliefs and opinions; (d) outdated education systems with low per-person education spend by government giving rise to a poorly educated workforce; (e) poor hard and soft infrastructures; (f) broken highly inefficient bureaucracy; (g) unpredictable and lethargic legal systems; (h) difficulty in conducting business and gaining access to cross-border trading; (i) unrealistic currency pegs and unaffordable market-distorting subsidies; (j) lack of foreign direct investment that correlates with inadequate structural reforms; (k) and a failure to abide by the obligations of membership of the UN and the associated basic human rights (Table 1.2). Certain Arab countries are much better governed than is generally acknowledged given their onerous operating constraints, making valiant attempts to improve the lives of their citizens. Nonetheless, countries in the Arab Middle East and North Africa are democratically deficient, and the apparently more stable ones have to manage a strong undercurrent of malcontentment, quelled by generous public-sector subsidies (in other words: bribes) mainly arising from oil and gas revenues. Together, the Arab countries comprise a cauldron of unstable corrupt sectarian intolerant forces where theocratic matters can override secular modern normality and where foreign actors have previously and continue to shape their destiny causing social disruption without providing adequate resources to restore peaceful conditions and the prospects of prosperity. As a first step, Arab governments could save significant amounts of money if they had an efficient, cost-effective civil and public service as opposed to their bloated public-sector sinecure to maintain loyalty and offering employment to its citizens even if it fails to address productivity and wealth creation and needs the input of foreign workers [154]. In adjusting to the US dollar's dominance in trade invoicing, the US Federal Reserve's alteration of interest rates to suit US needs, and

the blacklisting of certain banks and financial institutions means that Arab Central Banks (reserve banks or monetary authorities) have only limited room to tighten or relax financial conditions to aid national economies. Further pressures are beginning to act on the Arab world. New internationally agreed financial arrangements are needed now that in the developed world there is a breakdown in the relationship between lower unemployment and higher inflation. Inflation rates, hence interest rates, are unusually low, yet savings accumulate and there is a dearth of relatively secure widespread investments. Governments have the fiscal tools to tax, spend, and borrow. Central banks set monetary policy and have historically modified interest rates to control inflation and provide an economic stimulus. In an era of low interest rates and the need to combat recession and support demand, some central banks have embarked on quantitative easing (buying bonds), a remarkable step that was initially described as a temporary step but appears to have a degree of permanence. Central banks in the developed world may need their own range of fiscal tools to simulate flagging economies; as a consequence, the relationships between governments and central banks will need to be reconfigured. Governments and central banks in the Arab world will inevitably be affected. Corruption and financial turbulence test the social stability of all societies, sometimes to breaking point, and none more so than in the Arab world as the energy and vision of the Arab Spring have not been quelled or addressed. That is why emphasis on high-quality education, demonstrable fiscal fairness, transparency, effective anti-corruption drives, democratic principles, and tackling hate speech and any related aggressive actions are of paramount importance for all Arab governments. For numerous reasons, Arab governments have not fully engaged with the international democratic community and formed strong alliances with it. It would be wise to change course while recognising that the autocratic to democratic transition will be difficult and requires fresh thinking and fresh political leaders. As we noted hitherto [83], there is a moral obligation on several countries that have directly and indirectly profoundly modified the societies and borders of the Arab world to give direct humanitarian and development aid to Arab countries because we fear that the scale of the challenges that have to be faced are far too onerous for them to address.

With respect to R&D, the primary source should be well-run universities and research institutes, and they should be appropriately funded subject to independent quality-assurance and relevance assessments. Responsible governments, though, should have mechanisms to identify and conduct R&D projects that are national priorities. Thus, national foresight, horizon-scanning, trend impact analyses, and strengths, weaknesses, opportunities, and threats (SWOT) exercises should be the norm, interacting with the university and industrial sectors [83]. Specific research institutes may have to be formed, preferably in association with universities on their technology and business parks. In a period of limited resources, some institutions may be selected for special development (fast tracked).

Arab governments have much to learn from other countries in devising evidence-based policy. No country is wholly successful in this regard simply because political realities, activist groups, and perceptions override clinical analysis of facts and logical conclusions (e.g. market deployment of genetic-modification technology) but

the G20 group seems to be the most proficient group of nations. Even so, research released in September 2019 reveals data gaps that could be preventing the G20 countries from designing effective policies to tackle critical global challenges. The Evidence Initiative [65], a project of The Economist Group and The Pew Charitable Trusts, released a first-of-its kind "Evidence Map", an interactive tool that tracks the availability and characteristics of publicly available policy-relevant data in the G20 countries. The Map assesses data across five policy domains that are central to the future of the G20 nations: ageing and retirement; digital inclusion; disaster risk; financial inclusion; and youth unemployment. Within these domains, the Map analyses the availability, accessibility, and core characteristics of expert-defined policy indicators at the international, national, and sub-national levels. Arab countries need similar datasets. To this initiative, we recommend governments to facilitate their policy-making with "horizon-scanning", foresight, and cost/benefit appraisals using independent expert groups, drawing on international expertise if need be.

Arab countries should also consider the basic conditions candidate countries must satisfy to become a member country of the European Union, namely the accession or Copenhagen Criteria [108]. These are (a) political criteria: stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities; (b) economic criteria: a functioning market economy and the capacity to cope with competition and market forces; and (c) administrative and institutional capacity to effectively implement the acquis and ability to take on the obligations of membership. The criteria require that a state has the institutions to preserve democratic governance and human rights, has a functioning market economy, and accepts the obligations and intent of the EU. An Arab Union akin in terms of quality and transparency to the European Union (related in some respects to an Arab civilisation) would be a prize worth having; in any case, all countries need to be in one of the powerful international trading blocs.

Fundamentally, governments should base their policies on Adam Smith's values of an "ethically based liberal democratic system" and "moral commitment to the well-being of our communities" [20].

Failure to abide by a rules-based international order, and to respect and reciprocate the human-rights agenda, gender equality, religious freedom, and freedom of expression seen to operate in all but dictator-led nations, will continue to isolate much of the Arab world from growing prosperity and a better life for those living in the region. Some of the behaviour patterns seen as acceptable in the Arab world would be regarded unequivocally as criminal elsewhere. Alignment with a government system that is essentially a dictatorship, theocratic or otherwise, might provide some degree of warped justification but is surely doomed in the medium to long term. The future resides with the young and they usually show great tolerance, a willingness to question orthodoxy and learn, and recognise fairness and justice, even at a very young age. Much as they may dislike the publicity, Arab governments are judged by the friends they keep and the people they decide to host; some Arab governments protect reprehensible former dictators and leaders that should be placed before the courts in their own countries or before the International Criminal Court in The Hague.

Given the precarious position of Arab countries with respect to the implications of global climate change, Arab governments should declare openly their climate vulnerabilities, just as throughout the world, companies, governments, and institutions should be made to declare their vulnerabilities, thereby enabling shaping policy, investment and R&D decisions. In a previous account [12], we discussed approaches to the central issue of what Arab governments should do about food security in insecure times.

All countries, not least the Arab nations, must account for the type of economic system they adopt, and be clear as to their approach to trade and commerce because all three are critical factors determining the fate of a nation. As noted above, some Arab countries are actively improving their societies and quality of governance, despite the challenges they face, and offer hope to their neighbours but possibly a threat to highly authoritarian countries.

1.2.6 National Economies

According to Intelligent Economist [22], national economies can be classified into four categories: traditional, command, free market, and mixed. They can be described in greater detail as follows:

A. *Traditional*

Vast portions of the developing world still function with a traditional relatively simple economic system. These areas are mainly rural, often described as second- or third-world, and closely tied to the land, usually through farming and ancillary activities. In general, a production surplus would be rare. These societies tend to be close-knit and lack access to advanced technologies, advanced medicine, and capital. The standard of living is poor. Modern communication systems and the quest by foreign companies and governments for natural resources (including agricultural land) and cheap labour for manufacturing are rapidly modifying traditional economic structures.

B. *Command*

In command economies, most of the economic system is controlled by a centralised group and is fundamental to the communist philosophy. The government is usually involved in virtually all aspects of economic life from planning to the redistribution of resources. Under normal stable circumstances, such economies are capable of generating adequate supplies of resources. This capability reflects the fact that the government usually owns all the critical industries and their assets (e.g. utilities, transport, farming land), and is the main employer. It is theoretically possible for command-economy governments to create enough jobs and provide goods and services at an affordable rate. In reality, most command economies tend to focus on the most valuable resources such as oil and gas. Two advantages of command economic systems are: (i) if executed efficiently, the government can mobilise resources on a massive scale; (ii) the government can focus on its version of the good of society rather

than on individuals. Two disadvantages of command economic systems are: (i) it is extremely difficult for central planners to provide for everyone's needs, forcing the government to ration because it cannot calculate demand since it sets prices; (ii) there is a general lack of innovation because there is no need to take any risk and workers are forced to accept jobs the government deems fit. Establishing new businesses and enterprises is difficult as is addressing the needs of ambitious people.

C. *Free Market*

A true free-market economy is a capitalist economy underpinned by non-state ownership of property (assets) that can be used to raise capital. Businesses, households, and individuals theoretically act solely in self-interest to determine and shape how resources are allocated, what goods get produced, and who buys the goods. There is no government intervention in a pure-market economy (laissez-faire). No truly free-market economy exists in the world. In this type of economy, there would be clear separation of the government and the market, thereby preventing the government from becoming too powerful but keeping its interests aligned with those of the market. Three advantages of a true free-market economy are: (i) consumers pay the highest price they want to, businesses only produce profitable goods and services, and there are incentives for entrepreneurship; (ii) competition for resources leads to the most efficient use of the factors of production since businesses are competitive; and (iii) businesses must invest heavily in research and development to remain competitive, thus there is an incentive for constant innovation as companies compete to provide better products for consumers. Two disadvantages of a true free-market economy are: (i) the fiercely competitive nature of the market could mean that businesses will not focus on societal benefit leading to higher inequality of wealth, income, and respect as well as market failure in some essential products and services; (ii) as the market is driven solely by self-interest, economic needs have priority over social and human needs, and consumers can be exploited by monopolies and other market manipulations.

D. *Mixed*

A mixed economy is a cross between a market economy and command economy. In the most common types of mixed economies, the market is more or less free of government ownership except for a few key areas, for example, various forms of transportation networks, certain utilities, or sensitive industries like defence. The government is usually involved in the regulation of private businesses. To varying extents, most countries have a mixed-economic system. Four advantages of mixed economies are: (i) there is less government intervention than a command economy and private businesses can flourish and run more efficiently than a government entity; (ii) the government can intervene to correct market failures, break up large companies if they abuse monopoly power, and tax harmful products and processes to reduce a negative externality of consumption; (iii) governments can create safety-net programmes, for example, healthcare, pensions, social security and so on; and (iv) governments can use taxation policies to redistribute income and reduce inequality, and invest in education and R&D (see discussion on the New Growth theory in Sect. 1.1). Two

disadvantages of mixed economies are: (i) sometimes there is too much government intervention, and other times there is not enough; (ii) state-run industries are often heavily subsidised by the government, run into large debts because they are uncompetitive, jeopardise the creation of more efficient businesses, and employ people who could have a better socio-economic role in other forms of employment although their remuneration packages could be lowered.

In general, therefore, the term mixed market mentioned above also refers to the operation of the market economy in much of the developed world. A market economy is an economic system in which economic decisions and the pricing of goods and services are guided by the interactions of individual citizens and businesses [81]. There will invariably be some government interventions and a degree of central planning, but usually the term refers to an economy that is mostly market-oriented. Thus, most economic decision-making is done through voluntary transactions according to the laws of supply and demand. Entrepreneurs and businesses are free to control and co-ordinate productive resources in order to pursue profit by creating outputs that are more valuable than the inputs they use up, and free to fail and go out of business if they do not. Economists broadly agree that more market-oriented economies produce better economic and social outcomes, but differ on the precise balance between markets and central planning that is best to provide stability, equity, and long-term benefits. Every economy in the modern world falls somewhere along a continuum running from pure market to fully planned. Most developed nations are often said to have market economies because they allow market forces to drive the vast majority of activities, typically engaging in government intervention only to the extent it is needed to provide stability. Government interventions include price fixing, licensing, quotas, industrial subsidies, import tariffs, quality standards, and so on. Most market economies feature government production of certain public goods, often as a government monopoly or with regulators overseeing private-sector providers.

At the heart of capitalist socio-economic system and affecting the functioning of governments and the processes of governance is the ownership of property (see above). Complex legal systems have evolved to deal money, trade, debt, bankruptcy, theft, moveable and immovable (real estate) assets, intellectual and intangible property, title, freehold, ownership of other life forms, inheritance, eviction, foreclosure, abandonment, appurtenance, bailment, chattel, escheat, trespass, corporate and structured ownership, liabilities, realisation of economic benefits, *cuius est solum ejus est usque ad caelum* (whose is the soil, his it is even to the skies and to the depths below), certain types of taxation systems, and so on. Societies lacking personal ownership of property or with limited rights are invariably impoverished societies. Democracies respect ownership of property.

Many economists and philosophers have commented on the juxtaposition of capitalism and democracy and whether or not they are compatible [147]. Karl Marx (1818–1883) is noted for his writings about class struggle, conflict between the bourgeoisie and the proletariat, and the eventual self-destruction of capitalism [147]. Friedrich Hayek (1899–1992) was a strong defender of classical liberalism, eschewed socialism, criticised collectivism, was a philosopher of science in its widest sense (much of science involves the explanation of complex multi-variable and nonlinear

variables, akin to the social sciences), but he worried about the consequences of over-centralised economic decision-making [102]. Thomas Piketty (born 1971) writes about the concentration of wealth and increasing wealth inequality; he has stated that capitalism will always create inequality, the rate of return on capital outstrips the rate of growth, and that inherited wealth will always grow faster than earned wealth [59A, B]. He advocates a redistribution of wealth through a progressive global wealth tax. Many others have stated various reasons for the possible decline of capitalism. Dani Rodrik, the Turkish-born economist, points out that participation in the global economy comes with risks as degrees of sovereignty will be relinquished that may make meeting domestic needs more difficult [103]. Tensions arise with the spread of standardised domestic and institutional norms, the growing gaps between countries with skills and capital and those without, the differential within countries between the highly skilled and professionals and the less skilled and unskilled, and those free-market activities posing a threat to social stability.

Despite negative views and concerns about the compatibility of democracy and capitalism, the undeniable fact is that the club of rich democracies has a remarkably stable membership [147]. Since the start of the industrialised era, no advanced capitalist democracy has fallen out of its ranks or regressed permanently into authoritarianism. According to Iversen and Soskice [77], capitalism and democracy can be mutually supportive with three stabilising pillars: (a) strong governments able to constrain large companies and labour unions, in so doing, reap the benefit of competitive markets; (b) sizeable middle class that shares in the prosperity generated by the capitalist economy that can offer good-value higher education, and policies that develop dynamic new businesses employing well-educated skilled workers; and (c) large firms are not especially mobile, even as globalisation expands, so long as they have connections to networks of skilled individuals, and provide a degree of sovereignty to governments. Clearly, based on such reasoning, to retain the linkage between capitalism and democracy, large companies and the middle classes need to have confidence in the competence of the government and its economic policies. Other factors to bear in mind are the effects of demographic changes, unacceptable levels of inequality, abuse of the capitalist system to allow rent-seeking behaviour and monopolies to be created, transformative technologies adversely affecting employment, and political upheaval. Fortunately, power is diffuse in democracies, and most established democracies have long-established independent institutions that vigorously defend their arms-length separation from government. Nonetheless, in our view there are many unacceptable aspects of capitalism that urgently need to be reined in (Table 1.4) [84].

Some might be attracted by the socio-economic model of modern-day China, the world's most populous country. In recent years, it embraced market economics while remaining a one-part socialist republic, enabling it to enjoy a fast-growing economy leading to a much-needed massive decline in poverty alongside major expansion of the middle classes and manufacturing successes. Its population supports the government. As the world's first civilisation, China has an unrivalled history of invention and discovery, and has a demonstrably talented population. Democratically minded people, however, would point out China's present condition is relatively recent and it

Table 1.4 Aspects of western liberal meritocratic capitalism that bring democracy into disrepute as well as cause concern to innovators and entrepreneurs; these undesirable features also occur in non-democratic countries. Table modified from Table 1 in Ref. [100]

• Financialisation of economies causing short-termism and misallocation of resources that constrain innovation and entrepreneurship
• Economic-expropriating rent-seeking behaviour, including unjustified high interest rates, multiple transaction costs when financial companies merge or are taken over, failure to pass on efficiency gains to consumers, etc.
• Actions are needed to be taken by governments to address why many of the major financial companies and banks are still considered "too big to fail" and their executives "too big to jail" following major financial crises that diminished the wealth of their clients. Virtually all their executives did not create wealth per se but were appointed to their positions mainly through contact networks rather than through demonstrable merit
• Reckless and greedy company managements that take over companies and then build up debt but extract massive personal rewards and imperil futures of their staff, pensioners, and the company. They fail to recognise they are employees. The role of self-serving, closed-circle remuneration committees, and their tendency to ignore shareholder calls for salary and bonus constraints on board executives
• Low levels of investments in innovation from profits made by most companies should be exposed. Company directors and officers should have a fiduciary duty to safeguard the interests of the company and its shareholders. Excessive corporate debt, encouraged by super-low interest rates, is approaching levels that would lead to failure to meet repayment obligations
• Remarkably narrow range of appointees (elites) to company boards with their interconnected social contacts
• Low levels of investments in innovation from profits made by most companies
• Manufacturing companies dominated by lawyers and accountants lacking knowledge of their markets, new technologies, and how to adapt to profound change, and seek new opportunities
• Manufacturing companies dominated by lawyers and accountants lacking knowledge of their markets, new technologies, and how to adapt to profound change, and seek new opportunities
• Failure of accountants, regulators, non-executive directors, and major shareholders to control rogue or reckless company executives, as well as allow questionable accounting practises
• Company mergers and acquisitions designed to close down competitors and carry out asset stripping
• The complexities of being a listed company and the behaviour of stock markets and associated analysts to focus on short-term profit targets rather than long-term prosperity, making it more attractive to delist and become a wholly private enterprise
• Covenant-light corporate loans
• Vulnerabilities of high-frequency algorithm-driven share trading and shorting (short selling) and financial robotisation and excessive dependence on cloud computing for operating businesses maintaining records is leading to hyper-dependency on the security, programming robustness, and uninterrupted operation of a narrow range of servers
• Abuse of IP by wealthy companies flouting patents by endless litigation, thereby imperilling entrepreneurial initiatives and small companies
• Tax avoidance by abuse of IP and licences to transfer profits to low-tax countries or tax havens

Table 1.4 (continued)

- Tax havens and legal and accountancy firms involved in complex tax-avoidance strategies morally tantamount to tax evasion
- Overly complex taxation systems that underpin expensive expert accountants and lawyers to minimise tax payments
- No-compensation failures of the credit-rating agencies
- Vulnerabilities arising from the return of sub-prime mortgages, collateralised debt and loan obligations, and 100% mortgages
- Foreign-exchange rate rigging
- Shadow banking by non-banks
- Dubiety of the competencies of those central banks in dealing with (a) fiat currencies; (b) bubbles of public- and private-sector debt; (c) regulating complex derivatives; and (d) dealing with quantitative easing
- Replacement of the London Interbank Offer Rate (LIBOR) and potential global financial instability and disconnection between the assets and liabilities of the major banks
- Online fraud and cyber attacks
- Unfair trading practices, trade wars through tariff impositions, and overtly protectionist policies
- Roles of the major government-related entities (the sovereign wealth funds) that deal with government-related investments (e.g. public-sector pension funds, foreign-exchange reserves, natural-resource-related assets etc.). They shape and abuse markets by affecting valuations, liquidity, governance, and access to capital
- Undesirable features of public-relations firms and lobbying organisations (often employing former politicians and senior civil servants from narrow social groups) acting on behalf of undemocratic, environment-damaging, or tax-avoiding actors, and their failure of these companies to list their clients and business interests
- Abuse of the concept of meritocracy by wealthy and influential elites to benefit from hidden privileges (e.g. appointments to key positions, entry to elite educational institutions, awards, etc.)
- Ultimately, political failure to constrain corporate conduct by implementing a combination of tough regulation, encouragement of competition, and effective litigation. Lobbying, enforced arbitration, inadequate fines, overly powerful executives, and complicit shareholders need to be specifically addressed

maintains difficult-to-accept policies on intellectual property; foreign-competition-destroying industrial subsidies; restricted market access to foreign companies; forced transfer of foreign technology and sensitive data to Chinese firms and the Chinese government as a price to enter the Chinese market; the tight political links of Chinese firms; the equity-for-loans system used in international dealings; the tendency for Chinese forms declaring force majeure to get out of international contracts thereby affecting supply-chain security; massive expansion of the Chinese military forces and the sophistication of their materiel; China's behaviour in the South China Sea not only in constructing military bases but also the activities of the Chinese Maritime Militia masquerading as conventional fishing fleets but involved in surveillance and coercive incidents; various territorial disputes with neighbouring countries; policies

on Tibet, Xinjiang, and Taiwan; poor human-rights and civil-rights records; suppression of protests and demonstrations; mass surveillance of its population; pressures and promises made to its client countries to support China in voting at the UN; and stealing trade and military secrets. Like other non-democratic countries, autocratic China is dependent on democratic countries for importing its goods, services, and natural resources, as well as periods of financial aid, and more recently importing expensive advanced manufactured goods and complex services. The behaviour of the Chinese government and its governance policies contrasts so sharply with the incredible abilities and attitudes of the Chinese people, as we know from our interactions with Chinese students and colleagues. While governments may clash, there is every reason for the people of every country to meet one another and engage in social discourse, learn about and enjoy cultural differences, and advance knowledge and understanding. Academics have a special role in facilitating dialogue, advancing scholarship and research, and transcending discord (see Sect. 1.3.2).

Some non-democratic countries receiving aid are known to interfere in other non-democratic countries to suppress democracy using resources best directed to the needs of their own populations. As an aside, other common features of autocratic countries include (a) the extraordinary sensitivity of their leaderships to criticism and ridicule; (b) the persistence of grossly outmoded lèse majesté laws; (c) support for rogue and non-democratic corrupt regimes in other countries; (d) suppression of free speech; and (e) excessive involvement of the armed forces in the national economy. Social cohesion and democratic principles can come from speaking truth to power, rather than stopping freedom of expression and replacing it with propaganda, secrecy, and detention.

Positivity about the need to implement proper democratic changes is demonstrated not only by the original Arab Spring uprisings, but also by protests in Hong Kong and Moscow. The political trajectory of Taiwan also attests to the attraction to demonstrably talented people of democratic values as well as the cowardice of many client countries of China bowing to Chinese political power by not recognising to Taiwan as a sovereign nation meantime and preventing it from participating fully in international bodies such as the World Health Organisation and the World Health Assembly. When China and Taiwan come together in whatever organisational structure, peacefully and democratically with good governance, the combined entity would be a formidable force for global good. Riots and protests recently occurring in Bangladesh, Indonesia, Iraq, Lebanon, Northern Mali, and Sudan highlight the quest for democracy in Islamic countries. Autocracy in these countries invariably leads to the invisible and insidious force of self-censorship in all forms of journalism so as to suppress the spread of malcontentment.

In a recent book, Branko Milanovic, former lead economist of the World Bank, notes that for the first time in human history, capitalism is the dominant economic system (Thomas Piketty 142]. In reviewing the taxonomy and evolution of capitalism, from classical capitalism before World War I, to the socio-democratic capitalism of the mid-twentieth century, to the current western liberal meritocratic capitalism, he argues that capitalism has triumphed because it delivers prosperity and gratifies human desires for autonomy. Yet in its present form it comes with a moral price of

regarding material success as the ultimate goal and offers no guarantee of stability. Western liberal capitalism is weakened by political and financial dysfunctionality giving rise to tolerance of inequality and capitalist excess. In the USA (and in our view in Europe as well), intergenerational economic mobility is declining, political and lobbying spending has massively increased, and politicians (and we note senior civil servants in Europe) seamlessly transfer from government positions into well-paid jobs in the private sector. There has been an erosion of liberal values under western liberal meritocratic capitalism. Flagrant tax-avoidance, particularly by well-connected large companies and influential individuals, seems to be tolerated by governments (see Sect. 1.4). The term "meritocratic" applied by Branko Milanovic does not seem to be enacted according to our definition of the term (see Sect. 1.2.3). That model now competes with the illiberal market-economy model of what he terms as political capitalism of autocratic governments with China as the exemplar. Political capitalism (autocratic state capitalism) seems to be more efficient to date at promoting economic growth, but is much more vulnerable to corruption and social unrest when growth is slow. As for the economic problems of the Global South, Milanovic proposes a plan for large-scale migration that is surely likely to provoke populist and nationalist back-reactions. Looking to the future, he dismisses those who proclaim a single outcome to be inevitable (such as worldwide prosperity or robot-driven mass unemployment). In our view, present-day capitalism must have moderating values such as integrity, honesty, treating fellow citizens fairly, and addressing its excesses such as growing inequality and other aspects of capitalism that bring western liberal meritocratic democracy into disrepute (Table 1.4). In essence, it distils down to a matter of values, notably the full panoply of human rights (see Sect. 1.5), prevention of excessive inequality, freedom of expression and travel, access to the internet, honesty, and truth. Put simply, inequality grows in a modern economy when there is a failure of market competitiveness allowing monopolies and rent-seeking behaviour to thrive, aided by relentless lobbyists, public-relations firms, and aggressive legal advisors. The failure of market competitiveness results from regulatory (antitrust) failure by government because when competition and innovation work properly, profits are under constant threat from competitors, leading to new products and processes as well as efficiency and productivity gains. The treaty-based international corporate-taxation system that was introduced around a century ago is in desperate need of revision. With the aid of sophisticated lawyers and accountants, multinational corporations have gamed the system by a combination of protecting their profits in offshore or intranational tax havens paying little or zero taxes, engaged in cross-border transactions through their subsidiaries as if they were unrelated, and avoided paying taxes in countries where they earn money.

An interesting facet of economic development is a steady weakening since the 1970s of the relationship between energy usage and national gross domestic product data. This is a manifestation of innovation, creativity, and entrepreneurship that gave birth to the present-day global knowledge-dependent economy. Nevertheless, special-interest groups and government subsidies will try to preserve the role of fossil fuels irrespective of global warming and other environmental and health problems they cause.

In summary, the economies of nations change over time but the trend is towards a mixed economy with greater emphasis on a free-market democratic component so as to benefit from competition, innovation, and entrepreneurship alongside full participation in the global economy, preferably as a member of one of the large international trading blocs. Those economies, commonly described as free markets, are actually mixed-market economies because of the existence of basic frameworks of government interventions to ensure high standards and prevent market failure and abuse. Free-market economies are dependent on international rules-based trading, organisational transparency, and honesty (see Sect. 1.2.7). More profoundly and expanding a sentence in Sect. 1.2.5, societal cultural values and basic beliefs in integrity, tolerance, and eliminating corruption shape the type of government and its economic path that, in turn, shape society. Ethnic cleansing, genocides, mass immigration, enforced emigration, the mass rise of populism, nationalism, and religious fervour all have dramatically deleterious effects on societies, economies, and the types of government that arise, often to the concern of neighbouring countries. Societal and government values and beliefs are patently proving too difficult to change quickly and peacefully in the Arab world, but change is inevitable. After all, authorities with any political nous will be mindful of the Latin quotation *felicitas multos habet amicos* (prosperity has many friends) from which we deduce poverty has even more enemies.

Finally, post-COVID-19 pandemic period will be difficult for countries to rebuild their taxation bases and restore economic normality. Various taxes will need to rise at local and national levels (e.g. earned income, unearned income (capital gains, dividends, gifts), inheritance, land, buildings, pollution including carbon taxes, financial transactions, alcohol and tobacco, vehicles, excess and windfall profits, sales and value-added tax, tariffs on cross-border goods, possibly consumption of natural resources etc.). The pandemic has exposed those organisations that have incurred substantial debt (leverage, gearing) rather than raise fresh equity, a process aided by those governments that allow interest payments to be tax deductible; it is a loophole that should be closed.

1.2.7 Trade and Commerce

The Arab world was long noted for its prowess in trade. Trade determines the wealth and importance of a nation. It reflects intercommunications and transactions between humans, beginning in prehistory and now comprising a complex network of companies (some controlled by governments) and supply chains offering products and services to other companies and individuals nationally and internationally [118]. The exchanges take place in the so-called "market". Markets can be local, national, regional, or international; they can be general or specialised; physical or online; other factors shaping markets can be transport costs, product characteristics, regional preferences of purchasers, and so on [123]. Specialised markets in the selling of stocks and shares, complex financial derivatives, insurance, and so on have long taken

advantage of electronic-trading systems that are being extended over the internet (e-commerce) for virtually all other goods. Highly complex and sophisticated supply chains have arisen. Many products have a high cross-elasticity of demand in that they can be substituted for one another. Analysts of competitiveness and market dynamics consider structural considerations, such as the numbers of buyers and sellers in a transaction, thus "perfect competition" consists of many sellers and many buyers; "oligopoly" consists of few sellers but many buyers; "oligopsony" consists of many sellers but few buyers; "bilateral oligopoly" consists of few sellers and few buyers; "duopsony" consists of two sellers but many buyers; "monopoly" consists of one seller and many buyers; and "bilateral monopoly" consists of one buyer and one seller. The Arab world possesses all these market types. There are many market classifications that involve labour, foreign exchange, capital, commodity, futures and so on, all with a tendency towards greater complexity.

Commerce is usually defined as the exchange of goods and services, usually on a large scale [92]. It includes legal, economic, political, social, cultural, religious, and technological systems operating within and between countries. It is therefore integral with trade, markets, economic and social development, and should be a primary factor in formulating and enacting governmental policies.

The World Trade Organisation (WTO) [107, 144] is the only global international organisation dealing with the rules of trade between nations; even so, it is under threat. The Organisation evolved from the General Agreement on Tariffs and Trade in 1995, in particular the Doha Round of Trade Talks that were scuppered by protectionist subsidies to agricultural sectors in the European Union and USA with those countries deliberately excluding competition from developing countries and impeding their ability to develop their economies. Central to the operation of the WTO are its numerous agreements, negotiated and signed by the bulk of the world's trading nations and ratified in their parliaments. The goal is to help producers of goods and services, exporters, and importers conduct their business efficiently and effectively. It provides a forum for negotiating agreements aimed at reducing obstacles to international trade and ensuring a "level-playing field" for all, thus contributing to economic growth and development. It also provides a legal and institutional framework for the implementation and monitoring of these agreements, as well as for settling disputes arising from their interpretation and application. The current body of trade agreements comprising the WTO consists of 16 different multilateral agreements to which all WTO members are parties, and two different plurilateral agreements to which only some WTO members are parties. In brief, the eight main roles of the WTO are as follows:

(i)   negotiating the reduction or elimination of obstacles to trade (import tariffs, other barriers to trade) and agreeing on rules governing the conduct of international trade (e.g. antidumping, subsidies, product standards, etc.);

(ii)   administering and monitoring the application of the WTO's agreed rules for trade in goods, trade in services, and trade-related intellectual property rights;

(iii)   monitoring and reviewing the trade policies of its members, as well as ensuring transparency of regional and bilateral trade agreements;

(iv)   settling disputes among its members regarding the interpretation and application of the agreements;

(v)   building the capacity of government officials in developing countries in international trade matters;

(vi)   assisting the process of accession of some 30 countries who are not yet WTO members;

(vii)   conducting economic research and collecting and disseminating trade data in support of the WTO's other main activities;

(viii) explaining to and educating the public about the WTO, its mission, and its activities.

These roles are onerous and demand diplomatic skills of the highest levels. Certain countries try to take advantage of existing rules and attempt unilateral interpretation of the rules despite the fact that nearly every argument in favour of some kind of protectionist trade barrier is not supported on economic grounds. It is true that trade agreements between governments are not proper free-trade agreements but simply managed-trade agreements. If the WTO is unable to function properly, acting as a fair referee in negotiations and disputes, then the world will become more fractious and unstable.

Trade barriers of various kinds persist for various reasons (and they are rife in the Arab world) but mainly for protectionist purposes based on mercantilist attitudes (aimed at achieving a positive balance of trade) despite impeding economic progress and damaging to the very countries that impose them [13, 45, 115]. The main categories of trade barriers are physical, cultural, tariffs, non-tariff non-subsidy, and non-tariff subsidy (Table 1.5). Sometimes reciprocity is cited as a reason for trade barriers as well as a need for short-term measures to get certain industries established. The principle of reciprocity does have merit if trade and social behaviour are grossly out of kilter but the power of super-states and trading blocs means that they can impose imbalanced terms and interactions. Subsidies [105] can be disguised; tariffs can be applied at short notice for political reasons; bilateral agreements are made in preference to more complex multilateral agreements; the major trading blocs can act semi-independently; subsidised goods can be dumped leading to the closure of manufacturing in recipient countries; phytosanitary, licensing, and product-standards conditions manipulated and abused to prohibit imports; production cartels can be formed to retard production so as to raise prices; as well as trade embargoes and export blocks are applied for political advantage. Actions to prevent the spread of epidemics and pandemics, zoonoses, harmful alien species, and pests and diseases affecting agriculture as well as the natural flora and fauna require oversight by international agencies not forgetting the WTO. It is not only the current coronavirus pandemic that the WTO faces enormous challenges to sustain a functioning international trading framework. Free-trade areas, customs unions, and free ports can help circumvent trade barriers. More to the point, the risks of single or dominant supply chains developed in globalised trading systems have been laid bare by the coronavirus pandemic, emphasising the need for domestic suppliers and manufacturers.

Table 1.5 Trade barriers

Single countries, regions, and international trading blocs can apply various kinds of trade barriers, mainly but not exclusively for protectionist purposes

- Physical, e.g. distance and cost of transport and storage

- Tariffs (tax on imported goods), e.g. (a) to protect certain uncompetitive industries, especially their employees; (b) for defence and security reasons; (c) retaliatory tariffs in response to those operating in exporting countries. Tariffs can be on an ad valorem basis (according to value) with the tariff based on a percentage of that good's value

- Non-tariff non-subsidy barriers, another form of protectionism: (a) import licences giving authority to import but can be used to discriminate against goods and services; (b) regulatory-based barriers that dictate how a product can be manufactured, handles, or advertised; (c) rules of origin to provide proof of where goods and their components are manufactured or sourced; (d) export licences can be withheld for defence-sensitive items, or to retain important intellectual property, or those perceived to give economic advantage, such as rare earths and certain metals; (e) import quotas set physical limits on the quantity of goods that can be imported in a given period; (f) local-content requirements constrain imports and are used especially for vehicles and aircraft; (g) voluntary export restraints, also called export visas, are aimed at restricting the quantity of specified goods that can be exported to specified countries over a specified period; (h) embargoes are economic sanctions comprising commercial and financial penalties applied by one or more countries against another country, institution, group, or individual for various reasons that may be political, military, social, legal, or criminal in nature; (i) contrived trade restriction to prevent import of goods that may simply be simple protectionism of indigenous industries but could be argued to be safeguarding consumers from inferior or unsafe or even dangerous products; (j) sanitary and phytosanitary trade restrictions to prevent the spread of pests, diseases, and alien species from importing plants, animals, microbes, and food and non-food products; (k) currency devaluations in fixed-exchange-rate systems occurs when the government sets a lower exchange rate relative to other currencies often to address economic problems such as a balance-of-payments or speculation issues so that imports are dearer but this is more difficult to achieve in floating-rate systems without market manipulation—this trade barrier is related to "beggar-thy-neighbour" policies aimed to damage the economic problems of other countries, and "currency wars" that are competitive devaluations to seek to gain trade advantages whereas currency debasement is no longer an issue now that all the major currencies are fiat currencies not based on commodity values; (l) other financial measures to regulate imports by controlling access to foreign exchange, demanding advance payments for customs duties, etc.; (m) technical barriers regulating the content of products, the process by which they are made, labelling etc.; (n) pre-shipment inspections and other formalities required before importing goods; (o) distribution constraints limiting imports to certain areas or places meeting specified conditions; (p) specific government procurement restrictions usually to aid domestic producers; (q) excessively slow court processes and dispute-resolution processes—justice delayed can be justice denied; ® excessively complex rules and regulations

- Non-tariff subsidy barriers (WTO categories are cash, tax concessions, assumption of risk, i.e. insurance, government procurement policies, purchase of company stock); (a) production and export subsidies with the aim of increasing output, offsetting losses, and increasing competitiveness—seen in extremis in the agricultural subsidies of the EU and USA whose exports can undermine domestic production in the recipient countries; (b) consumer and consumption subsidies affecting consumer behaviour seen especially in developing economies with food and energy supports; (c) employment subsidies; (d) tax subsidies and tax breaks; (e) transport and vehicle-upgrade subsidies; (f) fossil-fuel subsidies; (g) housing subsidies

It took over 19 years of negotiation for Russia to join the WTO in 2005, and over 15 years for China to join the WTO in 2001 (Hong Kong had already joined the WTO in 1995 before it was handed over to China in 1997). Severe misgivings over the acceptance of Russia and China to the WTO continue. The 164 WTO members are joined by the following intergovernmental organizations granted observer status to WTO bodies: Algeria, Andorra, Azerbaijan, Bahamas, Belarus, Bhutan, Bosnia and Herzegovina, Comoros, Equatorial Guinea, Ethiopia, Holy See (Vatican), Iran, Iraq, Lebanese Republic, Libya, Sao Tomé and Principe, Serbia, Somalia, South Sudan, Sudan, Syrian Arab Republic, Timor-Leste, and Uzbekistan. The purpose of observer status for international intergovernmental organizations in the WTO is to enable these organizations to follow discussions therein on matters of direct interest to them and to consider future formal membership. Entry requires the successful completion of a six-stage process.

In matters of international trade, it is important to stress the WTO's laudable founding and guiding principles. In brief, these are the pursuit of open borders, the guarantee of most-favoured-nation principle and non-discriminatory treatment by and among members, and a commitment to transparency in the conduct of its activities. The opening of national markets to international trade, with justifiable exceptions or with adequate flexibilities, will encourage and contribute to sustainable development, raise people's welfare, reduce poverty, and foster peace and stability. At the same time, markets opening to international trade must be accompanied by sound domestic and international policies that contribute to economic growth and development according to each member's needs and aspirations.

At this juncture in pandemic-affected geopolitics, there seems to be a prolonged tariff-inducing decoupling of the major trading-bloc economies and lessening of the previous trend towards economic interdependence. The calls for complete reciprocity in terms of trade and economic exchange are not being heeded but there is growing political pressure to achieve this aim. Supply chains are being exposed as pseudo-monopolistic and vulnerable to disruption, as is evident in the coronavirus pandemic. There will be an inevitable movement to repatriate manufacturing and establish national stockpiles of essential goods. Meanwhile, the true value of companies and assets in general is being reassessed as global commerce and national economies are in the process of being reshaped. Tourism-dependent local and national economies are in jeopardy until normality is restored in a post-pandemic world. Many developing countries will additionally face a slump in remittances from their nationals working in developed economies. Even economies with the highest standards of governance will be severely tested in this period. Legal actions for recompense for the economic effects of COVID-19 are being directed at China where the pandemic had its epicentre in Wuhan. Globalisation is facing a pronounced set-back with dramatic reductions in international flows of capital, trade, and people; in turn, the global economy will shrink in the short term.

1.3 Universities

1.3.1 What Are Universities in Theory and in Practice?

In three previous chapters [83, 84, 90] in this book series, we described the history of universities and their current definition as institutions of higher (tertiary) education and research, and both repositories and custodians of scholarship and its advancement. They have powers to grant various forms of academic degrees, and conduct undergraduate and postgraduate education, and are involved in professional qualifications. They should hold both tangible (physical) and intangible (non-physical) assets and enjoy the concept of academic freedom. Staff and students need facile access to the world's literature through internet and up-to-date library facilities with subscriptions to all the leading journals and publishers. Normally, they have a system of staff tenure offering various types of job security, and are distinct in various ways from the society surrounding them. Counterbalancing accountability to funders and society, universities have variable levels of autonomy from their host government allowing them (in much of the world) to manage their organisational arrangements, typically set standards, control admissions, award degree, have disciplinary powers, manage finances, select areas of study, and have freedom from manipulative interference, including political opportunism and politically induced social engineering. Individual academics should be able to research and develop new, sometimes societally challenging, concepts. Sadly, many Arab governments must perceive universities to be a danger and a threat because they severely constrain university autonomy not only by restricting funding but also by direct interference in the structure, appointments, and management of these institutions. These governments fail to appreciate that academic freedom is inextricably linked to the mission and principles of a proper university, with freedom to teach, communicate, and research facts and ideas. Without it, interuniversity competition is impeded on the one hand, and the potential contributions universities can make to society hindered on the other. Understandably, academic staff members under such conditions are tempted to behave as if they are reluctant low-level institutionalised inmates; fortunately, few do and due recognition has to be given to the staff of Arab universities operating under so many onerous impedances. Universities are not repositories of intelligent otherwise unemployable people.

Unsurprisingly, few Arab universities figure in the upper echelons of the international ranking tables. Well-established Arab universities with internationally prominent alumni (such as the American University of Beirut) are held in high regard; other newer institutions are in the process of addressing their shortcomings to the best of their limited capabilities; others are making rapid strides to become first-rate institutions. Restricted library and experimental facilities pose almost insurmountable difficulties for some universities and their staff. The rankings system, however, can be gamed, such as richer universities appointing established eminent foreign-based academics, often without those new staff members actually being based in the university but their publications and other measures of esteem and repute become

part of the performance grading of the acquiring institution. Some justifiably regard this as a form of academic prostitution. More sophisticated analyses of ranking data are urgently needed because the existing rankings system is modifying many aspects of university behaviour in undesirable ways.

Globally and in the Arab world especially, there is an enormous variation in the size, wealth, reputation, impacts on society, period of existence, and stability of universities [14, 83, 90, 145]. Their numbers are increasing and some are transnational. Many universities attempt, often with government edict and with varying levels of success, to embrace the tenets of independent reviews of their quality of education and research and the relevance of their operations to society in general as well as to specific professional groups. More recently, there is much greater emphasis on innovation, creativity, and entrepreneurship, themes that have significant positive effects on their finances and sustainability of critical areas of scholarship. Some leading international universities focus on their research and have relatively small numbers of undergraduate students whereas some other universities offer largely vestigial postgraduate education. There are various ownership models in both the public and private sectors; if private, that may be simply profit-generating businesses or act as a charitable organisation reinvesting profits in the institution. New models of ownership and operation are emerging as a result of digitisation and access to freely available online courses. These models are becoming relevant during the current COVID-19 pandemic with self-isolation and social distancing, possibly imperilling many conventional universities unable to adapt to online work and reduced student fees.

The rapidity of technological advancement means that no university can be expected to teach all subjects, or to teach to a uniformly high standard. Growing numbers of unemployed or underemployed graduates and postgraduates are manifestations of irrelevant education as well as a waste of time and resources. For much of the Arab world, the social contract those universities responsible for producing the unemployed and underemployed have with society and government, admittedly largely unwritten at this juncture, is patently failing. No wonder governments, students, parents, sponsors, and the public are becoming more demanding in their expectations of the value for money, quality, and relevance of the education and research offered by universities.

The scale of the challenge to raise academic standards is enormous: there are an estimated 10,000–28,000 or even 30,000 generally accepted and self-acclaimed universities in the world, and around 800–1000 universities and institutions of higher education in the Arab region [140]. We note that compared with towns and cities lacking institutions of higher education, those that host one or more universities enjoy better economic growth, a higher standard of living, and lead a more sophisticated cultural life. There is also a "cluster" effect in attracting start-up as well as established companies wishing to capitalise on access to graduates and research programmes, as well as acting as a stimulus for ambitious entrepreneurs.

Adaptations and upgrades are needed to meet the challenge of producing graduates and postgraduates with relevant education and competencies to populate companies

and the public sector. These adaptations and upgrades are proving difficult for universities, especially those constrained by an inflexible organisational model structured along traditional subject/disciplinary lines, made worse by weak governance and management deficient in understanding societal needs or even the latest developments in their professed areas of scholarship. Grade inflation (lowering of standards) is becoming a serious issue, devaluing the achievements of former graduates and postgraduates, and exasperating employers.

At their heart, universities are essentially intellectually elitist but have major responsibilities to society as a whole (often referred to as the unwritten social contract mentioned above) while recognising that many academic staff can be somewhat detached from the realities of life faced by the rest of society. The staff surely should possess the noble aspirations of seeking the truth and understanding with high moral and ethical values, in so doing contribute to the advancement of scholarship (counteracted oftentimes by concerns over remuneration and perks compared with their colleagues, a sense of entitlement, and disquietude about the size of their office and access to parking!). In this chapter, we define truth to mean being in strict accord with fact or reality, or fidelity to an original or standard, thereby confirming authenticity. This means that opinions and theories should change as the facts change with new discoveries, inventions, and concepts, thereby challenging existing opinions, beliefs, and orthodoxies (see comments on Keynes in Sect. 1.2.3). Parenthetically, we note how frequently religious people in political authority abuse truth. University staff members have a duty to question and challenge, and not be an unchallenging mouthpiece for any political or religious party or belief system. Sensible governments recognise the value of research and intellectual challenges, using the intellectual resources to best advantage in policy development and socio-economic advancement.

In modern education, there is debate about autodidacticism (self-education, self-learning, self-directed learning, heutagogy) that refers to education without the oversight and guidance of teaching staff or institutions [82]. It has attracted policy-makers in considering alternative modes of education and learning in the era of internet. In reality, autodidacticism is another important and normal component of the range of practices taking place in modern formal university education, such as experimental projects and other forms of enquiry-based learning.

Research is integral to a proper university; teaching-only institutions are not universities per se. Every university throughout the world should have a clear view on the intellectual potential, current levels of competence, and resource base of its leading groups and be in a position to allocate its own funding to support both investigator-led and mission-oriented work. The passage of time and quality-assurance assessments will reveal if the university leadership should be entrusted with oversight of its research. Irrespective of financial constraints and national priorities for mission-led R&D, governments have to recognise that funding allocations to universities must include support for curiosity-led research to enable staff and subject development, and to provide a route for the institution to contribute fully to society through its innovation, discoveries, and advanced policy analysis. It is clear to us, based on our careers and consultations with a wide range of colleagues

across several disciplines and countries, that the unceasing and unrelenting quest for grants, contracts, research students and post-doctoral fellows, and the application of tough and relentless performance assessments, must be tempered by baseline stable funding to those of proven ability to allow continuity of study. We recognise that some civil servants and politicians can be unnerved by R&D, simply because new discoveries and inventions can destabilise policies, behaviour patterns, the economy, and traditions. Some politicians and civil servants are simply disturbed by the prospect of losing day-to-day control over those receiving funding. In the modern era, though, civil servants and politicians must adapt to new realities in a fast-changing technology-driven world.

As an aside, it is erroneous to believe that "proper" research needs to be hypothesis-driven. Pure curiosity of the "what if?" or "suck it and see" kind, oftentimes based on intuition or sheer enquiry, can blossom into major discoveries. Likewise, an essentially technological development or discovery can launch entirely new lines of fundamental research and understanding. Research comes in all flavours!

1.3.2 Academics as Part of a Global Community

Academic staff members typically regard themselves as part of an international community. As scientists, we strongly share this perception. Since Humphrey Davy (1778–1829), the eminent Cornish chemist and inventor, a large proportion of scientists worldwide count themselves as active participants in an international humanist endeavour that transcends national boundaries, politics, and ideologies. Parenthetically, these views are shared to varying extents by academics in other disciplines. Virtually all scientists wish to interact and share results, technologies, conclusions, and ideas, and publish their work for the benefit of others. Political pressures, mainly through allocation of funding, constrain these ideals, and especially so in periods of warfare, the Cold War, militarism, and nationalism [29]. The advent of intellectual-property (IP) ownership is erroneously thought to eliminate what some believe to be utopian views. Ownership of IP can be readily obtained and merely delays submissions for publishing in learned journals. Well before Humphrey Davy, cosmopolitanism as an ethical stance was, according to Lucius Mestrius Plutarch (c. 46–120) [30], made by Socrates (470–399 BCE) who said he was not an Athenian or a Greek, but a citizen of the world. This international humanist endeavour is in many respects the ultimate freedom constrained by the stark realities of politics, religions, ethnicity, nationalism, populism, ignorance, and socio-economics. It is an endeavour shared by many in agriculture, horticulture, and forestry as well as other academic disciplines.

1.3.3 What University-Governance Strategies Are There?

Governance is variously defined (e.g. 79) but is essentially the process of governing, ruling, or controlling (see Sect. 1.1). Typically, it involves establishing an organised structure and processes for collective decision-making concerning planning and direction of an institution, and implementing those decisions. Judgments are made based on rules, laws, and guidelines. Governance of various kinds are applied from global to local levels and is integral to the functioning of diverse institutions and organisations such as international bodies, governments both national and local, public- and private-sector bodies and corporations, markets, the internet, information and communication technology, land use, the environment, specific projects and contracts, security, and independent formal and informal organisations. In recent years, numerous external actors have become involved in the processes of governance for themselves as well as examining the governance of others. These actors include international and national government-related bodies including some UN organisations, non-governmental organisations (especially those concerned with corruption, the environment, health, and human rights), broadcast and publishing media, political parties, lobbyists, business groups, accountancy firms, and community groups.

Governance can be for good or ill, competent or incompetent, or just profoundly and irredeemably corrupt. Boards of public-sector bodies can be useful scapegoats for failing political decisions and government shortcomings. Fortunately, most forms of governance can be measured and assessed. The Worldwide Governance Indicators (WGI) [28], a research dataset arising from a project of the World Bank, occupies a special position in governmental governance. Here, governance is defined as the traditions and institutions by which authority in a country is exercised. This includes (a) the process by which governments are selected, monitored, and replaced; (b) the capacity of the government to effectively formulate and implement sound policies; and (c) the respect of citizens and the state for the institutions that govern economic and social interactions among them. Reports of the WGI detail both aggregate and individual governance indicators for over 215 countries and territories during 1996–2018. Six dimensions of governance were assessed: voice and accountability, political stability and absence of violence, government effectiveness, regulatory quality, rule of law, and control of corruption. Arab countries have considerable room for improvement. Another useful governance-related source of information of special relevance to developing countries is the International Budget Partnership that produces the Open Budget Survey (OBS), Open Budget Index, and the OBS Tracker [138].

University governance, including the governance of research institutes, can be a complex and dynamic concept encompassing multi-level decision-making in diverse institutions aspiring to achieve as much autonomy as possible. Internationally, university-governance strategies, processes, and effectiveness inevitably vary widely. We highlight five informative reviews [18, 63, 70, 94, 120] and their references therein, and a Wikipedia article [80] that collectively describe the complexity, trends, power structures, and types of autonomy. Accountability to funding bodies, the law, parents, students, and staff has to be seen in juxtaposition with autonomy. It

has to be recognised that with autonomy comes risk and making mistakes, essential to enter new areas and adapt to changing circumstances. Risk-avoidance controls impede progress, so there has to be a large degree of latitude and understanding. The complexity arises from (a) relationships to other forms of higher education; (b) the funding model (public, private or charitable not-for-profit, and private for profit); (c) legal status; (d) organisational structure and decision-making capabilities and responsibilities at different levels in the institution; (e) organisational capacity and social capacity, including the size and composition of the governing body as well as the number and quality of academic staff; (f) degree of financial resilience and capacity, including assets, important collections, and protected financial reserves; (g) involvement of commercial arms and activities; (h) history and reputation; (i) forms of accountability to staff, students, and stakeholders including alumni and government; (j) religious involvement; (k) governmental impositions and expectations leading to overregulation; (l) the quality of leadership and management (see Sect. 1.3.4); (m) level of transparency; (n) degree of transparency internally and externally of governance decision-making; (o) urgency of the need for reform and change; and (p) level of corruption (see Sect. 1.4). Ongoing public-sector reforms and continuing reforms to corporate governance especially in larger companies mean that university governance in general will evolve further, and will affect some institutions more than others. Other factors shaping university governance include (a) interinstitutional collaboration to develop best governance practice; (b) mergers of institutions; (c) influence of national and international ranking and league tables; (d) marketisation, advertising, and competition, including the quality and impact of websites and online teaching and research material as well as reputational management in the era of social media; (e) influence of new transformative technologies [83] leading to profound institutional reorganisation and reconfiguring the workforce; (f) impacts of major economic shocks, conflicts, infectious diseases, natural disasters, and demographic changes.

Collectively, universities are big business and some leaders of the top-ranked institutions enjoy corporate-like lifestyles and personal rewards without the stresses of functioning in a normal marketplace. With very few exceptions, universities are significant parts of national economies. Value for money is a major issue made worse for traditional universities and other forms of higher education by newer forms of advanced online education. Individually, there is enormous variation between universities as stated in Sect. 1.3.1 and reference 16. Most are conventionally governed intra-institutionally with hierarchical systems centred on a leader (president, principal, vice-chancellor, rector etc.) with assistants and an administration, along with discipline-based departmental and faculty structures [90]. The governance structures overseeing universities as well as public-sector research institutes are boards of various types (e.g. trustees) or governing bodies, structures that require much closer scrutiny as to their effectiveness, role, and type of membership.

In respect of governance in universities, a series of question arise. (a) Who appoints the boards and who appoints the university head (president, vice-chancellor, principal etc.)? (b) What criteria are used for appointments and the nature of the job description? (c) What performance measures are deployed for board members and

university heads, and who assesses actual performance? (d) What processes are used to deal with poor performance or unacceptable behaviour? (e) Do the boards and university heads have adequate resources to do their jobs properly? (f) Are details of their rewards and perks publicly available? (g) Do the boards and leaders of universities actively participate in organisations that promote best practice? (h) Are the governance models and duties and responsibilities of post-holders in both boards and university hierarchies clear to staff, students, sponsors, and government? And (h), Are the universities governed in such a way as to be capable to deliver education and research to address the Twenty-First Century Skills Framework [84, 90]? With regard to this latter point on the Skills Framework, there are numerous crucial topics and subjects not mentioned in the Skills Framework that are nonetheless worthy of incorporation in a high-class institution that advances scholarship in its broadest meaning.

What might reasonably be expected of the general structure and operation of higher-education boards? Attempts have been made to offer models of guidance and codes of conduct for governing bodies [84, 90]. Based on the experience of one of us (JRH) in reporting to various governing bodies of a UK research institute over a period of 19 years and membership of university courts and senates, as well as interacting with senior civil servants in the UK and the European Union, there are seven obvious points to consider in establishing and operating a board of a university or research institute once there is a clear legal framework establishing the institution and agreed with national government to conduct business and award degrees and other qualifications. These seven points comprise: (A) membership; (B) chair/head of board; (C) potential committees of the board; (D) frequency and location of board meetings; (E) payments to board members; (F) board accountability and transparency; and (G) relationships of the board with senior executives. Central to these points are the three facts that (a) universities thrive in liberal representative democracies with buoyant economies, (b) universities should be democratic institutions reflecting the swathe of views in the institution, and (c) good governance is associated with voting rights should there not be majority opinion. Close parallels exist with the governance of charities and trusteeships of learned journals.

A. *Membership*

- The number of members depends on (a) the size of the institution (usually ranging from 8 to an unwieldy 40); (b) participation by staff and student representatives—voting rights and participation in committees of the board may be restricted; (c) representatives of funding bodies, local or national government, alumni, and learned bodies/societies.
- Governing body members are jointly and severally responsible and liable for the operation of the institution (university or research institute). Regardless of whether they were nominated and come from a particular interest group (trade union, sponsor, government, etc.) they should act solely in the best interest of the institution.

- Members may be appointed by a selection or nomination committee and/or nominated by external organisations—sometimes (all too rarely) vacancies may be advertised. The selection committee should have representatives of learned bodies. New members should undergo an induction process to acquaint them of their duties and responsibilities, and to be given a background to the institution.
- All members must have relevant expertise, contribute positively to the deliberations of the board, and be persons of integrity and influence in various sectors of society. Some board members may be selected for specialist knowledge of specific sections of the institution. Central to their competence is a full appreciation of the roles of universities in advancing scholarship, education, research, and addressing the needs of society.
- It is advisable to have fixed-term appointments (e.g. 3 or 4 years) with the possibility of renewal for a further term subject to satisfactory performance.
- The President/leader/CEO of the university and the chief administrator are permanent ex-officio (non-voting) attendees. Other ex-officio appointments with specialist expertise often have merit for appointment.
- Rigorous performance monitoring is essential to ensure positive contributions to the various activities of the board and not reliance on self-assessment by members.
- All conflicts of interest must be declared and registered (e.g. financial and personal links to the institution).

B. *Chair/Head of the Board*

- May be appointed by a sponsoring body or elected by the board
- Advisable to be a fixed-term appointment with the option of renewal for a further term subject to satisfactory performance
- He or she should be wise, knowledgeable, a person of high integrity, and possess advanced communication and interpersonal skills
- Must have a functioning working relationship with the senior executives of the institution, and with the heads of similar boards
- Should convene the committee to oversee performance assessments of the board members, and the committee to oversee and upgrade governance protocols at board and institutional levels
- Performance of the Chair should be assessed by the board
- The board should operate according to a code of conduct.

C. *Potential Committees of the Board*

- Boards should have an independent secretariat to administer to the committees and to board meetings
- Chairman's committee (emergencies, board performance assessments, producing recommendations for consideration by the board, regular meetings with the senior executives, updates on governance best practice, succession planning for key posts)

- In small institutions, the chairman could chair most or all the committees of the board
- Decisions will be required on quorum numbers for the board and committees of the board (i.e. minimum number of board members required to transact business and cast votes so that decisions can be taken)
- Finances, covering budgeting, assets registers and maintenance, insurance (including legal-liability insurance for members), and investments. It should also set the overall budget and financial targets
- Legal, to confirm ability and status to award degrees, to ensure compliance with laws and regulations, to consider structures of commercial arms and satellite institutions, and relationships with partner organisations. Oversee appointment and tenure of legal advisors to the institution. Review the Articles of Association and Memorandum of Association defining the constitution, responsibilities of board members, nature and aims of the business, and types of controls
- Audit, and the board must decide on the choice of internal and external auditors, and to confirm the organisation is a going concern
- Planning (strategic and tactical), development, and infrastructure. Succession planning is usually dealt with by the Chairman's committee
- Establishing lines of authority and accountability in the management structures of the institution
- Future of degrees and qualifications issued by the institution; international recognition of degrees and qualifications; relationships with professional bodies; honorary awards
- Mission statement and website
- Appointment of senior executives (president/rector/vice-chancellor, chief financial officer, chief operating officer). This committee can be extended to ensure that appointment policies throughout the institution are truly meritocratic; many universities, including and especially elite institutions, have a tendency to appoint their alumni, presumably to safeguard their "culture" and sustain their contact and influence networks. The type of leadership and management skills in key executive positions will be dependent on the scale and urgency of changes required. Institutional appointment policies need to bear in mind the quality and integrity of appointees to address the types of contributions (policy advice and facilities) that can be made to international agencies, national and local government, professional bodies, and various economic sectors
- Performance assessment criteria of the senior executives, and the assessment process. Particular attention should be given to the remuneration system in the university and how much it diverges from national and international norms. Nowadays, there is a tendency for academic staff to be rewarded on the citations their publications receive in journals; this is a hyper-simplistic narrow-focused approach that quells curiosity to follow new lines of study
- Discipline (this committee is the final port of call for staff and students if executives unable to deal with disciplinary issues satisfactorily). It should also address the behaviour of senior executives and board members, and have the power to fine or

dismiss miscreants. Those guilty of corruption must be dismissed instantly—see
Sect. **1.4**)

- Customised governance arrangements for associated commercial arms, technology and science parks, and business incubator units in order to encourage entrepreneurship
- Ethics; human rights and equality
- Public relations and engagement
- Health and safety; security of the institution and security of personal data
- Risk
- Relationships with feeder schools and colleges, national and local government, and international agencies.

D. *Frequency and Location of Board Meetings*

- Under normal circumstances, two, three, or four formal meetings of the main board should be held a year. More frequent meetings can be unnecessarily costly and start to usurp executive functions; they also have a tendency to demand extensive briefing papers from the executive and divert executives from their proper functions
- Meetings should be held in the institution; in multi-site institutions, meetings should rotate around the sites. Members of staff and students should have the opportunity to meet board members at meals and receptions
- Agendas should be posted timeously on the institution's intranet and website, recognising that certain items will be confidential. Minutes of the meetings should also be posted, redacted where necessary.

E. *Payments to Board Members*

- Ideally, board members should act in a pro-bono capacity, with basic travel and subsistence costs met by the institution. Many eminent board members will meet all their own costs
- The recent trend to reward board members for their time has meant that they have begun to take over essentially executive functions, demand an increase in the number of meetings, many of which are unproductive, and interference in executive decision-making and the day-to-day running of the institution. Being a board member is not designed to be a form of simple employment or a way to extract resources from the institution.

F. *Board Accountability and Transparency*

- Boards are accountable and should be seen to be so to sponsors, staff, students, and the host country. Even so, there is a prime role in safeguarding institutional autonomy as far as possible and to respect the concept of academic freedom
- Boards have a duty of honesty, integrity, and governance best practice which is rapidly evolving in academia with the raft of transformative technologies, competition for resources and personnel, and societal expectations
- All to rarely, are those responsible for bad decisions by boards (and visiting groups) held to account publicly by naming and shaming

- Transparency of decision-making and actions is essential, hence the need for open declaration of agendas, minutes, action points, and conflicts of interest
- Boards should participate in national and international organisations promoting best-governance practices.

G. *Relationship of the Board with Senior Executives*

- In theory, there is a clear separation between a board that sets the forward plans, and the executive that delivers them; this distinction is best demonstrated in the corporate world
- In the academic world, there are more complex and nuanced relationships. Senior staff in a university or research institute must aim to combine high-quality leadership and management (see Sect. 1.3.4). Often, the level of executive scholarship and awareness of future trends and needs far exceeds the competence levels of most if not all board members. Thus, boards need to be briefed by senior staff, and need to be assured that the institution is acting both legally and honestly, pursuing the right direction, and operating to the highest level of intra-institutional governance best practice. There has to be an atmosphere of mutual trust but the board must retain the ability to challenge the executive
- Particular attention needs to be given by the board to regular quality-assurance and relevance assessments of institutional performance, emphasising innovation, creativity, entrepreneurship, and comparative national and international rankings (Table 1.6). Clear agreed guidelines and objectives should be set for improvement with opportunities for feedback (preferably anonymous). The balance between research and education and pedagogy will need to be adjusted according to the mission and aims of the institution. Regular joint board and executive SWOT and horizon-scanning exercises would aid in setting future direction
- Both boards and senior staff must appreciate that profound changes are taking place in the academic world such that teaching and research activities will need to be continually reshaped and updated to retain societal relevance and justification for financial support. Inflexible hierarchies are incompatible with continually developing transformative technologies and changes in society norms
- The relationship between board and executive must be at arm's length. Decision-making must not be polarised for the benefit of a few staff. Senior staff must not be allowed to become autocratic, especially in academic institutions where a productive collegiate style of internal governance is essential in the modern era. Likewise, an oppressive and domineering board quashes academic freedom essential to deliver innovation and creativity
- Boards and senior staff should be seen to come together at graduation ceremonies, receptions, specialist interinstitutional meetings, open days, and publicity events. Board members should have the right to observe (but not actively participate) executive formal committees
- Severe disagreements between the board and executive may need independent arbitration. Under such circumstances, non-disclosure agreements and financial pay-offs are basically unacceptable, and there should be full transparency to ensure that lessons are learned more widely.

Table 1.6 Summary of key points to be addressed in external and internal quality-assurance (QA), relevance, and governance assessments of universities in the Arab region and elsewhere. Modified from our previous article [32]

* Quality (accuracy, comprehensiveness, readability, submission on time) of documentation prepared by host institution for initial external QA, relevance, and governance exercises and proposals for ongoing assessments

* Quantitative and qualitative evidence of quality in teaching, research, societal impacts, and governance included in documentation provided by host institution

* Who appointed the external assessing organisation and why? Who are the individual appointed as assessors and are they suitable?

* Mission, aims, and strategy of the institution—are they realistic, aspirational, and fit for purpose? Are they updated regularly, by whom, and how are they assessed?

* Who appointed the board (governing body, court) members? Are they time-limited appointments and is there an effective process of assessing competence, conflicts of interest, and contribution of members? Are the roles, duties, and responsibilities of the board clearly publicised?

* What corporate governance processes are followed and are the board sub-committees appropriate and functioning properly? What measures are adopted to ensure best practice?

* Verification of legal status and powers to award degrees, and the legal powers to receive, invest, and disburse money and other assets

* Evidence of mutual recognition of degrees and diplomas with other universities nationally and internationally

* Extent of institutional autonomy and level of accountability (and possibly level of external interference) with respect to government, sponsors, founders, and owners. Powers to appoint and dismiss senior staff, and determine salaries. Processes needed to deal with authoritarian governments

* Procedures for updating statutes and ordinances

* Functional links with other universities, research institutes, international agencies including UNESCO, and non-governmental organisations. Justification of existing and proposed Memoranda of Understanding and legal commitments

* Extent of social instability and poverty in student-catchment areas, with strategies to identify and support talented students

* Arrangements for dealing with emergencies (security, diseases and health issues, ionising radiation leakages, utility problems, fire, environmental disasters, etc.). Use of satellite sites

* Academic organisational structure and extent to which it conforms to courses; services offered to assist teaching and research staff. Proportions of staff on permanent contracts to staff on short-term contracts

* Governance structure. Powers to establish and close committees. Processes involved in appointing senior posts and board members; duration of senior appointments; transparency of operation and consultations with students, staff, and sponsors

* Financial arrangements, including full independently audited accounts, risk assessments, investment strategies, financial resilience as "going concern", and reserves; preferential purchasing arrangements; fairness of the emoluments/remuneration system. Costings and pricing policies: are full economic costs applied to all activities; are fees based on full-cost recovery or what the market will bear, or are losses continually being incurred and accrued?

(continued)

Table 1.6 (continued)

* Administrative efficiency, including ICT/computing arrangements to analyse data about the institution and communicate with staff, students, governing board, sponsors, and government. Record keeping for main committees. Range of other services provided by the administration section. Administration staff as a proportion of teaching and research staff

* Details of asset registers of tangible (land, buildings, capital equipment, vehicles and other forms of transport, valuable artefacts and works of art, stocks, etc.) and intangible (intellectual property, copyright, trademarks, specialist know-how including specialist software creation, advertising endorsements, proprietary relationships etc.) assets kept, valued, and regularly updated. Details of synergies and potential synergies in the institution's human and other assets. Duration and type of intellectual-property protection

* Duties and efficiency of the Personnel and Human Resources section

* Organisation of degree-awarding and other ceremonies

* Security and confidentiality of records, including prevention of computer hacking, malware, and viruses

* Production of annual reports, handbooks, other publications, and their distribution, and links to updating the institution's main website

* Staff-employment contracts and tenure; age profiles; staff-student ratios

* Staff facilities and welfare. Procedures and reasons for offering and refusing sabbatical leave. How does the institution ensure members of staff keep up to date and develop their skills portfolio?

* Details and frequency of staff performance assessments and competencies in teaching, research, administrative duties, public engagement, and leadership. Teaching commitment relative to research and other duties. Comparisons of performance indicators and workloads with other similar institutions nationally and internationally. Extent of collaborative research with other organisations. Is there ready access to advanced statistical advice for designing and analysing experiments? What are the processes used to supervise project and research students?

* Staff recruitment, induction training, retention, and promotion processes; turnover; proportion of foreign staff; language skills

* Operation of disciplinary and ethics committees, with evidence of actions taken. Are there mandatory-arbitration agreements in operation and are conflicts of interest declared and decisions published? How are cases of plagiarism (readily assessed using software tools), falsification of results, stealing, and other forms of corruption dealt with and what is the evidence of effectiveness?

* Operation of committees for health and safety, equality, and diversity, with evidence of actions taken

* Diversity of courses and curricula and the extent to which they are up-to-date; reasons why some academic subjects are not covered; arrangements for planning and timetabling lectures, practicals, seminars, tutorials, and examinations; processes involved in opening new courses and closing down redundant courses; availability of modern online courses and lifelong learning; teacher-training courses; course reviews using external advisors; contact time with supervisors, including time spent in lectures and laboratory practicals; feedback from students on coursework and teaching staff; expected learning outcomes including skills and competencies

Table 1.6 (continued)

* To what extent do the courses/curricula match market needs and incorporate disruptive technologies?
* Student recruitment and retention, including student numbers; proportion of national enrolment; degree-completion rates; diversity of educational backgrounds, nationality, religion (if any), and ethnicity
* Availability of scholarships for talented students. Prizes for outstanding performance in examinations and postgraduate studies. Financial hardship funds
* Examination processes, including robustness of methodology of setting of examination papers and methods to prevent all forms of cheating and unfair marking. Appointment, roles, and uses of external examiners—are they subject to QA and relevance assessments?
* Student costings and receipts; dealing with outstanding debts
* Student facilities (accommodation, recreational, transport links, parking, exercise, welfare)
* Are transnationally recognised Diploma Supplements issued with degree certificates to assist potential employers?
* Value-for-money estimations of "value" of degrees awarded. Details are needed on extent to which graduate careers are monitored. Formal recognition of degrees and diplomas by those professional bodies (the professions) regulating degree-level standards and with reserved titles and exclusive rights to practice (e.g. law, medicine, dentistry, other subjects allied to medicine, accountancy, veterinary medicine, architecture etc.)
* Provision of continuing professional development (CPD) training for the professions
* Effectiveness of engagement with alumni, alumnae, and former staff
* Extent and effectiveness of schools-liaison efforts and interaction with national bodies setting and marking examinations relevant to university entry
* State of the estate—buildings, grounds, utilities, transport network, parking
* Social events organised
* Canteen provision. Is there a collegiate environment?
* Standards of laboratories, lecture theatres, computing and internet access, and library facilities. Equipment acquisition and maintenance policies including priority setting and disposal
* Creativity, innovation, and entrepreneurship in the learning environment; teaching through projects; computing skills and digital technology applications; demonstrable skills in marketing and business studies
* Maintenance and expansion of important facilities such as experimental animal houses; engineering centre for research purposes as well as equipment maintenance and repair; collections of documents and literature, museum artefacts, artwork, genebanks and germplasm collections
* Processes for detecting and dealing promptly with corrupt practices. Is there a need for research-integrity inspectors?
* Previous outcomes of QA, visiting group, horizon-scanning, SWOT, Delphi and Foresight exercises (internal and external). Extent of feedback and openness with all stakeholders and evidence of developing a culture of quality
* Strategies for institutional improvement (quality, efficiency, and competitiveness)

Table 1.6 (continued)

* Research output, with bibliometrics and citation metrics. Identification and treatment of key research staff
* Policies and successes at acquiring competitively awarded research grants and contracts
* Progress in the generation of intellectual property and copyright, online coursework, works of art, intangible assets, and synergies
* Arrangements for supervision of research programmes and operation of a formal laboratory-notebook or its electronic equivalent, and other record-keeping system in the arts, humanities, and social sciences
* Establishment and operation of linked business-incubator facilities, science parks, and spinout companies. Details of policies to protect and exploit intellectual property developed and used in these facilities. Efforts to seek venture capital and other investments for start-up companies. Membership of science-park associations. QA measures when establishing links with private businesses and multinational companies to safeguard intellectual property and other assets
* Interactions with industry and civil society nationally and internationally
* Membership of major academic societies, university networks, and international research consortia. Opportunities available for sharing common QA mechanisms nationally and internationally
* Awards, invitations to deliver plenary lectures, and other measures of national and international esteem obtained by staff, teams, or the whole university
* Processes to protect and enhance institutional reputation. Continuous updating of comprehensive, verifiable websites; marketing and publicity efforts. Strategies for reputation management and marketing
* Performance in international and national ranking tables and analysis of reasons for position in tables and strategies for improvement
* Evidence of productivity and efficiency gains over a set period, say 5 years
* Areas of institutional activity requiring substantial improvement
* Is the leadership capable of effectively managing change?
* Does the institution justify the title of "university" according to the generally accepted definition? If not, why not, and what is the board of the institution going to do about this specific aspect?
* QA and Relevance Reports: key observations and recommendations in priority order
* Is the institution capable of effective internal QA and relevance assessments?
* What measures need to be put in place to improve the performance of the board?
* Action Plans, with timescales

Many universities around the world, including those formed in recent times, adopt trappings of tradition seen especially in graduation ceremonies with the wearing of academic dress that is mostly based on religious antecedents in the older universities, the names of degrees, and the titles of junior and senior academic staff. The traditional university model is difficult to reproduce if trying to inculcate with the attitudes and processes embedded in the older eminent institutions, and newer bodies will never be able to benefit from a long history of achievements, social networks, financial

reserves, and effects on society at large. The traditional-university model is also difficult to emulate de novo and make a profit. It is also outdated and insufficiently fleet of foot to adapt to modern requirements where taught subjects become rapidly out of date and the time taken to acquire a qualification and advanced skills can be short-circuited by new technologies and new providers. The mode has become entrenched globally and is proving difficult to upgrade. Inflexible hierarchical management models suppress creativity, innovation, ambition, and entrepreneurship, all essential attributes of a modern successful university. New effective education and research models are needed. Certification of skills and competence is beginning to supplant traditional degrees, as the oft-discussed concept of "future-proofing" of degrees remains just a concept for most universities (see Sect. 1.1). At a challenging time in the evolution of higher education and research, the quality of governance and leadership, particularly in constrained financial conditions and social unrest will determine the fate of a university.

Some institutions clearly do not deserve the title university. One target for governments anxious to raise standards must be those essentially for-profit bodies that provide a minimal education, lack modern facilities, do not conduct formal research, have poorly qualified staff, avoid independent quality-assurance and relevance assessments, and offer worthless degrees. They are societally worthless businesses. Governments have a duty to their citizens to set basic standards and cull these rent-seeking (sensu stricto Adam Smith) social parasites. Rarely are their shortcomings properly addressed in some parts of the developing world. The other and more straightforward target is the group of failing universities, invariably reflecting inadequate governance and poor appointment processes. Before any action is taken, however, governments must ensure that they themselves are not the real problem and cause the underperformance.

Autonomy from external influences is the gold standard of university governance but cannot be achieved in full, especially in seeking inward investments. Total autonomy without oversight provides unrivalled opportunities for corruption and undermining the standards of education. At best, a combination is needed of a benign government that appreciates and willingly helps support higher education directly and indirectly by providing stable socio-economic conditions capable of fully utilising its graduates, postgraduates, and intellectual property, operating with institutions that have financial resilience, competent leadership in key position, and demonstrable achievement in independent quality-assurance and relevance assessments of its teaching and research. Autonomy is a crucial defining issue for Arab universities, impacting on governance and the desperate need for profound reform [24, 76].

Autonomy from government interference is made more complex by the advent of digitisation [55] and other transformative technologies [83] and actions related to the New Growth theory [50, 110] (see Sect. 1.1). If they wish their economies to thrive, governments have no other option than to invest substantially in education and universities to foster the knowledge economy. This is achieved by investing in pioneering R&D, often in conjunction with industry, as well as supporting other aspects of undergraduate and postgraduate education, in so doing there are understandable sensitive

issues over autonomy compounded by the use of taxpayer's resources and the need for accountability. In future, major advances in STEMM subjects (Science, Technology, Engineering, Mathematics, and Medicine) will need underpinning government support because there is universal market reluctance and usually failure to support longer-term expensive innovation, and to synthesise new datasets, and maintain and study collections of living specimens and inanimate objects essential for the advancement of scholarship. Somehow, a suitable repositioning has to be reached between governments and universities; after all, governments should be accountable to the voting tax-paying public. Fortunately, parental and student pressures mean that most governments would be wise to provide funding with as few strings attached as possible. Arm's-length interfacing or buffering bodies (such as research councils, office for students, quality-assurance bodies) with rotating membership should provide suitable points of interaction between universities and government, not simply via an interfering government ministry.

Institutional self-imposed and funding-body-imposed performance metrics and criteria adopted for appointment and promotion are steadily reducing the number of polymaths and those with a broad general overview of subjects and capable of integrating disciplines. Hyper-specialisation in politically correct environments aided by the various funding bodies finely segmenting grants and contracts is leading inexorably to a departmental and faculty conglomeration of micro-subjects (some mutually incomprehensible to otherwise close colleagues) in tandem with a massive expansion in the published literature and number of conferences. There is a collective failure to address big issues and subjects.

The main barrier to expanding the higher-education sector is the funding of students, especially from poor families. This also affects the provision of effective lifelong education. In some countries with weak public finances, there has been a range of policies including (a) low-grade higher education offered to school leavers able to pass entry qualifications through the public sector, (b) scholarships, (c) payment of up-front fees that favour students from wealthier families, and (d) a de facto encouragement to seek education in a foreign country. Loan schemes for student from poor families are under scrutiny, with repayments to come from the anticipated higher earnings arising from better-paid employment. This is an area ripe for involvement by charities, companies seeking well-educated employees, and private finance. The loan providers should also offer guidance on the most appropriate institutions, thereby acting also as an external independent quality-and-relevance assessor to drive up standards. Again, the quality and active involvement of the boards and senior staff should help resolve the funding conundrum.

In our previous articles [83, 84], we discussed the strategies universities should adopt to improve the employability and usefulness of their graduates and postgraduates. These relate directly to the quality and relevance of the teaching and research (Table 1.6) but also to the quality of the leadership of the institution and interactions with government.

Dealing with controversial topics affects all universities, a situation made for more onerous in unstable countries or those with strong theocratic controls. A combination is needed of transparency, integrity, quality of the teaching and research, protection

of staff and students targeted by activists, and constantly stressing the principles and concepts of universities. Some belief systems are fundamentally inflexible and intolerant, and will never accept facts and evidence contrary to their beliefs, in which case diplomatic skills are needed where such regressive views are in the ascendency. Nonetheless, the pursuit of truth and understanding cannot be halted.

1.3.4 High-Quality Leadership, Governance, and Management: Universities and Governments Need All Three

Clear thinking is needed to avoid confusing leadership with management. Put simply, leaders have vision for the future and set new directions for other individuals, groups, or organisations to follow. Managers control or direct individuals and or resources usually in a group setting of an organisation, according to established principles or values [60, 150]. People at the head of an organisation or section may be leaders or managers; a few gifted individuals may be both. Their competence can be assessed with time, but incompetence or corruption can lead to a decline in the fortunes of the section or organisation or even have catastrophic effects on the future of employees and the organisation. There are numerous examples of once-famous and powerful companies brought to their demise by dreadful arrogant leaders and incompetent weak boards. Similarly, there are numerous examples of once-eminent universities languishing in the international ranking tables largely as a result of appointing less-than-stellar academics and failing to invest and adapt to new circumstances. All to frequently, those that know and understand their organisation, and can offer vision and high standards, have been displaced by bureaucratic functionaries, such as ordinary lawyers, accountants, or public-relations operatives deficient in the fundamental understanding of their organisations and the nous to grow them endogenously without the need to become heavily indebted, embark on series of acquisitions, or venture into areas of activity beyond their ken. Sadly, it is a truism that in governments, companies, and higher-education institutions poor leadership and incompetent boards are rarely punished for their misdeeds. It is our opinion that some universities have appointed individuals lacking essential attributes of leadership, unable to project a vision to invigorate their organisation, or adapt to a rapid changing landscape of transformative technologies and international linkages. Some have been poor managers, unable to raise productivity of teaching and research, or build up financial resilience, or improve standing in the international ranking tables. The same questions about leadership and management apply to university boards. With leadership, it is not a matter of seeking consensus but usually seeking agreement as far as possible (rarely possible to achieve unanimity) and compliance. There is a subtle but distinct difference between autocratic behaviour and being respected for authoritative leadership. Rigid hierarchies and top-down controls are an anathema to a dynamic academic institution but appear commonplace in many Arab universities. An exception occurs

when profound change is needed, and there can be circumstances when wholesale replacement of board members and senior executives should take place if they are incompetent and/or outdated. Even so, that does not justify the classic autocratic approach of having a board or committee of an odd number less than three! Leadership teams in governments, companies, universities, and research institutes not only have to tolerate dissent but expect and welcome disagreement and debate, and use the dialogue to formulate and refine effective policies.

Irrespective of the confusion between leadership, management, and governance that permeates the literature, management sensu stricto of modern universities is a specialist major topic beyond detailed appraisal in this chapter and book. In summary, universities are people-dominated and people-dependent organisations. The better ones, regardless of size or current ranking, operate a decentralised management model in order to stimulate creativity and innovation as well as to foster a truly collegiate academic environment and avoid organisational chaos. This is an area of scrutiny in a period of profound change as institutions and countries aim to adapt and improve their unique selling points [97, 129,151, 157]. Management processes should be using digital and artificial-intelligence technologies for efficient internal and external institutional communication, security systems, and readily accessible record-keeping systems. This means all institutions should have agile and adaptable advanced management information systems. Managerial decision-making processes must ensure breadth of coverage of key topics; breadth of inclusivity to allow for all those affected; identification of key factors (e.g. technology foresight, horizon scanning, SWOT exercises, trend impact analyses etc.); comprehensive reporting systems including lines of accountability and responsibility, and performance assessments; and implementation of policy and action-point decisions. The aims and objectives of New Public Management systems in higher education should be borne in mind [37]. Management's unsatisfactory relationship to leadership is manifest in the current common model of deploying rotating and elected heads of departments and sections that can lead to inexperienced and weak managers and leaders. Such people might be popular but lack vision, essential management skills, and are unable or unwilling to confront underperforming or difficult colleagues, sometimes fearing future retribution and adverse effects on promotion prospects. Thus, a "lowest common denominator" system of management and leadership has replaced a rigorous selection and mentoring system [90].

There has been a marked tendency in recent years to use management consultants or so-called headhunters, often at great expense, to select heads of universities and public-sector research institutes. Few management-consultant/headhunter companies are (a) closely connected with the global university sector, (b) are conversant with the principles of academia, (c) aware of major technological and conceptual advances, or (d) could identify visionary academic leadership. In our experience in being approached and asked to provide references for these consultants, we noted a simplistic "tick-box" unsophisticated approach with typical low-grade psychometric assessments beloved of such consultants. Persistent failure to aid in the appointment of outstanding private-sector leaders of listed companies should sound a warning

bell. Parenthetically, it appears that headhunting companies advising listed companies select a remarkably small number of well-connected individuals indicating that meritocracy is not operating effectively. Surely, properly constituted boards should be sufficiently integrated into the international university sector to be aware of where to advertise vacancies and the identity of suitably talented individuals without resorting to third-party disconnected companies, some of whom employ failed academics. There is the impression of a combination of ignorance about the global university sector, laziness, and unwillingness on the part of boards to accept responsibility for the identification of suitable individuals and conducting the selection processes. The final interview usually represents a confirmation of the views of the consultants, even where there might be an interviewed shortlist of candidates giving the impression of fairness. Universities should be able to use the good offices of other universities and learned associations and societies to assist in the identification of appropriate leaders.

Universities and the major research institutes worldwide need inspiring and competent leaders of outstanding integrity in times of profound change. Relatively few universities are so fortunate; there has been a tendency to appoint those who are administrators, public-relations-conscious managers, or accountancy-led managers, reflecting weak and often incompetent boards.

1.3.5 *Relationship Between Public-Sector Research Institutes and Universities*

Most public-sector research institutes were set up to address major research issues, often linked to market failures (see Sect. 1.1); food security (especially crops, livestock, and food safety); forestry; freshwater, marine, and terrestrial environments; meteorology; economic development; new technologies; defence; and health. Others have been established to research socio-political issues. In theory, they should enjoy the type of autonomy that universities should have. The reality is often one of political and civil-service interference, facilitated by budgetary and administrative controls, not least by the threats and realities of enforced closures and mergers. All these institutions need to combat the tendency of institutionalisation and expectation of continuing taxpayer support without full justification. Many institutes might be expected to have a fixed duration whereas others tackle challenges that are seemingly intractable and maintain nationally or regionally highly specialised facilities and reference collections.

The optimal location of conventional research institutions should be in or adjacent to an appropriate university to benefit from a throughput of bright young minds, specialist facilities, cross-fertilisation of ideas and concepts, and contact networks. Issues such as administrative separation and confidentiality are easily dealt with. University technology and business parks provide an ideal environment. For historical reasons, the need for biosecurity isolation, or political decisions about regional

development, some research institutes are not closely associated with universities but could still benefit with formal shared appointments with universities. Some appointments in both institutions could be fixed term and enable transfers as careers develop. Leadership qualities are of paramount importance; research institutes must be run by outstanding academic leaders rather than by those imbued with the least-desirable civil-service managerial attitudes.

With adequate funding flexibility, careful safeguards, legal protections, and the right combination of leadership and personnel, there will be opportunities for establishing virtual research institutes, linking geographically distinct entities. Capital expenditure and resources can be optimised, and the staffing and student workforce would be more adaptable to changing targets and objectives. Tight university linkages would be maintained. Virtual research institutes represent an exciting future for both governments and universities, and none more so than in the Arab world where there are so many urgent common R&D priorities and tight public finances.

1.3.6   Spreadsheets

Spreadsheets are widely used in universities for planning, financial management, and many areas of research. They are also widely used by governments. According to the European Spreadsheet Risk Interest Group, directors of companies, charities, departments of government, and other organisations have numerous statutory, fiduciary, reporting, compliance, and contractual obligations [122]. Penalties for failing to meet them depending on circumstance include fines, jail sentences, undesired share price movements, unplanned career changes, dismissal, and false conclusions. These obligations must apply to universities, too. The ability to meet these obligations is undermined if the information upon which decisions are based turns out to be flawed. In most businesses, a majority of that information is derived from spreadsheet models. Research has repeatedly shown that an alarming proportion of corporate spreadsheet models are not tested or controlled to the extent necessary to meet these obligations. Uncontrolled and untested spreadsheet models pose significant business risks. Furthermore, an inability to show that spreadsheet-based business and scientific information has been subject to procedures designed to ensure its reliability, is in itself a failure of fiduciary and regulatory compliance, as well as undermining basic good scientific practice. Researchers using spreadsheets must test and confirm the veracity of their spreadsheets before publishing their results and conclusions.

1.4   Corruption: Issues for Governments and Universities

All countries face difficulty in rooting out corruption in society at large, in governments, and in universities. The main types and causes of corruption are listed in Table 1.7. Once ingrained in daily living, corruption is exceptionally difficult to

Table 1.7 Types of corruption and their causes in society, government, and higher education

General and Government
• Weak democratic and transparency norms
• Deficient anti-corruption laws and lack of enforcement of such laws
• Failure to appoint independent anti-corruption agencies
• Clientelism (exchange of goods and services for political support, often involving an implicit or explicit quid-pro-quo. Clientelism involves an asymmetric relationship between groups of political actors described as patrons, brokers, and clients)
• Corporate corruption: abuse of legal personality and covert ownership; location in permissive administrations; insider trading; tax evasion; asset stripping of companies for personal gain; and rent-seeking behaviour (e.g. unjustified transaction and facilitation fees)
• Excessive bureaucracy and inefficient administration from over-large highly centralised government
• Poorly paid bribe-seeking ("inducements-seeking") civil and public servants
• Bribery of local and national government officials and politicians to circumvent planning laws and development restrictions
• Absence of e-government processes and procedures
• Lack of media freedom, especially to discourage exposure of corruption and wrong-doing; distribution of false (fake) information deliberately to misinform and affect elections and cause social disorder
• Disconnection in society between substantial national wealth from natural resources (e.g. oil, gas, precious stones, ores) and widespread poverty
• Ethnic and religious divisions with favoured groups
• Excessive unearned wealth
• Gender and disablement inequality
• Weak inadequately independent judiciary and bribe-seeking police forces
• Manipulation of the law to favour individuals and organisations and to punish rivals
• Deliberately ignoring stealing (including intellectual property), fraud, and other unlawful actions and dishonesty
• Corrupt and unstable neighbouring countries interfering in the normal functioning of society
• Favouritism (e.g. religious and ethnic groups) and nepotism (favouring friends and relatives especially in employment)
• Conniving to avoid taxes
• Criminal networks
• Poor internet access
• Inadequate sanctions against corruption
Higher Education
• Distorted processes for admissions, appointments, promotions, and salary awards
• Unjustified awards of grades and degrees for bribes, sexual favours, or favouritism; fake degrees
• Falsified curricula vitae
• Essay- and thesis-writing services for sale

Table 1.7 (continued)

• Corrupt self-sustaining hierarchies
• Poor or non-existent independent oversight, including resistance to implementing independent quality-assurance and relevance assessments and appointment of independently assessed external examiners
• Extraction of money and other assets from students by academic teaching staff and supervisors for personal gain
• Corrupt disciplinary processes; premature termination or disregard of investigations; protection of corrupt staff
• Vindictiveness and false accusations
• Plagiarism and data manipulation designed to deceive
• Unjustified credit for the achievement of others, such as senior staff insisting on being named as an author or holder of intellectual property. Includes failure to acknowledge contributions to a publication or invention
• Inadequate sanctions against corruption

reduce to tolerable levels, and can become an undesirable cultural characteristic. For both governments and universities, corruption must be robustly addressed. The famous quotation "Power tends to corrupt, and absolute power corrupts absolutely", and the three equally famous Latin quotations *corruptio optimi pessima est* (the corruption of the best is worst); *fraus est celare fraudem* (it is a fraud to conceal a fraud); and *judex damnatur cum nocens absolvitur* (the judge is condemned when the guilty is acquitted) are highly relevant.

Most definitions of corruption, notably that used by Transparency International [104], consider corruption to be the abuse of entrusted power for private gain. Transparency International expands its definition classifying corruption as grand, petty, and political, depending on the amounts of money lost and the sector where it occurs. Grand corruption consists of acts committed at a high level of government that distort policies or the central functioning of the state, enabling leaders to benefit at the expense of the public good. Petty corruption refers to everyday abuse of entrusted power by low- and mid-level public officials in their interactions with ordinary citizens, who often are trying to access basic goods or services in places like hospitals, schools, police departments, and other agencies. Political corruption is a manipulation of policies, institutions, and rules of procedure in the allocation of resources and financing by political decision makers, who abuse their position to sustain their power, status, and wealth.

In this chapter and Table 1.7, we expand the definition of corruption beyond abuse of entrusted power to include issues such as connivance to evade legitimate taxes, turning a blind eye to stealing and fraud, and inadequate sanctions against corruption, even when there is no abuse of entrusted power per se.

Transparency International, for whom we have the highest regard, goes on to state that corruption impacts societies in a multitude of ways. Thus, in the worst cases, it costs lives. Short of this, it costs people their freedom, health, and/or money. The cost of corruption can be divided into four main categories: political, economic, social, and

environmental. On the political front, corruption is a major obstacle to democracy and the rule of law. In a democratic system, offices and institutions lose their legitimacy when they are misused for private advantage. This is harmful in established democracies, but even more so in newly emerging ones where developing electorally accountable political leadership is almost impossible in a corruption-ridden environment. Economically, corruption depletes national wealth. Corrupt politicians invest scarce public resources in projects that will line their pockets rather than benefit communities, and prioritise high-profile projects such as dams, power plants, pipelines, and refineries over less spectacular but more urgent infrastructure projects such as schools, hospitals, roads, and broadband connections. Corruption also hinders the development of fair-market structures and distorts competition, which in turn deters investment. Corruption corrodes the social fabric of society. It undermines people's trust in the political system, in its institutions, and its leadership. A distrustful or apathetic public can then become yet another hurdle to challenging corruption. Environmental degradation is another consequence of corrupt systems. The lack of, or non-enforcement of, environmental regulations and legislation means that precious natural resources are carelessly exploited, and entire ecological systems are ravaged. From mining, to logging, to carbon offsets, companies across the globe continue to pay bribes in return for unrestricted destruction. With regard to universities and corruption, Transparency International released its anti-corruption tool kit for young people to use on International Youth Day on 11 August 2017 [25].

The views of Transparency International are supported and reinforced in other accounts of corruption [15, 38]. The World Bank Group [15] considers corruption a major challenge to its twin goals of ending extreme poverty by 2030 and boosting shared prosperity for the poorest 40% of people in developing countries. In addition, reducing corruption is at the heart of the Sustainable Development Goals (SDGs) [153] (see Sect. 1.5) and achieving the ambitious targets set for Financing for Sustainable Development [152]. It was noted that corruption has a disproportionate impact on the poor and most vulnerable, increasing costs and reducing access to services, including health, education, and justice. It impedes investment, with consequent effects on growth and jobs. Countries capable of confronting corruption use their human and financial resources more efficiently, attract more investment, and grow more rapidly. Corruption thrives in non-democratic states such as kleptocracies, oligarchies, narco-states, and mafia states (Table 1.3).

For universities, corruption is the antithesis of the fundamentals of any university worthy of the title by undermining the concepts of truth, ethics, and morality as well as devaluing its degrees and awards. Nonetheless, many types of corruption can occur in any university (Table 1.7) and must be recognised and dealt with at an early stage, starting at the top of the organisation. A particularly useful development was the launch of a portal, ETICO, by the International Institute for Educational Planning (IIEP) and the United Nations Educational, Scientific and Cultural Organization (UNESCO) [48]. This web-based resource platform has a global database and information centre not only tracking the misappropriation of education funding but (a) knowledge gathering and analysis circulating up-to-date knowledge on ethics and corruption in education; (b) capacity-building services providing guidance and

country-level support on corruption priorities; and (c) offering access to relevant instruments, standards, and services that bolster country capacities.

Corruption in education has been described as a battle never finally won [49] but fortunately receives academic [e.g. 114] and Transparency International [7] attention. Universities and governments worldwide should and must conduct regular anti-corruption drives.

The link between governance and corruption specifically in the Arab world has been analysed in an important article by Fakir and Yerkes [61] accompanied by four commentators. It is a linkage that threatens the future of parts of the Arab world unless it is addressed. Some Arab governments have developed a citizen-state social contract with their citizens that in effect exchanges government services for public consent [149]. Thus, bloated public-sector employment and free or subsidised goods and services are provided in exchange for loyalty, but with few political, human, and civil rights. The 2011 Arab Spring [61] bears testimony to failure of this bribe-based and rights-deficient social contract. Those Arab countries lacking valuable natural resources, that is, most of them, are unable to cushion the effects of sluggish economic growth. Widespread dissatisfaction with government permeates the Arab world, as it does to various extents elsewhere.

A Carnegie Endowment for International Peace article makes clear that no Arab state is truly "free" with regard to the press and internet access [93] and the citizen-state relationship is under pressure [8,41, 61, 149]. Some Arab governments suppress freedom of assembly, but the use of social media and blogs can act as a relief valve as well as a method of coordinating a drive for change. Measures of malcontentment can also be revealed by world governance indicators [16] and global effectiveness—country rankings [62] produced by the World Bank. Corruption is an integral self-reinforcing system in many Arab countries. Tackling corruption would destabilise ruling regimes and the interests of those powerful elites that control key industries and many of the influential civil-society institutions. The overly large public sector can be a driver of corruption [98]; besides bribe-taking to permit access to services, it allows trafficking of drugs, humans, illicit goods, and weapons thereby aiding the spread of terrorism [137]. Some Arab countries tackle corruption vigorously whereas others covertly condone it.

In addressing corruption, the article from the Carnegie Endowment for International Peace proposed independent national anti-corruption agencies, specific anti-corruption laws, and the use of e-government processes and procedures to side-step bribery and cronyism. We share the view that the future of the Arab world as a prosperous and peaceful part of the international community is dependent on tackling corruption in all its malevolent forms in governments, universities, and society at large. Any corrupt gain must be significantly less than the punishment. The likelihood of being caught and prosecuted is aided by transparency of decision-making and financial information, preferably by independent regulators. That is why we support research on blockchain open-access ledgers and other systems to aid transparency.

1.5 Sustainable Development Goals

As we noted hitherto [38, 84], 2015 marked the transition between the end of the eight United Nations Millennium Development Goals (MDGs) and the introduction of the Sustainable Development Goals (SDGs). Ratification of the SDGs took place in September 2015 and came into force in January 2016 with a deadline for completion in 2030. Compared with the relatively straightforward MDGs, the SDGs are much more detailed, comprising 17 SDGs with 170 targets (https://link.springer.com/chapter/10.1007). All are relevant to governments and civil society, not least higher education in the Arab Region. Indeed, it seems as if they were directed at the Arab world. All SDGs without exception demand action from all the Arab countries.

Some may regard these goals and targets as far too numerous, complex, overlapping, and ambitious to be realistic, especially in recessionary times. We believe they are both timely and essential while the world has to deal with and adjust to climate change. For developing countries and countries suffering or recovering from conflict, the most worrying aspect is that the funding mechanisms still remain unclear and not universally agreed. There are parallels with the international community addressing existential aspects of climate change. The inability of international organisations to prevent several long-running vicious conflicts and deal with refugees and migrants does not bode well for the future. Donor fatigue, the downturn in global economic growth, persistent unmet virtue-signalling funding promises from certain countries, and hostile political manoeuvrings and interference (both overt and covert) will undoubtedly make delivery of many of these goals unattainable for the time being.

Parenthetically, Goal 4 (Quality Education) was an integral component of the underpinning rationale for publications in this book series, namely: (a) "Universities in Arab Countries: An Urgent Need for Change" published in 2018 [140], (b) "Major Challenges Facing Higher Education in the Arab World: Quality Assurance and Relevance" published in 2019 [32], and (c) "Higher Education in the Arab World: Building a Culture of Innovation and Entrepreneurship" in press [64]. Goal 4 is closely integrated with all the other SDGs. University boards and senior university staff should study all the SDGs and draw them to the attention of staff and students. Moreover, with respect to Goal 13 (Climate change—take action to combat climate change and its impacts), an extremely important and urgent issue for the Arab world, we have reviewed aspects of innovation and entrepreneurship in addressing climate change [27].

Finally, the current coronavirus pandemic could impact seriously on all the targets set in the SDGs, should widespread poverty and retrenchment by developed countries affect developing countries.

1.6   Role of Sovereign-Wealth Funds

The Gulf States (known colloquially as the Gulf Cooperation Council—GCC—but formally as The Cooperation Council of the Arab States of the Gulf, namely Bahrain, Kuwait, Oman, Qatar, Saudi Arabia, and the United Arab Emirates) are noted for their sovereign-wealth funds (SWFs) or social-wealth funds, frequently described by less fortunate (jealous?) countries as an embarrassment of huge, largely unearned riches on a per-capita-of-population basis in commodity-dependent economies, especially when contrasted with other Arab countries that lack oil and gas reserves and other highly valuable natural resources. The scale of the SWFs held by the Gulf States dwarfs those of any other Arab country [9, 68, 156]. Many other countries have SWFs (e.g. Norway, China, Korea, New Zealand, Russia) and are classified as state-owned investment funds. SWFs invest in assets (e.g. stocks, bonds, real estate, precious metals) or in alternative investments (e.g. private equity funds or hedge funds). Some SWFs may be held by a central bank, which accumulates the funds in the course of its management of a nation's banking system. Other SWFs are the state savings that are invested for straightforward investment returns. The accumulated funds may have their origin in, or may represent, foreign currency deposits, gold, special drawing rights, and International Monetary Fund reserve positions held by central banks and monetary authorities, along with other national assets such as pension investments, oil funds, or other industrial and financial holdings. These are assets of the sovereign nations that are typically held in domestic and different reserve currencies (such as the dollar, euro, pound sterling, and yen). Such investment-management entities [125] may be set up as official investment companies, state pension funds, or sovereign funds.

In theory, SWFs aim to maximise long-term returns for the benefit of the nation, with the related foreign-exchange reserves used to provide short-term currency stabilisation and liquidity management [68, 125]. In recent years, some central banks possess reserves massively in excess of needs for liquidity or foreign-exchange management. Most are believed to have diversified into assets other than short-term, highly liquid monetary ones. Governments decide how these funds are used, sometimes without democratic oversight.

According to Ereli and Karasik [33] using data from the Sovereign Wealth Fund Institute (https://link.springer.com/book/101007), the governments of Saudi Arabia, the United Arab Emirates, Qatar, and Kuwait are using their national wealth as a strategic tool of power projection as never before and blurring the line between economic and political decision-making. The report states that the Arab Spring, the potency of extremist movements, and the attendant conflicts in Syria, Iraq, Yemen, and Libya have highlighted perennial concerns of regime stability, compelling Arab rulers to take measures to protect themselves and their states. As a result of concerns about America's regional staying power, Russia's expansive military and diplomatic role in regional affairs, and Iranian influence are transforming the GCC into a new front in great power competition, which regional leaders must take into account. The report also comments that the Gulf States are using sovereign

investments (i) as leverage with regard to Iran, Syria, Yemen, and Libya; (ii) as a hedge against great-power competition in the region; and (iii) as a political tool in the context of their intra-GCC rivalries. The Gulf States are heavily dependent on migrant labour, and parts of that workforce are not adequately cared for, so there is a legitimate case for investments in both automation and upskilling their citizen.

Clearly, each SWF differs in size and strategy, most are notoriously opaque. Comprehensive and accurate information and data about the SWFs, how they operate, and their effects on economies and societies are essential for all fair rules-based international trading. Some SWFs apparently have potentially conflicting incentives, not only to make profitable investments but also to further their own political and social objectives.

Arab governments in their custodianship of their national economies (see Sect. 1.2.6) should regard their sovereign-wealth funds and other reserves as vehicles for improving the wealth and quality of life of their citizens, not as self-preservation protection tools for their ruling elites. In terms of investment, nothing can be more effective in the medium to long term than investing in the education, innovative capacity, creativity, and entrepreneurship of their citizens. For some governments, universities are a threat to their existence (see Sect. 1.3.1) but we regard them as the main route by which Arab countries will address major social and environmental challenges, enter the global knowledge-based economy, and evolve into stable and prosperous liberal democracies. Currently, however, following depressed prices for oil and gas and the present state of the financial markets in the COVID-19 pandemic, many SWFs are facing tough times, particularly in the Gulf States. Not only their investment performance declining but also face asset-stripping by perplexed governments anxious to counteract recession. In turn, universities could be deprived of the resources they deserve.

1.7 Conclusions

All Arab governments suffer from a democratic deficit and their countries are disconnected from the advanced global knowledge-based economy, even though all economies are being severely tested during the COVID-19 pandemic. A few are indeed wealthy (but much less so in the COVID-19 pandemic), but most are poor and suffer the depredations of poverty. All desperately need to address the serious consequences of climate change. It is now obvious that the processes that force climate change are integrated into the global economy and geopolitics. The sheer profundity of attempting to decarbonise an economy demands a combination of innovation (especially from academia), adaptability, public involvement (best achieved by democratic means), and a comprehensive reshaping of present-day socio-economic activities. At this juncture, Arab governments are incapable of such an undertaking and since the collapse of the Ottoman Empire have fully deserved international assistance for reasons stated hitherto [83] (see Sect. 1.2.5). Political instability and conflicts,

ingrained corruption, poor soft and hard infrastructures, weak public funds, inadequate quality and relevance of the education system, religious rivalries and intolerance, migrations and emigrations, unemployment and underemployment afflict most Arab countries. Under such circumstances that would test the best-governed country, it is not surprising that long-term planning with associated attitudinal changes in the general public are exceedingly difficult to achieve, but profound reform is more urgent than ever. The quality of governance standards in Arab governments urgently needs to be upgraded, and some are making headway in this respect. Governments (and university boards) must be mindful of not imposing heavy bureaucratic burden with excessive monitoring and data gathering. We have proposed a series of improvements to upgrade how governments work and in so doing boost the economy. Arab governments can learn a great deal from the development and operation of the major trading blocs, such as the European Union. Nonetheless, we do not underestimate the extreme difficulties that need to be overcome and the time and assistance needed.

From the work over many years of the Arab Academy of Sciences, it was realised that the focus of the Academy must shift from addressing the major scientific and related issues to review in detail the Arab universities themselves because (a) they are the main vehicles for R&D in the Arab world but are clearly underperforming and therefore require close attention; and (b) they represent possibly the only major route to ensure the peaceful social and economic transition of the Arab world from its current predicament to play its full and positive role in the international community. Having reviewed (a) the current state of the universities in their teaching and research; (b) the roles of independent quality-assurance and relevance assessments; and (c) the importance and potential of innovation and entrepreneurship, this current focus on governments and their interactions with universities exposes the fundamentals of a relationship that needs to demonstrate healthy respect capable of criticism where deserved, a measure of symbiosis in policy development and implementation, and recognition of the validity of investment. The New Growth theory [110, 50] should become reality in terms of Arab government policies just as the universities should raise their standards as a matter of urgency. As research scientists, we are not politicians, nor wish to be; our focus is not on commitment to any particular political or religious ideology but on facts and the quest for more knowledge for the betterment of humans, the flora and fauna, and the environment, and not least understanding of the universe. We do know that universities function best with a large measure of autonomy in an economically and politically stable, non-autocratic, liberal-democratic political environment. Governments as much as universities benefit from independent quality-assurance assessments.

Arab universities are not considered to be in the ranks of the internationally elite institutions according to the international ranking organisations, despite their undoubted academic potential. Major changes are well underway but there remains much to be done. This chapter and related accounts [27, 83, 84, 90,] make several proposals to assist in reshaping the higher-education sector, and extends into public-sector research institutes. Our focus has been on governance processes because if they are inadequate or corrupted then the educational edifice is in trouble. Governments and universities around the world should take note of the Global Knowledge Index

[85] and Arab governments should analyse and act on the Arab Knowledge Index, and universities should interact closely with relevant international agencies such as UNESCO. Our commentary on the UN's Sustainable Development Goals, corruption, the way sovereign-wealth funds are deployed, spreadsheets, academics as part of a global community, and leadership are not only applicable to Arab Universities but have global resonance. Initiatives such as The Knowledge Society [27] that trains teens to help solve some of the world's biggest problems using emerging technologies will drive changes in the university sector not least because some universities are currently unable to develop or even offer courses in the portfolio offered by TKS. Academic institutions that are unable to offer high-quality and relevant undergraduate curricula should consider acting as portals for online courses for the major online-course providers instead of wasting money and the precious time of students on outdated educational offerings.

Special recognition has to be given to those universities and other institutions of education more generally trying to function to the best of their ability in conflict zones in the Arab world. Likewise, recognition has to be extended to those public servants, institutions, and public-spirited individuals trying to sustain a measure of normality in intolerable circumstances. Mention should be made of Cara (Council for At-Risk Academics) that has and continues to rescue some of the most highly trained people from some of the most dangerous places and helps them find refuge with their families and to work until they can return home to help rebuild their country [135]. Cara's founding mission is the relief of suffering and the defence of learning and science, and it has run a Programme in Iraq (2006–2012) and is currently running a Syria Programme [134]. Such humanitarian work coupled to that from numerous organisations [12, 27, 83, 84] cannot, however, in any way absolve the international community from abruptly bringing the conflicts in Arab countries to an end.

Four of our review chapters in this Arab Academy of Sciences book series describe recent technological and scientific advances as well as give details of specific R&D topics of high priority for universities and governments in the Middle East and North Africa [12, 27, 83, 84]. We now refine our proposals to three other interrelated matters that need the urgent attention of governments and university-generated innovation and entrepreneurship: (a) health surveillance and treatment, (b) plastic pollution, and (c) air pollution, notwithstanding the problems of noise pollution (e.g. transport-related noise and incessant background music) and nocturnal light pollution. The Arab world suffers from all three. Most countries routinely fail to utilise fully the knowledge and skill basis and advanced facilities in their universities and research institutes. This deficiency has been vividly exposed in the current coronavirus pandemic, but the time has come to rectify the situation.

Health surveillance and treatment are easy to comprehend and bear a close relationship to modern living, climate change, and all types of pollution. More pandemics are inevitable as a result of the combination of population growth, urbanisation and overcrowding, poverty, deforestation and other types of environmental destruction, travel of all types and trade without proper biosecurity measures, poor personal hygiene, poor livestock-handling and -slaughter processes, and using exotic animals as food. Coherent systems are needed for disease surveillance and testing alongside

stockpiling of essential equipment and medicines. The current pandemic and future pandemics mean that social and economic systems need to be resilient and adaptable, not least the functioning of universities.

Both plastic and air pollution relate to (a) inexorable global population growth and expanding consumption of goods that do not properly charge for environmental impacts and use of natural resources; (b) the resultant environmental destruction thereby reduces the resilience to weather perturbations; (c) anthropogenic climate change that might be irreversible as a result of combusting fossil fuels, wood, and agricultural waste as well as releasing other climate-modifying chemicals; (d) modern lifestyles; and (e) inadequate government action and lack of innovation. Plastic pollution refers to the accumulation of micro-, mega-, and macro-plastics that pollute the land, seas, and oceans. The plastics may themselves contain pollutant chemicals, for example, bisphenol A, pesticides and so on. They are ingested by humans, livestock, and the natural fauna, sometimes to lethal effect. Measures are urgently needed to reduce their use (especially single-use plastics), develop effective recycling plants, introduce biodegradable and readily degradable plastics, and devise environmental clean-up processes [17, 19, 95, 96]. Air pollution is directly linked to climate change, emissions from diesel and gasoline engines and wood burning, gas burners, many types of manufacturing industry that fail to install emissions filters, burning of agricultural wastes and so on. It is already adversely affecting millions of people around the world. Two recent publications provide general accounts of the severity of the problem [40, 54]. Reflecting the ability of tiny (nano and micro) particles to enter the bloodstream and organs, air pollution impacts on sperm production; birth abnormalities; increased risk of pneumonia and asthma; deterioration of learning and memory; and is linked to problems in all the organs and to many diseases [17, 19, 95, 96]. It is not only a city problem but also one in any polluted rural or urban environment and is especially dangerous for babies and young people. Legitimate concerns are growing about long-lasting short-chain perfluoroalkyl carboxylic acids used to replace chlorofluorocarbon chemical in air-conditioning units, and their propensity to lead to irreversible pollution [119]. Innovative actions to curb air pollution as well as other types of climate-changing and toxic pollution are long overdue. Well-governed governments and universities need to act in unison.

Finally, inequality, often cohabiting with profound corruption, bedevils the Arab world. It affects the functioning of society and universities, and the processes of governance. According to Walter Scheidel, the eminent historian, since the Stone Age four often interrelated forces (war, revolution, state failure, and pandemic) will reduce inequality [114]. Are we about to enter a new phase of change in the Arab world with the aim of attaining a more equitable and honest distribution of resources?

Postscriptum

In 1648, the eminent Swedish statesman Axel Oxenstierna [1583–1654; 114] wrote in Latin to his son Johan: *Nescis, mi fili, quantilla prudentia mundus regatur*? (Do you not know, my son, with how little wisdom the world is governed?) regarding his involvement in the Westphalian peace negotiations in Osnabrück and Münster that largely ended the Central European wars of religion, including the Thirty Years'

War (1618–1648) that alone resulted in eight million fatalities, famine, and plague. Wisdom in governance at national and international levels remains elusive to this day. As regards governance, in his biography of 1821, Thomas Jefferson (1743–1826), the American statesman and Founding Father, wrote "It is not by the consolidation, or concentration of power, but by their distribution, that good government is effective" [34], a dictum that should be central to the evolution of governments and universities in the Arab world.

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Chapter 2
Friend or Foe? Governors and Governance in Higher Education

Quintin McKellar

Abstract   This chapter provides an overview of the governance of universities in the UK and considers the strengths and frailties of the systems which have developed. Before considering universities, some examples of corporate governance failure are given since they exemplify universal issues relating to self-interest, poor integrity, lack of accountability and honesty, and external interference by government from which important lessons can be learned. The affairs and policies of universities are embraced in the stewardship of their governing bodies. The diversity of governance models in the UK higher education is a reflection of the age, complexity, and ethos of the universities we have. Good governance has been articulated by codes by which universities operate and which provide many safeguards against failure. The relationship between these governing bodies and the agent of state, the Office for Students, which operates as a regulator, is developing. It is hoped that one of the OfS's guiding principles, which relates to institutional autonomy will survive the pressures of public scrutiny and political avarice, and that the OfS will refrain from institutional interference beyond its regulatory duties.

Keyword Governance · Universities · Transparency · Effectiveness · Management · Trust

2.1   Introduction

To govern derives its meaning from the Greek, *kubernāo*, which means to steer, and is broadly taken to describe the mechanism by which organisations conduct their affairs and decide their policies. Indeed, the government of a country constitutes its governing body, the policies of which materialise as laws. Governments have influence over the establishment and function of governing bodies of private and public organisations, and while pressure by government to ensure good governance has undoubtedly had a positive impact on organisational transparency and effectiveness,

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it has also been perceived to be, if not actively intrusive, then certainly burdensome and stultifying for organisations which require flexibility and speed.

2.2   History of Governance

This is no new thing. At its zenith, the British East India Company was responsible for half of all world trade and had an army twice the size of the national British Army. It governed most of the Indian sub-continent. Its power evolved from a mercantile operation to an occupying force under whose authority it traded, in amongst other things, opium and directly levied taxes. While the company officials and shareholders grew rich, the local populations suffered famine, to the extent that there was no longer the manpower to service the economy on which the company depended. As income declined, there was a run on company shares, pushing the business towards bankruptcy. The British Government eventually took action, passing the East India Company Act in 1773 to wrestle control, and indeed government, back from the company in India. In the same year, and to offset the bailout of the company, the Government passed the "Tea Act", giving the British East India Company preferential trading rights with the American colonies. This act of taxation without representation incited the Boston Tea Party and the American War of Independence.

The East India Company failures exemplify the issues of poor governance, including lack of legitimacy, unethical activity, substantial self-interest, poor account-ability, questionable integrity, and ineffective leadership. The subsequent interference by Government was no more effective; indeed the Government's attempts to reduce the cost of its bail-out ultimately resulted in American independence, and while in the long-term it could be argued that this was a good thing, it was not perceived so at the time. Indeed, a less harmonious transition to independence is hard to imagine.

The Anglo-Persian Oil Company, which became the Anglo-Iranian Oil Company, the predecessor of British Petroleum (BP) was founded in 1908 after the discovery of oil in what was Persia. The exploration was supported by the millionaire Willian Knox D'Arcy, and subsequently, the Burma Oil Company (based in Glasgow) and exploitation was abetted by a ludicrously favourable concession that D'Arcy negotiated with Mozaffar al-Din Shah Qajar of Persia in return for essential exclusivity, Persia (now Iran) would receive only 16% of future profits. In 1913, Winston Churchill secured oil supply from the Anglo-Persian Oil Company for the Royal Navy and coincidentally acquired a controlling investment in the company for the British Government. There followed many years of irritation on behalf of Persia over the D'Arcy concessions and obfuscation on the part of Britain and the oil company over unfulfilled promises of aid and infrastructure. This came to a head in 1951 when the Iranian Parliament voted to nationalise the Anglo-Iranian Oil Company and Britain closed its major refinery in Abadan. The British Government's attempts to settle the dispute through the International Court of Justice were thwarted when the Court established that the dispute was between the Iranian Government and a foreign corporation (not the British Government) and was therefore subject to Iranian domestic law. A compromise was

ultimately achieved with BP becoming part of a consortium of oil companies that shared the profit on extracted oil 50:50 with Iran. The original D'Arcy concessions and company governance contributed in a large way to the tensions which developed between the Anglo-Persian/Iranian oil company and Persia/Iran but British Government intervention did nothing to relieve the belligerence between the parties and must bear responsibility for the deteriorating relationship that subsequently developed between Iran and the West. Although the original negotiations may have been carried out in good faith, they were clearly ludicrously one-sided and their legitimacy ought to have been tested by the governors of the company and its overseer the British Government. More effective governance with a modicum of selflessness and integrity could have resulted in a very different outcome for the Anglo-Iranian oil company and for future relationships between Britain and Iran.

Governance of business has more recently been criticised for failure to pick up fraud or simply for not controlling the incompetent exuberance of senior executives. Arthur Anderson, a one-time highly reputable auditing firm with a turnover of more than $9 billion, was implicated in the misstatements of the giant energy company Enron and subsequently the shredding of documents related to its audit of Enron. The US Securities and Exchange Commission will not accept audits from parties with criminal convictions, effectively sealing the future fate of Arthur Anderson. It did not end well for Enron either. Its stock price fell from $90 to less than $1 leading to what was at the time the largest bankruptcy in US history. It also catalysed a US Senator and a US House representative to sponsor a bill named in their honour the Sarbanes-Oxley Act. Prior to the Bill, US auditing firms were essentially self-regulated, the Bill introduced specific responsibilities of the Boards of Directors of corporations, proposed that the Securities and Exchange Commission create regulations for corporate compliance, and enforced criminal penalties for misconduct such as the wilful destruction of evidence. The Act has been praised for the transparency and confidence it has brought to the financial industries and to investors.

By 2008, Lehman Brothers, the fourth largest investment bank in America, had invested heavily in what became known as sub-prime mortgages. Sub-prime mortgages are issued to borrowers who have a higher than average risk of defaulting. By this time, Lehman had assets of $680 billion, which were supported by only $22.5 billion of firm capital. A small negative change in the value of its real estate assets would wipe out all its firm capital. Furthermore, Lehman apparently boosted the appearance of its financial statements by temporarily exchanging up to $50 billion of assets into cash immediately before reporting. Lehman began to make huge losses on its sub-prime assets in 2008 at which time it appears, perhaps unsurprisingly, to have been unable to sell them. Losses in its stock were followed by an exodus of its clients and down-rating by credit agencies, and the spiral continued until 15 September 2008 when it filed for bankruptcy protection. This now became the largest bankruptcy in American history and was followed by a precipitous drop in global markets and an ensuing global recession. As the 2008 recession began to develop, other organisations whose governance arrangements had allowed them to become exposed were affected.

The Royal Bank of Scotland, which was established in 1724, had seen a period of unprecedented growth under the stewardship of the mercurial Chief Executive Officer Fred Godwin. By 2008, it was the world's largest company by assets (£1.9 trillion) and its stock value made it the fifth largest bank. It had achieved this extraordinary scale by aggressive acquisitions. However, ambitious acquisitions stretched the bank's capital position and as the recession unfolded, it transpired that several of the US banks that RBS had acquired were substantially exposed to the sub-prime mortgage market. While Godwin was at the helm, the share price of RBS rose from £4.42 to £18 and then fell to 65.7p. At this point, the bank recorded a loss of £24.1 billion, the largest in UK corporate history. The UK Government bailed the Royal Bank of Scotland to the tune of £42 billion, purchasing 82% of the Bank's shares at 50p per share. The company, which invented the overdraft, had to utilise something of the equivalent from the nation for its survival.

Arthur Anderson, Lehman, and The Royal Bank of Scotland variously exhibited lack of integrity if not dishonesty, poor accountability and objectivity, clear lack of selflessness and poor leadership in both their Governors and Executive. As we shall see later, addressing these deficiencies from the basis of the Nolan Principles designed to create a code of personal conduct would have of itself prevented many failures in collective governance. It could be argued that for commercial for-profit companies, selflessness is less important than for public sector organisations. Nevertheless, personal or corporate greed clearly contribute to poor governance in many of the examples of corporate failure.

Each of the examples given represents instances where companies or businesses, which were at one time seemingly indestructible, have floundered or have caused national catastrophe as a result of poor governance, in two cases abetted by government and in one case rescued by government.

2.3   Failures in University Governance

Within the global higher education sector there have been several instances of institutional failure attributed to poor governance. On review these most often fall into two categories, the first is where the institution has become financially unstable or unsustainable as a result of mismanagement, often attributable to issues of both governance and executive management. In some cases, the institutions have experienced financial instability as a result of external factors such as changes in government-funding policies or simply a changing market in student numbers. Nevertheless, in most circumstances highly effective governance and consequent good management could have implemented different models of size and delivery, thus adapting to the new environment and where this has not happened, governance must bear responsibility.

The second major category of governance failure has been where there has been a breakdown in trust, confidence, and working relationship between governors and the senior management of the organisation, or when the governance oversight has

failed to pick up weaknesses or malfeasance in management or ineffective process in the university.

In the UK, the most notable failure in governance resulting in financial short-coming was in 2009 at London Metropolitan University, which apparently claimed £36 million worth of government funds for students who had not completed end-of-year assessments [7]. At the time, the chair and members of the governing body, deemed ultimately responsible, resigned and a new set of governors were appointed and a new Vice-Chancellor also took charge. It is perhaps a measure of the deep-seated frailties of the processes in place throughout the University that in 2012, London Metropolitan also lost its authority to take students from outwith the European Union when an audit found that almost 25% of its international students had no leave to remain in the UK. At the time, international students accounted for £30 million of London Metropolitan revenue. In relation to the failures in governance at London Metropolitan, the then Chief Executive of the UK's Higher Education Funding Council (HEFCE) said "The scale of governance, management and operational failures at London Metropolitan University is unprecedented in higher education in this country" [2].

A breakdown in governance of the second type whereby the fracture was between independent governors and executive occurred at the University of Plymouth. The exact cause of the dispute is unclear although several reports suggested excessive expenditure on travel and on the trappings of office of the Vice-Chancellor. It is understood that following her suspension the Vice-Chancellor took out a grievance based on sexual harassment against the then Chair of the Board of Governors, who despite refuting the claims, promptly resigned. Clearly, getting into the mess that Plymouth found itself in was a direct result of poor governance, and getting out of it seemed little better. The now former Vice-Chancellor was appointed "President" for an unseemly short period and both the former Vice-Chancellor and former Chair of Governors were reputed to have received monetary compensation for loss of office. Plymouth subsequently commissioned an independent review of its governance and although it did not comment on the reasons for the breakdown in governance, it did submit resolving principles which hint at where there may have been concerns. They point out that "No one individual is greater than the institution they serve", that individuals should instinctively "do the proper thing", that staff should be treated "fairly and with dignity", and that everyone in the institution had a "duty of candour". Of the 15 major recommendations in the report, two are specifically targeted at the breakdown in trust and confidence between the Chair of the Board of Governors and the Vice-Chancellor. The first is the appointment of a Registrar (Plymouth did not have one) who would become the "conscience of governance" and might act to prevent breakdown in relationships. The second was to appoint a senior Independent Governor who might act to resolve issues, were they to arise, between Chairman and Vice-Chancellor, or which could not be resolved through the "normal channels of Chairman, Vice-Chancellor, or University Secretary/Academic Registrar" (Good Governance Institute [3].

Examples of breakdown in governance within universities in the United Kingdom should be considered in the context that of the 140 higher-education institutions with

university status; none has ever been declared bankrupt. Indeed, in most instances where mismanagement has been claimed the governance processes of the organisation have been sufficiently robust to resolve the situation. Nevertheless, changes in the relationship between universities and government, with greater autonomy and responsibility of governing bodies, may be causing inadequacies in governance to become more apparent or to have greater impact on their institutions. There have been recent reports of governance failures at Swansea, De Montfort, and Reading Universities, and at Christ Church College, Oxford, and as financial pressures increase on UK universities, it is likely that others will emerge.

2.4   Governance in a Crisis

Crisis of personality and crisis of finance are generally of their own making. The extraordinary crisis of pandemic is truly external. The Covid-19 coronavirus pandemic has been global in nature and transforming in character. Has university governance responded well? It will be easier to accurately tell in retrospect, however at present (in May 2020), the resilience and responsiveness of UK universities has been broadly effective. Yet even now some important questions arise. The disease emerged in late December 2019 in China and it is fair to say that universities in the UK were still coming to terms with its potential consequences in February 2020, mostly imagining that it would behave rather like previous severe acute respiratory syndrome (SARS) coronaviruses with limited global reach and impact. As the death toll mounted and other European countries like Italy and Spain began to impose lockdown policies on their citizens, it became apparent that this was different. Lockdown in the UK began on 23 March 2020. Some universities in the UK had begun to take action before this date, but it is fair to say that from that time action has been electric in pace and profound in depth. In a period of two weeks (some starting before lockdown) almost all universities have succeeded in converting all their remaining semester B and C teaching content into online delivery and have put in place assessment processes which ensure integrity while acknowledging disruption to student learning. This, of course, begs the question, why did the evolution of online material not happen before Covid-19 when many university teaching and learning institutes or centres were encouraging just such production? How did governing bodies respond to the emergency? And did their response make any difference to the executive teams which were responding at the chalk face or, as it happened, on the computer screen.

At the University of Hertfordshire, the Board of Governors met on 26 March 2020 and was able to consider what its response might be to the event of lockdown and immediately establish an emergency subgroup of six governors. This group subsequently met weekly for eight weeks until the rhythm of the crisis steadied and high-level decisions could be taken in a more timely fashion by the regular board, or its finance or audit committees. It proved most helpful since the executive board had to make very rapid decisions with profound financial consequences for which governor approval was reassuring if not legally essential. For example, at this point

some universities were considering converting conditional study offers for Semester A into unconditional offers, which would have had a positive impact on recruitment but would have raised the ire of the Office for Students (OfS) who were trying to support sector stability [8]. Governors were deeply engaged in this debate, weighing the possible short-term benefits of improved recruitment against possible long-term reputational damage. Over the course of a very busy weekend the decision was taken to hold our conditional offers, which in retrospect seems to have been the correct choice as the OfS considered back-dated powers to sanction those universities whose action could have destabilised the sector. A decision with more immediate financial implications had to be made on our student accommodation. In Hertfordshire at this point we took the decision to release students from their accommodation contracts, costing the University about £6 m but supporting students who would otherwise be paying for unoccupied halls of residence which was felt to be morally indefensible. The activation of the emergency board group allowed the immediacy of decision making essential at that time; however, it is apparent that not all boards responded with such speed and flexibility. It has been rumoured that at least one university's governing body had apparently not met during that first eight-week period and it is interesting to speculate whether the governors of that institution were discharging adequately their responsibilities.

As we move from response to recovery, the University of Hertfordshire has been considering the more fundamental and long-term implications of the lockdown on the way we might wish to work in the future and how we can embrace effectively the practices which have been shown to work and which may be utilised to enhance learning in the future. In this regard, governors are being encouraged to think creatively about what the future might look like and how our university can exploit opportunities for the best learning experience for our students.

At the outset of the crisis, governors embraced an almost universally cooperative and supporting role. As the crisis evolved and new working practices and approaches became embedded and when it became apparent that the university had responded well, governors rightly became more challenging and their approach was directed towards recovery and sustainability. The crisis meant that board agendas were stripped down to essentials and meetings were shorter and more functional. One consequence of the crisis has been renewed recognition of the importance of auditors. Future audit plans have been adjusted with registers updated and remits expanded. The financial impact of Covid-19 has begun with accommodation refunds, food outlet declines, and sports village closures. It will no doubt increase substantially with potential student deferrals or overseas students choosing not to travel. The real mettle of governing bodies will be tested as we move through the winter and cash reserves deplete.

2.5   Evolution of University Governance

The oldest universities in the UK are more than 800 years old and have had time to evolve systems that suit their structures, complexities, resources, and academic ethos. Thus, the official governing body of the University of Cambridge is "The Regent House" comprising around 5,500 university academics, officers, and senior college members. It also has a council, which is the principle executive and policy-making body of the University. Unlike most more-recently established universities, the Council has only four external members and 19 elected members from the University community [9]. The University of Oxford's sovereign body is its congregation, which like Cambridge has over 5,000 members, and like Cambridge it has a council of 28 members of which only up to four are externals [11]. Most other universities in the UK have membership of between 15 and 35 members of which the majority are independent and external to the university. Most governing bodies also have student and staff members, the latter group often representing both academic and professional staff. A peculiarity of the ancient Scottish universities was that their courts or governing bodies were chaired by a rector who was elected by the student body. More recently, Scottish universities have been required by statute to appoint union representatives to their board and to hold an election among internal and external stakeholders for the appointment of a senior lay member who will chair the governing body. The appointment of trades-union representatives calls into question the nature of governance whereby governors might be expected to act in the best interests of the university rather than in the interests of what are often a minority of staff members.

The evolution of governance within British universities has seen their governing bodies becoming smaller (typically fewer than 20 members), less "representative" or "democratically elected", and more selected and appointed through processes designed to fulfil skills requirements, and there has been a move to ensure that the majority of governors are independent or co-opted. Most governing bodies undertake their duties on a voluntary unpaid basis, although as the responsibilities of governance become more arduous and the potential for liability increases there are more demands from governors for payment and more universities embracing remunerated non-executive appointment. In this regard, it is interesting to note that one of the universities subject to public scrutiny for a failure in governance, De Montfort University, was one which had most actively embraced the paid role of some of its governors.

2.6   What Are Governing Bodies For?

If governing bodies operate as the mechanism by which organisations conduct their affairs and decide their policies, they clearly have a wide remit and broad responsibilities. Taken to its extreme, this could be interpreted that they should have oversight responsibilities, should decide and implement strategy, and should direct operational

activity. This confuses governance and management and could lead to internal conflict if the same organ of responsibility was both instructing and enacting operational activity and having oversight to see that it was being done properly. It is unlikely that a voluntary group of independent governors would have the time or expertise to effectively engage at an operational level. Furthermore, if they have the duty of oversight inferred by governance they would be conflicted to do so. Governors would be expected to engage in the creation or at the very least the approval of the strategic direction of the institution. It would be wasteful of the expertise of governors, who are likely to have been leaders in their fields of activity, not to use that expertise, experience, and wisdom in the creation of strategy. Nevertheless, they should be mindful that the community of scholars and professionals within a university will have much greater subject-specific expertise than they have, and that the institutional expertise should be harnessed in the formulation of strategy. The approval of the strategy should be the responsibility of the governors and separating formulation from oversight has the potential advantage of removing self-interest from the process.

Governors should certainly have oversight of all major activities of the university and this is now more clearly articulated by the OfS, the new regulator of higher education in the UK. But the role of Governors should be to assure themselves that the processes are efficient and effective and that the outputs and outcomes are of appropriate size and quality, rather than becoming involved in the processes themselves. Of course, all aspects of governance should be nuanced according to the relative expertise of the governors and the relationships and trust between governors and executive. The greater the expertise, the more mature the relationship and greater the trust between the governors and the executive, and the more likely the institution is to function effectively. Furthermore, the level of challenge and support as a critical friend of the executive that the governors can impart, the more likely the organisation is to remain compliant with the law and the regulations within which it must operate. There is undoubtedly a balance to be sought whereby governors implicitly trust the executive but remain sufficiently dispassionate to take appropriate action should oversight demonstrate impropriety or simple incompetence.

Given that breakdown of governance is often associated with breakdown of the relationship between the Chair of the Board of Governors and the Vice-Chancellor, that relationship is vitally important. Strains in the relationship are perhaps unsurprising since those achieving senior positions, which might deem them suitable as Chairs of Governing bodies, and those achieving the position of Vice-Chancellor are likely to have high levels of expertise and self-belief and to consider themselves to be the leaders in their fields. They may also possess significant egos, which could make a partnership approach more difficult. In these circumstances, a Secretary-Registrar with the courage and ability to temper and manage the partnership is vital! It is also wise for a governing body to appoint from their membership a senior independent governor whose role would be to resolve dispute should it occur between Chair and Vice-Chancellor.

Managing a Board of Governors effectively requires substantial interpersonal and communication skills, not least because some members (often, but not exclusively,

staff and students) may mistakenly see themselves as representatives. This is more likely if Union "representative" membership is embraced. The governing body are jointly and severally responsible for the functioning of the university. They should act in the best interest of the institution and not their "representative" group or in their own self-interest, which could manifest in overt support for research over education or vice versa, or for increased salaries over sustainable finances. Indeed, the Chair should also manage the lay governors whose personal expertise or interests may result in fixation or inappropriate descent into operational activity.

2.7 Good Governance

In some jurisdictions such as the USA, elements of good governance have been enacted in the law, the Sarbanes-Oxley Act perhaps being best known. Furthermore, there are many codes of good governance, which cover business (King IV), charities (Charity Governance Code), and education (The Higher Education Code of Governance) [1, 4, 6]. As codes of governance have evolved, they have come to embrace more tangibly the idea of citizenship, whereby good governance implies engagement with wider communities. Corporate governance has and should become more transparent and while the law prevails over codes it is likely that a well-crafted code should support a corporation or organisation to stay within the law. The King IV report proposes that governing bodies have the responsibilities to steer and set strategic direction, approve policy and planning, oversee and monitor, and ensure accountability; it lays out 17 principles which it suggests should be given effect by the practices of the organisation and which should contribute to four broad outcomes embracing ethical culture, good performance, effective control, and legitimacy. It is of relevance that the early examples of governance failure described at the beginning of this chapter for the East India Company and Anglo-Iranian Oil Company transgressed each of these. In establishing a governing body, King IV recommends in one of its guiding principles that it should "Comprise the appropriate balance of knowledge, skills, experience, diversity and independence to discharge its governance role and responsibilities objectively and effectively".

The Higher Education Code of Governance has been prepared on behalf of the Committee of University Chairs. It begins by affirming the "Nolan" principles of selflessness, integrity, objectivity, accountability, openness, honesty, and leadership by which governors should behave [9]. All the examples of governance failure given earlier demonstrate explicitly a failure of one if not many of the "Nolan" principles and these should always be paramount in those accepting governance responsibilities. The code then lays out some core values which apply to higher education and which underpins good governance for this sector. These include autonomy, academic freedom, the student-interest, accuracy and transparency, clarity for stakeholders, equality and diversity, availability to all who might benefit, and accountability for public funding. It then describes in more detail the elements of governance, which

underpin these values. It notes that the governing body is unambiguously and collectively accountable for all matters of fundamental concern and that these responsibilities apply also to staff and student governors who should not be routinely excluded from discussions. This implies that these members may occasionally be excluded, perhaps when topics of direct personal interest are being discussed. However, given their responsibilities this should only be in extreme circumstances.

Governing bodies should assure themselves that "clear regulations, policies and procedures which adhere to legislative and regulatory requirements are in place, ethical in nature and followed". It is of particular interest to universities that the decision-making process is not influenced by donors or sponsors and that individual governors are impartial and declare interests when these arise. Governors should work with the executive to set the institutional strategy, which should deliver financial sustainability and should control risk. In order to affect appropriate controls, the governing body should establish an audit committee, which should be "small, well-informed and authoritative". It should have the expertise and the time to undertake its duties diligently.

Senior executive pay has become a matter of much public interest and criticism. In order to ensure that the reputation of the university is not damaged, a robust remuneration committee should be established which should include the chair of the board of governors and at least a majority of independent members. The Vice-Chancellor should not be a member of the remuneration committee that sets his or her pay. The remuneration committee should consider comparative data on pay and it would seem wise to seek such data from within the sector as well as with similar other public-sector bodies and private corporations. In setting salaries, the committee should consider the public interest and safeguard public funds. While the merits or wrongs of excessive base salaries will be a matter of concern dependent upon the perspectives of the individual considering them, it is of greater concern that excessive payments are made in the last year of a Vice-Chancellor's employment. It may be charitable to assume that such payments are the result of retention clauses and that they go to leaders of great competence who have led their institutions with distinction and credit. It is more likely that they are pay-offs demanded by Vice-Chancellors forced from office as a result of poor performance or fractured relationships. In these instances, the governance relating to original contracts of employment and the backbone of the governors acquiescing to the outgoing Vice-Chancellor's demands should be questioned. While no institution wants a murky industrial tribunal to accompany a change in command, it is important that governing bodies are prepared to resort to the law and are prepared to accept the scrutiny that this would demand in the best interests of their University and indeed to uphold the credibility of the governance process.

Governing bodies of universities will recognise that the expertise required to direct the educational and research activities of the organisation lie within the Academic Board or senate. Nevertheless, they must assure themselves that the requisite body is carrying out its duties in relation to academic matters in a diligent and effective way. Furthermore, it must respect the principles of academic freedom whereby academics have the duty, "within the law to question and test received wisdom and to put

forward new ideas and controversial or unpopular opinions". While many boards assure themselves of academic activity by receiving reports and examining outcomes, The University of Hertfordshire has instituted an open invitation to all governors to attend Academic Board as observers whenever they wish. This invitation has been actively embraced with governors enjoying the high-octane debates that often accompany pedagogic innovation!

Many universities now establish subsidiary companies for a range of commercial and other activities for which a company model might be more appropriate. Some have also established substantial satellite and overseas operations to the extreme extent of establishing full overseas campuses. The governing body must work closely with the executive to ensure themselves that appropriate due diligence has been carried out, that local laws and regulations are complied with, and that the operation does not endanger the financial sustainability of the organisation.

The law requires that organisations comply with equality and diversity legislation. Furthermore, universities should promote board diversity, which is likely to enhance governance outcomes, and may more appropriately reflect the diversity of students now attending universities. Governing bodies need to have a facility to refresh their membership and to review their effectiveness. Normally, members should be appointed for maximum periods of two terms of four years or three terms of three years. A nominations committee is established to recommend new members on the basis of required skills and competencies. Effectiveness reviews should be carried out at least every four years with the board receiving regular reports on progress against the previous review recommendations. Effectiveness reviews are a somewhat thorny topic, old-style self-reflecting exercises where governors score themselves and their fellow governors full marks for a job well done are no longer acceptable, nor indeed is it likely that self-appointed governance experts offer the ideal answer. For them effectiveness reviews offer the ideal opportunity to create a new industry, whereby their recommendations inevitably embrace further and more extensive governance review. Furthermore, textbook governance is not always the answer; if it were, neither Oxford nor Cambridge would pass muster. It is of course easier to diagnose a problem in a patient with overt clinical signs of failure: financial deficits, substantial debt, poor and declining league table position, industrial dispute, and so on. In a well-run and well-governed institution, a review may well say very little and this should not be a litmus for the regulator to take action.

2.8   Government and Governance

Historically in the UK, the relationship between government and university governance was ostensibly more direct. Tuition fees formed only a relatively small component of the funding package for teaching that universities received. The remainder came from the taxpayer by way of top-ups delivered at different levels, depending on the cost of delivery of the subject. In order to protect the Treasury, universities operated within strict number caps to ensure affordability. The funding was distributed

by a relatively benign intermediary, the aforementioned HEFCE, which operated as a critical friend, addressing issues of poor governance where necessary but with a specific enhancement remit often delivered in a supportive relationship.

In this regime, it was obvious that universities were public sector bodies and their governing bodies responded to directives from government, albeit through their arm's-length agency, HEFCE. In 2012, substantially higher tuition fees at £9,000 were introduced for students and shortly afterwards the number caps were lifted. On the face of it, from that time universities could be considered in the private sector, receiving income directly from their customers to cover the full costs of the services rendered. In this world, universities became truly autonomous and governing bodies had all the responsibilities that brought with it. However, it was not quite so simple. Government offered loans to students in order to pay for their tuition on very generous terms. The return on these loans meant that the government would never recover all its debt. It also meant that the government considered that they, not the individual customer, were substantially funding universities who should therefore tangibly remain within their ambit of control. Furthermore, they perceived that a robust regulator should be imposed which would look after the best interests of the students, accordingly they established the OfS. As well as imposing a Teaching Excellence and Student Outcomes Framework (TEF), which was designed to measure the quality of teaching, it also required universities to write a Student Protection Plan to protect students in the event that the continuation of study by students came under risk. Furthermore, it imposed a raft of conditions with regard to consumer protection and provision of information.

While these regulatory requirements do not necessarily challenge the independence and autonomy of the governing bodies of universities, they are directive at a very granular level, removing some of the flexibility which true autonomy should confer. Autonomy has been tested to the extreme by the OfS in some areas of controversy such as executive pay. This is, of course, a very emotive topic. Balancing the complexity and size of a Vice-Chancellor's job against the need to ensure that public and student income is being used wisely is something which university remuneration committees have wrestled with. Nevertheless, the facility to interfere by the OfS was clearly demonstrated when their Chief Executive appeared before an Education Select Committee of the House of Commons and said "Yes, we have the powers. Yes, I think there is a problem. Yes, I think at the OfS we have absolutely got to be prepared and deal with and tackle this" [5].

The OfS has already fined universities for failure in compliance, a sanction that seems somewhat perverse given that it is student tuition fees that are paying the fines and the OfS has an objective to enhance value for money for students. Having said that, it is difficult to imagine a robust sanction that is not monetary but which would still carry sufficient weight to be meaningful.

It is early days for the OfS and it is difficult to disagree with their aim to provide a student-focused, data-driven, risk-based approach to regulation of the sector. Their chair has also explicitly stated that the OfS will protect and promote institutional autonomy and academic freedom.

2.9 Conclusion

Higher education in the UK is acknowledged as high quality across the globe. We have some of the very best universities in the world and even those in the lower ranks of UK league tables compare well with international comparators. We have achieved this position with a somewhat diverse governance system but a system with principles of autonomy and responsibility, which have served our universities well. It is very clear that good governance is highly important for universities in ever increasingly complex political, technological, and policy environments. Codes of practice offer excellent frameworks and good points of reference. Nevertheless, good governance is fundamentally about people; the relationship between the Chair of the Board of Governors, the Vice-Chancellor, and the Secretary/Registrar is vital, as is the appointment of governors with the knowledge, skills, and wisdom essential to govern in an era of complexity, change, and scrutiny. But perhaps most important are the attributes of all those involved in the governance process by which they energetically embrace the Nolan Principles of selflessness, integrity, objectivity, accountability, openness, honesty, and leadership.

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Chapter 3
Government and Governance in Arab Universities: Alignment or Conflict

Adnan Badran and Serene Badran

Abstract In the Arab region, it matters in bringing shared enlightenment to the governance of academic institutions; and it matters in preserving the scholarship and full autonomy of universities away from the politics of changing governments. This chapter is directed to governing-board members, administrators, faculty members, students, and human and financial resources managers. Universities have reached a stage of chaos calling for appropriate shared responsibility and cooperative action among the components of the academic institution. There is a need for constructive affirmative action within the institution to protect its integrity against improper intrusions. Universities have been transformed from medieval Oxbridge ivory towers to business models. They have to be transparent, efficient, and accountable in running large modern campuses. Boards, presidents, provosts, deans, and heads of departments, in addition to being scholars, they should provide sound management of human and financial resources. Running a university with fiscal budgetary constraints but without adequate autonomy would lead to disaster. The academic institution, public or private, should have the autonomy of deciding on tuition fees to cover the cost of learning, infrastructure (buildings and grounds), maintenance, services, and utilities. Alternatively, university budgets have to be subsidised by government or funding agencies to cover the cost of learning. University autonomy is crucial for the development of higher-learning institutions. Creating ministries of higher education in the Arab region has politicised universities and interfered in university governance, where institutions lost their authority on access to higher education and admission policy and procedures as well as the quality of learning for achieving intended learning outcomes (ILOs). There is a need for governments to reverse the process of decision-making back to board of trustees and abolish ministries of higher education as it used to be in the past. A Central National Board of Higher Education will replace the Ministry and should be composed of chairs of Boards of Trustees

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and stakeholders to set the national policy of higher education, and the National Board will be served by executive committee of university presidents or rectors to coordinate and implement the national policy of higher education at their academia. It is hoped that the principles laid in this chapter will lead to correcting existing weaknesses and assist in the establishment of sound structures, management, and procedures.

3.1 Introduction

University governance is simply how the university is being operated. Although it is conceptually different from management, due to differentiated structures, there is a shared common heritage of values, concepts, traditions, autonomy, inputs, and outputs in terms of quality and relevance.

Although university education is a post-secondary level of education, it has to be differentiated from tertiary education that includes all education after the secondary cycle of technical, vocational, and community-college models of education.

University governance includes all university structures, management, operations, and procedures of the autonomous institution including managing human, material, and financial resources of incomes and expenditures, grounds and maintenance, water and power, and in a nutshell, a sustainable dynamic campus for efficient quality of teaching, research, and outreach programmes.

To undertake governing schemes, there are varying levels of governing boards such as trustees boards, university boards, deans boards, college boards, and department boards. These boards take decision on matters related to their structures and report to higher boards in policy matters beyond their jurisdictions.

In addition, university governance is constituted from personnel who act as managing leaders including president or rector of the university, the provost, vice presidents of various affairs, deans of various colleges, faculties or schools, and heads of departments within each school. Nomenclature may differ from one university to another, but they all share the same operation aligned with international norms and standards of universities around the world.

Governance has been defined as the macro-policy of decision-making of multi-level concepts including several bodies and processes [7]. Governments across the globe have started creating governing boards to bridge and coordinate governance and institutional management. However, the tendency towards corporate governance and a decline of shared governance with government by academic institutions is leading to a new operating environment for universities [8].

There are different systems of governance between countries and universities. Traditions and cultures are factors in moulding a university-governance system.

There is transition for full autonomy of university governance away from government intrusion due to bureaucracy and the decline of funding from governments for supporting higher education. Autonomy has added administrative work to university management particularly in marketing, accounting, human resources (HR), financial management, web development and instructional design, and corporate style of management [9].

University models of governance may be most appropriate to be a mix of corporate and collegiate approaches with accountability.

3.2 Models of Governance for the Management of Higher Education

3.2.1 American Universities

A philosophy of university education was enacted as early as 1828 with a Yale University report based on principles of democratic values and participation, emphasising that enlightenment curricula should not be replaced with retrogression to religious curricula. Trends in American governance of the university system allow for faculty involvement in the selection of administrators, preparation of the budget, and educational policies. The American Association of University Professors (AAUP) published its first statement on government of colleges and universities as early as 1920 [1]. Refined in 1966 it provides an early vision of shared internal governance of institutions with faculty involvement and little student involvement. The National Education Association (NEA) in the United States maintained the involvement of faculty in university governance as critical in policy, research support, developing curricula, methods of instructions, degree requirements, tenure appointments, award of promotion and sabbaticals, and to advise administration on salary decisions, evaluating administrators, and budgeting. The American universities statement is concluded with the following:

state and federal government and external agencies should refrain from intervening in the internal governance of institutions of higher education when they are functioning in accordance with state and federal law. Government should recognize that conserving the autonomy of these institutions is essential in protecting academic freedom, the advance of knowledge, and the pursuit of truth [10].

In 2002, American Federation of Teachers (AFT) supported shared governance of institutions by administration and faculty. Shared governance has been under attack in six ways [2]:

- Outsourcing instructions to learning technologies
- Redirecting teaching to part-time and temporary faculty
- Re-orienting curriculum to business oriented
- Commercial and exploitation of course work, buy & sell

- Teaching and research for profit
- Viewing education as business, engaging in commercial consortia

Each university whether public or private has a governing board and there is an Association of Governing Boards of universities and colleges (AGB), which issued a statement as early as 2010 "Governing in the **Public Trust**: External influences on colleges and universities" with the following updated principles and responsibility of the governing board [3]:

- The ultimate responsibility for governance of the institution rests in the governing board
- Governing board to approve the budget and find ways for resources allocation
- Governing boards should have access of communication with campus constituencies
- Governing boards should respect the culture of decision-making in the academia
- Accountability and transparency
- Governing boards should have ultimate responsibility to appoint and assess performance of the president
- Governing boards should clarify the authority and duty of institutions heads and governing advisory bodies, or councils
- Governing boards should relate their institutions to the communities they serve.

AGB provided the following statement on governing the public trust as a citizen governance operation [5]:

- Primacy of the board over individual member
- Understanding institutional mission
- Respecting the board as buffer and bridge
- Exemplary public behavior
- Maintaining academic freedom as central

In conclusion, the American system of university governance reaffirms citizen governance to maintain autonomy and independent balanced governance of the institution, between the governing board and faculty.

3.2.2   Australian Universities

Debate was undertaken by chancellors and vice-chancellors of Australian universities about governance of higher education. The model of governance was delivered as a mix of "business model" and "traditional model" of governance; to put a legal framework of autonomy of institutions and independence from extrusions, acknowledging the diversity of governing structures and recognising differences led to the success of Australian higher education.

The selection of board members to be appointed should contribute to the effective and sound work of the governing body with knowledge and experience, appreciates the values of university, and its core activity in teaching, research, academic freedom, and serving community needs. Governing bodies should have a programme of induction and professional development to ensure good governance.

3.2.3 African Universities

The Pan-African Institute of University Governance was set up by Agence Universitaire de la Francophonie and by the Association of Commonwealth Universities with UNESCO during the world conference on higher education in Paris (2009): its purpose was to reform higher education in Africa and get rid of bureaucracy, and modernise governance [13]. Modules were introduced with training, seminars and workshops, management schemes, and analysis and evaluations. The reform spread on the whole domain of governance: academic, administrative, financial, social, numerical, teaching, and research.

An observatory (observatoire) was created to monitor progress. The institute was instrumental in sharing experience and dialogue among African universities leaders on issues of governance.

Governance of higher education will succeed and develop if a common space was created with respect to diversity.

With transition to democracy and the end of apartheid racial segregation, the South African National Commission on Higher Education was formed and meant to act as a "buffer mechanism" between government and universities to establish a system of "autonomous universities to work in partnership with government and stakeholders". However, with the involvement of the state, government assumed stronger regulatory and bureaucratic control over the universities, against of what originally was planned and expected. Since 1997, the government assumed tightened direct command of funding, curriculum, and regulation. As a result, the traditions of academic freedom were lost, and university autonomy has eroded which crippled the advancement of higher education [6].

3.2.4 European Universities

UK system of higher education is neoliberal. Governance is characterised with increased managerial roles with economic privatisation. Governance calls for the following:

- Efficiency in finances, strong managers, deregulation of the labor market.
- Downsizing and decentralization, breaking the institution to smaller units with decentralized strong management.

- Excellence model based on human resource with a mix of top-down and bottom-up organization.
- Public service merging in both public and private managerial practices.

European higher institution is undergoing reform of governance, with the influence of US models of higher education. Norway and Sweden emphasise restructuring based on international trends. New organisational reforms for governance and leadership include diversification of higher education, maintaining institutional autonomy, harmony, institutional standards, and expanding higher education to the neoliberal market model of education by stressing quality and relevance, accountability, staff development, and strong leadership. European universities call for establishment of governing and coordinating boards with decision-making structures in external and internal governance as done with success in state universities in the United States.

In conclusion, new governing structures provide stronger leadership and management, but institutions should pay attention to the role of faculty and shared governance [11].

3.3   How Arab Universities Regulate Governance of Quality

University regulations is a complex issue due to government hegemony over the higher education system. Public universities are governed mostly by ministries of education or councils of higher education as an arm of the government, who tightens direct control on the university system. Public universities are funded from two sources: student fees and tuitions, as well as from the government. However, the budget allocated for higher education is insufficient to meet modernisation in education. Raising tuition fees to meet the deficit of the budget has always met by resistance of the government of fear of student uprisings. So, the university has been constrained to balance its budget at the expense of quality and falling behind international standards.

Private universities require licensing from the Ministry of Education in a very complicated arrangement. Few new universities can get the license. Once the institution is licensed, it may go forever [12].

Licensing private universities vary from country to another. Some countries like Jordan, Syria, Kuwait, Bahrain, UAE, Saudi Arabia, and Morocco have strict criteria for licensing new universities including blueprints of buildings and grounds, with measured spaces in lecture rooms, workshops, and laboratories, according to international standards and UNESCO manual and guidelines of university infrastructure. Also, licensing includes administration, professors, scholarship, and sometimes affiliation with high-standard universities abroad.

It requires a comprehensive campus to include catering facilities for students and faculty, facilities to promote sports, fine arts, and culture. It requires a complete master and mass plan of buildings, common facilities, and internet connectivity. A minimum of 30 m^2 of campus area is required per student.

Also, the international ratio of faculty to student, and employees to faculty should be adhered to. However, other Arab countries who licensed private universities have few regulations on standards of quality.

Quality control on private universities in some countries is strict. In Jordan, they are checked by professional committee appointed by the Jordan accreditation commission every year. In Lebanon, similar checks are conducted every three years, and in UAE every five years. But in general, although licensing is strict, the follow-up of quality assurance is weak. Some experts report that major weakness in quality control is due to central-government control and run according to political rather than academic agenda [4].

Although international standards prohibit conflict of interest, some Arab countries lack strict regulations that prevent those involved in higher-education policy to invest in private universities. Educational authorities lack the power to override politicians and members of parliament.

3.4 How Tough Is Quality Control

Some universities are tough on abiding with regulations to meet international standards. Others are lax. In Bahrain for example, the higher-education council closed a private university for lagging behind on academic criteria. In Jordan, the higher accreditation commission has stopped a college of medicine in a public university of admitting students for not having the proper ratio of professors to students, and the university has to recruit new faculty members to remedy the situation.

The Jordanian accreditation commission tracks all disciplines taught by public and private universities to maintain quality and relevance to attract foreign students. Taking a decision to shut down a university or college or a specialisation is not an easy task, but it has to be done to safeguard the quality of education. Therefore, the commission has put in place a manual of standards, regulations, and guidelines, that all universities in Jordan have to adhere to.

Military conflicts in the Arab region have repercussion on governance of quality of higher education, but nevertheless, the Yemen Ministry of Higher Education in the midst of war, shut down 12 private universities for violating licensing and accreditation norms and standards. Government was tough in adhering to quality of education but unfortunately administrators and staff are not keen; they need academic training.

3.5 Quality Still on Paper in Many Arab Universities

There is a weakness of quality assurance of most Arab universities. Egypt, the most populous Arab country, and a destination of Arab students has **25 public universities** with 400 affiliated entities of colleges, departments, and institutes; only 94 were accredited. There are also **23 private universities** in the country; none was accredited

by the national commission except one, the American University of Cairo. There is no doubt that the large number of students and lack of enough faculty members of high calibre, with higher-graduate degrees from distinguished institutions abroad, are the core of the problem. In Sudan, universities are not interested in governance of quality, all they are interested in is admitting as many students as possible to gain their tuition fees [4].

3.6 Alignment of Governance to Quality

In the Arab region, there is a lack of independent bodies of accreditation of universities, whether public or private, based on quality assurance (QA). The Association of Arab Universities has produced standards and norms for accreditation based on QA, but universities in the region have not taken them seriously. This is why transfer of students from one university to another is troublesome for not recognising the course transcript, and this limits mobility of students across universities in the region.

Many professors advocate that to improve quality of governance, it has to be a bottom-up approach with a system of evaluation and monitoring. This is difficult to achieve with an absence of good governance and autonomy of universities, where academic values matter and not politics imposed by governments. High principles, values, and integrity of the university in the Arab region have to be re-imposed through independence, freedom, and autonomy without government intrusions.

3.7 From Autonomy to Subordination and Alienation

3.7.1 Moving Forward

In early times, the Arab region has a handful universities. They were built for the elites. They were fully independent and financed by contributions from government and the private sector. Some introduced tuition fees and became free from governmental funding. Some developed a sizeable endowment. Universities were independent for most of the twentieth century.

The university during those days was the hub of intellectuals of the country. They had their own boards of trustees—the governing board—who safeguard the autonomy and integrity of the university. Governments or politics never dared to interfere in university affairs. In that time of history, those Arab universities were on the same level of European universities in freedom of expression, freedom of deciding its policy, and course of action in teaching, research, and outreach programmes. They managed their own faculty, student, curriculum, infrastructure, creating new colleges and departments, as well as appointment and promotion of scholars. They were structured under a governing board called "board of trustees", composed of

influential standing leaders in politics and policies, business, banking, legislation, corporations, management, academia, and public affairs and the university president as an ex-officio member.

The **Board of Trustees** appoints the **President,** the CEO of the university, assisted by provost, vice-presidents for academia affairs, for administrative affairs HR and finance, international and public affairs, campus infrastructure, buildings and grounds, and maintenance. The President chairs the **University Council** which is composed of vice-presidents, deans, directors of library, academic centres, and institutions, faculty members representing colleges or schools, and institutes of research and training. The **University Council** typically meets monthly. The president also chairs the **Deans Council,** which is formed of academic deans: dean of student affairs and dean of admissions and registration. The Deans Council typically meets weekly. Deans chair their **Faculty Councils** which is composed of heads of departments in the college or schools. Heads of the departments chair the **Departments Councils,** which are composed of the faculty members of the department and are considered the basic academic unit of the university.

The independence hierarchy of governing board, academic councils, the president and the cabinet of vice presidents, deans, and heads of departments kept the university as a dynamic entity, independent from government interference.

Legislation, bylaws, and regulations kept the university as an integral autonomous body, overlooking the process of learning, research, and extension. Representatives of the student body and alumni were represented in the **University Council**, chaired by the president. **Student Affairs Council** chaired by the dean of students has also representatives of the student body, so that communications between staff, administration, and students would run smoothly, transparently, and accountably. Decisions and recommendations ascended or descended in a systematic manner that insured a full participation of faculty, staff, and administration in developing and promoting the university to serve students and the community. Excellence of learning and research outcomes were delivered in alignment with international standards.

3.7.2 Moving Downward

In the 1980s, Arab universities started to fall short in quality and relevance. The process started by government intervening in the autonomy of universities through creating ministries of education and abolishing boards of trustees. Authority of boards of trustees was centralised to a **central council of higher education** governing the whole university system, chaired by the minister with full authority on admission policy, appointment of university presidents, enrolment, number of students, budgeting, approving or disapproving new specialisation requested by the university, and residency of foreign staff. As a result, university initiatives were lost and governance of universities was governed directly by the government through the Ministry of Higher Education.

Competition between universities has diminished, and university staff became similar to civil employees in the government. Universities lost their competitive diversity and each became a copy of one another.

This change was led by the short-term vision of politicians that all public universities should be the same in curriculum, salaries, qualification of staff, appointments, and promotion. There is no one better than the other… all should be equal.

3.8   From Decentralised to Centralised Higher Education: Case of Jordan

- Jordan has moved from decentralised higher education to a centralised one in 1985, where the government abolished Boards of Trustees (BOTs) and replaced them with the Ministry of Higher Education. Universities lost their autonomy and became under one governing council of higher education chaired by the minister.
- All BOTs authorities were transferred to the Higher Education Council (HEC). The existing innovative academic structure and process of the university yielded to government bureaucracy and the academia environment was politicised.
- Prior to 1985, public universities in Jordan were advanced in terms of quality and relevance. Governance of quality has flourished in an era of a "golden age" of academic environment and development.

To remedy the situation, after the failure of the process of centralisation, government policy shifted towards reinstalling BOTs in university governance. This gives universities cosmetic authority but they are still strictly controlled by the HEC in the Ministry chaired by the Minister of Higher Education, who is changed frequently with new governments, and as a result, policy of higher education changes accordingly. So, higher education policy became unstable. **BOTs** and **presidents of universities** were subject to change with every incoming minister.

Because of governmental control of admission policy and enrolment, the number of students is increasing to unprecedented levels without meeting this huge enrolment with high-quality faculty members and staff and supporting teaching facilities.

Higher education in Jordan is at two levels: the **two-year post-secondary community college system level**, leading to intermediate diplomas at public or private colleges which offer a hundred specialisations offered by a total of 45 community colleges; and the **four-year** university level of tertiary education leading to Bachelor, Master, and Ph.D. degrees. University education has expanded rapidly to comprise currently (2019) 10 public and 20 private institutional cohorts of 30 universities, and providing a ratio of one university per 280,000 populations. Two-thirds of the enrolment is in public, while one-third is enrolled in private universities.

3.9 Conclusion

Restructuring the university system is needed in the Arab region to give an autonomy style of governance starting from governing boards (BOTs) of the university down to university councils, deans councils, faculty (colleges or schools) councils, and department councils with defined authority of each transcending and ascending circle of academic decision-making, so the system will run smoothly and systemically, with sharing participation of faculty and students representation. University presidents, provosts, vice presidents, deans, and heads of department should guide the hierarchy of the decision-making processes with transparency, accountability, and efficiency.

Government has the authority of appointing the governing boards (BOTs) representing stakeholders, academia, and fund raisers of each public university, who oversees the university function in adhering with the national higher-education policy which is put in place by coordinating national higher-education board formed by chairs of the governing boards of public universities, assisted by an executive council formed by presidents of public universities.

In this scheme, healthy alignment between government and universities is achieved through governing boards of universities, their chairs form also the coordinating body among universities and legislated by the national higher education of the state.

This streamlined management of authority will permit the university to run independently with alignment of governmental national policy of higher education.

Good governance brings a balance between autonomy and accountability. Quality of education will become at the forefront in learning outcomes. Political stability and absence of violence by providing sound policies to bring the youth in a developing environment of freedom of expression and quality of learning will release the potential of minds towards critical thinking to solve problems and creating the vehicles of innovation and entrepreneurship for development of the nation.

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Chapter 4
Governance and Decision-Making in Arab Universities

Abdelrahim Ahmad Hunaiti

Abstract Governance of universities around the Arab world varies from nation to nation. One of the distinctive features of this governance is the great diversity of forms that have emerged, ranging from direct and detailed control by the government to shared governance between government and private enterprises, with other arrangements in between depending on some decisions taken at governmental level and some at the university level. The diverse structure of the governance arrangements in Arab universities made it challenging to carry out analyses of governance practices to answer the question: who makes the governance decisions in Arab universities? Nevertheless, the present study addresses the common governance setting in Arab universities, especially by the members in the Association of Arab Universities (AARU).

Keywords Governance · University internal governance · Arab universities · Association of Arab universities · Higher-education governance in the Arab world · Challenges facing Arab higher education

4.1 Introduction

Many countries around the world have introduced reforms in their higher-education sectors to increase the organisational autonomy of their universities, by offering greater freedom from governmental control and with increased participation of external stakeholders in university governing bodies [2, 6, 10]. Education provision in the 22 Arab countries has become a hot topic in most of these countries due to the fact that over half of the entire population is under the age of 25 and that most of them struggle to provide inclusive, high-quality education to their citizens.

Consequently, student enrolments in higher education have been growing rapidly, with many local governments investing heavily in the sector [11]. Higher education in the Arab region has developed rapidly since the mid-twentieth century and

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various models of reforms have been suggested in order to deal with an increase in demand for higher education [11]. Internationalisation poses challenges for reform of higher-education systems in the Arab region due to intense global competition and rapid technological change [12]. Arab universities faced many challenges that resulted in significant transformations in the scope of their mission and governance. Figure 4.1 shows eight major challenges facing Arab universities. These challenges are by no means exhaustive, but they are either intrinsically important or areas in which reforms have been attempted. On the top of these challenges is establishing appropriate governance practices.

Governance is of great significance because the main issue is enhanced university autonomy. Institutional autonomy implies the freedom for an institution to run its own affairs and it is the link between reform at the level of the system and reform at the level of the institution. Without autonomy, an institution cannot undertake the intended internal reforms [11]. Arab countries are obliged to promote policies that meet international norms and standards of good university governance and to avoid

Fig. 4.1 Some of the challenges facing the Arab higher education
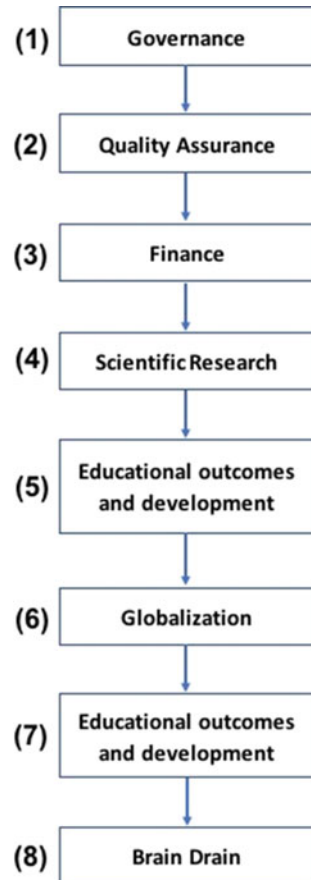
what might be called a political model of governance [8, 12]. Several university-governance reforms have taken place in some Arab countries, both within national systems and inside the universities themselves; however, the relation between universities and governmental authorities in managing the internal university organisation is not well established and the phenomenon of mass higher education put the need for systemic reforms onto national and institutional agendas. According to statistics of 2018 reported by the Association of Arab Universities (AARU) as shown in Table 4.1, the total number of universities and institutions in the Arab countries is 1166, of which 264 governmental universities, 286 private universities, and 616 colleges and institutions. The private universities represent 52% of the total number of Arab universities and absorbed around 30% of enrolled students. The total number of undergraduate and postgraduate students is around 11,523,409. Governmental universities are relatively cheap, charge much lower tuition fees than private universities, and consequently have serious financial problems. They want to maintain their independence from the government, yet they are driven by financial pressure to seek

Table 4.1 Arab universities and institutes of higher education

Country	Government universities	Private universities	Colleges and institutes	Total
Algeria	50	0	56	106
Bahrain	3	9	4	16
Egypt	25	26	158	209
Iraq	35	12	59	106
Jordan	10	19	7	36
Kuwait	2	4	9	15
Lebanon	1	36	12	49
Libya	14	6	78	98
Mauritania	1	7	0	8
Morocco	14	5	31	50
Oman	1	7	22	30
Palestine	9	12	10	31
Qatar	2	8	6	16
Saudi Arabia	27	12	21	60
Somalia	1	17	0	18
Sudan	35	19	53	107
Syria	8	22	4	34
Tunisia	13	15	27	55
United Arab Emirates	3	30	41	74
Yemen	10	20	18	48
Total	264	286	616	1166

government aid [9]. Private universities (profit and non-profit) in fact play a smaller role in higher education in some Arab countries like Algeria and Morocco compared with others, like Lebanon, United Arab Emirates, and Bahrain. Yet they grew greatly in numbers and now account for more than half of the Arab universities (Table 4.1).

4.2   Higher-Education Governance in the Arab World

Current reforms in higher education within the Arab World trigger examining challenges, issues, and trends affecting management in higher education. Although the governmental bodies mainly govern the system, universities in some Arab countries enjoy a moderate level of decentralisation in terms of the authorities, regulations, and community service [5, 7]. Higher-education governance in Arab countries is a multi-dimensional concept with a lack of clarity regarding responsibilities. According to the bylaws in most of the 22 Arab countries, the ministries of higher education are the managing bodies and policy-makers of higher-education institutions. The Supreme Councils of Universities or the higher-education councils are the executive bodies established by law, and they are the main bodies in charge of managing all higher-education-related activities and the creation of policies as well as the main drivers in reform processes. They prepare the draft of legal acts such as bylaws (regulations), instructions, and legal orders and they oversee and evaluate the situation of the higher-education systems. Governments are responsible for the final preparation and proposal of new bylaws and reform regulations, while the national assembly or parliament approves the laws and regulations so that they can come into force. Depending on the individual features of a country's higher-education system, the decision-making power of the government on university governance varies quite widely. In some Arab countries, governments have stepped back and agreed to give more autonomy to institutions in order to enhance the responsiveness of the higher-education system. But, in exchange, effective quality-assurance procedures were implemented by creating national quality and accreditation agencies to protect learners from the risks of misinformation and low-quality education. Higher-education institutions in many Arab countries have experienced changes, sometimes profound, in their traditional relationships with their governments. Whether or not institutional autonomy actually has increased as a result of these changes, especially with regard to good governance across higher education in Arab world, still remains debatable and open for discussion. The question of how governance and decision-making is operated in Arab universities is a difficult question to answer, as this depends heavily on the culture of the university and the behaviour of individuals within that university and thus varies from institution to institution and from country to country. But it is without doubt that greater autonomy and independence enables institutions to respond more quickly and efficiently to the changing demands by the market and encourages innovation and strategic thinking that are critical to high-quality institutions and increases the accountability of Arab universities,

especially in terms of their primary functions of teaching, research, and community service. In most Arab countries, reform efforts can be advanced or impeded by how governments promote policies; for example, through the accreditation of institutions and programmes, as well as the establishment of financial incentives and national enrolment criteria that allow individuals of diverse backgrounds and income to enter the higher-education system. Accreditation and quality guidelines set up by some Arab governments could play a major role in adapting particular governance arrangements in some Arab countries. However, in all governance arrangements the governing bodies or authorities should carry out their functions faithfully, with integrity and dedication to include responsibility for setting mission and purpose, appointing the academic leadership like the president or chancellor, safeguarding the interest of the university, ensuring good management through ensuring adequate resources, effective organisational structures, and transparency and visible accountability processes.

4.3   The Current Governance Practices in Arab Universities

The legal relationship between governmental authorities and higher-education institutions in Arab countries employs one of two types of a governance structure. One includes Arab universities characterised by more centrally driven governmental governance, low level of autonomy, and a slightly lower level of accountability. The second type is characterised by a relatively more decentralised governance (i.e. a low level of government intervention), a relatively high level of autonomy, and higher accountability. Admittedly, there are significant weaknesses associated with both forms of governance in practice. Governance of public and private universities around the Arab world also varies from country to country. Most Arab governments fully control finance spending and senior leadership appointments in public universities and leadership appointment in private universities. In some Arab countries, the government has initiated a system-wide review of institutional governance and management and a more market-like approach to the steering and control of higher-education systems. The allocation of part of the overall resources on the basis of competition and increasing student/tuitions fees in their system and a business-like model of governance structures is adapted. At university level, the presidents are appointed by royal or presidential decree after nomination from the ministers of higher education. For the deans of faculties, they are appointed by the board of trustees upon nomination from the president of the university. The governing body of a university is the university council, which is composed of the president, the vice-presidents, and all the deans of faculties, in addition to members from the civil society and faculties and student representatives. At the level of the faculty, the executive body is the faculty council composed of the dean and the vice deans, all heads of departments, a professor from each department of the faculty, and in some cases members from civil society and students.

4.4 Role of the Association of Arab Universities in Setting Clear Guidelines for Good University Governance

The Association of Arab Universities is an organisation working within the framework of the Arab League, based in Amman, Jordan. The objective of the association is to support and connect universities in the Arab World, and to enhance cooperation among them in terms of teaching methods, promotion of joint research projects, quality assurance, and accreditation. The AARU has several councils, centres and scientific societies hosted by various member universities. The association included 351 member universities in the year 2018 accounted from all Arab countries. 55.3% of the member universities are public and owned by government, while the remaining 44.7% are private universities. One of the AARU councils—the Arab universities governance council—was formed as a joint venture between AARU and the Middle East University, Jordan, in 2015. The Council is currently overseeing the implementation of strategy for the Arab universities to adopt, disseminate, and apply the principles of good governance. The Council calls for Arab universities to adopt collective action and broad participation to develop a general framework for the exercise of best governance in Arab universities by holding capacity-building activities through specially designed conferences and workshops, and to spread best practices in university governance and leadership. Another initiative of AARU is hosting the ARELEN (Arab European Leadership Network in Higher Education Network), which is an outcome of the Tempus project "Leadership in Higher Education Management". ARELEN aims to support universities in their transformation process through the provision of a platform for exchanging best practices and experiences between universities. The ARELEN network, comprising 200 Arabic and 100 European universities, functions as a bridge between the Arab region and Europe with the aim to increase international cooperation between universities and supporting its members in holding capacity-building activities through specially designed workshops, spreading best practices in management and leadership, disseminating European solutions to current global problems in education, and influencing decision making in the Arabic higher-education sector both locally and nationally.

4.5 Conclusion

It seems that the transformation process of governance in Arab higher-education institutions has taken place in most of Arab countries. The need of democratising the educational structure and governance and the learning process itself is essential [1, 3, 4]. As a result, these arrangements mostly address issues of internal institutional governance and aim to spread good governance practice and to avoid mismanagement within institutions. In most Arab universities, the governing board (university board or council) is seen as the highest authority in the internal university

governance. However, it is essential to develop shared governance in Arab universities to ensure transparency, accountability, and institutional participation of all parties, and emphasise the need for clear delineation of responsibilities within the institutions. AARU through its network tools supports essential leadership-skills development. The AARU awareness tools help Arab universities implement and support a structured, fact-based dialogue on governance, autonomy, and efficiency, in which the delegation of primary responsibility to faculty in academic matters brings together diverse constituents, including faculty, staff, and students, encourages spirited dialogue, and provides a direct line to the institution's leadership, including its governing board in all Arab universities. Of concern is the rapid expansion in higher-education institutions in many Arab countries to overcome social demand without raising the quality and relevance of their teaching and research. Arab universities provide little or no training for their leadership and management staffs to prepare them for their positions, which are usually regarded as jobs for a defined period (two to three years) then passed to another. Good governance practice will yield rich rewards for Arab universities in a competitive global marketplace for higher education and provides opportunities to fight the enormity of the challenges as shown in Table 4.1. Investment plans and hard decisions are required to be done at university and governmental levels as well as dealing with natural resources. Even in the current difficult global economic and political context, an Arab resurgence is possible only if the energy of the region's youth is marshalled to turn the region's challenges into opportunities.

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Chapter 5
Innovation as a Principle in University Governance: A Holistic Approach for Arab Universities

Rida A. Shibli, Mohammed A. Khasawneh, and Nael H. Thaher

Abstract In recent years, higher education around Arab universities has witnessed, in many cases, a dramatic diminution in its quality of delivered product and industry-related research. This, inherently, would normally lead to degraded performance in the socio-economic ecosystem together with an associated deterioration in the economies of the countries involved. Additionally, this has had an adverse impact upon further industrial growth, which, in turn, caused stagnation and/or downturns of the economies of the constituent countries. Furthermore, the competitiveness of Arab economies has hit a brick wall due to the speed at which Western and South-East Asian industrial economies have grown. This has worsened the prevailing economic situation in many Arab countries even further and to catch up with the industrial sphere is a matter that has become something of the impossible! Smaller economies around the world have traditionally grown and prospered (emerged) as they leveraged certain niches that would put them on the map of integration with other world economies and survived mainly by making significant exports where the trade balance would stand in their favour. As the higher-education sector in the Arab world never exhibited any witnessed integration with the local industries of these countries, and where real (heavyweight) industries never emerged, a situation has arisen where real industrial competitiveness of the Arab world never surfaced. And when one would argue for the possibility of opting towards one form or another of an ICT industry, people are faced with the fact that countries that arrived to the scene much earlier, including Ireland, India, and China, compounded with the complication of an ocean of software freelancers, left the Arab world with little room for a real global industrial role. To that end, one sole approach remains to be addressed by the Arab world;

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one that would loosen up the grip of international economic export in the face of primary Arab industrial exports. To elicit real economic growth for Arab economies in the face of all the aforementioned, usually requires out-of-the-box approaches to help create some level of a global demand for Arab work products. Here, the way to go (and may be the only) would be to adopt innovation as a culture for a productive academic/industrial integration in these countries. This chapter will address the innovation ecosystem around the Arab world, in both industrial establishments and academic institutions and will propose one possible framework to help snatch the academic sector around the Arab world from its state of stagnation. It will also address ways of helping the industrial sector move forward and investigate effective ways to create a productive ecosystem for academic/industrial integration. This would leverage the inherent power of innovation towards creating start-ups, spinoffs, SMEs, and, therefrom, industrial establishments that the Arab world will someday pride itself with. Along the way, the chapter will address the prevailing governance structures of academic regulations to help the academic ecosystem bolster efforts in support of innovation and entrepreneurship throughout the Arab world.

Keywords Academic ecosystem · Arab universities · Entrepreneurship · Governance · Higher education · Innovation · Socio-economics

5.1 Introduction

The higher-education sector is considered as one of the vital sectors that couples closely with society and fosters greater impact in developing national economies. This sector is a major contributor to research and innovation wherein new knowledge is created through scientific and technological research and, therefore, bolsters contributions to global knowledge [9]. Higher education serves as a catalyst for improving economic competitiveness, sparking innovation and promoting knowledge production and dissemination across society, especially among the youth [22]. Higher education is also a contributor in the transition of the economy from dependence on one source of income to one that reflects more reliance on a highly skilled workforce exhibiting creative and highly productive human synergies. In this, higher-education systems encourage dependence on highly reliable and safe resources, programmes and projects, opening up rewarding investment potentials that ultimately generate promising socio-economic opportunities. This in turn leads to contributing towards developing human capital, and contributing in fulfilling the requirements and needs of the labour market to achieve comprehensive social and economic development. Such benefits have been found to play out more pronouncedly in certain countries which, until recently, were still being categorised under developing nations. Countries like Malaysia, South Korea, India, even Singapore, and, as of late, China, have evolved as leading world economies only after they managed to retool their systems of higher education to stated national objectives towards self-sustaining economies while leveraging knowledge creation as the drive for industrialisation [13]. Other

examples include countries like Japan, Finland, and Denmark that have effectively leveraged good education to create moral, social, and political awareness among their young especially.

Successful socio-economic ecosystems have increasingly relied on knowledge-intensive industries and services, and thereby leveraged effective higher-education qualifications. Yet, the Arab world still suffers not only from the absence of innovation and science policies, but also from equitable trade deals and from a lack of business investment in research and development. The knowledge gap is widening and still separates Arab countries from developed countries, thereby hindering efforts to achieve sustainable human development [8]. As a result, Arab universities are not in a position to deliver their full potential to contribute to national development endeavours [9].

Despite the countless efforts of the Arab world to improve its educational sector and make it more rewarding and contributing, little if any has come to fruition [5]. Instead, socio-economic development over the years has exhibited a downward trend. Over the past few decades, the Arab world was found to sway and, at times, drift away from the much-sought-after philosophy and the essence behind acquiring the types of knowledge that can lead to industrialisation. As a result, the Arab world became isolated in a world that was rapidly and steadily progressing in the educational arena [5]. Worse yet, Arab universities have not engaged well enough along a path that would deliver a workforce that would lend itself fairly well to present-day economic realities. This is despite the witnessed expansion by the Arab world in the number of accredited universities (public, private, and the associated internationalisation of institutions), with little impact being recorded of real development by various countries across the region.

With that said, it becomes incumbent upon the academic systems of these countries to have their own say by influencing the job market with the right skill sets and the type of graduates that can carry the socio-economics of the countries involved well into the twenty-first century and beyond. This would be commensurate with a need to adopt proper educational strategies based on the economic realities of the countries involved especially considering the data revolution that the world is currently experiencing. There is also a desperate need to address the shortage of an objective assessment of governance and innovation in higher education in the Arab world in the body of research literature that exists to date. There is a pressing need to inform the decision and policy-makers on how best to develop the quality of governance and its role so essential to support the constituents of the higher-education sector and make them major contributors towards the prevailing global knowledge-based and data-driven economy.

The purpose of this chapter is to shed some light on governance in higher education in the Arab world and address key issues of governance within the educational system as a whole. The chapter addresses the prevailing governance structures of academic regulations to help the academic ecosystem bolster efforts in support of innovation and entrepreneurship throughout the Arab world. Furthermore, it addresses the opportunities offered and challenges faced by higher education in the Arab world and presents policy frameworks aiming to help academic institutions build effective governance systems throughout the Arab world.

Pursuant with the forthcoming publication by the Arab Academy of Sciences in 2018 "*Higher Education in the Arab World: Building a Culture of Innovation and Entrepreneurship*" [3], we, in this chapter, address the closely related issues of government and governance in higher education in the Arab world. Furthermore, this comes as a response to previously published material by the Arab Academy of Sciences, namely, "*Universities in Arab Countries: An Urgent Need for Change*" [1, 2] and "*Major Challenges Facing Higher Education in the Arab World: Quality Assurance and Relevance*" [1, 2]. All this is also commensurate with the witnessed dramatic decline in higher-education quality of delivered product and the low level of industry-related research around Arab universities. This chapter highlights the imminent needs for higher-education institutions to continually improve their governance, and align their governing models to meet challenges in higher education. Collectively, these various factors prompted the authors to pursue this study of innovation as a principle in university governance and offer a holistic approach for Arab universities.

5.2 Governance Models

The Arab world is a considerable component of the global economy and population. It comprises many countries including Egypt, Qatar, Oman, United Arab Emirates, Saudi Arabia, Yemen, Jordan, Syria, Iraq, Tunisia, Morocco, Bahrain, Lebanon, Algeria, Libya, Mauritania, Djibouti, Somalia, Sudan, and the occupied Palestinian territories of the West Bank and Gaza [5]. Here, it is essential to recognise the variations that exist between these countries. Arab countries are distinct among themselves and there are prominent differences that set apart one country from the rest. The 2016 Arab Knowledge Index (AKI) [21] showed a wide disparity between Arab countries in six sectoral indices, more specifically, higher education, research, development and innovation as shown in Fig. 5.1. The United Arab Emirates ranked first in its higher-education index, then Saudi Arabia, Egypt, and Qatar followed in their respective ranks from a higher education index perspective. Meanwhile, Algeria, Djibouti, Libya, Somalia, Syria, Yemen, Sudan, and Mauritania performed poorly on the same higher-education index.
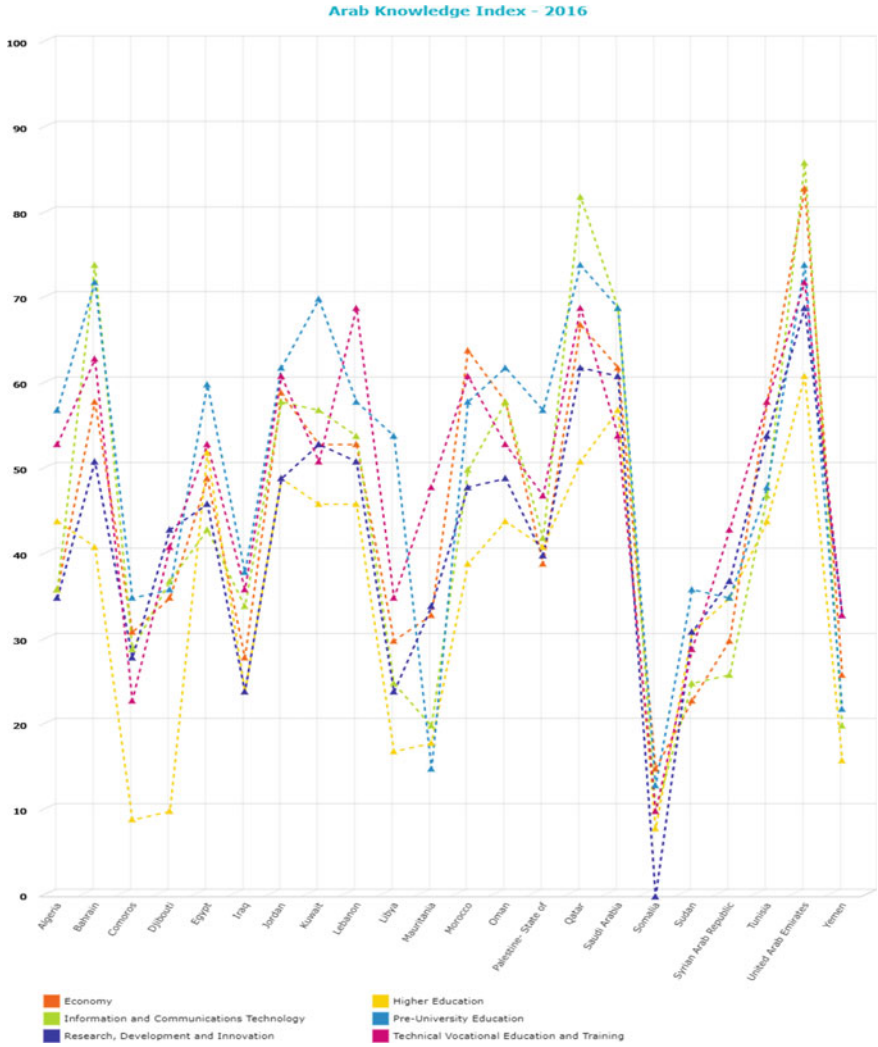
Fig. 5.1 Arab Knowledge Index 2016 (AKI) for the Arab world in six sectoral indices. Data visualised from Knowledge 4all.org

Hence, it is a difficult to give a definite statement that describes the state of affairs of the education sectors across the spectrum of Arab countries, as there is lack of uniformity across the geographic boundaries of these countries [5]. In some countries like Egypt, Jordan, Lebanon, Qatar, and the United Arab Emirates, higher-education institutions offer quality education of international calibre. Nonetheless, the majority of education systems in the Arab world suffer serious shortcomings, notably with regard to the governance models used and the academic staff currently in service [6]. A successful higher-education sector is usually quite diverse and complex and includes many actors from within and outside the system.

Governance with respect to academic systems is the central tool for improving quality in all aspects of higher education [25]. For instance, international organisations including the United Nations Educational, Scientific, and Cultural Organization (UNESCO), and the Organization for Economic Co-operation and Development (OECD) continually apply monitoring and evaluation tools for improving the quality of the higher-education sector. There are three kinds of governance arrangements: (1) governance that demonstrates the will of institutions to show they can make a good use of the autonomy given to them; this usually emanates from the institutions themselves, (2) governance that helps institutions adopt some corporate-level regulations, and (3) governance that safeguards institutions against fraud and mismanagement while offering effective guidance and advice. All of these kinds of governance directly address the issue of trust in higher education. Most of the governance models that exist are advisory in nature and present a cautious approach that allows the institutions involved to apply them in their own ways while progressing without hampering the diversity of higher education paradigms that are presently in use [9]. As a result, governance has become a crucial issue in higher education that to a great extent quality is now closely coupled with the particular governance model used.

The notion of governance in its broader sense is all about the "structures, relationships and processes, at both national and institutional levels, through which policies for tertiary education are developed, implemented and reviewed" [9]. These include the legislative framework, the characteristics of the institutions and how they relate to the whole system, how money is allocated to them and how they are held accountable for the way it is spent, together with less formal structures and relationships that steer and influence overall behaviour [17]. The ministries of higher education are theoretically responsible for providing autonomy that allows institutions to manage their resources capably and to quickly respond to the demands of a rapidly changing global market, though not entirely sufficient to establish and maintain world-class universities. Furthermore, this entity of government is also responsible for creating a regulatory environment, which aligns with the goals of the sector and helps institutions to meet the expectations of society [9]. As such, regulations affect planning and policy leadership; structure and governance; financing, resource allocations and subsidies; incentives; information (communication and reporting); laws; and modes and processes of policy implementation [18]. For example, the debates on curricula and academic freedom, the strong external interference through university business relationships and joint ventures have made Western universities in North America

and Europe a special case in relation to governance developments over the last four decades [9].
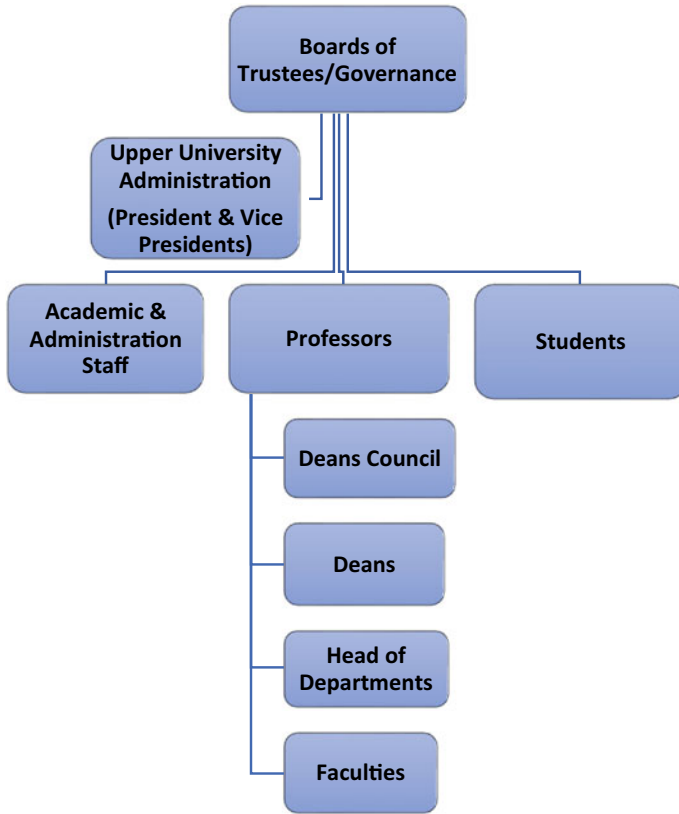
Higher education in the Arab world, on the other hand, is characterised by lacking the ability in engaging various internal university stakeholders (students, professors, academic and administrative staffs, upper management, and boards of governance) to respond properly to a growing knowledge society. Thus, the creation of institutional autonomy combined with stronger internal hierarchies is commensurate with the belief that institutions perform better, when they are well-conceived [7]. The conceptual framework of governance in higher education consists of institutional leadership that refers to strategic direction; management that itself refers to the monitoring of institutional accountability and effectiveness; and administration that refers to the implementation of procedures [15, 19]. Furthermore, the analysis of governance has three models: governance of higher-education institutions (internal or institutional); governance of higher-education systems (external or systemic); and governance of higher-education systems from an international perspective (global or international) [26]. However, the model of governance in higher education in the Arab world tends to exhibit an amalgamated model of governance. This pattern of governance tends to prevail in most universities where a board of trustees oversees academic processes, and where a president of the university has a strong influence on academic, financial, and managerial responsibilities.

5.3 Typologies of Institutional Governance

The worldwide governance indicator (WGI) covers three groups of governance routes and indicators, which, in turn, include six different aspects of governance. These are: (1) political governance that ensures voice, accountability, political stability, and absence of violence; (2) economic governance that fosters government effectiveness and regulatory quality; and (3) institutional dimensions of governance that harnesses the rule of law and control of corruption [24]. These routes warrant good governance, freedom of voice, globalisation, and global awareness through effective course offerings.

Governments around the world have long strived to develop strong connectivity between the educational sectors and the communities they serve. Furthermore, governments and authorities more often than not also struggle to develop new rules and regulations and allocate more funds to institutions that are research and development (R&D) oriented [25]. Higher education in the Arab world, in particular, is crucial for sustaining growth and increasing productivity and competitiveness amidst stagnating economic situations [23].

The structure of governance of higher-education systems in the Arab world is shown in Fig. 5.2. In this, students are central for the development of procedures, which are quality-oriented at higher-education institutions; nonetheless, they presently occupy a marginal role as political actors in the discussion of university governance [4]. Administrations of universities tend to regard students as consumers

Fig. 5.2 The structure of governance of higher education systems in the Arab world

or clients rather than focusing on their governance capacities [4]. Professors are a block in the figure that spans the deans council, deans, heads of departments, and faculties. Here, faculty governance demonstrates keenness towards upholding the integrity and best interest of the academic constituents and the administrative cadre. Academic and administrative staff members are collectively responsible for day-to-day management of the university and thereby formally responsible for different administrative tasks. In several countries, academic and administrative bodies have become more influential especially in conjunction with weakly performing governing boards [14]. Academic and administrative staffs are responsible for implementing policies and procedures through which governance is upheld within the organisation. Upper university administration (president, vice-president, and president advisors) is another primary block in the diagram. The head of the institution is known as the president. In many universities, the position of the vice-president(s) is readily in effect, which assumes the role of fostering an ongoing implementation of a comprehensive national strategy to achieve university's goals and objectives. The president's position and the powers drawn thereof vary from one academic system to another. In

higher-education systems with strong multi-stakeholder governing boards, the president very often has only a representative role to play. The main duty is to prepare and implement decisions of the academic board, but there are also certain decisions a president can make. These would inherently be guided with an effective academic leadership commencing with the proper choice of a university president. Presidents and vice-presidents should demonstrate traits of leadership, ability to serve, and be able to pose as role models to others.

Here one can list some of key competencies that are particularly important for the university system as a whole. These include strategic planning capabilities, high integrity, self-esteem, great compliance with the academic code of conduct, ability to lead a team, ability to network with other local and international academic institutions, and ability to work closely with the university board of trustees, and other governance boards. The Boards of Trustees or Boards of Governance block in Fig. 5.2 reflects an entity that is responsible for overseeing and governing the institution, and for ensuring that a balanced system is in operation and well established. This represents a board where all matters of vital interest to the institution are brought to bear. The diversity of expertise in the governing boards in higher education is probably just as diverse as the different backgrounds of the members involved. These can range from members of the academic community itself (members of the academic staff) to members of government to very newly recognised actors representing the industry, on to influential community leaders, and so on. The role of the board of governance includes responsibility for reviewing institutional strategies, shaping the culture, setting the tone at the top, and promulgating the organisation's vision, values, and core beliefs.

On top of the various entities represented in Fig. 5.2, the council of higher education is a buffer body between universities and governments and, hence, enjoys some level of authority over universities [9]. The typical role of governance is to (1) facilitate effective innovation, compliance, and prudent management to deliver long-term success of the institution; (2) ensure that appropriate decision-making processes and internal controls are in place; (3) facilitate transparency, openness, and accountability; (4) ensure that the business adheres to all legal and regulatory requirements; and (5) manage key risks and effectiveness of governance processes. Thus, the scope of governance is essentially about ensuring that processes are well in place for compliance, probity, transparency, and risk [9].

5.4 Academic Research and Development in the Arab World

On another dimension, to some extent it has been the case that faculty members at universities in the Arab world would embark on research work only when it would be directly connected to their immediate promotion requirements. In many cases, once a faculty member fulfils full professorship goals, they would tend to retire from

doing research altogether. Moreover, whereas a number of renowned world-class institutions place emphasis on the development of professional ethics and project management skills, alongside regular curricular reforms, this is rarely the case in academic institutions in the Arab world [13]. Furthermore, the different disciplines of natural sciences and engineering colleges at universities in the Arab world are not placing sufficient emphasis on technical writing, critical thinking, problem-solving skills, digital literacy, social and civic responsibility, and the development of student presentation skills, natural sciences, and engineering graduates tend not to be well prepared to compete globally. In many Arab countries, which have realised the importance of linkages between academic and industrial sectors, serious efforts are in place to create such linkages. However, and mainly due to the still-evolving nature and the disorientation in the Arab industrial sector itself, many of these efforts bear little fruit, if any, or even attain completion.

From a different perspective, some Arab governments have taken it upon their shoulders to create schemas that would encourage potential university graduates to conduct research-type projects that readily serve the needs of the local industry or the public sector. Under such schemas, students and the senior project (capstone) supervisors come forward with a proposal to work on a particular project of interest to some local industry partner that once approved, funding is granted and work on the project commences. Some of these Arab countries have come up with exactly such schemas and models to achieve some impactful outcomes. These include the Qatar National Research Fund (QNRF) in Qatar and the Kuwait Institute for Scientific Research (KISR) and Arab Fund for Economic and Social Development (AFESD) in Kuwait. Others include Emirates' Mohammed Bin Rashid Al Maktoum Knowledge Foundation (MBRF), and the Sharjah Research Academy (SRA). In Saudi Arabia, the King Abdul Aziz City for Science and Technology (KACST) in Riyadh is an entity entrusted with such responsibilities. Egypt has the Science and Technology Development Fund (STDF), and in Lebanon the National Council for Scientific Research shoulders such responsibilities. Finally, in Jordan, the Kind Abdullah II Design and Development Bureau (KADDB), King Abdullah II Fund for Development (KAFD), the Industrial Research and Development Fund (IRDF), and the Abdul Hameed Shoman fund are all entrusted with the chores of establishing productive linkages between academia and the industrial sectors in their respective countries [13].

Academic institutions in Western universities (Particularly North America, Europe, Australia,and New Zealand), on the other hand, have much greater flexibility in adopting new programmes than universities in the Arab world. One main reason has to do with available resources and funding in the West. Another reason has to do with excessive bureaucracies in the Arab world, which quite often renders changes and updates in academic programmes a rather slow process such that the benefit of any desired programme improvements loses value over time. Other issues that add further burdens in the process are that academic institutions in the Arab world continue to live under the pressures of accreditation as do most universities elsewhere around the world, and thus prefer to live with programmes that have already been established and accredited [11]. As such, the trial of programmes as pilot projects can become an accreditation bottleneck [13]. Several factors have to be taken into

consideration for governance arrangements. Academic systems sometimes continue to suffer from excessive procedures falling under the realm of administrative and regulatory bureaucracies. Any level of bureaucracy exercised in any form, and at any level within an academic domain is quite sufficient to render it ineffective and prone to imminent failure. For instance, the admission of the less-qualified students into the so-called "parallel programs" while bringing in higher fees for the institutions involved has come at the expense of jeopardising quality of the delivered product, thereby adversely affecting the ability of an institution in delivering on centres of academic excellence [12]. In countries like Jordan, and probably others, the notions of "parallel programs" or "international programs" are notions that were introduced over the last couple of decades at a number of state-owned academic institutions to help these institutions generate more financial returns. However, these programs came out at the expense of admitting less accomplished students under the same program offerings at any given academic institution with no reparative efforts afforded to such types of students. Furthermore, in the absence of any targeted direction for research and innovation from universities' strategic planning makes things even worse by the fact that research generally conducted by incumbent faculty members would not serve the needs of a viable industry that would be of value to the local community. Collaborative links between academia and industry in research and development require sufficient flexibility that would not put obstacles in the ways of progress of any collaboration. In the developed world, industrial/academic collaboration frequently takes place between potentially equal parties in ways that would develop synergies, which often can persist over time with the types of projects involved. As such, universities in the Western world possess a minimum level of built infrastructure upon which any collaborative efforts with the industry can rest solidly. In the Arab world, however, the level of infrastructure within academic institutions that would uphold any level of collaboration with industry is either insufficient or missing altogether. Commitment at the level of the people/teams involved is of paramount importance, for without a personal/team commitment, any type of collaboration between academic institutions with industry is bound to fail. Finally, academic institutions in the Arab world are often dependent on the prevailing political and economic systems [13]. The much-needed reforms in political and economic systems have adversely influenced the progress and development of academic institutions. Corruption, political instability, police and security-oriented governments, major socio-economic crises, and human-rights violations continue to impede the growth and prosperity of academic institutions [13].

5.5 Transformation of Challenges into Opportunities

The decline of academic systems in the Arab world manifests itself in many symptoms. Quality of university graduates is no longer at the level that can serve the needs of national efforts to bring Arab economies closer towards industrialisation. Research outcomes of college professors (faculty members) do not connect well with

national needs, and are of no practical value to other countries, even when the research endeavours may yield sophisticated theoretical outcomes. University faculties tend only to commit themselves to research just to fulfil academic promotion requirements, and, in the process, they usually end up being promoted. They know it for fact that most university administrations often lack a much-needed vision enabling them to institute corrective measures for the current meandering paths of academic performance. To serve as corrective measures, we propose the following recommendations that would culminate in internationally competitive Arab academic systems. These proposals involve three actors of governance from the bottom (student level) to the top academic level. At the student level, students are not receiving a well-rounded education and are not taking ownership of the learning process themselves. Proper measures need to be instituted to motivate the students and acquaint them with the benefits arising from receiving high-quality education. Students look upon the academic system unit (university) they are members of only as a mere social club, where they get to meet and interact socially. Appropriate measures need to be put in place so that communities of interest would come to a point where they would see university campuses in the Arab world bustling with productive student activities. At the professorial level, university professors currently lack a much-needed motivation; in general, they have lost their morale and sense of good citizenship towards their institutions and countries. Effective measures need to be instituted that would entail measurable merit-based systems to hold poorly performing faculty members accountable. University professors are not being faithful in delivering the course material to students in the classroom in compliance with the proper code of academic honour. They do not possess an appropriate sense of commitment that would serve as a driver towards good society building efforts. As such, we end up with low-quality products (students). Effective measures need to be put in place for monitoring and inculcating a high-quality academic code of conduct into faculty. University professors often get involved in acts of plagiarism (upon embarking on research) in their effort to take the easy ways out towards achieving promotion requirements. This issue has also been addressed at length in the forthcoming publication of the Arab Academy of Sciences entitled "*Higher Education in the Arab World: Building a Culture of Innovation and Entrepreneurship*" [3]. Corrective and disciplinary measures would need to be instituted to put an end to academic and scientific misconduct. At the level of university administration, there is a failure to undertake adequate strategic planning to fulfil the missions of their organisations in line with national development efforts. Governments would need to institute measures whereby only those who have a clear vision and can address the need for reform are installed as university presidents. University administrations are not taking adequate measures to ensure that the course of academic processes is administered according to well-known international standards. Here, university administrations and leaderships (including governing board, president, and vice-president(s)) would need to take the driver's seat at their organisations to warrant that corrective actions for reform are in place.

Around the world, higher education is under constant pressure for change. Its ongoing expansion and contribution to economic success is seen as an essential pivotal factor [10, 11, 16]. In a prevailing data economy, the stakes are high.

Therefore, higher-education institutions need to develop a creative balance between academic mission and executive capacity; and between financial viability and traditional values. Governments have to balance the encouragement of excellence with the promotion of equity [11]. Ongoing research endeavours in the Arab world lack the much-needed direction to address national development objectives and priorities. Much of the work undertaken is only of academic quality that can achieve the narrow agendas of university professors in fulfilment of academic promotion requirements. As such, much of the effort is wasted and financial resources received from government in support of such efforts are often, not fulfilling the stated objectives.

Hence, it is essential to institute independent National Foundations in each country for scientific research, technology transfer, and innovation that would be charged with different tasks and responsibilities along the paths for reform. Such foundations would be entrusted with:

 (i) Coordinating efforts with multinational organisations towards fulfilment of national development objectives;
 (ii) Creating a virtual university with colleges of excellence disbursed across university campuses;
(iii) Creating centres for advanced research in many multi-disciplinary areas at different university campuses;
(iv) Instituting national calls for funding, inviting researchers from around the various Arab countries to submit research proposals addressing the solution of industrial/academic issues of national and regional dimensions; and
 (v) Coordinating efforts with local industries so that ongoing research endeavours would aid in fulfilling national development objectives.

5.5.1 A New Age for Renaissance: The Way Forward for the Arab World

With all that said, the university system in the Arab world is certainly one that has great promise! However, to fulfil such promise and unleash its full potentials, the university system must start out with a solid conviction for success on a number of fronts. First, that it can make it through successfully. Secondly, any new university administration (one that is competent enough and willing to shoulder this heavy burden) ought to realise that a number of far-reaching measures need to be set right into place. These measures are highlighted at the different levels of concern and are shown in Table 5.1.

Table 5.1 Measures that must be harnessed to bring about the desired educational renaissance

Academic level	Financial level	Administration level
Retooling new entrants (students) to help them attain the proper academic standards for greater competitiveness prior to joining their college majors	Introducing programmes of study that are direly needed in the Arab world, that would fulfil the needs of national development efforts and those all across the Arab region	Put in place a merit-based system to reward the high achievers. This is accomplished by instating an institutional scoreboard to monitor all academic and business operations all across campus
Instating and/or reinstating graduate research assistantship, graduate teaching assistantship, and fellowship programmes	Tightening the curb on wasteful spending	Leveraging the large geographical span of the university system by introducing programmes of study that can harness the wide geographical stretch of the university system all across the Arab world to create a more effective integration/cooperation
Fostering and enforcing practices that would warrant teaching excellence in all disciplines	Reserving larger budgetary allocations in the ways of research, innovation, and multi-disciplinary research	Creating profitable business ventures that would crisscross the geographical span of the university system across the Arab world
Attracting international faculty to the university system and offering all necessary incentives; this, amongst others, would help improving institutional world rankings	Increasing financial returns through high-yield investments and new partnerships	Creating business partnerships with other regional and international institutions

Table 5.1 (continued)

Academic level	Financial level	Administration level
Enforcing good and proper academic work ethics; promoting and incentivising high productivity and performing ability by academic staff	Placing more administrative monitoring and control over academic and administrative processes	Ensuring that the right governance is well set in place together with all supporting regulations and bylaws to make targeted objectives find their ways to light.
Promoting a culture of innovation and entrepreneurship to incentivise start-up and spinoff companies. And advocating faculty members to deal with the university entity as a business-generating enterprise harnessing the potentials of its students for innovation and entrepreneurship	Enforcing the use of green sources of energy and economise on the use of electric power campus-wide	
Promoting and supporting multi-disciplinary projects and research endeavours in a manner that would foster new inventions and promote entrepreneurship. And encouraging the formation of research groups in various specialties all across Arab campuses	Instituting and executing best administrative/financial practices to cut-down on spending to reduce various deficits	

5.6 How Would Enabling Government Legislation and Good Academic Governance Contribute to a New Age of Renaissance for the Arab World?

Socio-economic development enabling Arab economies to integrate well into and contribute to the fourth industrial revolution [20] requires a coherent mix of a number of various components. Despite inherent variations in these components from one country to another, we have conceptualised a working model of interoperability as shown in Fig. 5.3. The diagram presented in the figure suggests how a typical academic model would foster a productive interaction with the industrial sector; how the K-12 general education system [13] would interact with the relevant components in the overall picture. The figure also illustrates that for a viable form of any industry to evolve governments must cater for intellectual property models, proper accreditation bodies, and put all that in service of the community. The model also shows that a successful industrial sector would barely survive without some level of a core industry around which various other industries would revolve and interact.

Under the classical inner workings of the interoperability model, nonetheless, one would always find that any given economy is always faced with the inevitable, in particular, that of foreign competition, which would always serve as a major obstacle, hampering regional and international exports. To alleviate the ill effects of foreign
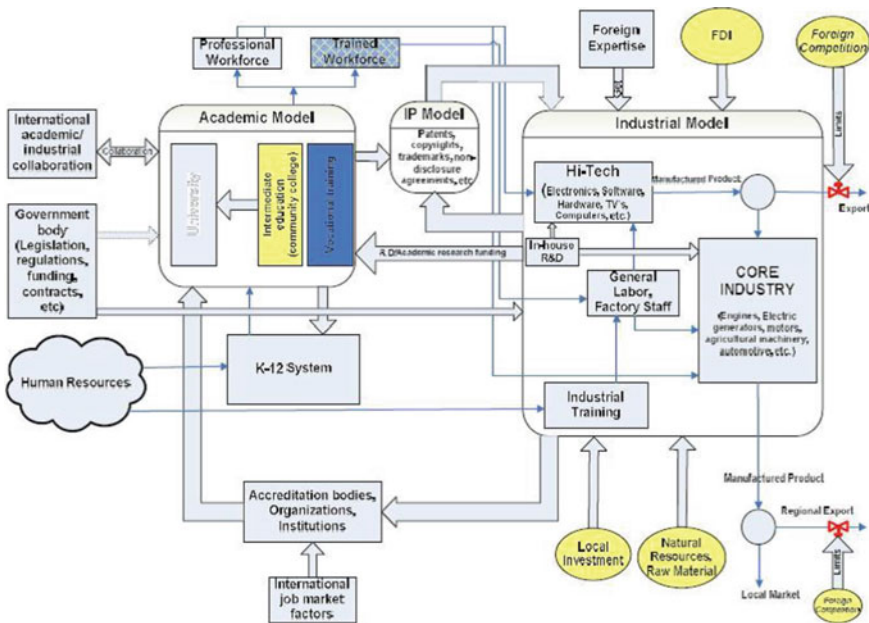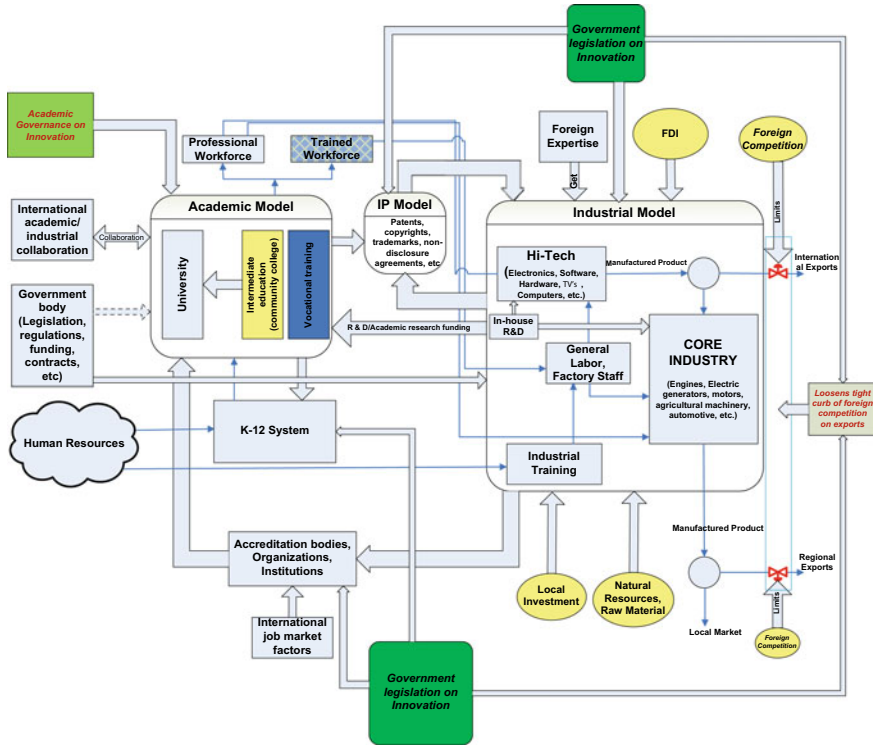

Fig. 5.3 Diagram shows interrelationships between the various economic components in a good system of interoperability

Fig. 5.4 System of interoperability complemented with innovation-enabling academic governance and supporting government legislations on innovation

competition on any given economy, the alternate model is illustrated in Fig. 5.4, wherein both effective government legislation and good academic governance would serve to work in unison for effective good economics leveraging innovation as the tool to bolster entrepreneurship in a manner that would reflect positively upon the communities involved.

It is anticipated that with a good academic governance model, fostering innovation and creativity as the linchpin, the following components would be instated across the various curricular offerings. These are illustrated in Fig. 5.5. The components in this model reflect two primary approaches to be anticipated on a path towards innovation-fostering academic systems. These include an evolutionary approach, which would grow over time and bring with it the much-anticipated results. Furthermore, a revolutionary approach would follow a more accelerated schema and would inherently leverage both excelling students and outstanding faculty who would work together to incur the anticipated results at a more rapid pace of progress.
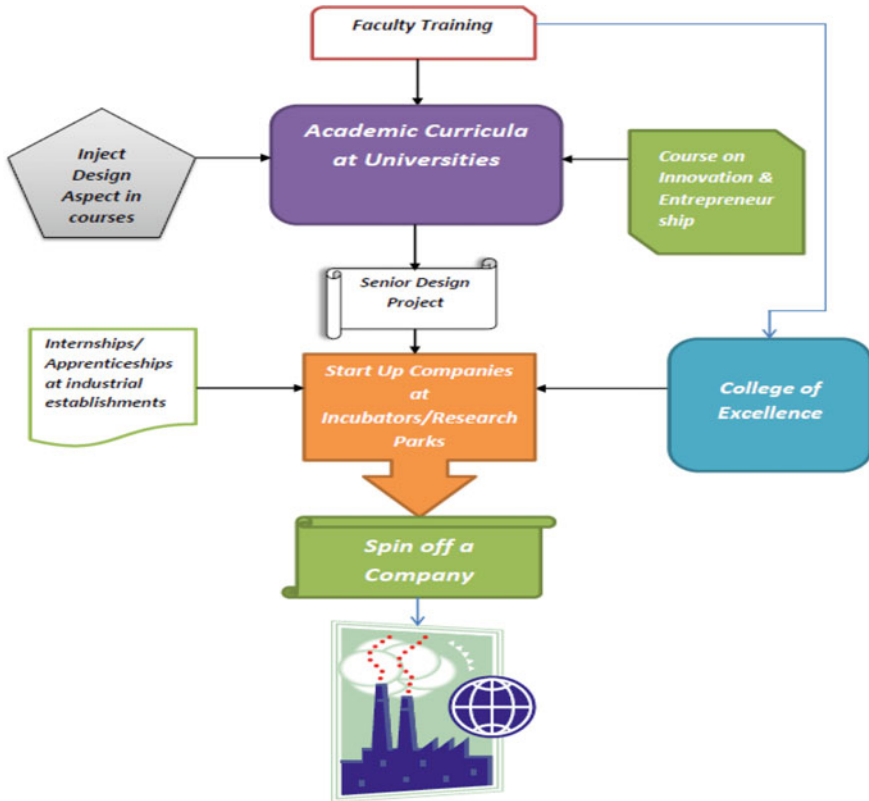
Fig. 5.5 Innovation as it is administered in two possible paradigms; the evolutionary and the revolutionary approaches

At the national level, government regulations are anticipated to bolster a more successful academic system, which, in turn, would support the much-anticipated real industrial growth. These systems are expected to breed the various components that are exhibited in Fig. 5.6. This model particularly suggests that each Arab nation would bring together a national entity under the name "National Commission for Technology Transfer and Orientation of Scientific Research", or any similar name to serve as an umbrella under which many entities can be brought to bear in a manner that would ultimately create a culture of innovation and entrepreneurship.
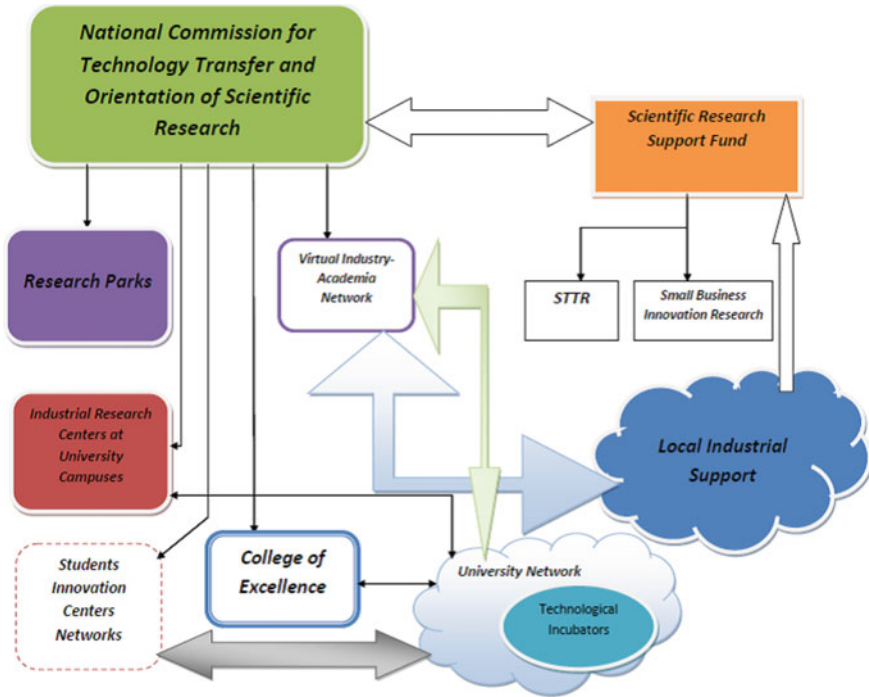
Fig. 5.6 Inner workings that reflect the proper system mix that would foster innovation across the community involved

5.7   What Ought to be Targeted when Government Legislation and Academic Regulations and Governance are Tailored to Contribute to an Innovation-Supporting Ecosystem?

5.7.1   Government Legislation

When governments support innovation and creativity in ways that foster economic growth, various levels of legislation are expected to:

– Introduce a new government entity, be it a ministry, foundation, or a body that would function as a "kitchen of recipes" to various education-related entities to promote and leverage innovation as a vehicle for growth.
– Introduce and enforce education-related laws that would foster innovation-oriented cultures.
– Ensure the proper selection of individuals to high-level posts who are talented and possess the right leadership management skills.

– Grant tax incentives and induce tax cuts where possible to stimulate the type of growth that, towards the end, would incentivise the introduction of start-up companies and promote SMEs, thereby introducing new market opportunities.
– Grant tax exemptions that would make national work products competitive globally.
– Introduce investment-related policies and regulations that would incentivise multinational firms to start new investments in the Arab countries involved.
– Encourage and finance world-class research at academic institutions to lure in multinational firms to establish R&D units in the Arab countries involved.
– Contribute to the creation of science and research parks where multinational firms can have a scientific presence in the countries involved.
– Promote an appreciation for inventors and laureates.
– Offer protection and security to foreign intellectual capital and investment.
– Offer intellectual property rights protection in the countries involved.
– Accelerate the various legal and litigation processes to warrant that justice is rendered effectively and appropriately throughout the justice systems involved.
– Introduce all necessary e-business and e-commerce handles and warrant that business-to-business transactions are fully supported electronically with high security and full integrity and traceability.
– Ensure that the banking and financial systems in the countries involved harness evolving technologies like high speed networks, secure links, blockchain and other FinTech solutions that are compliant globally.
– Ensure that the digital infrastructure within the countries involved is globally compatible and readily amenable to integration.
– Support the transfer of technology from other countries around the world, while maintaining protection rights for foreign proprietary and intellectual property.

5.7.2 Academic Governance (Regulations and Bylaws)

Academic institutions also have their share in introducing the level of legislation, at the institutions involved, commonly dubbed academic bylaws or governance, at large. Such governance ought to readily aim towards:

– Rewarding the high achievers—both faculty and students.
– Supporting merit-based systems across Arab universities that are globally compliant.
– Fostering research, innovation, and creativity.
– Harnessing technological and business incubators in breeding start-ups and spin-offs.
– Contributing towards research and science parks that would host R&D operations of multinational firms.
– Creating cultures of high academic integrity that would preserve and protect the intellectual property of others.
– Inculcating cultures of innovation and entrepreneurship.

– Introducing cultures of inventions in ways that would bolster economic growth and create market opportunities.
– Improving the soft skills of the constituents involved.
– Ensuring that only the competent constituents take on leading positions at academic institutions.
– Catering for teamwork and good leadership traits in ways that would bring about role models for others.
– Promoting international collaboration with peer institutions and with local multinational industries.
– Promoting a culture of intellectual property rights protection and enforcement.
– Encouraging faculty to move on paths that would lead to promoting international competitiveness and to accepting challenges leading to various international awards and, in particular, Noble Prizes.

5.8 Conclusion

The analysis in this chapter is as much about developing new policy approaches led by concepts such as "strategic management", "deregulation", and "accountability" as it is about influencing the behaviour of higher-education institutions in a more direct fashion [11]. To cope and compete with highly developed economies, innovation as a concept is a key factor in bringing about the level of prosperity and growth that is much anticipated throughout the Arab world.

In this chapter, governance-related issues and opportunities leveraging innovation, as a culture, are presented as pertains to higher education in the Arab world. The models that are proposed represent new roles for different stakeholders that will lead to meaningful transformations in higher education in the Arab world. Well-designed effective governance in higher education enables the interaction between two fundamental components of higher education; the inputs and outputs of the system. The input's environmentally enabling pillars include such items as the use of technology in education, government effectiveness in its strategies, regulatory quality, rule of law, quality of scientific research, and protection of intellectual property. On the other hand, the output's pillars comprised graduate and undergraduate students, the system's ability to cater for job creation, readiness to contribute to the creation of knowledge, together with knowledge dissemination and university/industry collaboration in research and development. Moreover, the Arab world would need to construct a sophisticated capacity by addressing the challenges facing economic growth, and the ability to bolster productivity and contribute to job creation. The Arab world also would need to make much effort with regards to the instatement of the proper systems of legislations and laws, offering enabling environments, and, in the process, harnessing organisational structures and individuals capable of supporting higher-education systems that can compete with the right quality of higher-education outcomes available in any place around the world.

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Chapter 6
The Relationships Between Universities and Governments in the Arab World

Rasha Sharaf and Hany Helal

Abstract The relationship between government and a university discussed in this chapter is influenced by "New public management" theory that has mostly substituted more traditional "public-sector management" approaches of governance, the latter being discarded for its lack of efficacy and inflexibility in responding to market demands. The new model redefines the relationship between government and universities, from a state control to a state supervision model. The main parameters are strengthened institutional autonomy as well as privatisation [10]. Hence, the chapter has selected four Arab countries that represent diverse systems of higher education in the region and that extend from the farthest east (UAE) till the farthest west (Morocco) including two of the biggest systems of higher education in the region (Egypt and Jordan) while looking at the four main governance functions of the higher-education system governance that start by strategic function including strategic management and planning, management function that looks on system steering, operation function that looks at executive level of management at the university level, and finally information and communication function that looks into data management for decision support and decision-taking.

Keywords Governance · Strategic function · Management function · Operation function · Information function · Autonomy · Funding · Arab world

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6.1   Introduction

Universities in the Arab world as well as all over the world are regarded as vehicles for development being a major player in the production of essential human capital, research, and innovation needed for development as well as support for all economic sectors through thinktanks and expertise. The relationship between government and a university is influenced by "New public management" theory that has mostly substituted more traditional "public-sector management" approaches of governance, the latter being discarded for its lack of efficacy and inflexibility in responding to the market demands. The new model redefines the relationship between government and universities, from a state control to a state supervision model. The main parameters are strengthened institutional autonomy as well as privatisation [10]. Governments in the Arab world have very tight relationships with universities, both public and private, given the centralised system of education in most of the Arab countries. This relationship could be evident at public universities through policy formulation in the first place, planning, organisation, regulation, funding mechanisms, selection and hiring of leaderships, decision-making and decision-taking through governing bodies. This chapter seeks to analyse the relationships between universities and governments in selected Arab countries (Egypt, Jordan, Morocco, and United Arab Emirates "UAE") that stand for a representative sample of the Arab world given the diverse and unique nature of these countries governance and higher-education systems. It also examines their governance setup and system steering functions that include strategic, management, operation, and information functions both at the national level as well as at universities' institutional levels. The chapter tries to highlight the nature of these relationships and the role they play in supporting universities in the Arab world. In addition, it tries to explore new trends in operation management in universities using information and communications technology (ICT) and artificial intelligence through initiatives and projects.

6.2   Governance Setup and Relationship Between Stakeholders

Governance setup for higher education is defined by the governance system of the whole country, so if it is a centralised system of governance at all sectors, higher-education governance is to be a centralised one; the same applies for decentralised systems. So, if we take examples of the Arab countries, we can observe that the relationships between universities and governments in countries like Egypt and Jordan are of a centralised nature, whereas it is decentralised in countries like Morocco and the UAE. This is reflected in the structure and hierarchy of education-system administration, bodies involved in decision-making and decision-taking as well as flow of information, finance, and other system-steering affairs. Although it was announced by

the Moroccan government that they have implemented decentralisation and a regionalisation approach to the higher-education sector, some functions remain centralised to a great extent.

6.2.1 Egypt

In Egypt, the **Ministry of Higher Education and Scientific Research** (MOHESR) develops and implements government policy in higher education and scientific research. It monitors implementation in accordance with set laws and regulations. The ministry overlooks universities and their 5-year financial plans. It is also involved in submitting public universities' budgets for approval by the government and parliament every year, in addition to monitoring plans for implementation along the way. The Minister heads **the Supreme Council of Universities (SCU)**, which is the prime body responsible for devising bylaws and regulations, decision-making and decision-taking, and monitoring the performance of public universities. SCU comprises the Secretary General, one President of public universities in addition to five public figures members appointed by the Minister of Higher Education and Scientific Research. The Minister also heads **the Council for Private and Ahleyia (not-for profit) universities** that has a similar role to the SCU but for private and Ahleyia universities and that comprises the Secretary General, Presidents of private universities, Secretary General of SCU, advisors of the ministers at these universities and three public-figure members appointed by the Minister. As for quality assurance and accreditation, it is overlooked by the **National Quality Assurance and Accreditation Agency (NQAAA)** a body that follows the cabinet of ministers and is independent in authority and status with respect to the MOHESR to guarantee the autonomy of quality-assurance processes.

Financing of research, technology development, and innovation is provided through a number of resources among which is the investment plans of universities beside the prime source of scientific research funding given by the **Science and Technology Development Fund (STDF)**, that was established in 2007 following a national reform initiative as a competitive fund that is headed by the Minister of Higher Education and Scientific Research. STDF provides a number of funding programs that related extensively to governance among which are: "National Challenges Program" that incentivises universities to conduct research that responds to national development needs announced by Egypt Vision 2030, "Faculty For Factory" (3F) that relates research at universities and research centres to needs of industry, "Demand Driven Projects" that represent a bottom-up research funding that responds to the needs of the community and other programs that supports networking among research and innovation bodies as well as international collaboration on research with world-class researchers and organisations [27]. Figure 6.1 illustrates the organisational structure of the higher-education system in Egypt [15].

There are diverse types of universities and higher education institutions in Egypt that are illustrated in the following [27]:
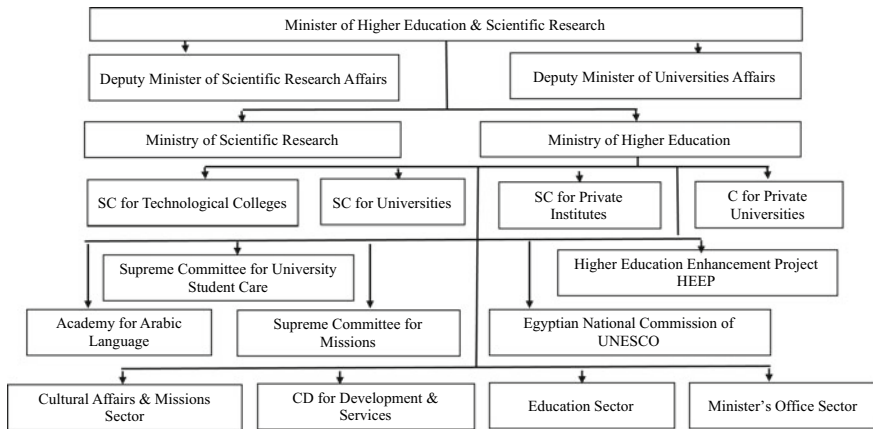
Higher Education Organisational Chart in Egypt (Adapted from http://portal.mohesr.gov.eg/en-us/Pages/ministry-org-structure.aspx)

Fig. 6.1 Higher-Education Organisation Chart in Egypt

(a) 27 public/government universities encompassing 485 faculties and institutes, in addition to Alzhar University (A religious university that includes all scientific and social science disciplines)
(b) 29 private and Ahleya universities,
(c) 3 new technological universities that commenced operation in the 2019/2020 academic year in addition to five under construction,
(d) 168 higher and mid-level private institutes,
(e) 10 universities established in accordance with protocols or agreements with sister countries and regional and international organisations,
(f) 3 international branch campuses

The total number of enrolled students as per 2019 data published by the statistics department at the MOHESR is more than three million students distributed among the types of institutions as illustrated in Table 6.1 [27].

Table 6.1 Students' enrolment per type of HEIs in Egypt

Type of HEIs	2018–2019 Students' enrolment	%
Public universities	1,911,056	63.2
Al-Azhar University	291,981	9.6
Technical colleges	130,617	4.3
Private universities	191,767	6.3
Higher private institutes	492,782	16.3
Private middle technical institutes	5,673	0.3
Total	3,023,876	100

Private universities in Egypt are relatively new as the first four private universities were issued the presidential decree in 1996 followed by the establishment of Ahleya universities (state supported) in 2006 where the number of private and Ahleya universities increased until reached 29 HEIs as of today. In 2018, a new law for international-branch campuses (IBCs) was issued that allows overseas universities to open in Egypt based on bilateral agreements between international universities and an educational institution in Egypt [33]. This was followed by the introduction of this type where three IBCs have been opened in the academic years 2018–2019 and 2019–2020 and others are in the pipeline.

6.2.2 Jordan

In Jordan, the higher-education sector is also classified as a centralised system. The MOHESR is in charge of executing higher-education policy, overseeing the coordination among HEIs, and carrying out arrangements with other countries. It is also responsible for the recognition of international universities and degrees, supporting the Council of Higher Education and supplementing it with needed technical information. The Higher Education Accreditation Commission (HEAC) targets the improvement of quality as well as equity in the Jordanian higher-education sector either in ranking, system evaluation, or doing compelling, consistent, and fair university assessment services. Similarly, it aims at improving the position of higher education in the Kingdom by a combination of conducting quality assurance and encouraging higher-education institutions to promote system exposure and cooperate with universities, scientific research institutions, and international accreditation and quality-control commissions. This approach constitutes an attempt to develop higher education via applying international standards.

There is also the Scientific Research Support Fund that works to support scientific research in the Kingdom [27]. Another critical higher-education catalyst is the **Council of Higher Education (COHE)**. It is a body that is overseen by the Minister of Higher Education and Scientific Research and includes the membership of the Secretary General of the Ministry, the President of the Higher Education Accreditation Commission, seven full professors who have experience in academia and higher education, and the Director of Education at the Jordanian Armed Forces. Selection is made by the cabinet and endorsed by a Royal Decree indicating the strong representation of the government in the COHE governance [27].

During the last 20 years, the higher-education sector in Jordan has gone through significant development as well as growth demonstrated by the expansion in the size and number of higher-education institutions, enrolment rates, human resources, and finance in the form of allocated budgets. In addition, there was a legal reform for the laws that regulate higher-education system as well as public and private universities, and revised laws were issued in 2009: "Law of Higher Education No. 23" [12] and "The Jordanian Universities Law No. 20" [27]. These laws have empowered Jordanian universities to be more autonomous in administering their governance as
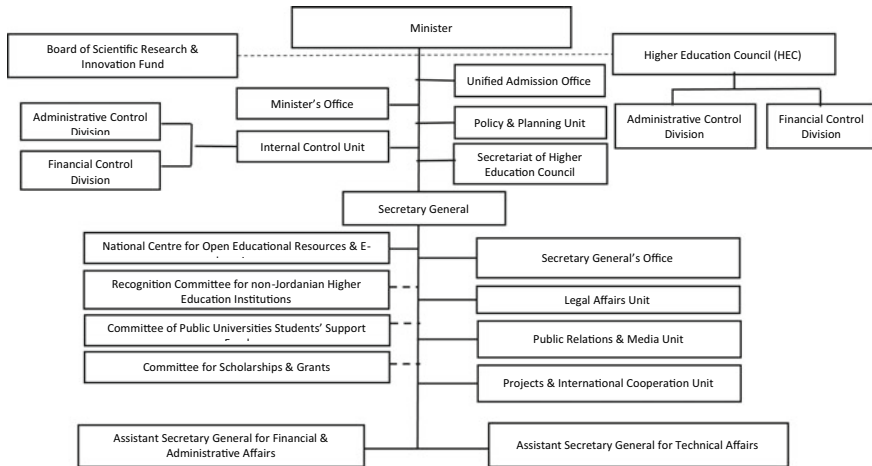
Higher Education Organisation Chart in Jordan (Adapted from http://mohe.gov.jo/en/PublishingImages/OStructure.jpg)

Fig. 6.2 Higher-Education Organisation Chart in Jordan

well as having more control over their budgets. Figure 6.2 illustrates the structure of higher-education governance in Jordan [13].

As a result, the number of public universities has increased to ten, in addition to 19 private universities, and 44 community colleges, besides the World Islamic Sciences and Education University. This growth in number of universities resulted in a considerable increase in enrolment rates in these universities as illustrated by Table 6.2 [27].

The total number of students enrolled in public and private universities is more than 300,000; about 10% out of them are overseas students [27]. The establishment of a private university is conducted through a decision by COHE based on a submitted request by the investor and in compliance with the set of requirements as indicated by the Jordanian laws and regulations. A private university is an autonomous body that contributes to the aims of higher education and scientific research. Being a financially and administratively independent institution, it responds to the national policy of higher education through creating its own programmes of study and other university functions like curriculum development, conducting academic research, running

Table 6.2 Students' enrolment per type of HEIs in Jordan

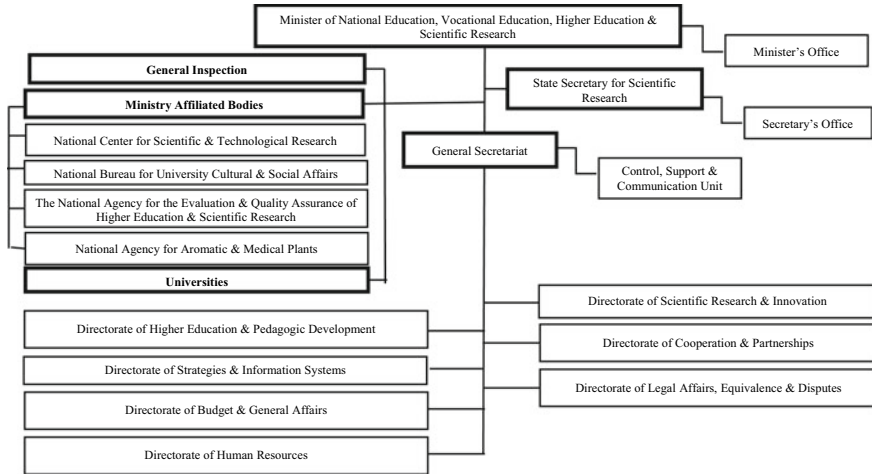| Type of HEIs	2015–2016 Students' enrolment	%
Public universities	214,546	71.3
Private universities	80,880	27
World Islamic Sciences University	5,305	1.7
Total	300,731	100

examinations that all lead to awarding degrees and certificates of different types. The higher-education sector in Jordan is now capable of achieving more than 25% gross enrolment rate (GER). Through the previously referred to establishment process of private universities, they are required to adhere to the standards of institutional quality assurance and accreditation regulations identified by HEAC. Thus, they are required to carry out periodical accreditation and audit visits by committees set by the HEAC as well as staff of the MOHESR to be accredited. A major indicator of quality is the number of teaching staff and number of students admitted in each programme; this is why it has to be controlled by the designated bodies, and penalties are enforced for any abuse of regulations [44].

6.2.3 Morocco

In Morocco, **The Ministry for Higher Education** develops and monitors the implementation of government policies in higher education and scientific research. It oversees execution in compliance with governing laws and regulations. The ministry also supervises higher education through several departments in addition to supervising private higher-education institutions. Following the issuance of Law 01-00, two national independent regulatory bodies have been created [27]: (1) The **National Commission for the Coordination of Higher Education (CNCES)**, established in 2003, acts notably to accredit degrees and doctoral study centres as well as to create public and private institutions. (2) The **National Agency for the Evaluation and Quality Assurance of Higher Education and Scientific Research (ANEAQ)** is a body devoted to evaluation and audit of higher education and scientific research, under State supervision.

The **Conference of University Presidents (CPU)** is another governing body established in 1989 to promote discussion of matters concerning public higher education. The Minister can also invite CPU to convene to discuss general direction, and national policies related to training, research, or international university cooperation. Moreover, the **University Cooperation Agency (AMU)** that was established is composed of universities' representation, the National Centre for Scientific Research, the National Office of University Social Services, and the Ministry of Higher Education (MOE) [27].

Another significant body that plays a crucial role in the governance of the higher-education sector in Morocco is **The Higher Council for Education, Training and Scientific Research**, which is an autonomous, consultative agency targeting three main areas: (a) governance, (b) sustainable development, and (c) participatory democracy. The Council is meant to act as a thinktank that advise on strategy formulation with regard to education, training, and scientific research. The Council is a review body which is the **National Body for the Evaluation of the Education, Training and Scientific Research System (INE)**, and a **National Agency for the Evaluation and Quality Assurance of Higher Education and Scientific Research (ANEAQ)**, that are under government control, and are in charge of the evaluation of

Higher Education Organisational Chart in Morocco (Adapted from https://www.enssup.gov.ma/fr/Page/3717-منظام-الوزارة.html)

Fig. 6.3 Higher-Education Organisation Chart in Morocco

Table 6.3 Students' enrolment per type of HEIs in Morocco

Type of HEIs	2018–2019 Students' enrolment	%
Public universities	876,005	91.2
Non-university higher education	35,452	3.7
Private universities	49,284	5.1
Total	960,741	100

higher education and scientific research systems and institutions. It is worth noting here that public higher education is free of charge for both nationals and foreigners [27]. Figure 6.3 illustrates the structure of higher education in Morocco [23].

Morocco has 24 universities (13 public universities, 1 privately-run public university, 5 public/private partnership universities, 5 private universities) [24]. See Table 6.3.

6.2.4   United Arab Emirates (UAE)

The United Arab Emirates is a union of seven states, or emirates, that resembles the decentralised governance system of the United States where each of the seven emirates has some degree of autonomy, while preserving the unity through a federal government and that is known as the Supreme Council of Rulers that comprises the seven rulers—the leaders of each emirate—who inherit their positions. The UAE

has laid the foundation of a diversified higher-education system in the past few decades. The first university to be established in 1976 was the United Arab Emirates University, and that took the lead of higher education in the UAE. Thereafter, the UAE experienced expansion in both its public and private higher-education institutes as well as dedicated development for its HEIs.

The **Ministry of Education/Higher Education Affairs** (formerly the Ministry of Higher Education and Scientific Research) devised a national strategic plan intending to keep on positioning higher education in a prominent stance. After the restructuring of the UAE Cabinet in 2016, the MOHESR was integrated with the Ministry of Education with two Ministers of State annexed. Hence, the present Ministry of Education oversees the general planning of both pre-university and higher education and scientific research sectors in the UAE. The Ministry is in charge of drafting laws and policies upon which federal governmental institutions of higher education and scientific research are to be established, in addition to licensing and accreditation of private institutes of higher education [27]. Figure 6.4 illustrates the governance setup and stakeholders' relationships that influence universities' level governance and management [25].

As is evident in the previous chart, the **Commission for Academic Accreditation (CAA)** is the body to be responsible for licensure of institutions of higher education and accreditation of their academic programmes in the UAE. Through licensure of colleges and universities and accreditation of individual programmes, it is the Commission's role to verify the provision of quality education that is comparable to international standards. Moreover, the Ministry of Education (MOE) established the **National Authority for Scientific Research** (NASR) in 2008 to promote the
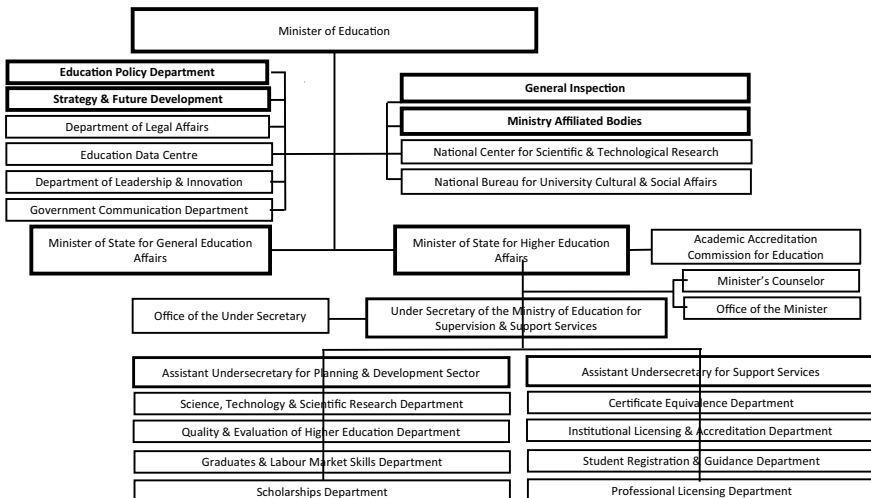
Higher Education Organisational Chart in UAE (Adapted from https://www.moe.gov.ae/Ar/AboutTheMinistry/Pages/OrgChart.aspx)

Fig. 6.4   Higher-Education Organisation Chart in United Arab Emirates

Table 6.4 Students' enrolment per type of HEIs in United Arab Emirates

Type of HEIs	2015–2016 Students' enrolment	%
Public universities	–	
Private universities	–	
Total	55,820	100%

knowledge society and innovation through the contribution of HEIs in the UAE. The ministry intends to develop a national system of innovation to ensure a cohort of national researchers that can contribute to UAE's knowledge-based economy. If looked at the local/emirate level, the **Department of Education and Knowledge** in Abu Dhabi, formerly, Abu Dhabi Education Council (ADEC), works at the local level. It may establish academic institutions and educational bodies in Abu Dhabi, in collaboration with MoE and with authorisation from the Executive Council [27].

In the UAE, there are 78 higher-education institutions, among which are 39 universities, where most of them are international branch campuses from North America and Europe [32]. Quality assurance and accreditation is carried out by either the Commission for Academic Accreditation (CAA) of the Ministry of Education or the Knowledge and Human Development Authority (KHDA) that is in charge of the growth and quality of private education and for private universities in Emirate of Dubai. To guarantee that the colleges and universities of the UAE function at international levels of quality, the CAA published a new version of the Standards for Institutional Licensure and Program Accreditation; this version resumes the effort of CAA to enhance its existing standards and procedures to confirm that newly established institutions and programmes, as well as existing ones, meet optimum levels of quality. These standards provide indication about quality that all institutions must fulfil for licensure and programme accreditation and indicate consistency within the international higher-education area on the critical measures and standards required of higher-education institutions to attain continuous improvement. With the vigorous expansion in private and international universities, CAA does not recognise higher-education institutions in free zones unless they apply for the CAA quality procedures. Table 6.4 provides an overview of enrolments at universities in UAE.

6.3 Strategic Function Relationships: Strategic Planning and Goals Setting

Strategic function deals with strategic plans and goals setting for the higher-education sector. In the Arab world it is mostly led by the designated ministries of higher education and scientific research and affiliated bodies upon which institutional plans are developed by universities to respond to the national strategy. The following is a brief account of strategic function in four selected Arab countries.

6.3.1 Egypt

In Egypt, the national strategy for higher education is developed by the Ministry of Higher Education and Scientific Research through **The Strategic Planning Unit (SPU),** established in 2006. The current plan is an integral component of the National Strategy "Egypt 2030" that was developed by the Ministry of Planning in 2015. The higher-education strategy targets four main aspects: access, equity, competitiveness, and universality [20]. This included the establishment of 19 new universities by 2030 (4 public, 7 Ahleya, 3 technological, and 5 IBCs in addition to the upgrading and creation of new programmes and fields of specialisations. The strategy also targets the enhancement of Egyptian universities' competitiveness and quality of educational outputs that would result in better international ranking of Egyptian universities. Universities are regarded as thinktanks, have the role in community service through the support of the health sector due to the vital role played by university hospitals, scientific research, development of disadvantaged socioeconomic areas, and student-led projects. Higher-education strategy 2030 has also dedicated several initiatives related to the overall integrated student development, including political, athletic, psychological, and welfare programmes [20].

6.3.2 Jordan

In Jordan, upon implementing a recent reform several units were established to take charge of the strategic function of the higher education and scientific research sector. As indicated earlier by the organisational structure of the higher education sector in Jordan, two units were established [44]: (1) **Policy Analysis and Planning Unit that** takes the responsibilities of collecting data and information on the higher-education sector, carrying out studies in order to support the work of the Council of Higher Education (COHE) in addition to other numerous duties assigned by the law. (2) The **Unified Admission Coordination Unit that** undertakes the charge of students' admission into public universities according to the guidelines and regulations endorsed by the Council of Higher Education (p. 1).

These bodies are responsible for planning university admission, as well as conducting studies needed for decision-making at COHE.

In Jordan, the strategic vision of the 2015–2030 reform, developed by the Higher Council for Education, Training and Scientific Research, advocates the government as the main source of funding, beside the mobilisation of diverse resources and has indicated that [44]:

Higher-education policy goals are founded on nine pillars specified in the National Strategy for Higher Education (2014–2018). These are:

- University Governance and Management: enabling the Higher Education Council (HEC) to oversee HEIs in general.

- Admission Policies: review of admission policies to achieve justice and equal opportunities to guarantee a high level of higher education and the quality of its outputs and harmony with the labour market.
- Finance: securing and diversifying adequate and stable sources of funding for universities.
- Accreditation and Quality Assurance: harmonisation of higher-education outcomes and labour-market needs.
- Scientific Research and Graduate Studies: providing needed financial support for scientific research.
- University Environment: developing a model for university appealing environment which promotes shaping of an integrated student personality.
- Academic Programmes: improving quality of programmes, plans, and curriculum in higher-education institutions.
- Human Resources: raising the level of leadership in administrative positions and the efficiency, diversity, and excellence of human resources.
- Technical Education: reaching the ambitions of Jordan's strategy regarding the concept of technical education, culture, and expansion, development through the development of technical education.

Admission policies, requirements, and criteria for both public and private universities are identified by **COHE** based on available human and capital resources for their programmes, whereas the upper limit of students each university can admit in each programme is determined by HEAC. It is then the universities' responsibility to admit students who comply with admission policy and criteria determined by HEAC [27].

6.3.3 Morocco

Morocco has carried out sector reform since the start of the twenty-first century that was crowned by the Constitution of 2011 that in turn promoted social equity as highlighted by the new transformation. This reform has laid the way for crucial achievements, mainly in legal and institutional governance aspects that has profoundly affected enrolment capacity and restructuring and curricular development, along with decentralisation and autonomy at the institutional level. Based on a report produced by the National Evaluation Body on implementation of the National Education and Training Charter for 2000–2013, a ministry action plan was produced for the 2013–2016 period with a budget of MAD 6.866 billion Dirhams (around EUR 624 million), to sustain the outcomes of the 2009–2012 Emergency Plan. This comprehensive action plan includes 39 projects classified into six main areas [27].

The **Higher Council for Education, Training and Scientific Research (CSEFRS)** developed a vision of reform (2015–2030) entitled "For equity, quality and promotion at school". The aim of this strategic vision is to establish a new school

system based on three broad fundamental principles: equity and equality of opportunity, quality for all, and promotion of the individual and society. This aims to reinforce the achievements, propose solutions for pending crosscutting issues, and implement the necessary cuts. To respond to the three principles of the reform's strategic vision, 23 levers have been advocated [27]. The Council recommends setting out the content of the 2015–2030 reform's strategic vision in a framework law, which will form a national contract committing all forces to implement it and regularly monitor its progress and achievements.

A Strategic Plan 2015–2030 for the higher-education and scientific research sector was developed, responding to the strategic vision of the 2015–2030 reform and comprising four strategic components [27]:

- Theme 1: Improved access to higher education to guarantee parity, equal opportunities, and lifelong learning
- Theme 2: Promoting quality to improve educational performance and match it to the needs of development and the job market
- Theme 3: Support for scientific research, enhanced performance, and its linkage to overall development objectives
- Theme 4: Better governance of the higher-education system to improve its performance.

The capacity to link strategic planning, resource allocation, and accountability is a vital aspect of system steering that takes place at the level of the Cabinet of Ministers through relating budget and resource allocation of the higher-education sector to the national strategic priorities. Hence, the strategic plan of the ministry directs decision-making and decision-taking with regard to budget and resource allocations where budgets of public universities are linked to the priorities of the country.

6.3.4 United Arab Emirates

In September 2017, the national strategy 2030 for higher education was launched after consultation with public and stakeholders [21]. The strategy aspires to reach the top scientific and professional education standards that paves the way for the UAE's future generations. The strategy aims at equipping future generations with skills needed to support the national economy in each of public and private segments. Moreover, it plans to qualify a "generation of Emirati professionals" to achieve overall development of the UAE's labour market. The UAE Government identified four basic components that turn this strategy into reality that are: quality, efficiency, innovation, and harmonisation. The strategy as well developed 33 main initiatives to support the execution phase [27]. These include:

- The National Quality Framework initiative aims to develop assessment-based standards capable of considering the different local needs while applying an effective quality control system.

- The Transparent Classification of Outputs initiative aims at establishing transparent classification mechanisms that apply to all institutions and to disseminate quality reports to guarantee transparency.
- The Expanded Professional Experience initiative provides a range of career training programmes to students such as on-campus work, job shadowing, joint ventures, and vocational trainings.
- The Investment in Knowledge initiative aspires to expand the number of Ph.D. students by growing support for postgraduate funding and introducing incentive schemes to follow-up their study in higher education by guaranteeing appealing job opportunities.
- The **Competitive Research Funding (CRF)** initiative creates a programme for providing funding for research in critical sectors and promote the cooperation between higher education institutions, industry, and private sector.

6.4 Management Function: Decision-Making and Decision-Taking, Accountability, and Autonomy of Universities

6.4.1 Egypt

Universities regulatory Law No. 49 of 1972 has regarded public universities as autonomous institutions as well as public establishments of a scientific and cultural nature. They are entitled to accept donations granted to them if they do not conflict with the mandate for which the university has been established (Article 7). Each public university is free to prepare and set up their own budgets (Article 8) [33]. Despite the fact that Law No. 49 indicates that universities have independent legal status, an OECD/World Bank review report sees that university governance is heavily integrated with the authority of the ministry, the SCU, and other governmental bodies. The law even identifies specifications related to the internal governance and operation of public universities, including "the composition and responsibilities of university councils, the appointment and tenure of university presidents (head or chancellor), and the structure and responsibilities of faculties and departments" [22]. Law No. 49 sets guidelines of academic staff hiring (teaching and research), roles and responsibilities of academic staff, and other circumstances of employment. Non-academic staff recruitment, hiring, and promotion follow Labour Law that consider them as civil servants governed by the laws and regulations established by the Ministry of Administrative Development. Academic staff are also regarded as civil servants but follow a different law for university organisation (Law No. 49). Any amendments in the main parameters of the academic jobs at public universities in Egypt would require changes in Law No. 49. As for private universities, law 101 of 1992 legalised the establishment of private universities in Egypt as profit organisations. This law was upgraded in 2009 for both private and Ahleyia (not-for-profit) universities to

make a clear distinction between for-profit and not-for-profit institutions [33]. The ministry supervises the process of establishing new private or Ahleyia institutions and operating existing private universities through the Supreme Council of Private Universities (SCPU), a body established by Presidential Decree No. 219 in 2002. The Minister chairs SCPU. Among the duties of the SCPU are [22]:

- Reviewing proposals to establish new private and Ahleyia universities and making recommendations to the MOHE. Establishment of new institutions is subject to a Presidential Decree.
- Setting minimum conditions for private university operations, such as minimum requirements regarding academic staff (e.g. a recently approved requirement that a minimum percentage of academic staff must be full-time); and
- Approval of new academic programmes.

Private university presidents are nominated by the Board of Trustees (BOT) upon approval of the Minister of Higher Education.

Law no. 162 of 2018 covers the establishment of new International Branch Campuses (IBCs), while Law no. 72 of 2019 stipulates the technological universities and the process to establish them and their governance and regulation [33].

All the universities were established with mutual agreements with the government, such as the American University in Cairo (AUC) since almost 100 years, Senghor University of Alexandria since 30 years, and Eslsca University in Egypt since 2016, and are governed by the signed agreements that have been ratified by the Parliament.

Several ministries are involved in the management of public universities that have direct influence on higher education. Among the ministries are [22]: (a) The Ministry of Finance (MOF) that is in charge of the national finance policy and allocating budgets for public and technological universities and technical colleges as well as policies and regulations controlling the use of self-generated resources. The MOF limits the ability of institutions to reallocate funds from among budget line items while requiring public universities to keep their accounts at the Central Bank of Egypt and that the universities pay a percentage of self-generated income to the MOF; (b) The Ministry of Planning & Economic Development that is in charge of national "investment" budget known as line item "6"; (c) The Central Agency for Regulation and Administration regulates public employment in Egypt, where it supervises public/civil service employment, and should approve the allocation of staff positions (academic and administrative) in public universities and technical colleges; d) The **Ministry of Education and Technical Education** (MOETE) is in charge of overseeing the pre-university education sector. It plays a crucial role in preparing students for post-secondary education and training that are determined by the Thanaweya Amma (the unified exam for secondary-school leavers) that is a basic criterion for determining admission to universities. Other ministries are in charge of other functions identifying post-secondary education and training and research sectors in Egypt. The Ministry of International Cooperation oversees cooperation agreements with other countries, including the development of international institutions such as the new Egypt-Japan University for Science and Technology (E-JUST) [22].

Currently, admission to a public university in Egypt is a central system, based entirely on a candidate's score of the final year of secondary education leaving examination (Thanaweya Am'maa). The examination is administered annually by the MOETE. Students who pass satisfactorily can apply for a higher-education place through the **Central Placement Office (CPO)** at the Ministry of Higher Education. The CPO assigns students to public universities based on the following [22]:

- The maximum number of students to be admitted to each higher-education institution, normally decided by the SCU;
- The rank of the scores of candidates wishing to enter the same higher-education programmes;
- The ranked preferences of candidate students; and
- The geographical location of the students (except for the first 300 students).

Private universities are free to manage entrance exams while adhering to the cut-off scores for each discipline as decided by the SCPU as well as the "quota" for admission assigned by the council for each programme. In the case of private universities, students have the freedom to submit their admission requests to several institutions and programmes at the same time, then choose the most appropriate option specially if they could not find a place of their preference at public universities.

Despite that the admission system to public and private universities is regarded as transparent and fair, it is not seen as an effective system for admitting students in the proper field of study. Moreover, it has exported numerous problems to the pre-university sector like private tutoring, test-oriented systems of education, and an overall feeling of unease towards the current university-admission system that is known as the "bottleneck" of the Egyptian education system.

In 2008, ministries of education and higher education formed a task force to study the reform of secondary education and admission to universities. It was proposed to organise admission exams to universities based on two aspects: one on general information and knowledge and the second based on students' attitudes and skills in different disciplines (science, mathematics, arts, social sciences etc.). An examination centre was established with the examination bank [22]. Unfortunately, due to 2011 events in Egypt the project did not materialise.

6.4.2   Jordan

In Jordan, laws that regulate public and private universities were amended and new laws were released in 2009. These are the "Law of Higher Education No. 23" [27] and "The Jordanian Universities Law No. 20" [12]. This legislative reform enabled Jordanian universities to be more independent administratively and financially. Universities are hence regarded as autonomous institutions. Yet, there remains some reservations on this notion where full autonomy is questionable. Public university can mobilise funding from diverse resources including tuition and fees, government allocated annual budget, endowments and grants, and income from technical

assistance and research outcomes. In the Jordanian university model, government funding accommodates for 10–15% of the university total operational expenses. Though being autonomous, university president is appointed by a royal decree upon recommendation of the COHE. Public university budget expenditure is monitored and controlled by The Audit Bureau that reviews and approves transactions prior to payment. The university president and the external auditor submit a report to the university council to be endorsed by the BOT and then to be endorsed by COHE [44].

Presidents of private universities are appointed by the COHE based on recommendation of their Boards of Trustees (BOT). BOT is the designated entity in charge of determining the fees and tuition. Final budgets need also to be approved by the COHE. As mentioned earlier, COHE determines admission process and allocated number of students at public universities. Hence, the Council has established a centralised admission office that sorts student admission requests at public universities. Admission criteria take into consideration the general high-school certificate grades, the governorate of the student, and schools with low passing rates. At the same time, HEAC defines the upper limit of students each university can admit in each programme. It is the universities' responsibility to admit the students if they adhere to the admission policy and criteria as mentioned above and to the numbers determined by HEAC. Many universities have special programmes for students who are not admitted within the regular admission procedure [44].

6.4.3   Morocco

Historically, the higher-education system in Morocco was mainly religious that was led by the Al Quaraouyine University that was founded in the year 859 and the Ben Youssef University. Education covered several specialties such as mathematics, law, medicine, philosophy, humanities, astrology, and so on. Contemporary perceptions, such as a university's educational and financial autonomy, and continuous assessment of knowledge, were already being practised in these institutions [27]. A National Education and Training Charter was issued at the beginning of twenty-first century that meant to transform the university system into a progressive education system able to achieve sustainable growth and independent scientific and cultural development, as well as catering for national development needs. Law 01-00 on the organisation of higher education was endorsed in 2000 where universities witnessed comprehensive pedagogical, administrative, governance, and regulatory reforms for both public and private sectors of the higher-education system. Based on this sector-wide reform, somewhat like the French system, contracts were signed between the government and universities in response to the national priorities [27]. A significant move towards equity indicating that all holders of the baccalauréat have the right to a placement opportunity at university and scholarships are granted to students from disadvantages socio-economic backgrounds [27].

Government encourages the expansion in private universities and HEIs while preserving the standard quality of educational services to be offered. Thus, the establishment of new private universities needs to be approved by the ministry and goes through three main phases [27]: (a) submission of a request indicating the provision of needed human and material resources; (b) profound examination of the programmes of study, curricula, teaching and assessment methods, and overall work structure; (c) actual evaluation of the university facilities and available resources prior to the issuing of approval for operation.

6.4.4 United Arab Emirates

The establishment of new private university is a service within the UAE's e-government portal where applicant needs to fill an electronic form indicating type of HEI and partnerships with universities inside or outside the UAE, upon which a series of validation and check is conducted by CAA for compliance with the national standards [28]. Similarly, renewal of licences goes through another application to the CAA and that involves site visits and comprehensive evaluation for verification of quality standards [28]. As for student placement, the **National Admissions & Placement Office** (NAPO) oversees administering applications only from Emiratis and students whose mothers are Emiratis for admission to institutions of higher education in the UAE. Admission to UAE's public universities takes place electronically on the admission portal of the MOE. Access to higher education in public universities is free of charge for the UAE citizens whereas overseas students should pay tuition fees and are not admitted to some disciplines. Government does not interfere in private-university admissions, yet monitors admission as per identified regulations and quality standards [28].

6.5 Operation Function: Institutional-Level Management

At university level, operation function is concerned with management of operations including curriculum development, methods of teaching, management of resources, running evaluation, and examinations, as well as other student-based activities that include career guidance and counselling, capacity development, and community service. It is also concerned with the management of research that results in publications on the local and national levels as well as international publications in addition to innovation management involving patents, prototypes, and contracts with industry.

At universities of the four selected Arab countries, operation function is a university business that is managed by university boards at different levels on the policy level and that is executed by academic and administrative departments. Universities might need to report to designated academic councils and committees at the national level for coordination and communication purposes. The process of initiating or

upgrading academic programmes follows a bottom-up approach where academic departments and programme-level entities submit a proposal to department-level boards and deanship committees for review and approvals. This must follow quality-assurance procedures imposed by QA agencies and bodies for the guarantee of a minimum level of acceptable quality as assigned by the government in terms of graduation requirements, number of credit hours or ECTS, and so on. Other academic and administrative processes and practices like career guidance, academic advising, and related student progress follow-up are conducted internally. Operation function also includes internal reviews and performance appraisal conducted by faculties and universities for internal quality-assurance procedures. It might involve external reviewers (local experts or expatriates) according to the university's adopted quality system.

6.6   Information Function: Data and Periodic Evaluation and Reporting

Information function is concerned with the flow of information data between universities and governments to enlighten decision-making processes as well as the monitoring of the progress of national and institutional plans in accordance with overall national plans. Had it been concerned with the mechanisms of data collection, validation, mining, processing, and reflection on system progress indicators, it is a critical governance element that guarantees the smooth operation of the previously mentioned other functions (strategic, management, and operation). Hence, the chapter discusses the bodies responsible for data collection and management and related consequences that result in institutional and national decisions.

6.6.1   Egypt

In Egypt, there is **a central information centre** at the Ministry of Higher Education that is responsible for collecting data from universities and storing it for each academic year at the ministry's database. There is also another **statistics unit** at the SCU that also gathers information from universities [27]. Data are collected twice a year; once before the mid-term examinations and another after the September examinations at the end of the academic year. These data serve in the calculation of internal efficiency indicators, represented in dropout rates, repetition rates, promotion rates, graduation rates, success rates, and other indicators related to the internal efficiency of the system. It also provides analysis on the national level about equity and status of female enrolments as well as its distribution in different geographic locations. The data are then forwarded to the central body for data management, which is the **Central Agency for Public Mobilization and Statistics** (CAPMAS), and are

used by different government bodies in planning for employment and human capital management. Through World Bank support in 2004, a management information system was established at the SCU that links all data systems of public universities to a central unit at SCU. The central system is currently being revised for upgrade and enhancement to integrate the newly established public universities and to link as well to private and other types of HEIs for better decision support and decision-making.

6.6.2 Jordan

The Jordanian Ministry of Higher Education and Scientific Research has dedicated a comprehensive data-dissemination portal where data series are published and made available to the public [27]. The latest available dataset on the ministry's portal is for the academic year 2015/2016. The updated sets of data will be made available with some data analysis that reflects on indicators of the higher-education sector performance.

6.6.3 Morocco

In Morocco, higher-education data are made available to public on the ministry's portal and in both Arabic and French languages through ready-made reports as well as a search engine that provides data mining and analysis per sector progress indicators. It also offers a set of comparisons throughout previous years' data. The portal is continuously updated for the purpose of decision support and evidence-based sector analysis. Hence, the preliminary data of the academic year 2019–2020 is available [19].

6.6.4 United Arab Emirates

Data and information about the higher-education sector at the UAE (public and private) is collected, managed, and published on the portal of the MOE [27]. Annual reports and statistics are available from 1995 to 2018 and support decision-making and decision-taking for government, industry, students, and the community at large. A dashboard is integrated into the open-data system that publishes basic sector-level indicators. Statistics and data portal are linked to the central information portal of the **UAE Federal Competitiveness and Statistics Authority (FCSA)** "Bayanat" that promotes the concept of the digital knowledge economy, through providing comprehensive open-data systems for public access. The portal exemplifies government willingness to support sustainable communities through encouraging participation and transparency. The FCSA encourages community to utilise and benefit

from datasets incorporated within its portal. It also embraces any recommendations
or inquiries given by the community and aimed to enhance and utilise government
information and services [8]. The portal provides geodata, data per type of education,
as well as specialised data that reflect on system performance indicators. Higher-
education data and information dissemination at UAE is considered a benchmark for
the enhancement of sector-wide transparency and accountability.

6.7 New Trends on Universities Operation Management Using ICT and Artificial Intelligence

There has been a recent quest for the enhancement of government/universities rela-
tionship through the integration of modern information and communication tech-
nology as well as technology-based tools for the purpose of automation and ease of
data collection, mining, treatment, and use of information in decision support. Several
initiatives have been highlighted at Arab countries both on the level of government
and universities that was funded by the local governments or external sources of
funding and that are illustrated in the following.

6.7.1 Government-Led Projects

Governments in the Arab countries have developed a few initiatives that enhance
efficacy as well as smooth communication and provide more university autonomous
functioning that range from legal-system reforms to the upgrade of the information-
technology infrastructure, smart systems, and more. A prominent example is the
current efforts exerted by the Ministry of Higher Education in Egypt to develop
a unified dashboard system known as MOHE Dashboard. The project is initiated
through a collaboration between the information centre and the projects' manage-
ment unit (PMU) at the Ministry of Higher Education where both the Information-
and-Communication-Technology Project (ICTP) and Strategic Planning Unit (SPU)
collaborate on the provision of technical requirements, hardware and software, and
skills needed to develop the targeted dashboard. Several key performance indicators
(KPIs) were highlighted to be integrated within the dashboard. The main objectives of
the HE dashboard are (a) unify data collection, processing, and management process,
(b) speed up the data-access process, and (c) provide a platform for information
needed for decision support [41].

6.7.2   Internationally Funded Projects

There are several internationally funded initiatives and projects from bodies like
The World Bank, United Nations, European Union, and more. One of the prominent
examples of regional-level internationally funded projects in the Arab region is the
MENA University Governance Program. Its goal is to deal with challenges facing
universities in the Middle East and North Africa (MENA) region primarily, focusing
on "equitable access to tertiary education in the region, inconsistent quality of tertiary
education institutions across the region, and discrepancies between graduates' skills
and the skills demanded by the labor market". Hence, the initiative "The University
Governance Screening Card" (UGSC) was introduced. Under the program, UGSCs
were created and modified to assess the extent to which HEIs in the MENA region are
implementing governance procedures consistent with university goals and interna-
tional trends, while following up their development over time. Currently, more than
120 universities from across eight countries (Algeria, Egypt, Iraq, Jordan, Lebanon,
Morocco, Tunisia, and the West Bank and Gaza) took part in the benchmarking
exercise in 2012 and 2016. Moreover, two crucial regional reports have been devel-
oped: (a) Universities through the Looking Glass: Benchmarking University Gover-
nance to Enable Higher Education Modernization in MENA in 2012; and (b) Bench-
marking Governance as a Tool for Promoting Change: 100 Universities in MENA
Paving the Way in 2013. A third regional report was out in 2018. Also, a Regional
Tertiary Education Network (MENA Tertiary Education Network) was formed as a
hub encouraging sharing of lessons learned as well as dissemination of information
about the follow-up on implementation of reforms, notably through the organisation
of annual conferences. Consecutive conferences were held in Cairo (2011), Rabat
(2012), Tunis (2014), Beirut (2015), Algiers (2016), and Marseille (2017). At the
local level, its objective is to enhance capacity building at participating universities,
through a focus on six priority areas: (i) institutional governance, (ii) international-
isation of tertiary education, (iii) financial sustainability, (iv) quality assurance, (v)
developing innovation systems, and (vi) monitoring results and benchmarking; all
six areas have the overall aim of improving tertiary education provision [11].

   In Egypt was another World-Bank-supported project, which is the Higher Educa-
tion Enhancement Project (HEEP) that concluded in 2010 and that led to significant
upgrade of the higher-education governance and infrastructure and that in return
resulted in enhanced system steering and sector-wide development indicators. The
second component of the HEEP project targeted (a) improving the quality and rele-
vance of university education; and (b) establishing an integrated information and
communication technologies infrastructure known as ICTP that managed to develop
infrastructure-enhancement information networks in 17 public universities connected
to a unified information network; also included was the upgrade of internal infor-
mation networking through improving the connectivity between the faculties and
the universities information centres, increasing the network nodes, and enhancing
the security and management systems. Another subcomponent was a management
information system (MIS) that targeted the construction of MIS centres in all public

universities. These integrated three applications for student affairs, postgraduate studies, and academic affairs for 200 faculties that was connected to the management information system and decision-support unit in the SCU. This component was accompanied by the development of the learning centres at all public universities as well as automated and digital libraries along with capacity development for academic and administrative staff, and public universities to run and upgrade the systems. Other components of HEEP subprojects were the legal reforms for the laws, bylaws, and regulations governing the higher-education sector in Egypt that resulted in a draft unified law for universities both public and private. Another project was the establishment of a national agency for quality assurance and accreditation that was successfully established by a presidential decree in 2008 [22].

In Jordan is the UNDP-supported project for "Bridging the Gap between Higher Education Outputs and the Labour Market in Jordan" that enhances tripartite relationships between the government, universities, and labour market in the country. There is also another World-Bank supported project on "Higher Education Reform for Knowledge Economy" that also works on legal structures and relationships between government and universities that can enhance the knowledge economy and have tangible impact on development in Jordan.

Another EU regional project under the title "Strengthening Institutional Capacity in Arab Countries" was led by a consortium of Arab (Egypt, Jordan, and Lebanon) and EU universities (Spain, UK, and Denmark) with an overall budget of 763,162 €. The global aim of the project is to enhance the institutional capacity of Arab Universities in support of policy, management, and planning at national and regional levels to satisfy accountability needs and growing development demands. Specifically, the project intends to achieve this aim through the development of sustainable quality culture and capacity building in quality assurance at Arab universities. The project was approved for funding for a duration of 3 years in 2008 and concluded in 2012 with the realisation of the project objective [14]. There was also the EU-funded project "Building Capacity for University Management in the ENPI South Region". It is a regional joint project on governance reform, which involved ten universities in four Mediterranean countries (Libya, Morocco, Egypt, and Lebanon) in response to a regional priority aspect, that is, university management and student services. The target of the project is to exemplify that good management practices are capable of establishing sustainable higher-education cooperation between countries. The project tackled obstacles facing the management of a global university in the twenty-first century. It was approved for funding in 2012 and lasted for 3 years [30].

6.7.3 University-Led Projects

Universities in the Arab world have developed their own initiatives that represent an integral part of their strategic and operational plans to support their governance setup and efficiency, specifically in terms of university management systems and information management. In the Arab region, some shining initiatives could be

highlighted in selected projects like the "**Academic System Resource Planning: A Fully-Automated Smart Campus**" that is led by Ain Shams University with a consortium of Egyptian and European universities approved for funding for a grant of 975,530 Euros by Erasmus Plus in 2018. The project aims at creating a smart automated academic and administrative university environment infiltrating the global perspective of education quality and best practices for university management and academic system resource planning within the higher-education system in Egypt through the design and development of a smart digital platform for monitoring, analysis, and closed-loop feedback control of internal processes using education quality criteria and quantified measures of associated KPIs as the controlling objective. This shall allow for transparency, efficient management of human and capital resources, and fact-based decision-making. This is intended to yield a smart fully automated higher-education institution (HEI) using education quality KPIs as the controlling metrics for its automated processes, rendering quality compliance an integral feature in procedures occurring within. The goal is to have a national impact with a dynamo effect that outreaches all stakeholders and positions Egypt at a higher level on the education-quality index [45].

6.8 Discussion

Given the previously discussed functions of higher-education governance that identify the nature of government–university relationships in the four selected countries of the Arab world, the matrix in Table 6.5 can help differentiate relationships among highlighted country systems.

6.9 Conclusion

It is clear that the higher-education sector in the Arab world has gone through significant developments during the past two decades, ranging from the establishment of quality-assurance agencies and mechanisms to new modes of higher education with regard to teaching and learning, new types of universities like IBCs and technological universities, and other shifts in the higher-education systems. When discussing the relationship between government and universities at the Arab world, and while trying to untangle the complex and interrelated relationships, it is evident from the information in the previous sections that governance roles could be classified as follows:

Table 6.5 Government/universities relationship matrix for the Arab world

Country Parameter	Egypt	Jordan	Morocco	United Arab Emirates
Governance structure	Centralised	Centralised	Decentralised*	Decentralised
Number and type of universities	27 Public 3 Technological Universities 29 Private & Ahleya 10 Universities established by bilateral agreements 3 International branch campuses	10 Public 17 Private 51 Community Colleges & World Islamic Sciences and Education University	13 Public universities 1 Privately-run public university 5 Public/private partnership universities 5 Private universities	3 Public 77 Private universities and International branch campuses
Strategic planning	Egypt Vision 2030 was launched in 2015 upon which MOHESR developed the Higher Education Strategy 2017–2030. Hence, universities' strategic plans are developed by universities to respond to the national strategy	The strategic vision of 2015–2030, drawn up by the Higher Council for Education, Training and Scientific Research, advocates the State's continuation as the main source of funding, while seeking to ensure a diversification of resources	Vision of reform 2015–2030 entitled "For equity, quality and promotion at school" developed by The Higher Council for Education, Training and Scientific Research (CSEFRS) upon which a preliminary strategic plan 2015–2030 was produced for the higher education and scientific research sector	In September 2017, the national strategy 2030 for higher education was launched by MOE that aspires to reach the highest scientific and professional education standards to serve the UAE's future generations

Table 6.5 (continued)

Country Parameter	Egypt	Jordan	Morocco	United Arab Emirates
Finance and budget approval	Request for 5 years budget is submitted by public universities to MOF for operation budget and MOP for investment budget and covers between 65 and 85% of universities overall budgets. Universities are required to mobilise their own resources to supplement the rest of the budget	Financial resources of a public university consist of tuition and fees, government appropriations in the annual national budget, gifts and grants, and income gained from consultation and research outcomes and results. Governmental funding covers only 10–15% of the overall operational expenses	The main source of public university funding remains the state via grants provided to each university by the state that depends largely on the number of students, areas and kinds of training provided. Universities also mobilise their own funds, which may represent up to 40% of their overall budget	Budget for the three public universities is allocated by MOE whereas private universities have no government support
Quality assurance and accreditation	Conducted by an autonomous body that follows the cabinet of ministers (NAQAAE)	Conducted by autonomous body that reports to the prime Minister instead of the Minister of Higher Education, based on the 2007 Accreditation Commission Law amended in 2009 (HEAC)	Conducted by a national body devoted to higher education and scientific research, under State supervision (ANEAQ)	Conducted by the Commission for Academic Accreditation (CAA) of the Ministry of Education (MOE) that conducts a programme of licensure of institutions of higher education and accreditation of each of their academic programmes.

Table 6.5 (continued)

Country Parameter	Egypt	Jordan	Morocco	United Arab Emirates
Students admission	Centrally co-ordinated by a central placement office: The Admission Coordination Bureau of Egyptian Universities ACBEU (Maktab Tanseek) for public universities, whereas admission to private universities is made directly to private universities within regulations and quotas assigned by the council of private and Ahleya universities	Admission policies, requirements, and criteria for both public and private universities are defined by COHE	Students apply directly to universities where access to the first semester of the Licence d'Etudes Fondamentales is open to holders of a baccalauréat (Bac) or an equivalent recognised qualification. Access is not selective; nonetheless, access to scientific courses is only open to holders of the science baccalauréat while access to humanities, social, legal, and economics courses is open to all. Admission is via written application and/or test or competition	Admission for public universities is managed centrally for Emiratis through National Admissions & Placement Office (NAPO) at MOE portal for grade 12 leavers based on admission criteria announced by each university. Some programmes in public universities are restricted to UAE citizens. Admission to private universities is made directly to private universities
Appointing university presidents	Presidents of public universities are appointed by presidential decree based on three nominations made by a ministerial committee Presidents of private universities are appointed by the BOT upon the minister approval	Presidents of public universities are appointed by a royal decree upon recommendation of the COHE. Presidents of private universities are appointed by COHE	Appointed by the minister based on three nominations from a committee appointed by the supervisory government authority (Ministry)	Presidents of public universities are appointed by the cabinet of ministers

Table 6.5 (continued)

Country Parameter	Egypt	Jordan	Morocco	United Arab Emirates
Hiring of academic staff	Universities have full authority on selecting and hiring academic staff based on positions' allocation by the Central Agency for Regulation and Administration	Universities are administratively and financially autonomous regarding academic staff hiring	Appointed by universities as full-time staff in addition to temporary teaching positions. 2016 onwards, the government has an initiative to turn civil servants with PhD degrees into assistant teacher positions to improve student/staff ratio	
Academic programmes development	Universities (public & private) submit proposals for introducing new academic programmes or updating existing ones to the SCU. Programmes of study follow either credit hours, or semester or EU bologna system based on type of institution	Universities follow a credit hours system where HEAC defines the minimum number of credit hours required for graduation as well as university requirements (elective and compulsory) Universities then have the freedom to identify requirements for college and department requirements	It adapts the European ECTS system (1 semester equals 30 ECTS) as well as the degree supplement. The LMD (Bachelor's, Master's, Doctorate. cycles 3-2-3 years of study) and the credits system are organised to allow for increased travel by Moroccan students within the European area and more freedom to move between disciplines and between general and more vocational training courses	

(continued)

Table 6.5   (continued)

Country Parameter	Egypt	Jordan	Morocco	United Arab Emirates
Information management	Managed by SCU through an MIS system that connects data centres of public universities to Statistics Unit at SCU in addition to a new ministry level initiative launched in 2019 for a unified dashboard system	Managed by E-government and digital transformation unit at MOHE	Managed by both the Management Control, Support and Communication Unit and the Department for Strategies and Information Systems at the Ministry of Higher Education	Managed by the Federal Competitiveness and Statistics Authority (FCSA) and published via MOE website

6.9.1   Governments

(a)   *Coordinating legislations and higher-education regulatory framework*:

It is noted that governments in the Arab world are responsible for proposing legislative reforms, regulations, and by-laws for approval by designated entities. In some instances, public surveys were conducted to buy-in different groups of stakeholders represented in industry, parents, students, syndicates and more, to allow for the introduction of new types of institution, or identify procedures for hiring university leadership and staff and identify guidelines for roles and responsibilities of different players in the higher-education sector. It is taken into consideration that these legislative reforms would be conservative to an extent to promote equity and equal opportunities as well as preserve rights of citizens as identified by the constitution.

(b)   *Policy formulation*:

Drafting and implementing policies is an integral part of the roles of governments not only in the Arab world, but in the whole world. The evident policies that some Arab world governments and HEIs adopted most recently have resulted in expansion of higher-education opportunities, both for national and international students, efficiency and competitiveness, promotion of internationalisation and international quality standards via international collaborations, mobility and study abroad programmes, adoptions of international systems of education like ECTS, credit hours and more, quest for excellence through programmes that promote international ranking for the national universities, in addition to research and innovation promotion at selected priority areas. Policies were complimented with incentive schemes

that encourage HEIs to respond to them and work on their fulfilments and turning them into reality.

(c) *Licensing, quality assurance, and accreditation:*

The vigorous efforts towards the establishment of bodies, agencies, and commissions that work on preserving a standard level of quality that HEIs should operate within is a common phenomenon among Arab countries. Agencies in the region were established towards the end of the twentieth century and beginning of the twenty-first century. They have adopted similar systems to the European and US quality-assurance and accreditation agencies to start where others have ended. Some of these agencies follow the prime minister (Jordan) or the cabinet of ministers (Egypt) to give it an autonomous nature to oversee both pre-university and tertiary-education sectors, whereas others are bodies within the MOE (Morocco and UAE) given the fact that the ministry itself has the mandate to oversee universities and HEIs. This starts by licensing institutions upon their establishment and periodically during their operation.

(d) *Coordinating admission*:

Admission at the national level is regulated by the government using terms like "unified" or "Central" indicating the centralised process of university-level admission regulations. The role of the government varies according to the involved funding and support consequences. Hence, it is tight in the case of publicly funded universities that result in number of seats paid by the government for the preparation of the country's human capital, and gets looser for self-funded (ahleya) or private universities where admission policies in this regard act as a guarantee for quality in terms of quotas allocated based on institutional capacity, human resources, and physical infrastructure available at each university.

(e) *Financial support and capacity building*:

Governments also provide financial support for public universities either through direct allocation for budget-line items, or through competitive funding schemes and programmes initiated by the government to provide incentives for universities. The introduction of STDF in Egypt and CRF in the UAE are examples of these practices. Governments also engage in regional and international initiatives and funding agencies (e.g. The World Bank, OECD, USAID, etc.) that promote excellence and internationalisation of their higher-education systems,

(f) *Leaderships recruitment and hiring*

Governments in the four selected Arab countries regarded the process of recruitment and selection of university presidents (public and private) as an issue of national security specifically for public universities. They are appointed either by a presidential, or royal, or a cabinet of ministers' decree. It might be because of the critical role that universities play in the provision of qualified human capital, or research and innovation that is meant to support the national economy.

6.9.2   Universities

(a)   *Curriculum development*

The issues related to curriculum development, initiating new study programmes, or updating existing ones remains a sole responsibility of HEIs in the Arab world. Communication, in this regard, with government entities is a coordination and information function that informs stakeholders about curricular updating.

(b)   *Resources mobilisation*

Although universities (public) might be allocated funding by the government, they are required to provide evidence for efficiency and relevance to national development and labour market needs to mobilise resources and provide services for fees that help create self-funding mechanisms. Universities also apply for funding opportunities that secure grants for innovative projects implementation for several years including the ERASMUS+, the British Council Newton-Mosharafa Fund and that enhance international collaboration on different levels.

(c)   *Academic and administrative staff recruitment*

Universities in the four selected countries are responsible for the processes of staff (academic and administrative) recruitment, selection, and promotion. In public universities, positions are allocated within budget line-items. Upon which, universities are free to appoint staff who are fit for the purpose within legal and regulatory conditions assigned by the laws that govern universities' operations. In private universities, licensing, quality assurance and designated councils identify minimum features of the numbers and qualifications of university staff that relate to the quality assurance national process and the numbers of students admitted to the university.

(d)   *Bottom-up reform initiatives*

Universities are considered as innovation hubs that are expected to introduce unconventional reform initiatives not only in the field of higher-education teaching and learning, but in all areas of research, innovation, development, and community services that contribute to the welfare of the country and local community as well as solving persisting problems. For this purpose, universities apply for local, regional, or international grants and funds that can support these initiatives. Hence, a university's competitive capacity is critical to be able to mobilise resources needed for this target.

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Chapter 7
The Implementation of Good Governance at Jordanian Universities: A Fiction or a Reality?

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Abstract The higher-education sector in Jordan has witnessed significant changes over the past 30 years. The transformations experienced that include the establishment of private universities, the introduction of new specialisations, the adoption of new teaching methodologies, and the advent of internationalisation have all posed challenges on the higher-education institutions affiliated to this sector and have played a role in changing these universities' teaching missions, research interests, economic and social development, and entrepreneurship strategies. Consequently, to meet the demands of different stakeholders involved in higher education, universities are now required to adopt governance-based approaches in the management of the existing universities if transparency, accountability, leadership, sustainability, integrity, and participation are to be achieved. This chapter departs from the premise that adopting governance is essential in the higher-education milieu prevalent in Jordan. Therefore, it attempts to investigate how and to what extent good governance is implemented at Jordanian universities to promote its role in education, entrepreneurship, and social responsibility. Furthermore, the current study tries to identify the major parties involved in pursuing this "managerial" strategy and the ensuing outcome on all concerned stakeholders.

Keywords Higher education · Higher-education institutions · Governance · Good governance · Jordan

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7.1 Introduction

The concept of governance was first implemented in the late fifteenth century in early modern England and was used to refer to the arrangements that governments undertook in the process of governing and ruling a country. However, in the seventeenth century, the meaning connotations associated with this concept started to take a different turn when the first corporate dispute took place in Denmark [12].

The term gradually became associated with business corporations and started to gain ground in the business domain because of the conflict of interests that began to surface between the stakeholders involved in different corporations [13]. It became clear that the rights and responsibilities among the different participants in a corporation had to be delineated to secure the well-being of the institution. To this end, a collection of rules, policies, and practices were identified "to align the interests of stakeholders" [19], and corporate governance was accordingly defined as a group of "mechanisms, processes and relations that specify the objectives by which corporations are controlled and operated" [17].

Over the years, this managerial strategy underwent a number of developments and acquired new meaning to associations to meet the demands and conditions of today's world characterised by constant change and advancement. Since the early 1990s, governance has been used to denote the activities practiced by a diversified body of public and private institutions belonging to a wide spectrum of specialisations and affiliations. Today, it is applied in the medical, educational, technological, and corporate sectors, to name but a few, in order to achieve institutional transparency, efficiency, and accountability.

In the field of higher education, university administrators and stakeholders in the late twentieth century came to the realisation that in an ever-changing competitive knowledge society, governance should be adopted at their institutions. They became conscious that the set of processes and relations embedded in governance is an important driver of change and a major element in measuring a university's success with regard to the fulfilment of its goals and ensuring a place in the world academic map. Consequently, the significance of governance in higher education started to gain importance and was given due attention. Before long, institutions began to adopt this strategy with the aim of improving the quality of services provided to all the stakeholders involved.

7.2 Governance in Higher Education: An Overview

Today, the number of higher-education institutions is growing at an astronomical rate all around the world. Such an increase, coupled with economic and technological changes, means universities are facing a diversified set of challenges that need to be addressed to secure their sustainability. These challenges that include competing for students, academic, and administrative staff, funds, research opportunities, and

ranking demand the adoption of a clear and comprehensive framework in order to manage them efficiently and effectively; a role that can be fulfilled by reverting to governance.

Although a plethora of definitions on governance have been provided by researchers in the field of higher education, a universal definition for the concept has not been reached. Nevertheless, there are characteristics relating to this concept that are common to all definitions. Shattock [23] defines governance as "the constitutional forms and processes through which universities govern their affairs". Carnegie [9] adopts a more elaborate definition by specifying the factors involved in university governance. In fact, he presents a more detailed definition of governance since it is considered "the manner in which power or authority is exercised in organisations in the allocation and management of resources. It involves the enactment of policies and procedures for decision-making and control in directing or managing organisations for effectiveness". To Harris and Cunningham [15], the concept refers to the "practices that provide for oversight, control, disclosure, and transparency", whereas Considine [10] claims that university governance should focus on the "structure, delegation and decision-making, planning, organisational coherence and direction" that the academic institution adopts. Although these definitions summarise the aspects involved in the implementation of governance, a standard model of governance that meets the needs of the different universities has not been introduced; this is the case because governance comes in different forms and "varies with national context, type of institution, historical legacy, and other cultural, political, and economic factors" [16]. This is clearly attested in Europe and the higher-education systems affiliated to this region; for instance, these educational systems advocate different decision-making processes and structures, such as the "Humboldtian tradition of academic self-rule and the Napoleonic state-centered tradition, as well as the Anglo-Saxon market-oriented model" which necessitate a different approach to the management of universities. Accordingly, the governance indicators that work for one academic institution may not necessarily work for another, and this makes choosing the appropriate model a demanding task for universities; a task that necessitates in-depth investigation as well as the adoption of thorough administrative practices [19].

Although a "one-size-fits-all" model of university governance cannot be realised, some guidelines have been suggested to help identify the indicators and dimensions at play in this form of governance. The Center for Mediterranean Integration (CMI), for example, defines five axes involved in university governance, namely context, mission, and goals; management; autonomy; accountability; and participation [19. Quyên's [20] taxonomy emphasises the axes or indicators suggested by the CMI but substitute context, mission, and goals with transparency. Sabandar [22] mentions nine standards of governance: participation, rule of law, transparency, responsiveness, consensus orientation, equity, effectiveness and efficiency, accountability, and strategic vision. Zaman [24] investigates to what extent the worldwide governance indicators, namely political, economic, and institutional governance can act as quality guidelines for attaining good governance in higher education. Such consistency and overlap in categorisation reveal that the aforementioned indicators should be given due attention in the implementation of governance at institutions of higher education.

Researchers in the field go a step further and differentiate between "good" and "bad" governance.

Good governance is generally looked upon as a subdivision of governance; it involves the effective and efficient management of resources and problems to meet the needs of society. There is consensus that good governance is expected to improve delivery of services and "ensure inclusive growth" [14]. For this reason, it is considered an important factor in an institution's development and well-being.

Governance at the tertiary level has been practiced since the 1980s with a number of factors playing an instrumental role in deciding "how" universities are managed and "who" is entrusted with this responsibility. The model adopted at the early stages of governance implementation was carried out by an external body, usually representing a Ministry of Education; an entity which exercised "total control" over the institution and its management procedures [11]. The ministry focused on the "superficial" operational details and gave peripheral attention to the governance performance indicators. However, the limitations and drawbacks of this model, that tied governance to governmental power, became eminent, and reforms had to be introduced to the status quo. Hence, this model was replaced by alternative ones that were of a more sustainable nature in the long run. According to Fielden (ibid.), the "new" models "alter the mode of central involvement from one of detail to that of strategy and rely on more sophisticated forms of monitoring and performance review". To achieve this goal, three kinds of reform were advocated: (1) assigning powers to another governmental power lower in status than the central government; (2) assigning powers to a specialised intermediary body; and (3) assigning powers to the academic institution itself.

Institutions in different countries usually implement the kind of reform that is most suitable to their system. For example, the Ministry of Education in some European countries, as well as Canada, the United States, and China, among others, have delegated power to regional or provincial governments. In this setup, the central government does the coordination process and can exercise control by keeping some financial and funding powers and responsibilities. The UK, Pakistan, India, and other commonwealth countries, on the other hand, have opted for delegating power to an intermediary body. In this model, which has gained popularity over the years, funding and operational management are carried out by the buffer body, whereas issues associated with the national strategy are conducted by the central power. The most important advantage of assigning a buffer body is that the Ministry of Higher Education is not responsible for the details of the operational issues and cannot, therefore, be charged of intervening in the academic affairs of the institution; indeed, it is an approach to governance that gives academic institutions greater autonomy. The last model, however, is mostly implemented by smaller national systems that have a limited number of institutions at the tertiary level.

When the Ministry of Education decides to transfer powers to other parties, it has to delineate the responsibilities this power is entrusted with. According to research conducted in the field [11]; among others), the Ministry of Education in many countries continues, under this setup, to be in charge of the following strategic areas: (1) setting overall policy and agreeing on the "size and shape" of the sector (e.g. balance

between public and private, types of tertiary institution); (2) strategic planning for the sector (but not necessarily for individual institutions); (3) negotiating overall funding; and (4) co-ordination with other ministries on higher education issues [11].

The act of devolving powers and responsibilities to intermediary levels means that these parties are linked to the Ministry of Education which will provide them with strategic goals and sometimes funding and will then allow them to work autonomously or semi-autonomously to achieve the goals they have set. Intermediary, or buffer groups, need not be identical in all institutions of higher education all over the world; in some countries, the following agencies can act as a buffer body: a national quality-assurance body; a board that manages and controls government subsidies and student loans; and/or an agency that provides management and senior staff development, to name but a few.

The rationale underlying assigning powers to a body or bodies outside the confines of the Ministry of Higher Education is that academic institutions function better if they are in charge of their "destiny" and "sustainability". The extent of autonomy that tertiary institutions are given, however, differs based on the country's regulations, ministerial decisions, traditions, and societal culture. For instance, a survey conducted in 1996 reveals that autonomy is almost non-existent in an African country where academic staff had to get permission from the ministry before they travelled overseas [21].

7.3 Governance at Arab Universities

Like its counterparts worldwide, the higher-education setup in the Arab world has witnessed a number of challenges during the past few years. The political, economic, and societal changes have affected higher education in a number of ways, and hence a lot needs to be done if the institutions belonging to this field are to compete in today's knowledge society.

In this part of the world, the majority of higher-education institutions adopt an international model of education depending on each country's historical affiliation, the official languages used in each country, and the curricula adopted; as a result, the majority of countries in this region implement the American and the French models of higher education. Although the aforementioned models predominate in most Arab institutions of higher education, there are variations in the way universities conduct their work from an academic and administrative perspective. Bouri and Maalouf [8] reiterate this aspect when they state that the higher-education systems in the Arab world "exhibit some variety both internally—by institution and sector—and across countries". This, in turn, has had a direct impact on the governance policies adopted by these institutions. In spite of the differences between universities, Mohamed (cited in Bouri and Maalouf [8]: 76) claims that the common denominator between these institutions is that they are characterised by "a centralized bureaucracy, suggesting a high degree of centralization and intervention by governments and/or ministries of education".

Mohamed's viewpoint, and other studies conducted on the Arab higher-education institutions, reveal that the principles of good governance are not fully applied at these institutions and that a number of deficiencies, such as "weak levels of autonomy and transparency, slow government-run bureaucracies, the absence of national independent accreditation agencies, the centralization of admission procedures, unaccountability of institutional actors to boards of governors or stakeholders other than the state authorities, and political influence in the selection of senior management in HEIs" need to be addressed if these institutions want to reap the rewards of good governance [16].

Al-Haddad and Yasin ([3]: 38) maintain that there exists a number of challenges that face higher-education institutions which have to be considered if "meaningful reform in governance" is to be achieved. Some of the most significant challenges include: (1) limited autonomy given to HEIs; (2) educational philosophies mainly focus on teacher-centred rather than learner-centred approaches and strategies; (3) shared governance between governments in the Arab world is almost non-existent; (4) limited role of stakeholders in governance; (5) need for funding; and (6) the decline in quality of education.

According to researchers working in the field of higher-education governance, the abovementioned challenges, and others, have to be investigated and have to be overcome in order to introduce good governance models that can meet the demands of the twenty-first century. Indeed, a holistic approach to governance that advocates and implements more autonomy and gives credit to all the stakeholders involved in tertiary education might in the long-run ensure the fulfilment of the standards of good governance and secure the higher-education institutions' ability to compete in today's educational world, and consequently improve their reputation and credibility internationally.

7.4   Governance at Jordanian Universities

Since the early 1990s, the institutions of higher education in Jordan have been witnessing a variety of unprecedented changes ranging from the establishment of private universities, the introduction of new specialisations, the adoption of new teaching methodologies, and the advent of internationalisation. These developments dictate the adoption of strategies and procedures that help not only in maintaining but also improving the academic, administrative, and research standards of these institutions. One of the strategies that can play a significant role in achieving these goals is advocating a good governance system.

Studies conducted on governance in higher education underscore the importance of this strategy in the development and advancement of tertiary education. According to Saleem [16], to fulfil the functions assigned to higher-education institutions, such as teaching, research, and community service, developing a system of governance is important to guarantee transparency, accountability, and participation. Al-Haddad and Yasin [3] is in agreement with Saleem, for he contends that "the advancement

of higher education institutions (HEIs) requires an integrated system of university governance that involves all decision makers and sources". In his point of view, the adoption of good governance at universities can play an important role in improving "the value and content of higher education". Nasser Al-Deen [2] has urged that governance be a prerequisite to joining the Association of Arab Universities and one of the standards of university accreditation in the Arab world. Al-Kayed [4] emphasises the requirements of governance and the parties involved in the implementation process. Governance requires "pluralistic, inclusive and clear governance patterns" as well as the "wide participation of stakeholders in strategic decision-making" and the "allocation of resources". Al-Shunnaq [5] reiterates that these institutions have to understand why governance was created and the role of governance standards in contributing to the survival of these institutions in a knowledge-based economy and a world characterised by the widespread use of informatics.

The implementation of governance at Jordanian universities has undergone a number of changes during the past 20 years or so. According to Abu-El-Haija et al. [1], governance reform at Jordanian universities in its early stages focused on external governance; however, with the passage of time, internal governance started to gain attention [1].

To Abu-El-Haija et al. [1], there are major external bodies that are responsible for overseeing the implementation of the strategies and regulations developed for the higher education sector in the country. These are the Council of Higher Education (COHE), Higher Education Institutions Accreditation Commission (HEIAC), Scientific Research Support Fund, Unified Admission Unit, Student Fund, Boards of Trustees, Higher Council for Science and Technology, and professional bodies.

Internal governance at Jordanian universities is overseen by two main groups: (1) the governing structures; and (2) the financial and human resources management [12]. The governing structures at Jordanian universities are hierarchal in nature and consist of the Board of Trustees, the university council, the deans' council, the faculty council, and the department council. These bodies are entrusted with the academic, administrative and decision-making processes, and many of their decisions are based on the rules and regulations set by the external governance bodies.

As the name suggests, the financial governing bodies are responsible for all the issues associated with the finances of the institution, such as the preparation of the budget. The human resources management is in charge of implementing the recruitment processes and other issues associated with the employees working for the institution.

Abu-El-Haija et al. [1] claim that although the Jordanian higher-education laws stipulate that "universities are autonomous academic institutions" this is not the picture in its entirety. This is the case because the external governance bodies are in control of many decisions associated with the universities in the country. For example, in public universities, the president is appointed by a royal decree upon the recommendation of the CoHE, while in private universities, presidents are appointed by the CoHE based on the recommendation of the Board of Trustees. The participation of students, alumni, and members of staff in enhancing the development of the curricula is minimal. Also, due to centralisation, decision-making is slow and

inefficient. This bleak picture has improved over the years, and this can be noted in the system of governance adopted at one of the private universities in Jordan, namely the University of Petra.

7.5   Governance at the University of Petra

The University of Petra (UOP) is a private university that was established in 1991. It adopts the American system of education and has around 7,500 students from 34 different nationalities. Currently there are 316 members of staff that have MA and PhD degrees from recognised regional and international institutions employed at the University. Twenty-eight undergraduate programmes and six MA programmes are offered under the umbrella of eight faculties. Since its establishment UOP has complied with the regulations, rules, laws, and bylaws set by the CoHE and HEAIC while positively exercising the autonomy its management and shareholders have been entrusted with.

Realising that governance "guarantees that the management entity runs and manages the organization for the maximum benefit of one or numerous stakeholders within a supervisory, official, and ethical framework" [6], the university management started working on fulfilling the needs of the different internal and external stakeholders and bodies involved in achieving the institution's goals and objectives; indeed, it was of the viewpoint that if transparency, accountability, leadership, sustainability, integrity, and participation are to be attained, governance has to be implemented efficiently and effectively.

To achieve this goal, UOP started implementing governance in the early 1990s, but a structured system of good governance which incorporates all the stakeholders started to gain momentum in the late 1990s; such an approach has strengthened the learning environment and organised the optimal use of all potential resources and opportunities.

UOP management's approach to governance coincides with Husni's ([16]: 42) definition which looks at "governance as the process by which an organization conducts assessments and evaluations and makes decisions and implements them, and how the stakeholders relate to each other, to the organization, and to society at large". To fulfil this approach, UOP management considers that good governance has to be accountable, transparent, participatory, effective and efficient, equitable and inclusive, consensus oriented, responsive, and law abiding (Fig. 7.1). The aforementioned standards or axes of good governance have been selected for two main reasons: (1) they intersect with similar standards that have been chosen and put to the test by other institutions; and (2) the management believes that these standards will help fulfil the mission, vision, and objectives set by the institution.

To implement the good governance standards selected by the UOP management, the university has adopted a clear hierarchal arrangement of the boards and councils affiliated to it (Fig. 7.2). These boards and councils follow good governance rules whereby the decision-making process advocated normally involves the top-down
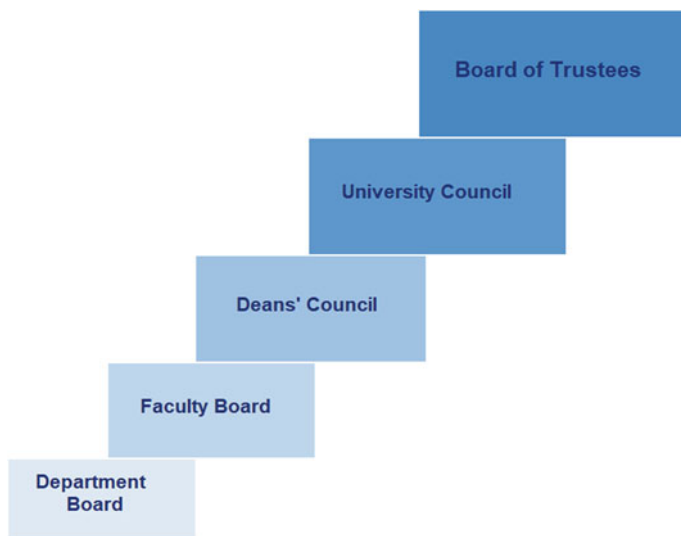
Fig. 7.1 Good governance

Fig. 7.2 Hierarchical arrangement of boards and councils at UOP

approaches. This "division of labor" shows how the different parties at UOP "communicate with each other, what each party is accountable for, and who is accountable to whom" [8].

To delineate the responsibilities entrusted to each of these boards and councils, a Legislations Guide was issued in 2016 as a reference that can be consulted by all the parties concerned in the decision-making process. This procedure has helped in successfully implementing the regulations set by the university, which are regularly revised and updated in accordance with the dynamic demands of the institution and the requirements of the external governance bodies (CoHE and HEAIC).

To ensure transparency, accountability, and integrity, all boards and councils are annually evaluated using a well-designed study tool (questionnaire). After analysing the questionnaire, a report is prepared and discussed for future improvement and continuous enhancement processes.

Committees and councils are structured and evaluated on all levels of governance. In fact, a wide array of committees and councils has been set up to secure that all the parties concerned fulfil their duties and responsibilities efficiently and effectively. These include the Primary Disciplinary Board for Academic Staff, the Resumption Disciplinary Board for Academic Staff, the Accreditation and Quality Assurance Council, the Appointment and Promotion Committee, the Curriculum Committee, the Academic Programs and Strategic Planning Committee, the Language Center Council, the Academic Development Center Council, the Steering Committee for Scientific Research, and the Public Safety Committee, among others. This structuring that addresses the needs of all the stakeholders through the decentralised and specialised work carried out by aforementioned entities allow for an efficient and effective allocation and division of tasks. Also, this structuring has given the academic and administrative staff more entitlement to participate in the decision-making processes taken at the university. Such an approach has helped in the implementation of the standards of participation, accountability, equity, and transparency. To underscore the importance of the axes of accountability and transparency, the "Committees' Guideline at UOP" guide was issued in 2018. This guide provides a clear description of all the tasks and responsibilities as well as the structuring conditions and evaluation processes of the university committees on all the levels associated with governance.

The UOP president assigns a committee to review and suggest amendments to the structuring and restructuring system of governance, and the committees adopt the following sources for the evaluation and the development of the bylaws and policies implemented at the university:

a. Evaluation results of the strategic plan.
b. Results of analysis of the internal and external environment.
c. Results of evaluating the action and strategic plan of the university (Annual Report).
d. New activities at the university.
e. Directions of governance boards and councils (e.g. Board of Trustees, Deans' Board, University Council, etc.).

f.   Stakeholders' feedback.

To assure stakeholders' involvement in the governance system at UOP, a "Consultative Board" is structured annually at the faculty level. It involves the participation of members from the different professional sectors depending on the nature of the academic programme(s) offered by the faculties. Moreover, the University Council and each Faculty Board has at least two members to represent the community. Meetings are held on a regular basis and decisions are taken accordingly.

It is believed that the abovementioned approach to governance helps in creating equal opportunities to all the parties working at UOP; indeed, applying the standard of equity plays a significant role in increasing the sense of fairness and justice which "contribute to eliminating deficits, greed, and corruption" [7].

A university's reputation is judged by the academic programmes it offers to its students; it is a truism that the successful adoption of governance helps the academic institution acquire global accreditation. For this reason, UOP aims to deliver the curricula effectively and efficiently so that its graduates are well-prepared for the demands of the labour market. Thus, legislations, bylaws, regulations, policies, and procedures were designed to effectively control the quality of these programmes. A number of steps are undertaken by all the parties concerned in the creation and development of academic programmes (Fig. 7.3). Once the feasibility study conducted indicates that the programme can be introduced, the following steps, in order of importance, are undertaken:

(1) Programme planning
(2) Programme implementation
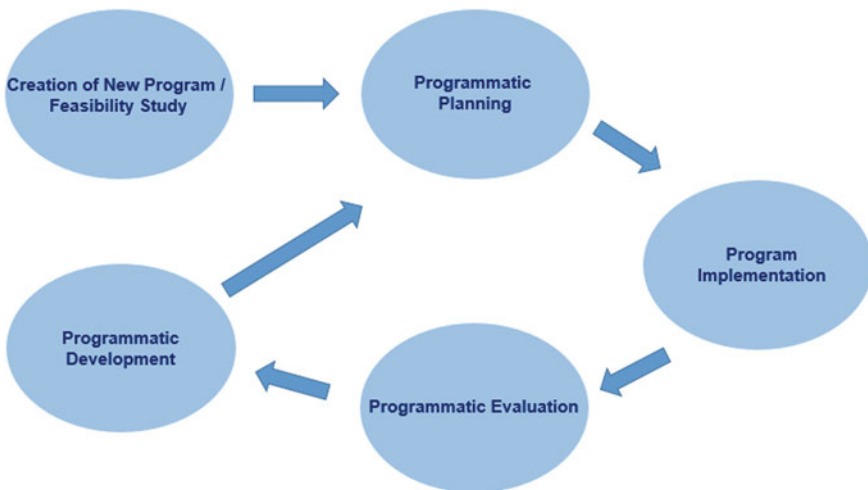(3) Programme evaluation
(4) Programme development

Fig. 7.3 Stages of academic program management at UOP

To clarify the framework adopted by the university in this regard, a guide entitled "Academic Program Management Procedures" was issued in 2016 and revised in 2019. The stages of academic management are executed on all levels of governance (low, medium, and high) as illustrated in Fig. 7.3.

The Academic Program Management indicates that these programmes are subject to periodic and annual evaluation processes that are conducted by the boards of governance and the committees affiliated to these boards. The following criteria are used in this domain:

- Effective measurement of the programme.
- Evaluation and modification of a course.
- Surveys of stakeholders (employers and graduates).

Two important stakeholders at the University of Petra are the academic and administrative staff members who are continuously encouraged to develop their skills in their respective specialisations. To this end, the "Academic Development Center" was established with the aim of regularly evaluating the training needs of all the academic and administrative staff, in order to organise training courses that are responsive to their needs. Examples of courses include, but are not limited to the following: Differentiate Instruction; Using e-cloud for Research and Archiving; How to Use Balance Score Cards; Blended learning; Creative Thinking in Teaching and Learning; and Data Base Resources for Research Purposes. These courses are evaluated by the attendees in order to investigate whether there is consensus regarding their usefulness and effectiveness.

The continuous development of UOP employees, at the academic and administrative levels, is of utmost importance to the management. The development opportunities provided as well as the stimulating and friendly environment have been keys in attracting and retaining both academic and administrative staff. The satisfaction rate of staff is regularly evaluated using a study tool (questionnaire) that has been designed for this purpose. The analysis of the questionnaires has revealed that the satisfaction rates have increased from 73 to 82% over the last 5 years.

The standards of accountability, transparency, efficiency, and equity are also practiced when performance is measured. The evaluation of the employees' performance is an integral process of governance at UOP. It covers all activities of academic and administrative staff in light of the UOP mission and objectives. This process applies to all staff on a yearly basis using an electronic system, and it is conducted by the employee's immediate supervisor and/or director and through self-evaluation; indeed, self-evaluation is considered one of the major milestones in the evaluation process. Upon completion of the evaluation process, a meeting is appointed with the supervisor(s) and/or directors(s) to discuss the results. The evaluation process aims at monitoring and improving the employees' efficiency and effectiveness and upgrading their performance. A performance-based incentives initiative is to be implemented in 2019.

University students have an important role in the implementation of governance; in fact, they can perform a number of tasks within the framework of governance application, such as decision-making. The student body plays an important role in influencing

decisions on both the institutional and faculty levels. The organisational structure of UOP dictates that students act as active members on some University Councils and Faculty Boards. University Boards meet monthly to discuss and decide on many critical academic and administrative issues that may involve students. Faculty Deans call for regular monthly meetings (or when necessary) and invite students to participate in the discussions and the decision-making processes whenever the need arises. In fact, some committees, such as the academic programmes committees and the examination committees, were structured with students as members. Furthermore, student associations play a major role in decision-making; their participation in the design, review, and evaluation of decisions is considered crucial. In the long run, student involvement in the decision-making processes, the evaluation of the academic and administrative staff as well as the evaluation of the educational programmes offered at the university are all expected to have a positive impact on the students and the institution as a whole. These activities will encourage students to be more responsible and will result in higher-quality outputs.

The adoption of governance would not have been possible without introducing a sound strategic plan. In fact, the strategic-planning process at UOP started 13 years ago and has developed over the years to cater to the demands of the external and internal bodies involved in the educational process. The first strategic plan was drawn in 2007 and lasted for 5 years; then the 2014–2018 plan was introduced which was recently followed by the most recent plan for the years 2019–2023.

The appropriate selection of strategic planning processes has been developed and improved throughout the abovementioned time span to have become among the most efficient processes at UOP. The strategic planning involves all the administrative units and aims at achieving "qualitative outputs in academic and managerial administration" [3].

The administrative units are asked to draw their major criteria for their strategic plan for 5 years. Then, a SWOT exercise is conducted by a committee of experts in the field of strategic planning and disseminated to all boards, councils and administrative units as well as the stakeholders for feedback. This inclusive approach to strategic planning has specifically secured the implementation of three standards of good governance, namely accountability, transparency, and participation. Also, a balance scorecard is used to evaluate the strategic goals of the university through clear and measurable key performance indicators, and the goals are evaluated twice a year to take any required corrective actions. This process is unique since the balance scorecard is an excellent tool for following up on the whole process of strategic planning.

7.6 Conclusion

The concept of governance has changed over the years to meet the ever-changing demands of the higher education sector that has witnessed many developments on a number of levels. Today, governance is looked upon as an "obligatory defensive

Fig. 7.4 Continuous governance improvement
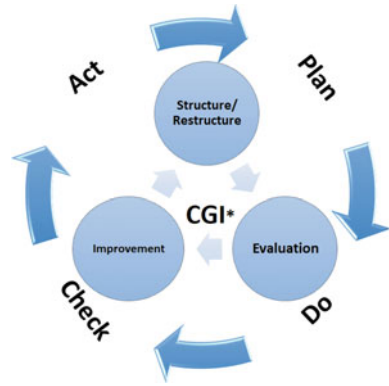
weapon" that is of utmost importance if institutions want to secure their sustainability and well-being in an environment that is characterised by constant change and advancement.

The institutions of higher education worldwide have adopted this managerial strategy for years, and the tertiary education in the Arab region is not an exception. Although countries in this area implement different governance strategies that suit their needs, objectives, and academic aspirations, there are points of intersection between the way these institutions administer the standards of governance.

At UOP, good governance has been implemented since the late 1990s and the strategies adopted in the implementation of good governance has had a positive impact on academia, research, students, and the other parties taking part in the functioning of the university. Indeed, good governance at UOP has turned into a reality, but this reality can only survive the changes that are taking place in the twenty-first century in the higher-education sector with continuous improvements, additions, and amendments to the governance procedures currently adopted at the university (Fig. 7.4).

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Chapter 8
Reforming Higher-Education Governance: A Case Study of Jordan

Isam Zabalawi, Helene Kordahji, and Chris Picone

Abstract Massification, globalisation, and digitisation of higher education have substantially changed the nature and content of tertiary-learning programmes. Much greater percentages of school leavers now seek university qualifications as a means of improving their employability for future career roles, many of which are yet to be identified. To prepare students for this emerging professional and personal landscape of fluidity, higher-education institutions must also be open to change, as needed, the academic and applied content of programmes so that students graduate with qualifications that are relevant. Accordingly, the internal governance within individual institutions should have the autonomy to react in a timely manner to marketplace changes and effectively manage faculty academic freedom at an individual and collective level. For this to occur, external governance should be from a distance, through guidance rather than direction, and with autonomy balanced by accountability. Both internal and external governance across higher education will need to be flexible, inclusive, and anticipatory. The higher-education sector in the Arab world, in recent times, has lagged behind in external governance reforms, which has directly impacted the internal governance of universities and hindered their progression. This chapter examines the needed reforms and uses Jordan as a case study for illustrative purposes.

Keywords Higher-education reform · Governance · External governance · Internal governance · New public management · Autonomy · Accountability · Academic freedom · Board of Trustees

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8.1 Prelude

The Arab world has a proud claim to establishing the first universities, including Al Zaytounah (Tunisia 734 AD), Qarawiyun (Morocco 859 AD), Al Azhar (Egypt 970 AD), Al Mustansiryah (Baghdad 984 AD), and Nizamiyyah (Baghdad 1065 AD). Arab countries were renowned for their academic progression and intellectual pursuits, which in turn stimulated western scholarship after the twelfth century. Across the Arab world there are more than 700 universities with around 13 million students and 183,000 faculty members [2].

The higher-education sector in the Arab world provides many types of degrees from diplomas to PhDs and covers a wide range of specialisations and research areas. This sector of the world graduates more than 20% of students globally, yet somehow it does not seem to attract the same recognition as universities located in Western countries. Are graduates from Arab nations equipped with the necessary and relevant workplace skills? Are they in-demand in the same way that graduate students are from Western countries? These questions are often asked, yet answers are unclear.

Up until the 1980s, Arab universities were considered pioneers in education and research. However, several impediments have stunted their progression. Such institutions are now facing increasing pressure to meet sector-specific demands, to focus on critical thinking instead of traditional methods of learning, to engage with the community and respond to societal problems, to generate innovative research, and most importantly to prepare students with the relevant skills for the labour market. Many reasons could be listed as to why Arab countries have lagged in progressing their education sectors. A dominant factor is that no serious attempts have been made to reform governance. This lack of reform has resulted in a serious case of brain drain in the local higher-education sectors. A recent survey found that 91% of academics and researchers in the Arab world would like to emigrate to Western countries [40]. Brain drain costs Arab nations up to $ 2 billion a year [3]. Furthermore, Gulf States have greatly benefited from the emigration of outside Arab intellectuals into their region, a phenomenon often referred to as "brain gain".

Another consequence of the lack of local reform is the decision by families to send their children to Western universities for their tertiary studies. Conversely, there is a minimum appetite for international students to study in Arabic countries. More than 80% of postgraduate Arab students complete their studies abroad and a high percentage never return to their home countries [45]. This is another illustration of brain loss versus brain gain as Arabic nations are gradually losing their educated youth to Western and the higher income Arab countries.

Perhaps a quote from former Congressman and motivational speaker, Ed Foreman, encapsulates the answer to some of these questions "If you always do what you've done, you always get what you've always got". Unfortunately, many challenges have placed universities in the Arab regions at a disadvantage in gaining worldwide university rankings. Most prominent among the causes are the lack of financial support, funding, and resources received from governments. In Egypt, for example, free universities are in reality not free since poorly paid faculty, who earn a few

hundred dollars each month, charge students for their reading materials, and resort to private tutoring as a means to earn additional income [4].

According to, Badran et al. [8] there are three levels of challenges facing the higher-education sector in the Arab world:

(1) Lack of strategic planning, independence, and innovation, together with no clear and transparent mechanisms for the appointment of university administrators and executives;

(2) Inadequate provision for faculty professional development, and lack of proper channels for research funding and associated incentives to faculty, in addition to the loss of a sense of security and belonging; and

(3) Little importance placed on research which has resulted in research output detached from business, market and national realities, and conducted mainly for promotion purposes [4].

There is also a lack of specialised centres across the higher-education sectors. Associated infrastructure is not properly developed, in particular relating to IT systems. As a result, distance learning and e-learning are not yet implemented nor accredited by governments. E-learning, however, was forcefully implemented when COVID-19 pushed Arab educational ministries and individual institutions to practically introduce overnight workable strategies that shift the primary location of learning and assessment from the classroom to homes. The fact that this technology was available and only needed institutional adaptation leads to the question as to why it took a world health pandemic for Arab countries to adopt on a large scale what has previously been widely used in Western nations for many years.

Moreover, there is neither serious appetite for granting accreditation nor licenses for new institutions to launch initiatives that could potentially fill gaps faced in the higher-education sector. With the exception of some private universities, higher-education institutions have not been able to introduce multi-disciplinary programmes as governmental legislations oppose these types of offerings. At the same time, lack of support from governments has hindered the ability of the Arab higher-education sector to cooperate with cross-border institutions and work on implementing multi-governance structures.

The above symptoms and challenges are the result of a lack of governance frameworks and decisions. They are a consequence of governments failing to perform their duties towards higher education. This sector is a critical component for any economic reform. Countries cannot build knowledge-based economies if they do not progress in their education sector. Any type of reforms therefore must first begin with rethinking the external governance structures, which in turn will allow governments to support universities in their response to the growing demands of their operating environment. Individual institutions should be entrusted to reform their internal governance including their pedagogy, facilities, and governing bodies through broadening the scope of authority and autonomy of their Boards of Trustees (BOT). Failure to effectively reform external governance will have a flow-on negative effect within individual institutions [16].

This chapter will predominantly focus on national governance and, in particular, the external aspects of governance. To examine specific issues facing the Arab world, Jordan was chosen as a case study to support this narrative. Jordan is at the educational heart of the Arab world and through the years has established a solid higher-education system. In Arab countries, in general, prolonged absence of reforms in external governance structures has resulted in universities not gaining significant autonomy. This has impacted the internal systems of universities commencing at the top with the scope of BOT responsibilities, followed by curtailments throughout institutions. If universities operate within a national governance system that is centralised and lacks autonomy, they are inherently constrained in their ability to meet the demands of the knowledge-based economy. The chapter highlights that for globally connected, digital, knowledge-based economies in the post COVID-19 era, external governance of the higher-education sector must facilitate and promote a rich, autonomous, flexible yet accountable environment of creativity, innovation, and international competitiveness. In addition, the chapter provides guidelines covering the scope of roles and responsibilities of the BOTs that should be adopted as an integral part of the governance reform process.

8.2 The Drivers of Reform

Within recent decades, higher-education institutions have been under increasing pressure to meet sector-specific demands, engage with the community, respond to societal problems, generate innovative research, and prepare students for knowledge-based future societies. Furthermore, universities were no longer viewed as the sole key players in the dissemination of knowledge. The private sector's role as providers of higher education has been steadily increasing. Although relatively small in size compared with public universities, private-sector institutions have introduced elements of competition, innovation, and management style that are considered to be more efficient than their equivalents in public universities [52].

The concept of corporate universities is proliferating in all sectors such as banking, pharmaceuticals, and the food industry. For instance, the food chain McDonald's launched its own university "McDonald's Hamburger University" which trains students in restaurant management skills and has over 275,000 graduates [53]. These corporate universities are developed by international and multinational companies and corporations. They have not yet established campuses in the Arab world, and because of their international recognition, they have successfully recruited many students from the Arabic countries. However, within the near future, some of these international companies are expected to open campuses in the Arab region. Within the Gulf region, the Kuwait Foundation for the Advancement of Sciences has launched its "KFAS Academy". The Academy provides an array of higher-education courses for students interested in pursuing self-learning. Furthermore, in recent years, many international universities have opened campuses in the Arab world such as Egypt, Qatar, and UAE. This has posed a direct threat to local universities where students

might select international universities in a local setting. It is also critical to highlight the important role that specialised certifications play in the workforce where at times a certified specialist without a bachelor's degree could be more appealing to employers than a university graduate with a purely academic qualification. For this reason, many tertiary-education institutions are now linking with professional associations so that students graduate with a qualification and professional certification.

The general pillars driving higher-education reform are centred around internationalisation, technology, globalisation trends, and massification of the sector. These pillars have increased the trends towards interdependence, innovation and research, convergence of economies, and liberalisation of trade markets. Globalisation led to an open flow of ideas and knowledge across borders. Education was no longer confined within national boundaries. Higher-education institutions became important producers of worldwide graduates with transferrable skills. As a consequence, the role of universities evolved from national development to contributors in producing highly skilled graduates for the global market.

Internationalisation has led to higher-education institutions gearing their learning outcomes towards what students will experience rather than what they will learn and how they will demonstrate their learning. The impact of internationalisation necessitated that universities become responsible for developing students as global citizens and foster their skills to interpret local situations within a global context. In addition, internationalisation has shifted the focus from traditional faculty-driven education to student-centred learning coupled with practical knowledge and systematic skills. Within this context, changes in the nature of knowledge are imposing new requirements on higher-education institutions in the Arab region such as relevance, accreditation, research, and mobility. However, the adjustment to internationalise this sector cannot occur without governmental support and favourable governance structures, requiring a philosophical shift which has not yet been fully adapted or embraced within the Arab world.

Higher-education institutions need to keep pace with technological advances and embrace radical changes in the nature of industry and commerce. Unfortunately, many Arab universities have lagged behind in this area. One contributing factor is the inadequacy of government support and initiative to embrace technological advances within the higher-education sectors. Many regulatory bodies within this region still adopt conventional, rigid accreditation standards and models with associated impacts on educational quality, flexibility, and relevance [8].

The internet has further enabled niche as well as prestigious enrolment with globally branded universities through online programmes of study, without the need for physical cross-border movement. One of the enduring legacies of COVID-19 will be the increased appeal and acceptance of rigorous digital programmes of learning that are developed by internationally recognised universities and tailored to reflect local circumstances. Regardless of whether or not a higher-education graduate in an Arab country such as Jordan ever leaves his country, his future career will increasingly be online and as part of a globalised marketplace. Hence, the appeal to students and their parents of gaining an internationally recognised higher-education qualification.

With globalisation being a driver of reform, it has become imperative for governments in the Arab world to acknowledge shifts in the socio-economic environment and demographic trends which in turn have impacted the learning needs of students. By way of example to illustrate the needed reforms, the admissions criteria into universities in Jordan are currently based on inflated high-school results rather than aptitude and ability, with no entrance or qualification tests [10]. Consequently, a good percentage of students are potentially being excluded from higher education due to rigid and outdated rules.

Globalisation has highlighted the phenomenon of brain drain from the Arab world versus brain gain into Western countries and, for purposes of national development, this needs to be addressed urgently by governments. More than half of Arab postgraduate students studying in Western countries do not return to their home nations after graduation, resulting in annual losses estimated to be more than $2 billion to their countries [46]. The issue of brain drain can only be addressed through reforming governance structures to ensure that Arab talents are retained. To this end, governments need to significantly increase their financial investments in the higher-education sector in order to attract and retain students and graduates. To illustrate the lack of funding in this sector, the annual university cost of a student in a public university in Jordan is estimated to be around $4,285 [7], compared with around $33,215 in the USA [50]. Governments, economies, and communities must be prepared to invest financial and other resources in critical foundational areas such as higher education if they are serious about creating a fertile environment for innovative national development by and for the next generation.

Internationalisation, technology, and globalisation have led to the massification of the higher-education sector which is the fourth pillar in the drivers of reform. The process of massifying higher-education systems entails adapting this sector to the needs of society. Education systems should become more inclusive and serve social progression. Economic domination in the times of Industry 5.0 and Society 5.0 implies that higher-education institutions can no longer operate within their existing governance structures. The industry era 5.0 is characterised by the penetration of artificial intelligence in people's everyday lives with the aim of enhancing the capacity of people [47]. At the same time, Society 5.0 focuses on going beyond digitising the economy towards digitising the society itself. This could be achieved by reforming education to broaden the available human resources with specialisations in advanced digital skills [14].

Embracing Industry 5.0 and Society 5.0 has serious ramifications with respect to the traditional methods used by governments to regulate universities in the Arab world. Resistance to support technological advances in the field of higher education, lack of legislation for joint and multi-disciplinary programmes, lack of autonomy in the universities' governing bodies such as the BOTs, and refusal to accredit and license new institutions should all be tackled by higher-education ministries in the Arab world. Industries and businesses in the post-pandemic world will be very different, as people's expectations have shifted as a result of adjusting to working, learning, and living significantly online. The winners will be suppliers of goods

and services, including higher-education institutions that offer the most relevant, convenient, and competitive solutions to consumers.

Individual universities and even countries that fail to prepare for this radical change will pay dearly in terms of lost economic and social opportunities. The higher-education sector should be at the forefront of preparing the next generation of young professionals for work and life in the Industry 5.0+ and Society 5.0+ fluid environments. This cannot happen without visionary and timely reform with built-in flexibility. In this latter regard, there is no end point to the escalating developments in technology, expansion of knowledge, and impacts on personal, societal, professional, and corporate activity. Accordingly, it is pointless to review the higher-education sector from a static perspective with the end goal of defined and rigid purposes, policies, and strategies. Rather, fluidity and autonomy must be available so that individual higher-education institutions have the flexibility to think, plan, and act in anticipation of recurring waves of change rather than being held back and subsumed by the relentless tide. However, in the process, it is important to note that when universities are granted more autonomy, they should also adopt the principles of accountability in their dealings with their respective ministries.

8.3 Understanding Governance

The above drivers of reforms necessitate change in the practice of governance in universities within the Arab region. However, it is prudent to first revisit the nature and purpose of governance. The term governance originates from the Greek word "Kubernaein", meaning "to steer". According to this etymology, governance includes reference to directing and controlling a group of people or a State [41].

Governance occurs when a group of people come together to accomplish an end [18]. The term "governance" is not linear but rather it comprises a complex web including the legislative framework, characteristics of individual institutions and how they relate to the whole system, allocation of funding and return accountability, as well as less formal structures and relationships that steer and influence behaviour [33].

In its broadest meaning, governance encompasses the structures, relationships, and processes through which, at both national and institutional levels, policies for tertiary education are developed, implemented, and reviewed. Therefore, in simplest terms, governance is a tool which improves quality across all aspects of higher education.

By their very nature, universities should play a pivotal role in the stimulation and development of a knowledge-based economy. This requires a proactive and not reactive environment and hence a distancing between ministries and universities, with greater institutional autonomy. Previously, universities were seen as administrative bodies or as extensions of ministries; however, progressive reforms have increased the distancing [1] with an associated change in external governance from a traditional

direct control to a supervision model. This new approach is referred to as "Steering at a Distance" where governments focus on strategy and priority setting to steer universities' behaviour towards nominated objectives whilst endowing them with substantive and procedural autonomy (Khader n.d.).

In practice, there is a wide variety of governance models with each being influenced by the tension or balance between the main forces of state, market, academic excellence, and the capacity to exert academic freedom. The governance model is categorised according to the interaction between these various forces. For instance, at one end of the spectrum, universities might be state-driven with minimal autonomy given to academic executives. Further along the scale, varying degrees of authority may be granted to the universities' BOTs and executives (Overview of the higher education system: Jordan [38]. Within the Arab world, the governance approach is through predominantly state-driven universities with minimal autonomy given to the university executives.

According to Trackman (2008 cited in Jaramillo [30]) four primary models of university governance, that is academic, corporate, trustee, and representational, were identified:

- Academic governance, based on the assumption that universities should be driven by academic staff through representation on governing boards and appointments as heads of the institution;
- Corporate governance, using marketplace approaches such as financial accountability in managing the university. Accordingly, this model envisages a corporate executive as the head of the university instead of an academic;
- Trustees governance, whereby the BOT is independently selected from outside the institution; and
- Representational governance, based on a representational approach where a wide number of stakeholders such as academics, students, government and civil society are involved in the process of governance [38].

Within the Arab region, a good percentage of universities adopt the "Trustees governance" model. However, there are related tensions associated with restrictive authority and autonomy granted to BOTs by the government. In Jordan, for example, the BOT can only make recommendations to the government on matters relating to budgets and hiring of the president. The BOTs do not have the autonomy to make the final decisions. This matter will be further discussed in the case study section later in this chapter.

8.4   Governance Reform and New Public Management

Governance reform cannot be discussed in isolation; it must be considered within the wider context of New Public Management (NPM), a term used to describe the paradigm shift in the public-sector management that evolved throughout many OECD countries during the late 1970s [5]. All OECD countries have steadily introduced public-sector reforms to increase their efficiency and to enhance the effectiveness and performance of public organisations [9].

NPM was a response to criticisms directed against national government approaches to public services regarding increased centralisation and bureaucracy, with associated ineffectiveness and poor managerial performance [5]. NPM was premised on the basis that techniques used in managing the private sector are more efficient and therefore should be adapted to the public sector.

The introduction of NPM was intended to address three challenges in the public sector: efficiency, participation, and legitimacy. In response, this new form of managerialism emphasised a fundamental shift from:

- Policy making to management skills;
- Focus on process to emphasis on output;
- Orderly hierarchies to an intentionally more competitive basis for providing public service;
- Fixed to variable pay; and
- A uniform and inclusive public service to a variant structure with more emphasis on contract provision [22, p. 5].

The principles governing NPM were introduced as part of higher-education reforms to create an environment within which universities can become more efficient, effective, and self-governing. The two initial drivers for adopting NPM reforms in the higher-education (HE) sector were:

(1) Increased growth in the student population during the massification era which pressured universities into building facilities and services to accommodate rapid and substantial expansion; and
(2) De facto privatisation or substantial reductions in government spending in higher education.

The reforms based on NPM were introduced to transform a state-dependent organisation into an increasingly independent entity, wherein factors such as identity, hierarchy, and rationality were redefined [9]. In the process, higher-education institutions were granted a greater degree of self-governance, referred to as autonomy.

The characteristics of NPM are centred around the principles of autonomy, accountability, financial reforms, and new management techniques. At a more general level, according to Bouri and Maalouf [12], a large number of states in the Arab world have not applied the principles of good governance in many areas such as the political, social, and economic sectors. As a result, it is no surprise that the governance of higher-education institutions is suffering in these states, reflected by key governance deficiencies such as weak levels of autonomy, government-run bureaucracies,

absence of accreditation agencies, centralisation of admission procedures, and unaccountability [15]. Despite the fact that many Arab countries such as Syria, Lebanon, Jordan, Libya, Tunisia, Palestine, Egypt, Algeria, and Morocco have agreements with the European Union through the Erasmus offices, the application of NPM has not been fully adopted. Such resistance to adopt the principles of NPM could be attributed to rigid regimes that are afraid of losing control and are thus incapable of liberating themselves completely from the system [15].

8.5 Autonomy as a Type of Governance Reform in Higher Education

Higher-education governance has two primary dimensions: external and internal. External governance as the term suggests refers to the relationship between the university and the supervising public authorities. Specifically, external governance covers the role that the government (state, provincial, or national) and any other external stakeholders play in governing higher education within their jurisdiction [41]. Internal governance focuses on the institution itself and the strategic direction of the higher-education institution within guidelines expressly required by governments or implicit within the pervading environment.

As the nature and social impact of a university are changing to become more effective and self-governed, two main structural designs in university governance are transforming as well. The first is referred to as inter- or intra-organisational vertical structure specialisations, where universities are granted a degree of autonomy from ministries. The second is horizontal specialisations, where the extent of the university's roles, tasks, and functions on the same level become specialised [1]. The horizontal structure provides greater degrees of autonomy as it is more of a flat structure and has more features of NPM.

With the rise of NPM, the management of government and higher-education relationships shifted to emphasise the emergence of autonomous universities. The argument was that by giving universities the freedom to self-manage, they are capable of producing better results than if they are strictly regulated through government laws and directives [33]. Such autonomy empowered universities to take charge of their financial, academic, and management decisions.

Within this context, autonomy refers to a university's capacity to determine its internal organisation and decision-making processes. Hence, the university can freely determine how to run its organisation, including the executive leadership, decision-making bodies, legal entities, internal academic structures, and in relation to such matters as:

- Selection criteria and recruitment procedure for executives;
- Dismissal or termination from office of executives;
- External members in university governing bodies;

- Capacity to decide on academic structures; and
- Ability to create legal entities.

According to Fielden [23], the extent of autonomy allowed by the ministry/government is a mixture of inherited insights, traditions, legislative intent, and societal culture. From a government perspective, governance reform including increased autonomy can be achieved through delegation of powers by central government to a lower tier of the government, delegation to a specialised buffer body; or direct delegation to institutions themselves [23]. Depending on the above, universities can be completely state-controlled with no level of autonomy, semi-autonomous, or completely independent. According to Braun and Merrin (1999 cited in Hénard and Mitterle [27]), this is referred to as the "cube of governance" which positions higher-education systems into three blocks:

(1) A non-utilitarian/utilitarian culture, with a degree of service and client orientation;
(2) A loose/tight procedural model, allowing for a degree of administrative control by the state; or
(3) A loose/tight substantive model, where there is a degree of goal-setting capacity of government [33].

The cube of governance was further developed into five blocks by De Boer et al. [33], based on the premise that the governance of a higher-education system is composed of a specific blend of five dimensions at any given time:

(1) State regulation, with the traditional notion of top-down authority vested in the state and the government directly regulates by prescribing detailed behaviours;
(2) Stakeholder guidance, which shifts the governance approach from direction to guidance and advice. Government remains an important stakeholder in public universities but delegates certain powers to representatives on university boards;
(3) Academic self-governance, relating to self-steering by professional communities within the university;
(4) Managerial self-governance, referring to the critical role of hierarchies within universities through such functions as rectors, presidents, and top management in decision-making and goal setting; and
(5) Competition, recognising scarce resources including money, personnel, prestige, and demand pull from customers [19].

In specific reference to the above dimensions, the external governance model of four European countries: Austria, England, Germany, and the Netherlands, was studied by De Boer, Enders, and Schimank [19]. The study concluded that basic similarities existed amongst the four countries, where the governance of the university sectors had undergone substantial change in most aspects, with the exception of Austria, and further, that most of the changes were in the direction of the principles of NPM. However, the researchers noted that change in Austria relating to competition was not significant whilst it was extreme in the Netherlands. The study also observed that government regulation in England was rather weak and generally that although there have been new powers granted to university leadership, there have been losses

Diagram 1 Three analytical components of university autonomy

Staffing	Academic	Financial
Recruitment procedures for academic and administrative staff	Overall student numbers	Type of public funding
Salaries for academic and administrative staff	Admissions procedures at Bachelor, Master's, and Doctoral level	Ability to borrow money
Dismissal of academic and administrative staff	Introduction of programmes at Bachelor, Master's, and Doctoral level	Ability to keep surplus
Promotion procedures for academic and administrative staff	Termination of degree programs	Ability to own buildings
	Language of instruction at Bachelor, Master's, and Doctoral level	Ability to make investments and attain investment funds
	Selection of quality-assurance mechanisms and providers	Right to manage endowments
	Capacity to design content of degree programmes	

with regard to individual autonomy at faculty level [19]. Similar in-depth studies should be conducted within the Arab region. The outcome of these studies will indicate that the state regulation governance framework is the most dominant model adopted by Arab countries to govern the higher education sector.

The degree of autonomy and the freedom to self-regulate will vary depending on the relationship between the university and the government within the country. For universities, autonomy can be classified into three analytical components: staffing, academic/campus, and financial, as shown in Diagram 1.

Particularly in the post COVID-19 global environment of enhanced use of digital means for commerce, work, socialisation, and education, the clock cannot be rewound and governments in individual countries will need to carefully consider their higher-education governance from a worldwide perspective. As part of this, universities will need the autonomy to quickly respond to and ideally anticipate changed conditions, introduce new or varied programmes of study and methods of learning, and attract both local and wider admissions. In the digital arena, students and parents expect immediate pathways and are increasingly sensitive to cost and convenience.

8.6 Autonomy and Academic Freedom

Governance, autonomy, and academic freedom are interrelated. A progressive external governance system fosters an institutional environment within which

academic freedom is likely to thrive [11]. The Association of Universities and Colleges of Canada [14] defines academic freedom as:

> "*the freedom to teach and conduct research in an academic environment. It is fundamental to the mandate for universities to pursue truth, educate students and disseminate knowledge and understanding. …academic freedom must be based on institutional integrity, rigorous standards for enquiry and institutional autonomy, which allows universities to set their research and educational priorities.*" [14]

Academic freedom and autonomy are connected but are not interchangeable terms. If a university is autonomous, its governance structure will provide more academic freedom to faculty. For instance, faculty members should have the academic freedom to pursue and publish their studies, as well as participate and speak in national and international debates [41].

The scope of academic freedom is not limited to scholars. The university's executive management plays a pivotal role in promoting and supporting an environment that nurtures academic freedom. Granting and guiding such freedom should only be undertaken within a governance structure that does not compromise the overall integrity of the university whilst preserving its best interests.

8.7 Accountability

Having addressed the concepts of governance reforms, autonomy, and academic freedom, the term accountability must also be considered. In general, accountability is defined as being responsible for one's actions. However, what is accountability within the context of governance reform and autonomy? When a university is granted more autonomy to manage its operations and finances, the government, in return, establishes control mechanisms whereby the university is mandated to report on performance. Governments are then able to strategically steer universities by holding them accountable for their goals and key performance indicators (KPIs) through performance evaluations and audits. According to Fielden [23], such institutional accountability is achieved by governments through regulations and required reporting on performance, as well as influencing behaviour through incentive-funding initiatives [23].

Accountability is a vital pillar in sound governance practice. Associated transparency of decisions and actions through such means as independent audits provide assurance to governments and the community that universities are meeting public expectations. Students, parents, employers, and others have a right to expect formal accountability from higher-education institutions with regard to learning and research outcomes as well as financial and administrative management of grants and fees income.

Accountability ensures that universities are answerable to external demands. However, it can be argued that negative connotations are also associated with accountability as it can be misinterpreted as "autonomy in disguise" when governments grant

autonomy to universities, on the one hand, yet regulate it to a degree where it becomes controlled and bureaucratised.

In practice, there is a fine balance between autonomy and accountability. With the massification of higher education together with the growing appeal of international and online learning, universities must be seen as relevant to the future and not simply rely on past reputation. Greater autonomy opens the playing field for increased freedom of movement but associated accountability ensures that required standards are maintained.

8.8   Good Governance

Autonomy, academic freedom, and accountability, as stated above, are critical pillars for governance reform in the higher-education sector. However, simply adopting these pillars will not necessarily mean that good governance is established. Good governance is not a sufficient condition for success, but rather a necessary one. The concept of governance is broad and there are additional key pillars that also fall under good governance such as transparency, financial stability, fairness, stakeholder participation, a comprehensive quality-assurance cycle, the absence of a politicised environment, as well as corrupt practices and hindrances, clarity of procedures on the selection, recruitment, and promotion of faculty and administrators, an equitable and inclusive environment, adherence to national laws and guidelines, a flexible approach that continuously addresses disruptive changes, and compatibility between the different levels of institutional administration. All these pillars must be adopted in the Arab countries. It is not a matter of cherry picking and choosing which pillar will likely work best; rather, a combination of all these practices together will lead to sound governance reform.

These external governance reforms, if adopted and implemented properly, will impact the internal governance of the university. For instance, once the ministry empowers the BOT, it will in turn be able to provide autonomy to the university's executives to operate within a structure that allows the university to pursue and achieve its goals whilst being transparent and accountable simultaneously.

8.9   The Case of Jordan

For the purposes of this chapter, Jordan has been selected as a case study. Jordan is considered a major supplier of intellectual capital within the MENA region. There are currently 350,000 students registered in Jordanian universities and the country is focused on identifying specialised skills for its service-oriented economy. Tertiary education is very important to Jordanians. Ninety-five percent of high school graduates enrol in universities inside and outside of Jordan; making it one of the largest percentages in the world [18]. However, these graduates appear in need of more

comprehensive skills at a national and international level. In this regard, higher-education systems are accountable for ensuring graduates are equipped with skills relevant for the workforce. This disjoint is even more critical given the rapidly changing individual workplace demands in a knowledge-based economy. If higher-education institutions operate within a national governance system that is centralised and lacks autonomy, they are inherently constrained in their abilities to meet the demands of a dynamic knowledge-based economy.

Jordan's higher-education infrastructure has immense potential to progress once governance is reformed. Because the education platform has been built on a solid foundation, embracing reforms could become an opportunity for Jordan to be a regional or even worldwide leader in higher education and become an attractive study destination. Students from around the world could pursue their education in Jordan either physically or virtually through e-learning. To this end, before discussing the required governance reforms in Jordan's higher-education sector, a description will be provided of the current structure.

8.10   Jordan's Higher Education Governance Structure

Presently, universities and colleges in Jordan are governed by the following arrangements:

Higher Education Council (HEC), chaired by the Minister of Higher Education and Scientific Research and comprising the Secretary General of the Ministry, the President of Higher Education and Accreditation Commission, seven persons who have expertise in academia and higher education and who hold the rank of full professor, and the Director of Education at the Jordanian Armed Forces. HEC is the legislating body for higher education across Jordan. It determines policies relating to higher education, approves the establishment of institutions of higher education, supervises private universities, distributes government subsidies and additional fees relating to public universities, and formulates the principles concerning students' admission. In addition, it appoints the Boards of Trustees and the presidents of private universities [33]. HEC also recommends the appointment of presidents in public universities.

Ministry of Higher Education and Scientific Research (MOHESR), the implementation body for higher-education approved policies. The MOHESR coordinates with higher-education institutions, negotiates agreements with other countries, approves qualifications and recognised universities from other countries, and assists the HEC especially through undertaking higher-education-related studies [33]. An important role for MOHESR is to ensure that higher-education institutions deliver programmes that reflect current and future needs of the labour market. In addition, the MOHESR follows up on Jordanian students' relations abroad, provides qualified administrative and technical support to the HEC, organises services to students in higher education, and gives grants and loans to students at public universities.

Accreditation and Quality Assurance Commission for Higher Education Institution (AQACHEI), responsible for improving the quality of, and equity in, higher education across Jordan whether through assessments, ranking, or valid testing services. This commission also works on improving the status of higher education through quality-assurance measures and by supporting the interaction of higher-education institutions between each other, and with scientific research centres and international accreditation bodies. It also liaises with international counterparts so that global standards are reflected within the local higher education institutions [33].

Scientific Research and Innovation Support Fund, whose goal is to support and expand the field of scientific research and innovation across Jordan [33].

Board of Trustees (BOT). All universities, whether public or private, have a BOT. Public universities should have 13 board members, including the Chairman, and private universities have 15 members including the Chairman. In public universities, BOTs are appointed by Royal Decree upon the Prime Minister's recommendation. For private universities, the HEC itself is responsible for appointing BOTs.

Responsibilities of the BOT include:

(1) Designing the university's policies;
(2) Approving the strategic and annual plans of the university based on the University Council's recommendations and follow-up on implementation;
(3) Evaluating the academic, administrative, financial, and infrastructure performance of the university;
(4) Appointing the vice-presidents and deans as per the recommendation from the president;
(5) Proposing to the HEC the establishment of faculties, centres and departments, and new academic programmes; and
(6) Determining the tuition fees and approving the budget and annual report upon recommendation from the University Council [1].

University Council, which is an internal council chaired by the president of the university, with membership including representatives from the community. Its scope of work includes reviewing the annual plan and submitting recommendations to the BOT in relation to budgets and performance. In addition, within the internal governance structures of universities, there are college councils, departmental councils, and committees, as well as appointment and promotion committees. The purpose of these councils and committees is to make recommendations to the university council on operational, financial, human resources, student-related, and curricula matters.

Deans Council is also an internal council responsible for executing the BOT and University Council's directions and is chaired by the president of the university. All academic and faculty-related matters are initiated from the Deans Council such as faculty appointments and promotions, students' graduations, and external agreements. Furthermore, this council recommends the establishment of faculties, programmes, departments, and scientific centres within the Kingdom; evaluates academic activities, methods of teaching, and scientific research projects of faculty; informs the University Council of the number of students to be admitted each year in different majors and programmes within the university; sets the necessary instructions

to execute provisions of regulations concerning the academic work of the university; and considers any academic-related matters presented by the president. The Deans Council is a closed council where members include the deans of schools, vice-presidents, and president with no external representatives.

8.11 Challenges of Higher Education in Jordan

Even with the above external and internal governance structures, there are several challenges facing the higher-education sector in Jordan. These are referred to in the following paragraphs and include relevance, management, finance, access, professional development, research, community service, accountability, autonomy, and academic freedom [32].

Firstly, and critically with regard to financial stability, there are no clear guidelines or criteria with regard to government funding. It appears that universities in dire financial need are given priority for public funding without sound investigation as to the underlying causes. Accordingly, well-managed universities miss out on their proportionate share that could be used for further growth purposes [1]. An established set of criteria for government funding would provide an incentive for all universities to become increasingly efficient in the same way that all organisations are having to adjust to tightened and international marketplace competition.

Input towards shared and critical national education priorities needs further and formal consideration. Individual higher-education institutions are directly affected by external governance decisions, and yet there is minimal inclusion of universities in decision-making processes. It is the universities themselves that are closest to the educational marketplace and therefore have close appreciation of the pulse factors. Accordingly, a formal and inclusive consultative process on a regular basis will facilitate not only an upward and downward but also horizontal flow of experiences and ideas that may be of value in policy deliberations. One simple example is the current national allocations for new students into tertiary institutions. This is presently decided by the HEC with no formal input from or explanation to individual universities. Universities submit to the HEC the number of students they want to admit annually into their programmes and majors; however, the final number of admissions is decided by the HEC. As a result, this one annual decision which has critical financial ramifications to the recipient institutions has attracted concerns on the basis that the allocations may be influenced by political rather than marketplace considerations.

There is also a lingering top-down approach to external governance specifically in relation to autonomy and academic freedom. In this regard, the present reality that BOTs are assigned through Royal Decrees (for public universities) or the HEC (for private institutions) has led to questions as to impartiality versus political influences. Further, in the public sector, university Presidents are appointed by a Royal Decree following the HEC's recommendation whilst in the private sector they are appointed by the HEC based on the BOT's recommendation. Accordingly, the most

influential staff member in all higher-education institutions is decided through an external governance process. As a result, key executive appointments such as deans and vice-deans, which are decided by the BOT based on the university president's recommendation, are also heavily influenced by external presets. Such approaches to governance have resulted in a lack of proper representation of academics and students on the universities' governing bodies. In addition, they have created grey areas of power amongst the HEC, BOTs, and University Councils [1].

Also, with regard to autonomy, at present, critical decisions on budget, academic matters, inclusion of new programmes and specialisations, admissions, and number of students are in reality outside the scope of the individual university BOT. The role of BOT is limited to recommendations for decision by the HEC. This requirement is holding universities back from remaining competitive in a rapidly changing, digital, and international marketplace that requires fluid approaches to, and frequent reviews of strategic directions. Individual institutions and the national education sector would all benefit from increased autonomy for universities to demonstrate their ability to move with and not behind the market. As has been noted previously, an associated increase in accountability will provide assurance to regulators and communities that the higher-education sector remains socially and ethically prudent.

With regard to academic freedom, again, governmental bodies have resisted change in major international developments such as wide adoption of e-learning platforms until forced into action through the COVID-19 worldwide lockdown necessitating learning from home. Many other countries had already acknowledged the benefits from offering online access to education for students from remote areas or who for any reason were not able to attend classes. In the post-pandemic environment, with increased use of digital everything, people will expect governments to have highly developed and effective e-learning services that can be used by students seamlessly within and outside their classrooms. The next generation will undertake more and more of their professional careers and even social and consumer lives online and therefore the education system must prepare them for this increasing reality. Those who thrived best during the global health crisis were those who were already IT highly connected. The education system generally in Jordan was ill-prepared at a time when it should have demonstrated to the community that it was already at the vanguard of social and employability change. Education, learning programmes, and technologies must be relevant to the future and not past needs of students. E-learning within highly connected, international and virtual settings is the new classroom environment with physical presence being optional.

8.12   Recent Higher Education Reforms in Jordan

The National Strategy for Higher Education 2014–2018 was presented by the Jordanian government for the purposes of reforming university governance, admission policies, finance, accreditation, quality assurance, research and graduate studies, academic programmes, human resources, and technical education [38]. The strategy

included detailed implementation plans with performance indicators. However, as with any change, action mechanisms needed to be in place and this was the main reason for lack of success. The plan was poorly marketed to institutions and the community, there was lack of financial support to facilitate implementation, and there was no follow-up. In this regard, the intended annual review of progress did not take place and as a result momentum was lost [1].

The post COVID-19 environment is a timely opportunity to revisit the goals of the above National Strategy for Higher Education. The pandemic has led to an urgent need for governments, businesses, communities, and educators to collectively evaluate priorities and directions. The new digital world will open exciting opportunities for those who are able to translate crisis into cash. Those who are unwilling to change will be left behind. Even before the health crisis, the writing was on the wall for businesses who persisted with physical shop fronts and who were lagging in online options. The higher-education sector is now expected to prepare graduates for new-style professional, social, and personal lives amidst increasingly fluid environments. Therefore, the forefront of higher-education external governance must be the nurturing of flexible, responsive, and proactive institutions that are entrusted with sufficient autonomy to be, and be seen to be, leaders of learning and research. The previously referred to "Steering at a Distance" approach to external governance will enable the Jordanian and other governments to guide and influence, but at the same time, entrust and empower individual institutions through accountable freedoms.

The following paragraphs include specific proposals with regard to external governance reform in Jordan.

8.13 Proposed Jordanian Higher Education Reforms

Any reform must begin with a critical review of the present structure, commencing from the top and, in this regard, the MOHESR should itself set the example as a beacon demonstrating clarity of vision and commitment to other stakeholders. It must be seen as open to 360-degree input regarding the future direction and priorities for the higher-education system and then, once policies are determined, allow the HEC and AQACHEI to work with individual institutions in the translation, implementation, and achievement of national goals.

At the next level and in keeping with the Steering at a Distance model, the HEC should switch from the present hands-on approach to a supervisory role. Decentralisation is appropriate whereby the HEC remains at a distance with regard to university management through granting appropriate levels of autonomy which are in turn balanced by nominated and transparent accountability. For this to be fully effective, the relationship between the HEC, the government, and universities also needs to be reviewed and confirmed since at present there are some areas of ambiguity. Areas for clarification in the post COVID-19 environment include:

- Mission of the higher-education sector;
- Accessibility of high-school graduates to university education;

- Government funding of state universities;
- Financial support to high-achieving students; and
- Financial support for strategic scientific research.

The structure of the HEC itself should also be revisited so that it is more independent from political influences. In this regard, it is proposed that the composition of the HEC reflects a wider section of relevant stakeholders. Higher education impacts all dimensions of communities and therefore corporate and community, alongside academic and government representation, is appropriate. Importantly, the HEC must be the final authority for granting or revoking licenses to establish new universities.

With regard to quality assurance across higher education, since initial tertiary qualifications are increasingly just one part of an individual's lifelong learning journey for professional and personal edification, it is appropriate that the AQACHEI include a wide range of representatives from academic, corporate, and community backgrounds. Greater emphasis on publication of statistics and evaluation reports would also provide important information to the public regarding the relative performance of institutions against national and even international standards and benchmarks.

Research should always remain a vital contribution of the higher-education sectors towards advancing knowledge and related technologies. Accordingly, it is proposed that the Scientific Research and Innovation Support Fund should become the body that steers, coordinates, and funds research. Initiatives such as the 1% tax on corporate profits act to facilitate and revolutionise the funding of research. This body should ideally nurture the research environment within universities in Jordan by encouraging research teams from various specialisations, supporting graduate students in research and providing guidance on the nature and relevance of research. However, at present, concerns have been expressed regarding lack of scientific expertise at the decision-making level and inadequate processes for soliciting proposals and awarding grants competitively. Part of the charter for this body should be to link scientific research to the country's development plans. Further efforts should be made to strengthen the networking platform between faculty and research staff across higher-education institutions and also with industry.

Critically with regard to finance, in light of declining governmental support for universities generally and recognising the rapidly changing landscape of higher-education programme content, range, and means of delivery, it is appropriate to amend fiscal policies to ensure that limited public funds achieve maximum return according to defined, objective and transparent criteria. Factors to be considered include continuation of governmental payments of public university debts, establishment of a student bank offering loans, grants, and other support to high-achieving students, endowments for identified universities to establish or further Centers of Excellence. Such centres would be available to offer consultancy and support services to industry and commercial businesses, thereby strengthening linkages between academics and practitioners. Further, governmental input of capital expenditures especially for fledgling public universities should be prioritised according to national development goals.

At an institutional level, for universities to have and exercise effective autonomy, reforms at the BOT level are also needed. Autonomy should be real and not impeded by external influence or interference. BOTs need freedom to act decisively when needed but at the same time be fully accountable for such actions. Within this framework, BOTs should become the highest authority in the university, set institutional policies within clearly stated goals, monitor the implementation of these policies, evaluate results of operations, and make necessary amendments to cope with the dynamics of the academic systems and externalities. Further, autonomy should extend to the capacity for BOTs to nominate candidates for university presidents who are in turn highly accountable to this governing body. Dismissal of the president should be vested with the BOT but for duly valid reasons.

With regard to individual university finances, the BOT should be authorised to approve institutional budgets and borrowing as well as set the rules for investment of any surplus funds. BOTs should also have the ability to set or change student fees of all types as part of overall fiscal and administrative supervision through receipt, review, and approval of financial, audit, and other institutional reports. Appendix A presents detailed guidelines on the scope of work including roles and responsibilities that should fall under a university's BOT as part of the reform process.

Across all appointed positions on national committees, councils, BOTs, and executive salaried positions within universities, it is essential that clear and transparent criteria for selection and recruitment are put in place to ensure that the most qualified persons are appointed. Otherwise, any reforms in the higher-education sector may have diminished effect.

Finally, it is important to acknowledge the role of Community Colleges which to date have not been sufficiently recognised for their contribution within the higher-education system. They should not be viewed as a refuge for students who perform poorly at school but rather as a valued and valid experiential means of learning as an alternative to the traditional academic pathway. Since the majority of Bachelor's degree graduates are keen to immediately commence their professional careers, a sound tertiary qualification from an applied learning institution has strong employability appeal. Therefore, public funding for Community Colleges should be revisited as these colleges are pivotal in supplying skilled human capital to the country.

8.14 Concluding Remarks

Jordan is considered an education hub and benchmark within the Middle East region and its graduates are in high demand. However, the COVID-19 pandemic highlighted the lack of forward vision regarding changes that could have and should have occurred in the higher-education system that would have reduced the impact of the crisis. Accordingly, in the post-pandemic environment, it is important for the government, community, and educators to revisit the purpose and practice of higher education within a new, highly digital, interconnected, and international landscape. People

expect lessons to be learned and a transparent vision and strategies for Jordan and its higher-education system to be seen as a regional leader in reform.

Change has risks but it also presents opportunities and rewards. Jordan will increasingly be part of a global, digitally interwoven marketplace where physical borders will no longer be a barrier to online commerce, communication, and learning. What is certain is that there will be accelerated change; the only uncertainty is the slope of the curve. Nations and individuals who were highly successful in the past cannot now sit back on reputation and reserves as these will quickly be subsumed if used as a buffer against the growing wave of ubiquitous digital change.

Any higher-education reforms at a national or institutional level must be couched in fluid terms that enable and encourage continual review and empower decision makers at all levels to make proactive decisions, not to achieve sub-optimal redundant goals but to secure future viability and vitality for the benefit of all stakeholders. The granting of autonomy to facilitate such progressive thinking and actions is not to diminish ultimate control but rather to entrust those closer to the marketplace with the tools to refine and reshape the ship to meet presently unforeseeable new conditions. The key issue is not autonomy but accountability. No vessel or entity has any value if its masters are required to charter a rigid course into unknown waters.

Accordingly, this chapter has identified the need for, and the expected benefits from, a review of the external governance within national higher-education systems using Jordan as a case study. Every country must now revisit their external and internal governance structures and processes in light of the COVID-19 experience. Although there are clear and attractive benefits for governments to be part of the new global, digital world of everything, there are also associated vulnerabilities when over-exposure has dysfunctional consequences due to lack of ready local access to essential products and services.

Jordan has a rich history of contributions to the Arab world and beyond. Now is the time for higher-education institutions in Jordan and indeed in all countries to work closely with governments to redefine the role of the higher-education system and individual institutions as vital contributors to national and international growth.

Appendix A

The aim of this appendix is to provide overarching guidelines concerning the roles and responsibilities of a university's BOT, which could be tailored according to the needs of the institution. If proper reforms are adopted, then the HEC, Minister and Secretary General will no longer play a dominant role in selecting members of the university's BOT. Ideally, established committees with dignitary members having no vested interests in the university should select members of the BOT.

Board of Trustees Bylaws

1. **Purpose of a university's BOT**

1.1 The board is responsible for creating and delivering sustainable value through the oversight of the university. Although day-to-day management of the university's activities is delegated to the executive management, the BOT is responsible for providing strategic direction, supervision, and adequate controls with the ultimate objective of promoting the success and long-term value of the university. Board members are required to act in good faith during decision-making processes and avoid making decisions for personal gains at all costs and adhere to conflict of interest policies.

1.2 The major objectives of the BOT are to:
Establish the overall strategic direction, vision, mission, and policy framework for the university to aid in achieving its objectives;

- Direct and supervise the executive management of the university;
- Identify the principal risks of the university's business and ensure that there are systems in place to effectively monitor and manage these risks;
- Protect and enhance the interests of the university's stakeholders;
- Provide leadership and direction for establishing and maintaining high standards of ethics and integrity;
- Approve the university budget and provide oversight on expenditures;
- Approve the final selection of the university's President and members of the executive management; and
- Approve the establishment of new programmes of studies and any infrastructure projects.

2. **Authority of the BOT**

2.1 The BOT derives its authorities from the university's Articles of Association which vests the overall management responsibilities of the university within the BOT.

2.2 The BOT determines the authorities and powers delegated to the university's executive management of running the university's operations; the BOT has all the powers and rights to perform all acts on behalf of the university and to engage in all actions and exercise all the necessary powers to achieve its goals.

2.3 The BOT has the authority to conduct any responsibility even if falling within the authorities or responsibilities of its BOT-level committees.

3. **Roles and Responsibilities of the BOT**
Roles and responsibilities of the BOT include the following (but not limited to):

3.2 Strategic Planning and Budgets

Review and approve, with the university's executive management, the vision, mission, strategies including those for research, objectives, goals, and the proposed measures in order to achieve these objectives;

Monitor progress towards such goals and objectives, and revise and alter the university's direction where warranted;

Provide a balance of long-term versus short-term orientation of the university's strategic and operational plans;

Review performance and major activities or operational changes; and

Oversee the executive management which assumes responsibility for its day-to-day tasks.

3.3 Financial Matters

Approve yearly budgets and monitor such budgets on a consistent and periodic basis;

Review and approve transactions outside the university's budget; and

Review, on a periodic basis, financial statements.

3.4 Executive Management

Appoint and terminate the university's president and key management personnel;

Ensure that the members of the university's key executive management have the educational and professional experience required;

Allocate the authorities of the university's executive management;

Evaluate the president's performance and review the president's evaluation of the executive management;

Ensure succession plans are set in place; and

Review the university's organisational and staffing plans.

3.5 Operational Matters

Review and approve the key performance indicators for the university's functions and departments;

Monitor the university's performance against the strategic plans;

Enquire into areas of poor performance and their causes;

Review and approve any changes to the university's policies and procedures;

Review and approve new programmes of studies or changes to existing programs; and

Review on a periodic basis the overall performance of the university.

3.6 Internal Controls and Risk Management

Ensure the university has appropriate policies to ensure compliance with governmental regulations;

Take all the necessary steps that ensure the university is complying with national laws and policies and its internal regulations;

Approve and monitor key operational policies and ensure compliance therewith; and

Ensure the accuracy and integrity of the data that is generated and reported.

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Chapter 9
Government, Governance, and the University: The Case for Lebanon

Elie D. Al-Chaer

Abstract Lebanon's evolution through history and its delicate demographic balance make it a riveting case for the study of government and governance of societies with a diversity of religious or ethnic minorities. Historically, the peoples of Lebanon capitalised on their strategic geographical location, by catering to the needs of successive empires, to develop their cities, and build wealth. They organised in small city-states and coordinated their trade among each other and with the outside world. As an open society without intrinsic defences, their land became often a stage for armed conflicts between various empires. In peaceful times, their ingenuity delivered to the world some unique contributions: from the Tyrian purple and the first alphabet, to the laws and thinktanks of the Roman Empire, and more recently to the Declaration of Human Rights. Against this rich history, a political entity known as Lebanon came to be in the current state in 1920. Prior to that, it was Mount Lebanon with borders that waxed and waned over history reaching as far as Aleppo in the North and as far as Egypt in the South. The purpose of this chapter is to provide a brief review of the rich history of Lebanon, mainly the post-independence period. The main focus is on Lebanon's government—constitution, laws, and administration—and the quality of governance, the pervading corruption and the factors contributing to it, the financial challenges facing the country, and the historic and future role of higher education in lifting up society and the economy.

Keywords Lebanon · Government · Governance · History · Economy · Corruption · Higher education · Financial crisis · COVID-19

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9.1   Introduction

9.1.1   The City States of Phoenicia

The importance of Lebanon as a case study in government and governance in the Middle East stems as much from its rich history as from its geographical location at the interface of cultures. The coastal plain of Lebanon, which the Greeks termed Phoenicia, was historically home to a string of thalassocratic cities-states of Semitic culture. Although they may have shared distinctive cultural traits and cooperated in trade, these cities evolved and developed independently with each one having its own deity, ruler, and system of government. For a few centuries (900 BC–538 BC), these cities profited from a tributary relationship with the Assyrian and Babylonian empires until their decline. The ostensible resilience of the Phoenicians was subsequently brought down by a series of conquests that began with the Persians, then by Alexander the Great, the Roman Empire, the Byzantine-Christian Empire, the Muslim Fateh, the Roman Crusades, the Egyptian Mamluks, and finally with the Turkish Ottoman Empire, which dominated the eastern Mediterranean starting in the sixteenth century (AD). The peoples of Phoenicia worshiped many deities, some of them homegrown and others inspired by neighbours and invaders. Christianity along with monotheism was introduced to the Phoenician cities around the first century (AD) from neighbouring Galilee. With the Arab conquest in the seventh century, Islam was introduced and took hold mostly in major cities [16, 21, 50, 78].

Although Phoenicia was purportedly the birthplace of the first alphabet [37], there are no reports or documentation that the Phoenicians of Lebanon have built schools or universities; however, one of the earliest professional centres of higher learning around the Mediterranean was the Roman Law School of Beirut. Uncorroborated reports trace the origins of the law school to the first century AD under the Roman Caesar Augustus. The earliest written mention of the school dates to 238–239 AD, as a preeminent centre of jurisprudence of the Roman Empire [78]. Over the years, the Law School of Beirut was home to generations of young and affluent Roman citizens and had gained so much recognition throughout the Empire that Beirut became known as the "Mother of Laws". Its scholars made significant contributions to Roman law and to the Codex of Justinian. The school continued to teach jurisprudence even after the seat of the Empire had moved to Byzantium and up until its destruction in 551 AD [27].

9.1.2   The Ottoman Empire

The Ottoman dominance of the eastern Mediterranean lasted nearly 400 years (1516–1916) [3]. Under Ottoman rule, the multi-sectarian character of Lebanon came to the fore and gradually shaped its social and political outlook. The Ottomans had three court systems: one for Muslims, one for non-Muslims, and a trade court. They

granted a high degree of autonomy to powerful Druze, Muslim, and Maronite feudal lords in Mount Lebanon as long as they paid taxes to the Empire [15]. A short period of Egyptian control (1832–1940), led by Pasha Muhammad Ali, was also relatively tolerant and permissive. It allowed for European infiltration, which helped Maronite Christians make gains against Druze landlords; so, when the British and the Ottomans drove the Egyptians out, the mounting antipathy between Druzes and Maronites turned violent. In 1842, the Ottoman Empire—at the urging of European powers—divided Mount Lebanon administratively into two districts called "Ka'immakamiyat", a Christian district in the north and a Druze district in the south. The division did not necessarily segregate the sectarian groups in Mount Lebanon; the population remained integrated but friction and animosities between the different communities continued to intensify until they boiled over in 1860. Although both sides suffered a lot, about 10,000 Maronites were massacred at the hands of the Druzes in what became referred to, historically, as the massacres of 1860 [108]. As a result, and again at the urging of European powers, the Ottomans reunited Mount Lebanon under one governor; a non-Lebanese, Christian Mutasarrif, appointed by the Ottoman Sultan and aided by a multi-sectarian council [49].

During this period, two of Lebanon's historic universities were founded. The Syrian Protestant College, which later became the American University of Beirut (AUB; 1920), was founded by Daniel Bliss and chartered by the State of New York in the USA in 1866 [31]. The Saint Joseph University (Université Saint Joseph, USJ) was founded by the Jesuits in 1875 [52]. Both institutions contributed, albeit differently, to the intellectual and cultural revival of Lebanon and the region following the collapse of the Ottoman Empire.

9.1.3 The French Mandate

After the defeat of the Ottomans in World War I, and under the terms of the Sykes-Picot agreement between the United Kingdom and France [38], France got control of southeastern Turkey, northern Iraq, Syria, and Lebanon [86]. This was ratified by a League of Nations mandate (1923–1946), during which Lebanon became a separate political entity. The French mandate lasted 23 years (1920–1943); as a result, the first Constitution of Lebanon, enacted in 1926, was fashioned after that of the French third republic except in addressing the issue of confessionalism, a relic of the Ottomans [32, 71, 72].

The Ottoman Empire afforded religious minorities local autonomy and limited freedoms, under Shari'a law. Christians of various denominations and other groups were given some protections that allowed them to survive random persecution by rulers of the Islamic state [106]. In 1926, the drafters of the Lebanese constitution took note of that historical reality, especially that the geographical expansion of Lebanon created a new multi-denominational state, where Muslims were no longer the majority. To ensure equilibrium among all the various communities of the new state, the constitution gave the religious minorities the right to be part of the governing

political structure. Article 95 of the constitution [32, 72] addressed that by stating the following: "*As a temporary measure … and for the sake of justice and concord, the religious communities shall be equitably represented in public employment and in the formation of the Cabinet without causing harm to the interests of the State.*" Although this contradicted the equality principle guaranteed in Article 7, it left the opportunity open for any individual of any religious background to be employed in any public position (ministerial or otherwise). The constitution did not assign specific posts to specific sects; but, seats in parliament were apportioned on the basis of religious affiliation. This turned elected deputies, for all practical purposes, into representatives of their religious communities rather than of the whole nation or the districts that elected them [111].

In 1943, Lebanon gained its independence from France and amended its constitution, to remove the "mandate" provisions, giving birth to a Second Republic [100]. The "balanced" confessional representation in government that article 95 provided for, was further clarified by an unwritten agreement between Maronite and Sunni leaders, which became known as the "National Pact". A hallmark of the National Pact was mutual renouncing of foreign allegiances: by the Christians to the West (namely France), and by the Muslims to the Arab world (namely Syria). Although the National Pact's confessional balancing was meant to be provisional [26], many of its terms endured and became later codified in the 1989 Ta'ef Agreement, perpetuating sectarianism as a basis of Lebanese political life [73].

This Christian–Muslim (Maronite–Sunni) consensus in the National Pact was more symbolic than substantive. Basic philosophical differences on political outlook continued to separate the various political and religious parties, and a unifying national identity of Lebanon remained elusive [110]. This prompted many leading figures of the nascent independent republic to denounce the National Pact as deficient, with one journalist—George Naccache—writing at the time: "two negations do not form a nation" in reference to the renouncing of foreign allegiances in the pact; it earned him three months in prison [81, 91]. During this period, the political system of za'ama clientelism gained its way into government institutions. Loyalty to subnational entities, such as family or sect, superseded allegiance to the state.

Clientelism became more entrenched in Lebanon than in many other nations with pluralistic multi-sectarian societies, where patronage is often a common feature of the political process, and where the promotion of the interests of one's sect is frequently widespread. Powerful heads of families, from the various sects, positioned themselves in the new republic to wield considerable political influence and to dispense patronage, supplanting in many cases state institutions [48].

A number of other problems hampered the smooth operation of government. Chief among them was the changing demographics of Lebanon. The National Pact, which was based on a 1932 census, enumerated Christians to Muslims in a six-to-five ratio [26]. This census was never updated officially; meanwhile, the growing number of Muslims, especially Shias, was not taken into account [83]. This gave Christians disproportionate political power and precipitated resentment of the existing deal. In fact, it is believed that the inability of Lebanon's leaders to agree on a new power-sharing formula, in line with the demographic realities, was a major causative factor

of the 1975 War. Other regional and international factors also contributed to the war; these included the influx of Palestinian refugees in 1948 and 1967, the relocation of the Palestinian Liberation Organization (PLO) from Jordan to Lebanon and the use of Lebanon's territory as launching grounds for attacks on Israel, the Cold War with its select hotbeds around the world, and others [79].

Abolishing the confessional system remained at the centre of political debates in Lebanon for decades. Groups favoured by the 1943 formula sought to preserve it, while those who felt disadvantaged sought to change it or to abolish it entirely. In 1958, the Republic of Lebanon would have its first sectarian confrontations between, on one side, the Maronite President Camille Chamoun and his supporters—backed by the United States—and on the other side, mostly Muslim militant Arab nationalists supported by the Pan Arab movement of Egyptian President Gamal Nasser—assisted by the Soviets [66]. The United States sent troops for the first time to the shores of Lebanon to help calm civil disturbances. U.S. policymakers intervened directly to prevent a second term of office for President Camille Chamoun and arranged the election of Army Commander General Fuad Shehab as president [19, 105]. A basket of reforms was subsequently put in place by President Shehab, which included institutionalisation of a sectarian allocation of hiring in government offices based on a Christian-to-Muslim one-to-one ratio.

However, the regional and international circumstances continued to weigh heavily on the country. In 1969, and after a 9-month cabinet gridlock, the then prime minister of Lebanon, Rashid Karami—signed an agreement with the PLO endorsing Palestinian freedom of military and security action in Lebanon. The agreement was brokered by President Nasser of Egypt and became known as the Cairo Accord; effectively, it gave free reign to the Palestinian groups to recruit, arm, train, and employ fighters against Israel [137]. Up until then, Jordan had been the centre for armed Palestinian activities. This changed in 1970 when King Hussein of Jordan engaged the PLO in a three-week bloody confrontation that became known to the Palestinians as "Black September". A major result of this clash forced a large number of Palestinian fighters from Jordan to Lebanon, setting the stage for bloody confrontations between the Lebanese Army and the PLO in 1973, further destabilising an already fragile Lebanese system and culminating in the 1975 War [17]. The relocation of the armed Palestinian groups to Lebanon and the use of Lebanese territories as staging grounds for attacks on Israel provided justification for Israeli retaliatory attacks on Beirut and South Lebanon in the early 1970s, an incursion across the border in 1978, and a full-fledged invasion in 1982, followed by continuous occupation of a security belt in South Lebanon until the year 2000 [114].

In the period following Lebanon's independence and before the war of 1975, a number of higher-education institutions were established. Prominent among those is the Lebanese University (LU; 1951). At that time, higher education in Lebanon rivalled that of developed countries in Europe and North America in relevance, curriculum, and quality of the professorial bodies [41]. Universities became hubs for liberal thinkers and contributed to the evolution of the social, economic, cultural, and political life in the country, albeit from different backgrounds and with different philosophies. Monetising these contributions may be a difficult task; however, the

graduates of these institutions provide a good and reliable insight, as many of them became prominent figures of government at all levels. In this context, the USJ provided most of the national leadership class in the pre-war republic (presidents, prime ministers, speakers, high-ranking officers of the state, etc.), owing mainly to the fact that many of them were educated at the university's law school, a tradition that continued from the French mandate era [51, 54, 109]. AUB's contribution was limited before 1975; in fact, except for Dr. Charles Malik (see below) and Mr. Ghassan Tueini [40], there was barely any prominent figure in Lebanese pre-war politics that came from AUB. This may be a result of the dominant French culture in the country, although many consider the influx of scholars displaced from Palestine—mostly English educated—as a major factor in shifting AUB's focus from national affairs towards more regional ones [12]. These distinctive roles between the two most prestigious private universities continued during the 15-year war, albeit on different sides of the demarcation lines, prompting a branching of AUB into two campuses: the "Main Campus" in Western Beirut—a mostly Muslim region dominated initially by the PLO and later on by anti-government militias—and the "Off-Campus Program" (OCP; closed in 1990) in Eastern Beirut, a mostly Christian region dominated by pro-government Christian militias but largely under government control. Although faculty in the two campuses diverged in their political views, they shared a core of common values that translated in solidarity and collaboration between them, and also between AUB and USJ [28]. On the other hand, the Lebanese University—a young public institution—had just started to provide state officers in different capacities, when it was also divided along sectarian demarcation lines (Sects. 9.1 and 9.2) as the war started.

The quasi-secular constitution and model of government that Lebanon inherited from the French worked effectively until the 1975 War when it came crashing under internal, regional, and international pressures, gradually placing Lebanon under direct Syrian tutelage that lasted until 2005 [84]. In 1989, and in a bid to stop the hostilities, a bilateral agreement—brokered by Saudi Arabia—was reached between the USA and Syria. It became known as the Ta'ef Accord (Ta'ef) and provided a basis to amend the constitution, putting an end to the second republic of 1943 [112]. The Ta'ef Accord remained controversial to many Lebanese although many others saw in it a compromise that brought an end to the "civil war", and a reconciliation among the warring factions in Lebanon. The provisions of the Ta'ef worked well while Syria managed Lebanon with more than 30,000 troops. In 2005 and following the assassination of former PM Rafik Hariri, the United Nations Security Council (UNSC) passed resolution 1559, which mandated among other provisions, a withdrawal of the Syrian army from Lebanon [20]. The fabric of the third republic (based on the Ta'ef amendments) unravelled, revealing the dysfunctional design of the Lebanese government. The Syrian domination of Lebanese politics after the war eclipsed many of the problems in the Ta'ef constitution. With the Syrian withdrawal in 2005, all governance indicators for Lebanon, as measured by the World Bank Group (WBG), fell to historic lows pointing in one of two directions: an inherent inability on the part of the peoples of Lebanon to self-govern, or a constitutional problem that precludes good governance and necessitates change [65].

9.2 Current Position of Government and Governance

The World Bank Governance Indicators define governance as "the traditions and institutions by which authority in a country is exercised. This includes the process by which governments are selected, monitored and replaced; the capacity of the government to effectively formulate and implement sound policies; and the respect of citizens and the state for the institutions that govern economic and social interactions among them" [65, 69]. The World Bank evaluates the governance of all governments around the world. Its assessments create the possibility to analyse the relations between "good governance" and happiness in nations [101, 102, 135]. Although the term "good governance" is popular among thought leaders, policymakers, and politicians, they do not always agree on its meaning in terms of actual policies. However, there seems to be a greater consensus if it refers to the quality of government, independent of such policies. Whereas the data for pre-war Lebanon is anecdotal, governance indicators in post-war Lebanon are not very promising.

The second republic of 1943 brought forth most of the state institutions that Lebanon currently has. Many of these institutions did not exist independently before 1943. The new republic put Lebanon on the international map through productive participation in international organisations, and planned and built most of the infrastructure that Lebanon continues to enjoy today, albeit in a debilitated condition; this includes most of the roads and highway systems in Lebanon, development of water exploration, power infrastructure, the "Cité Sportive", the "Casino du Liban", and others. Growth and development necessitated a body of laws to regulate them and protect them. Many of the laws enacted by the second republic helped with the growth of a burgeoning economy; for example, the banking secrecy act that propelled the Lebanese economy to its heights in 1974 and 75, and many other laws that helped modernise society and put it on par with Western democracies [36]. However, the 1975 Lebanon had not kept the pace with its changing demographics and the associated socio-economic and cultural necessities of its diverse communities. Constitutional and administrative reforms were badly needed to deal with inequities and corruption. Coping with an incipient Palestinian problem (refugees, armed groups, etc.) that was infiltrating the country's societies was inadequate. With a highly incompetent political leadership, sectarian clientelism flourished and rifts between the various communities widened [97]. War broke out.

9.2.1 Basis of the Lebanese Legal System: French Roman Law

Just like France, Lebanon is considered to be a civil-law country and possesses its own set of codes modelled after the French Roman law. The main feature of Lebanese law is that its core principles are codified into a referable system that serves as the primary source of law; unlike common law, where the intellectual framework

derives from judge-made decisions and follows precedential authority. For example, the "Code of Obligations and Contracts" of 1932 is the equivalent of the French Civil Code except for matters of personal status (heritage, marriage, divorce, etc.). Despite it being a codified civil-law system, courts in Lebanon do not hesitate to follow established precedents set in place through landmark rulings by the Court of Cassation or precedents established in France or in Egypt, the two most influential legal systems in Lebanon [33, 96].

Unlike France, matters of personal/civil status are governed by a separate set of laws designed for the different sectarian communities. For instance, the Islamic personal-status laws are inspired by the Islamic Shari'a, some of which were promulgated during the Ottoman rule. Public and legislative attempts at modernising civil-status laws and allowing people to opt for civil marriage as an alternative to the currently mandatory religious marriage have all failed. Resistance to change comes mostly from religious establishments (Christian and Muslim) through their influence on, or collusion with, the ruling class; they perceive any change towards a civil or a secular state as a potential challenge to their authority and a threat to their values.

The Preamble of the constitution affirms Lebanon's commitment to the Universal Declaration of Human Rights, and explicitly affirms the "sovereignty of law" as a guarantee of the rights of its peoples. It goes on to say, "there is no constitutional legitimacy for any authority that contradicts the pact of mutual existence." The body of the constitution dedicates six articles to the protection of certain rights and freedoms, namely: (1) the right against arbitrary arrest or detention (article 8); (2) the right to private ownership (article 15); (3) the right to be secure in one's own domicile (article 14); (4) religious freedom in all of its manifestations (article 9); (5) freedom of education (article 10), which specifically provides for the right of religious communities to have their own schools, subject to compliance with applicable governmental regulations; and last but not least (6) the freedom of speech, freedom of association, and freedom of the press (article 13). However, as indicated in Sect. 9.4.2 (below), challenging the constitutionality of laws is not readily available to ordinary citizens [117].

9.2.2 Involvement in the Formation of the United Nations (UN)

In 1945, the two-year-old independent Republic of Lebanon became one of the 51 founding members signatory of the United Nations Conference on International Organization. At the time, Lebanon's representative to the San Francisco conference was Dr. Charles H. Malik, founder of the Philosophy Department and the Cultural Studies Program at the American University of Beirut. Malik became President of the Economic and Social Council and served as a rapporteur for the Commission on Human Rights in 1947 and 1948. That same year, Malik helped to draft the Universal

Declaration of Human Rights with Chair and President of the Human Rights Commission, U.S. Delegate to the UN General Assembly, Eleanor Roosevelt. He succeeded Mrs. Roosevelt as the Human Rights Commission's Chair [131]. During the Cold War, Lebanon joined the Non-Aligned Movement (1961); but Lebanon's role in promoting international values of human rights and peace slumped as the state became more preoccupied with the "Palestinian cause" and the more than 500,000 refugees on its territory. Adding to that, sectarian divisions in the country precluded a unified stance vis-à-vis regional and international conflicts. This was reflected in Lebanon's overarching public policies and statements made on its behalf in the UN, and eventually in the calibre of Lebanon's diplomatic representation to the UN and elsewhere.

9.2.3 Present-Day Lebanon and the Sectarian Modus Operandi

The constitution of Lebanon guarantees basic individual rights and freedoms and provides for a parliamentary form of government [86]. It divides powers among the executive, legislative, and judicial branches. However, the requirement to have religious communities proportionately represented in the formation of the Council of Ministers and the selection of members of parliament effectively transformed the Lebanese political system into a confessional régime. Although this was initially intended to enable peaceful co-existence between various religious groups, its effect was detrimental in that religious affiliation rather than merit became the main determinant of one's civil and political rights and privileges [126, 128].

Besides its constitution and laws, Lebanon has always been governed more by a customary rule (the National Pact) than by the letter, or even the spirit, of the constitution. This "National Pact" provided that the three key positions in the state are distributed among the three main sectarian communities: the President of the Republic must be a Christian Maronite, the Speaker of the House (President of the Council of Deputies) must be a Shia Muslim, and the Prime Minister (President of the Cabinet at the time) must be a Sunni Muslim [95]. This custom has been in place since the Lebanese independence in 1943. However, it was only ratified in the constitutional amendment of 1990 where the functions and authorities of each of the three presidencies were altered in keeping with the demographical evolution of the Lebanese population. The Muslim Sunni and Shia gained more power following the Ta'ef Agreement at the expense of the Christian community. In fact, the 1990 amendments shifted the balance of executive power from the Presidency of the Republic to the Council of Ministers [111].

It should be noted here that the expansion of Lebanon to greater Lebanon in 1920 brought in largely non-Christian communities in the Bekaa Valley and in Northern and Southern Lebanon that have for long considered themselves part of Greater Syria. It also added three largely Sunni cities including Beirut, Tripoli, and Sidon,

expanding thereby Mount Lebanon geographically beyond the immediate control of the two main original communities, Christian and Druze. Despite these changes, Lebanon continued to be a country of minorities, extremely sensitive to demographic changes be they through influx of refugees or other external forces, which can and did trigger instability [128]. Perhaps, the constitutional reforms proposed in the Ta'ef accord were the best that could be obtained at the time to appease the hostilities; notwithstanding, they fell short of generating goodwill among the various groups, on one hand, and little was done on the ground to bring the various communities together, on the other. The Lebanese society remained divided along sectarian fault lines, and the system of government beset by sectarian clientelism. Instead of moving the country towards a more egalitarian, non-sectarian, and ultimately secular system, the amended constitution redistributed the power-sharing in a fifty/fifty— Christian/Muslim ratio, and proportionately within every religious community. This fifty/fifty division of power between Christians and Muslims was seen as an optimal appeasement of mutual sectarian anxieties where no minority would feel oppressed by another. Beyond that, adherence to this power-sharing ratio was pitched as a basis of political stability [82]. This sectarian modus operandi has permeated all vital sectors and provided justification for avoiding proper regulations. It is fervently defended by various groups despite a widely held belief that it is at the basis of the obstruction of any reforms; in other words, it is a facade for warlords-cum-politicians and sect leaders that shields them from national accountability and peaceful transition of power. It is worth mentioning that Lebanon has not had an official census since 1932 and all the demographic numbers reported by local and international organisations are strictly based on estimates without necessarily a factual basis on the ground.

9.2.4   Allow Universities to Open Unregulated

Lebanon's higher-education system is one of the oldest in the region. It dates back to 1866 when missionary Daniel Bliss founded the American University of Beirut [31]. This was followed, in 1875, by the University of Saint Joseph founded by the Jesuits [109], then by the Beirut College for Women in 1948, which became later the Lebanese American University [53]. The Lebanese University was founded in 1951 [70]. Following the 15-year war of 1975, the private sector flourished in a sudden and rapid expansion. A great number of "universities" were licensed and spread throughout Lebanon, some of them to cater to sectarian interests, others to accommodate political wishes. The process lacked a clear vision to guide higher-education policy. Although higher education became available to all Lebanese youth, in the north and the south, it was without dependable standards of accreditation. Many newly licensed "universities" are predatory institutions selling hollow, yet sometimes officially recognised, degrees to an unwitting society. This diluted the role of

established universities, many of which accept, in their advanced programmes, graduates from substandard institutions and help with the "laundering" of their academic credentials [124]. For more on higher education in Lebanon, see Sect. 9.5.

9.2.5 Failure to Separate Powers: Executive, Legislative, and Judiciary

The constitution of Lebanon calls for three main powers to govern the republic: (1) an executive branch embodied in a President of the Republic, a Prime Minister (President of the Council of Ministers, official title in the third republic), and a cabinet; (2) a legislative branch embodied in an elected parliament of 128 members distributed equally between Christians and Muslims; and (3) a judiciary branch that consists of a number of chambers [124]. Although the constitution calls for separation of powers between the three branches of government, numerous practices indicate otherwise. For example, the legislative body elects the executive and is involved in the selection and appointment of the cabinet. Parliamentary sessions are held in the presence of the Prime Minister and the cabinet. The executive power assumes to itself the right to appoint the judiciary without the consent and approval of parliament. This commingling of powers is rooted in the concentration of power (power-sharing arrangement) in the hands of the sectarian ruling class and obviates the checks and balances inherent to the separation principle [111].

A striking characteristic of the Ta'ef republic is the reliance of its ruling class on the Syrian authorities to help resolve political conflicts, enforce the law, and manage the country in the process. In other words, Syrian tutelage provided the much-needed "separation of powers" and "checks and balances". Syria's interests, on the other hand, were in exploiting Lebanon's financial resources and access to the West. The continuing internal strife in Lebanon provided Syria with leverage to harness Arab and international support for its continuing military presence and domination of Lebanese affairs [64]. Much like the Ottoman rule, this led to a dearth of proper legislation and a corrupt concept of law enforcement. Although Lebanon continued to have an active parliament in the third republic, it has been dominated for more than 30 years by the same speaker [46]. Furthermore, when compared with the legislators and orators of the second republic, the calibre of the deputies (representatives) in the post Ta'ef chamber dwindled significantly; many of them became simply alter egos to their clan leaders and clearly lacked independence and representative power. As a result, a great number of much-needed laws and regulations, pertaining to finance, the economy, and civil rights were not passed despite exhaustive debates on these issues in the public arena.

9.2.6 Failure to Create a Balanced Economy

Unequal development is a characteristic of most capitalist economies; but for the specific case of Lebanon, this is disproportionately exaggerated in favour of the capital city of Beirut. Historically, Beirut played the role of intermediary and regional headquarters for the economic penetration of the Arab markets. This produced significant distortions in development and the hypertrophy of a city and its merchants at the expense of the rest of the Lebanese society. It also contributed to rural disintegration, pauperisation and forced migration of the Lebanese peasantry, and the limitation of the productive capacity of agriculture [93]. Unfortunately, the post-war recovery paid only lip service to equal development or to the growth of these sectors. There were no real investments in the revitalisation of the agrarian or industrial sectors; instead, most of the focus was on the development of the real-estate sector across the country, financed by debt and foreign investments [62]. Oftentimes, this came at the expense of agricultural lands and manufacturing jobs and furthered a non-productive economy of clientelism. With the post-war rebuilding focused mainly on downtown Beirut, little attention was given to the poor suburbs or to rural areas. These continue to suffer from debilitated infrastructures reflected in the poorly maintained roads, and access to water, sewage, and power services. The rentier private sector was allowed to mushroom, unregulated, with no attention to real economic threats or to the needs of the working class. The economy was made to serve the interests of the new za'ims who in turn answered to the Syrian authorities. But even after the Syrian troops left Lebanon and many Lebanese celebrated a "new independence", the state of public affairs remained poorly served. Not much was done to reform government, revive the economy, or rebuild the infrastructure. If we take the communication sector as an example, we find that in 2020, and despite steep expenditures, there are no reliable landline phone, cable, or internet networks and no projects to expand internet connectivity, or to modernise communication within the country or between Lebanon and the world [63].

9.2.7 The Financial Crisis and the COVID Pandemic

Lebanon's post-war economy has been highly dollarised and cash-oriented. In the summer of 2019, the foreign-currency inflows that funded Lebanon's current economy have all but dried up and the country entered a deep financial and political crisis. While capital controls have not been officially introduced, banking institutions have been intermittently closed since mid-October 2019 and depositors are finding it impossible to gain access to their dollar accounts. In an attempt to conserve liquidity and capital, banks are dictating what level of funds clients can withdraw or transfer abroad. Dollar scarcity has so far led to more than 200% premium for physical cash dollars over the official exchange rate. In March 2020, Lebanon's government had lost market access and defaulted on its Eurobonds obligations [29, 129].

To a close observer, the financial collapse of Lebanon in 2020 did not come as a surprise. Over the past 30 years, consecutive governments of Lebanon financed fiscal deficits by selling bonds—mostly in dollars (or in Lebanese Lira pegged to the dollar at 1505 Liras to the dollar) to Lebanon's banks and to the Central Bank. The banks in turn raised money by offering unreasonably high interest rates on deposits and attracted, in the process, a lot of foreign currency deposits. This scheme went on for a long time with government debt exceeding 200% of GDP (without accounting for the devaluation of the currency) [60]. It worked as long as there were new dollar inflows to finance the ongoing deficits, and with a lot of manoeuvring from the Central Bank; but ultimately the flow dried up and the house came crashing down with a loud bang [1].

In October of 2019, demonstrations and protests over decades of bad governance and corruption erupted throughout the country, demanding a change of the ruling class and with grievances too many to list: electricity shortages, undrinkable water, collapsing infrastructure, a poisoned environment, and a stagnant economy. Decades of corruption, nepotism, and mismanagement—going back to the early nineties— have brought Lebanon to an economic breaking point. Attempts at securing foreign bailouts (Paris I–III) have repeatedly failed as they were tied to a number of reforms that successive administrations were unable to implement [6]. But what started in October 2019 as a plea by low-income wage earners, soon turned into parades for the middle and upper class who, by January 2020, were trying to force a copycat "regime change" through roadblocks, extended strikes, and a closing of the country. With the lack of a clear vision and leadership and with counter protests emerging in different regions of Lebanon demanding open roads and work, the "uprising" gradually fizzled without delivering a single consensus document on the plan ahead. Several attempts were made to revive it; they all failed as they faced a public square divided by sectarian slogans. The latest attempt was a demonstration on 6 June 2020, where confrontations between demonstrators on the streets eerily evoked scenes from the eve of the 1975 war [116].

Strikes and roadblocks may have failed to hit the proverbial breaks of the country. Ironically, Lebanon would undergo a lockdown for a different reason. On 21 February 2020, less than a month after the World Health Organisation had declared the outbreak of the severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) a pandemic, Lebanon confirmed its first case of COVID-19. One week later, the Ministry of Education would close all educational institutions, initially for 2 weeks. On 15 March 2020, Lebanon declared a state of general mobilisation—effective March 18—with a total lockdown of the country and closure of borders except for "essential" purposes. The lockdown was intended to slow the spread of COVID-19 and to keep the number of positive cases below the health capacity of the country. Although the curve has not exactly been flat, but its slope was slow enough to allow an expansion of hospital capacity and increase the number of beds available beyond that of patients who may need them. For nearly two months since that first case, Lebanon has reported just under 700 coronavirus infections and 22 deaths. It was far ahead of many developed countries with many more resources. It would seem that somehow, this tiny country, on the brink of economic ruin and political collapse, was able to do something right

when it came to the coronavirus [115]. This narrative of early success may change as the country reopens. The containment of spread, largely attributed to the vigilance of the population, is faltering. The number of new cases is rising steeply and may soon surpass the country's healthcare capacities. Meanwhile, the three months lockdown has compounded the poverty and economic hardship that were rampant before the virus arrived. On April 1, the cabinet announced that it would distribute 400,000 Lebanese Liras (about US $100 at current market rates) to the poorest families, but it may have been too little too late. Many families in Lebanon have lost their income and with inflation projected to exceed 30% in 2020—and the devaluation of the Lebanese Lira by almost 200%—the rest of the population have lost most of their purchasing power. Current estimates project that more than half of the population of Lebanon will live below poverty level by the end of June [58, 120].

9.2.8 Constitutional Change?

The failure of its institutions, public and private, the collapse of its currency and banking system, the regression of its educational institutions, and the inability of its government to effectively deal with emerging crises necessitate a constitutional change in Lebanon. Which direction this change will take remains to be seen. Many advocate a secular system with total separation between religion and state; this would have been the natural endpoint of the 1926 constitution. However, the factors that kept it from happening over the past 100 years are still in place today and unlikely to yield. Perhaps a good starting point may be to redefine the country's national identity around a set of principles that unite the people and elevate allegiance to the nation. Citizens' rights and the country's neutrality vis-à-vis regional and international conflicts may be good points to tackle; Lebanon's internal problems have often been fuelled by disregard to human rights and intermeddling in others' conflicts.

In as much as this is needed, it is easier said than done (see [7]). The first challenge to a new constitution will be to get the different factions to agree on a process and who gets a say in a constitutional convention. The puerility that plagues Lebanese politics and the greed of many politicians fuel the fear in their respective bases and augment the divisions between various constituencies. These make it unlikely that Lebanon will be able to carry any constitutional overhaul on its own. It will need international guidance, not to say supervision, from a "benevolent" power with little interests in its resources.

9.3   Rationale for Change

9.3.1   Dealing with Corruption in Its Various Forms

Lebanon is perhaps the poster child for corruption both in its public and private sectors. Although corruption in government is more notorious than other forms of corruption, the private sector is heavily riddled with corrupt practices to the point where these have permeated every aspect of society and to where corruption has become a "mode de vie." Part of it may be cultural and intrinsic but the larger part is driven by corruption in the public sector [138]. See Sect. 9.10.

Corruption in government is perhaps best defined as the use of one's power or public office in furtherance of illegitimate private gains. It destroys the government's ability to help grow the economy in a way that benefits all citizens and has a disproportionate impact on the poor and most vulnerable. This could lead to increasing costs and reducing access to services, including health, education, and justice. The World Bank Group considers corruption a major challenge to its "twin goals of ending extreme poverty by 2030 and boosting shared prosperity for the poorest 40% of people in developing countries" [118].

Corruption and poor governance are key factors holding back development in Lebanon (see Fig. 9.1). In fact, global attempts at helping Lebanon have consistently failed, in part because the Lebanese government was unable to meet reform demands. In 2001, France convened a meeting with international institutions (World Bank, European Investment Bank, European Commission) in Paris; it became known as Paris I. The purpose was Lebanon's economic development. The Lebanese government presented its economic and financial policy. The meeting raised about 500 million euros in international aid for Lebanon and decided to expand its scope to include Lebanon's main economic partners, in order to help rebuild the Lebanese economy. A second meeting was held in Paris in 2002. It was attended by 23 countries, including Lebanon's main economic partners, the President of the European Commission and international institutions. It became known as Paris II. The participants announced a 4.2 billion euros aid package to Lebanon, comprising 3.1 billion in financial aid and 1.3 billion in projects. In the summer of 2006 and in the aftermath of the Israeli-Hezbollah war, which destroyed a lot of the Lebanese infrastructure, a conference was convened by the Swedish government in coordination with the Lebanese government and with the support of the UN. It was attended by nearly 50 donors including countries, international, regional, and non-governmental organisations and provided political and financial support for the Lebanese government to rebuild. A sum of 980 million dollars was committed to Lebanon. In 2007 and in response to a request from the Lebanese authorities, the President of France convened yet another international conference in Paris, to provide support for Lebanon (Paris III) and to extend the aid granted at the Stockholm Conference.

Paris III examined three areas [43]:
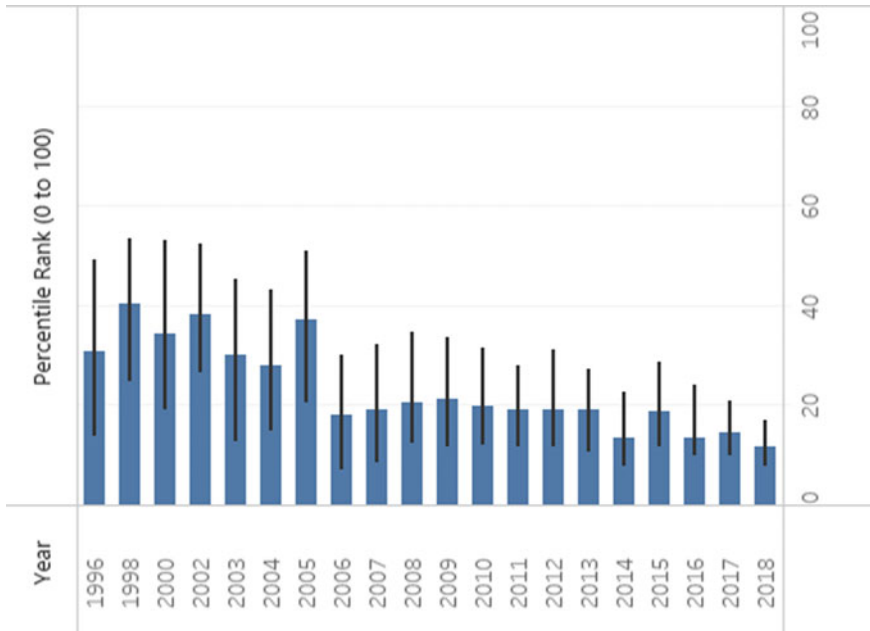
Fig. 9.1 Lebanon's indicator for control of corruption elaborated by the World Bank Group. It "captures perceptions of the extent to which public power is exercised for private gain, including both petty and grand forms of corruption, as well as "capture" of the state by elites and private interests." It compares date from over 200 countries and territories and assigns a relative percentile rank to each. The higher the percentile rank, the better the control of corruption practices. This indicator has always fluctuated below 40% for Lebanon and has significantly dropped below 20% since 2005 following the departure of the Syrian troops. *Source* http://info.worldbank.org/govern ance/wgi/Home/Reports based on Reference #46

- Political, particularly the need to strengthen the Lebanese state so that it can fully exercise its sovereignty over its entire territory;
- Lebanon's sectoral, economic, and social needs;
- Macroeconomic and financial, focusing on debt management and support for the reform program.

After Paris III, Lebanon was supposed to set in motion comprehensive reform of its government systems, establish full sovereignty over its entire territory, and focus on the management of its debt. These plans were derailed by a number of factors including internal political bickering, skirmishes with Palestinian camps in the North, internal divisions vis-à-vis the war in Syria, delays in parliamentary and presidential elections, and confrontations with terrorist organisations along the Syrian border.

In 2018 and after the election of President Michel Aoun and the formation of a new cabinet by Mr. Saad Hariri, France hosted in Paris the international conference in support of Lebanon development and reforms, CEDRE (Conférence économique pour le développement, par les réformes et avec les entreprises). Participants included

nearly 50 nations, international organisations, and representatives from the private sector and civil society. The main objective was "to support the development and the strengthening of the Lebanese economy as part of a comprehensive plan for reform and for infrastructure investments prepared by the Lebanese authorities" [88].

In 2019 and nearly one year after CEDRE, Lebanon continued to face a deep economic and social crisis, prompting riots and civil unrest and placing the country at risk of unwinding its economy and destabilising its fragile status-quo. As part of a stabilisation strategy, CEDRE noted that Lebanese authorities should fully commit themselves to timely and decisive measures and reforms. A new government formed in early 2020 of "independent" technocrats proposed a plan for reform to the International Monetary Fund (IMF). According to IMF, the plan does not offer a sound roadmap to reform the public sector; a sector that remains looted for decades and ridden with patronage by sectarian powerbrokers and former warlords [92].

Reforming the public sector and having a roadmap to deal with corruption are key steps to revitalising an economy that is currently in free fall. This starts with the return of inward investments and of rebalancing economic sectors towards a productive economy. For these to take place, the country needs peaceful co-existence, law and order, and protection of rights, including among others, intellectual property rights. These changes are necessary today more than ever before to encourage investments.

9.3.2 Encourage Inward Investments

Economic growth has always been connected to political stability. Uncertainties associated with an unstable political environment reduce investment and can halt the pace of economic development. On the other hand, poor economies can bring down governments and may lead to political unrest [107]. Lebanon has been plagued by political uncertainty (see Fig. 9.2), risk of terrorist actions or war. In the mid-1980s, war and political instability contributed to the collapse of the Lebanese Lira. In 2020, uncertainty and political instability make investing in Lebanon economically difficult and are major contributors to the currency devaluation.

9.3.3 Rebalance the Economy—Production Needed

There can be no economic recovery without a rebalance of the economy away from relying too much on parked capital and real estate. The best way to rebalance the Lebanese economy is to increase growth and productivity, in traditional sectors like agriculture, basic industry, and education. With the devaluation of the currency and the resulting low costs of labour, Lebanon is poised to attract modern technology and knowledge-based industry; however, these would require law and order, and improving the infrastructure for public transport and telecommunications to increase connectivity between various regions of the country and between Lebanon
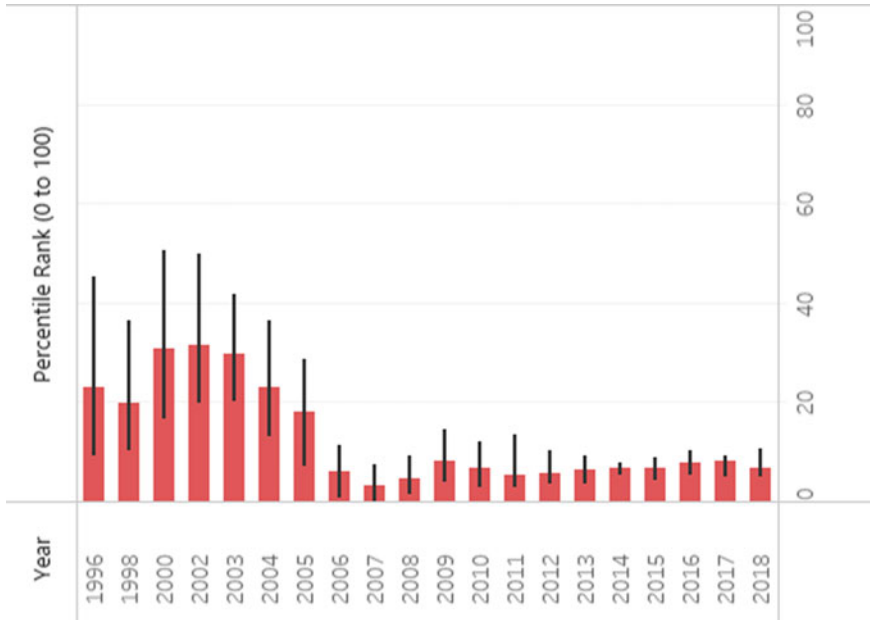
Fig. 9.2 Lebanon's indicator for political stability and absence of violence elaborated by the World Bank Group. It "measures the perceptions of the likelihood that the government will be destabilized or overthrown by unconstitutional or violent means, including politically-motivated violence and terrorism." This indicator has always hovered below 50% for Lebanon and has steadily declined since 2002, most notably following the departure of the Syrian troops in 2005. *Source* http://info. worldbank.org/governance/wgi/Home/Reports based on Reference #46

and the world. In return, the wages and subsequently living standards will improve significantly [123].

9.3.4 Peaceful Co-existence

The question that Lebanon faces going forward peacefully is whether it should seek the oneness of existence for its people or peaceful co-existence among its peoples. Many interpreters of the Ta'ef accord argue that the intent of this document was essentially to organise co-existence; this was reflected in the preamble of the constitution. In their view, co-existence between the different groups is "an achievement that must be constantly monitored, tinkered with, measured, addressed and incited" [87]. It requires the stability of political difference but not necessarily the stability and peaceful existence of the Lebanese nation. On the other hand, advocates of the oneness of the nation call for a new constitution with separation of religion and state, and secular government and laws. Although the latter model was never tested

in Lebanon before, given the cultural differences between the various communities, it is unlikely to work or generate peace without a strong central government that empowers its citizens equally and that's capable of protecting them from exploitation by za'ims, sect leaders, or other powerful economic forces.

9.3.5 Development of Intellectual Property Rights

The battles of the twenty-first century are less about the control of raw materials, and more about the control of productive knowledge, arguably the most dynamic strategic asset. Seizing value from intellectual capital and finding ways to help firms with this increasingly important practice has become an explicit agenda and the new mantra for many governments. A consensus building between governments and international organisations that increased privatisation and recognition of intellectual capital will enable firms to better capture the value from their productive knowledge assets [11]. Lebanon has a number of laws that refer to the protection of commercial, industrial, literary, artistic, and musical property rights [76]. They include copyright laws and patent laws; some of these laws date back to 1924 and have been amended as recently as 2000 [104]. However, many of these laws need updating if they were to keep up with the evolution of knowledge, and to lure knowledge-based industry, inventors and external investors to the country. In 2017, the Central Bank provided a fund of $ 3.2 million as an investment for the UK-Lebanon Tech Hub (UKLTH). The same amount was provided by the British Embassy in February that year, which totalled to $6.4 million. The funds were earmarked to foster the entrepreneurial ecosystem and to improve the knowledge economy in the country.

9.4 What Has to Change?

9.4.1 Ethics and the Moral Basis of Human Rights

Any redefinition of the national identity must have the citizen at its centre. In today's Lebanon, and by virtue of the sectarian clientelism, citizens' allegiances are to their sects and ideological leaders. This comes with a variety of value systems and ethical frameworks. It also defines the scope of rights within the country and expands the divisions in an already divided house. There can be no meaningful reform without a nationally shared set of values that represents a coalescence of all communities, reflecting their idiosyncratic ethical frameworks. Likewise, there can be no meaningful reform without equalising the rights among all citizens, without discrimination, and codifying those in modern laws. This requires identifying the fundamental negative and positive prerequisites to lead a minimally good life and securing those with equal opportunity: freedom from torture, access to health care, access to courts,

right against self-incrimination, presumption of innocence, freedom to change one's personal status (marriage, divorce, inheritance, etc.), freedom to engage in public life, right to seek public office, and so on. Herein lies Lebanon's greatest challenge. If a common set of values that governs these fundamental prerequisites for equality and citizenry cannot be reached, then good governance and human rights require that each community be afforded the chance to govern itself, internally, according to its own inherent values; a federation of religious and areligious communities may be the answer.

9.4.2 Separation of Powers

Separation of powers, or "trias politica", is a term coined by Montesquieu, through which he asserted that the most effective way to promote liberty is to separate the political authority of the state into three powers—legislative, executive, and judicial—acting independently [94, 103, 139]. In Lebanon, the constitution theoretically divides the authority of the state among three branches of government—legislative, executive, and judicial [71, 72]. Although in its original form, and as amended in 1990, the constitution vested the legislative power in a Parliament composed of two separate bodies—a Senate and a Council of Deputies—Lebanon never had a Senate and its legislative body consisted solely of a Council of Deputies. The Council of Deputies has the power to legislate (art. 16), confer or withhold confidence in the formation of the Council of Ministers (cabinet; art. 64), oversee the performance of the cabinet and its ministers and vote them out of office when necessary (arts. 37, 69). Additionally, the Council of Deputies elects the President of the Republic (art. 49), ratifies international treaties and agreements (art. 52), and approves the annual budget of the State (art. 32).

In its original provision, article 17 of the constitution vested the executive power in the President of the Republic with the assistance of ministers. The ministers were not members of Parliament, but members of Parliament could serve as ministers. However, the amendment of 1990 changed this provision and vested the executive powers in the Council of Ministers rather than the President (art. 17) requiring a two-thirds vote by the Cabinet on all major decisions (art. 65). The amendments adopted in 1990 divided the Council of Deputies evenly between Christians and Muslims and resulted mainly in a redistribution of power-sharing among the three main sects—Maronites, Shiites, and Sunnis.

A closer look at the inter-relationship between the three branches of government shows clearly that the lines of separation are quite blurred. The executive branch, represented by the President of the Council of Ministers and the Cabinet, often consists of members of parliament who retain their parliamentary seats creating thereby a conflict of affiliation and commitment between their duties to their constituent base and their duties to the nation. This is also detrimental to the necessity of checks and balances inherent to the principle of separation of powers and has relentlessly mired government effectiveness (see Fig. 9.3).
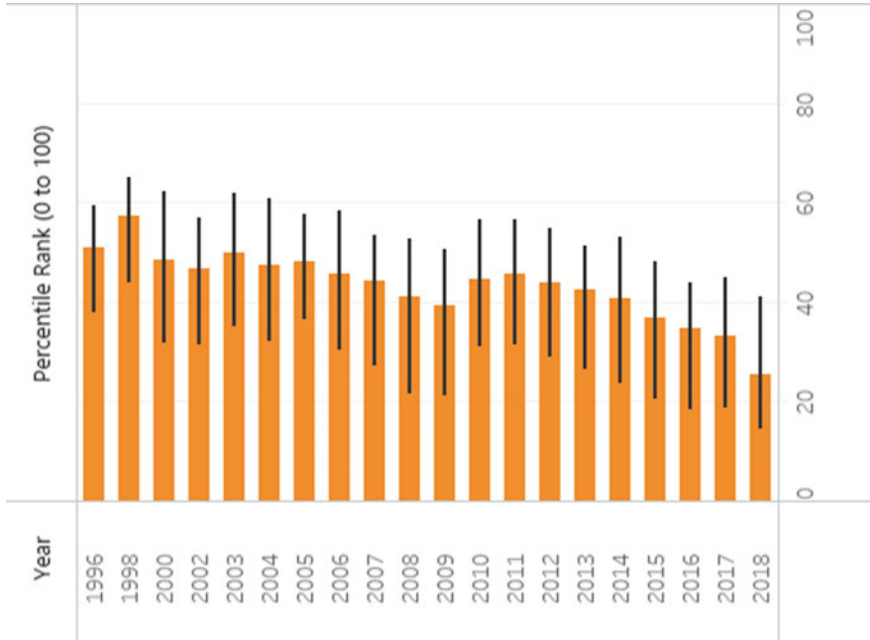
Fig. 9.3 Lebanon's government effectiveness indicator over time elaborated by the World Bank Group. "It measures the quality of public services, civil service, policy formulation, policy implementation and credibility of the government's commitment to raise these qualities or keeping them high." This indicator has always hovered below 50% and has steadily declined since 2010. *Source* http://info.worldbank.org/governance/wgi/Home/Reports based on Reference #46

It is quite striking that the constitution addresses the judicial branch in one single article (article 20), which provides that judicial power shall be exercised by the courts of all levels and jurisdictions, within a framework prescribed by law with guarantees to both judges and litigants. "The conditions and limits of the judicial guarantees are determined by law. Judges are independent in the exercise of their duties and their decisions and judgments shall be rendered in the name of the Lebanese people." However, the laws enacted to organise the judiciary did not rise to meet the goals of article 20. The executive branch, through the Ministry of Justice, plays a direct role in the appointment, promotion, and reassignment of judges, without a clear due process for nomination or review, and without consent and confirmation by the legislative branch. This has often led to tension and conflict between the various governing factions, especially when the cabinet is not representative of all political groups, which engendered a stalemate in judiciary appointments, derailed the delivery of justice and brought the independence of the judiciary as a separate branch of government into question (see Law No. 150 of 1983) [106, 111]. Furthermore, there has been no effort by successive cabinets or parliament to establish a court—with citizen's access to its review—that decides on the constitutionality of laws or protects constitutional rights.

In the 1990 amendment, a "constitutional court"—with restricted access to its review to the President, the Speaker, the Prime Minister, and a minimum of ten deputies—was established with limited jurisdiction to review the constitutionality of laws and resolution of disputes arising out of presidential or parliamentary elections. The court could also review petitions on matters related to personal status, freedom of belief, exercise of religious rites, and freedom of religious education submitted by heads of "recognised" religious communities. The Lebanese law recognises 19 religious communities: eleven Christian, five Muslim, and three Jewish communities (Law No. 553 of 1996) [106, 111]. The limited jurisdiction and access make this court more of a special court than a truly constitutional one.

Therefore, what is needed today is an extensive overhaul of the relationship between the three branches of government in Lebanon, redefining clearly the role of each one, restoring total separation of powers between them, and giving them the ability to exercise checks and balances on each other. This is crucial to reforming the government and a step in the right direction towards eradicating corruption and other forms of mismanagement.

9.4.3   Enforcement of Laws

On the books, many of Lebanon's written laws are up-to-par with those of democracies in continental Europe, although most of the texts require overhaul to cope with the changing times, socially and technologically. The biggest problem with Lebanese laws may not be modernising "the code", but proper interpretation, implementation, and enforcement of laws in an ethical, equitable, and transparent framework aligned with human rights. On the other hand, passing a law in Lebanon is not enough for it to become effective. Implementation needs to overcome yet another hurdle; it requires decrees and regulations to be formulated by the Council of Ministers. But even when implementation guidelines are agreed upon and passed, they can suffer from a lack of clarity, which often makes law enforcement arbitrary, selective, and subject to political influence and patronage.

Besides the procedural obstacles and gridlocks, the 15-year war of 1975 supplanted law enforcement agencies on the local level with militias and warlords, and on the national level—for nearly 30 years—with the Syrian authorities who exercised direct tutelage over the country's authorities and institutions. In 2005, after the Syrian troops left Lebanon, compliance with and the perception of the rule of law slipped (see Fig. 9.4). Restoring trust and confidence in the rule of law requires law enforcement with clear and transparent mandates and procedures. Without this crucial step, it will be difficult to regenerate trust in the Lebanese state in general, and the Lebanese market in particular, especially when it comes to external investors. Arbitrary enforcement of the rule of law frustrates many local and foreign investors and scares them away from the Lebanese market.
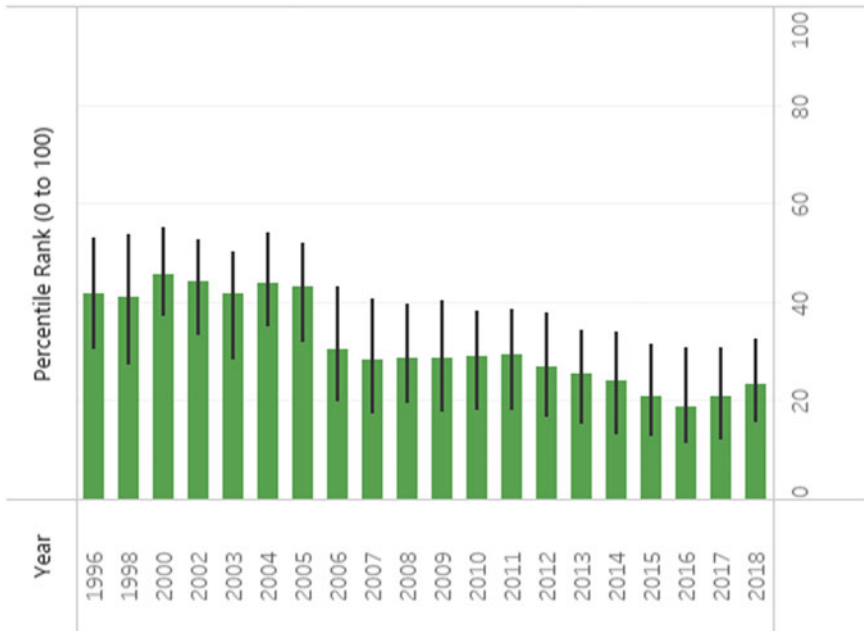
Fig. 9.4 Lebanon's Rule of Law indicator over time elaborated by the World Bank Group. "It captures perceptions of the extent to which agents have confidence in and abide by the rules of society, and in particular the quality of contract enforcement, property rights, the police, and the courts, as well as the likelihood of crime and violence." Lebanon has ranked in the lower 40% among more than 200 countries sampled. However, this ranking dropped even further starting in 2006. *Source* http://info.worldbank.org/governance/wgi/Home/Reports based on Reference #46

9.4.4   The Right Way to Bring Back External Investors

The post-war Lebanese economy was built around a non-productive client or rentier model where services and appeasements were key to bringing in foreign investments [113]. This effectively capped local production in various sectors, including agriculture, industry, and others. Lebanon missed several opportunities to take part in the thriving information and technology sectors of the late 1990s and the first two decades of the new millennium. Most of the working sectors and the wealth generated in post-war Lebanon remained concentrated in the hands of a few, many of them in government. Instead of a diversified economy, Lebanon's main focus was on developing a real-estate market that mushroomed beyond the capacity of the ordinary citizen to buy or invest in Dibeh [29]. Additionally, there were no serious efforts to enforce ethical practices in business and government or to democratise the growth of the economy through a free-market approach open to public trading.

To make matters worse, the financial policies adopted by the Central Bank for more than 20 years, which fixed the value of the local currency against the dollar and

enabled banks to offer unreasonably high interest rates on cash deposits and on individual loans, were not conducive to economic growth. They had the effect of parking capital, disincentivising investment, and stifling the economy. They encouraged rent-seeking behaviour where the growth of existing wealth was monopolised by a few, without creating new wealth. This resulted in reduced economic efficiency through misallocation of resources, lost government revenue, increased income inequality, and ultimately national decline [4].

Rather than providing the entrepreneurial youth and fresh university graduates with affordable money (low interest loans) to start their careers and lives in Lebanon, the Central Bank fiscal policies drove them away, thrusted them into a life of poverty or at best a salaried employment in sub-optimal conditions. As the economy unravelled in 2019, many have questioned the ethics of these policies with some labelling them a "Ponzi scheme". With foreign capital drying up, the financial sector and the banks—historically one of the distinguishing hallmarks of Lebanon—came to a halt. In the absence of a reactive fiscal policy and clear economic strategy, financial institutions, today, are struggling as they grapple to find a solution. With the de facto devaluation of the national currency, the shortage of liquidity to cope with depositors' demands for the US Dollar, and without any meaningful regulation for exchange rates, banks have stopped dispensing foreign currency in what seems to be an undeclared capital control. What's most troubling is that the government appears paralyzed and incapable to intervene vis-à-vis a near collapse of the financial sector!

Attracting legitimate foreign investment is key at this point to restoring the liquidity in hard currencies required to maintain trade with the world and to support the needs of a global citizenry that lives in and deals with Lebanon. This necessitates, first and foremost, a sincere approach to minimising corruption in the public and private sectors and applicable policies to deal with it when it rears its ugly head. It will also require a modern rule of law with clear and ethical implementation practices, and a stable fiscal policy that minimises uncertainty and risk. But above all, it will require an economic outlook for Lebanon that supports a free market with reasonable regulations to break cartels, set standards, ensure transparency, and democratise the economy [85].

9.4.5   Break Cartels and Enact Antitrust Laws

One of the main problems hindering growth in Lebanon is the existence of cartels with exclusive rights to import, distribute, or sell goods (locally produced or imported). These cartels, under patronage from the za'ims of the ruling class, engage in all sorts of illegal schemes to maximise their profit. They collude to fix prices, circumvent the laws, or resort to bribery to avoid taxation—import tax, income tax, sales tax, and so on. Their continuous capture of regulatory agencies and their client politics give them the needed leverage to gain a coercive monopoly with market advantages to them, and disadvantages to their honest competitors. Unfortunately, the Lebanese law continues to grant exclusive rights to trade in stark contrast to antitrust laws that

exist in other countries, and which promote the welfare of consumers and protect their rights. It is high time that Lebanon breaks these cartels by enacting antitrust laws that open the market to regulated free trade particularly with regard to necessities like food, fuel oil, and other resources not naturally available in the country [10].

9.4.6   Set Standards (e.g. Quality Assurances)

Having in place established standards and clear guidelines for governmental institutions provide them with a shared vision, a common understanding, and needed procedures to meet expectations. Clear standards and guidelines can guide the process of risk management by these institutions, improve the quality of services they offer, and help them to justify their institutional autonomy. More importantly, standards can form a background for quality-assurance agencies in their work, and for consumers' trust in products and services. These standards are needed first and foremost in the health, education, industrial, and agricultural sectors, but also in the financial, banking, economic, and other sectors. Currently, Lebanon does not have a national quality-assurance law and large-scale quality assurance is lacking in the institutions of government. Although a few ministries and offices adopted quality assurance vis-à-vis specific products—for example the Ministry of Public Health has "Guidelines for Good Storage and Distribution Practices of Pharmaceutical Products" [90]—it is not necessarily standardised or shared among all other offices. Hence, there is a need for an objective and authoritative basis for quality assurance upon which governmental and non-governmental institutions, organisations, and customers can rely, communicate, and conduct business. Such a quality-standard law would define the expectations of leadership, managerial relationships, evidence-based decision-making, procedural approaches, mechanisms of improvement, and proper means to engage the people with customer-centred attitudes and service-oriented behaviours away from patronage, clientelism, and conflict of interest [122].

9.4.7   Transparency/Democracy

If "sunlight is the best disinfectant" then transparency is the best way for a government to combat corruption. It is obvious that the Lebanese government is plagued with clientelism, nepotism, and kleptocracy but the challenge is in figuring out how bad the quagmire is. For that, Lebanon needs a transparency law that guarantees openness, accountability, and honesty in government. Government transparency can be categorised into three different types: (1) proactive disclosure, where government officials provide regular reports of their activities and the functions of their office to parliamentary committees and to the public; (2) requesting public records, where citizens have a legal right to request disclosure of public records—for example, the Freedom of Information Act in the USA—and (3) campaign-finance disclosure. In

recent parliamentary elections, this third category gained more importance than ever before as millions of dollars poured to buy votes locally and to pay for expatriates and their families around the world to come to Lebanon and vote [141].

Transparency is needed primarily to restore trust in government and avert the spiraling descent in total anarchy [99]. As unemployment and poverty continue to be on the rise and famine looms at the doors in Lebanon, and with barely any financial resources in the hands of government to subsidise necessities, a number of proposals to generate income are explored; they include the sale of public assets in government possession—such as the Port of Beirut, shares in the national airlines, the power and telecommunication sectors, and other public properties—to the private sector. The problem with such a proposal is firstly one of perception. To most Lebanese, past privatisations of the public sector have not necessarily benefited the public—for example, by improving the quality of services or reducing corruption—nor have they made the sector accessible for purchase by ordinary private citizens. They were mostly a transfer of public assets to the private ownership of a ruling class, accused of bankrupting the country in the first place, through its patronage, and of shielding itself from accountability and prosecution through self-serving rules and regulations. Therefore, it is crucial that any attempt at liquidating public assets be vetted by independent auditors and assessors and be made with utmost transparency and with full democratisation of the process. This means giving ordinary private citizens the right to finance public sectors by acquiring ownership in these sectors; perhaps through shares openly traded on the Lebanese stock market. This will also shift the decision-making power in these sectors, from politicians and special interests, to a larger group of public stakeholders that includes consumers, workers, suppliers, and the broader public [74].

9.5   Pivotal Role of Universities

Up until 1960, there were nine officially licensed universities in Lebanon: eight private ones and the national Lebanese University (public). Among the private institutions, seven were Christian (Evangelical 3; Catholic/Maronite 2, and Greek Orthodox 1) and one Islamic with only the American University of Beirut, a non-sectarian institution. In 1961, a new law went into effect in Lebanon, paving the way for private institutions of higher education to flourish [77].

Lebanon's education system was shaped largely by two cultures resulting in a distinct division between French- and American-patterned higher-education institutions, and in a language of instruction dependent on the institution attended. Although a few institutions have implemented a combination of the two models in their curricula—and many others have incorporated Egyptian-Arab, Canadian, or German models—programmes of study are usually offered in Arabic, English, or French. The differences in the language of instruction can lead to differences in the language found on academic documents. These variations are quite common between the different schools; they make for a tricky evaluation of documents and

can be very difficult from a credential-evaluation perspective. To streamline these multiple systems, the Lebanese Ministry of Education and Higher Education (MEHE) relies on an Equivalence Committee, set up in 1962. The committee acts as "the only [official] reference for … recognition of certificates and the equivalency for education levels in various domains (general education, higher education, and technical and vocational education)." The committee also provides curriculum guidelines to universities, which use them to develop their own curricula, before submitting them back to the committee for approval [89].

The private higher-education sector in Lebanon did not see significant growth before 1990 (the end of the war). However, according to a 2016 report, "the number of institutions of higher education has tripled in the past decade, coupled with a sharp increase in the number of students" [34]. A number of new institutions and campuses, not all of which are licensed by the government, have come to light. Unfortunately, the wave of clientelism that plagued other productive sectors in the country had not spared the higher-education sector. This had a detrimental effect on quality assurance and accreditation in the Lebanese higher-education system. In 2011, the MEHE and a group of Lebanese universities partnered with the European Union to develop a quality-assurance framework and to organise Lebanese higher education. The project resulted in a draft law "to establish a national agency for quality assurance in higher education that would hold (private and public) institutions accountable for [services provided] to the public." As in many other cases, the draft law fell victim to the inactivity of parliament and to political factors and private interests [34]. "In many cases, the stakes were too high, particularly for some of the private institutions that were owned by some politicians or controlled by some political parties", as noted in a 2016 policy brief by the Issam Fares Institute for Public Policy at the American University of Beirut [35]. To make matters worse for Lebanon, a great number of universities were instituted in various Arab countries over the past two decades, many of them as campuses of West European and North American institutions. In the absence of cooperation protocols, they competed with Lebanese institutions over the same pool of international students. These factors combined had a detrimental effect on Lebanon as a preferred destination for liberal higher education in the Arab world.

This compels significant reforms of the higher-education sector to survive the tidal wave of changes sweeping higher education around the world. Many of the laws and regulations that govern this sector are dated and holding back universities in Lebanon from keeping up with the demands of a twenty-first century university education. A simple example is the law regarding remote education, which has come to attention particularly during the COVID-19 pandemic and as the need for online teaching became more urgent.

Besides modernising relevant laws, Lebanon's literacy rates are near 99% according to the World Bank, although less than 2.6% of gross domestic product (GDP) is spent on education annually. This is quite low compared with the 8% average spent among nations of the Organization for Economic Co-operation and Development (OECD), necessitating a greater public investment in higher education.

Reform is also needed in the quality and governance of these institutions, particularly regarding licensure, accreditation, and efficient administrative structures. Last but not least, clear and transparent equal opportunity policies for admission, hiring, and firing will need to be enacted and enforced.

9.5.1 Peaceful Transition to Enter the Global Knowledge Economy

According to the OECD, a country with a knowledge-based economy is one where "the production, diffusion and use of technology and information are keys to economic activity and sustainable growth" [98]. Such an economy depends on the adaptive and creative thinking skills of individuals to come up with solutions for problems prevalent in their society.

Universities are essential to a knowledge-based economy [2, 42]. The role of the university has evolved over time from a hub for teaching and learning to an academic centre for conducting primary research and gradually to an incubator of creativity and a driver for innovation [18]. That's why over the past decade, many universities have started to build strategic collaborations with the business sector to develop and use research findings in industry and trade. Others have strengthened their strategic ties with the public sector to enhance research-based education, inform policies, and increase the competitive advantage of their home country. Research universities, especially in developing countries, constitute a small part of the entire academic environment but do play an important role in the growth and development of a knowledge-based economy. With a hierarchy of knowledge built predominantly on legitimised science and scholarship, knowledge networks are controlled by scholars in these research universities, who act as the gatekeepers of their disciplines. Smaller developing countries, like Lebanon, have perhaps one or two research universities, and many have none, which puts them at a disadvantage. These research universities are part of a global nexus of knowledge exchange and have access to a network of thought leaders and scientists all around the world. Ergo, they play a crucial role in the pursuit of excellence and the building of creative links to communities and businesses around the country. Their success, however, hinges on having institutional autonomy within a framework of shared values and goals. If free to define their own strategies for achieving core national priorities, universities and colleges can innovate and adapt to new ways of serving students and contributing to national life. Academics at less-renowned universities can still share global scientific knowledge, but without significantly participating in the academic dialogue [9].

Since the declaration of the COVID-19 pandemic, the communication of knowledge witnessed a global explosion and became more decentralised in an unprecedented way that made full use of the internet. Online meeting and social media platforms permitted anyone to communicate globally so long as internet access is available. Access to information became easier than ever in history, matched by the

abundance of misinformation disseminated. Over the past few decades, the rate of doubling knowledge has grown exponentially, yet the half-life of knowledge—or "the amount of time that has to elapse before half of the knowledge or facts in a particular area is superseded or shown to be untrue" [47]—is decreasing. In this respect, knowledge has become democratised, its sources decentralised, and the role of the university has further evolved to become less of a hub for dissemination and more of a centre for the making and quality control of knowledge, and for scrutinising the veracity of circulated information.

9.5.2 Source of Advice and Knowledge

When it comes to Lebanon's higher education, universities—namely the American University of Beirut (private secular), the Saint Joseph University (private catholic), and the Lebanese University (public national)—have been central to the country's economic performance in the twentieth century, alongside their social and cultural role. They were the key mechanism through which knowledge was generated, preserved, and passed on. In many cases, they helped bring knowledge and policy-making together by informing and, when possible, influencing the policy-making process. In the twenty-first century, their role in shaping policy and reform seems eclipsed, yet they continue to teach skills and instil intellectual curiosity, equipping people for the increasingly complex challenges of the modern workplace [28, 68].

9.5.3 Assist in Evidence-Based Policy Formation

Going forward, higher education in Lebanon and throughout the Arab world has to assume a leadership role in assessing its society's needs and delivering evidence-based policies that address those needs. For that, we must develop higher-education programmes that deliver the higher-level skills required especially for key sectors, including support for the "STEM" subjects—degrees in the sciences, technology, engineering, and mathematics—and other skills that will underwrite the country's competitive advantages. Universities, employers, and respective government authorities must work together to identify and tackle specific areas where university supply is not meeting market demand for key skills. The outcome of such an exercise would be to require universities to describe—as part of their strategic plans and long-term goals—how they can increase the economic and social impact of education, enhance students' employability, and contribute to the advancement of society. An active partnership between university and business needs to emerge. Businesses define the skills needed for the national economy. They are the key beneficiaries of the skilled workers produced by higher education and have a crucial role to play in the funding and design of academic programmes, in the sponsorship of students, and in offering them practical experience and work placements. Only then, the process of knowledge

generation and stewardship would embody the public trust and become an important national goal in its own right [45].

Translating this goal to practical university plans starts with enrolment. Enrolment plans must tie into academic plans (curriculum, evaluation, etc.) and should be based on providing a curriculum that meets the needs of the students and the community; one that supports an entrepreneurial spirit and a balance of scholarship of teaching, discovery, application, and integration within the school. The academic plans must also align with the social needs for jobs in medical and biomedical fields and health professions, in engineering, agriculture, and nutrition fields as well as with the needs of the business world and the hiring outcomes for students; not to discount the need for trainees in law, economy, finance, and public administration. A solid academic plan focuses on student exposure to evidence-based knowledge, not only as a driving force of discovery and advancement, but also as an essential component of a student-centred curriculum with a positive impact on the community. Benchmarking against international institutions is important as long as it fits the context at home. Hence, the importance of homegrown reflective research to guide the process of any evidence-based policy formation, be it regarding higher education or other sectors of society.

A strong university system is essential to Lebanon's economic revival and to the restoration, vibrancy, and depth of its intellectual and cultural life. A university system that embodies our shared societal values and aspirations can play a huge role in our communities through graduates passing on tolerance, freedom of expression, and civic engagement to the society at large. It will shape how we engage with the rest of the world. At a time when faith is lost in our public institutions, universities have an important role in restoring the standards of our public life and in the renewal of trust in the workings of a democratic society.

9.5.4   Provide Educated Cohorts of Graduates and Postgraduates

Postgraduate training and qualifications are increasingly becoming a necessity for careers in the public and private sectors alike. Today's graduates and postgraduates are tomorrow's leading public servants and academics. This makes postgraduate provision a critical strategic issue for higher education in Lebanon and for the country as a whole. Perhaps in academic realms and in limited areas of the private sector, higher education and competence have been—as they should be—the main keys to jobs and employment [22]. Unfortunately, this was not always the case in other sectors—namely, public service. As indicated above, clientelism has been institutionalised in the public sector and other vital sectors of the economy, leading to inefficiencies, incompetence, and corruption. For the Lebanese society and economy to be rebuilt to fit the requirements of the twenty-first century, this clientelism has to give way to evidence-based policy-making, to competence, and to accountability. It needs to give way to a cohort of educated specialists who can provide knowledge and expertise.

9.6   Resistance to Change

> There is nothing more difficult to plan, more doubtful of success, nor more dangerous to
> manage than the creation of a new order of things.—Niccolo Machiavelli

Economic and political systems can evolve through a natural order—a "biological evolution" of sort—that works through the dynamics of their own nature [8]. Or, they can be purposely interceded, influenced, or reformed according to a pre-conceived plan and for specific outcomes. Both types of change have been observed in the history of nations. If history is any guide in Lebanon, one may argue that the "natural evolution" of its political system is one that wouldn't happen without major external and guided shocks. The change and reform needed here are beyond the processes that result in a new allocation and distribution of economic resources and political power in a society. They may require a new reconstitution of the nation that takes into consideration its evolving demographics and the resulting different moral, cultural, and societal values. Newton's third law applies here as well: "for every action, there is an equal and opposite reaction." Historically, the reaction to the push to change has consistently been opposite but often disproportionate to the action.

In order to analyse change, reform, and resistance to change, one needs to explore the three sectors that make up a productive society and where the economic resources are allocated and utilised: the public sector (government), the private sector, and the non-profit sector. These sectors have their respective actors (decision-makers), objectives, incentive mechanisms, and production rules and systems. However, government, as a major economic player with the power and ability to decide on behalf of society, can influence decision-making and incentive plans in all three sectors. Thus, understanding the anatomy and dynamics of resistance to change ought to start with the government's perspective and its priorities [24].

9.6.1   Priority of Targets to Tackle

The structure of the Lebanese government, as outlined above, should perhaps be the primary target in any desired change. Despite the ostensibly progressive texts, the application of the constitution and laws has been marred by inflexibility of the parties in power, yielding often to a political gridlock that impedes the functions of the government and slows down the economy to a halt. The basis of these seemingly political disagreements is constitutional. It goes beyond the economic rights of the different groups and communities to the core of what the country means to them and their idea of nationalism and citizenship. Hence the reconstitution of Lebanon is a necessity for any long-term economic plan to be sustainable and yielding. But with poverty and famine looming at the gates, the priority in any reform plan at this moment should be to slow down the socio-economic downfall and to stabilise the financial situation in order to prevent a total collapse. Despite the urgent nature of these interventions, they still need to follow a clear and transparent due process. This

may not be the right time to tackle political reforms of the system, but administrative reforms are within reach. Any governmental action taken henceforth must comply with the needs for transparency, integrity, due process, equity, and independence from undue influence [99]. A transparent and honest government is crucial to enforcing law and order. This would naturally be the next target in any reform plan and should include both the courts and law enforcement, to be followed by reform of the financial sector and plans to rebalance the economy. For more details on corruption in Lebanon and how to deal with it, see Sect. 9.10.

9.7   Use of Various International Bodies

In an increasingly interconnected and interdependent world, some issues are too big for small countries to handle on their own. The need to work together, and in part through international organisations that encourage cooperation cannot be overemphasised. Lebanon has historically and on a regular basis availed itself of the powers of the UN and its various agencies. In the history of the modern republic, a number of UNSC resolutions have been passed to help and support Lebanon in the challenges that it faced. The first such resolution was #347 passed in 1974 condemning Israeli violation of Lebanese sovereignty and territorial integrity. The latest resolution was #2485 in 2019 extending the mandate of the United Nations Interim Force in Lebanon (UNIFIL), which safeguards the southern borders with Israel [132]. In 2000, the UN Secretary-General expressed to the Security Council the intention to appoint a senior official to be based in Beirut and to help coordinate UN activities in Southern Lebanon. In 2007, a UN Special Coordinator for Lebanon (UNSCOL) was appointed as a personal representative of the Secretary-General on all political and coordination aspects of the work of the UN in Lebanon. In 2013, an international support group (ISG) for Lebanon has been established and has consistently provided the much needed insight on how to handle societal, economic, and security challenges. As recent as May 2020, the ISG expressed "support to Lebanon to help it overcome the current economic, monetary, and fiscal crisis and to address economic, social, security, humanitarian challenges, as well as the impact of COVID-19 facing the country", and called upon the international community, including international organisations and financial institutions, to support Lebanon as it seeks to address the current crisis [130].

Since 1961, Beirut has been home to the UNESCO Regional Bureau for Education in the Arab States, reaching the unreached with education and culture, providing teaching and learning for vulnerable students, and since the war in Syria, offering basic education for Syrian refugees in Lebanon [133].

The World Bank Group (WBG) has currently a $1.7 billion portfolio allocated to a number of ongoing projects in Lebanon. These include infrastructure for water and transport, support for small and medium enterprises, and for the health, social protection, and education sectors. The WBG repeatedly reiterates its commitment to supporting structural and economic reforms in Lebanon and has continuously been a

valuable resource for the government to advance these critical reforms, for inclusive growth and job creation [119].

As this chapter is being drafted, Lebanon has officially signed a request for assistance from the International Monetary Fund (IMF) to help fix the country's crippling financial problems. The request is part of a sweeping economic plan attempted by the government to help save the country from bankruptcy. Although many economists see the plan as a first step in the right direction, others remain sceptical about Lebanon's ability to enact reforms, especially when it comes to cutting public sector spending and overhauling the banking sector [67].

9.8 Local, City, or Regional Government

Lebanon is a highly centralised country. Although administratively it is organised in governorates, districts, and municipalities, these administrative regions have no real executive powers or resources independent of the central government. The governorates (Muhafazat), and districts (Kazas) act as administrative subdivisions of the central government and have no autonomy or independent authority. The municipalities, on the other hand, are legally autonomous in managing their territories under Decree-law No 118 of 1977 on municipalities [44, 57]. However, the central government exercises both administrative and financial control over the planning and monitoring of their local authorities through various ministries and bodies. Although, under the same law, municipal councils have the authority and power to decide at the municipal level, there is a great disparity between the powers conferred by law and those exercised in practice. Of note here, the number of municipal council members is proportional to the size of the municipality. The members are elected for a six-year term by universal direct suffrage by citizens of the municipality [44, 57]

Despite demands to grant more powers to local governments, the services provided by municipalities continue to be limited to street cleaning, road tarmacking, public lighting, street signs, wastewater treatment, and water drainage [13]. Most development projects are carried out not by the municipalities, but by the Ministry of Interior and Municipalities or even by the Council for Development and Reconstruction, which reports to the Prime Minister. Municipalities' budgets and expenditure are planned and dispensed by the Ministry of Interior and Municipalities. Employment-related decisions in the municipalities are controlled by the national Civil Service Council. Many projects that should normally be the municipalities' responsibility are managed by various central ministries, in many areas including public works, energy, water, agriculture, social affairs, and so on. Over the past decade and with the growing inability of the central government to deal with the garbage and electricity crises, many local governments have taken it upon themselves to find solutions within their jurisdictions. Local municipalities came together and created a number of federations in order to pool resources, promote development, and increase revenue in their respective regions.

As unemployment continues to rise past 50% in the country, it is important to note that regional governments have no exclusive competencies in employment, social policy, education, or public health. They simply implement and enforce national policies and laws (labor, health, education, etc.) within their jurisdictions. To make matters worse, the unpredictability of central money allocations hampers proper budgetary planning by local authorities. According to a survey carried out by a Lebanese centre for political studies and surveys, 72% of municipalities rely on taxes collected and allocated by the central government and only 26% rely on taxes they collect directly; 88% of them have stated that increasing their revenue is a priority [13].

Any meaningful plan of reform will need to reconstitute the local and regional government authorities in Lebanon giving them more power over their income and expenditure plans as a first step and preparing them to assume a greater role in the management of local affairs as part of a broad decentralisation strategy [30].

9.9 Similarities and Dissimilarities with Other Arab Countries

Besides Arabic as its official language, Lebanon shares a number of cultural similarities with many Arab countries. Primary among those are specific ethnic characteristics and aspects of its cuisine and music. However, Lebanon differs greatly from other Arab countries in its system of government, demographics, laws, and education systems.

When it comes to its system of government, Lebanon and Tunisia are the only parliamentary republics in the Arab World; yet they are not alike [59]. A key differential between Lebanon and the rest of the Arab world is the ethnic and religious makeup of its population. Lebanon is the only country in the Arab world with nearly 40% of its population identifying as Christians. Given the diversity and proportions of its religious groups, Lebanon has a mixed legal system of civil law based on the French civil code, Ottoman legal tradition, and religious laws (Jewish, Islamic, and Christian) covering personal status, marriage, divorce, and other family relations. This diversity of laws and jurisdictions, particularly in personal matters, makes it even more difficult to have all citizens equal under the law. This may be a contributing factor to the continuing divisions within Lebanese society. Lastly, Lebanon differs from the rest of the Arab world in its education systems (secondary and post-secondary). Most high schools in Lebanon offer essential education in French or English, with Arabic taught as a second language. For more details on higher education in Lebanon, see Sect. 9.5 [14].

9.10   Special Section on Corruption

Corruption presents a significant obstacle for firms operating or planning to invest in Lebanon. Entrenched patronage networks monopolise the economy making it extremely difficult for business to remain legitimately competitive. Petty corruption is also rampant when it comes to basic services. Although the Lebanese Penal Code criminalises most forms of corruption, including bribery and facilitation payments, enforcement of these laws is poor. Bribes and gifts are common practices and an established way of doing business in the country [39].

The courts, which are supposed to be the gatekeepers of the law and upholders of the integrity of the system, present also a high corruption risk where petty bribes and irregular payments are often exchanged for favourable judicial decisions [23, 56]. Political interference with the judicial process at every level, from recruitment of key prosecutors and investigating magistrates to decision-making, also affects their performance and challenges their independence. All of this makes it difficult for companies to deal with Lebanese courts, whether in settling disputes or in challenging government regulations. Additionally, courts struggle with huge backlogs, and judicial procedures suffer from long delays. In fact, enforcing contracts in Lebanon is more time-consuming compared to regional averages [140].

Similarly, businesses are exposed to a high corruption risk when dealing with the police. On one hand, police officers are not empowered to enforce the law without a direct order to do so. On the other hand, interference by political authorities or high-ranking officials can prevent officers from doing their job. Despite attempts by authorities to maintain control over the institution, and with no mechanisms in place to investigate and punish corruption within the police force, police officials often act with impunity due, in part, to the lack of public information on the outcome of cases of abuse [134].

A hushed form of corruption in law enforcement is the allocation of leadership of various police forces to different sects. Whereas the Army General is traditionally a Maronite, post-war reforms made the commanding officer of the Internal Security Forces a Sunni, and the Director-General of the General Security a Shiite. Further subdivisions were created later on—for example, Secret Service, State Security, Information Branch, National Security, etc.—to give various sects separate intelligence power. This creates a perception of a balance of power/threats between the sects but does not enhance trust in law enforcement. It also generates additional pressure points vulnerable to sectarian influence, where individual and business rights may be violated, and through which corruption can seep into the system. In fact, a third of companies identify crime and theft, the lack of proper and efficient recourse to justice, and the capricious enforcement of the law by public officials as major restraints to doing business in Lebanon. This has pushed several businesses to hire private security firms—usually affiliated with powerful political figures and former leaders of militias—to protect their interests [121].

Likewise, corruption taints public services, land administration, tax and customs administration and public procurement. Lebanon has a comprehensive legal anti-corruption framework in place, yet the government does not enforce the relevant laws effectively. Bribery, extortion, embezzlement, and money laundering are illegal under the Penal Code. Gifts are considered hospitality and are regulated under the civil service regulations; nonetheless, these are not applied consistently [127]. Financial disclosure laws are also in place and apply to public officials including the three presidents, the ministers, judges and civil servants; yet, the information is not readily available to the public. Government officials, in general, consider themselves above the law and thus engage in corruption with impunity. Politicians unashamedly engage in misuse of public funds and in the transfer of public resources to private entities and to political allies. Even when prosecutions of corruption occur, they are usually politically motivated. The power-sharing among the elite, which characterised Lebanon's political system since the Ta'ef accord, has fostered a redistribution of wealth and services through clientelist networks, and limited general public access to institutions, enterprises and government affairs [125]. A freedom of information law is urgently needed to grant the public free access to government procedures and documents and to shine sunlight on pockets of corruption within the state.

9.10.1 Obstruction to Bring in External Advisors and Assessors and Auditors

The political settlement reached in the Ta'ef accord resulted in institutional outcomes that do not necessarily satisfy the criteria of bureaucratic organisation. The settlement granted most, if not all, political actors veto powers over the decision-making process causing conflicts over the creation of new institutions and over institutional change, in general, which resulted often in gridlock. Recurring and enduring cabinet crises and standoffs among sect/party leaders exasperated and often defeated attempts to put effective institutions in place. Consequently, there was a lack of independent external checks and audits and institutions became riddled with conflicts of interest.

As bitter conflicts remained unabated, government institutions became more and more at the mercy of the ruling class, and often paralyzed by direct interventions from the political elites. Political and sometimes personal conflicts between politicians were transferred to state institutions and their decision-making process. Frequently, they resulted in fierce and petty competition over each one's share of resources and influence and mired the functions of government.

The institutional outcomes of these strategies also ignored bureaucratic safeguards against corruption; external checks and controls were readily sacrificed—under a number of pretenses—to prevent political rivals' access to insulated institutions, whereas conflicts of interest proliferated with efforts to hire trusted administrators. These practices interfered regularly with attempts to bring in external independent advisors and auditors who could render unbiased assessment of the problems faced.

Furthermore, as their vulnerability increased with the dwindling support of their constituents, many politicians tried to compensate by providing services and material privileges at the expense of state institutions; to that end, they often used their veto powers to prevent institutions from emerging and even from doing their job.

In sum, Lebanon's post-war political settlement thwarted a meaningful bureaucratic organisation and incentivised political actors to explore alternative institutional arrangements. The result was that numerous state institutions failed to meet the basic standards of government. Against this dissonance of conflicting interests and perpetual deadlock, the Lebanese state became riddled with political corruption [25, 75]. In reality, corruption in Lebanon is so pervasive across all government systems and societal sectors that fighting it may seem like searching for water on the moon. Four important factors underly its various forms—grand, political, and administrative: first is the lack of transparency in financial information (revenues, budgets, etc.) critical to economic development; second is the weakness or absence of institutions, systems, and processes that block leakages; third is the pervasiveness of impunity and the lack of an ethical framework for public servants; and fourth is the lack of accountability—limited political will to punish those found guilty of corruption [61].

9.10.2 Challenge of Enacting Appropriate Laws

The challenges ahead are many. Neither popular uprisings nor intellectual think-tanks have been able to push forward a broadly acceptable and workable plan for reform. Popular anger over pervasive corruption has been at the root of the uprisings of October 2019. Many political leaders, personifying government corruption, were among the first targeted by activists in slogans, revelations on social media, and in direct attacks on their businesses. Not since 2005, have hopes been so high about ridding Lebanon of bad authoritarian and corrupt governance. However, these protests soon fizzled out and their joyous atmosphere has turned unmistakably sour. The Lebanese flags that draped over Beirut's balconies as symbols of national unity were gradually replaced by partisan symbols as sectarian tensions have been running high. Gone, too, is the optimism over comprehensive political and economic reform.

For all the reasons outlined in the sections above, enacting appropriate laws in Lebanon presents various challenges: starting with identifying the need for a new law, to the legislators available to draft it, to benchmarking it against "acceptable" sources, to balancing sectarian interests, and adapting the law to local norms and needs, and so on. The competencies may be available, but the political will is lacking.

9.11   Conclusion

It may be difficult to pinpoint the root cause of Lebanon's repeated failures at establishing a stable, transparent, truly representative, and functional government. In a region where diversity is frowned upon (be it religious, ethnic, or other) and democracy is shunned in favour of totalitarian regimes, Lebanon may be the exception. Despite its political instability, recurring wars, and the corruption that permeates its institutions, it does provide a basic model of co-existence between different religions and ethnicities, and an experiment in tolerance worth saving. However, the roadmap to salvation is not easy especially at this point when the state is facing potential collapse. As outlined above (in *Priorities of targets to tackle under 6*), the first task is to stop the financial breakdown of the country and stabilise the economic situation. This is to be followed by instituting dependable law and order through comprehensive reforms of the justice system, courts, and law enforcement. Doing so requires a clear and vetted plan that adheres to due process, integrity, and accountability. These initial steps are foundational, in the sense that little else can be done without them. Once in place, a plan for infrastructure overhaul coupled with repurposing and democratisation of the economy should follow. These steps along with proper tax incentives will invite legitimate external investments and trigger the building of new wealth. A serious, focused and transparent government, with the goodwill to work, should be able to achieve all of the above within one year.

Following that, Lebanon can move on to reform its democracy. Conducting fair and successful elections may be important for the proper transfer of power in a democracy, but elections are only one process through which voters express their preferences in government. The main characteristic of a modern democracy is the rule of law [136], and not just electoral law but a comprehensive set of laws that include:

 (i) A fair and modern constitution that protects basic human rights for all citizens without discrimination
 (ii) A modern penal code that protects the innocent and punishes the criminal swiftly and justly
(iii) A modern code to protect the civil rights of individuals against private or public intrusion
(iv) A fair tax code that redistributes wealth and protects the poor and vulnerable population
 (v) A modern electoral law that guarantees one vote for one citizen.

The essential instrument for implementing the rule of law is an independent, transparent, and qualified justice system with equal access to all and equal enforcement on all.

Another key feature of a successful democracy is the rule of reason. The viability of any representative democracy rests as much on the wisdom of its well-informed citizenry as on its laws. Two main safeguards are essential for the rule of reason; these are:

 (i) insuring the public is always well-informed by protecting access and providing transparency
(ii) insuring the free-flow of knowledge by protecting the openness of the market-place of ideas.

Transparency is not an assumed feature of democratic politics nor is it a desire of democratic leaders but could be a driver for change if properly used. Democracy and transparency have multiple dimensions that overlap explicitly. For example, social welfare increases in transparency; voters' propensity to reelect the incumbent increases with social welfare; therefore, transparency should affect reelection probabilities. Lack thereof could be exploited by new candidates seeking to hold public office [55].

There remains the protection against abuse of powers; for that, a couple of auxiliary precautions are necessary. As James Madison wrote in the Federalist Papers: "If men were angels, no government would be necessary … A dependence on the people is no doubt the primary control on the government; but experience has taught mankind the necessity of auxiliary precautions" [80]. These would be:

 (i) separation of powers between the executive, legislative, and judiciary branches of government
(ii) a system of checks and balances through which branches of government check each other, to ensure that the power of the government is both limited and controlled.

Last but not least, it is essential to have laws that protect against the unhealthy accumulation of too much power in the hands of one person; be it political power, military power, or economic power [5].

If the government of Lebanon is serious about reform, then the solution starts with small but firm steps taken towards a handful of agencies—low-hanging fruits—to assert exclusive authority, and act with transparency and integrity. In doing so, it will gradually restore trust and move forward towards bigger targets.

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Chapter 10
Review of Governance Policies and Practices in Lebanese Higher-Education Institutions

Sobhi Abou Chahine and Issam Damaj

Abstract Effective governance is a key enabler of successful and quality operation of academic institutions. Typically, good governance supports accountability, credibility, transparency, responsiveness, effectiveness and efficiency, inclusiveness, and integrity. Undoubtedly, sustaining the effectiveness of academic institutions challenges the national bylaws, standards, policies, and accordingly the practices that can lead to quality education. In this chapter, the current governance policies and practices at the Lebanese Higher-Education Institutions (HEIs) are explored. In addition, current best practices are highlighted, and the encountered challenges are analysed. The investigation includes the examination of a national policy on institutional high-authority representatives, such as Board of Trustees. The presented investigation is limited to exploring governance policies and practices in Lebanese HEIs. The chapter includes recommended guidelines and measures to improve existing practices. The investigation findings confirm that quality-assurance initiatives in Lebanese HEIs must expand to thoroughly probe the policies and practices of their leadership and governance system. The investigation confirms the need for formally issuing the national resolution on the formation and responsibilities of high authorities, as per article 57 of the higher-education law 285/2014.

Keywords Lebanon · Governance · High authority · Higher education · Quality assurance

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10.1 Introduction

At the turn of the twenty-first century, Lebanese higher education is witnessing a significant growth in number of private institutions. Until 2014, private higher education was governed by a law that dated back to 1960. In April 2014, a new law was adopted by the Parliament to regulate the private higher-education sector. The Lebanese private higher-education sector is supervised by the Directorate General of Higher Education (DGHE) in the Ministry of Education and Higher Education (MEHE). On the other hand, Lebanese University (LU) is the only public university in the country with its multiple branches. LU is governed by its own laws, decrees, and bylaws under the tutorship of the MEHE. LU is highly independent and autonomous in management and operation [1]. Currently, there are 48 private HEIs in the country that strive to function with quality and respond to the common challenges of effective leadership and good governance.

Quality assurance of HEIs, including its leadership and governance system, is done in various traditional ways; the scope ranges from institutional assessment and system audits to accreditation. Quality assurance is centred on the concept of continuous improvement. Indeed, a variety of frameworks were proposed in the literature to promote quality assurance as built upon the concepts of sustainability [2, 3], total quality management [4], organisational theory and change management [5], accountability and control systems [6], accreditation [7–9], and standards [10]. Constructive leadership and effective governance are key enablers of successful and quality operation of academic institutions. The concept of good governance originated in the early 1990s. By year 2000, it had become one of the major aims of the Millennium Development Goals [3].

HEIs must deal with many threats and in a crucial need for effective leadership and governance systems. Leadership and governance are important elements in the successful running of institutions. Leadership as a concept is rather vague and its characterisations differ at large [11]. Nonetheless, leadership comprises challenging a process and taking evaluated risks, motivating a communal vision, empowering others to act, demonstrating the way, and encouraging the heart [12]. Quality assurance, ceaseless technological advancements, constrained economies, and profit generation drive the increased competitiveness among institutions and challenge the effectiveness of leadership in higher education. Governance in higher education is the processes, policies, procedures, and the underlying organisation structures of an institution. In other words, governance refers to how an institution pilots itself [13]. In theory and in practice, leadership and governance are closely interrelated.

Undoubtedly, sustaining the effectiveness of academic institutions challenges the national governance standards and policies, and accordingly the practices that can lead to quality education [14, 15]. Lebanese HEIs are diverse in founders, also known as the legal person owners. Founders are usually non-government organisations, spiritual authorities, or civil corporations. The number and diversity of institutions in Lebanon mandate the careful development of effective governance guidelines that can close any gaps between policies and their practical implementations.

The goals of this investigation comprise the description of existing Lebanese higher-education system and national regulations relevant to institutional governance and mainly high authority—with focus on the role of representatives of founders. The research objectives are as follows:

- Explore the current governance policies and practices in Lebanese HEIs.
- Highlight current best practices.
- Analyse encountered challenges.
- Examine a national policy on institutional high authority representatives for principles, bylaws, objectives, responsibilities, and formation. The presented investigation is limited to exploring governance policies and practices in Lebanese HEIs.
- Recommend guidelines and measures to improve existing practices.

The adopted methodology is as follows:

- The exploration and examination of the status rely on published resources and in-depth interviews with experts in the field.
- The criteria upon which information has been analysed are based on proper classification of challenges and observations and on the validation of the provided solutions.
- The study enables the identification of important governance features of the Lebanese HEIs.

The chapter is organised so that Sect. 10.2 presents the Lebanese higher-education system. In Sect. 10.3, the analytical framework is defined including the challenges and observation classification models. In addition, Sect. 10.3 provides a description of the identified challenges and observations. In Sect. 10.4, a discussion is made on the development of an effective high authority. The discussion comprises the purpose, responsibilities, formation, and evaluation of the proposed high authority policy. Section 10.5 concludes the paper and sets the ground for future work.

10.2 Lebanese Higher-Education System

Freedom of Lebanese higher education is guaranteed by the Constitution. According to Article 10, Chapter 2, of the Lebanese Constitution: "Education shall be free" and every religious community has the right to have its own schools or universities. As far as private higher education is concerned, up to 2014, the sector was governed by a law that dates to 1960. A new law regulating the Lebanese private higher-education sector was adopted by the Parliament on April 30, 2014, and it is now in the implementation phase. The public higher-education sector, represented by only one HEI, namely LU, is governed by its own law, decrees, and bylaws under the tutorship of the MEHE, but enjoys a high degree of independence and autonomy.

The Lebanese educational system hybridises different educational models. The system is based on the medieval system of study including bachelor, master, and

doctorate degrees. In addition, access to higher education must be given to all students according to their skills. In Lebanon, HEIs are decentralised whereby different faculties can be in different parts of the country. Furthermore, Lebanese HEIs have their own admission standards.

Higher education in Lebanon is a binary system; it is composed of universities and university colleges, in addition to technical and vocational institutes. The MEHE administrates public and private universities. LU is the only public institution. The Directorate General of Higher Education is responsible of private universities and university colleges. Technical and vocational institutes are under the responsibility of the Directorate General of Technical and Vocational Education. In the Academic Year 2017–2018, Lebanese HEIs had a total number of 210,720 students with a distribution of 62% in private institutions and 38% in the six different branches of the LU [16].

In Lebanon, the MEHE through the DGHE supervises and coordinates private HEIs. The DGHE is now in charge of the 48 private HEIs currently in operation in the country. The DGHE manages the licensing and the starting up of new HEIs and programmes, the validation of the offered programmes, and the recognition of the degrees. All other responsibilities are within the authority of each HEI.

The recommendation to legalise an institution is taken by the Council for Higher Education while the final decision remains for the Council of Ministers. On occasions, granting licenses is affected by political and sectarian factors. According to the new national law, the licensing process includes two phases:

- A decree issued by the Council of Ministers.
- A starting up resolution from the Council for Higher Education based on the recommendation of the technical academic committee.

LU enjoys a clear autonomy with its own system of governance. Most of the faculties of LU have branches spread all over the country. The responsibility of managing the faculties is for the Deans, and the management of the university is done through the University Council spearheaded by a Rector. The Councils of Ministers in Lebanon plays the role of LU BOT.

10.3   Challenges to Good Governance

In this study, the criteria upon which information has been analysed are based on proper classification of challenges and observations and on the validation of the provided solutions. The study enables the identification of important governance features of Lebanese HEIs. Challenges are classified as internal (*weaknesses*) and external (*threats*). Furthermore, observations are classified as *commendations* for good practices, *affirmations* for ongoing quality improvement efforts which merit support, and *recommendations* for improvements not yet being adequately addressed. We also reflect on the related actions that have been or could be taken in response to a given observation. To that end, observations are validated through comparisons with

Table 10.1 A summary of the identified weaknesses that challenge good governance

Identified weaknesses
Legal persons are mostly family-based
Educational background of legal person
Higher council members qualifications
Intervention of owners
President qualifications
Nonexistent or virtual councils
Lack of commitment to bylaws
Franchise campuses

international quality standards of good governance and discussed in a focus group setup with experts in the field.

In the absence of an effective high authority, HEIs are challenged to effectively fulfil their missions and perform with quality. As per the proposed classification of challenges, several weaknesses are identified. A summary of weaknesses is presented in Table 10.1.

At the present time, legal persons are mostly family-based with members that do not necessarily come from an education background. For example, and since the year 2000, new HEIs were established by civil corporations that are under direct control, owned, and run in an almost family-business style. To this end, the legal person memberships can include family members or relatives who does not have an adequate background in higher education. Another related challenge is the intervention of owners in the academic decision-making within the institution. The owners in some institutions are either academically responsible in the institution like presidents, vice-presidents, or deans; or intervene directly in academic matters. In addition, quality is sacrificed for loyalty in the appointment of legal person representatives, president, deans, and other leadership positions. All above weaknesses can lead to virtual or non-existent councils. Within this important weakness, the presented patterns illustrate some common existing negative scenarios. A thorough discussion on the high authority is detailed in Sect. 10.4.

Other key challenges exist. Identified weaknesses include the mismatch between the qualifications of the higher-council members and the required job description. Normally, the higher council, such as the Board of Trustees or the Council of Administration, includes qualified members from relevant stakeholders who have significant experiences in higher education, management, finance, to name a few. Unfortunately, this is not the situation in many cases where the councils include members that do not or barely meet the requirements. Moreover, identified weaknesses include the lack of qualifications of presidents in some institutions. According to the new higher-education law 285/2014, the president of an institution must hold an officially recognised Doctor of Philosophy (PhD) Degree and meet the requirement of holding at least the rank of associate professor. Unfortunately, several institutions do not comply with this requirement.

Lack of commitment to bylaws is one of the important identified weaknesses. The lack of commitment is observed even though the roles of governance boards, including the higher council and the university council, are well defined in institutional bylaws and the national criteria of higher education. Examples of lack of commitment include compromising the required qualifications of people in leadership positions, faculty, and staff members. Moreover, lack of commitment is evident through poorly attained faculty-to-student ratios in addition to the absence of adequate physical resources.

Franchise campuses present a weakness and a significant challenge to good governance. Up to now, no regulations exist for franchise campuses that are affiliated with home institutions. Nevertheless, the Lebanese MEHE has put a great effort in exploring such regulation. Since 2010, site visits for most branches including franchise campuses were conducted and corrective measures were recommended. However, in some cases franchise campus system can be abused, especially in the absence of continuous monitoring to close the review loop. The better availability of relevant resources and supporting regulations, at the national level, can control such a situation. The country status reflects the existence of many branches as franchise campuses; the following challenges are identified:

- The owner of a branch is not necessarily the owner of the home institution.
- There are financial agreements between both the home institution and franchise campus.
- The adoption of the same academic programmes is noted, but with an insufficient supervision by the home institution.

As per the proposed classification of challenges, several threats were identified in the absence of an effective high authority. A summary of threats is presented in Table 10.2.

Due to the large number of private HEIs, specifically 48, competition among HEIs is a significant threat. The competition led to lowering of the credit fees and exaggerating the offering of scholarships at the expense of quality education. Lower quality and overloaded resources are becoming standard practices in some institutions. Weak financing is another important threat. According to the higher-education

Table 10.2 A summary of the identified threats that challenge good governance

Identified threats
Competition among HEIs
Weak financing
Political intervention
Lack of meeting the national standards
Lack of national qualification exams
Lack of meeting of international standards and accreditation
Lack of monitoring and quality assurance at the national level
Lack of risk-management policies and procedures

law 285/2014, a minimum of 5% of the annual operating budget must be allocated for scientific research and its requirements. In addition, a minimum of 5% of the budget must be allocated for student financial aid. Many institutions do not apply the minimum allocations, especially for research. Here, the implementation of such a law should be well-guarded from abusing financial-aid schemes by artificially raising fees. Artificially raising financial aid is usually accompanied by either raising the fees and the allocated aid. In other cases, some HEIs exaggerate financial aid amounts to recruit students at the expense of education quality like the qualifications of faculty and the supporting academic facilities, such as libraries, laboratories, and other essential requirements. In some instances, political intervention is another key threat that challenges HEIs. For some measures taken or recommendations given to an institution, affiliated politicians may intervene to stop, mitigate, or postpone the execution of decisions. In addition, in some cases, the political intervention is sensed in the licensing of new institutions and programmes.

The lack of meeting national and international standards is an important threat. Many institutions do not fulfil the national criteria of higher education as mentioned in the weaknesses. In Lebanon, some professions still need qualification examinations, such as engineering programmes. However, a qualification examination, namely colloquium, is already implemented in the country for the Medicine Program. The absence of such an examination can lead to producing graduates with compromised requirements that can be left unnoticed. Such a threat puts additional pressure on high authorities within institutions. According to the higher-education law 285/2014, every private HEI and its programmes must be subject to self-evaluation and external evaluation in order to obtain institutional accreditation or programmes accreditation in accordance with quality-assurance requirements [17]. Several institutions have established a clear internal quality-assurance process with a quality-assurance unit. Only few institutions have achieved accreditations by international agencies from the USA and Europe, at the institutional and programme levels.

Another threat is the lack of monitoring and quality assurance at the national level. In line with the higher-education law, A National Quality Assurance Authority will be established under a special law. This body will determine the national standards that must be met to ensure quality in higher education. However, until now, this law is not adopted by the parliament. Several institutions have established quality units, but many others have not. Furthermore, no national monitoring system is available yet. A lack of risk-management policies and procedures is also identified as a threat. An example problem that would have benefitted from such a risk management system is the pandemic spread of COVID-19 coronavirus that led to swift and wide adoption of distance and blended learning across different study levels.

Several commendations of good practices are noted in the existing system as shown in Table 10.3.

The current institutional and programmatic audits by the MEHE are commended. The MEHE formed the Academic Technical Committee (ATC) to study HEI files for licensing, starting teaching in new programmes, and periodic recognition of degrees. The MEHE created specialised committees in various academic programmes to support the ATC. The specialised committees study the files related to programmes

Table 10.3 Commendations of good practices

Commendations
MEHE audits
Availability of specialised committees
International initiatives related to quality assurance

per academic standards and make the necessary field visits. The study includes probing important aspects related to students, programme objectives, quality assurance, curriculum, institutional support, and wide aspects of facilities like libraries and laboratories. Moreover, the study includes the qualifications, rank, degrees, faculty-to-student ratio, and other important factors related to academic staff members. Field visits aim at verifying progress between the starting of teaching and the graduation of the first batch of students in the relevant programmes. Due to its resemblance to standard accreditation, the work of the ATC and its specialised committees enabled reviews, improvements, and facilitated international accreditations. The ATC submits recommendations to the higher-education council for decision and action.

In the last 10 years, many governance and quality-assurance projects were implemented with the support of the MEHE and international organisations like EACEA within the framework of Tempus and ERASMUS + capacity building projects, UNESCO and the Agence Universitaire de la Francophonie (AUF) initiatives on quality assurance, and governance projects with the World Bank [18, 19]. Within these initiatives and projects, many capacity-building seminars and workshops were organised in the presence of representatives of HEIs. The MEHE encourages such events to continue and to involve all HEIs in the country. International initiatives related to quality assurance in Lebanon are commended practices [20].

Several affirmations of good practices are identified in Lebanon as presented in Table 10.4.

As adopted in the higher-education law for recognition of degrees, recognitions are periodic with a cycle of five years. The recent decision to shift to periodic reviews is affirmed as it follows common worldwide best practices. As in most of the developed countries, and according to the new decree 8590 for technical and vocational education and relevant resolutions, the pathways between technical and regular higher education have become well determined. The pathway permits vocational and technical education students to purse higher-education degrees; such a practice is affirmed. Eligibility rules include the following:

- The holder of technical baccalaureate can pursue higher education in most relevant majors while studying some remedial courses.

Table 10.4 Affirmations of good practices

Affirmations
Periodic programme recognition
Pathways between technical and regular higher education
International accreditations of main HEIs in Lebanon

- The holder of a higher technical-education diploma (duration of 2 years), with an average of more than 12/20 in official exams, can pursue higher education in studies for the bachelor degree and a maximum of 50% of the courses can be transferred to the bachelor degree.

According to higher-education law 285/2014, every private HEI and its programmes must be subject to self- and external evaluations [17]. Such evaluations support obtaining institutional and programme accreditations. Currently, several institutions have established clear internal quality assurance processes supported by quality-assurance units. Some institutions have achieved institutional and programmatic accreditations through international agencies—mainly from the USA and Europe. The Ministry supports and encourages all HEIs to be internationally accredited on both institutional as well as programmatic levels; such a support is affirmed as a good practice.

Based on a careful review of the status, a couple of recommendations are provided for improvements not yet being adequately addressed (see Table 10.5).

First, the MEHE should issue all relevant decrees in the higher-education law. The decrees cover the general frameworks for organising and characterising curricula and programmes in private HEIs. In addition, the decrees cover the criteria for the transition between different types of higher education, namely academic, technical, or vocational. The decrees also cover the basis for classifying academic staff members including the mechanism, eligibility, and the rules for promotion. The decree also specifies the percentage of Doctor of Philosophy (PhD) degree holders and part-time faculty members in educational programmes. Other issues of importance include covering the general system of master and doctoral degrees and the conditions and principles for the announcement of educational and academic activities within institutions. Indeed, the reference terms of formation of the high authority should be presented.

Second, parliament should issue the quality-assurance law at the national level. As per the article 37 of the higher-education law 285/2014, a National Quality Assurance Authority will be established under a special law to be set for this purpose. This body determines the national standards that must be met to ensure quality in higher education. The law was submitted to the parliament many years ago and it is still under discussion. We strongly recommend the immediate adoption of the law and its implementation.

Table 10.5 Recommendations for improvements not yet being adequately addressed

Recommendations
Issuing all relevant decrees in the higher-education law
Issuing the quality-assurance law at the national level

10.4   The Development of an Effective High Authority

In this section, we examine a national policy on institutional high authority representatives for principles, bylaws, objectives, responsibilities, and formation [20]. In addition, guidelines to improve existing practices are recommended. The purpose of the existence of the high authority is to supervise the institution and to ensure the implementation of its mission and objectives as developed and approved by the concerned constituents. The purpose of the high authority comprises preserving the following:

- The academic level
- The independence of the university decision,
- The continuity of the institution
- The interest of students
- Academic staff and staff of the institution

  The high authority is responsible to perform several functions:

- Approving the statutes of the institution and its amendments before submitting them to the competent official authorities.
- Approving the planning proposed by the academic bodies, which leads to the development of the institution.
- Approving the annual budget of the institution.
- Ensuring the necessary support for the development of the institution and its continued performance.
- Ensuring the administration's discipline and respect of laws and regulations.
- Approving the appointment of academic officers (e.g. professor and assistant professor)
- Proposing the appointment of the president, vice-presidents, deans, financial director, to name but a few. The appointment is done in accordance with specific academic and administrative mechanisms and in accordance with the rules of procedure of the institution.
- Supervising all matters related to financial audits and the management's commitment to quality standards including granting financial support.
- Ensuring the independence of the academic decision and the institution's ability to continue with the tasks entrusted to it.

For the higher authority to perform its functions effectively, different influencing factors must be considered in its composition. As related to the membership, the number of its members shall not be less than 9 members for university institutes and 12 members for universities. The proposed numbers are neither too small nor too large and enables adequate incorporation of various opinions, specialisations, and inclusion in the formation. However, the owner of the institution must not represent more than one-third of the members of the committee to ensure freedom of operation within the high authority. In the appointment of the members of the high authority, a full consideration should be given to aspects that comprise academic qualifications,

financial status, administrative expertise, community presence, and the diversity of specialisations among the different members of the authority. For an effective operation, the members of the authority shall have a fixed term of not less than three years (renewable). The authority shall have its own rules and procedures to:

- Ensure the continuity of its work
- Appoint the chairman, vice-chairman and secretary of the authority through election among its members
- Replace members and officials of the authority because of resignation or death.

  In addition, the following should be applied:

- The membership of the authority may not be combined with the membership of the University Council.
- The president of the university should participate in the meetings of the authority without having the right to vote.

  The qualifications of the authority members can include, but are not limited to, the possessing of significant experiences in top positions in one or more of the following:

- Higher education
- Programmes offered at the institution
- Industry
- Industrial businesses
- Governmental associations
- International organisations
- Social service

10.5 Conclusion

With the increase in the number of HEIs in Lebanon, quality education is challenged by the lack of robust national regulations that can widely cover all important governance aspects. In this chapter, we presented an exploratory investigation on the existing Lebanese higher-education system and national regulations relevant to institutional governance and mainly high authorities, such as the board of trustees—with focus on the role of representatives of founders. The investigation adopted a methodology that enables the analysis of good practices and the systematic identification of opportunities for improvement. The findings of the exploratory study confirm the immediate need for a well-established balance between institutional executive authorities, such as typical University Councils; and the high authority representatives, such as Boards of Trustees—including the legal person owners. The findings confirm that quality-assurance initiatives in the Lebanese HEIs must expand to thoroughly probe the policies and practices of their leadership and governance system through the adoption of a newly proposed law by the Lebanese Parliament. Current practices can be significantly enabled through formally issuing the national resolution on the formation and responsibilities of high authorities, as per article 57 of the

higher-education law 285/2014. The presented investigation is limited to exploring governance policies and practices in Lebanese HEIs. Future work can include developing a quality-assurance framework that supports the analysis and evaluation of good governance practices at the national level.

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Chapter 11
Higher Education in the Arab World: Governance and Management from the Perspective of Oman and Sohar University

Hamdan Al Fazari

Abstract The governance of higher-education institutions (HEIs) in Arab States is an essential element of modern institutional management, leadership, and overall performance. In addition, the governance and management of HEIs is ethical and it ensures the implementation of the academic and non-academic systems and functions that support the achievement of every HEI's mission, vision, values, and the protection and sustainability of academic standards. Sohar University (SU), as a leading HEI in Oman, has a Governance Framework Charter (GFC) that is concerned with the governance and management of the institution, its management structures, processes, policies, and practices. It also ensures that the University is sustained in a dynamic, balanced, and disciplined way. Moreover, the GFC of SU has been established to ensure that governance practices are effective and appropriate; that the University is transparent and accountable to the various stakeholders; that the institution complies with legal and regularity requirements; that there is full disclosure of all pertinent information to stakeholders; that there is effective monitoring and management of risk, innovation, and change; that the University actively engages in a cycle of continuous improvement, that remains relevant, legitimate, and competitive; and that the University is viable, solvent, and sustainable. Thus, Sohar University and the Arab States are almost similar in that they are governed by a three-part governance system composed of a Board of Directors, a Board of Governors or a Board of Trustees, and an Academic Board. Each of these governing bodies has its own clear and distinct roles and responsibilities that guide the strategic goals and objectives of the university to fulfil its mission and achieve its vision. The governance and management system at SU is sound and meets the needs of the SU students, staff, and other stakeholders. The governance and management of SU is defined in accordance with the national and international HEIs standards and therefore, it is internally regulated by the Ministry of Higher Education (MoHE) and audited by the Oman Academic Accreditation Authority (OAAA) to ensure the overall compliance of the institution with the governance structures, systems, and roles.

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11.1 Introduction

The challenge of having an appropriate, well-structured governance and management system in the higher-education (HE) sector is ever present in Oman and the Arab States. This issue consumes time and effort in order to create proper governing bodies that can establish the Arab States as leading countries in this sector. The fierce competition in the HE sector puts pressure on HEIs to guarantee quality academic delivery and meet their students' expectations. Thus, the governance of HEIs needs to ensure that the governance and management structures, and the processes and mechanisms for accountability are appropriate. At the governance level, this has to result in the effective setting and monitoring of the HEI's strategic direction as well as leadership and oversight of the HEI's academic and administrative activities. Management structures and roles provide leadership, which enables effective implementation and execution of institutional systems. These systems should be governed by sound policies, procedures, and regulations and meet the needs of the students, staff, and other stakeholders. Therefore, the governance bodies including boards and committees play a key role in setting and overseeing the maintenance of academic standards and in meeting the appropriate academic delivery to ensure they are meeting students' expectations.

The SU Board of Directors (BoD), Board of Governors (BoG), the Academic Board (AB), and the Executive Management Committee (EMC), supported by the standing and sub-committees, have a committed and dedicated leadership which supports the strategic direction of the University [4]. In addition, the Charter outlines the clear roles and responsibilities of the governing bodies in order to meet their governance role.

In addition to outlining the membership, terms of reference and the specific roles and responsibilities of the BoD, BoG, AB, and EMC, the Charter also sets out the framework for the establishment and the composition of the board committees, membership, role of the Chair and the Secretary, conduct of meetings in terms of the frequency and duration of meetings, quorum, and attendance and everything that is related to the appropriate running of a board or committee. This is all set out in the Charter in a concise and precise way.

Most, if not all, HEIs in the Arab states are regulated by governments. In many cases, the governments offer at least partial financial support to these institutions by providing paid scholarships for students from low-income families and families on social support so that they can study in these institutions. The regulations vary from one country to another, so in Oman the MoHE regulates HEIs but is not involved in their day-to-day running.

11.2   Background of Higher Education in Oman

Higher education in Oman is relatively young, having only started in 1983. It started with teachers' colleges to prepare Omani teachers and then progressed to the foundation of the public university in Oman in 1986, Sultan Qaboos University (SQU). This is still the only public university in Oman, but there are currently 62 HEIs in Oman; 24 private and 38 government related [1, 2]. Private HEIs are supported by the government. All private universities and colleges in Oman are linked to the government in some way. The range of government scholarship funding varies from approximately 60 to 90%. In other words, the funding of the private higher-educational institutions mostly depends on scholarships provided by the government. In addition, other scholarships are supported by major companies such as Petroleum Development Oman (PDO) Company, Oman Air, Natural Liquid Gas (NLG), and others and these include both internal and external study scholarships. In addition, there are some private scholarships from charitable organisations and wealthy businessmen who donate money to fund students from families with low incomes or social problems.

The MoHE [2] is responsible for supervising higher-education institutes and the development of high-education policies in the Sultanate. It approves all the academic programmes and regulates the sector [2]. In addition, the Education Council in Oman is the government body that ensures that all sectors, levels, and forms of education operate as one integrated system, supervised by the Council as an overall umbrella for education in the Sultanate [1]. The Oman Academic Accreditation Authority (OAAA) [3] is responsible for auditing the quality of higher education in Oman to ensure the maintenance of a level that meets international standards, and to encourage higher-education institutions to improve their internal quality, through the establishment of a system that includes the standards and procedures for quality audit and institutional and programme accreditation of higher-education institutions. It is also responsible for establishing procedures for recognising the foreign higher-education academic programmes that are offered in Oman, and it conducts quality audits of higher-education institutions by measuring them against established international standards [3]. The higher-education system flowchart is as indicated in Fig. 11.1.

Scholarships from the government are routed through the Higher Education Admission Centre (HEAC). The HEAC provides services for the admission of Omanis into institutes of higher education, depending upon the fulfilment of criteria and the availability of places. Admissions mainly depend on the scores that students obtain in the high diploma and the wishes of the students regarding what they want to study at undergraduate level.

In Oman, students have to undergo a course of studies called the General Foundation Program (GFP) before beginning their undergraduate studies. In the one-year GFP programme, students study English, Mathematics, and Computing (IC3). This is designed as a bridging programme and is carried out through the medium of English, except for some Arabic literature and law programmes.
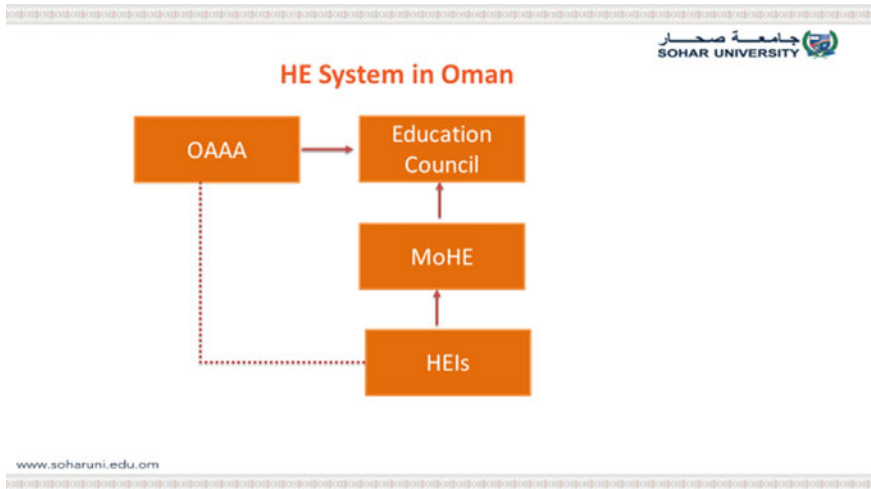
Fig. 11.1 Higher-education system in Oman

11.3 Background of Sohar University

Sohar University (SU) is the second university in Oman and it was the first private university in the Sultanate. The University was established in 2001. The University mission is to "provide access and opportunity to build a knowledge nation" while its vision is "engaging minds, transforming lives and serving the community". Student numbers continue to grow, and SU currently has over 6,500 undergraduates and 300 postgraduates registered for a range of awards. The University also hosts an Arabic Language Centre, which attracts students from a number of countries. The Centre currently hosts Chinese, Taiwanese, Mexican, Korean, and Australian students who wish to learn Arabic in an immersion setting. In addition, the University offers a broad portfolio of Continuing Professional Development courses to meet the needs of business and the community. The University is not yet empowered to award PhDs but it has submitted proposals for PhD programmes and is waiting for approval from the Ministry of Higher Education. The University has a substantial General Foundation Program and six Academic Faculties:

- Faculty of Business
- Faculty of Computing and Information Technology
- Faculty of Education and Arts
- Faculty of Engineering
- Faculty of Language Studies
- Faculty of Law

When the University was established in 2001, it was started with the guidance of the Ministry of Higher Education and support from the University of Queensland. The University is a progressive, modern institution that meets the needs of contemporary society and contributes to the economic and cultural well-being of Sohar, the Sultanate and Oman's international neighbours. SU is committed to:

- Providing outstanding learning opportunities to enable students to achieve their full potential
- Developing research that delivers global impact
- Working with business and community partners to support social, cultural, and economic development
- Supporting students to succeed in enterprising and meaningful careers with the skills necessary to make an immediate impact.

The University management has always been anxious to provide an academic body with a high level of competence and scientific expertise. It has laid great emphasis on the importance of applying the principles of comprehensive quality, which is regarded as the main role in contributing to the achievement of the objectives of the University. Those objectives are primarily to ensure that SU graduates are confident and skilled individuals who are able to make a positive contribution to their community and society at large. The University employs an international staff from over 30 countries, and they bring a wealth of experience to Oman. The combination of well-qualified Omanis allied to the international profile of the academic staff has allowed the University to develop challenging and innovative programmes of study.

The University has a world-class campus providing students and staff with the modern, purpose-built facilities necessary to support learning, research, and enterprise. Significant investment has been made in buildings and facilities with a new state-of-the-art Learning Resources Centre opened at the heart of the campus in September 2016. This development has enhanced the learning environment for students and has allowed academic support services that support student entrepreneurship. Moreover, the University continues to develop the campus, providing excellent facilities for education, research, and community engagement. A two-phase construction master plan for campus development was agreed in 2008, and in 2012, the construction of first phase started. The development was completed within four years and it increased the total capacity of the campuses to around 12,000 students. Additional funds were subsequently made available for the second phase, which started in 2016. This phase has included the development of playing field and student centre. SU is committed to continue developing the campus, and providing excellent facilities for education, research, and community engagement. This requires

robust financial planning with a long-term commitment to secure the University's position as a leading contributor to higher education in the region. To this end, the Board of Directors has a commitment to continued investment in the University, which will see further development of its world-class facilities.

The investment in information services to ensure digitally-connected institution and to embrace the opportunities presented by technology to support the learning process required continued investment in spaces conducive to innovative teaching and social learning. There has been significant investment in this area over the last few years. The services for technology support have increased year-on-year.

The University conducts research, which is intended to support the strategic priorities of Oman. At present, however, the University mainly relies on MoHE scholarships for between 70 and 80% of its revenue. This means that SU needs to find ways to diversify revenue and income. It also needs to do more in terms of marketing its programmes, and trying to achieve wider coverage. The University has started to integrate with local industry and to meet local industrial demands. There are many projects in this regard, such as the "Tanfeedh" project that focuses on two development areas that were identified as priorities, namely advanced manufacturing to support industrial innovations and the manufacturing of dies and moulds to support downstream manufacturing. The value of the project is US$ 13 million. The project is being delivered in collaboration with the Ministry of Commerce and Industry (MoCI) and the Advanced Manufacturing Research Centre (AMRC) at the University of Sheffield. The project reflects Sohar University's vision of supporting the development of the manufacturing sector. In addition, the University, in collaboration with the University of Sheffield, has won a US$ 0.5 million research grant in the area of Food Security from the British Government under the GCC-UK Institutional Links programme. Sohar University has made considerable progress in a relatively short period of time and such progress is vital to the long-term economic and social well-being of Sohar and the North Al Batinah region. Higher education is a key driver of economic growth and Oman will benefit from the efforts and investment made by the governing body of the University. Sohar University is committed to providing access and opportunity to those who wish to work, study, or collaborate with it.

The robust financial planning with a long-term commitment to securing the University's position as a leading contributor to higher education in Oman has been evidenced through the financial sustainability and growth of Sohar University in recent years. This financial management system has been built and developed through the existence of fiscal regulations and a regularly updated manual. The budgeting and planning process is enhanced through an electronic financial system with internal and external sustainable control. The financial manual provides clear guidelines for the budget process through the budgetary control and management information system. The Planning and Resources Committee (PRC) is responsible for the overall budget development. It oversees the budget process and monitors implementation of the budget. One of the most important strengths of the University of Sohar is the estimated budget and the accompanying automated system that was developed internally and which is constantly updated and continuously developed. The budget is a participatory process that allows faculties and departments to provide their needs in main

categories and add more detail in sub-categories. The overall budget is presented to the Board of Governance for review before its submission to the Board of Directors for final approval.

11.4 Sohar University Governance and Framework Charter

In 2013, in advance of anticipated changes to the requirements of both the Capital Market Authority (CMA) and the MoHE, the University commissioned the development of a Governance Framework Charter. The Charter was developed through a consultative process involving meetings with the CMA, MoHE, University Executive Management, Board of Governors, and the Board of Directors. The Charter specifies the University's governance framework, which is designed to facilitate effective decision-making, ensure accountability to both internal and external stakeholders, and encourage openness. The Charter "is participatory in nature thus providing opportunities to different stakeholders, including investors, executive management, faculty, staff, students and members of the wider community, to play a meaningful role in the overall decision-making process and oversight of the University". It also outlines the membership, terms of reference, and roles and responsibilities for the Board of Directors, Board of Governors, and the Academic Board. The Charter also sets out the framework for the establishment and dissolution of Board Committees, the University Executive Management, and the code of ethical conduct that is applicable to members of the different boards and committees.

The interdependence of these members of the University community and their delegated responsibilities establishes the basis for effective participation and accountability at the University. The composition of the Sohar University governance structure (as in Fig. 11.2) consists of the following levels, as detailed in Sohar University Corporate Governance Framework Charter:

- The Board of Directors: refers to the body of elected individuals that represents shareholders of the University and serves as the ultimate authority of the University. The BoD's roles and responsibilities are driven by the Commercial Companies Law and Articles of the Association. The Board has the overall responsibility of steering the University at the highest level and approving business and financial policies and budgets.
- The Board of Governors: is the corporate body established as per the requirements of the MoHE to take responsibility for ensuring the capacity of the University to fulfil its mission for current and future generations. The Board plays an integral role by providing oversight and input regarding the University's strategic objectives and the deployment of its financial and physical resources, and by advocating for the University locally, nationally, regionally, and internationally.
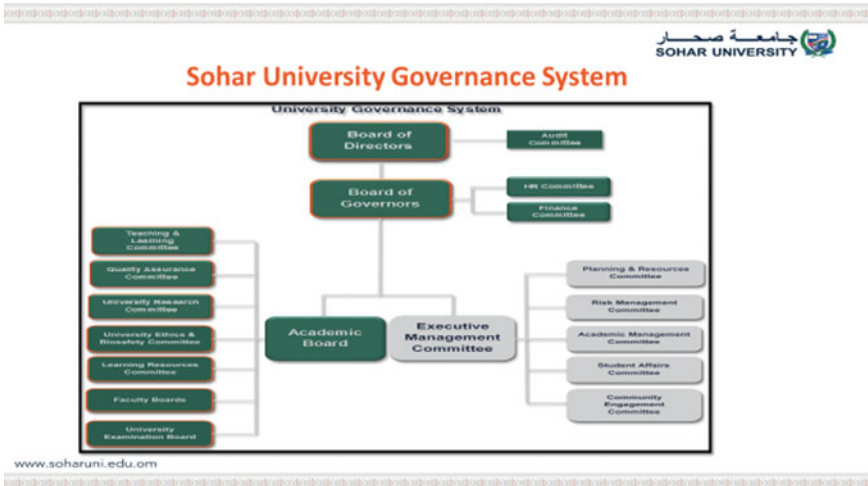
Fig. 11.2 Sohar University governance system. *Source* Sohar University Corporate Governance Framework Charter

- The Academic Board: refers to the central authority for academic decisions and accountability across the University and is chaired by the vice-chancellor of the university.
- Committees (Standing and ad-hoc): Boards and other executive management representatives within the University may establish committees to assist in performing their different functions and exercising their powers.
- Executive Management Committee: refers to those individuals at the highest level of the University management who have the day-to-day responsibilities of managing the University and who hold specific executive powers conferred to them with, and by, authority of the Board of Directors and/or Board of Governors. These include the Vice-Chancellor, who is also the effective Chief Executive Officer, the Deputy Vice-Chancellors, and the Pro Vice-Chancellors. While the BoD approves the creation of executive management positions, the appointment and the evaluation of the executive management of the University is undertaken by the BoG.
- Other Management Positions: these are the positions established to support the functions of the executive management of the University. These entail substantial responsibilities and accountability for the management of specific areas of activity undertaken by, or on behalf of, the University. Usually these positions will be designated as deanships, directorships or managers, and head of departments, and such staff are accountable to the Vice-Chancellor, Deputy Vice-Chancellors, or Pro Vice-Chancellors of the University based on their portfolio of activities.

The terms of reference of the various University Boards and Committees are outlined in the Charter and account for the different requirements and expectations of various authorities, including the Ministry of Higher Education, the Capital

Market Authority of the Sultanate of Oman, and the Muscat Security Market (MSM). For the purpose of the Charter, governance refers to the processes by which the University is directed, controlled, and held accountable. It encompasses the authority, accountability, stewardship, leadership, direction, and control exercised in the University.

Sohar University BoG consists of 15 members appointed by the BoDs in accordance with the legislation promulgated by the Ministry of Higher Education for the establishment of BoGs for private universities and colleges in the Sultanate of Oman. The Board has overall responsibility for overseeing and monitoring the University's academic and administrative matters. It must pay particularly close attention to the mission and the obligations to society that are unique to the academic enterprise. The Board is the overall fiduciary for the University. As such, it is responsible, among other things, for creating policy, for setting the mission and purpose, for strategic planning, for reviewing performance, and relating the University to the community. The BoG also has a particular duty to observe the highest standards of corporate governance, which includes ensuring and demonstrating integrity and objectivity in the transactions of University business. Generally, the major responsibilities of the BoG include: approval and review of the Strategic Plan, direction and constancy of purpose, growth, and advancement of the University, protection and enhancement of assets, preservation of institutional integrity, and ensuring open communication.

The Board of Governors reviews its effectiveness and that of the management of the institution. It receives a quarterly Management Report from the Vice-Chancellor, and undertakes an annual review of key performance indicators (KPIs) and progress towards them. The system of review cascades down to executive members and deans/directors/managers, with each unit working closely towards implementation of the operational plan within the university framework. reviewing and reporting progress on the plan occurs during the annual planning and review process.

The Executive Management Committee submits a budget proposal to the Board of Governors for approval at the last meeting of the academic year around June/July of each year. This follows an extensive planning and budgeting schedule with each area of the University to identify areas for investment along with judgements of sustainability against 5-year projections. Following approval by the Board of Governors, the budget is then considered by the Board of Directors for final approval. This provides the University with an operational budget for the next academic year. The Audit Committee plays a valuable role by identifying the ongoing issues by directing the University management to these issues and it informs the Board of Directors of significant issues to aid their decisions. In accordance with the Strategic Decision Making Authority Matrix outlined in the Charter, the Board of Governors is responsible for the appointment of all senior academic and administrative staff (e.g. new VC, DVCs, PVCs, Directors, and Deans). The detailed issues are devolved to the Human Resources Committee and reported to the Board of Governance.

The Academic Board is an integral component of Sohar University's Governance Systems and structure and is the principal academic authority within the University. The Board provides a structured forum for scholarly discussion on matters of strategic importance leading to decisions about academic activities, including the University's

portfolios of programmes, teaching and learning strategies, faculty affairs, research, international collaboration, and other important initiatives that impact the strategic direction of the University and its policies. These decisions are consistent with the philosophies of student-centric education, academic excellence, and a participatory decision-making organisational culture. Within its purview, the AB is responsible for monitoring the effectiveness of the committees reporting to it and assessing their impact on actions taken and outcomes achieved. The AB is empowered to make decisions pertaining to programmes, academic programmes, related plans, performance, and the required resources. Furthermore, it has the power to consult with and make recommendations to the BoG as per the University Governance System. While doing so, the AB carries the obligation to coordinate, consult with, and submit feedback reports to the BoG, and to engage with other committees and divisions on all cross-functional policies, initiatives, and matters that serve the common interests of all stakeholders.

The BoG and the Academic Board are also supported by the Executive Management Committee and its standing committees, where the EMC provides leadership and management of day-to-day operations, ensures compliance and alignment with corporate governance in terms of policies, processes, procedures, and practices. It follows up the actions and activities undertaken to meet the strategic objectives, to ensure that annual operations plans are developed by each area and considered through a planned budget process. To ensure governance commitment, each standing committee is chaired by a senior member of the University. The EMC also contributes to the mission and vision of the university by developing the mission, the vision, the values of the university, and the strategic plan and it oversees implementation of the strategic plan to meet the mission and vision. It also upholds the values of the university; provides an outstanding education to allow students to fulfil their potential; delivers effective and efficient professional services for students, staff, and visitors; builds strategic alliances and partnerships with national, regional, and international communities, and partners; focuses on providing access and opportunity to build a knowledge nation; supports student experience by engaging minds, transforming lives, and serving the community; and develops the University research capacity. Periodic reviews of the charter are conducted by both the BoG and SU EMC. The terms of reference (ToR) of the Academic Board and each sub-committee are reviewed annually. In this way, SU ensures that the process to review the effectiveness of SU's core governance bodies and committees is met.

Since the foundation, the founders of Sohar University have committed themselves to the further development and continuity of the University in all areas. As the first private university in the Sultanate of Oman, SU is committed to quality across all areas. This commitment was made via direct investments in infrastructure and human resources and has not ceased over the past 20 years. Development continuity has led to financial stability, trust, and direct growth in all respects giving priority to activities that support student experience.

11.5   Characteristics of SU Governance and Management

A good governance and management mindset promotes efficient, effective, and sustainable institutions that can contribute to the needs and expectations of all stakeholders. It develops responsive and accountable institutions. It is an instrument for highlighting how institutions are managed with integrity, probity, and transparency. It is a safeguard for recognising and protecting the interests of all the key stakeholders involved, and an inclusive approach based on standards, legitimised representations, and participation at all levels for enabling, empowering, and ensuring that the decision-making process serves the common purpose. The characteristics of an effective governance system as in the Sohar University Corporate Governance Framework Charter include the following:

- A well-managed, fair, efficient, and transparent administration of the institution itself in order to meet well-defined goals and objectives
- The implementation of systems and structures for operating and controlling the institution with a view to achieving long-term strategic objectives that satisfy customers, stakeholders, owners, and suppliers
- Effective operation of the institution while complying with legal and regularity requirements
- The management of an efficient process of value creation and value adding for customers and stakeholders
- Evaluation of the various boards, in terms of setting strategic objectives and plans, and putting in place proper management structures including, for instance, the organisation's structure itself, and the systems and human capital to support and enable the institution to achieve its strategic objectives
- The various mechanisms and structures required to ensure that the overall function of the governance system can maintain institutional integrity, its reputation, and responsibility towards all of its stakeholders
- Assessment of the different boards and management teams, in terms of their actions and responsibilities for initiating, influencing, evaluating, and monitoring the various strategic decisions and actions at all levels of the University
- Effectiveness by the different boards and management teams in making speedy decisions, high-quality interventions, and the approach used for holding management accountable
- The actions and activities of the different boards and management teams in establishing mechanisms to ensure that the institution operates within the perimeters established by its shareholders and in the way it complies with the mandate given by external stakeholders
- A disciplined approach in using and managing resources in terms of efficiency and effectiveness in the pursuit of the stated mandate and also in the drive to achieve the strategic objectives for meeting the legitimate expectations of various stakeholders
- The effectiveness of the various established mechanisms, processes, committees, and systems.

11.6 SU Approach on Articulating Its Governance & Management

The SU approach to articulating its governance and management can be described as inclusive. The approach adopted by the University to drive its governance system recognises and protects the rights of its internal and external members and stakeholders. This is accomplished through consultation, information, involvement and participation, and widening this process so that inclusiveness is scoped well and that the interests of the university are preserved. Thus, the University must operate within the context of the mandate that defines its scope of activities and its legal and institutional boundaries. These allow it to be governed and managed in a disciplined manner. The sustainable prosperity of the university must be preserved by ensuring that all the key stakeholders involved in the establishment, growth, and development of the university are fully satisfied that the operating aspects cover the various areas of the mandate. The university's governance framework must provide an enabling environment within which the management team and employees can contribute and bring to bear their full creative powers in order to contribute to innovative solutions and also to help find innovative ideas for emerging issues.

The University also continues to seek ways to enhance the interaction between governors and senior managers. The introduction of key performance indicators (KPIs) (with targets) for each strategic goal and enabler in the revised Strategic Plan 2018/2023 will provide governors with better oversight of progress. Movement towards a University Dashboard will further enhance the ability of governors and senior managers to exercise oversight and control of key issues. It will also support better communication with staff, students, and stakeholders.

Committees are generally established at all levels to review and make recommendations on regular academic matters of concern or to review projects that cut across different faculties and departments. There are usually two types of committees across the University, serving various functions in line with the needs for governance control and oversight: standing committees and ad-hoc committees. Standing committees are committees with a continued existence, formed to perform assigned duties on an ongoing basis. Ad-hoc committees are formed for a specific task or objective, and dissolved after the completion of the task or achievement of the objective. Both standing and ad-hoc committees are established and dissolved by the Board to which they report or the member of the Executive Management to whom they report.

At the same time, a code of ethical conduct and responsibilities applies to members of different boards and committees. This code is highlighted in the charter to ensure the highest standards and to maintain the integrity of the different boards and committees. By disclosing the relevant personal, occupational, or financial connections or interests of stakeholders and affected organisations, the University ensures that conflicts of interest can be avoided, managed, or resolved, thereby preserving the objectivity and credibility of the governance system of the University. This also sets out the responsibilities of various members serving on these boards and committees.

When managing the affairs of Sohar University, several types of decision-making occur and these are reflected in the strategic decision-making authority matrix. Some of these decision-making processes are strategic in nature and others are more of tactical and operational. The following aims at providing an easy and quick reference list, demonstrating how shared governance occurs at the University. It indicates the major decision authority levels across the University in compliance with the University Charter and the requirements of different external governing bodies such as the MoHE and the CMA. It also provides insights into the role of each level of the governance system. The matrix considers six types of actions undertaken by various boards, committees, and members of the executive management. These are summarised and listed in the Sohar University Corporate Governance Framework Charter as:

(a) **Develop**: This relates to the body/person responsible for establishing and proposing plans, budgets, strategies, policies, terms of references, criteria, and other matters of strategic nature to the University. It also refers to developing and recommending new innovative strategic idea, projects, initiatives, and actions to different board members of the executive management.

(b) **Review**: Relates to the body/person in charge of assessing the proposed and recommended plans, budgets, strategies, policies, terms of references, criteria, and other matters of strategic nature to the University and making recommendations for approving or rejecting the proposals to another body/person.

(c) **Endorse**: Refers to the body/person formally supporting the development and/or review of a given action prior to its submission to a higher authority for a final decision.

(d) **Approve:** Refers to the body/person making the final decision on the proposed and reviewed plans, budgets, strategies, policies, terms of references, criteria and other matters of strategic nature to the University. This approval must be formally obtained and shall be documented in writing through Minutes of Meetings of a board or committee, an official circular issued by the authorised body/person, or any other formal written communication prior to the start of any kind of implementation and before holding various parties accountable for compliance.

(e) **Consult**: Relates to body/person that needs to be referred to for guidance and views prior to making any recommendation and/or suggestions for a final decision.

(f) **Informed**: This relates to the body/person who should be given formal notification of the approval of strategic decisions taken.

11.7 Analysis and Findings

This study investigated the issue of Arab governance and management from the perspective of Oman and Sohar University. It also attempted to offer recommendations for the improvement of this sector. After analysing all the above, and taking into consideration some of the observations and recommendations of a meeting in

Beirut, Lebanon on 6–7 December 2019 of the Arab Academy of Sciences discussing Higher Education in the Arab World: Government and Governance, and the following is recommended:

- To be less regulated by governments. Although governments support the private higher-education institutions, HEIs should be allowed to manage their business and governments should only intervene when needed
- To restructure the programmes according to need. There should be liaison between the HEIs themselves to determine which of them can offer the best educational provision. This would prevent unnecessary repetition of course provision, unless there were market demand and sufficient capacity. This strategy would allow the HEIs to complement each other and not compete. It would create a win–win situation and the utilisation of the strength and capabilities of each institution to maximum benefit. This strategy could be applied at country level or even among Arab countries
- Recognition of the high-school matriculation certificates issued by all Arab States. This would allow more students to study in Arab countries rather than travelling for degree-level study outside the Arab world
- Internationalisation. To strive to attract international students and to develop international staff and student–exchange programmes. This would increase international collaboration and partnership
- More collaboration in terms of exchange of information and data regarding governance and management, including exchange of audits and assessment information and data between HEIs
- More collaboration in conducting workshops and training
- UNESCO, as the regional bureau for education in Arab States, should take a lead in the development, enhancement, and improvement of the governance and management systems in those states. This would require a robust and workable strategy and monitoring of the implementation process
- There is an urgent need for wholesale peaceful transformation of society, so that universities can help to facilitate the peaceful transition of the Arab world. In this way, the Arab world will be enabled to play a full role in the global knowledge economy and to build knowledge nations. It will be necessary to implement reforms that address a wide range of major issues (e.g. corruption; inequality; poverty; unemployment and underemployment; poor hard and soft infrastructure; weak public finances; and any issues in this regard that also directly affect academia)
- Standardisation is required for models of university governance and management-reporting structures
- There is a need for transparency, diversity of sources and scale of funding and partnerships for teaching and research. Freedom from government interference is also required; as such freedom will expand the role of Arab universities and will enable them to address the challenges facing the Arab world, as well as help to raise performance in the international university rankings

- Better liaison is required between the Arab States. This will enable the universities to overcome the challenges that many Arab universities face when adapting to new realities such as (a) e-learning and online teaching; (b) virtual campuses and classes; (c) meeting societal needs for advanced practical skills and competencies; and (d) producing graduates capable of meeting the needs of the Fourth Industrial Revolution and other challenging issues.
- Constructive proposals are needed to (a) improve the roles, structures, and duties of governing bodies: (b) encourage the adoption of best practice; (c) provide national and transnational guidelines and/or associations for governing bodies
- Government research institutes should be co-located with universities and some public universities should be merged with private universities to ensure cross-fertilisation of staff, students, concepts, and a more efficient use of expensive facilities and laboratories
- Full use should be made of key international organisations, especially UNESCO, the Arab learned societies, the leading quality-assurance bodies, funders of collaborative research projects and student exchanges, UK NARIC, and other aid, research, and educational agencies
- All institutions should create a Governance Framework Charter as an effective document that guides the governing bodies on the fulfilment of their roles and responsibilities.

It must be noted that it is possible to implement all of the proposed recommendations above. The infrastructure already exists, these recommendations are not costly, and all that is required is the determination to effect a meaningful change.

11.8 Conclusion

In summary, Arab HEIs in general, and Sohar University in particular, strive to enhance academic delivery to students and to provide effective and efficient, professional academic support that meets the expectations of their students, staff, and other stakeholders. In this regard, Sohar University has created a clearly defined governance system to ensure that the appropriate roles and responsibilities are fulfilled. In addition, the governance bodies provide ethical, effective, and strategic academic and administrative leadership and oversight of the institution. This has been the case since the establishment of Sohar University in 2001. SU has been governed by a three-part governance system composed of a Board of Directors, a Board of Governors, and an Academic Board. Each of these governing authorities has its own clear and distinct roles and responsibilities that guide the strategic goals and objectives of the University in fulfilling its mission and achieving its vision. This is very similar to what other Arab universities do.

At the same time, the governing bodies of the institution are well supported by a range of standing committees. The terms of reference of each of these committees are reviewed periodically to ensure their continuing effectiveness and they are

also readily accessible to all staff and students on the shared drive and portal. The Charter of Governance and Management of Sohar University is itself subject to monitoring and revision on an ongoing basis, primarily to enhance the effectiveness of the processes and to ensure their consistency. The terms of reference for the different boards and committees set out responsibilities, including "the growth and advancement of the University". In Oman, the membership of the Board of Governors complies with MoHE requirements and guidelines whereas the Board of Directors complies with the capital market authority.

The governance and management for higher-educational institutions refers to the establishment of an appropriate legal, financial, and academic environment that allows a university to thrive in its pursuit of advancing long-term shareholder values and also maximising the exploitation of its available capabilities for the development and delivery of quality learning opportunities. The governance and management framework charter of SU is designed to facilitate effective decision-making, ensure accountability to both internal and external stakeholders, and encourage transparency. The Capital Market Authority of Oman sets out the framework for the establishment and oversight of the Board of Directors, and the University ensures that it is compliant with all the CMA requirements. The Board of Governors is required to comply with the regulations and guidelines, as stipulated by the MoHE. The Oman Academic Accreditation Authority acts as an auditing authority that ensures the overall compliance of the institution with the specified quality-assurance systems and regulations by adopting international standards in higher education.

It can be concluded that the governance and management system of HE in Oman and SU is:

- Supported by the government
- Regulated by the government
- Quality assured
- Subject to national and international standards
- Well documented
- Still in the process of improvement and development

All the issues mentioned above should be applicable across the Arab world, but some of the issues still require resolution. Common efforts and harmonisation processes are required for the governance and management of Arab HEIs. This is important as the governance bodies of institutions play a key role in setting and overseeing the maintenance of academic standards. Finally, the governance systems need to be supported by sound and appropriate policies and regulations that meet the needs of the students, the staff, and other stakeholders. In this way, the Arab HE sector will be able to provide an outstanding education that allows students to fulfil their potential; to focus on providing access and opportunities to build knowledge nations; to deliver effective and efficient professional and academic support services for students, staff and stakeholders; to develop institutional research capacity with impact; to build strategic alliances with national, regional, and international partnerships and communities; to engage with local communities and to support student experience by engaging minds, transforming lives, and serving those communities.

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Chapter 12
Stakeholder Involvement in Maghreb University Governance: Trends and Obstacles

Wail Benjelloun

Abstract The governance of Maghreb universities has evolved considerably over the past 50 years. At each step of the regularly undertaken reforms, university governance constituted an important chapter as different stakeholders were progressively incorporated into the mechanisms, not always with optimal results. In Morocco, universities transited through periods where faculty councils were gradually introduced, as were forms of student representation. At later stages, local governments and the socio-economic fabric were also solicited, as graduate employability became a major concern. Although this "inclusiveness" still needs fine-tuning, it has generally contributed to an opening for the university in its environment and reinforced the calls for quality assurance and increased autonomy, with a corresponding decrease in government influence. A major new reform Law, which sets the stage for more effective implication of the stakeholders, was passed by the Moroccan parliament. In Algeria, a highly centralised system remains in place, with government members sitting on the Boards of all universities. The reform of 2004–2010 had, among other objectives, that of bringing stakeholders together to improve higher education and graduate employability. In Tunisia, current reforms aim at making available the tools to ensure access to information, transparency, and proactivity. In all three Maghreb countries the increase, albeit at differing paces, in stakeholder awareness and participation may prove to be the principal determinant of quality in higher education.

Keywords University governance · Stakeholders · University reform · Maghreb · Employability

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12.1   Introduction

As they gained independence from France, the Maghreb countries of Tunisia, Algeria, and Morocco were faced by the challenge of setting up educational systems capable of providing the administrative and technical cadres necessary for nationhood and the exercise of sovereignty. The task was daunting in view of the dramatic situation left behind by the colonising power. In Algeria, the last of the three to attain independence in 1962, for example, the adult illiteracy rate was estimated to be as high as 87% [2]. The present chapter addresses the development of higher education (HE) in the three countries which originally constituted the Arab Maghreb [7], because of their geopolitical affinity and the similarities in their historical approach to education. They will be collectively referred to as the Maghreb countries.

At independence, the Maghreb countries could boast a tradition of HE several hundred years old (e.g. Al Karawiyine and Al Zaytouna Universities) but with limited enrolment, a number of historic medersas (generally secondary-level) and msids (primary-level) dispensing essentially Arabic language and religious teachings, and a network of schools established by nationalists during the colonial period with modern curricula and an insistence on cultural identity. In addition, the French established a number of primary and secondary schools teaching in French and meant to prepare local administrative personnel necessary to their ambitions, as well as a series of specialised higher-education institutes serving essentially French nationals and colonial requirements.

As they launched their own universities after independence, it was evident to the leaders of all three states that some order had to be put in this diversity of educational institutions. The older universities and medersas were put under government supervision and the colonial institutes were incorporated into the new national universities. Thus, Mohammed V University, the University of Tunis, and the University of Algiers were launched, with essentially the same strategic objectives in each of the three countries: unification (of curricula and programmes), nationalisation (of teaching staff), and Arabization (language of instruction). This standardisation was accompanied by close government oversight of university management.

Since then, the three countries have undergone different paces of university development. Morocco has known the greatest number of HE reforms since 1957, with significant progress towards a governance paradigm favourable to institutional autonomy and stakeholder participation, followed by Tunisia, whose own reform project has been complicated by its post-2011 political evolution. Finally, Algeria seems to be on the verge of a major reform project of its own.

In the series of reforms that have marked Maghreb HE, a tendency towards wider participation in university governance may be noted. As has been stressed elsewhere [1], faculty and other university actors are best placed to determine curricular and research policy, independent of immediate or political considerations. Through a limited but rapidly developing experience with wider participation in governance, Maghreb universities have found that when implicated, faculty and students can contribute to quality education through a greater sense of ownership and trust, while

the socio-economic fabric is more forthcoming in the curricular issues related to market needs and the preparation of graduates for employment and entrepreneurship [6].

12.2 Historical Perspective

The history of Morocco, Algeria, and Tunisia is marked by the region's centres of learning. The best known of these are Al Karawiyine University in Fez, founded in 859 by Fatima El-Fihria, and Ez Zitouna in Kirawan, which became centrepieces of HE serving for centuries as places for research and the dissemination of knowledge. They were complemented throughout the region by a network of medersas and msids, who trained scholars and administrators, and whose influence extended well beyond the three nations' frontiers. The major sages of the epoch, including Maimonides, Ibn Rushd, Ibn Khaldun, Ibn Tofayl, and others were associated with both universities, either as students or as teachers.

The medersas complemented these universities, preparing students for higher studies. Several of these became famous in their own right, among them the Bouananya (Fez), Benyoussef (Marrakesh), and the Mariniya (Sale) in Morocco. In Algeria, the Khaldunia and the Tachfiniya (Tlemcen) became educational centres in their own right until their destruction by the colonial power in 1873 and replacement by three colonial medersas in Constantine, Médéa, and Tlemcen founded to train secondary-level students in religion, law, and education [14] to facilitate the territory's administration. With a similar objective, France launched in 1915 several primary-level schools of the Sons of the Elite in Morocco and secondary schools such as Moulay Youssef (Rabat) and Moulay Idriss (Fez), which provided instruction in French. Franco-Berber schools, such as Lycée Tarik Ben Ziad in Azrou, were also launched in 1923 in an attempt to separate Amazigh and Arab cultures. The Tunisian medersas, located essentially in Tunis and including the famous Al Khaldounia, also served to train administrative agents, though in response to nationalist pressure they diversified their offerings to include modern science [4, 5]. The Sadiki Collège of Tunis was established in 1875 by Tunisian reformer Kheireddine Pasha as a centre for excellence and continued functioning into the colonial period. In spite of the initial colonial intent, these schools in all three countries constituted hubs of nationalist sentiment and fed the independence movements. This nationalist sentiment also drove an important number of benefactors, dissatisfied by both the msids and the colonial schools, to launch their own schools in Morocco, Algeria, and Tunisia. This was known as the free-school movement and lasted from 1919 well into the first decades of independence [9]. These included the Guessous School in Rabat, founded in 1934 and still in operation today.

At the HE level and with the aim of better determining the wealth of the three countries and their cultural diversity, the colonial power created several research and training institutes catering essentially to French nationals, including the Higher Institute for Moroccan Studies (1917) for sociological and anthropological studies,

The Cherifian Scientific Institute (1920) for scientific research in Rabat, the Center of Legal Studies of Tunisia in 1922, and the Institute for Higher Studies in Tunis in 1945 [5], The National Higher School for Commerce in Algiers (1900), the National Polytechnic School (1925), and The National Higher School of Agronomy (1909). The University of Algiers was inaugurated in 1909 and also initially catered mostly to French students [24].

12.3   Modern Higher Education: Organisation and Context

This historical tradition of education in the three Maghreb countries served as a basis for the launch of national university systems at independence. Mohammed V University was opened in Rabat in 1957, the Tunisian University was created by Law n° 60-2 on 31 March 1960 and the University of Algiers, which had been created by the French in 1909, was transformed to meet the needs of national development at independence in 1962. The launching of a national education system, including a national university, thus became a lever of national sovereignty in the three countries and contributed significantly to the building of the modern state. Given their experiences with the coloniser, the management and governance of these systems became a national preoccupation as they laid the groundwork for training the manpower needed to build the economies and reinforce the identities of each of the three nations. A close eye was initially kept on university management in general, be it at the level of apportionment of budgets to different public universities, the expenditure of allocated funds, the appointment of university presidents/rectors and faculty deans, the hiring of faculty and staff, or the nature and structure of academic offerings. The historical value placed on education, on the other hand, led to a sustained interest on the part of society in general in the quality and effectiveness of education dispensed by state institutions.

In general, HE in Morocco, Algeria, and Tunisia includes universities and their schools or faculties under Ministry of HE supervision, as well as a series of prestigious and selective institutes of higher studies (IHS) that are either solely attached to the Ministry of HE or jointly supervised with another Ministry in their area of specialty. This dichotomy has created two-speed systems [8, 10, 24] and differentially impacted quality.

In 2017, Morocco's 997,338 HE students (a 4.2% increase relative to 2016) were distributed as follows: 78% in the 13 public universities, 3% in the IHS 14.5% in professional HE, and 4.5% in private universities and institutes. Overall faculty/student ratio in the public sector in 2016 was 1/57 (up from 1/27 in 2002), varying from 1/17 (up from 1/7) in the selective IHS to 1/83 in the open-access faculties and schools of the public universities [8].

In Algeria, 50 universities and 13 university centres (regional university annexes under direct Ministry supervision, expected to eventually develop into full-fledged universities) are complemented by 43 IHS. In 2017, the HE system registered a total

of 1,730,000 students (up from 1,289,474 in 2014). With teaching staff of 60,000, the faculty/student ratio was 1/28.8 [24].

In 2014, there were 13 universities in Tunisia under Ministry of HE supervision and 30 IHS under joint supervision. The number of students in HE in 2014 was 292,291, down from a high of 360,172 in 2008, with a faculty/student ratio of 1/14.7. Unlike its neighbours, the number of students in Tunisia has been on a downward trend for demographic reasons since 2008. The private sector registered 30,334 students in 2014 (9.4% of all students in HE) [10].

Massification has had significant economic and organisational repercussions for HE in all three countries, although as has been noted, the trend seems to have been reversed in Tunisia since 2008. For example, in Algeria the number of students in HE increased from 407,995 in 1999–2000 to 1,730,000 in 2017–2018 [24]. In Tunisia during the period between 2002 and 2014, the number of university-level institutes increased from 121 to 198. A look at cost per student in Tunisian HE during the same period shows that this decreased from 6,065.68 Tunisian Dinars (TND) in 2002 to 3,804.9 TND in 2014 [10]. In Morocco, the annual operating budget cost per student was 39,619 MDH (down from a peak of 69,452 MDH in 2005) in selective access schools and 9,146 MDH for open access faculties (down from a peak of 16,110 MDH in 2005) [8].

These data should be considered in light of unemployment statistics [26] showing that in the 15 to 24-year age group in all three Maghreb countries, unemployment surpasses 20%, of which nearly half hold university degrees. This is perhaps an indication that in addition to appropriate economic decisions that may need to be made, university programmes must be reevaluated as to quality and appropriateness for the job market.

12.4   Trends in Higher Education Reform

HE in the Maghreb has undergone several reforms, varying in number and extent depending on the country [8, 10, 24]. In spite of these sometimes-modest attempts at change since national independence, the general tendency for university governance in the Maghreb countries has perceptibly shifted towards some degree of autonomy that has varied from one country to another. In all three cases, over the years, the trend has been towards stakeholder inclusion in university councils, with representation for academic as well as socio-economic partners, some relaxation of the government hold on the naming of university presidents, and a commitment to financial and academic autonomy.

12.4.1   Morocco

This has been especially true in Morocco, where HE has known several important reforms since 1957. The reform of 1975 led to the creation of faculty councils; that of 1982 resulted in a substantial administrative reorganisation of universities. Stakeholder participation in the HE system was an important element in Law 00-01 [20], itself a result of the National Charter adopted the year before by the Higher Council for Education and Training. The University Council is accorded in Article 11 of the Law all powers and attributes necessary to the administration and good governance of the university. Certain of these attributes, however, such as the acquisition and sale of real estate, contracting loans or participation in public or private enterprises necessitate ministry approval. Article 9 defines the membership of the Council, which is chaired by the President of the University, and includes the president of the region, the president of the regional Council of Ulemas, the president of the urban commune (Mayor), the director of the Regional Academy (primary and secondary education), seven representatives of the socio-economic sectors including from professional chambers and private HE, three elected faculty from each university school or faculty, representing the different statutory academic grades, three representatives of the administrative and technical personnel of the university, three student representatives elected by all the students of the university, the deans and directors of the faculties and schools of the university, a dean/director of a public university faculty/school not part of the concerned university.

It also instituted a process for the selection of university presidents, who had previously been nominated by royal decree (4-year mandate, renewable once). A short list of three candidates, selected on the basis of a programme to develop the university by a special commission of peers and socio-economic personalities named by the Ministry, is vetted by the university council, for a recommendation for final appointment, initially by royal decree. This procedure, initially set in place in 2000, was again modified in line with the 2011 Constitution, transferring the appointment of university presidents and deans from the Head of State to the Chief of Government. The Conference of University Presidents is chaired by an elected university president.

The "Framework Law" 51.17 [21], adopted by Parliament in July 2019 after lengthy debate, strengthens the use of foreign languages alongside Arabic and Amazigh and sets in motion a complete revision of curricular programmes through the entire educational system. The law provides for correspondence between professional programmes and professional qualifications related to the needs of the economy, in order to improve employability. In conjunction with its quest for increased quality and effectiveness, a strengthening of the regional dimension of academic programmes and professional profiles of graduates is to be reinforced over the next three years. The ministry has also embarked on a migration from the 3-year Licence, of the Licence-Master-Doctorate (LMD) sequence adopted following the Bologna process, to a 4-year Bachelor, to allow the inclusion of transverse skills while still maintaining strong academic content.

12.4.2   Algeria

University governance in Algeria remains highly centralised. Law n° 99-05 on 4 April 1999 accords to universities the status of public scientific, cultural, and professional institutions, each governed by an Administrative Council and headed by a rector appointed by decree for an undetermined duration of mandate. A modification by Executive decree in 2003 [16] defines the composition and prerogatives of the university administrative council. The council is chaired by the minister or his representative and includes appointed representatives from the ministries or administrations in charge of finance, education, professional training, and scientific research, along with a representative of the wali (Governor), and representatives of the principal economic sectors served by the university. The administrative council also includes an elected faculty member from each faculty or institute of the university, two elected university administrative staff and two elected students. Up to four representatives of the major sources of finance for the university may attend council deliberations, on a consultative basis. The rector, vice-rectors, the deans, and the directors of university institutes also attend on a consultative basis. A scientific council chaired by the university rector and whose composition is more academically oriented is in charge of academic and research issues [16, 24].

At the national level, a National Conference of Universities groups the presidents under the chairmanship of the minister, while three regional conferences of university presidents coordinate regional HE. Law 08-06 of 2008 generalised the LMD system in Algerian HE.

12.4.3   Tunisia

As early as 1985 a report on HE by minister Abdelaziz Ben Dhia made some interesting recommendations for reforming Tunisian HE which included granting financial, administrative, and pedagogical autonomy to each university, with ministry supervision being limited to the creation of new institutions and planning for human resources. He also recommended that the annual budget from government sources be based on a contractual commitment between the ministry and the university, whereby the latter would receive funds on the basis of number of students, number of specialty tracks, by level of study, and even by region (in order to correct for regional disparities) [3].

In 2008, Law 2008-19 organised universities into public administrative, or public scientific and technological universities with more economic latitude [17]. Only one university has since attained the latter status. The law also set up a council of universities presided by the Minister and including all university presidents and ministry directors. The president of the university with wide prerogatives is named by decree for a mandate of four years renewable once. The exercise of his/her responsibilities

was defined by decree [18], as was the membership and prerogatives of a university council, chaired by the president of the university. Membership included the vice-presidents, the deans, and directors of the faculties and schools of the university, a maximum of 14 teaching faculty defined by rank, three representatives of the socio-economic sphere, one representative of administrative and technical staff, and two or three students elected by their peers members of the scientific councils in the faculties and institutes. In 2017, another decree [19] changed the presidential selection procedure to an election by slate (president and vice-presidents) and reserved eligibility to those candidates already members of the university council.

The Ministry had committed itself in 2011 to a comprehensive HE reform and a strategy to that end was validated by the Universities Council in 2015, followed by the launch of a nation-wide debate and the proposal of concrete actions. This process has yet to advance [15, 22].

12.5   Stakeholder Participation

As successive reforms were put in place in Maghreb HE, university governance models gradually evolved, albeit hesitantly, towards more internationally acceptable formulae. The principal laws governing HE in Morocco, Algeria, and Tunisia guarantee autonomy to the public universities. Yet the annual budget is largely determined by government grant, and other laws and regulations limit their ability to spend, invest, or generally to engage in economic activities. In fact, their status is closer to an administrative entity and all expenditure is closely followed by the Ministry of Finance. Teaching staff remain civil servant employees of the HE ministry, and hiring and firing are subject to civil-service process. Finally, leadership positions are closely monitored and, no matter what the procedure for nomination/election, it is consecrated by an executive decree. In spite of these obstacles which seem to be linked to the historical development of higher education in the region, significant progress seems possible given the interest that all university players and all segments of society accord to HE and the pressures they currently exercise to influence HE policy.

The concept of community governance [23] refers essentially to the participation of impacted social actors ("stakeholders") in the formulation of decisions influencing public governance, as contrasted with the traditional shareholder approach, which principally serves the interests and objectives of the "owners". In the case of the public university system, the owners may be considered the government which provides most of the university's budget, while "stakeholders" are those who have a vested interest in the system through formal or moral engagements. These would include faculty, administrative and technical personnel, students, parents, the local governments and national and local elected bodies, private-sector partners and NGO's, and any other sector that potentially employs the university's graduates [12]. One may add international stakeholders such as UNESCO, the International Monetary Fund, the World Bank, and the European Union, all contributors in one form or another to the

Maghreb educational systems and therefore entitled to hold them accountable. The challenge is thus to put in place a governance mechanism capable of integrating and responding to the needs of the different "partners" in a manner that allows the university to fully exercise its mission and positively impact human and socio-economic development.

To this end, HE systems in all three Maghreb countries have developed some form of representation in university governance. This representation, through university councils, has known uneven progress towards autonomy over the years. Moroccan university councils, still far from perfect, have acquired credibility as fora for deliberation on all university issues, allowing for frank exchanges between different stakeholder groups. Tunisia will certainly follow once its present reform process is concluded. Though an effort at inclusiveness in the preparatory process has been made, some partners have questioned the credibility of the consultation [22]. Algerian universities benefit from the existence of both an administrative and a scientific council. They remain highly centralised however, and the separation of prerogatives between councils does not appear to favour efficient governance. The administrative council remains an instrument mainly in the hands of the ministry [16, 24].

Several attempts have been made to assess stakeholder participation in Maghreb university governance. Perhaps the most comprehensive thus far are the benchmarking reports by the World Bank assessing governance through screening-card methodology, which confirm that on the Participation dimension Moroccan universities scored highest of the Maghreb countries [26]. The self-perception results obtained from stakeholders were even higher on this dimension than reported by the questionnaires. On the Autonomy dimension, Moroccan universities stakeholders again perceived their autonomy as being greater than indicated through the questionnaires (3.4/5 as opposed to 2.8) [25], while the inverse was true in Tunisian universities (2.0/5 relative to 2.5). On the whole, these findings denote a significant degree of satisfaction of Moroccan university stakeholders with their participation in the affairs of the university.

The gradual reinforcement of stakeholder participation has led to their becoming more vocal concerning certain aspects of university function including quality, in and out of the spheres of representation. For example, a recent survey commissioned by Hautes Etudes Management HEM [13], a well-regarded private business school, and conducted by an independent agency, addressed quality in different components of the Moroccan HE system. Using a five-point scale (Very Weak, Weak, Average, Good, Excellent) students, be they potential first-year students, registered first-year students or employed graduates, rated the system globally as being Average, leaning towards Good. Only the parents of potential first-year students generally considered the system as Good with 10% of this group considering the system as being Excellent. All categories of students including employed graduates rated the quality of the public universities as being Average. Not surprisingly, when the questions concerned the quality of competitive access IHS , the ratings improved markedly. Potential first-year students considered these schools by and large Excellent. Registered students rated them Excellent or Good, while employed graduates considered them Good. Parents

of potential first-year students generally considered the quality of these schools as Excellent.

Another aspect of stakeholder implication in university governance concerns employability and the insertion of graduates into the economic sphere. Mohammed V University, in partnership with Hassan II University of Casablanca and HEM, launched a programme to train students in entrepreneurship and innovation, and to facilitate launching their own enterprise [11]. This service is in cooperation with the European Union and is closely linked to the regional socio-economic infrastructure and ecosystem, bringing together Universities and higher institutes of commerce and schools of engineering, with commercial, industrial, and agricultural enterprises, NGO's, and employment agencies. Encouragement of student entrepreneurship is included in Law 00.01 of 2000 but was not formalised until 2018 when the National Student Entrepreneur (NSE) statute came into effect, allowing students to formally include an entrepreneurship project at the Bachelor or Master level. The student would thus have appropriate training and be accompanied by a professor and professional entrepreneurs.

As HE governance in the Maghreb evolves, with stakeholder engagement and ownership, more such initiatives should be expected.

12.6   Conclusions

The Maghreb university is currently required to respond to the needs of several actors. As it works to attain its mission and contractual objectives, in terms of quality, employability, and relevance, it must seek to address local stakeholder's (faculty, staff, students) demands and respect the engagements of its faculties and schools. Further, the university must align its actions with national orientations as articulated by the HE and other ministries. Finally, the university must work with its socio-economic partners to generate additional income, improve curricula and prospects for employability, and contribute to the solution of national and regional challenges.

To face these responsibilities, effective representation must be guaranteed in order to promote an interest in university affairs by stakeholder communities and create a healthy interactive environment to share and mutually benefit from the expertise of the different actors. This sets the stage for autonomy and good governance.

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Chapter 13
The Governance of Higher Education in Post-war Syria

Wael Mualla

Abstract The eight-year-old conflict in Syria has had profound impact on all national sectors, including the higher-education sector. The damages inflicted on the sector can be described as huge and enormous, and include: losses of higher-education infrastructure; loss of intellectual capital (higher-education expertise); drop in teaching quality caused by the loss of experienced qualified staff; limited higher-education funding as funds were diverted to support other urgent priorities; and disruption of the academic year caused by low attendance of both staff and students. To mitigate the impact of the crisis and to maintain the functionality of the system, several ad hoc top-down policies and decisions have been centrally taken by the higher education council and implemented by universities. And now, as the crisis is nearing its end, the big topic currently debated is whether the higher-education system in the post-war Syria should undergo significant reform involving structures, rules, and practices of governance, and establishing new relationships with the government and the public. In this chapter, the status of the Syrian higher-education system prior to 2011 and the major reforms it has undergone during the decade preceding them are highlighted including its points of strength and weaknesses. The impact of the crisis on the higher-education sector is also presented and discussed, as well as the measures taken by the higher-education governing bodies and universities to mitigate the impact of the crisis and to maintain the functionality of the system. A new vision that includes options for the future governance of the higher-education system are also presented and discussed.

Keywords Syria · Syrian conflict · Syrian higher education sector · Governance of higher-education sector · Conflict impact on higher education · Post-conflict recovery

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13.1   Introduction

Syria has been experiencing a severe conflict since 2011, which has affected all economic and social sectors in the country, including the higher-education sector. Most development accomplishments in higher education achieved as a result of post-2000 reform measures, have been lost, and the situation continued to deteriorate further. The impact of the crisis on the higher-education system is huge and enormous. It includes losses in the higher-education infrastructure; loss of intellectual capital; drop in teaching quality caused by the loss of experienced qualified staff; limited higher-education funding as funds were diverted to support other urgent priorities; and disruptions in the academic year. Perhaps one the most noticeable impacts of the conflict on public universities (especially Damascus University) was the stoppage of almost all international collaboration projects and partnerships (including joint academic programmes) that universities have worked hard to build over a decade, as a result of imposed sanctions and travel bans.

As the conflict appears to be nearing its end, the big topic currently debated is whether the higher-education system in the post-war Syria should return to what it was pre-2011, or whether it should undergo significant reform that would involve the structures, rules, and practices of governance, and establishing new relationships with the government and the public.

13.2   The Higher-Education Sector in Syria Pre-2011

To have a better understanding of the impact of the war on the higher-education sector in Syria, and to develop a clear vision for the governance of this sector in the post-war era, it is essential to review and understand the status of this sector in the pre-crisis era (i.e. in the period before 2011), including its structure, the major reforms it has undergone, its points of strength, and points of weaknesses.

Several studies have been made of the Syrian higher-education system in the pre-2011 era, each study describing the system from a different perspective [1, 2, 6, 9, 11]. The most recent one was prepared by the Faculty of Education at the University of Cambridge and published in 2018 [17]. However, this study omitted many important reform measures that have been introduced in the Syrian higher-education system in the post-2000 era and appeared to be describing the pre-2000 era. This could be attributed to the fact that it has relied heavily on the testimonies of displaced academics living outside Syria rather than conducting actual interviews and meeting with Syrian university leaders and academics.

In 2011, the higher-education sector in Syria consisted of 6 public universities (namely Damascus University, Aleppo University, Tishreen University, Al-Baath University, Euphrates University, and the Syrian Virtual University), 6 public higher institutes, 19 private universities, and 198 technical and vocational institutes.

The higher education council (HEC) is the highest policy-making body for higher education in Syria. It is headed by the Minister of Higher Education and includes representatives from public universities (presidents and vice-presidents), private universities, student unions, the teachers syndicate, and other ministries.

13.3 Major Reform Efforts in Higher Education Post-2000

The higher-education sector in Syria has been subjected to major reforms in the post-2000 era. In 2001, Legislative Decree No.36 was issued which allowed for the licensing of private higher-education providers for the first time in Syrian history.

In 2005, the four public universities that existed in Syria at that time (namely Damascus University, Aleppo University, Tishreen University, and Al-Baath University) were asked to expand horizontally by opening branch campuses in other governorates.

As part of the horizontal-expansion process, Damascus University opened three branch campuses (in Daraa, Sweida, and Qunaitra); Aleppo University opened two branch campuses (in Deir Al-Zoor and Idlib); Tishreen University opened one branch campus (in Tartous); and Al-Baath University opened one branch campus (in Hama). It is important to note here that some of these branch campuses have become at a later stage independent universities: the Deir Al-Zoor branch campus (of Aleppo university) became Euphrates University; the Tartous branch campus becoming Tartous University; and the Hama branch campus becoming Hama University.

In 2006, a new University Regulation Law was passed by parliament and issued by the president. The new law included enhanced university autonomy, increased decentralisation, financial reforms, and so on.

In 2009, Legislative Decree No 1, which regulates joint programmes with foreign higher-education institutions was passed by parliament and issued by the president. The new law paved the way for public universities to establish joint programmes at the postgraduate level with prestigious foreign higher-education institutions in areas that are relevant to labour-market needs and national development plans.

13.4 Reform Impact

The reforms have resulted in many positive outcomes, such as:

(1) Successful partnerships with many foreign higher-education institutions, which led to:

   (a) The establishment of numerous joint programmes with foreign partners in areas that have vital relevance to the labour market (banking and finance, telecommunication, environmental management, urban planning, economic reform, business law, etc.) and the national development plans

   (b) The establishment of university centres for quality assurance (as a result of joint projects with the European Union and British Council), and the implementation of quality-assurance programmes (first at Damascus University and then at other universities)

   (c) The establishment of university career centres to support student transition into the labour market, first at Damascus University with the support of the UNDP, and then followed by other universities

   (d) Very active student-exchange programmes as hundreds of foreign students (mainly American and European students) were hosted to study customized courses in Arabic Language and Culture at Damascus University.

(2) Capacity building of numerous teaching assistants from Syrian Universities in European universities, facilitated through agreements signed with European partners, such as the British Council, the German Academic Exchange Service (DAAD), and the Centre National des Œuvres Universitaires et Scolaires (CNOUS).

(3) Huge expansion in infrastructure in main campuses and opening new branch campuses in other governorates. As mentioned before, some of these branch campuses became independent universities at a later stage, such as Euphrates University, Hama University, and Tartous University.

(4) Introducing new modes of study and admission at public universities, such as the Open Education System that consists of distant-education programmes, and the Parallel Admission Process. Through this process 25% of students are offered "Parallel" educational opportunities in public universities on fee paying basis.

(5) Financial reforms: the new University Regulation Law and its executive regulations included important financial reforms. Public universities, for the first time, had their own internal financial resources collected from fees in the Open Education Programmes and the Parallel Admission Process. Internal resources have been used to enhance salaries of academic staff; to improve research facilities; to encourage staff to engage in research through incentive schemes; to support the teaching and learning process in the newly established branch campuses by encouraging academic staff through incentive schemes to teach in them.

13.5 Weaknesses

Despite significant reform efforts, the higher-education system was still strongly centralised and particularly influenced by the Ministry of Higher Education (MoHE), and the highly controlled higher-education governance structure undermined large-scale reform efforts in the post-2000 era.

   Furthermore, reforms were unsuccessful in addressing rising student numbers (because of the open-door admission policy) and overcrowded classrooms in public universities were a source of dissatisfaction for both staff and students, and constituted an obstacle to introducing modern teaching or assessment methods which are all "student centred" and require smaller numbers of students. It is worth mentioning

here that despite the huge expansion in infrastructure in main campuses and the opening of new branch campuses in other governorates, universities were still overcrowded with students (especially in human sciences).

The huge increase in the number and types of programmes offered in Syrian universities in the period pre-2011 has not been accompanied by a corresponding increase in the ability to monitor the quality of these programmes [19].

Despite efforts to enhance the technical institutes of vocational training, most of these institutes were still ill-equipped and generally regarded by the public as "second-class higher education". The institutes suffered from high drop-out rates, especially institutes belonging to other ministries (other than the MoHE).

The higher-education sector in Syria suffered from an absence of a national research strategy that links research institutions with the industry. Research output has been generally modest, although it varied considerably across the sector. Low research output in universities was attributed to many factors including limited research funding, over-emphasis on teaching, inadequate forms of research training, and lack of adequate incentives for academic staff to conduct research. Research was mainly carried out for the purpose of academic promotion, and most research does not serve society or the economic sectors.

The sector also suffered from an absence of a national policy that links higher-education institutions to the labour market. Furthermore, many university programmes were still poorly aligned with labour-market needs. The support for students' transition to employment varied considerably across institutions, with some universities offering little or no career support at all.

13.6 Impact of the Crisis on the Higher-Education Sector

The eight-year-old conflict in Syria has had profound impact on all national sectors, including the higher-education sector. Although there is no official assessment to date on the material and non-material damages inflicted on the sector, it is worth mentioning here an ongoing project by UK NARIC and the UNESCO Beirut Office to identify and explore the impact of the conflict on Syrian higher-education provision. The joint project comprises field missions in Syria, engagements with stakeholders, and large-scale consultations with wide-ranging audiences, including students, lecturers, members of academic faculty, administrative staff, and government officials [18]. The damages can be described as huge and can be summarised as: losses of infrastructure, especially in areas that went out of government control; loss of intellectual capital; drop in teaching quality caused by the loss of experienced qualified staff; limited higher education-funding as funds were diverted to support other urgent priorities; disruption of the academic year caused by low attendance of both staff and students.

Furthermore, despite improved access to higher education, attrition rates have increased due to internal displacement. Public universities have also suffered from huge expansion in student numbers at the expense of quality. Moreover, one of the

most noticeable impacts of the conflict on public universities, especially Damascus University was the stoppage of almost all international collaboration projects and activities including joint academic programmes as a result of imposed sanctions and travel bans.

13.7 Governance of the Higher-Education Sector During the Crisis

Although the Syrian higher-education system has been severely affected by the protracted conflict, it has proved to be more resilient than many have expected. Numerous articles were written expecting the collapse of the system [3–5]; however, the system continued functioning in government-held territories albeit at a reduced capacity [7, 8].

The fact that the higher-education system is mainly a centralised system turned to its advantage as many important top-down decisions were taken at the central level by the Council of Higher Education (HEC) and implemented by universities, and which proved to be effective in mitigating the impact of the crisis and maintaining the functionality of the system in major cities and in other government-held territories.

Perhaps, the most important decision made by the HEC was to enable students in conflict areas to relocate to a relatively secure location. It is estimated that as many as 40,000 internally displaced students (from the University of Aleppo and Euphrates University) had enrolled at Damascus University and Tishreen University in Latakia due to the relative safety of those cities [7, 8, 10].

One other important decision that had profound impact on the private higher-education sector was allowing private universities in conflict areas to move to temporary locations in secure areas, thus enabling the private higher-education sector to continue functioning as well. Within this context, the Ministry of Education allowed the use of some of its public schools (outside regular daily class hours) as temporary locations for some private universities.

Other notable decisions issued by the HEC to mitigate the impact of the crisis, especially on the students' mobility, was granting several additional examination periods for undergraduate and postgraduate students, and thus extending the maximum residence time allowed for students in universities.

13.8 The Higher-Education Sector in Syria Post the Crisis

As the crisis is nearing its end, the most important question on everybody's mind in Syria is: What is the vision for post-war Syria in all sectors? In other words, should Syria return to where it was before the crisis, i.e. 2011?

For the higher-education sector, the answer is an emphatic NO. There should be a new vision that includes major reforms in the structure and governance of the sector.

It is evident that the challenges facing Syria in the aftermath of the war would be enormous in all sectors including the higher-education sector, and it is evident that, in the short term, challenges facing the higher-education sector would be considerably different from the medium- or the long-term challenges.

In the short term, the focus will be on repairing damaged higher-education facilities and infrastructure, especially in areas that went out of government control. Dealing with displaced students and the disruption of their studies is another issue that the HEC needs to deal with in the short term.

Providing skilled graduates in disciplines that are critical for the reconstruction phase (such as engineering and medicine) is another pressing short- to medium-term issue that needs to be addressed. The disciplines of engineering and medicine are common priorities because of their relevance to the challenges faced by post-conflict societies in rebuilding damaged infrastructure and healthcare systems [7].

However, in the medium and long term, the emphasis should be on laying the groundwork for building strong academic institutions with high academic standards, autonomy, transparency, freedom, and cultural diversity. This could be achieved by introducing the following six reforms and development measures:

13.8.1   Legal and Institutional Reforms

The University Regulation Law should be amended to delegate many of the powers of the HEC to universities, that is, more autonomy should be given to universities in running their affairs, particularly regarding student admission, staff appointments and promotions, curriculum development, and so on. Greater autonomy and independence enable institutions to respond more quickly and efficiently to the changing demands of the market and the economy and to encourage innovation [19]. The government's involvement in higher education should be primarily to ensure its quality by ensuring that proper regulations and quality-assurance structures are in place to guarantee a certain quality of teaching and learning in all institutions. Government funding of public institutions should be linked to results and standards.

An independent (or quasi-independent) agency for quality assurance and accreditation of higher-education institutions and programmes should be established. The agency's decisions should be objective, professional, transparent, and impartial in dealings with both public and private institutions (several articles have been written by the author emphasising the urgent need for such agency [12–16]). As stated earlier, in pre-2011 years Syrian universities had seen a huge increase in the number and types of programmes offered; however, the ability to monitor the quality of these programmes and the skills of their graduates had not kept pace [19]. Universities should be encouraged to establish a continuous and sustainable quality-improvement

scheme at the institutional level and at the level of academic disciplines. The functionality of these internal quality-assurance systems should be evaluated regularly by the national quality-assurance and accreditation agency.

The legislative decree that regulates the establishment of private universities should be amended to give more autonomy to private universities as well as to encourage foreign universities to open branch campuses in Syria and build partnerships with Syrian universities. Private for-profit higher-education providers in Syria should be evaluated regularly by the agency for quality assurance and accreditation to ensure that their performance is consistent with accepted standards.

13.8.2   Curricular Development

Needless to say, course content and curricula remained static during the conflict, thus requiring curriculum reform to catch up with disciplinary advancements. Curricula also need to be reviewed in order to enhance the relevance of higher education to social, economic, and developmental needs of post-conflict Syria [9], and to enhance the employability of graduates. Graduates should have the required skills needed to succeed, not only in the local market but also in the modern global economy.

Furthermore, new subjects such as humanitarian action, or peace building will be required to address the challenges of conflict and recovery [7]. Existing courses can also be adapted to focus on new reconstruction-related challenges across a very wide disciplinary spectrum. For example, courses may be introduced for protecting cultural heritage in armed conflict in the "Archaeology programme"; dealing with war-related trauma in the "Psychology programme"; or macro-economic stabilisation in the "Economics programme" [7].

13.8.3   Rebuilding Human Resources

The success of post-conflict recovery depends not only on the amount of financial resources available but also on the fostering of a sustainable base of human capital [7].

In order to rebuild the human resources base, policies aiming at reversing the "brain drain" from academia should be adopted and implemented in the higher-education sector. Incentive schemes designed to attract staff back home should be designed and implemented. Syrian academic immigrants should be regarded as assets for Syria. It is of paramount importance to attract them back home or to build partnerships with them and their institutions abroad.

Technical tertiary education is more relevant to the typical reconstruction needs of post-conflict societies than academic higher-education programmes [7, 20], as skilled builders, plumbers, welders, and so on will be very much needed for rebuilding

damaged buildings and infrastructure [7]. Therefore, technical institutes of vocational training should be given special attention as this will have huge impact on the reconstruction process.

13.8.4 International Collaboration

Restoring partnerships with foreign universities is essential for higher-education capacity development in the post-conflict period. Also restoring scholarship programmes abroad would provide critical human resources, in particular, for specialised postgraduate fields in which training capacities are unavailable domestically.

13.8.5 Research

It is important to develop a research strategy that links higher-education institutions with industry and the various economic and social sectors; encourage academic staff to engage in research through incentive schemes; and enhance research funding by encouraging participation of industry and the private sector in research financing.

13.8.6 Transition to Employment

As well as aligning educational outputs with the broader needs of society and the labour market to ensure the employability of graduates, a national strategy that links higher-education institutions with the labour market facilitating the student's transition to employment should be developed. The pre-crisis coordination that existed prior to 2011 to connect graduates with the labour market, as well as provide training opportunities for students should be restored, strengthened, and developed further. Career counselling should be provided to students by all universities and institutes (public and privates) across the sector.

13.9 Conclusion

The post-war period will be a period of enormous challenges for Syria. In the short term, Syria will have to face the more pressing issues such as repairing damaged higher-education facilities and infrastructure and dealing with displaced students and disruption of their studies. These require actions to be taken at the central level. However, in the medium and longer terms, the emphasis should move to building

the foundation for strong academic institutions with high academic standards of autonomy, transparency, freedom, and cultural diversity. In other words, the higher-education system in Syria should not return to where it was before the crisis, that is 2011, but should undergo significant reforms that involve the structures, rules, and practices of governance, and establishing new relationships with the government and the public. The government's involvement in higher education should be primarily focused on maintaining quality and standards, while ensuring that public funds are spent wisely. A culture of evaluation and accountability should be adopted in higher-education institutions at every level among administrators, academic staff, and students. Universities should be encouraged to develop their own internal quality-assurance systems to ensure that educational outcomes for their students achieve individual and societal needs. The long-awaited national agency for quality assurance and accreditation should be established, whose main task is establishing quality benchmarks and enforcing quality-assurance standards. A research strategy that links higher-education institutions with industry and the various economic and social sectors should be developed and implemented by universities. The strategy should include incentive schemes to encourage staff to engage in research that serves society and the economy. A strategy that links higher-education institutions with the labour market should also be developed to facilitate the students' transition to employment.

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Chapter 14
Higher-Education Governance:
A Futuristic Outlook

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Abstract Within the huge potentials of the fourth and the coming fifth industrial revolutions and the ultra-rapid changes in skills, and breakthroughs in science, technology, innovation, and artificial intelligence, higher-education governance (HEG) is becoming a challenging issue for higher education (HE) institutions all over the world. HEG is expected to be based on new concepts of wide partnership, through different bodies, with students who are looking for the right environment to fulfil their ambitions and acquire the necessary ever-evolving skills, and depending mainly on themselves in learning the topics they like. HEG is expected to allow for the university programmes to be flexible, target-oriented, motivating, and semi-individually-designed, assuming that every student or small group of students, equipped with entrepreneurial and critical thinking skills, can be a special case of their own, and potential innovators. Partnership with industries and socio-economic sectors is expected to become a stable element in all governing bodies in HE institutions. Bridges of space and time between students and industries is expected to change the governance mode of HE institutions. Groupings of national universities and partnerships with international HE institutions would lead to gaining additional skills, knowledge, establishing joint projects, and making students and academics mobility better used. Financing of HE and research projects should be developed to become more independent and thus reducing government interference.

Keywords Governance · Partnership · Flexible curriculum

The answers to our problems do not lie beyond our reach. They exist into our laboratories and universities in the imaginations of our entrepreneurs and the pride of the hardest working people on earth (Barack Obama).

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14.1 Introduction

Governance in higher education (HE) is a long-standing issue for academics, students, and administration. Back in 1920, the American Association of University Professors (AAUP) issued the first statement on governance of HE, where the values of enlightenment, democracy, participation of academia in choosing the institutions personnel, administration, and making the budget were emphasised (American Association of University Professors, Statement on Government of Colleges and Universities). However, since governance in general deals with the way regulations and laws are implemented, HE governance is very much affected by national and global considerations. The level of democracy, the way institutions are managed, and society culture in a country are all directly reflected on the governance of all institutions including those of HE.

During the long experience of universities, and mainly after the first industrial revolution (1IR), and the rise of democracy in the nineteenth century, good governance of HE was always associated with the full independence of the institutions, full freedom of thought for the academia, and the ever-required role of enlightenment and innovation. Governance of HE institutions is sometimes endangered by the interference of politics and political authorities or parties, complication of instructions, dependence on temporary or part-time academic staff, domination of profit-making attitudes on behalf of administrations, isolation of staff and students from participation in designing the curricula or major decisions, and considering a HE institution simply a propaganda machine for the authority, or a business enterprise, thus subjecting curricula, activity, and research mainly for such hidden purposes.

With the subsequent industrial revolutions (2IR and 3IR) in the background, the three waves of democracy (1828, 1962, and 1974) gave HE institutions an increasing role, not only to education but to become a major engine for socio-economic, socio-cultural, and scientific research and technological development within a framework for innovation, discovery, and pioneering.

We ask ourselves today what would be the best way to prepare students for better jobs and high employability chances in the future? This gives the issue of governance an increasing degree of importance.

Considering the rapid changes, breakthroughs, and inventions taking place with the inception of the fourth industrial revolution (4IR) at the beginning of the twenty-first century, HE jumps to the front of issues that pass through the tunnel of change towards the future. This is especially important because HE is almost the factory for preparing the youth to join the future as participants, innovators, makers, entrepreneurs, and citizens. Hence the question of how to deal with HE and what sort of governance should dominate the scene in the coming years needs to be carefully and objectively investigated. Meanwhile, it becomes important to know the landmarks of the future and its impact on HE in order to draw the proper lines of the right governance associated with it. If no change in the right direction takes place in

governance, then HE institutions will become unable to compete with other institutions, neither in attracting the right students, nor in achieving distinguished research and brilliant innovations.

14.2 The Future

It is quite difficult to make an exact profile for the coming 30–50 years. This is due to the fact that 4IR is still at its first decade and no one can predict where it will take the world when the next 5IR will come into reality. But one can refer to major parameters that would have direct impact on HE. The ultra-rapid complicated future products and landscapes and the required actions shall be manipulated through four streams:

- Digital
- Physical
- Biological
- Artificial intelligence

Now, each country has to face these changes and hence be prepared to master the proper navigation along the above-mentioned streams. It will become a matter of survival for developing countries and of competitiveness for developed ones. This cannot be realised in the right time, quality, and magnitude except through a novel HE in subjects, skills performance, and governance.

14.2.1 Ultra-Rapid Changes

Change will be the motto in every field: in technology, social relations, society performance, economy, climate, resources, services and commodities, engineering, city planning, and so on. The technology of production will develop in the direction of intense automation, artificial intelligence, 3D printing, and robotics. Artificial intelligence and the internet will impose deep changes on the role of the human being in the production process. New materials and systems will replace a lot of existing ones.

14.2.2 Science Breakthroughs

Sciences will develop at a higher pace, and a very wide spectrum of unexpected science breakthroughs will cover every aspect of modern civilisation. New venues in medicine, biology, agriculture, transportation, and so on are expected to be developed

quite soon. The scientists and technologists who are going to be major parts of all this would be the HE graduates of today and tomorrow.

14.2.3 Artificial Intelligence

Artificial intelligence and brain sciences will be one of the major gates to the future. Their applications will go very wide to cover most of the dynamic systems, from the human cells to the deep oceans and the outer space.

14.2.4 Lifestyle

Lifestyle, with its heavy impact on HE students, will be the subject of continuous change associated to human needs, including education, learning, culture, food, housing, transportation, leisure time, working places and hours, towns, villages, energy and water consumption, and so on. Adaptation to climate change is expected to take more rational and humanistic approaches than what we see today.

14.2.5 World Economy

With new major economies developing fast in many places in the world, especially in East Asia, the present points of balance in the world economy will change. New economic maps will be in a continuous process of creation and adjustment, and the new economic centres (mainly China, India, Korea, Malaysia, Singapore, Thailand, and Indonesia) will climb the world economic ladder, not because of natural resources-generated wealth, but because of vast industrial revolutions, supported by millions of young innovative entrepreneurial HE graduates. The new tigers passed the 1IR and 2IR and are deeply involved in the 3IR and 4IR. With the exception of Singapore as a small country, the huge masses of population are expected to generate floods of inventions and innovations that may give East Asia technical superiority we are not familiar with. For example, the labour force in China and India alone comprises today around 1,300 million people, that is four times the labour force in USA, Canada, and Europe altogether and 40% of the world labour force. Today, China is about to exceed the USA in invention applications. Thousands of Chinese and Korean HE students are ready with their startup projects before graduation. Innovative economies shall domain the future economic map and East Asian countries are moving very fast on the economy innovation index (EII), which is a combination of six HE-related parameters, that is research and development (R&D) intensity,

patent activity, tertiary efficiency, manufacturing value added, productivity, high-tech density, and researcher concentration. South Korea, Singapore, and China rank number 2, 3, and 15, respectively, in the EII.

14.2.6 Refugees and Immigrants

Waves of refugees and immigrants, mainly from developing countries, are expected to erupt from time to time for different reasons that range from civil war, social injustice, racialism and apartheid, and political oppression to climate change and lack of cultivatable lands. This will have mixed impact on different countries of the world, as well as on HE populations everywhere. Developing countries may suffer huge losses in its human capital due to the expected waves of brain and skills drain. This would continue as long as the gap between HE and production market continues to exist. The human capital drain will enhance the technical power of the host countries at the expense of the countries of origin.

14.2.7 Water-Availability Crisis

More than half of the globe is expected to suffer a severe water availability crisis due to climate change, dry and hot weathers, the increasing demand on water for rapidly increasing population, and the lack of enough R&D in the field of water science and technology in the needy countries. This issue might lead to more waves of refugees and immigrants to the water-rich countries mainly Europe, USA, and Canada. Of course, this will lead to additional pressures on economies and HE institutions.

14.2.8 Renewable Energy

Climate change with all its consequences, in addition to the expected depletion of fossil fuels by the year 2100 (with the exception of coal where depletion is expected by the year 2150), makes renewable energy and related technologies a path that should be walked through. In addition to economic and financial question involved, a lot of scientific and technological problems need to be solved. Hence, HE researchers, university groupings, students, and joint projects are expected be active partners in this direction.

14.2.9 Food-Production Dilemma

With the rapid population growth specially in developing countries, scarcity of water in vast areas in the southern hemisphere, climate change, and desertification, hundreds of millions of people will suffer from lack of sufficient food products. This will be reflected on the whole population of the globe. HE institutions in developing countries should look at food production as a serious issue that needs long research programmes involving cooperation with international universities who have distinguished experience in new technologies in agriculture, genetic engineering, and counter-desertification techniques. Innovation by HE students and academia in this field becomes the way to a safe future.

14.3 Future Higher Education

Looking to the future, where graduates will be the main builders and contributors, what sort of HE is needed in order to manage, build, and innovate? We can define four dynamic components:

1. Student
2. Curricula
3. Interaction
4. Application

14.3.1 Students

In the first category, an HE student should learn basic sciences and create in him/herself a scientific way of thinking or a scientific mind, irrespective of the field of specialisation.

The skills of self-learning here become vital and the role of the HE institute would be to help, facilitate, and guide the student to acquire the appropriate learning skills. The continuous changes and development of media that carry information, data, and knowledge require that the instructors are always up-to-date in the relevant media systems, and hence help the student to develop his/her skills. Virtual reality including virtual classrooms, virtual laboratories, experiments, examinations, and so on is expected to be present throughout, and students should be trained scientifically, psychologically, and mentally to deal with virtual facilities, learning, and interact satisfactorily [11].

The issue of problem-solving is becoming more important year after year for HE students. Most of the routine work, similar exercises, and typical operations shall be tackled by artificial-intelligence systems and robots. At the same time, new problems and issues will appear every day and will need innovative solutions in

order to guarantee economics, effectiveness, and competitiveness. Here the role of well-trained HE graduates would be of great value. The skills of problem-solving should start at an early stage of the education journey, and the HE student would be expected to excel in problem-solving with the aid of modern digital technology. But the comprehensive role of HE here is to turn the mind of the students into problem-solving rather than waiting for solutions to come [11].

Since the second industrial revolution, education became highly influenced by scientific, technological, and industrial trends and breakthroughs. If we look into any subject today, such as humanities, pure sciences or applied sciences, no subject can fully be comprehended far from the industrial and technological trends and achievements. Hence, HE students have to learn and acquaint themselves with industrial and business trends. This should be done actually through summer training, special courses, virtual reality, visits to industry, and all available media and books. This will keep the mind and thinking of HE students geared towards the engines of socio-economic and socio-cultural change.

14.3.2 Curricula

The traditional rigid and for-all curricula will be no longer responsive to future developments and requirements. Moving from the point that "there is no stupid student but there is a wrong approach of education", every student can do well if the right structure of the curricula was adopted. Hence future HE requires that instructors and professors know enough details, including the intellectual, psychological, and scientific background of every student, and accordingly adjust curricula and modules to suit almost every student or group of similar fellows. This approach is becoming feasible due to the fact that learning rather than teaching is getting more attention not only in HE but also in schools as well. Since the student is the main player and the academic staff play a guidance and facilitation role, the curricula have to be customised accordingly. This would put additional or different sorts of responsibility on academic staff to properly customise the curricula to get the best out of the student. Of course, general curricula would be there to be used not as a must in every detail, but to be the baseline or the rail for the personalised curricula. Dividing the students into smaller groups of similar abilities and ways of thinking can be quite helpful in this direction.

14.3.3 Interdisciplinarity

Traditional HE systems usually give attention to different fields of specialisation through gathering a number of subjects or disciplines directly related to the field. Thus, an engineering or pharmacy student does not study anything about marketing or start-ups for example. But the real life would be quite different. In the landscape of

work and employment after graduation, there would be no field of specialisation that is completely independent from others. The industrialisation, automation, computerisation, business, commodities production, technology, resources, human capital, etc. all together make our present and future civilisation with all its goods, services, sciences, and way of life. The future is pushing towards more interaction of disciplines and subjects to the point of almost merging different sciences to reach a certain target. Hence HE has to break the barriers between disciplines and give students the right opportunity, with the skills and state of mind to make use of the new products that can be or must be produced using different disciplines. We are now talking about medical engineering, aquaponics, computer-aided operations, robotic surgery, autonomous vehicles, online consultation, online editing, and so on. All such topics cannot be dealt with from one field of specialisation. Moreover, interdisciplinarity would always have its special dynamics to give new products.

14.3.4   Flexible Programmes

Before the year 1990, the term "Flexible Programmes" or "Flexible Learning" in HE was not common or even known. Now, with rapid changes in every aspect of our life, the historically typical HE student who is ready to spend three or four years in the university with full-time attendance according to the programme drawn by the institution is no longer there totally or partially. The future student needs to make his/her choice in how, what, when, and where the courses, experiments, lectures, and other activities shall be dealt with. Of course, the institution shall make sure that the right quality and standards of education are well observed. This require enough flexibility in the programmes that can lead to the right balance between the HE institution requirements on one side and student choices on the other side. The whole process of learning, facilitating, guidance, and mode of delivery should be manageable and economic for both the institution and the student. This is becoming increasingly important with the future development of time and work management on behalf of HE students. Today, HE students in tens of universities in the world receive their education and learning through:

1. Face-to-face education
2. Blended courses
3. Distance education

Such combination of processes cannot be successfully achieved without enough degree of flexibility and modularity. However, the future may bring more modes, hence future long-term plans for HE institutions should focus on flexible programmes in order to fit with the continuously changing landscape of education and learning.

14.3.5   Blended Learning

Blended learning is covering now 15–25% of HE programmes in most universities around the world. Open universities are now giving 100% of their curricula online. Hence, the trend towards distance learning will develop very quickly in the coming future. Virtual laboratories, workshops, seminars, and experimentation shall dominate the HE scene especially for the positive advantage they give in the economics of education and flexibility of programmes. However, face-to-face education cannot be totally removed due to the importance of human interaction, guidance, encouragement, enthusiasm and experience of mistakes and failure in the education process. Intelligent systems and virtual reality cannot replace the human-to-human interaction. But the real challenge for the future is how to combine and correctly balance virtual with face-to-face, keeping in mind that in the final goal for HE is to produce an honest humane innovative citizen on the national and global levels [11].

14.3.6   Partnership

Partnership is quite important due to the fact that research, projects, and targets stand as major pillars in successful futuristic HE. Partnerships should be verified and developed on different levels, starting with students through departments, faculties, and universities on the national and international levels.

For universities, partnership would cover a wide range of subjects, activities, and personnel. Staff mobility and student mobility play an important role in partnership. At the same time, joint curricula and programmes help create a favourable atmosphere for partnership in research and projects.

However, due to the wide range of differences between HE institutions special Codes of Practice should be developed and complied with, in order to guarantee quality, transparency, and equity. Institutions can make joint partnership through national groupings and international associations, which have clear and specified similar or complementary objectives. This will allow all member institutions to benefit from the economics of association as well as enriching experience in a shorter time. One of the most attractive benefits of partnership is the product of diversified cultures, talents, practices, and values.

14.3.7   Target Orientation

The future HE student will no longer be a simple student in a lecture room. On the contrary, he/she is expected to do his/her education-learning process to reach a pre-designed target. Education here is expected to be an effective tool to respond to the target he/she is aiming at. Before the 3IR and 4IR, when changes were rather slow,

the need for a pre-designed target was marginal or even unnecessary, since the career path was not as complicated as it is today or would be in future. Hence, HE should facilitate and train the student on target-orientation practice. This would require the student to acquire the following main skills:

- Definition of the task required
- The necessary power or authority to do
- Recognition of the work
- Grouping or team to guarantee better performance
- Evaluation of the work
- The timeframe for completion

14.3.8 Talent Discovery

Talent discovery in HE institutions is becoming year after year quite critical in order to have excellent research teams, inventions, competitiveness, and attractivity for students, funders, industry, and distinguished academia. Motivating environments and interactive approaches to the students play a cardinal role in discovering their talents. Not only it is necessary to concentrate only on the activities related to the field of specialisation of the student or the department, but more importantly is to uncover any hidden talent the student may have and to help him/her develop that talent in a productive and innovative way. Here, cooperation between universities on the national and international levels would be very helpful. The student may need to have a special course or training to enhance his/her capabilities in the right direction and this may be found in another college or university or country.

Good governance at the lecture room level up to the higher administration would be vital in this matter. Some universities like Dublin City University declared the "Talent Discovery" of students as one of the main targets in their strategy. The much-unlimited horizon of the future underlines two topics:

1. The competition on jobs will be worldwide. Hence, talented well-trained student would be the best to win and develop in the position he/she gains new ideas and innovative solutions.
2. Interdisciplinarity, globalisation of information and data, availability of knowledge, and the dynamics of continuous change, all will make a rich and challenging environment for all sorts of talents to be discovered, enhanced, and have the chance to perform and be productive.

On the national level, talented graduates will always be the indispensable engines to effect historical change in their societies. All this makes talent discovery a target by itself. A department or a deanship may be established for this purpose in order to help students and staff in their journey for talent discovery. INSEAD Reports show that countries with the best investment in education like Denmark, Switzerland, Singapore, USA, and others are on the top of the list of Talent Competitiveness Index ranking (Table 14.1) [6]. In addition to good and creative governance, solid activities

Table 14.1 Global talent competitiveness index (2020 Ranking)

Switzerland	USA	Singapore	Finland	Japan	China	Cyprus	Jordan	Egypt
1	2	3	7	19	42	30	61	97

programmes including arts, exhibitions, award competitions, sports, lectures, workshops, and so on are always needed. Moreover, talent discovery helps students to adjust their career plans, feeling happy and satisfied and becoming more interactive with society.

14.3.9   Critical Thinking

Critical thinking will always be expected to be one of the outcomes of education (teaching plus learning). It is easy to talk about this outcome, but the challenge to the HE institution is how to make it a reality; how can academia guide the students to motivate their minds in different directions and along new wavelengths. Critical thinking implies raising relevant questions, thinking actively, openly and independently, trying to see things from different angles, trying to discover the points of weaknesses or strength, believing in the role of the human brain and science to discover the facts and produce new things, and finally to be ready to support their views or positions by proofs based on scientific facts and futuristic horizon [5]. With the different fields of specialisation in HE, the challenge will be: how can each faculty and department train the student to be a critical thinker in general, and particularly in his/her field of specialisation? And how to train and guide the student to use critical thinking positively to build, develop, produce, innovate, and cooperate, rather than act negatively to just criticise and produce very little [14].

14.3.10   Constructive Entertainment

Entertainment and education have some sort of complementarity. The harder the brain works, the more relaxation it needs. Hence, constructive entertainment refers to the sort of entertainment that is easy but has a positive impact on the brain, the mood, and psychology. Now with the open world of communications, some may think that HE students can find the entertainment they like very easily. This will not lead to the constrictive type of entertainment. Hence the HE administration of the institution should take the lead to enhance the feeling of the group among students. In addition to all popular sports, light sports like table tennis that can be installed in various locations in the campus would be quite attractive for students. Ground chess games can also take place. Theatre plays, musical concerts, competitions, puzzles, fanny drawings, hobbies, exhibitions, simple journeys, and visits to attractions, and so on all

add to the list of constructive entertainment that make the HE environment attractive and pleasant, which will reflect positively on the students and bring them away from loneliness which is strongly developing through virtual games and entertainment.

14.3.11   Making Things

With the rapid transformation to the virtual world, distant learning, online lectures, and powerful computer programmes, there is a real fear that students will gradually move away from real things and will not have the opportunity to make things in reality. This is especially important for HE students in developing countries where the culture and skills of industrialisation is rather weak or absent. Of course, some for fields of specialisation like engineering, pharmacy, design, agriculture, medicine, and so on emphasise the importance of skills of making and doing things by hand. Whatever digitalisation, automation, and robots may help to perform things or work, developing countries will not be able to jump from the pre-industrial stage to the 4IR stage unless the mentality and culture of making things become commonplace, and unless HE graduates have a role in this matter. Moreover, the skills of making things due to the impact they have on the way of thinking will open the doors wide for potential success in four main ways:

- Entrepreneurship
- Inventions
- Micro, small, and medium startups (SMEs)
- Developing hobbies and arts

Hence, HE environments as well as curricula should be positive in this direction. With the ever-changing field of opportunities, the disappearance of "traditional" jobs, the replacement of humans by robots even in accounting, reception, sales, and so on, the question of employability of the HE graduates becomes day after day more critical. Making things by hand will enhance the graduates resilience and adaptability. In industry, almost every software development needs or leads to a corresponding hardware development, or more. If the skill of making were totally absent, the gap between HE and industry would continue to exist. In circa, 5 years time, 260 million jobs will be transferred from humans to robots and another 50 million jobs will disappear. How graduates can face the future without a future-oriented governance of the HE institution is unclear. Postgraduate students cannot spend all their time and effort in the office, online, and virtual work. They are supposed to create new models, techniques, processes, and alternatives to industry, agriculture, tourism, and so on. Administration and regulations can help in preparing the infrastructure for innovation, breakthroughs, and inventions, but the right governance is the key to make it happen.

Table 14.2 Global entrepreneurship index (2019)

Country	USA	Switzerland	Canada	Denmark	Korea	Jordan	Egypt
GEI	86.8	82.2	80.4	79.3	58.1	29.4	24.6
Rank	1	2	3	4	20	64	81

14.3.12 Entrepreneurship

In its most direct definition, entrepreneurship is the long multi-dimensional process of transforming an idea into a project of actual reality with all means of continuity, sustainability, and achievement of the target. Thus, entrepreneurship can deal with economic, social, cultural, scientific, or any other project. This gives entrepreneurship a decisive role in social, economic, cultural, and technological change.

Anything that we witness today has started as an idea or imagination in the mind of an ambitious person, group of persons, a company, or an institution. Through planning, determination, innovation, and proper management, the idea becomes real and successful. It is worthwhile to notice that the most developed countries have the highest entrepreneurship index (Table 14.2).

The activation of the process of change towards progress is one of the most prominent duties of HE institutions. Those who work on the change by transforming their ideas, ambitions, sciences, and imaginations are the HE graduates of the future. Through hard work and innovation, they create a new reality, which is the reality of the future.

The 4IR and the associated radical changes it is making in employment structures, where millions of jobs are gradually replaced by automation, intelligent systems, 3D printers, robots, and so on all place the traditional employment norm in a state of depletion. Hence, any HE institution concerned about the employability of its graduates has to consider entrepreneurship very seriously since it opens the doors for self-employment, prepares them to realise their ambitions, and empowers them with the skills necessary to handle innovative ideas to become real projects. Any HE student is entitled to be sure of the future in the way he/she works it out and sure that he/she acquired the right set of skills that are necessary [6].

Entrepreneurship is not a simple component. It needs the student to be trained and properly guided to have the necessary mentality and culture. Entrepreneurial skills, for all fields of specialisation without exception, need special courses, seminars, and workshops. Through history entrepreneurial projects and start-ups were always initiated by all sorts of persons and specialisation; they may differ in many things but meet in the entrepreneurial mentality and skills. HE students need to learn the basic principles of planning a project, making a business plan, understanding financing approaches, and making technical and economical feasibility studies.

14.4 Major Partners

The HE process shall be no longer restricted to the HE institution alone, but will be more and more directly affected by six major partners:

- Academics
- Students
- Administration
- Industry
- Government and Local Community
- Funders

These partners have to work together in harmony with efficiency, real participation, and constructive responsiveness.

14.4.1 Academia

Academic staff members are expected to be aware of the ever-developing techniques of communications, the psychology of their students, and the target-oriented sort of education needed. Also, they have to interact with their changing role from instructors to facilitators, from judges to talent discoverers, from implementing rigid programmes to managing flexible ones, and from source of knowledge to motivators for knowledge seekers. The sort of ivory tower and isolated academia will no longer have a room. Interdisciplinarity and a partnership role should be part of the daily practice.

Academic staff will guide students to prevailing technologies in education and help them acquire the effective skills, in particular distant learning, innovation, and collaboration with student partners in joint projects and research. The challenge to academia is how academics can match the mindset of the students with the management requirements of the HE institution within an environment of continuous change. Innovation skills are becoming more and more the vehicle for success in industry and society at large. The role of academics in empowering students will be crucial.

14.4.2 Students

Students make the core partner in the whole HE journey. They need to understand and comprehend the changing role of academia towards guidance and facilitation. They need to be empowered with a wide range of skills that cover online learning, virtual lecture rooms and laboratories, research projects, and cooperation with their counterparts. They always need to be motivated by target orientation, and encouraged to be part of the student mobility programmes. Using online technology, they should

be encouraged to build bridges with other universities to have some courses, modules, or training in different educational and learning environments. Students have to be encouraged to have a plan on how to handle their HE for the three or four years in order to facilitate the preparation of a flexible programme that would be convenient and meet the education standards of the HE institution. Time management for students would be vital. Hence, some time-management experts from the staff of the institution should be ready to give the right help and guidance.

Facing the financial burden to pay the fees is always a problem for students. Advice should be available to help students handle this issue without psychological pressures. The general environment in the HE institution should give students the feeling of confidence, trust, and equity. Many students might not be familiar with others in projects or research. Here they need to be moved in the right direction.

14.4.3 Industry

Industry after the 2IR became a major partner in science, research, and technological development. With the 3IR and 4IR, industry in the general sense became the most powerful engine in our civilisation. There is no single product starting with entertainment and ending with space journeys that is not part of industry. Hence, there will be no up-to-date HE if it is far from industry. Research, projects, students training, prototype products, and financial support to R&Ds are all part of connecting with industry. Moreover, the new products and techniques related to learning and education can be best followed up when the relations between industry and HE is an easily accessible two-way corridor.

Students after graduation will become in one way or another associated with industry. Academic staff need to have the support of industry to encourage students to familiarise themselves with industry with all what it produces and the impact of new products (goods, systems, technology, knowledge) on social and economical changes including changes of the way of life and thinking. Industry is progressing in very wide steps that are expected to be wider and faster with robotics, artificial intelligence, brain science, and internet of things. The challenge for HE institution will be four-fold:

(1) How to keep curricula, research, and general programmes abreast with industry;
(2) How to keep the academic staff in synchronisation with new industries and breakthroughs;
(3) How to keep students well acquainted with industry products and trends, while at the same preparing them to contribute to it;
(4) How to succeed in attracting industry to support research programmes and at the same time being ready and capable to develop innovative ideas, solutions, or scientific material.

In the coming future, the cooperation between industry and HE institutions will be more comprehensive and critical for most of the activities or projects every partner would be determined to innovate.

14.4.4   Government and Finance

In HE, government has three main roles:

(1) Setting the general rules and regulations that should govern institutions, processes, and products.
(2) Financing HE partially if not totally.
(3) Dealing with HE institutions as a major partner in solving problems that the nation may go through.

The future carries two paradoxes that have to be solved. Firstly, the actual economic costs of HE increases with time at a high rate, and the numbers of HE students also increase while the government money allocations for HE do not increase at the same rates. Secondly, with more government finance, more interference is expected, which is against the principle of independence in university functioning. At the same time, many governments are not ready to spend more on research. Hence, and as the President of University of California, Mark Yadof says "We must find creative ways to expand the federal (government) commitment to research" [13]. In fact, the spending on HE reflects directly on the rate of growth of the GDP as well as on the financial return of research to the HE institution itself. Of course, private HE institutions cannot ignore the role of the government neither in the indirect financing possibilities, or research and development contracts, and naturally the compliance with rules and regulations.

However, HE institutions have to look for diversified sources of finance and different means, such as direct financing grants from companies and banks, as well as education trust funds and special investment funds.

14.4.5   Administration

The administration of HE institutes has the most critical role. It is the conductor of a continuously changing concert and future-oriented music. Hence the administration has to follow-up on all the details inside and outside the institution at the same time, without causing unproductive or impeding interference. In addition to the day-to-day work, the biggest challenge for the administration is how to create the right working machine in the institution on one hand, and how to promote every partner to give the best productive effort and contribution, on the other hand. Flexibility, good governance, and responsive management make the internal guide rule for a successful administration.

National and international relations are becoming more and more important for the future. Cooperation with other national and global HE institutions, as well as with industry, will be the best approach to open channels for the right business. Attracting the right staff and active students will depend more and more on the type of atmosphere and work environment the administration can offer. One of the most critical tasks of the administration will always be how to build the right image of the HE institution in cooperation with the academic staff, students, and other partners through good governance. An image should be created based on achievements and associated with continuous progress in quality of education, research, and innovation.

14.5   Governance

14.5.1   *General*

Definitions of governance vary according to subject. In general, it refers to the manner in which power and authority is exercised. In HE, governance is "The means by which universities and HE institutions are organized and managed". In more details: "Governance is the formal and informal arrangements that allow HE institutions to make decisions and to establish, implement and continuously monitor the implementation of policies" [10]. When the term governance is used, usually what it meant is "good governance", since this is the target throughout. So the question for any HE institution will always be: to what extent are the objectives realised with high quality, and to what extent are the partners satisfied with their partnership to give the best they can, and to what extent is the institution keeping abreast with new developments in all sectors?

Good governance for HE needs to be properly and smartly practiced to respond to the targets of various partners. Within the framework of continuous change and more demanding students, the pillars of good governance are expected to be:

- Democracy
- Transparency
- Empowerment
- Dialogue

To start with, regulations have to be smart and flexible. Rigidity in thinking, attitudes, or bureaucracy is against future adaptability. With multi-organisation network and diversified partners, starting with students and ending with government, transparency will be the pathway for inter-partners' confidence that leads to achievement, and work without interruption. With inter-university and intra-university partners win–win rules should be observed throughout the relationship. Since staff and student mobility on national, regional, and international levels is of great importance to all partners, good governance should allow the right sort of coordination, without disruptive interference. Smart approaches are always needed to allow freedom of ideas and

initiatives without bureaucracy or centralisation. The student as well as the academic should feel not only free but also motivated and appreciated for providing new ideas, projects, or techniques [10].

The administration should be continuously aware that solving any institutional problem or reaching any pre-planned target requires and depends on new ideas and novel solutions. Hence, governance should help create reasons that would inspire members and leadership on the macro and micro levels to be innovative all the time and be committed to the planned targets in which they are partners. Only by this way, new and brilliant models for work can be created. To reach to the aspired goals, democracy among the members of groups has to prevail. The student, staff members, and administration should discuss issues and projects without preconceived decisions. To realise this way of conducting work, dialogue should be given the right space and time. Every partner member can discuss, suggest, and express his/her views in a constructive way. This requires full transparency on behalf of the administration, staff, students, and other partners. Not all the partners have the same skills and information; hence the administration should work very hard to realise the right empowerment for every partner, especially academics and students. Industry might not be aware of the capabilities of both staff members as well as students. Industry might not be aware of the capabilities and potential within the HE institution, while academics and students may have little or partial information about industry or financing agencies. Bridging the gaps of information is patently a specific responsibility of administration [14].

14.5.2 Transparency

Transparency in HE institutions is becoming more and more vital for the success of the institution in convincing its partners, funders, and society at large that the right systems and good governance are adopted. It is important to have enough and clear information on three main issues:

- The outcomes of the education (regarding quality, competitiveness, employability, contribution to research, etc.)
- The impact of the HE on the society and what value added can be attributed to the activity and total performance of the HE institution
- The right financial management that convinces the funders that they are funding the right programmes in the right institution and thus its legitimacy is justified

The tools for transparency in HE institutions will differ according to the stage of development of societies and institutions.

In developed countries where HE has a long history of evolution and at the same time, close association with industry, three tools may be convenient or doable [8]; these are:

- Accreditation
- Ranking
- Performance contracts

In developing countries, especially those with short history of HE, the above-mentioned tools might not be fairly applicable. Nevertheless, looking at the future, HE institutions must be prepared to apply these tools at the national level and in a later stage at the international level. Meanwhile, the impact of HE on society as well as the outcome of the education should always be clear and available to partners.

14.5.3   Democracy

Democracy is a necessity for good governance. Sharing views, participation, and out-of-the-box thinking all depend on how democratically the institution is managed and governed. For HE institutions where all partners are almost at the same level of awareness and importance, and where data and information are available online, day after day wise decisions cannot be taken except through democratic processes. This is becoming a necessity not only to be able to compete with other institutions and to adopt the right mode of work in the future, but also to move to the state where the student is the centre of the education process.

14.5.4   Dialogue

Dialogue is the right tool to reach the best formula before a decision is taken. Discussion with partners, and in particular students, will help the administration and academics to first understand what the students think, and second to better follow-up on changes and developments. It is expected that the future will affect the way of thinking as well as the ambitions of students. The HE administration as well as the academics have to train students on "Constructive Dialogue" and at the same time create the efficient mechanisms that give the chance for every student or group of students to express their views and to feel satisfied with the dialogue they are making with all relevant partners, including their fellow students. Since future HE will be centred or tailored to respond to the needs of the student or group of students, then dialogue will be a major tool for the institution in order to respond properly and efficiently to such needs without compromising the high quality of education required.

14.5.5 Empowerment

The term empowerment generally means allowing the various partners to participate in making the decisions and controlling their future and therefore achieving their aspirations and ambitions [12]. In HE, empowerment aims to make students, academics, and other bodies work with HE institution partners in the decision-making process instead of having the higher administration and senior staff as the sole body that decides on everything. Thus, the students, teachers, financing bodies, partners from other colleges or industry all will have the opportunity to present their views, so that any decision will be the product of collective effort to the common interest of the partners. Although the approach of empowerment and partnership is much welcomed by the young generation and education reform experts [3], yet many traditional educationalists consider this approach unacceptable since it opens the door for the scattering of views and ideas that would weaken education.

With time, such empowerment is standing as a basic concept in education administration and good governance. It is a shift of power and authority, thus guaranteeing the positive interaction of every partner, opening the way for new ideas and diversity to be there, and making every partner responsible to achieve success for the HE programmes.

14.6 Internationalisation

14.6.1 General

While HE is moving very quickly and widely towards internationalisation, the issue must be dealt from two perspectives. First, the national landscape or nationalisation, and second the international landscape or internationalisation. Special arrangements and agreements among national HE institutions must be held to cover several fields, like student and staff mobility, and joint research. Joint projects, joint activities in e-Learning and online lectures, laboratories, sports, constructive entertainment, and so on represent the future. Some sort of national HE associations or societies can be or should be created to develop a coherent national HE machine that can maximise the products of institutions and students.

We can refer to the groups of universities in the UK as an example. There we find several groups where each one concentrate on a wide field of common interest and work together accordingly. There is, for example, the "Russell Group" (24 universities) that concentrates on best research, outstanding teaching and learning and links with businesses, while the "1994 Group" consists of a prestigious collection of small universities, while the "University Alliance" concentrates on bringing learning with experience to become the best for tertiary vocational education. "The Million + Group" concentrates on economic, social, and cultural research, while the "Guild

High Education Group" gives their attention to art, design, media, music, agriculture, and food. Similar national grouping can be found in other countries like the USA, Germany, and so on.

In developing countries, where HE institutions are not numerous, and with a rather recent history, modest research facilities, small numbers of researchers in the same field, heavy teaching burdens on academics, and limited research funds, nationalisation of HE becomes a must in order to build the critical mass in researchers, facilities, and funds. Participation in solving major social economic, industrial, technological, agricultural, and other national problems in the country cannot really be effectively done with scattered efforts of HE institutions, each working in a singular manner.

The same ideas apply almost to HE internationalisation, which is expected to be a two-way or multi-way traffic. In other words, HE institutions should not play the role of recipient only, but it must work to be able to deliver.

However, we have to admit that practically and almost in most cases the purpose of HE internationalisation goes around commercialisation of educational services and research, in addition to the competition of attracting international students for financial and image purposes. With the exception of attracting foreign students, internalisation requires always agreements among HE institutions either as single institutions or under the umbrella of national or international groups. Through such agreements, joint research, student and staff mobility, and joint education programmes can be successfully implemented. There is no doubt future HE needs more and more international experience and cooperation. Competitors and rivals for graduates are no longer restricted to national boundaries but the HE graduates have to compete with rivals from all over the world [15].

14.6.2 Student and Staff Mobility

Although movements of teachers and students from one country to another is an old phenomenon, yet due to the wide spread of HE institutions and their rapid development in some countries with rapid progress of science and technology, the modern networks of information data and transportation networks all over the world, collectively make student and staff mobility a major chapter in HE internationalisation activities. But the challenging part of mobility today and in the future lies in the manner such mobility is governed. It should make the right balance between responding to the ambitions of the moving persons on the one hand, and the proper benefits to the institution itself on the other hand.

14.6.3   Joint Research Projects

Joint research projects (JRPs) play an important part in HE internationalisation activities. In principle, they can be an effective mechanism for the creation of new knowledge and promoting economic growth, in addition to speeding up solving particular problems that need collective efforts and innovation. Moreover, they help improve research skills especially when students are involved. The benefits and returns of JRPs are numerous and the quality of benefits depends how each HE partner manages the collaboration. Here we can mention the following points:

- Improving the research skills especially for HE students
- Facilitating the use of research laboratories and relevant facilities
- Some fields of research like high-energy physics or outer-space physics or new technologies in water and energy require very complicated and costly research facilities like CERN in Switzerland; JRPs would make research feasible or available for researchers from different countries
- In countries where they have common problems, JRPs can be very helpful in developing solutions in a shorter period of time and in more economic ways. Examples are shortage of water in the countries of the Middle East, using solar energy in agriculture, and food production, etc.
- Numbers of researchers and spending on R&D is quite modest in most developing countries, thus in most cases a single country cannot afford to have the critical mass of researchers or money. JRPs would always help practically to overcome this problem
- JRPs run by HE institutions can be more effective and productive when they work with the industry for developing new products or solving some problems related to that industry.

So the challenge for the HE institution will be, within all paradoxical elements, to develop the right inspiring governance at the level of the projects and up to the expectations and aspirations of both the students and other partners [2].

14.6.4   Joint Courses and Certificates

Joint courses and certificates (JC&Cs) are becoming very popular. In the future, we shall see more of this work, especially with the wide spread of distant learning and student-centred arrangements.

Benefits of JC&Cs are numerous for all partners in the HE work:

- It emphasises the concept of internationalisation of HE
- It helps in transferring knowledge and experience through countries
- It responds to the needs of the HE students to have certain courses either in their field of specialisation or as part of interdisciplinarity needed for the future.
- It facilitates the exchange of academic and cultural concepts to staff and students.

However, the governance of this activity needs to be quite aware of the dangers of commercialisation of HE in a negative sense such as trading with names and titles rather than having a real added value in the whole process.

14.7 Conclusions

The very nature of connection between future and HE makes the issue of governance very critical due to the rapid changes in every element of the process. Academic staff, students, and administration have to work in concert, with all the transparency, democracy, empowerment, and motivation required. HE institutions have to make national groups, keep no gap with the industry, and connect with international counterparts. Entrepreneurship, interdisciplinarity, mobility, self-learning, competition, and innovation skills will be the right path for the future of students and institutions alike.

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