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4. UNDERSTANDING THE CHANGES OF THE HIGHER EDUCATION GOVERNANCE IN POLAND AND UKRAINE

Institutional Analysis

INTRODUCTION

Since the 1980s, the modes of governance of public sectors have undergone substantial changes in most of the Western European countries (e.g. Van Kersbergen & Van Waarden, 2004; de Boer et al., 2010). These public sector wide changes were in many cases inspired and driven by the principles of ‘New Public Management’ (NPM) that can be viewed as one of the global models of world society (Pollitt, 1990). This shift has also influenced public sector policies in the Central and Eastern European (CEE) countries (Antonowicz & Simonová, 2006; Zgaga et al., 2013). We know that NPM has many faces (Hood, 1991) and that forms, timing and outcomes significantly vary from country to country (Kehm & Lanzendorf, 2006; Paradeise et al., 2009). This also applies to Polish and Ukrainian higher education, where reforms have taken place with the intention of transforming their higher education systems in order to align them more with European higher education systems.

We have chosen Poland and Ukraine as two CEE countries with, at first sight, a common socialistic past but with a different present. Nowadays, Poland is a developed country that became an EU member in 2004, while Ukraine, having undergone two revolutions in 2004 and 2013–2014, is only striving for EU membership and is lagging behind in economic progress.

In this research, we will focus on one specific public sector, namely higher education, and more particularly on changes in higher education governance in these two countries. The key question addressed in this chapter, therefore, is how the models of university governance in Poland and Ukraine have changed since 1990 through the diffusion of the global model of NPM and how differences and similarities in these patterns of change in governance can be explained. To answer these questions, we will use insights from historical and sociological institutionalism. Historical institutionalism, in particular the concept of path dependence, emphasizes ‘historical sequences in which contingent events set into motion institutional patterns or event chains’ (Mahoney, 2000, p. 507). Sociological institutionalism provides

a useful perspective for exploration of the impact of a world society on shaping the structure and behavior of the nation-states (Meyer, 2010). The combination of these two approaches of neo-institutionalism allows us to explore the institutional phenomenon from different perspectives and can strengthen our understanding of the policy making process in higher education (Dobbins, 2015; Dobbins & Knill, 2009; Nicholson, 1998). Thus, our study aims to address the void in empirical research about policy making in higher education governance applying institutional analysis that is based both on historical and sociological institutionalism.

HISTORICAL AND SOCIOLOGICAL INSTITUTIONALISM

Historical and sociological institutionalism can be considered as complementary approaches, which allow the exploration of institutional development from a variety of perspectives (Nichols, 1998; see also Dobbins, 2015). Historical institutionalism views this development as incremental and path dependent (Krasner, 1989; Steinmo & Thelen, 1992; Pierson, 2000). As historical developments are path dependent, the choices that are made affect future possibilities (Krasner, 1988). The early historical events are viewed as contingent occurrences, which are of primary importance for the final outcome of the sequence. Within the framework of path dependence, two main types of sequences are defined: self-reinforcing and reactive (Mahoney, 2000). In historical institutionalism change is explained by critical junctures that punctuate historical events, creating branching points for the establishment of a new path (Gourevitch, 1986). Change occurs because actors can act strategically within the historically shaped institutional context. Simultaneously, while actors constitute institutions, institutions themselves are also an outcome of agency action. In such processes of institution-moulding or institution-construction, struggles among actors are inbuilt into them, leading to both intended and unintended outcomes (Hay & Wincot, 1998). The abilities of actors to influence institutions are restricted by asymmetric distribution of knowledge about institutions and access to resources (Hay & Wincot, 1998). Mahoney (2000) explains institutional reproduction through a power-based approach, according to which institutions at the same time offer an advantage to one group of actors and disadvantage others, which leads to conflict of interest and promotes incremental change.

Where historical institutionalism is eclectic in nature and combines both calculus and cultural approaches, sociological institutionalism is mainly based on the cultural approach (Hall & Taylor, 1996). World society theory, generated by sociological institutionalism (Meyer et al., 1997) addresses the issue of the impact of global institutions as 'cultural models' or 'models of actorhood' on shaping the behavior, identities and structure of the nation-states, organizations and individuals worldwide (Meyer, 2000, 2010). World society theory considers the nation-state as being culturally embedded and constructed (Meyer, 1999; Meyer et al., 1997; Powell & DiMaggio, 1991) and the culture involved is built on a worldwide basis.

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Meyer et al. (1997) assert that if this is the case then the nation-states should be characterized by isomorphism in their policies and structures. DiMaggio and Powell (1983) define three types of isomorphism or so-called mechanisms of diffusion through which institutionalization occurs, namely coercive, normative and mimetic mechanisms. Isomorphic pressures are exercised by transnational organizations, agents of world polity, such as OECD, IMF or the World Bank. New Public Management can be viewed as one of the hegemonic models of world society.

Meyer et al. (1997) link the dynamics of diffusion with countries' embeddedness in world society. Resource-rich nation-states can convincingly adopt policies under exogenous pressure (Meyer et al., 1992), while in impoverished countries enactment of global models can result in decoupling (Meyer, 2010; Ramirez & Rubinson, 1979). Next to decoupling of policies and practices (Boxenbaum & Jonsson, 2008), institutional scholars recently addressed the inconsistencies between practices and outcomes (Bromley & Powell, 2012) when despite coupling policies and practices the intended ends were not achieved because adopted policies were inappropriate (Wijn, 2014) and means became ends in themselves (Grodal & O'Mahony, 2015).

Where historical institutionalism focuses on endogenous sources of institutional changes, sociological institutionalism, in particular world society theory, emphasizes exogenous factors of institutional change. In our view, these approaches are complementary and allow the exploration of institutional changes from different perspectives.

Combining these two approaches, we will explore how both the path dependence and isomorphic pressure of world society imposed through diffusion of the global model of New Public Management affect the modes of governance in higher education in Poland and Ukraine.

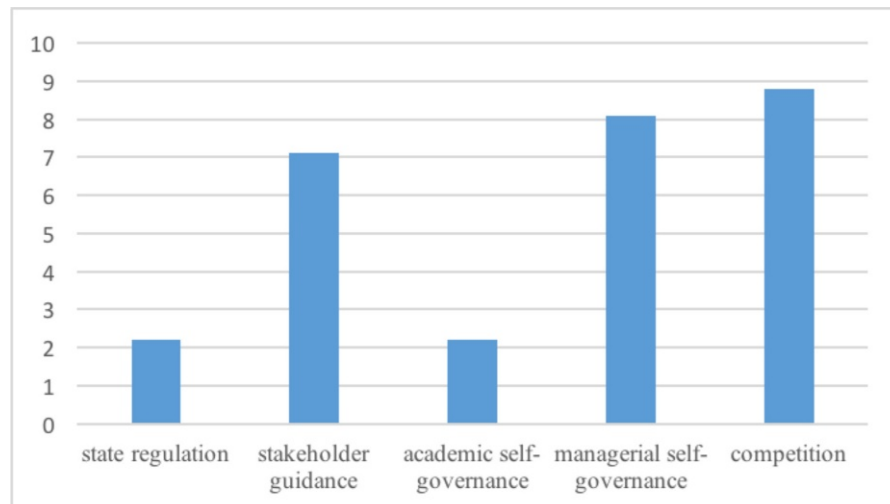
THE GOVERNANCE EQUALIZER

In order to determine institutional change – shifts in the modes of governance in higher education in Poland and Ukraine – we used the governance equalizer model (de Boer, Enders, & Schimank, 2007). This governance equalizer distinguishes five dimensions that together configure the governance model of a public sector: state regulation, stakeholder guidance, academic self-governance, managerial-self-governance, and competition (de Boer, Enders, & Schimank, 2007). These five dimensions are:

- State regulation concerns the traditional notion of top-down authority vested in the state. This dimension refers to regulation by directives; the government prescribes in detail behaviors under particular circumstances.
- Stakeholder guidance concerns activities that direct universities through goal setting and advice. In public university systems, the government is usually an important stakeholder, but it is certainly not necessarily the only player in the game.

- Academic self-governance concerns the role of professional communities within the university system. This mechanism is institutionalized in collegial decision-making within universities and the peer review-based self-steering of academic communities.
- Managerial self-governance concerns hierarchies within universities as organizations. Here the role of university leadership – rectors or presidents on the top-level, deans on the intermediate level – in internal goal setting, regulation, and decision-making is at stake.
- Competition for resources – money, personnel and prestige, within and between universities.

The governance equalizer model is an analytical tool to ‘measure’ changes in the governance of higher education systems and ‘compare’ paths of development in Poland and Ukraine. The New Public Management model can also be interpreted along the dimensions of the governance equalizer. According to our interpretation of an ‘idealized’ NPM, state regulation should be rather low and the role of academic self-governance should be marginal, while stakeholder guidance, managerial self-governance and competition should score high in New Public Management model (cf. de Boer, Enders, & Schimank, 2007). Our interpretation of the NPM governance equalizer, presented in [Figure 4.1](#), will be used to benchmark the Polish and Ukrainian higher education governance systems.



*Figure 4.1. NPM-benchmark governance equalizer.
Source: Adapted from de Boer, Enders & Schimank (2007)*

In the following section, we present the findings about the changes in higher education governance in Poland and Ukraine. The findings are based on a secondary

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analysis of legislative and policy documents, white papers and reports as well as scientific journals and reports.

GOVERNANCE OF HIGHER EDUCATION IN COMMUNIST POLAND AND UKRAINE BEFORE 1990

Poland

Before 1990, the governance of Polish higher education was a mixture of all-embracing state regulation built on the ideological hegemony of communism and the legacy of a Humboldtian tradition (Sadlak, 1995). It provided a typical example of the CEE countries' governance model of higher education with a prevailing role of the state and political interference from the communist party. As Michael Dobbins (2015, p. 20), however, claims, Humboldtian, traditions were somewhat better preserved in Poland than in other CEE countries. Nevertheless, the most significant feature of the governance model refers to the dominant role of *state regulation* (Figure 4.2) in higher education that administrated its issues through an extensive number of detailed regulations and also through the far-reaching institutionalization of communist command structures (Hübner, 1992). All the higher education institutions were under tight bureaucratic control and the state had to approve almost everything: election of the rectors (which at least had to be approved by the ministry), the appointment of professors and the design of teaching curricula. Processes in and organization of universities were prescribed by government imposed regulations.

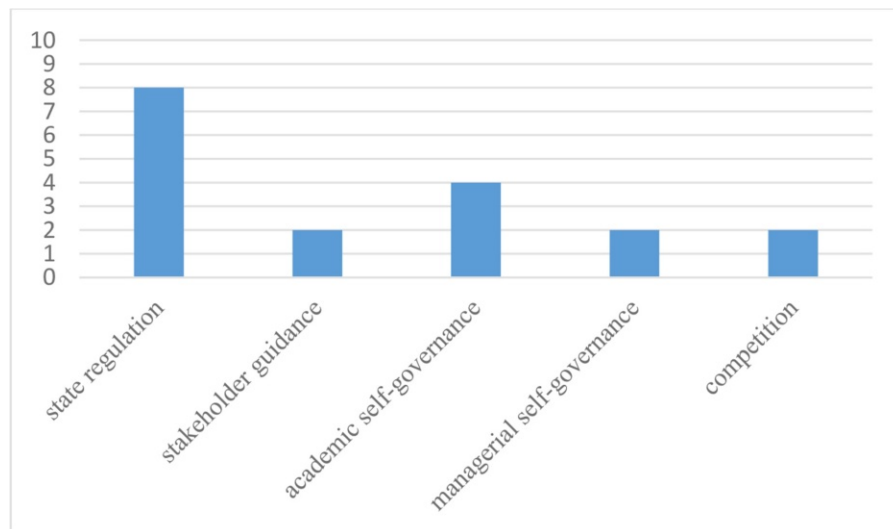


Figure 4.2. Governance equalizer: Poland before 1990

Concerning *stakeholder guidance*, as most CEE countries prior to 1989, Poland was ruled by an authoritarian regime that was characterized by strong centralism. Hence there was no need for any form of intermediary body which could weaken the power accumulated by the government that utterly controlled higher education. However, the communist party (PZPR) can be seen as an external stakeholder and it infiltrated higher education, having power over numerous institutional issues and providing guidelines (or spelling out the demands of the working class) for development of higher education and research (although not always followed by the academic community). By doing so, it wanted to make the university/academic community more responsive to the needs of society and the economy, '*closer to people*' (Szlarczyński, 1968, p. 31). The academic community – socialized to the Humboldtian tradition of the university – however strongly opposed any form of external interference in universities. They perceived these political attempts as a form of curbing the (already limited) institutional autonomy of universities.

Polish universities had been established on the Humboldtian concept of a university which implied a strong sense of '*academic self-governance*' and professional (collegial) control exposed by the professoriate (de Boer & Goedegebuure, 2003). However, in the postwar period, the scope of academic '*self-governance*' was rather limited and the state authority (in fact the communist party executive board) drew its boundaries. On the national level, *academic self-governance* was institutionalized as the council of higher education, which was established shortly after World War 2 but only in 1982¹ did it become a democratically elected body. Since 1985, this body was democratically elected, but the government could always refuse to appoint a member due to '*socially important reasons*'. The council had limited and mainly symbolic power in terms of the approval of the national plans for research and higher education. It mostly enjoyed rights to express opinions on behalf of the academic community (Waltoś, 2009). On the institutional level, both faculty councils and senates were elected in a democratic way but their role in institutional governance was confined to strictly professional issues. Those who had some administrative authority in higher education institutions (rectors and to lesser extent deans) had to be accepted (formally or informally) by the communist party officials.² Thus, the model of higher education governance encompassed only some elements of academic self-governance with limited impact on the functioning of Polish higher education. The scope of academic self-governance was small and symbolic and its boundaries were always defined by the state authority (in fact the communist party) (Antonowicz, 2015).

Overall, prior to 1989 the governance model of higher education did not leave much space for *managerial self-governance*. The role of rectors was strictly limited and constrained by the extensive number of detailed state regulations. Besides administrative roles, rectors acted as *primus inter pares* of the academic community and their role was mainly symbolic. Perhaps their most visible presence was marked during numerous university rituals and ceremonies. Thus, they could only perform administrative tasks following the rules given, as universities were

only a part of the state bureaucracy with no space for organizational maneuvering. Consequently, there was also no room for a rectors' organization on the national level, as the authoritarian regime did not want to provide any opportunity for alternative sources of authority in higher education. The communist regime feared that such empowerment of the rectors could possibly lead to a more balanced relation between state and universities. Rectors were, more or less formally, also politically accountable to the government and their nomination had to be approved by the communist party.

The dominance of state regulation and tight control of higher education institutions implied almost no room for *competition*. Institutional competition for funding and personnel did not exist as the state kept control over the mobility of people, even within the country. The authoritarian state and the communist party exercised strong control over the development of higher education and allocation of resources: there was no such thing as 'open competition' prior to 1989.

Ukraine

Ukrainian higher education institutions have a diverse historical and cultural heritage. In 1661 and 1875 universities were established in Lviv and Chernivtsy while the former was under the authority of Rich Pospolyta (Poland) and the latter belonged to the Austro-Hungarian Empire. As for the part of Ukraine that was under the authority of Russian Empire, in 1805, 1834 and 1965 universities were established in Kharkiv, Kyiv and Odessa. As well as educating students, universities conducted research and were authorized to award degrees of master and doctor. The revolution of 1917 became a critical juncture in the development of Ukraine as an independent nation-state. However, in 1919, Ukraine by force became a part of the Soviet Union, which essentially meant 72 years of political, economic and semi-cultural isolation. The Ukrainian Academy of Sciences that was established in 1918 in a context of nation-building, underwent ideological and organizational restructuring under the Soviets. Regarding higher education institutions, in 1920 all universities were closed and restructured into the higher education institutions which catered to individual areas of industry, e.g. agriculture, as well as teacher training. However, in 1934 higher education institutions established on the basis of the former universities again underwent restructuring and were reopened as universities. A feature of the Soviet model that was established in Ukraine was the division of primarily teaching-oriented higher education institutions from the research institutes of the academy of sciences. In 1984, in Ukraine there were 146 higher education institutions but among them only nine comprehensive universities while others were mono-disciplinary higher education institutions (Bunina, 2013). As Soviet society was built on hierarchies and subordination, which made it easy to be governed, a hierarchy was also established in the system of higher education and science.

During the Soviet period, Ukrainian higher education institutions were operating under strong *state regulation* (Figure 4.3) that was built on even stronger ideological

hegemony of communism than in Poland because Ukraine was part of the Soviet Union (Gomilko, Svyrydenko, & Terepyschyi, 2016).

The system of higher education of the Ukrainian Soviet Social Republic was centrally controlled from Moscow by the Union of the Soviet Social Republics as a supreme state regulator. The system's planning was in the hands of the central authorities of the USSR. These central authorities determined the length of study, the approval of the size of academic staff as well as setting the staff salaries, and the approval of the curricula and educational programs (Council of the Union of the Soviet Social Republics, 1969). Among the powers of the Ukrainian Soviet Socialist Republic in higher education was the establishment and abolishment of higher education institutions, approval of the educational programs, textbooks and development plans for particular disciplines and research in pedagogical sciences. The educational ministry of the USSR was also responsible for the development of general guidelines about education and research for higher education institutions (Parliament of Ukrainian SSR, 1974).

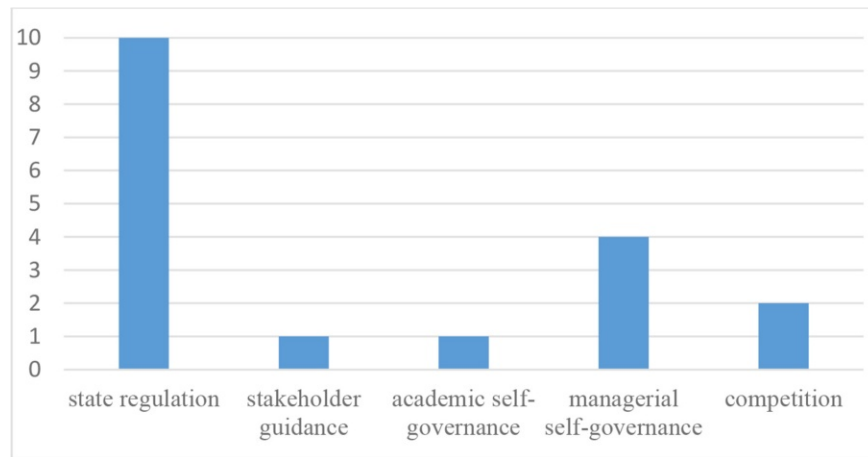


Figure 4.3. Governance equalizer: Ukraine before 1990

Strong state regulation prevented the development of *managerial self-governance* and top-level leadership at the university performed primarily administrative functions. The rector, vice-rectors and chief accountant of higher education institutions were appointed by the education ministry of USSR. According to the law, the rector was appointed from the most qualified academics, having a scientific degree and practical experience (Parliament of Ukrainian SSR, 1974). Powers were allocated at the top of the institutions. It was the rector who headed the Academic Council that consisted primarily of 'administrators' of the university and representatives of the academic staff and student public organizations (Council of the Union of the Soviet Social Republics, 1969). The Academic Council performed primarily an advisory function

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and this council appointed the deans. The internal governance structure of the higher education institutions, imposed by the central authorities, was clearly hierarchical.

Because of the strong state regulation, *stakeholder guidance* was almost absent and was based on the formal membership of the famous researchers and representatives of industry in the Academic Council (Council of the Union of the Soviet Social Republics, 1969).

The centralized, detailed allocation of resources made *competition* among higher education institutions almost non-existent. The Humboldtian tradition, favoring strong academic self-governance, never was strong in Ukrainian higher education as Soviet society was built on hierarchies and subordination. Hence, Ukrainian higher education under Soviet rule left hardly any space for *academic self-governance*. In this respect, in Soviet times the situation in Ukraine and Poland differed: whereas in Poland academic self-governance was to some extent preserved, it hardly existed in Ukrainian higher education.

GOVERNANCE OF HIGHER EDUCATION IN POLAND AND UKRAINE FROM 1990 TO 2016

The fall of the communist regime and the Soviet Union became a critical juncture for Poland and Ukraine. However, these two countries took different routes. Having broken rapidly with the past, adhering to a ‘shock therapy’ way of reforming the economy, Poland became a member of the European Union in 2004. Ukraine opted for a gradual approach to reforming its economy (Langer, 2008) and as a result the country has gone through two revolutions in 2004 and 2013–2014. In order to prevent the continuity of communism, the de-communization and lustration were conducted in Poland but not in Ukraine (Vyatkovych, 2015). Thus, in Ukraine the main actors endowed with power in the Soviet period managed to preserve their powerful positions, both in politics and higher education (Kovriga, 2010). Further, the rise of the oligarchy occurred in the country (Marchak, 2016) while the civil society was underdeveloped.

Poland

The period 1990–2015 has been marked by tumultuous and inconsistent changes that revolutionized almost the entire system of higher education governance in Poland (Antonowicz, 2015; Kwiek, 2009; Białecki & Dąbrowa-Szeffler, 2009; Duczmal, 2006; Antonowicz, Pinheiro, & Smużewska, 2014). During the entire period (1990–2015) the state remained an important actor in the public realm, and its presence was exercised through multiple detailed *state regulations* (Figure 4.4). The government however did not have adequate capacity to steer the system and it largely withdrew from developing its own agenda (due to lack of resources and political authority). Nevertheless, it attempted to control the expansion of higher education through a growing number of detailed regulations. This resulted in alarming signals about a shrinking quality of education and the de-institutionalization of the university

research mission (Kwiek, 2012). The toothless state stripped from its authority (in higher education) largely failed to execute a number of regulations, which had been boldly expressed in reports of the Supreme Audit Office (NIK, 2000). Initially, regulations were focused on financial and administrative issues and, at least in the beginning, avoided direct interference in the core of university performance (research and teaching). With the passage of time, the state however strengthened its steering role through the expanded scope of regulations aimed to make universities more accountable to taxpayers and through setting rules for fair competition (Kwiek, 2014). The major break came with the neoliberal amendments to the law of higher education (2010–2012) when the government attempted to take a dominant role in steering higher education. It separated so-called ‘steering from rowing’ by re-gaining a steering role and delegating a ‘rowing role’ to semi-independent funding agencies and intermediary bodies (research) and an accreditation agency (teaching). However, it also still kept a tight bureaucratic control over finance, staff and administrative issues, was little different from the situation prior to the political transformation. Public universities remained relatively closed to any form of external influence (mastering the use of academic freedom to block reforms), although there have been serious developments on the system level. The government implemented the ‘steering at a distance’ approach (Kickert, 1995), through the establishment of numerous agencies and advisory bodies. Responsibilities for quality assurance were delegated to the Polish Accreditation Committee, funding of basic research was passed on to NCN, funding of applied research to NCBiR. The role of this semi-autonomous organization is gradually increasing. The decentralization of power and *guidance by stakeholders* can be seen as one of the major developments in the model of higher education governance in Poland.

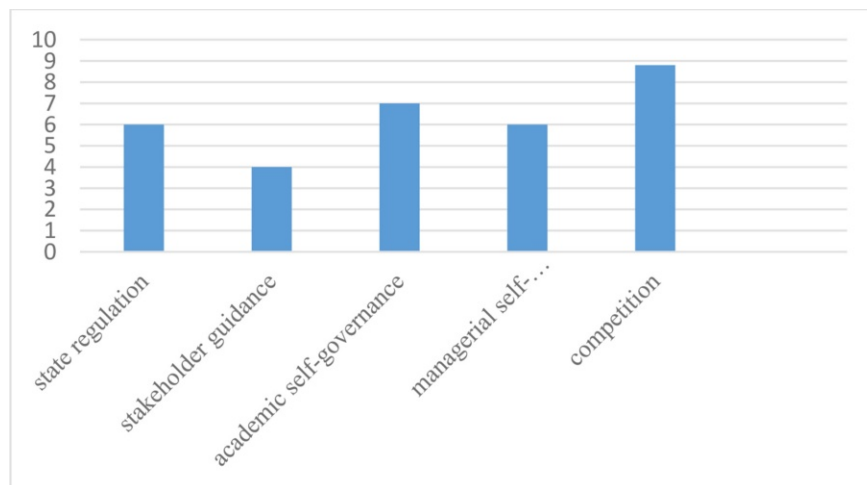


Figure 4.4. Governance equalizer: Poland in 2016

One of the most dynamic changes in higher education governance concerned *academic self-governance*. The fall of the communism in Poland was marked by a re-establishment of a self-governing, democratic mode of governance in public higher education (Scott, 2002). The state – bearing the heritage of a communist past – lost its moral legitimacy to govern higher education, so academic matters were handed over to the academic community, although with critically low resources to be allocated. The state developed ‘policy-of-non policy’ (Antonowicz, 2012) trying not to interfere in higher education and only keeping basic control over public funding through administrative procedures. The latter extended fundamentally as the state tried to respond to a growing expansion of private higher education by tightening a corset of bureaucratic regulations which – as reported (NIK, 2000) – had little impact on a shrinking quality of teaching. But the break of 1989 brought massive empowerment of the academic community and gave a boost to unfettered autonomy (Dobbins, 2015). This lasted until 2010 when the government tried to regain its steering role in higher education. Since then, we can observe attempts to confine self-governance to both the institutional and system level by distributing power to other modes of governance.

The period between 1990 and 2015 can be characterized by a rise and then gradual fall in academic self-governance. Nevertheless Polish universities remain as one of few higher education institutions in Europe with such a broad scope of academic self-governance and an unbelievable strong notion of a university as a self-governing community of scholars (Kwiek, 2015).

Before we elaborate on the role of *university leadership*, one has to bear in mind that before 1989 they were primarily administrators, chosen from the academic community. While, undoubtedly, the role of rectors has changed and to some degree expanded, they still are elected by and accountable to their peers. Their institutional position has been increased and is nowadays stronger than before, but their managerial capacity is still confined by central regulations and collegial bodies. Deans also remain accountable to their peers on the faculty level and quasi-independent from rectors: factors which make governing Polish universities highly complex.

The most significant change concerns the empowerment of rectors on the national policy level. Their organization – Conference of Rectors of Academic Schools (KRASP) – had granted a legal monopoly (in 2005) to represent higher education institutions at the national policy level. This provides an important platform for rectors, in particular those from the most prestigious universities, to voice their interest and influence decision making in higher education.

Finally, one of the hallmarks of the transformation of higher education is the expansion of higher education and the rise of the private sector, which has opened gates to *competition* for resources (staff, students, funding and prestige). Since the early 1990s the role of competition has not only been increasing, but also its nature has been evolving from students’ competition for study places to institutional competition for students due to demographic change. In addition, competition has been encouraged by changing the mechanism of resource

allocation in research through funding agencies (NCN and NCBiR) as well as by the introduction of institutional research evaluation (KEJN). The research funding for both institutions and individuals is increasingly allocated through competitive mechanisms.

Ukraine

From the Soviet model, the Ukrainian system of higher education and science inherited the division between the primary teaching-oriented higher education institutions and research institutions of the academy of science that persisted after 1991 without teaching obligations (Oleksieynko, 2014; Hladchenko, de Boer, & Westerheijden, 2016; Hladchenko, 2016). After 1991, *state regulation* (Figure 4.5) in Ukrainian higher education has remained rather strong, but in comparison with Soviet times, it has been weakened through the development of the private higher education sector (Parliament of Ukraine, 1991). Licensing, accreditation and awarding of scientific degrees and titles remained among the responsibilities of the state authorities. In 2014, after the Revolution of Dignity (Oleksiyenko, 2016), the ministry of education intended to deregulate higher education steering, hence strengthen university autonomy and delegate a significant part of its responsibilities through establishment of the National Agency of Quality Assurance of Higher Education (NAQAHE) (Parliament of Ukraine, 2015). However, the problems started during the elections of the members of NAQAHE. The representatives from the academies of sciences and Federation of Employees were not elected but appointed by these organizations. Two former officials of the education ministry that were lustrated in 2015 were elected by the rectors of public higher education institutions (Ministry of Education and Sciences of Ukraine, 2015). Further, two representatives of the higher education institutions, were accused of plagiarism (Blahodeteleva-Vovk, 2016). In September 2016, the two lustrated official of the education ministry were substituted by other individuals. However, a further problem arose when these newly elected members of NAQAHE were accused of plagiarism as well (Kvit, 2016). Under all these conditions, the question remains what changes this institution can bring into Ukrainian system of higher education. The establishment of NAHEQA turned into means-ends decoupling, as in the Ukrainian case the institution that should be viewed as a means for the enhancement of the quality of higher education became a goal in itself.

As regards other initiatives aimed to weaken state regulation, the legislation adopted after the Revolution of Dignity declared the strengthening of the financial autonomy of the higher education institutions, a clear indication of the intention to adapt higher education steering and to enhance the institutions' autonomy. In 2015, the government adopted the resolutions that allow higher education institutions to open accounts albeit only in state banks. Before these changes were introduced, the higher education institutions were required to transfer their income to the State Treasury and to follow strict Treasury rules in spending the budget. However, despite

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the changes in the regulation, the process of opening bank accounts has remained rather complicated and bureaucratic because of the high degree of intrusion of the governmental authorities into this process (Cabinet of Ministers of Ukraine, 2015). So, decoupling is caught between the goals declared by the government and means for their achievement. Moreover, public higher education institutions are still restricted in allocating their income. In particular, income from tuition fees can only be spent conditionally: either on salaries to academics or improvement of teaching conditions (but for example not on the establishment of the infrastructure of the science park).

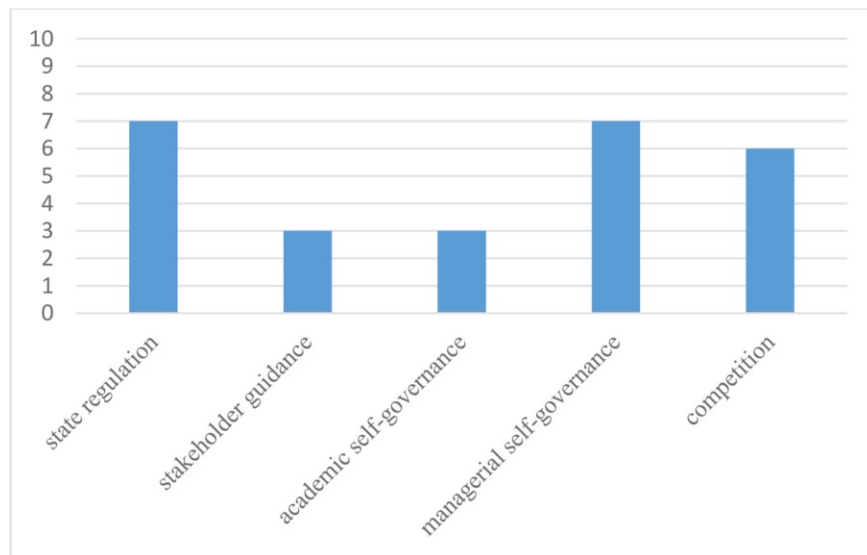


Figure 4.5. Governance equalizer: Ukraine in 2016

As mentioned above, in Soviet times rectors performed primarily administrative functions. In the post-Soviet period rectors managed to strengthen their position, turning from rather passive administrators into active managers in an organizational structure that, inherited from the Soviet model, remained highly hierarchical. The rector is responsible for the development of educational activities, financial management and recruitment of staff and the like. It is compulsory for the rector to have the scientific degree and title. Furthermore, the rector approves the members of an Academic Council. The Academic Council that comprises top- and middle-level managers of the university (vice-rectors and deans), elected members (academics) and student representatives can be regarded as a managerial collegial organ and performs an advisory function (Parliament of Ukraine, 2014). It is the responsibility of the Academic Council to select the deans and heads of the departments who must be then appointed by the rector.

Since 2014, the law prescribes that the same person cannot be in the position of rector for more than two terms (one term is five years). Before 2014, there were no such restrictions, meaning that in some cases rectors had been leading the institution for thirty years (Stadnyi, 2013). Another change concerns the position of the rector vis-a-vis the Academic Council. Prior to 2014, only a rector could be the head of the Academic Council. After 2014 the head of the Academic Council can be elected from members of the Academic Council (Parliament of Ukraine, 2014). For the moment, this turns out to be a change on paper only. In reality, the rector continues to be the head of the Academic Council. Further, according to the legislation, decisions of the Academic Council come into force only if they are based on the rectors' decision.

In order to make management processes of higher education more transparent, since 2014 the rectors have to publish annual reports on the official web site of their higher education institutions. The requirements concerning the content of the report however are not clearly defined.

The Humboldtian tradition was never strong in Ukrainian higher education. After 1991, *academic self-governance* was mainly established through the Conference of Employees, a supreme collegial organ of public self-governance (Cabinet of Ministers of Ukraine, 1996). Academics comprise at least 75 per cent and representatives of the student body at least 15 per cent of the total number of seats of the Conference of Employees (Parliament of Ukraine, 2014). Moreover, the top and middle managers of the university are among the members of the Conference of Employees. The Conference of Employees is chaired by the head of the trade union of a higher education institution. Meanwhile, Ukrainian trade unions can be viewed as the heritage of the Soviet period. They neither are independent from the authorities nor empower their members (Kubicek, 2002). The head of the trade union of the higher education institution looks like an administrative position subordinate to the rector. On behalf of the Conference of Employees, the head of the trade union signs a collective agreement between the employees and the rector of the higher education institution. Before 2014 it was the responsibility of the Conference of Employees to elect the rector, after 2014 academics and students obtained the right to directly participate in the elections of a rector. Nevertheless, academic self-governance remains rather weak and under-developed, because of the decoupling between goals declared in public policy and the means for their achievement.

After 1991, as regards *stakeholder guidance* Supervisory Boards were established in the national universities. The Supervisory Board is expected to perform advisory functions and to execute public control. The state authority appoints the members of the Supervisory Board. Since 2014, it has become compulsory for all higher education institutions to have a Supervisory Board, which consists of the members, external to the institution. However, the influence of these boards on higher education institutions is mainly nominal.

In terms of de-coupling, the establishment of the boards became the goal in itself, and relationships with industry and business remain underdeveloped. The Board of Employees, established at universities since 1991, has heralded the emergence of

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private higher education institutions and the possibility for public higher education institutions to charge a tuition fee for up to 49% of the admitted students (Parliament of Ukraine, 2002) which has led to an increase in *competition*. In the following years, competition has further increased, not only because of the increased number of higher education institutions (from 146 in 1988 to 353 in 2009), but also because of the constant increase in the number of Ukrainian students that prefer to study abroad (Stadnyi, 2015). The explanation of this tendency is the political and economic crisis in the country. Moreover, the Ukrainian state inherited the funding model from Soviet times. The amount of the funding that the state allocates to the higher education institution depends on the number of whose specialists, training the state orders from the higher education institution. As this approach from the Soviet period was developed in a context of a centrally planned economy, its efficiency is rather dubious under the conditions of a market economy (Oleksiyenko, 2016; Nikolaiev & Dluhopolskyi, 2016). Meanwhile, in 2016 the competition among the higher education institutions increased as because of the allocation of a share of the state funding on the basis of the ‘money follows the student’ approach (Stadnyi, 2016). Furthermore, in contrast to Poland, in Ukraine the mechanism of competitive allocation of the research funding remains underdeveloped.

DISCUSSION AND CONCLUSIONS

Because of the communist past, in both countries the governance of higher education before 1990 was radically different from what NPM advocates have in mind, except for the rather marginalized role of academics. Under the Soviet regime, most dimensions of the governance equalizer were largely the same in both countries. Some differences in the governance of higher education in Poland and Ukraine before 1990 however have left their imprint on the governance of the two higher education systems today. The Humboldtian tradition and correspondingly academic self-governance was more institutionalized in Poland than in Ukraine. This was not just due to having a different history in higher education governance, but also because of a much stronger influence of the communist ideology in Ukraine compared to Poland. As the result of that, state regulation was (even) stronger in Ukrainian than in Polish higher education, although in Poland state control was severe.

After 1990, we trace changes in all five governance dimensions in both countries, and the changes point in the same directions: (a) less, but still significant state regulation, (b) more stakeholder guidance, (c) more academic self-governance, (d) much more managerial self-governance, and (e) increased levels of competition. In both countries, higher education governance clearly has undergone serious changes in the last 25 years.

We also observe that, with the exception of academic self-governance in Poland, the new governance configurations in the two countries have come closer to what we labeled as the NPM-benchmark. Less state regulation, more stakeholder guidance, stronger managerial self-governance and increased competition match with the

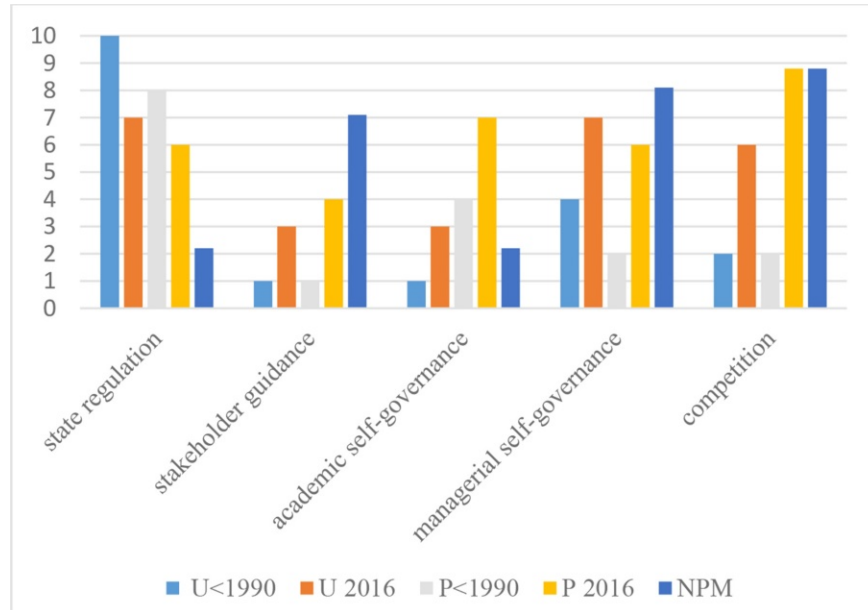


Figure 4.6. Governance equalizer: Ukraine and Poland across time, benchmarked against New Public Management

NPM-ideal. However, perhaps with the exception of managerial self-governance and competition, we cannot speak of higher education systems that are fully governed in a NPM-mode. State regulation remains substantial, stakeholder guidance is limited and academic self-governance, particularly in Poland, is clearly present.

However, managerial self-governance and competition come close to the NPM ideal, which can be seen as a remarkable change in a short period. In both cases academic self-governance has changed as well, to a moderate extent, but in Poland not in the NPM direction. Stakeholder guidance has not reached the NPM level, neither in Poland nor in Ukraine, partially because of the influence of their historical pasts: a strong Humboldtian tradition in Poland while absence of a knowledge-based economy in Ukraine.

It is also clear that, apart from the similarities, the two countries took two different paths. From 1990 to 2016 changes are more intense in Poland than in Ukraine and more in line with NPM (Figure 4.6). Both competition and academic self-governance is stronger in Poland than in Ukraine – as it also was before 1990s. In Ukraine the state still preserves its power and constrains competition despite the gradual diminishing role of state regulation in both countries

The influence of Soviet ideology was stronger in Ukraine than in Poland and this distinction has affected the choices of the actors made during the critical juncture of

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the 1990s. Having conducted lustration and de-communization and shock reforms, Poland managed to stop the continuity of the communist institutions and actors. The multiplicity of strong European links in Poland have been key drivers for the spread of entrepreneurial modes of higher education governance (Antonowicz, 2015). In this respect, Poland has been more advanced and equipped in implementing the principles of NPM than Ukraine. As for Ukraine, the underdeveloped civil society and the rise of the oligarchy are inconsistent with the global model of NPM. In the Ukrainian case, even after 2014 the majority of public policies are featured by means-ends decoupling what hinders the institutionalization of NPM. The high degree of means-ends decoupling occurs because the nation-state, the same as higher education institutions, are driven by the self-interests of the powerful actors. The more the nation-state aligns with the global models of world society the closer the governance of higher education to the patterns prescribed by NPM.

ACKNOWLEDGEMENTS

Dominik Antonowicz gratefully acknowledges the support of the National Research Council (NCN) through its research grant (UMO-2013/10/M/HS6/00561).

NOTES

- ¹ Before its members were appointed by the minister.
- ² After the students' protests at universities in 1968 the government decided to strip the academic community from the right to elect rectors and deans and restored in the early 1980s.

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