

The Cambridge Education Research Series

# Governing Universities in Post-Soviet Countries

From a Common Start, 1991–2021

Edited by **Peter D. Eckel**



# Governing Universities in Post-Soviet Countries

University governance is an essential but complex phenomenon, even in countries where institutional-level governance has a long and strong tradition. After the dissolution of the USSR, each of the fifteen former Soviet countries developed their own University governance system and this groundbreaking book explores how these countries evolved from the “common start” of a unified and tightly controlled higher education system to shaping their own paths in higher education. Each chapter explores a different country, allowing University governance models to be compared and contrasted. The countries provide examples of a variety of different governance models – *state-extended*, *academic-focused*, *internal/external*, and *external civic* – and the book highlights the advantages and disadvantages of each relative to their context. It also presents innovative frameworks for understanding governance effectiveness in terms of autonomy, competition, and capacity. It is essential reading for researchers, students, and policy makers. This title is also available as open access on Cambridge Core.

**Peter D. Eckel** is Senior Fellow and Director of Leadership Programs at the Graduate School of Education, University of Pennsylvania. Notable publications include *Practical Wisdom: Thinking Differently about College and University Governance* (2018). He serves as a trustee at the University of La Verne in California and coleads the Penn Project on University Governance.

### *Governing Universities in Post-Soviet Countries* endorsements

“As the Minister of Science and Higher Education, I can attest to the significance and novelty of this study that captures governance structures in all post-Soviet republics. This is complex and meaningful research that benefits greatly from consistency and its chosen comparative approach. The cases are well crafted, and analysis chapters capture conceptual insights that are often missing in governance literature. I certainly recommend this book to policymakers, researchers, university leaders, and practitioners seeking to deepen their understanding of complexities in governing today’s universities.”

Sayasat Nurbek, Minister of Science and Higher Education of the  
Republic of Kazakhstan

“As a president of universities in two different countries, I know well the impact that board structure has on universities and their governance. This book is not only a thoughtful analysis of university governance in post-Soviet countries, but also a thought-provoking treatise on the evolution and transformation of higher education, which will be impactful for governance boards and university leaders in every state.”

Santa J. Ono, President, University of Michigan

“The conflict between Russia and Ukraine illustrates in stark detail the tensions among the different routes to modernization taken by the former Soviet states, and their universities are not immune to these challenges. In focusing on institutional governance, the authors have chosen an issue often ignored in policy reforms, but one that is essential. The authors provide a mechanism for understanding governance as well as for assessing the qualities and impact of university governance models in any country. Students of international higher education and policymakers alike will find much to learn and use in this well-researched and accessible work.”

Roberta Malee Bassett, Global Lead for Tertiary Education  
and Senior Education Specialist, World Bank

“This book results from the largest natural experiment in the history of higher education, the dissolution of single system to systems in fifteen independent countries. Underlying this sudden process were two facts. No country was willing to leave the planned economic system the same as it was when the higher education system in the Soviet Union was created. And no country was willing to mirror their new higher education system with an imported model unaffected by local tradition, preference, and ambition. The results of these conflicting influences one can find in this unique volume of country-specific analyses.”

Stephen P. Heyneman, Professor Emeritus, International Education  
Policy, Vanderbilt University

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# CONTENTS

<i>List of Figures</i>	page vii
<i>List of Tables</i>	viii
<i>List of Contributors</i>	ix
<i>Preface</i>	xiii

## PART I FRAMING THE CONTEXT

<b>1</b>	Governing Universities in Post-Soviet States <i>Peter D. Eckel</i>	3
<b>2</b>	Understanding Ground Zero: The Soviet Context and Legacy as the Starting Point for Reform <i>Zumrad Kataeva</i>	20

## PART II COUNTRY UNIVERSITY GOVERNANCE PROFILES

<b>3</b>	Armenia <i>Peter D. Eckel</i>	35
<b>4</b>	Azerbaijan <i>Merey Mussabayeva and Serik Ivatov</i>	46
<b>5</b>	Belarus <i>Peter D. Eckel</i>	58
<b>6</b>	Estonia <i>Rita Kaša</i>	65
<b>7</b>	Georgia <i>Leah Shapiro</i>	75
<b>8</b>	Kazakhstan <i>Peter D. Eckel and Darkhan Bilyalov</i>	82
<b>9</b>	Kyrgyzstan <i>Zumrad Kataeva and Ali Ait Si Mhamed</i>	97

10	Latvia <i>Rita Kaša</i>	107
11	Lithuania <i>Rita Kaša and Ali Ait Si Mhamed</i>	118
12	Moldova <i>Peter D. Eckel</i>	128
13	The Russian Federation <i>Zumrad Kataeva</i>	140
14	Tajikistan <i>Zumrad Kataeva</i>	152
15	Turkmenistan <i>Serik Ivatov and Darkhan Bilyalov</i>	160
16	Ukraine <i>Ali Ait Si Mhamed and Serik Ivatov</i>	168
17	Uzbekistan <i>Ali Ait Si Mhamed and Serik Ivatov</i>	182
PART III COMPARISONS AND ANALYSES		
18	Variety and Variation among Post-Soviet University Governing Structures: Toward Four Models <i>Peter D. Eckel and Darkhan Bilyalov</i>	195
19	Governing Appropriately: Autonomy and Bureaucratic Capacity <i>Peter D. Eckel</i>	214
20	Governing in the Context of Competition and Autonomy <i>Peter D. Eckel and Ali Ait Si Mhamed</i>	231
PART IV CONCLUSION		
21	Addressing the Dilemmas of Governance in the Post-Soviet Context <i>Peter D. Eckel</i>	255
	<i>References</i>	267
	<i>Index</i>	289



# FIGURES

3.1 Worldwide governance indicators for Armenia	<i>page</i> 38
4.1 Worldwide governance indicators for Azerbaijan	48
5.1 Worldwide governance indicators for Belarus	60
6.1 Worldwide governance indicators for Estonia	66
7.1 Worldwide governance indicators for Georgia	77
8.1 Worldwide governance indicators for Kazakhstan	85
9.1 Worldwide governance indicators for Kyrgyzstan	99
10.1 Worldwide governance indicators for Latvia	108
11.1 Worldwide governance indicators for Lithuania	119
12.1 Worldwide governance indicators for Moldova	130
13.1 Worldwide governance indicators for Russia	142
14.1 Worldwide governance indicators for Tajikistan	154
15.1 Worldwide governance indicators for Turkmenistan	163
16.1 Worldwide governance indicators for Ukraine	171
17.1 Worldwide governance indicators for Uzbekistan	184
19.1 Bureaucratic capacity and autonomy by country	222
19.2 State-extended governance structures by autonomy and capacity	224
19.3 Internal/external structures by autonomy and capacity	225
20.1 Composite competition across PSS	241
20.2 Competition and autonomy	242
20.3 State-extended governance structures by autonomy and competition	246
20.4 Internal/external governance structures by autonomy and competition	247
20.5 Academic-focused and external civic governance structures by autonomy and competition	248

# TABLES

12.1 Governing Moldovan universities: Senate and SIDC	<i>page</i> 138
18.1 Primary governing structure	198
18.2 Size and composition of governing bodies	200
18.3 Governing body leadership	203
18.4 Theoretical underpinning by governance structure	212
19.1 Levels of higher education autonomy by country	217
19.2 Governance capacity percentile averages and comparative ranking and assessment	221
19.3 Country governance structure and capacity/autonomy levels and ratio	223
20.1 Country research productivity percentile ordinal rankings	236
20.2 Grouped ordinal ranking of private higher education enrollments by percentage	237
20.3 Percentages and ratios of inbound and outbound students in post- Soviet countries	239
20.4 Ordinal ranking of fee-paying students by percentage	241
20.5 Country governance structure and competition/autonomy levels and ratio	245
21.1 Emerging governance models by post-Soviet countries	256
21.2 Governance dilemmas by PSS governance model	259

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---

# PREFACE

We conceived this book as a comparative study to examine the University governance models in fifteen independent countries, which at one point in history belonged to the same system of government, the USSR. We were curious about the University governance models that might have emerged in this unique and special natural laboratory of socioeconomic and political transformations since 1991 when the Soviet Union dissolved. The book repeatedly references the Soviet Union and treats it as an artifact of the past from which to look forward, thus our use of the term “post-Soviet.” We recognized that as we write this, even this is a contestable and politically laden term. However, we have decided to keep it in place because that shared history and the impact of that shared history on universities and University governance throughout the region is salient. We also adopt the term “former Soviet” when the old empire’s legacy is not relevant.

In this book, we set out to understand how the fifteen countries that were once incorporated into the Soviet Union have today structured their University governance efforts. In this project, we realize that universities and each nation’s higher education systems are reflections of their governments. Their political and cultural identities, long-standing but also changing, shape the structure of universities and the role they play or are constrained from playing. To oversimplify, market-based, democratic nations treat their University systems differently from those in centrally planned economies and in autocratic regimes. While universities are part of the global academic world, with its growing neoliberal tendencies, their local contexts matter in what they do, how they are supported, and, importantly to this book, the ways through which they are governed.

The former Soviet space includes what is now a range of very diverse countries, from the Baltic countries, full members of the European Union and NATO, to Russia and the inward-looking Turkmenistan, and to the countries of Central Asia. Their University systems vary, as explored here. In thirty years, these self-governing nations and their universities have developed along a variety of paths, allowed because of their independence and sovereignty.

While the focus of this book is on the time immediately before the Russian invasion of its neighboring country Ukraine on February 24, 2022, one cannot stop

wondering how this region, and by extension its higher education space, will look on the other side of the conflict. Predictions are beyond the scope of this book. However, this aggression within the region will have lasting impact on individuals' lives and institutions regardless of when and how the conflict is resolved.

The richness of this book is its focus on a set of higher education systems and their governance in countries once controlled by a now dissolved nation that demanded control and fidelity with economic, political, and philosophical objectives for its universities. Across the region, much diversity has been created over thirty years of independence and openness to the global world once the Iron Curtain had fallen. The authors reflect much of that regional diversity and go beyond it to be an international collective. The contributors are Tajik, Latvian, Kazakhstani, as well as Moroccan and American. We have varying experiences in the region as students, staff, consultants, and academics. This examination is an academic effort, but we have personal and professional and familial linkages to this region. So, we pay attention to current events on multiple levels and with a range of emotions, often difficult.

Universities by their mission and construct are future-focused. They prepare the next generation of citizens, turn their research prowess to solving emerging challenges, and shape economies and contexts for the long run. We can only hope for a future of peace, independence, and self-governance and that universities are allowed to do the good work that they can.

We want to thank the following individuals and organizations for their support of this project. First, we acknowledge Dean Aida Saginiyeva of Nazabayev University's Graduate School of Education (NUGSE). This book grew out of a partnership between NUGSE and the University of Pennsylvania's Graduate School of Education. Thank you to Isabel (Izzie) Collins of Cambridge University Press for her patience and willingness to extend deadlines, to Becky Taylor also of Cambridge University Press for her support, and to Trent Hancock and Aiswaraya Naraynanan for their production assistance. Thank you to Julie Manokhina formerly of Penn GSE for her editorial assistance (terrific figures and tables) and her thoughts on the manuscript. We also thank the following individuals for their ideas, resources, and helpful suggestions on various parts of this manuscript and our thinking: Denis Nikolaev, Stephen Heyneman, Isak Froumin, Rachel Baker, Sharistan Melkonian, and Ion Gonta. Our final appreciation is to an anonymous reviewer for helpful comments.

Lastly, we close with thoughts and good wishes to the people of Ukraine and to those whose lives have been taken and the many others disrupted and displaced by these disturbing and all too avoidable events.



# **Part I**

## **Framing the Context**



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# 1 Governing Universities in Post-Soviet States

Peter D. Eckel

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## 1.1 INTRODUCTION

In 1991, a grand if unintentional experiment in University governance began. Fifteen countries once under a unified and tightly controlled and regulated higher education system were all given a unique opportunity to evolve their own University systems in their own ways starting from the same place and at the same point in time. The dissolution of the Soviet Union set off a chain reaction of University reform that proceeded at assorted paces, through different iterations, and in various directions across the former Soviet states (Froumin & Kouzminov, 2018; Smolentseva, 2016; Uvaleyeva et al., 2019). The fifteen sovereign nations that emerged or reemerged each had a different history before incorporation into the Soviet Union and then a period of forced commonality. But after 1991, the countries' economic, political, and social systems developed in mutual but also independent ways (Baris et al., 2021). So did their University systems. "The similarities and differences between the national contexts, together with the challenges of the independence period, created a unique constellation of political, economic, sociocultural and demographic conditions in each country" (Smoletzeva et al., 2018, p. 2). Each constellation of factors in turn influenced the direction of the newly independent countries' higher education systems and how they are governed.

The region continues to change and be challenged by the Russian invasion of Ukraine and the damage and instability that has created. The story of change and independence in the region, starting from the common point in 1991, is dynamic and ongoing. What the war's impact is on the region's

universities and how they are governed is unknown and will continue to be for some time.

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## 1.2 GOVERNING UNIVERSITIES IN FORMER SOVIET COUNTRIES

The former Soviet countries' higher education institutions (HEIs) during Soviet times were very similar, regardless of their location and local history. This was due to a highly coordinated, centralized, and well-funded approach to post-secondary education reflecting the unique goals of the Communist government (Azimbayeva, 2017; Johnson, 2008). The system was intentionally structured to remove competition between HEIs. They were immune from market and economic forces (Rezaev & Starikov, 2017) but not political or ideological ones (Kuraev, 2016). Soviet higher education institutions had a sociopolitical role that was different from Western and Asian universities in that they were "specialized parts of a state-controlled machine for manpower production . . . and for reshaping the social and ethnic structure of the state" (Froumin & Kouzminov, 2018, p. 46). Throughout the USSR, HEIs taught in a common language, regardless of geolinguistic tradition; they shared the same degree structures, curricula, and textbooks; they were vocationally oriented and conducted little research, which was the domain of scientific institutes and academies (Froumin & Kouzminov, 2018; Johnson, 2008). The missions of HEIs tended to be discipline- and field-specific – for example, agriculture, economics, pedagogy, engineering, medicine. At the end of the Soviet era, only 8 percent of universities were comprehensive, offering degrees across an array of disciplines and fields (Smolentseva et al., 2018). The governance of HEIs was scattered, with many HEIs falling outside the control of the Ministry of Higher Education. One count noted that by 1990 the approximately 900 HEIs across the Soviet Union were governed by over 70 ministries and organizations (Avis, 1990).

However, in some countries, such as Armenia, Imperial Russia, Estonia, Latvia, and Lithuania, universities existed before the Soviet Union (Ait Si Mhamed et al., 2018; Froumin & Kouzminov, 2018; Karakhanyan, 2018; Leisyte et al., 2018; Saar & Roosalu, 2018). Here, universities with local focus and language instruction put down roots. These institutions were either absorbed into the Soviet structure or were closed during the Soviet period. Nevertheless, they often left a lasting impact on the mindset of the country, as a reminder about education for local relevance, and often became a starting point for post-independence higher education development and evolution.

Post-Soviet governments and their HEIs have faced a series of challenges since independence including finding their way in newly established market economies amid financial and political uncertainty and downturns; updating and broadening curricula and removing Soviet ideology; developing research capacities; coping with brain drain; and updating infrastructure, data systems, and facilities (Johnson, 2008; Smolentseva et al., 2018). They did this in newly competitive educational marketplaces with the entrance of private universities and providers and sizeable numbers of students who pay tuition fees and operating in a policy context that was in flux. The result was a range of varying higher education system transformations.

From this common starting point, today's universities in the former Soviet states have evolved in different ways and at different paces. Universities in some countries, such as Belarus and Turkmenistan, reflect their pre-independence forms with strong governmental presence, little autonomy, controlled curricula, and government-appointed leadership (Clement & Kateva, 2018; Gille-Belova & Titarenko, 2018). Universities in other countries, such as Estonia and Latvia, have changed greatly, for example by joining the Bologna Process shortly after independence (Gorga, 2008; Rauhvargers, 2003). And universities in Kazakhstan and Moldova reflect a mixed level of reform with some universities strongly reflecting Soviet roots in terms of structure, control, and curricula, and others moving much more toward Western research University models, such as Nazarbayev University (Ruby, 2017) and the Moldovan Technical University (Eckel, 2019).

The dominant post-secondary institutions in most of the fifteen countries are public or state universities (Smolentseva, 2020). They educate most of each country's students (except in Kazakhstan at 48 percent) and they are the preponderance of universities in number across these countries, with four exceptions: Armenia (at 48 percent), Georgia (at 29 percent), Kazakhstan (at 33 percent), and Latvia (at 41 percent) (Platonova, 2018). They are the responsibility of governments, the beneficiaries of public funding, are often the most visible, and tend to be the key vehicle for broad and deep economic development and social reform. State universities have broad nation-building missions, which often stand in contrast to more narrowly targeted private University missions with their vocational purposes and profit motives; and they are expensive to run. Thus, there are incentives to develop effective governance mechanisms for state universities. And because these universities are public, even though individual University missions and their organizational structures can be different (Razaev & Starikov, 2017), their governance structures tend to be consistent within each country as the approaches to

University governance are set by the state via laws and statutes and to change them requires government action.

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### 1.3 BODIES THAT GOVERN

This book focuses narrowly on University governance and does so with even more of a focus on university-level or institutional governance, as compared to state governance, such as at the ministerial level. It draws upon two definitions of governance. The first, by John Fielden (2008) in his comparative University governance study for the World Bank, defines governance as “all those structures, processes and activities that are involved in the planning and direction of the institutions and people working in tertiary education” (p. 2). The second, by Peter Maassen (2003), notes that governance is “the frameworks in which universities and colleges manage themselves and about the processes and structures used to achieve the intended outcomes” (p. 32). Both definitions indicate that governance concerns itself with processes and activities that occur through and are shaped by decision, communication, and coordination structures. However, the governance processes and outcomes that are captured in both definitions are notoriously difficult to study regardless of context and organizational type (Chait et al., 1993; Daily et al., 2003; Forbes & Milliken, 1999; Stevenson & Radin, 2015). The remaining element of the governance definitions, and the one we focus on in this book, is the definable, describable, and therefore comparative element: structure.

Admittedly, this is a narrow focus. This effort does not look at how these structures function. We instead exchanged depth for breadth and look across fifteen countries. This is a limitation and one we hope to address in future work. Nevertheless, our approach aims to better understand University structures that frame the dynamics of higher education decision-making and power play. The description of the fifteen University governance models spanning north-east Europe to Central Asia allows for the mapping of University governance models in this Eurasian region, presenting a systematic review of University governance structures.

The universities in former Soviet countries, indeed around the world, have discernible, different mechanisms for governance that determine mission, approve strategy, set policy, monitor University well-being, and oversee quality and compliance (see Feildin, 2008; Henard & Mitterle, 2010; Saint, 2009). System-level governance in the Soviet area was provided by a range of ministries and other oversight bodies tied directly to the state (Avis, 1990;

Froumin & Kouzminov, 2018). Three decades later, there are multiple actors and structures involved with governance (Austin & Jones, 2016; Henard & Mitterle, 2010; Larsen et al., 2009). We seek to understand the range and variety and how they reflect the University governance contexts. In all varieties of University governance forms and functions, some type of authority balance exists between government and institution. As explored later in this volume, in some instances University governance is mainly a state responsibility with most decisions held centrally and little notable independence at the institutional level. In other instances, governance is a University responsibility with indirect state roles. The variation reflects the degree of autonomy granted to universities by government (Austin & Jones, 2016; de Boer et al., 2010; Hartley et al., 2015).

The primary mechanism for institutional-level governance are governing bodies that go by a series of different labels, commonly including Academic Councils or Senates, Boards of Trustees, and Boards of Overseers. These bodies, regardless of name, are the essential bridge that spans governmental and institutional boundaries. They are increasingly recognized as the key link in the governance framework that includes macro-, meso-, and institutional-level structures (Austin & Jones, 2016; Fielden, 2008; Maassen, 2008). In some national contexts, such as the United States, Canada, and the United Kingdom, institutional-level structures are responsible for setting and overseeing the trajectory of a University, ensuring fidelity to mission and approving strategy, monitoring quality and relevance, safeguarding resources and assets, approving policy, and ensuring financial health. They are also responsible for the hiring, review, and termination of the administrative head, in these cases the rector (Chait et al., 2006; Committee of University Chairs, 2014). Many Asian countries follow a different model with tighter state control. Japan, for instance, reformed its tightly ministerially controlled universities to be slightly more autonomous, with governing boards appointed by the University president; however, the ministry still appoints the president (Oba, 2014). Scandinavia historically has strong academic-based governance: a rector elected from within the academic staff, who also chairs the board; and active Councils (Stensaker, 2014). In Finland, the academic collegium appoints and can remove external governing board members (Salmela-Mattila, 2014).

This book investigates the form and function of institutional-level governance bodies in former Soviet countries. The shared Soviet history provides a natural laboratory for innovation and such a comparison has not been done before. The fifteen national cases described and analyzed in this volume centers on the authoritative governing body at the institutional level for

several reasons. First, we focus on what is arguably the most important element in the governance schema – the institutional-level governance mechanism. These are the supreme decision-making structures within each University, as compared to a ministerial or buffer-body level (Austin & Jones, 2016). This is the point at which policy intersects with practice and where, metaphorically speaking, the rubber meets the road. As Vossensteyn (2016) notes in a World Bank report, “Internal governance arrangements can be considered the backbone of every higher education institution’s capacity for coordination and strategic development” (p. 9). This level is different from but works in conjunction with systems- or policy-level governance (for example, see Dobbins et al., 2011).

Second, University governance is a complex system with a lack of clarity about what it is and what it consists of. The concept of University governance can include governmental agencies, buffer bodies, institutional-level structures, and unit-level decision bodies (Austin & Jones, 2016; Fielden, 2008; Shattock, 2014). This complexity makes comparisons challenging at best and ill-informed at worst. Thus, we seek to narrow the scope of comparison to the supreme governing bodies at the institutional level, allowing for what should be a somewhat parallel comparison.

Third, governing bodies, while long-established and consistent in some countries such as the United Kingdom and United States, are changing elsewhere as the governance and policy ecosystem and context evolve (de Boer et al., 2010; Fielden, 2008; Shattock, 2014). Thus, it is interesting to understand if and how these bodies are being developed and the forms the reforms take. In some instances, such bodies might have substantial authority, or they may be simply constituted as advisories with the Ministry holding tight the reins, either explicitly or implicitly.

Fourth, governing bodies provide a window into the broader structures and assumptions of governing systems and of the development of universities as independent and complete organizations (Brunnson & Sahlin-Andersson, 2000; Krucken & Meier, 2006; Musselin, 2007). Structures reflect assumptions of work and coordination (Hammond, 2004) and “are selected to achieve an internal consistency or harmony, as well as a basic consistency with the organization’s situation” (Mintzberg, 1993, p. 3). Governance structures therefore codify assumptions of control, coordination, responsibility, and accountability. They become the embodiment of policies, conventions, and preferences and are not impartial (Hammond & Thomas, 1989).

Finally, many countries and intergovernmental agencies, such as the World Bank (Arnold & Malee Bassett, 2021), are showing an increased



interest in institutional governing bodies as the predominant governance mechanism. Many countries have reformed University governance or are experimenting with University governance reforms that have pursued different approaches and led to different structures (Azmbayeva, 2017; Hartley et al., 2015; Oleksiyenko, 2019, Shattock, 2014).

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## 1.4 POST-SOVIET SPACE AS A NATURAL LABORATORY

Because of their recent and shared starting point, the fifteen countries that once made up the Soviet Union create an interesting opportunity for comparison and analysis of university-level governance structures and how they have evolved over the past three decades. Outside this region, most University governance structures emerge from long histories and traditions that in some cases develop over centuries. Oxford and Cambridge created their governing structures in the Middle Ages, which not only continue to today but also became models for others. In the United States, Harvard and Yale Universities established their bodies in the 1600s and 1700s respectively. Thus, the 1990s are a comparatively short chronological distance away. Governing bodies in the former Soviet countries are relatively new and, as the case profiles in this volume demonstrate, they often undergo periodic transformation. Both Kazakhstan and Latvia changed their University governance structures during the writing of this book. This investigation takes a snapshot of the reforms that these countries have advanced as of 2019–2021, just three decades from a common starting point and a common Soviet-mandated governance framework.

The shared historic foundations of the former Soviet countries create a common starting place for evolution. University governance and its reforms are shaped by historic contexts (Carnegie Foundation for the Advancement of Teaching and Learning, 1982; Larsen, Maassen & Stensaker, 2009). Local government expectations, variation in institutional missions, and the role of external stakeholders lead to institutional-level governance differences. Shattock (2014) notes, “national histories and cultural traditions determine that there are widely different starting points [for University governance reform] and that these starting points themselves often determine the direction for the change process” (p. 184). This is not the case across these fifteen countries. They all started from the same Soviet place three decades ago.

Today’s variations within this set reflect recent local contextual changes and intentional decisions. While it is common to acknowledge what Rezaev

and Starikov describe as the “fifteen independent journeys, which resulted in different patterns of social and economic development” (2017, p. 129), to what extent do University governance mechanisms also have independent, divergent journeys, or do patterns of common approaches exist?

Finally, most current research sheds little insight on the actual mechanisms for institutional-level University governance (Gornitzka et al., 2017) even though there are significant investigations into the changing governing approaches around the world (de Boer & File 2009; Fielden, 2008; Larsen et al., 2009; Vossensteyn, 2016). Understanding the form and means through which university-level governance is conducted provides a ground-level view that is often missing from governance comparisons.

This book pursues a set of questions related to governing universities within former-Soviet countries:

- What are the current governing bodies across the public universities in the fifteen former-Soviet countries?
- In what ways are they the same or different, and what patterns exist across countries?
- What are the possible implications of the structural similarities or differences in University governance for their host countries?

Given their shared, historic starting point, this effort seeks to describe, compare, and analyze institutional-level governance structures. We maximize breadth and minimize depth, and we think this breadth to be important and relevant. A common challenge of comparative governance work is the difference that the political and social foundations of universities can have on governance understanding. For example, comparing Napoleonic, Humboldtian, and market models can be difficult (Dobbins et al., 2011; Shattock, 2014). The underlying conditions are different as are the policy assumptions and even the legal structures by which they operate. For example, Kazakhstan adheres to a civil legal structure as compared to the United States, which follows a case law structure, meaning that University governance is underpinned not only by different legal structures but also different assumptions (Eckel & Apergenova, 2015). But we use the current contextual differences to advantage and explore the appropriateness of the structures identified to the context in which they are operating in the book’s analytic chapters.

By focusing this investigation on countries that were formerly part of the Soviet Union, the project benefits from broad coverage and it compares

similarities and differences across what was a common foundation. It is through patterns of comparison across the set that interesting insights emerge that could be missed with a more traditional regional focus, such as on the Baltic countries or Central Asia. Because higher education's evolution across a diverse set of countries has varied over time (Rezaev & Starikov, 2017; Smolentseva et al., 2018), the comparisons reflect important developments and choices worthy of exploring. This approach, however, does have its limitations as discussed below.

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## 1.5 GETTING TO GRIPS WITH UNIVERSITY GOVERNING BODIES

This book focuses on institutional level governance structures: What are institutional governance bodies? How are they structured? Who serves on them and through what selection mechanisms? What do they do? How do they compare across contexts? This undertaking describes and compares institutional governing bodies across fifteen countries and their higher education systems that all emerged at the same point in time and from a common recent history.

But first a challenge: What are comparable governance bodies? The diversity of institutions is vast across this region and in some cases within countries, as are their governance structures (Gornitzka et al., 2017). In some countries, this choice is simple. There is one governing body per institution. Depending on the higher education system and country, institutional governance tends to take one of two forms (Esterman & Nokkala, 2009). The first are unitary bodies, in which a single body, such as a Board of Trustees, has the ultimate authority. This is *the* governance body. However, other institutions have multiple bodies, in which various authorities share governance responsibilities often for academic decisions and for operational and strategic ones. Most public universities in Canada follow this bicameral model (Shanahan, 2019). In some instances, the different bodies have complementary authority, but in other instances one of the bodies is advisory or consultative (Esterman & Nokkala, 2009). For instance, the University of Zurich in Switzerland has four governance bodies according to the description by Gornitzka et al (2017).

The book adheres to as clear a definition as possible. The first part of the answer to what are comparable bodies focuses on the scope of work, differentiating those bodies with authority, what de Boer and File (2009) label, but do not define, as supervisory boards from those that are advisory. Many

institutions are creating advisory boards under a variety of names with external representation to help create linkages between institutions and the societies and sectors they serve (Esterman & Nokkala, 2009; Hartley et al, 2015). In the North American context, we would argue the interest is in fiduciary boards, a legal threshold (AGB, 2015; Shanahan, 2019) with duties of care, obedience, and loyalty. To differentiate governing boards from advisory bodies, we suggest the following definition: *Governing bodies have tangible higher authority that transcend the authority of other bodies.*

Second, we differentiate governance work from a focus on management and academic administration. For example, the description of the University of Zurich's four-part governance structure includes one part, the extended rectorate (*Erweiterte Universitätsleitung* in German), which includes the rector, four vice-rectors, and all the deans, as well as others (Gornitzka et al., 2017). While this body does address issues of governance, it likely has (or at least shares) management duties. Thus, we can say *governing bodies are those that are not intended to manage (or not very much nor consistently), relative to other University bodies; and that separate management positions and bodies (such as rector and vice rectors or management Councils) exist outside or concurrent with governance positions.*

However, discerning governance from management in practice can be difficult. It is more than saying that boards set policies and management implements them or that boards establish the ends and administration the means (Chait et al., 2005). Looking at governing bodies in Europe, some of their activities are distinct from those responsibilities of the chief executive (management); but in other instances, the work of the supervisory body and that of the executive are merged or at least overlap (de Boer & File, 2009). This may be particularly true for governance bodies chaired by the executive. *Thus, governing bodies are those that work to safeguard the long-term interests of the institution through steering and setting policy and are accountable for institutional progress on agreed upon goals.* Composition of these bodies and the role of the chief executive (rector, vice chancellor, president) are factors to be investigated. Management, on the other hand, is the effort to get the work done, develop means and processes, and deliver on policy and objectives. Management is accountable to governance.

Finally, other universities have what seems like competing governance bodies. Katholieke Universiteit Leuven (or KU Leuven), for instance, has both a Board of Directors and a Board of Trustees (Gornitzka et al., 2017) and some Kazakhstani universities in recent times have both Boards of Trustees and Boards of Overseers (Hartley et al, 2015). To differentiate among these

bodies, we focus on those bodies with what the UK's Committee of University Chairs says, have “*a responsibility for all decisions that might have significant reputational or financial implications*” (CUC, 2014, p. 11). Again, there may be overlap with other University decision-making bodies. The governing body may not make each decision that has reputational or financial implications, but they are accountable for those decisions and their outcomes.

Even with this definitional parameter, there exists a risk that identifying institutional governing bodies may not be an apples-to-apples comparison, but the threshold here is at least to be comparing apples to other fruit. In sum, the focus on governance here refers to those bodies that:

- have tangible higher authority that transcend the authorities of other decision-making bodies;
- work to safeguard the long-term interests of the institution through steering and setting policy and are accountable for institutional progress on agreed upon goals;
- do not manage (or not very much nor consistently), relative to other University bodies and are separate from management positions and bodies that exist outside or concurrent with governance positions; and
- have the primary responsibility and accountability for decisions that might have significant reputational or financial implications.

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## 1.6 CONCEPTUAL APPROACH AND RESEARCH DESIGN

The book approaches these research questions through a lens of comparative case studies. For each of the fifteen countries we have developed case profiles. The cases are snapshots in time (2019–2021) that provide the opportunity for comparison. The case profiles are presented through a common structure. Each case describes the national context that likely impacts and informs higher education and its governance such as the economic, political, and demographic factors. The profiles then describe the shape and structure of the higher education sector in each country, with an emphasis on state or public universities as indicated above. It describes characteristics of the governing context, including higher education laws, levels and types of autonomy, and other factors that inform University governance. The first two sections of each chapter are intended to describe the context for what is

the heart of each profile – the final section that describes the University governing structure, including the governing body of the most authoritative; the membership and composition of that body; its selection or appointment processes; leadership; and its accountability and scope of work. Each element is described below:

- **Structure.** Governing boards seem to range in size, sometimes codified through law or mandate, but other times through practice, precedent, and history. In this category we include the number of body members and the connection to the rector or executive of the University.
- **Membership and Appointment Process.** Of interest is the membership on the governing bodies. What is the mix of representation and affiliation? Internal staff versus non-employed individuals? What are their backgrounds, such as representatives of the Ministry, if selection is dependent upon it? What is the proportion of governing body members internal to the institution and external to it? Is the rector or chief executive a voting member of the body?
- **Chair Appointment Processes.** Through what means is the body head identified and selected? This may be done by the government (ministry head of state, etc.), from representation (stakeholder groups), elected by the governing body, or part of the position held at the University, such as rector.
- **Accountability.** Governing bodies are accountable for the institutions they govern. The question is to whom are they accountable: Ministry or other governmental entity; a buffer body; or an independent organization, such as US private institutions. This is the most difficult element to discern and admittedly we struggled.
- **Scope of Work.** What is the scope of work of the governing body? If these bodies are developed related to levels and types of autonomy, then Esterman and Nokkala's four types of autonomy (2009) may be a useful framework for understanding governing body work: (1) organizational structures and institutional governance – in particular, the ability to establish decision-making structures and determine University leadership and structure performance accountability; (2) financial issues – in particular, the different forms of acquiring and allocating funding, the ability to set and charge tuition fees, accumulate surplus, and borrow and raise money, as well as the ability to own real property and buildings and be responsible

for financial accountability procedures; (3) staffing matters – in particular, the ability to hire staff and determine the responsibility for terms of employment such as job duties, salaries, and issues relating to employment contracts; and (4) academic matters – in particular, the capacity to define the range of academic offerings, introduce or terminate degree programs, define the structure and content of degree programs, determine the roles and responsibilities with regard to the quality assurance, and make decisions regarding student admissions.

As a set, the country profiles were developed in 2019 and 2020, with some timely updates in 2021. We understand that the countries and their higher education systems continue to evolve after this manuscript was submitted. Latvia, for instance, changed its law on higher education and governing structure in 2021. Thus, the profile was rewritten to reflect the most recent policy. Furthermore, the Russian invasion of Ukraine occurred at the end of our work on this book, creating much uncertainty not only for the Ukrainian University system but even for the sovereignty of Ukraine and its well-being. Armenia's anticipated update of its law on higher education is overdue.

The profiles were created via desk research during the pandemic drawing on primary and secondary materials including publicly available documents such as published laws and statutes, materials produced by others, and national and international reports. We reviewed institutional websites for examples of governing bodies, their structures and the scope of their work. Some of the materials were in English, either written or translated, and others were in the local language. The obtained materials are documented in each case. Among the book's contributors are individuals who speak several but not all of the languages represented in the region.

This approach is not without limitations. First, we relied on documents and materials that were published at a particular point in time for particular purposes that likely are different from our use. Second, many of them were translated. We cannot vouch for the quality or accuracy of the translations, nor about the consistency in language. For example, in Russian, there is often inconsistency in translating the different English notions of University management versus governance, two different concepts in the West. It is possible that two documents from the same country may have used either of these terms indiscriminately and without definition leading to confusion on our part. Third, variation likely exists on the ground and in practice. We may not have always understood within-country differences, if they exist between different types of universities or between the structure as stated and practice.

Fourth, it would have been ideal to have an in-country collaborator for all cases. We had some, and this was a role fulfilled by members of the research team in some countries (Kazakhstan, Latvia, Tajikistan). We also sought feedback on the case profiles from a range of knowledgeable individuals. Fifth, we focused on a narrow window of time. We did not want to be reporting on and comparing structures from points drastically different in time and laws continue to change and University governance continues to evolve. Finally, and likely most importantly, given our approach, we cannot discern how the governance structures are used and the extent to which they fulfill their objectives. We did not observe the structures working, nor do we have outcomes data. We can only report on how they are organized and intended. For example, we know that in Armenia, a governing body structure intended to be inclusive of multiple stakeholders was populated by individuals with strong ties to the government. For instance, student representatives were only selected to the governing body if they were approved by the political party, which was not as intended (Smith & Hamilton, 2015). Thus, what is designed may not be how it is used.

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## 1.7 OVERVIEW OF THE BOOK

This book is organized into four parts. **Part I** sets the stage for this book. It introduces University governance as a dynamic enterprise and its importance to University success. **Chapter 2** looks at the Soviet legacy and the governing context when independence was gained. It is the ground zero from which the current approaches emerged. With the dissolution of the Soviet Union, the now fifteen independent countries found themselves with opportunities to develop a public University system or systems and develop their own approach to governing higher education. To understand their current structure and why these changed the way they did in common and uncommon ways, it is important to understand the Soviet context and its legacies impacting higher education. History shapes organizational structures but also organizational identities. The organizational future can be shaped by the past (Wadhvani & Bucheli, 2014).

**Part II** presents the country profiles of all fifteen countries that formerly comprised the Soviet Union. The case profiles are organized alphabetically and presented in a common structure as described above with each case reviewing the national context that likely impacts and informs higher education and its governance, the shape and structure of the higher education



sector in each country, and factors that likely inform University governance. The final section of each profile presents the University governing structure.

**Part III** of the book includes our analysis and contains three chapters. While the set of descriptions in **Part II** have value, an analytic investigation adds depth, explanation, and understanding. We adopt a set of alternative and complementary frameworks to explore and analyze the current governing structures that reflect the different academic traditions and analytic tools we as a group bring to the topic. **Chapter 18**, the first chapter in **Part III**, describes the variation and commonalities across the countries' approaches to University governance. It identified four emergent models across the fifteen countries – *state-extended*, *academic-focused*, *internal/external stakeholder*, and *external civic*. **Chapters 19** and **20** explore questions of appropriateness as a surrogate for effectiveness through leveraging two different frameworks linked to context relevance. **Chapter 19** applies the Fukuyama model of governance, concerning itself with levels of autonomy and governmental quality (Fukuyama, 2013). **Chapter 20** pursues a complementary model by Aghion et al. (2010), using autonomy and competition as evaluative lenses.

**Part IV** consists of a single chapter that pulls together the insights from the descriptions and different analyses to make sense of the various findings and their explanatory insights. It explores the ways that these emerging governance models may address four common dilemmas of governance (Larsen et al., 2009). **Chapter 21** outlines future research questions and identifies implications for policy makers and University leaders.

This book aims to make four significant and original contributions: First, it focuses on a topic that is gaining in importance – University governance and governance reform. As more countries around the world seek to improve their University systems, modifying their governance structures seems to be a common approach. Many seek to create what the World Bank's Jamil Salmi notes is "favorable governance" (2009, p. 8) to advance their universities. Yet countries often lack intentional models suited for local contexts and needs or they look to the West to adopt approaches that might or might not be context relevant. This book offers an examination into a variety of structures that surfaced after the collapse of a centrally planned and governed system to describe how they work and to analyze of their approaches.

Second, the book focuses on former Soviet countries as a comprehensive set. These fifteen countries provide a unique laboratory to study the evolution and trajectory of governance bodies given the common starting place of each due to the legacy of the Soviet Union and their various patterns of

development over the past three decades. In that sense, they are post-Soviet. This is a dynamic part of the globe, and in turn, so is the higher education space. Some countries within this set look toward Europe and the West. Others look to Russia or are caught in its gravitational pull. Some try to look both ways and often find themselves caught in between. All are charting their new courses and adapting to local circumstances and responding to global trends as part of an increasingly global education sector. Progress on reform varies across this set as does the level of sophistication of their University systems.

Third, there is little written on University governance at the institutional level outside of the high-income countries. Furthermore, most governance scholarship focuses on European, North American, and British Commonwealth countries. And those that do look beyond the typical North American and European contexts tend not to have comparisons across country income levels. Finally, governance scholarship tends to look at state actors rather than at institutional level efforts. This book proposes to investigate governance at the institutional level, which is the nexus of higher education policy and institutional decision-making.

Finally, most books that offer a comparative investigation of higher education and more specifically of higher education governance are edited volumes. While they benefit from the breadth of authors, they struggle with continuity across chapters and lack a framework for cross-country comparison beyond a concluding summary. Their focus is on the individual chapter rather than as the set as a whole. This book takes a different, integrated approach, drawing on a single team of scholars to address the breadth of countries.

The intended audiences for this book are many. Academics interested in understanding University governance and scholars who focus on post-Soviet countries and regions such as Central Asia, the Caucuses, and Eastern Europe will find the insights of interest. Policy makers seeking higher education reform, particularly those that are pursuing increased autonomy or changing accountability schema may also find this book of interest. University leaders and members of University governing bodies may also find this work helpful as it describes alternative as well as common models and approaches and the contexts in which they operate to help them make choices on how to function. Finally, individuals driving University reform, consultants, and staff from international agencies and NGOs will also benefit from the descriptions and analysis. This book might offer ideas to move their University systems forward as they seek to spur reforms and improvements.

While some may find this volume worth reading front to back, we anticipate that others will pick and choose select profiles and analyses chapters. We understand that those in the former group may find the fifteen country profiles possibly repetitive given that they share a common structure. On the other hand, those readers who are interested in only select countries or groups of countries should find the structure helpful and efficient.

University governance is a complex phenomenon across the world, even in countries where institutional-level governance is a long and strong tradition. This natural experiment in University governance across fifteen different countries that evolved from a common place at a shared point in time is an immense opportunity. The ideas shared here will be relevant to those interested in this wonderful and dynamic part of the world. They should also be of interest to those who study and are curious about University governance.

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## 2 Understanding Ground Zero

### The Soviet Context and Legacy as the Starting Point for Reform

Zumrad Kataeva

The dissolution of the Soviet Union creates a unique laboratory for studying University governance. Before 1991, the now independent nations had a common University system, structure, and philosophy guided by the ideas of a planned economy (Eliutin, 1984; Huisman et al., 2018). With the dissolution of the Soviet Union, the now fifteen independent countries found themselves with opportunities to develop a public University system appropriate to their country and, with those systems, to develop an approach to governing higher education. To understand their current structure and the extent to which these structures evolved in common and uncommon ways, it is crucial to understand the Soviet context and its legacies impacting higher education. History shapes organizational structures but also organizational identities. The organizational future can be shaped by the past (Wadhvani & Bucheli, 2014). Thus, this chapter attempts to highlight the main historical events and underlying ideologies that shaped Soviet universities and their organizational and governance features, providing the foundation from which the current fifteen approaches began. Section 2.2 explores and analyzes initial common challenges of the newly independent higher education systems in the post-Soviet period to set a context for the later transformations.

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#### 2.1 BEFORE THE SOVIET SYSTEM

Before the creation of the Soviet Union, there were approximately sixty-three universities in Russia, Ukraine, Armenia, and the Baltic states of Estonia, Latvia, and Lithuania with their unique features and characteristics (Ait Si

Mhamed et al., 2018; Froumin & Kouzminov, 2018; Karakhanyan, 2018; Leisyte et al., 2018; Rumyantseva & Logvynenko 2018; Saar & Roosalu, 2018). For instance, the establishment of pre-Soviet universities in Russia was initiated by the Peter the Great's time in the eighteenth century. He established the fundamental organizational principles of the pre-Soviet Russian universities that were based on the integration of the Academy of Sciences, the University, and the gymnasium, where University professors acted as both teachers and researchers and the graduates of the gymnasiums would enroll in universities to develop and disseminate scientific knowledge (Avrus, 2001). This model was based on European, specifically Dutch, universities, where Peter I spent a considerable amount of time. The first University was established by Peter I in Saint Petersburg in 1724 and named Academic University. However, the operation of this University was complicated by various challenges including lack of professors to teach and students to enroll (Avrus, 2001). As a result, the University struggled to become sustainable.

The first Ukrainian higher education institutions were opened in the sixteenth century (Rumyantseva & Longvynenko, 2018). According to Rumyantseva and Longvynenko (2018), the Ostrozska Academy, established in 1576, was one of the important centers of innovation and research performing as a model for universities in the East of the country. In eastern Ukraine, universities that appeared at the beginning of the nineteenth century in Kharkiv, Kiyv, and Odessa were established under the Russian Empire at that time (Rumyantseva & Longvynenko, 2018). By the beginning of the twentieth century, Ukraine had approximately 27 higher education institutions with more than 35,000 students (Rumyantseva & Longvynenko, 2018). Because the Ukrainian universities in the eastern part of the country were functioning under Russian rule, universities were under strict control of the Imperial government.

In Estonia, one of the critical events for education development was the reopening of the University of Tartu in 1802, which trained more than 5,000 graduates, including lawyers, doctors, and agronomists, with a quarter of graduates being female (Saar & Roosalu, 2018). Pre-Soviet Estonian higher education institutions mirrored the Humboldtian and Statist models with the governing of academic bodies, but the budget was controlled by the state government (Saar & Roosalu, 2018). The first higher education institution, Riga Polytechnic Institute in Latvia, was opened in 1862 under the Russian Empire (Ait Si Mhamed et al. 2018). One of the oldest universities in Lithuania, Vilnius University, was established in the country in 1579 but was closed between 1831 and 1919 under Russian rule (Leisyte et al., 2018).

By the time of the Soviet annexation, Lithuania had eight higher education institutions (Leisyte et al., 2018).

Furthermore, the University of Gladzor in Armenia was one of the first medieval universities. The country has a long history of institutions of higher learning where medieval universities set degrees for successful graduates (Karakhanyan, 2018). In Azerbaijan, the Baku State University was established in 1919; however, the University did not have time to develop fully due to Soviet rule, which arrived in 1920 (Isakhanli & Pashayeva, 2018).

As observed, the history of higher education before the creation of the Soviet Union was grounded by different historical, political, and social changes in each of the countries. For example, the establishment of universities for Imperial Russia was important for its social and political cohesion (Froumin & Kuzminov, 2018). The current Moscow Lomonosov State University was founded in 1755. It became the first University with its own charter and had relative autonomy and academic freedom, which was uncommon for Russia. The charter determined the duties of professors, adjuncts, students, administrators, and the University's organizational operations. Notably, the relative autonomy allowed universities to have textbooks from abroad while foreign literature for universities was free of censorship. Universities also had the right to establish special scientific societies for the joint study of any science, the statutes of which were approved by the minister (Avrus, 2001). Despite these elements, the autonomy within Russian universities was still limited since the universities of that time were under the jurisdiction of the Russian Imperial Government (Avrus, 2001; Froumin & Kuzminov, 2018).

Historical analysis shows that pre-Soviet universities operated according to diverse models of governing, including Humboldt's idea of linking teaching and research, the Static model, and elements of the French model with significant changes and additions (Avrus, 2001). Most of the universities taught general courses in the first years allowing students to major at senior years. There was a fair connection between scientific research and teaching and rigorous requirements for master's and doctoral dissertations. All these ensured significant achievement for universities and their governance, which drastically changed in light of the political transformations in 1917 (Avrus, 2001).

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## 2.2 IN SOVIET TIMES

During seven decades of Soviet rule, the country built an extensive and integrated education and post-secondary education system (Counts, 1957).

However, the Soviet universities were characterized by limited academic freedom, highly politicized organization, and held under the tight control of the Soviet government. The literature during Soviet times proclaimed that education in the Soviet Union was inspired by an era of Enlightenment and the Marxist views about the structures of society. The Soviets aimed to not only provide education but also to bring socialism to the country through an ideology-driven approach (Eliutin, 1984). Education policy and practices of that time promised to give equal rights to all citizens and education to all children. In addition, education was the vehicle for economic advancement and ideological cohesion. Marxist-Leninist-based education aimed to create the new Soviet “socialist” citizen (Eliutin, 1984). Thus, the school was the site both for socialist enlightenment and development of a labor force for economic growth. In addition, the creation and dissemination of a new socialist culture would be linked to the emergence of new forms of societal life and new forms of societal relationships (Eliutin, 1984).

Enormous losses in central funding brought about by the Revolution in 1917 and the subsequent civil war posed challenges to both socialism and the evolution of the educational system. Furthermore, Stalin’s purges and mass arrests of teachers and the professoriate weakened the economic and educational systems as Stalin had subjected all aspects of Soviet society under control, not tolerating expression of any views that deviated from those of his government. The state was particularly threatened by the professors, scientists, and teachers whose creative thinking and efforts could threaten the state’s power (David-Fox, 2012). World War II brought even more challenges; twenty-seven million people died, and most of the cities, schools, industries, universities, and other buildings were destroyed. Nevertheless, total enrollment in elementary and secondary schools increased from twelve million to twenty-one million children during first decades of the postwar era (Ewing, 2002).

In the next decades, the Soviet Union grew its higher education system. For instance, Imperial Russia had only about a hundred tertiary education institutions, including eight comprehensive universities located in the major cities of its European parts in 1914. After the creation of the Soviet Union and over the next four decades, the higher education system in the country grew rapidly and expanded its geographic presence. By 1959, there were 766 institutions all over the country. For example, in Central Asia, there was no formal higher education institution (University) before 1917. At the time of the Soviet Revolution, only religious-based schools, *madradas*, existed. They taught religious books and fields such as geography, astronomy, mathematics,

and geometry. However, *madrasa* education was not acceptable in Soviet times, due to its religious connections, and these institutions of higher learning were closed in favor of newly developed state-run postsecondary institutions (DeYoung et al., 2018). By 1979, Tajikistan, for example, had thirty-three specialty and technical institutions or schools, eight higher education institutions, and an Academy of Sciences (DeYoung et al., 2018). However, the inequality in terms of economic conditions, the level of urbanization, and the cultural and ethnic and demographic diversity in the territory of the Soviet Union was profound. The number of higher education institutions and the number of students also differed in each of the republics (Smolentseva et al. 2018). Nevertheless, the state support and massive public investments meant that Soviet secondary and higher education experienced some of the most rapid growth in the world during that time frame (Johnson, 2008), all driven in support of the planned economy and to advance Soviet ideology. Driven through central planning, Soviet higher education became one of the largest systems of higher education and research in the postwar era (Johnson, 2008). Yet, in reality, the Soviet government could not overcome the sociocultural and economic disparities across the republics.

The growth of higher education was also shaped by the widened access to postsecondary education, especially for peasants, women, working-class young people, and national minorities (Fitzpatrick, 1979; Johnson, 2008). The system was organized collectively around a series of principles advanced by the State in line with Soviet ideology. First, the system was designed to prepare students for professional careers in line with the state, planned economy. Second, education sought to promote classlessness, which meant that the school should be built as a structure to fight against any signs of the class system, and promote gender equality, so that girls and boys attended the same school and were to be taught in the same way. The third principle focused on equality of the ethnicities and nationalities; different treatment of any nationalities living in the territory of the Soviet Union was to be abandoned. Finally, the fourth principle included a “world view,” where the Soviet Union welcomed all nations of the world to become socialist and pursue Soviet education and its ideology (Zajda, 1980b). Despite the principles set by the Soviet government, Soviet education was deeply stratified, creating an elite higher education system and the restricting access to higher education institutions.

The Law on Higher Education, in turn, promoted objectives such as the training of highly qualified specialists educated in the spirit of Marxism-Leninism, “well-versed in both the latest achievements of science and



technology, at home and abroad, and in the practical aspects of production, capable of utilizing modern technology and of creating the technology of the future”; the production of research that will contribute to the solution of the problems of building Communism; and providing advanced training for working in various fields of the national economy, the arts, education, and health services (Zajda, 1980a, p. 94). As a result, higher education, professional training, research, and science became systematically linked with the planned economy, technological development, and the ideological mission of the Communist Party and Soviet leadership (Johnson, 2004, 2008).

The educational system of the Soviet Union consisted of primary, lower, and secondary education. Primary education included first to fourth grades, lower education included fourth to eighth grades (after eighth grade, a student could enter *technikum* [technical school] or continue his or her education in the lower school), while secondary education included eighth to tenth grades. General educational schools came in part- and full-time varieties, some offering only primary classes, some primary and lower secondary, and some all three levels. In time, schools offering all three levels predominated. Because Marxist and utopian socialist ideology prioritized school education over tertiary education, differing opinions about the purpose, function, and organizational features of higher education among Communist Party leaders emerged (Froumin & Kuzminov, 2018). For example, the first idea reflected the universalist education available for marginal groups based on European ideals, driving the state to open so-called Proletariat universities (Froumin & Kuzminov, 2018, p. 50). The second idea was to establish educational institutions to train future communist political leaders. Examples included communist universities under Sverdlov (Froumin & Kuzminov, 2018). By the 1930s, there were forty-five communist universities in the Soviet Union (Froumin & Kuzminov 2018, p. 50). And the final idea, similar to the second one, was to train specialists in specific fields, for example, polytechnic education combining the theoretical and practical skills for students, which developed to be one of the peculiarities of the Soviet higher education (Froumin & Kuzminov 2018).

That said, a common idea existed among the country’s leaders that post-secondary education should not be separated from but “connected to politics” (Lenin, 1957, p. 354, as cited in Froumin & Kuzminov 2018, p. 49). As a result, Stalin, as a part of his industrialization policy, opened so-called *rabfaks* (workers’ colleges) that prepared workers for industry. *Rabfaks* prepared low-level workers with basic training in engineering. Later, these workers’ colleges were replaced by *technikums* in which students could enroll after the eighth

grade. The *technikum* was developed to prepare the young generation for careers of middle qualification or semiprofessional grade in different branches of industry, construction, transport, communications, and agriculture (Counts, 1957). These too offered technical-focused education that aligned with the needs of the planned economy.

Soviet institutions of higher education were divided by specialties, unlike most other higher education systems worldwide, where one University can accommodate many specialties. Universities; technical institutes; agricultural institutes; medical institutes; institutes of economics, law, and art; and pedagogical institutes were established separately; each of these institutions prepared students for different, specific economic-orientated specialties. For example, technical institutes (polytechnics) offered courses in technological subjects such as electrical engineering, metallurgy, energy, and chemical engineering. Agricultural institutions prepared specialists in agronomy, veterinary medicine, and agricultural subjects. Institutes of economics prepared economists needed for the planning and management of the country, with subjects varying from political economy to finance and transportation. The curriculum of the economics subjects was based on Marxist ideas of economy and management.

Admission to a University or to an institute was based on entrance examinations that included both written and oral elements. To enter a University, a student had to pass the examinations required by each University. Courses of study usually lasted for five years. After completing one's education at a higher education institution, a student was given a diploma that confirmed his/her graduation.

The Soviet government invested around 10 percent of its state budget in education and even more in the development of science that resulted in launching of different space programs such as Sputnik I. By 1984, one-third of the Soviet Union population were enrolled in different types of formal educational institutions (Eulitin, 1984).

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## 2.3 GOVERNING SOVIET HIGHER EDUCATION

The governance of higher education in the Soviet Union was carried out by the Ministry of Higher and Specialized Secondary Education. The Ministry held close control. It was responsible for all curricula, syllabi, textbooks, entrance examination requirements, and the planning of professional training. There was no autonomy as it is understood today (Privot &

Esterman, 2018a). “Soviet higher educational institutions had no institutional enrollment policies or curriculum development; rather, they were training facilities executing governmental instructions” (Kuraev, 2016, p. 187). Some universities with a specific focus were governed through governmental partnership between ministries; for example, the medical University was coordinated with the Ministry of Health, and the Ministry of Agriculture supervised agricultural institutes. Compliance mattered and was the evidence of quality (Kuraev, 2016). The Ministry of Higher and Specialized Secondary Education regulated academic standards and conducted regular inspection tours (Counts, 1957; Gerber & Hout, 1995).

Decision-making originated at the highest levels of government and local administrators were responsible for implementing, not making, decisions. Kuraev (2016) offers a very interesting discussion not only of governmental top-down control but of what he calls the “one-man management principle” (p. 188) that existed throughout the Soviet higher education system. The chief administrator, following a military-like tradition, issued commands that those below followed. “The administrative practice of every rector of an academic institution was based on the same principle of one-man management. The rector of a Soviet higher educational establishment was a key administrator who bore full responsibility for its activities in front of superiors.” (Kuraev, 2016, p. 188). Governance was thus a coordinated activity between the ministries responsible and the institutional administration accountable.

Burton Clark (1983) in his work *The Higher Education System: Academic Organization in Cross-National Perspective* provides a comparison framework for higher education institutions and their types and levels of authority. In his triangle of coordination, Clark placed the USSR in the upper bottom corner indicating overwhelming authority coming from the State with little sources of influence from markets or academics (See Clark, 1983, p.143). Froumin and Kuzminov (2018) argue that Clark’s model is a “simplification” given that his Western perspective separated government and market forces. Instead, they argue that the purpose of the Soviet system “was not just state control over the higher education system” but “the fact that the state combined the functions of manpower producer and principal employer that defined the system” (Froumin & Kuzminov, 2018, p. 47). The State played two functions in terms of educational oversight. It both exercised state authority and because of a centrally planned economy it also served as the primary economic engine, fulfilling the role of markets in the Western context. Thus, the State’s higher education system was an integral part of a

whole that included the production of employees for a planned economy. The State both created the supply of workers and the demand for them (Froumin & Kuzminov, 2018).

The functioning and planning of the system were divided into several government-run stages. In the first stage, individual ministries identified the need for specific specialists and submitted documents to the USSR's State Planning Committee. Then the Committee developed a plan and mandated parts of this plan to the corresponding ministries, which in turn governed the specific higher education institutions; for example, the Ministry of Education was responsible for the training of teachers. The ministries reviewed the plan, made changes if necessary, and then rolled out this plan to higher education institutions. Institutions would then work according to the Ministerial plan and accept students into the relevant, predetermined academic programs. If the number of applicants was more than the plan required, universities accepted the best students. The unified curriculum did not allow students to study more than five years (as opposed to Western universities) and the preparation of the specialists trained in different higher education institutions was very similar. After graduation, students were sent to their workplaces, which were identified by the State Planning Committee. Employers had the right to complain about quality of graduates to the State, which consequently was communicated to the ministries and higher education institutions (Vakhitov, 2017).

Universities were funded directly by the ministries "at a very high level of public investment" (Johnson, 2008, p. 167). Given the structure of the planned economy and Soviet ideology, universities received their resources directly from the State. Each year, the State planning system specified the number of students in certain fields for further job placements and distributed funding among responsible ministries, which supervised related higher education institutions. The education system required no tuition fees for students and parents. In fact, all students were paid a stipend to support their living expenses while in college.

Although the system of education and the rapid development of higher education contributed to the Soviet Union's economic development, tight bureaucratic control became both a "strength" and a "weakness" of Soviet higher education (Johnson 2008, p. 5). For instance, the control over education inherent in the state socialist higher educational system allowed for no private institutions or alternative models of education in the Soviet Union (Huisman et al., 2018; Johnson, 2008). As higher education and research directly served the Soviet system's goals of economic and ideological

development, this alignment created several factors that contributed to the weaknesses of Soviet higher education, such as narrow and rigid vocational and professional curricula; restrictions on certain fields and disciplines, such as history, linguistics, genetics, and sociology, in the service of political ideology; and poor management of financial and human resources (Anderson et al., 2004; Heyneman, 2010; Johnson, 2008). The Soviet Union was also characterized by massive militarization that meant that almost 70 percent of research funding was directed to the development of military priorities (Johnson, 2008; Smolentseva, 2003).

One of the most important features of Soviet higher education and research was the role of the Academy of Sciences. Research in the Soviet Union was conducted primarily at institutions under the auspices of the Academy of Sciences, while universities focused on teaching (Huisman et al., 2018; Johnson, 2008; Kataeva & DeYoung, 2018; Smolentseva, 2003). This separation of teaching and research was a fundamental difference between Soviet and Western higher education, and this compartmentalized approach to research meant that research was not deeply integrated into University instruction (Johnson, 2008).

The tight control of universities by the State created numerous strengths when viewed through the lens of an ideologically driven and centrally planned economy. Universities produced graduates for well-defined and sufficiently provided jobs. They benefited from strong and consistent financial support from the State. They had a supply of academic workers. However, this lack of autonomy meant that higher education was excruciatingly uniform, with little variability across what is geographically and culturally a vast region and there was little room for professional prerogative (Johnson, 2008). From the Soviet perspective, its strengths outweighed its weaknesses. “It was free of charge; equally assessable; professionally focused; and state-owned” (Kuraev, 2016, p. 182). It was “the best academic system at work” (Bubnov, 1959, as cited in Kuraev, 2016, p. 182).

Overall, the higher education system in the Soviet Union was built to respond to ideologically driven politics and a tightly controlled economy. The Soviet higher education institutions mainly served as teaching institutions with no academic freedom, a top-down control model, and weak involvement of students and faculty members in governing universities and institutes. The research, taking place mainly in the Academy of Science and its research institutions, was also tightly controlled by the Soviet government and separate from universities. These characteristics of higher education were challenged following the dissolution of the Soviet Union in 1991.

## 2.4 THE INITIAL POST-SOVIET PERIOD

Higher education across the former USSR has experienced dramatic transformations since the collapse of the Soviet Union. The former Soviet republics strived to establish their national identities through economic and political policies and organizational and institutional changes. Educational institutions in all post-Soviet countries have experienced sharp declines in funding, simultaneously adapting to new market and neoliberal relations (Anderson et al., 2004; Brunner & Tillett, 2007; Heyneman, 2004a; Mertaugh, 2004). Over more than two decades of independence, the countries have been adopting educational reforms to respond to economic and political changes related not only to internal transformations but also to global trends in higher education (Dailey & Silova, 2008; Silova, 2005; Silova & Steiner-Khamsi, 2008).

After independence, many of the reforms in higher education across the region were similar (Johnson, 2008; Silova & Steiner-Khamsi, 2008; Smolentseva et al. 2018). They included marketization, developments in the structure of higher education, curricular content independence, admission procedures, the establishment of unified entrance examinations, internationalization, and the inclusion of the Bologna process (Smolentseva et. al 2018). These changes in structures involved the privatization of educational property, the introduction of tuition fees for students, and changes to the curriculum taught in higher educational institutions. The curriculum was found wanting in post-Soviet countries, especially in the fields of history and political science. Subjects like dialectical materialism, the history of the Communist Party, and the study of Marxism and Leninism were considered useless (Heyneman, 2010). Striving to establish national identities, many republics have also adopted language policies to raise the status of national languages within the countries, which has influenced higher educational systems (Korth, 2004).

The Soviet model of higher education and research that was tightly constrained by centralized policy coordination and public investment appeared to adapt inadequately to the rapid shift toward market-based economies post 1991 (Amsler, 2012; Johnson, 2008; Silova 2009). Post-Soviet countries often implemented policies of “borrowing and lending” that were not thoroughly assessed and when implemented led to uncontrolled consequences to higher education (Silova, 2005). Researchers reported deteriorating educational quality, underdeveloped curricula, and weaknesses in the

establishment of transparent financial mechanisms in some of the newly independent states (Heyneman, 2010).

Although different educational reforms appeared across the region – for example, student-centered learning, liberalization of textbook publishing, privatization, and decentralization of higher education – this was used to legitimize the maintenance of authoritarian regimes in some countries and included ideological indoctrination in schools (Silova, 2005, 2011). In addition, according to Johnson, “the absence of state regulatory power, adequate mechanisms for political accountability and chaotic privatization contributed to the ways that undermined the ability of post-Soviet states to sustain and reinvent the rule of law, social institutions, social cohesion, and social trust” (2008, p. 166). Many post-Soviet countries experienced a massive “brain drain” in the aftermath of the collapse. Massive numbers of intellectuals, faculty members, and researchers migrated to developed countries, resulting in a loss of human resources that seriously affected education (Heyneman, 2010).

Reforms aiming to decentralize the system attempted to provide more autonomy to educational institutions. In addition, the introduction of a non-state and private sector grew rapidly allowing private colleges and universities to open in Russia, Kazakhstan, Azerbaijan, Georgia, Estonia, Latvia, Lithuania, and other post-Soviet countries except Tajikistan and Turkmenistan (Huisman et al., 2018). Tuition fees in the public sector have become widespread. Internationalization of higher education has also become one of the features in a few countries (Smolentseva et al. 2018). On the whole, the higher education landscape grew rapidly over the past three decades by doubling and tripling of institutions of higher learning. The number of students has also grown in many countries except a few. Many countries transformed their institutions into universities and opened regional institutions (Huisman et. al 2018).

One of the important transformations in the early post-Soviet period involved countries joining the Bologna Process (Jones, 2011; Merrill, 2011a; Tomusk, 2011). Almost all post-Soviet countries sought membership in the Bologna Process except the four Central Asian countries of Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan. Higher educational reforms, according to the Bologna principles, included changes of degrees that were inherited from Soviet higher education (specialists, *kandidat*, and *doctor nauk*) into bachelor’s, master’s, and PhD degrees (Merrill, 2011a; Tempus, 2010). They also emphasized the improvement of educational quality through independent accreditation and licensing organizations, recognition of degrees, and student and academic mobility. However, adoption of these

policies had unclear purposes for many stakeholders including faculty and students (Kataeva, 2020; Merrill 2011b; Smolentseva et al., 2018).

To a large extent, for the past three decades, the countries of the former Soviet Union have undergone significant transformations with similarities but also many divergences. Many publications are now dedicated to specific countries examining a range of issues and problems in higher education in the post-Soviet states, including several edited books that showcase the ongoing debates on the higher education and its future in each of the countries of the former Soviet Union.

Post-Soviet countries inherited a centralized governance model with government and higher education functioning as an apparatus to produce an ideal citizen for the economic development in the country. The breakup of the Soviet Union gives higher education across the former Soviet space an opportunity to revise its governance model and possibly to decentralize its education systems. As history affects organizational structures, and organizational identities as well the organizational future can be shaped by the past (Wadhvani & Bucheli, 2014), the transformation of governance models is an uneasy task. The following chapters provide overviews of the governance models and their contexts in fifteen former-Soviet countries.



# **Part II**

## **Country University Governance Profiles**



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## 3 Armenia

Peter D. Eckel

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### 3.1 THE NATIONAL AND HIGHER EDUCATION CONTEXTS

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#### The National Context

Armenia is a country of approximately three million people that gained independence in 1991. It is in the South Caucasus, on the edge of the former Soviet empire, with Turkey to its west, Georgia to its north, Azerbaijan to its east, and Iran and Azerbaijan to its south. Armenian is the national language, with Russian spoken in many smaller towns. The capital is Yerevan, with a population of approximately 1.1 million.

Armenia's population is in slight decline, at 2,998,600 in 2016, down from 3,018,90 in 2011, and from 3.5 million in 1990 (World Bank, 2019a). The percent of citizens over the age of 55 is more than twice that (27 percent) of those aged 15–24 (12 percent) the school-going proportion of the population; however, the youngest portion (0–14) make up 19 percent of the population. (CIA, 2020b). So, while demands on the current higher education sector are not great in terms of population growth, there are anticipated demands on education as the youth population ages. That said, Armenia also has one of the highest old-age dependency ratios in the region, at 21.3 percent, which threatens to create a burden on the economy. Its per capita income is \$4,020, approximately one-third that of Kazakhstan, for example. Its poverty head-count ratio is 32 percent (Capannelli & Kanbur, 2019).

In the spring of 2018, peaceful street protests, dubbed the Velvet Revolution, led to the ouster of the country's long-time leader when he tried to extend his rule. Although this revolution reportedly was a surprise, there

was long simmering dissatisfaction with the government (World Bank, 2019a). In 2018, *The Economist* named Armenia as country of the year for its transition to democracy and commitment to effective governance (*The Economist*, 2018). In 2020, the country entered a militarized conflict with Azerbaijan over the disputed region Nagorno-Karabakh.

Until the 2008–2009 financial crisis, the country's economy was, as noted by the World Bank, “an important success story among the transition economies” (World Bank, 2017, p. ix). Its first two decades of post-Soviet independence was defined by high growth and economic stability, including falling poverty rates and narrowing income gaps. It had low inflation and modest deficits and external debt.

However, since the 2009 recession, the economy has been a different story with low economic growth, stagnated poverty reduction, and increasing economic disparities. Before 2009, the average growth per capita was 12.3 percent, and after the recession growth was 3.2 percent (World Bank, 2017). The pre-recession drivers – private and public transfers, including remittances and pensions, and low-skilled employment mostly in non-trade construction – that reduced poverty and led to growth are proving ineffective growth strategies over the long term (World Bank, 2017).

Its economic interdependence with Russia furthermore negatively affected the country during the 2014 Russian financial crisis. Since that time, the economic transformation of Armenia continues, however at a much slower pace. The country is transitioning away from agriculture and toward services, including IT and high-tech sectors that typically require higher education levels. Half of GDP and employment was in the services sector in 2016 as compared to 37 percent in 2000 (World Bank, 2017). Correspondingly, agricultural employment declined by 9 percent and industrial employment also declined by 3 percent (World Bank, 2017). Hidden within these larger trends are growth in specific areas, with an increase in tourism, ICT, and agriculture focused on beverages and tobacco. Remittances make up a sizeable 19.7 percent of the GDP (Capannelli & Kanbur, 2019) in 2013, up from 4.6 percent in 2000.

The shifts in the economy may well increase the relevance for productive post-secondary education. The World Bank notes that a near-term government goal should be to “ensure the education and workforce development system provides skills relevant to the market” (2017, p. xii). Regardless of need, the economy seems insufficiently robust to support such development. There is a lack of vibrancy in the private sector, resulting in a poor labor market even though the state-owned sector is limited and comparably so to its peer former Soviet countries (World Bank, 2017). Few jobs for college

graduates exist, although the areas of economic growth such as IT and high-tech sectors (World Bank, 2017) may yield a demand for a more educated workforce, albeit slowly.

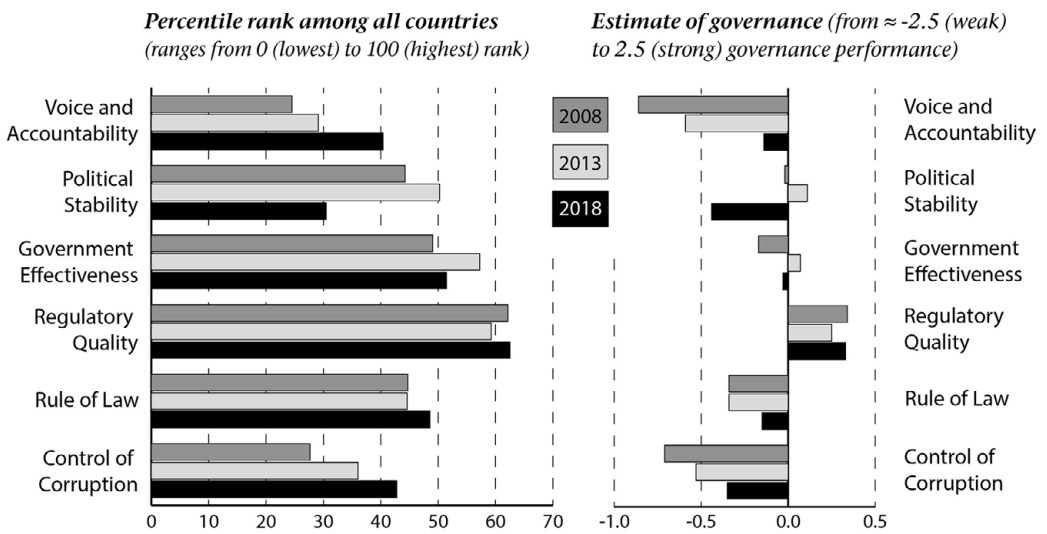
The government has a limited ability to invest further in education as it is constrained in the ways it can raise income (World Bank, 2017); and at the same time its aging population threatens significant financial pressure on the government through rising health care needs and costs with a projected 40 percent increase in health care spending in the next ten years.

The economic disparities within the country have grown since the 2008–2009 recession, countering a trend in which the poverty rate declined from 53.5 percent to 27.6 percent between 2004 and 2008. After the recession, the poverty rate started to increase, reaching 29.8 percent in 2015 (World Bank 2017) and continuing to 32 percent (Capannelli & Kanbur, 2019). The bottom 40 percent of earners has averaged less than 1 percent in growth per year. The current economy offers few opportunities for those individuals to gain via economic growth.

The World Bank (2017) identifies three constraints related to the supply side of the labor market: (1) labor market relevance of the education system, (2) matching workers to jobs that meet qualifications, and (3) demographics of a shrinking and aging population. Economic progress is set against the challenge of finding future workers and talent production being a responsibility of higher education. Between 2005–2006 and 2010–2011, general education enrollment declined by 22 percent, meaning that there are less individuals in the schooling pipeline and few who will eventually enter the workforce.

It can be helpful to further contextualize the economy and the ways that higher education can contribute. The Global Competitiveness Index of the World Economic Forum (WEF) ranks Armenia 58th out of 141 countries regarding public sector performance with a score of 53.0 out of 100 and the burden of regulations ranked 28th with a score of 51.7 for 2018–2019 (Schwab, 2019).<sup>1</sup> It scored the future orientation of the government at 54.9, ranked 74th. For the Skills pillar, most closely related to higher education quality, WEF scored Armenia 44.5 out of 100 for the skillset of graduates and a score of 50.5 on the ease of finding skilled employees indicators. This ranked the country 100th and 85th respectively on those indicators out of a total of 141. Regarding corporate governance, which arguably is different from public University governance, WEF ranked Armenia 55th with a score of 62.7. Therefore,

<sup>1</sup> The prior competitive framework included a higher education pillar and a quality score. These no longer are included in the 4.0 version of the WEF framework.

**Figure 3.1 Worldwide governance indicators for Armenia**

universities find themselves in an environment that is conducive in terms of burden of regulation and with a moderate level of public sector capacity. However, the future orientation of the country and its ease of finding needed graduates is comparatively weak, suggesting that higher education can and should be doing more, particularly since the context seems favorable.

Furthermore, University governance takes place within a larger country public sector governing context. According to the World Bank's Governance Indicators project, except for regulatory quality and government effectiveness, the country falls below the 50th percentile across the indicators. Voice and accountability as well as control of corruption have moved the most in a positive direction, but political stability and government effectiveness have fallen backwards (Figure 3.1).

### Shape and Structure of Higher Education

Armenian higher education consists of sixty-one universities, twenty-four of which are public, including sixteen universities, twelve foundations,<sup>2</sup> and four state noncommercial organizations (WB, 2019). There are thirty-nine private

<sup>2</sup> Foundations fall under a different legal framework that provides more flexibility than the laws on education (WB, 2019a).

universities in the country (Tsaturyan, Fljyan, Gharibyan, & Hayrapetyan, 2017).<sup>3</sup> Private universities were allowed to open in 1995 (World Bank, 2019a).

Tertiary education enrollment stands at 52.9 percent (World Bank, 2017) compared to 91.6 percent enrollment in general education. Rural citizens have the lowest levels of general educational attainment (50 percent) compared to their peers in the large and secondary urban areas (World Bank, 2017). There were 78,747 students enrolled in higher education in 2018, a decline of approximately 30 percent, from a high of 114,629 in 2009 (World Bank, 2019a). The World Bank estimates there are 1.5 women for every man enrolled in tertiary education, however, only 60 percent of women participate in the labor market.

During Soviet times, public universities were under ideological and administrative control of the state (Dobbins & Khachatryan, 2015; World Bank, 2019a), although Armenian higher education has centuries-old roots (Karakhanyan, 2018). One key legacy of the Soviet University system is the separation of universities and scientific research institutes (Karakhanay, 2018; World Bank, 2013) which has delayed the development of university-driven research and continues to be a challenge (Smith & Hamilton, 2015).

The government funds public universities based on enrollments. In the two decades starting in 1996, the government almost doubled its support for public universities, from 5.3 billion AMD (approximately USD12.2 million) to 10.2 billion AMD (approximately USD21.6 million). (Tsaturyan, Fljyan, Gharibyan, & Hayrapetyan, 2017).

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### Higher Education Governing Context

Public universities operate under a variety of laws, including the 1999 Law on Education, the 2004 Law on Higher Education and Post Graduate Education, the Law on State Non-Commercial Organizations 2002–2003 (SNCO), and the Law on Foundations (2002), which applies to some universities. Different laws pertain to different public universities depending on their classification. For example, four universities define themselves as foundations thus falling under that relevant law. However, that law was created before universities were classified this way meaning that not all aspects of that law apply appropriately to universities (World Bank, 2019a).

The higher education law was anticipated to be revisited in 2019 (World Bank, 2019a); but because of the Covid pandemic, revisions have not been acted upon. The current laws contain contradictory elements that result in

<sup>3</sup> The cited report also lists the number of private universities at 33. (p.4)

confusion around University governance. For example, the Law on Foundations provides more financial flexibility to pursue revenue-generating activities and retain revenue, as compared to SNCO requirements that revenue return to the government, impacting budgeting flexibility and planning. For those universities falling under the Law on Foundations, the boards have the authority to fire the rector at any time with sufficient votes. This matter is not regulated at those institutions falling under the Law on Higher Education (World Bank, 2019a). Even the names of the highest governing body differ depending on whether the University falls under the Foundation or SNCO laws, with the former being called Board of Trustees and the latter identified as HEI Councils (Alcala & Markosyan, 2017). According to the World Bank (2013), the unclear and contradictory legal framework “sends HEIs mixed and contradictory signals on institutional governance” (p. 6).

Regarding autonomy, Armenian public universities have the freedom to set their own tuition fees, although the government set caps related to accreditation results and level of degrees offered. The majority of students pay tuition fees; only 15.7 percent receive state scholarships (2012–2013), providing revenue to institutions (Tsaturyan, Fljyan, Gharibyan, & Hayrapetyan, 2017). Yet, universities have limited autonomy even though the state provides approximately 25 percent of revenue (Dobbins & Khachatryan, 2015). Depending on under which laws a University falls, public universities may pursue economic and commercial activities and they have some degree of autonomy regarding property, although most is owned by the State. The Ministry of Education and Sciences monitors finances and public universities have to pass internal and external audits. (Tsaturyan, Fljyan, Gharibyan, & Hayrapetyan, 2017). Universities have staffing autonomy to hire and promote individuals, as well as set salaries. However, because of financial constraints, most do not have the financial capacity to do so (World Bank, 2019a). The state determines admissions requirements and controls licensing and accreditation processes (Dobbins & Khachatryan, 2015).

The country’s public universities can introduce new academic programs but only from an approved list of Professions and Qualifications without gaining special governmental approval. Universities can only cancel programs with governmental approval (World Bank, 2019a). Universities do not have the ability to fully decide the number of students admitted; the state allocates a limited number of slots, even for fee-paying students (World Bank, 2019a).

Even though the various laws relating to higher education seem to support autonomy to some degree across them, as the World Bank (2013) notes, “the Law on Higher Education of 2004 and the Law on Education of 1999 define



the overall governance framework for higher education in detail, but with ambiguity in favor of the government's control" (pp. 8–9). As the World Bank in that same report notes "conflicting laws [such as SNCO and Foundations as well as Higher Education laws] allow the MOES to interfere" (p. 24). International experts suggest that the country needs to consolidate the laws pertaining to higher education to add consistency, uniformity, and clarity. One result could be less governmental interference with higher education.

A word about corruption. Armenia is undertaking a concerted effort to address corruption, including in higher education, with a focus on increasing transparency and accountability. A 2007 survey identified education as the most corrupt area, ahead of judicial and health care (World Bank, 2013). In another study, more than one-third of students reported corruption in entrance examinations as well as corruption ongoing throughout their University experience (World Bank, 2013). In 2015–2017, the government undertook a project funded by the European Union and the Council of Europe, *The Strengthening Integrity and Combating Corruption in Higher Education in Armenia*. Central to these efforts are improving University governance as a means to strengthening transparency and accountability.

In addition to an analysis to increase transparency and accountability, the anti-corruption effort produced a tool kit focusing on enhancing transparency and accountability with an explicit focus on governance and with questions targeted toward governing boards. The Governance Transparency and Accountability framework in the toolkit specifically asks questions related to governing boards (Alcala & Markosyan, 2017). For example:

Are the following members of the highest Governing Board of your institution (e.g., Board of Trustees) elected by secret ballot?

- Representatives from professional staff
- Student representatives

For each of the following groups, please report the ratio of proposed candidates to available seats on the Board.

- Professional Staff
- Student Representatives

Is there a publicly, disclosed, open, and/or competitive process for nomination and appointment of the following groups? Non-elected (e.g., individuals properly

appointed by the Prime Minister or delegated Minister) of the highest Governing Board (yes/no). If yes, please describe the selection process.

However, even with the high-level and international attention to this topic and resources widely available to improve transparency and accountability, efforts to curtail corruption in higher education have not been as the World Bank notes, “very effective” (2019a, p. 18).

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### 3.2 GOVERNING BODY PROFILE

The 2005 Law on Higher and Postgraduate Professional Education introduced University boards as the main governing bodies for public universities (World Bank, 2019a). The boards are designed to be representative with members including government employees, academic staff, students, and renown individuals (Karakhanyan, 2018). According to the Law, the board is a collegial management body, established for a period of five years and in accordance with the Charter of the institution. The charter specifies the number of members, with at least twenty.

For daily University management, the rector is responsible and elected in an open competition to a five-year term. Individuals can serve two terms as rector. Universities also have Academic Councils and rector advisory bodies.

Governing boards of private universities are unregulated and vary. For example, the board at the American University of Armenia consists of seven members but can be as large as twenty-five (World Bank, 2019a), including two appointed by the government. The Russian-Armenian University has nineteen board members, including fourteen members from the Russian Federation (World Bank, 2013).

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#### Body Structure

Boards of public universities in Armenia, according to the Law on Higher and Postgraduate Education, should consist of at least twenty individuals. They tend to range from twenty to thirty-two people (World Bank, 2013).

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#### Membership and Appointment Process

According to the Regulation on Formation of Public University Boards, 25 percent of board members should be appointed state officials; 25 percent

should be well-known people from the fields of education, science, culture, and business nominated by the founder (private institutions) or authorized state body (public universities); 25 percent students; and 25 percent University staff.

What this framework does not account for is the other criteria for board membership. For example, an investigation by the European Union and Council of Europe into corruption and influence found that the student members must be members of the ruling political party and be approved by the government (Dobbins & Khachatryan, 2015; Smith & Hamilton, 2015). And the quarter of members who are people of note are appointed by state officials or are themselves high-level government officials, compromising University independence (World Bank, 2019a).

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### **Chair Appointment Processes**

The Law on Higher and Postgraduate Education stipulates that the chair or president of the board is elected from within the board (excluding students) by the board members (World Bank, 2013). However, most public University boards end up being chaired by high-level government officials (World Bank 2013, 2019a). Fifty percent of the voting members are put on the board by the prime minister or Education Ministry and student members (another 25 percent) who support the government.

The World Bank identified board chairs as an area of concern in its 2013 study. Those who lead the board were mostly senior government officials. Titles, for example, included the president of Armenia, the head of the Presidential Administration, prime minister, former ambassador to Russia, mayor, governor, and the minister of Education and Science (World Bank, 2013). A counterargument related to University boards being chaired by high-level government officials was offered by a ministerial official in one of the anti-corruption reports (Smith & Hamilton, 2015), who noted that such government involvement is “not as a means of control, but as a way of demonstrating the importance of HE.” (p. 21).

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### **Board Accountability**

Given the high percentage of government officials and government appointees on the boards, boards are highly accountable to governmental wishes. Furthermore, given the focus on transparency and accountability of

governing boards in the EU project, the transparency toolkit asks boards to report on a set of questions intended to strengthening board accountability. These include:

- the percentage of agenda items proposed for consideration that were not adopted;
- the extent to which elected members of each governing body report or provide feedback to units or bodies that elect them; and
- requests to summarize the major decisions of the board not including the adoption of the strategic plan, annual activity plan, budget, and implementation reports.

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### Scope of Work

The Law on Higher and Postgraduate Education stipulates that boards do the following:

- approve budget and strategic programs of the institution;
- assess the annual report, presented by the rector, and approve the next year's budget;
- elect the rector through an open competition; however, the election results must be approved by the founder, which, for public universities, is the Ministry; and
- make proposals to change or supplement the University charter.

However, given that Armenia's public universities have a low level of autonomy (World Bank, 2019a), the scope of board work is limited. As discussed above, public universities do not have the authority to introduce new academic programs (although they can cancel existing ones) (World Bank, 2019a). They can only offer degree programs on the approved list of Professions and Qualifications (approved 2014). They cannot determine the numbers of students admitted each year. Only those universities that are classified as foundations have the ability to retain revenue, as noted above.

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### Commentary

The overall environment and the current state of higher education suggest that more is needed from the sector, both in terms of participation rates but

also in degree relevance. The shift in the economy toward more knowledge-dependent sectors means more expectations on higher education to produce. The public sector and level of national competitiveness remain challenges negatively impacting higher education responsiveness. Issues such as constrained autonomy and corruption are likely to limit the University sector to change and grow.

Although boards are intended to be self-management mechanisms and thus distinct from government, according to the country's law, boards are currently constituted favor and invite governmental influence. "While democratic in nature, an absent preparatory phase enabling the meaningful participation of such key stakeholders combined with negligence of contextualization later resulted in decision-making manipulation" (Karakhanyan, 2018, p. 83). These boards, with up to 25 percent of their members consisting of state officials, are highly politicized bodies (World Bank, 2019a). Even student members – 25 percent of the boards – are political party members who must be approved by the government (Smith & Hamilton, 2015). The political nature of these boards is further reinforced by the fact that political leaders became the heads of University boards (Smith & Hamilton, 2015; World Bank, 2019a).

This lack of higher education independence furthermore was a factor identified in the EU supported anti-corruption efforts. That said, the high level of direct government influence has been countered with the argument that such involvement is actually a signal of the importance of higher education to the country (Smith & Hamilton, 2015). In 2018, following the Velvet Revolution, the board leadership was changed slightly, as high-level political leaders could serve but not serve as heads of boards (World Bank, 2019a). These are incremental changes, but more can be done.

What is unclear is what the 2018 change in government and the pending higher education law might mean for University governance. A government able to garner accolades from *The Economist*, for instance, regarding reforms may be willing and capable to address the shortcomings of the current governance approach. International attention and pressure to address corruption in higher education may further add to governance reform efforts. That said, as can be seen in this country brief, a structure intended to be broad and inclusive can be actualized for different aims based on how the structure operates and the intentions of policy makers.

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## 4 Azerbaijan

Merey Mussabayeva and Serik Ivatov

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### 4.1 THE NATIONAL AND HIGHER EDUCATION CONTEXTS

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#### National Context

Azerbaijan is an upper-middle-income country with a population of about ten million people (Azerbaijan Statistical Information Service, n.d.-a). Located in the South Caucasus region of Eurasia, it is bordered by Russia to the north, Iran and Turkey to the south, Georgia to the northwest, Armenia to the west, and is bound by the Caspian Sea to the east. It holds membership in many international organizations, including the United Nations, the OSCE, the Bologna Process, and the European Higher Education Area (since 2005).

According to its constitution, Azerbaijan is a democratic, secular, unitary republic. Since its independence, Azerbaijan experienced economic problems similar to other post-Soviet countries: the transition to a market economy, economic resource scarcity, and the dependence of its market on the socialist republics. In addition, the Nagorno-Karabakh conflict and political instability from 1991 to 1995 hindered the formulation and implementation of reform-oriented economic policies. It should be noted that after the period of peace that lasted for about twenty years, there were additional military clashes in the Nagorno-Karabakh region in 2016, 2020, 2021, and 2022. After 1995, Azerbaijan managed to revamp its economy, becoming a leading economic player in the post-Soviet space. Azerbaijan used its oil reserves to rebuild its economy after the dissolution of the Soviet Union and as a foreign policy instrument in international relations (Cornell, 2011). For instance, the oil sector was projected to generate 54.2 percent of the state budget revenues for

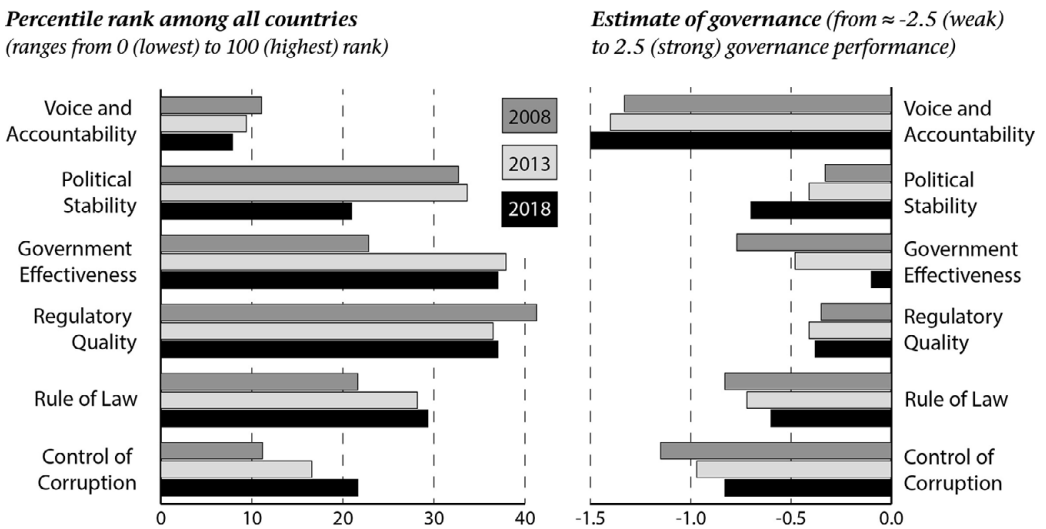
2021 fall, while the non-oil sector was projected to generate 45.8 percent of the revenues (Center for Economic and Social Development, 2020).

One of the drawbacks of a resource-based economy is its vulnerability to external shocks “arising from sharp falls in the prices of countries’ main export commodities” (Ahrend, 2006, p. 8). Also, the booming resource sector can draw capital and labor away from other sectors, leaving them under-invested. Therefore, although Azerbaijan intended to diversify its economy by strengthening its non-oil sector as noted in *Azerbaijan 2020: Look into the Future* (Government of Azerbaijan, 2012) many investments go to the oil sector (OECD, 2019).

The service sector also contributes to GDP but on a smaller scale. For instance, trade (repair of transport means) generated 11.5 percent of GDP in 2020. Although the climate of Azerbaijan is favorable for the development of agriculture, the share of agriculture in the economy is one of the lowest in the post-Soviet region (World Bank, 2018a). In 2020, agriculture, forestry, and fishing generated 6.9 percent of GDP (Azerbaijan Statistical Information Service, n.d.-b). Overall, the extraction and production of raw materials remain a dominant economic activity in Azerbaijan. The shape of the country’s economy is consistent, thus calling for steady output from its universities in terms of workforce development.

Although Azerbaijan demonstrated economic growth, there was a decline in public spending on education. Educational funding dropped from 4.2 percent to 2.4 percent of GDP between 1998 and 2017 (World Bank, n.d.-d). Government expenditure allocated to higher education accounts for less than 0.5 percent of GDP. In 2018, the government allocated 3 percent of GDP to education, with 0.3 percent of GDP (or 10 percent of government expenditure allocated to education in general) going to higher education (World Bank, 2018a). The lack of resources resulted in low-quality education, corrupt practices, the introduction of tuition fees, and the emergence of private corrupt higher education institutions (HEIs) (Isakhanli & Pashayeva, 2018). However, interest exists in advancing higher education particularly from external agencies. International organizations such as the European Union, the World Bank, UNICEF, IREX, the Soros Foundation, and the Eurasian Foundation have supported the development of higher education in Azerbaijan by offering grants and credits and assistance in developing academic programs.

The Global Competitiveness Index of the World Economic Forum (WEF) ranks Azerbaijan 23rd out of 141 countries regarding public sector performance with a score of 66.8 out of 100 and the burden of regulations ranked 3rd

**Figure 4.1 Worldwide governance indicators for Azerbaijan**

with a score of 72.1 for 2018–2019 (Schwab, 2019). It scored the future orientation of the government at 55.3, ranked 70th. For the Skills pillar, most closely related to higher education quality, WEF scored Azerbaijan 57 out of 100 for the skillset of graduates and a score of 63.2 on the indicator of ease of finding skilled employees. This ranked the country 45th and 29th respectively on those indicators out of a total of 141. Regarding corporate governance, which arguably is different from public University governance, WEF ranked the country 9th with a score of 76.6. Therefore, the country is somewhat challenged in making policy choices for the future.

The national governing context according to the World Bank's Governance Indicators project is as follows. Its control of corruption declined over the past decade as did its rule of law and governance effectiveness. The country saw an increase in its political stability and a slight increase in voice and accountability. Nevertheless, all of these governance indicators are below the 45th percentile (Figure 4.1).

### Shape and Structure of Higher Education

The higher education system in Azerbaijan, like in other post-Soviet countries, has been greatly shaped by the Soviet Union's centralized economy,



ideological system, and alignment with industry. The higher education system developed and expanded under the Soviet Union. The number of HEIs increased drastically from one state University (Baku State University) to seventeen HEIs between 1919 and 1990 (Isakhanli & Pashayeva, 2018). In response to the needs of industrialization and the national planned economy, specialized HEIs were established by the government. Examples of such institutions include the Petroleum Institute (opened in 1920), the Agrarian Institute (1929), and the Polytechnic Institute (1950) (see Isakhanli & Pashayeva, 2018). In terms of mode of study, HEIs were mainly offering evening and part-time classes to create a highly qualified workforce. Universities were centers for professional training, whereas research institutes (e.g., the Academy of Science) became centers of research.

After its independence, Azerbaijan started reforming its higher education system so that it is aligned with the new economic and political structure. Because of the economic decline and resource scarcity, Azerbaijan then implemented reforms that advocate for market privatization and liberalization. The reforms were supported by legislation. For example, the Law on Education (in 1992) introduced tertiary education, tuition fees, and permission to establish private universities and privatize institutions. The number of HEIs skyrocketed from seventeen to fifty-three between 1990 and 2014 (Isakhanli & Pashayeva, 2018). Also, the Law on Education classifies HEIs based on the degrees they award (Isakhanli & Pashayeva, 2018). Institutions that offer only bachelor's programs are one-tier institutions. Two-tier institutions offer bachelor's, master's, and doctoral programs.

In 2019, the higher education landscape consisted of forty state and twelve non-state HEIs (State Statistical Committee of the Republic of Azerbaijan, n.d.). State universities had been subsidized by the government, while private universities had not received any public funding (Isakhanli, 2005). In 2010, the government adopted a decree on financing HEIs. According to the decree, all HEIs can receive per capita student payments regardless of their type of ownership. In other words, this decree allowed non-state institutes to educate students whose higher education is subsidized by the government through grants. Students are admitted to state HEIs based on the results of the national admission test (UNESCO, 2011). The number of students in state and non-state HEIs increased dramatically from 119,683 to 176,723 between 2000/2001 and 2018/2019 (State Statistical Committee of the Republic of Azerbaijan, n.d.). Similarly, the number of foreign students studying in state and non-state HEIs increased from 1,870 to 4,262 between 2000/2001 and 2018/2019 (State Statistical Committee of the Republic of Azerbaijan, n.d.).

## Higher Education Governing Context

Although Azerbaijan implemented policies to reform the HE system in the early 1990s, the system remains centralized, “with all policies and reforms decided and very often imposed by the Cabinet of Ministers and the MoE [Ministry of Education]” (Isakhanli & Pashayeva, 2018, p. 110). One such example was the enactment of the Law on Education in October 1992. The law reflected the national agenda regarding the modernization of the HE system in accordance with international standards (e.g., the shift to three-stage postsecondary education), the unification of education and science within HEIs, the diversification of revenues for institutions, and the privatization of institutions.

According to the 2009 Law on Education, two main system-level governing bodies exist in Azerbaijan: the Cabinet of Ministers and the Ministry of Education (MoE). The Cabinet of Ministers is a supreme governing body that exercises control over the implementation of the Law on Education, various legislative acts, and documents; shapes the higher education system; develops and implements local and international programs for the development of education; and establishes standards for financing education and employment. The MoE is the central executive body that governs the education system and is accountable to the Cabinet of Ministers. It takes part in the development of state education policies, ensures the implementation of policies; exercises control over the execution of the legislation on education; and shapes curricula, teaching methodologies, and course priorities through state-level higher education standards.

Six HEIs have a relatively higher degree of autonomy (see Isakhanli & Pashayeva, 2018) that enable them to define the educational content, develop admission plans, and award academic degrees and titles. In addition, these institutions receive funding directly from the Ministry of Finances and are not governed by any other governmental bodies. One such institution is Baku State University, which is a flagship University in the country. Although these institutions have a relative degree of academic autonomy, all HEIs are obliged to follow state standards. State standards define curriculum, teaching methodologies, quality assurance processes, and the structure of HEIs. There are also ten institutions that operate under the “auspices of other ministries, state companies and other affiliated institutions” (Isakhanli & Pashayeva, 2018, p. 110). Examples of such institutions are the University of Management and Tourism, the Azerbaijan Medical University, and the State Academy of Sports. Private HEIs can operate under governance of their Boards of Trustees and partnerships with industry.

Similarly, HEIs in Azerbaijan enjoy a limited degree of financial autonomy (see Education, Audiovisual and Culture Executive Agency, 2017). The Ministry of Finances controls public and private institutions' spending of public funds. Since 2010, private HEIs are allowed to receive students whose education is subsidized by the government (grants). In addition, public and private institutions can be funded from tuition fees, national and international projects, real estate, and other sources not prohibited by the state legislation. Institutions can control the spending of this type of funds.

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## 4.2 GOVERNING BODY PROFILE

The governance structure of HEIs varies in Azerbaijan. The structure of the governing board depends on the type of HEIs. Today, Azerbaijani HEIs are classified as universities, institutes, academies, and conservatories. Universities are diversified HEIs that provide a wide range of education at all degree levels of higher education and conduct fundamental and applied scientific research. Institutions are either independent or a structural unit of the universities, which provide the training of specialists at a higher education level on specific specialties. Academies introduce higher training programs as well as carrying out fundamental and applied scientific research. Conservatories train specialists in music at a higher education level (EACEA, 2017).

Some HEIs have only the governing board and the rector, such as Azerbaijani Diplomatic Academy (ADA University), which was originally established based on a US model, and Baku Engineering University, which was "restructured" from a Turkish foundation-owned private University to a state one, while the others have an extensive structure, also including a Senate and committees. The number of committees is unregulated and flexible and depends on the size and scope of the institution. As a rule, bigger universities such as Baku State University or ADA University tend to have an extensive governing structure due to their larger student and faculty body.

The general administration of HEIs is carried out by Scientific or Academic Councils. The formation and responsibilities of the Academic Council are determined based on the statute approved by the relevant executive authority and the charter of the education institution. The jurisdiction of the Academic Council consists in making and discussing proposals on the budget and funds as well as on the development and implementation of the state policy for education. The recommendations go to the rector and vice-rectors (Ibadoghlu, 2019).

Rectors of public HEIs are appointed by the president of the Republic of Azerbaijan upon recommendation by the Ministry of Education. Private HEIs are led by a rector appointed by the Board of Founders, the members of which may include the founders and trustees of the institution. The rector is the highest official of the University, functions in its name, and represents it. The rector is involved in recruitment and disciplinary, economic, and position assignments (e.g., promotions).

As for the latest legal initiative, the State Program to Increase the International Competitiveness of the Higher Education System in the Republic of Azerbaijan in 2019–2023 (approved by a decree of the president of the Republic of Azerbaijan on November 16, 2018), both public and private universities are advised to have a Board of Trustees, which is an advisory body to the rector. It should consist of accomplished and influential leaders that come from the University, state institutions, government bodies, and industry. Based on the compositions of some boards, it seems that there is always someone who represents the state on the board even though advisory in focus. For instance, the minister of education chairs the Board of Trustees of Baku State University and is a board member of ADA University. The Board of Trustees of ADA University also includes the minister of foreign affairs. Generally, it is expected to be involved in strategic planning, institutional fundraising, and advisory matters.

However, the Academic Council remains the main governing body in public universities. Some private Azerbaijani universities have a Board of Founders or Board of Trustees, which serve as an advisory body to the rector. For example, the Board of Trustees of ADA is “comprised of accomplished and influential leaders who come from government and private sectors. The permanent and elected members oversee the University’s mission and guide and steer its operations. The board advises on the best trends and practices in the field of education, supports fundraising activities and promotes the University brand” (ADA University, n.d.-a).

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### **Body Structure**

The Academic Council of public universities in Azerbaijan, according to the decrees and orders of the president of the Republic of Azerbaijan, regulations on public universities, decrees, and orders of public University rectors, consists of fifteen to twenty individuals. For example, the Academic Council of Baku State University consists of seventeen members.

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### **Membership and Appointment Process**

According to the Statute on the Academic Council of the Higher Education Institution approved by the order of the minister of education of November 10, 1997 (article 2), the general management of the HEIs is carried out by the Academic Council. The Academic Council is chaired by the rector of the HEI and consists of the vice-rector for academic affairs, vice-rectors, academic secretaries, deans, directors of research institutes operating within the institution, the chair of collegiums (employees and students), department heads, and the chair of the Student Academic Society. About 3–10 percent of members are presented by professors and teachers of HEI. This number is determined by the rector, depending on the number of professors and teachers. Candidates for the Academic Council are elected by secret voting by the faculty members and professors from each school. Moreover, up to 10 percent of the Academic Council's members may be appointed by the rector of the institution.

Rectors, vice-rectors, and deans are permanent and non-elected members of the Academic Council. The term of the mandate is three years. Student representatives in the Academic Council can be appointed for one year with the possibility of renewing their mandate.

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### **Chair Appointment Processes**

In both public and private universities, the rector chairs the Academic Council. Rectors of public universities are appointed by the president of the Republic of Azerbaijan upon recommendation by the Ministry of Education. The rector of a private University is appointed and dismissed by the founder or the Board of Founders (EACEA, 2017). In those universities, predominantly private, where the Board of Trustees is active, the chairman is appointed by the founder of the University.

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### **Board Accountability**

The Academic Council in public universities is accountable to the rector. The rector identifies and regulates the scope of problems addressed by the Academic Council. Typically, the Academic Council takes an active part in determining the University's scientific, educational-methodological, financial, and administrative issues. For example, the Academic Council of the Baku State University participates actively "in the determination of University's

position in education, quality and effectiveness of scientific researchers, the international relations and image of the University, participation in discussion of crucial issues and determination of points of view of our Republic” (Baku State University, n.d.).

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### Scope of Work

According to the Statute on the Academic Council of the Higher Education Institution approved by the order of the minister of education (1997)<sup>1</sup>, the Academic Council operates in the following areas:

- approving various directions of educational and scientific activity;
- defining the annual budget of the University;
- holding listening on the annual financial report of the University;
- confirming the statutes of regulations, instructions, and other official documentation;
- supervising the preparation and provision of educational programs; and
- participating in the development and improvement of the state educational standards.

Although the latest law – State Program to Increase the International Competitiveness of the Higher Education System in the Republic of Azerbaijan in 2019–2023 – seeks to establish a transparent approach to education including organizational autonomy, a legal analysis shows that Academic Councils play more of an advisory role in reforming educational programs and regulations without actual participation in the decision-making process (World Bank, 2019c).

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### Azerbaijani Diplomatic Academy (ADA University)

To give an example of how the governing process may be organized in Azerbaijani higher education, this section will cover the governing board profile of ADA University. The University is a state HEI established under a presidential decree in 2014. Because ADA University is considered a world-

<sup>1</sup> Regulation of the Scientific Board of higher education institutions, the order of the minister of education of the Republic of Azerbaijan, No. 792, November 10, 1997 (<https://edu.gov.az/az/page/299/873>).

class University, the profile of the University may not reflect the governing context of all Azerbaijani HEIs. The description of the governing structures of ADA University is based on its institutional policies (ADA University, n. d.-b). The University governance is executed through six components: (1) the Board of Trustees, (2) the rector, (3) vice-rector for academic affairs, (4) the University Senate, (5) Deans Council, and (6) Committee on Faculty Affairs.

The Board of Trustees is the highest advisory body for the institution. It comprises prominent and renowned leaders (local and international) who come from the government and private sectors. There are at least nine members in the body. The board includes permanent and elected members. Permanent members are the minister of external affairs, the minister of education, the rector, and the first lady who is also the vice-president. Other members are elected for two years at the annual meeting of the board. It advises the institution on strategic matters, hears the institution's annual budget report and annual audit results, gives suggestions for the investment of the institution's resources, promotes the University's brand locally and internationally, and takes the initiative for the incorporation of best practices. Given these responsibilities, it appears that the board plays an advisory role in the governance of the institution.

The rector is the chief executive officer in the institution. The rector is assigned and dismissed by the president of the country. The rector approves the institution's statutes and structure; issues orders, decrees, and directions; represents the University in relation to state and local organizations; approves the University Senate's decisions, presents annual reports to the Senate, and hires employees. Currently, it is governed by the deputy minister of foreign affairs, who founded the University.

The University Senate is the supreme governing body. It oversees and steers the general and academic-related activities of the University. It has control over the specification of academic, research, and international activities; the approval of strategic and annual plans; scholarship allocations; and the awarding of academic degrees and titles. It includes permanent, appointed, and elected members. Permanent members of the Senate are the rector, vice-rectors, deans, the director of enrollment management, and the director of library. The rector may appoint two members of the Senate. Elected members include two faculty members from each school elected by their peers. The term of service of the Senate is two years. The Senate is chaired by the rector.

The vice-rector of academic affairs is the chief academic officer who facilitates the communication between the institution's bodies and the rector

and the Senate. The vice-rector is an *ex-officio* member of all academic committees and a member of the Senate.

The Deans Council is an executive committee of the Senate. It discusses and gives recommendations regarding the planning and management of all activities of the University.

The Committee on Faculty Affairs is a standing committee of the Senate. It is responsible for the recruitment, appointment, and development of the faculty and matters of academic integrity and honesty. All recommendations that the committee gives are then submitted to the Deans Council for consideration.

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## Commentary

Azerbaijan, like other post-Soviet republics, experienced similar challenges such as the dependence of its economy on the market and labor of other republics and the need to shift to a market economy. In addition to these challenges, Azerbaijan faced political instability and difficulties associated with the Nagorno-Karabakh conflict. Azerbaijan managed to recover from the crisis following the dissolution of the Soviet Union and to demonstrate the economic growth because of its rich oil reserves. Although there were improvements in Azerbaijan's economy, the country's HE system experienced underinvestment (World Bank, 2018a). The underinvestment resulted in the introduction of tuition fees, the rise of corrupt practices in HEIs, lower quality at all levels of education, and the emergence of corrupt private institutions (Isakhanli & Pashayeva, 2018).

Azerbaijan made some limited progress toward liberalizing its University system when it started to reform its HE system in accordance with international standards. It signed on to the Bologna Process and joined the European Higher Education Area in 2005. As a result, the country became committed to maintaining the principles and objectives of the Bologna process, such as autonomous HEIs, student participation in the HE governance, international student mobility, and public responsibility for HE. Some manifestations of this commitment include the rise in the number of international students, the emergence of completely autonomous universities (e.g., Baku State University), and the expanded governing structure in universities.

However, these manifestations are not system wide. Isakhanli and Pashayeva (2018) note that only some universities focus on internationalization (e.g., attracting international students). International students tend to concentrate in autonomous HEIs that were initially based on the Western educational model. The Cabinet of Ministers and the MoE that oversee HEIs



play a significant governance role in this structure. There is little to no autonomy, except for a handful of institutions in the country.

Even with select outward-looking universities and alignment with the Bologna Process, the University system is tightly state controlled. Its governance is predominantly driven by the MoE and other elements of government. Public and private HEIs have some financial autonomy but this seems to be linked to the need for additional financing rather than management independence. The MoE controls only the institution's spending of public funds (e.g., per capita student payments). It does not control the other funds generated by institutions. Institutions can generate revenues from tuition fees, real estate, and other sources not prohibited by the legislation. Also, the academic autonomy of HEIs in Azerbaijan is limited by the state because institutions are obliged to follow the state educational standards. The state policy of higher education is fully controlled by the MoE and the Cabinet of Ministers. However, with the initiatives of the State Program for Education Development 2025, which was approved in 2013, more measures were implemented for increasing the autonomy of universities. For instance, HEIs have more rights to design their academic programs, which should cohere with the respective state legislation.

It is expected that the further implementation of this state program will give more freedom of action to the governing boards such as the Board of Trustees and the Senate. However, it is also contradictory that the state is enforcing the establishment of the boards of trustees to contribute to their autonomy, while having high-rank officials from the MoE and the state in general, in these boards.

The active supervisory role, as compared to an advisory role, of these governing bodies is currently observed only in some private universities, where, for example, the Board of Founders plays an advisory role to the rector and the Academic Council. In addition, the state program seems to focus on addressing corrupt practices in the HE system. Specifically, the program aims to address corruption by strengthening the centralized management of the HEIs and increasing the spending on the education system (Ibadoghlu, 2019). The first measure aims to address corrupt practices in the management of human resources (e.g., bribing and nepotism in recruitment, promotion and dismissal) at Azerbaijani HEIs, whereas the second measure seeks to address corruption among faculty members. Interestingly, the state program seems to have a negative effect on the autonomy of institutions. According to Ibadoghlu (2019), the centralization measures appear to diminish the autonomy of HEIs, as the management of human resources is becoming centralized.

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## 5 Belarus

Peter D. Eckel

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### 5.1 THE NATIONAL AND HIGHER EDUCATION CONTEXTS

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#### National Context

Belarus is a country of approximately 9.5 million people (CIA, 2019a), of which close to 10 percent are between the ages of 15–24 years old. The country is aging, with the number of citizens above the age of 60 increasing by 14 percent in the next decade (World Bank, 2018e). There will be a corresponding decline in the country's student-age population. The University sector is facing a contracting pool of potential students.

The country borders Latvia, Lithuania, Poland, Ukraine, and Russia. It is becoming increasingly urbanized, with an 8 percent increase in the last ten years (from 67 percent to 75 percent), which is approximately one million people moving from the countryside to cities (World Bank, 2018e). Most universities also are located in and around the capital of Minsk.

The country is facing ongoing political tensions. The long-serving president, Alexander Lukashenko, in September 2020 faced a series of protests and pressure from Western governments regarding his credibility and contested elections. He has continued support from Russia. The country was one of the staging areas for the Russian invasion of Ukraine. The Lukashenko government has been in power since 1994. The government has kept in place many of the Soviet policies, including state ownership (SOE) over much of the economy.

As late as 2016, approximately half of the workforce was employed by SOEs (World Bank, 2018e). This government-controlled economic approach initially served the country well post-independence, adding needed economic

stability. Until the global financial recession of 2008, the country's economy grew at rates between 6.3 and 8.3 percent, surpassing others in the Commonwealth of Independent States (CIS) (7.1 percent) and countries in Europe and Central Asia (5.7 percent). The year 2008 marked a turning point for its centralized economy, with growth averaging 3 percent between 2009–2014; and the Republic faced a recession in 2015–2016 (World Bank 2018e). The government is again working to reform the economy, slowly shifting its role away from direct to indirect economic involvement and supporting private sector development (World Bank, 2018e).

The strength of the private sector is limited to select parts of the economy – IT, domestic trade, wood processing, plastics and rubber production, real estate, accounting and audit, advocacy, advertising and marketing, and ground transportation. SOEs, on the other hand, dominate key economic sectors including agriculture, the chemical industry, machinery and equipment, construction materials, food processing, hotels, and architecture and urban planning (World Bank, 2018e).

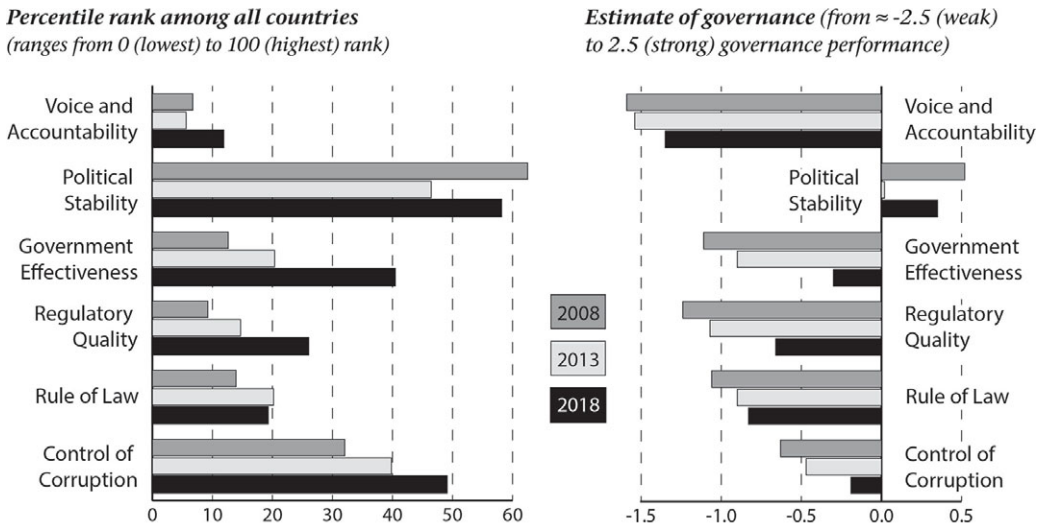
To support continuing economic growth, the state will need to further change its role from a producer of goods and services to a regulator, moving away from its traditions of command and control rules and procedures (World Bank, 2018e). The government faces challenges in doing this, including a noted lack of commitment to reforms, frequent legislative changes, and a lack of policies and coordination across levels of government (World Bank, 2018e). Furthermore, such economic shifts have the potential to disrupt the expected social contract in ways that lead to societal fractions and disenfranchisement, particularly within the college-age and youth population, and lead to an increased vulnerability within the middle class (Bussolo, Davalos, Peragine & Sundaram, 2019).

Other profiles in this book include World Economic Forum indicators. None exist for this country.

The national governing context according to the World Bank's Governance Indicators<sup>1</sup> project is as follows in terms of governance. These figures are intended to show trends over time associated with a set of country-level data. The governing context scores are low, particularly for voice and accountability, but also for rule of law and regulatory quality. Although many of the World Bank's governance indicators are trending toward improved governance, all prior to the 2020 conflicts, as a set they

<sup>1</sup> Other country profiles include an overview of the World Economic Forum global competitiveness scores. WEF did not include Belarus in its 2018–2019 efforts.

**Figure 5.1** Worldwide governance indicators for Belarus



are weak, except for political stability. Voice and accountability are very low. Both of which reflect the undemocratic political context. The context in which universities operate is one of strong governmental control, low participation, and an economy controlled by the state. Furthermore, its population is aging, with the fastest growing segments well beyond traditional higher education and school age (Figure 5.1).

### Shape and Structure of Higher Education

The Belarusian higher education system includes fifty-one higher education institutions (HEIs) of which forty-two are public or state and nine private or non-state (Belsat, 2019a). The overwhelming majority of the 268,100 students are enrolled in public universities. Private universities enroll only 6.8 percent of students. Enrollment has declined from its high of approximately 445,600 in 2011–2012 to approximately 268,100 in 2018–2019, a 40 percent reduction in just seven years. Current enrollment is at its lowest level in two decades (Belsat, 2019b). Half of public universities and eight of nine private universities are located in the capital of Minsk.

Of the public HEIs, thirty-one are universities offering a range of degree programs; nine are academies or conservatories offering a limited number of

disciplinary programs; and two are institutes offering an even more limited range of programs (National Statistical Committee, 2017), a legacy of the Soviet model. Half of the public universities fall under the direct jurisdiction of the Ministry of Education (MoE) with the others operating under other ministries, although the MoE has continued influence over these universities as well.

There is a mismatch between graduate output and economic needs with an estimated 68 percent of students studying social sciences and humanities (World Bank, 2018e). An International Finance Corporation study in 2013 noted that 20 percent of employers report skills gaps of graduates as a top barrier for them (World Bank, 2018e). The higher education system seems to be out of step with economic needs and lacks capacity to produce a needed workforce.

Furthermore, universities and students have become a target of politically motivated state actions. Following the 2020 election, police detained students and their universities expelled them for their participation in protests (O'Malley, 2021).

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### Higher Education Governing Context

The University sector is strongly controlled by the State, similar to other economic sectors. There is very low autonomy, if any. For instance, 65 percent of the undergraduate curriculum is a “national component,” as is 30 percent of master’s degree program curricula and newly introduced undergraduate programs have only a 50 percent requirement (World Bank, 2020d). The president of the Republic is directly involved in certain aspects of University governance (World Bank, 2020d). He approves the appointment of the rectors of public universities and develops aspects of the legal framework governing universities. For example, he replaced rectors at three universities during the 2020 civil unrest. At Minsk State Linguistic University, he elevated the head of the German Language department, and at The Belarusian State University of Culture and Art, he appointed the former deputy minister of culture (Belsat, 2020). Both of these universities had student protests. This governmental reach continues into private universities as well. For instance, rectors of private (non-state) universities are appointed by the minister of education based upon a recommendation from the University founders.

Some students pay fees, and those that do pay comparatively low fees of EUR600–1,370. Institutions are allowed to generate revenue and use this at their discretion (MoE, 2011), allowing some financial autonomy. However,

this highly controlled sector operating in an economy that is significantly state owned, means that there is little actual institutional autonomy. The president of the country appoints rectors, and those rectors are the most influential individuals on campus (World Bank ,2020d).

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## 5.2 GOVERNING BODY PROFILE

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### Body Structure

The primary governance body is the University Council. Universities also have management or administrative Councils. Most Belarusian universities have this single governance body. However, some universities have parallel bodies related to research and scientific inquiry, such as at Yanka Kupala State University of Grodno. The Councils meet as few as five times per year and as frequently as monthly.

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### Membership

Membership of the Council is internal to the University, including the rector, vice rectors, heads of institutes and academic staff, students (25 percent), and non-academic staff, including representatives from trade unions. Some Councils include representatives of public organizations that are affiliated with the University. These individuals seem to be few in number – between three and five, depending on the University – if they exist at all.

The size of the Councils varies as set forth in each University's charter or as determined by the rector. At Belarus State University, membership is limited to 100 people. At Francisk Skorina Gomel State University, the Council is 48 members.

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### Member Appointment Processes

Members of the Academic Council are elected, and the rector approves their appointment. Membership tends to be limited to five-year terms.

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### Chair Appointment Processes

The rector chairs the Academic Council. The rector is appointed and dismissed by the president of the Republic or the Ministry of Education

depending on the University. It is not uncommon for Republican presidential involvement in the rector selection process.

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### **Board Accountability**

The Council is accountable to the rector, who approves or accepts its decisions. The rector also determines the scope of the Council's work by developing the regulations of the Council. At some universities, such as Belarus State University (BSU), a Council decision rejected by the rector may be reviewed again and passed with a two-thirds Council majority. However, another provision in the BSU charter states that "If it is necessary the Rector of the BSU can issue instructions to pass the Academic Council decisions." (Decree of the President of the Republic of Belarus 06.16.1999 N 334, 1999)

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### **Scope of Work**

Under the direction of the rector, Academic Councils make recommendations regarding the strategic, financial, personnel, and organizational issues of the University. They undertake decisions such as creating and closing faculties, departments, and institutes; discuss curricular reform and revisions; suggest staff appointments and hold elections for professorships and chairs; and review annual reports. In some instances, they review and make budget recommendations, as well.

For example, the Academic Council at Belarus State University (Decree of the President of the Republic of Belarus 06.16.1999 N 334, 1999):

- reviews University's strategic development and economic development plans;
- reviews and approves key educational, research, and international activities;
- makes proposals on improvement of the BSU structure;
- approves the BSU budget and reviews the annual report on the BSU budget execution;
- nominates staff for key Republican awards such as candidates for the State Prize of the Republic of Belarus, for election into the National Academy of Sciences of Belarus, and grants titles of honor, established by the BSU;

- is responsible for holding the elections for positions of professors, chair heads, and chief research workers; and
- solves other problems envisaged by this Statute.

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### Commentary

University enrollment and the university-aged population in general are decreasing. The economy is controlled by the government via SOEs. So too does the government control the universities, with the government determining curriculum as well as leadership appointments. There seems to be little pressure on universities to perform well beyond preparing students for positions in government and state enterprises. The University governance structure reflects a centralized approach to the country's government. The rector is appointed in some cases directly by the president of Belarus and in other cases by the Ministry. University governance and its supreme body for all intents and purposes are managerial-focused. University governance is a government responsibility. The Ministry is responsible for policy and strategy as well as staffing, program development, and quality assurance. The primary players in campus-level governance are internal University staff, including academic staff as well as University executives. There is some opportunity for external voices, but the numbers of non-university staff are small. The rector is positioned to control and direct the Academic Council given that he or she must approve Council decisions.

The country's context is consistent with the governance structure of its universities. The World Bank governance indicators note low voice and participation, rule of law, and control of corruption. The comparatively high level of government stability means that universities have a predictable policy context in which to work. But this is little comfort given the economy, declining demographics, and the place of the country in the geopolitical and economic region. The country does not seem to have the capacity or want the capacity to have a robust higher education sector beyond accountability to government priorities.



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# 6 Estonia

Rita Kaša

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## 6.1 THE NATIONAL AND HIGHER EDUCATION CONTEXTS

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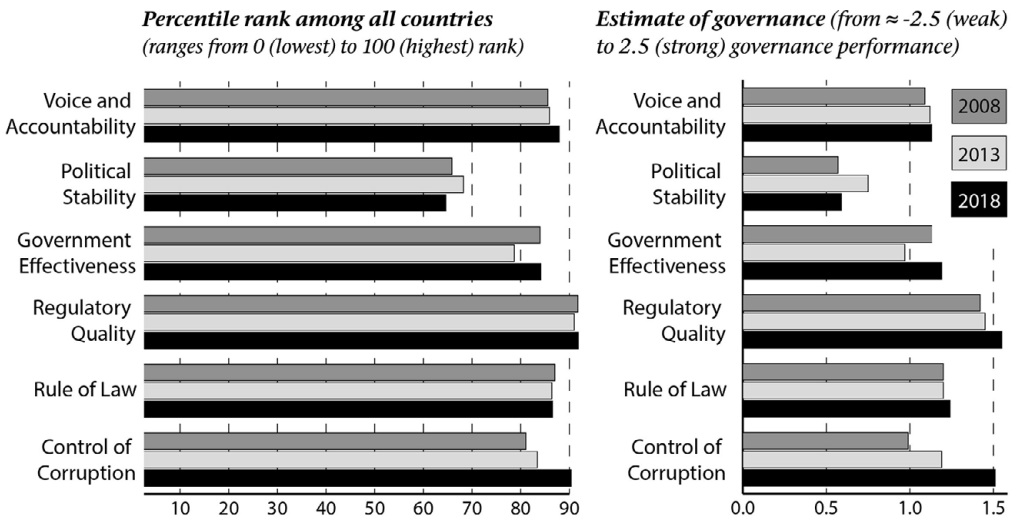
### National Context

Estonia is one of the Baltic countries in Northern Europe. The Baltic Sea to its north, and shares a maritime border with Finland; it borders Russia to its East and Latvia to its South. The Estonian language, which is the official language in Estonia, belongs to the Finno-Ugric group of languages unlike Latvian and Lithuanian, which are two Baltic languages that belong to the group of Indo-European languages. Since 2004, Estonia has been a member of European Union (EU) and NATO. Estonia was the first of the three Baltic countries to become a member of OECD in 2010 and to join the Euro zone in 2011.

Estonia is a high-income country (World Bank, 2020c). The percentage of people at risk of poverty and social exclusion was slightly below 25 percent of population in 2019 (Eurostat, 2020). It is above the average poverty level in the EU (21 percent). Trade in goods and services contribute 73 percent of Estonian GDP (OECD, 2020). Estonia is one of the most digitally advanced countries in the world in e-government services (OECD, 2019b).

Every four years, Estonian citizens, using conventional as well as e-voting, elect their parliament, called the Riigikogu (Aichholzer & Rose, 2020). Estonia has a multiparty system and parties elected to the parliament approve the prime minister, who is the head of the government. The parliament also elects the president of the country. As Estonia is a parliamentary republic, the president serves as the highest representative of the state with limited participation and veto rights in the legislative process.

Figure 6.1 Worldwide governance indicators for Estonia



The Global Competitiveness Index of the World Economic Forum (WEF) ranks Estonia 26th out of 141 countries regarding public sector performance with a score of 66.3 out of 100 and the burden of regulations ranked 24th with a score of 52 for 2018–2019<sup>1</sup> (Schwab, 2019). It scored the future orientation of the government at 67.2, ranked 23rd. Related to corporate governance, WEF indicated a score of 62.8 and a comparative rank of 54th. For the Skills pillar, most closely related to higher education quality, WEF scored Estonia 76.7 out of 100 for the skillset of graduates and a score of 42.2 on the ease of finding skilled employees indicators. This ranked the country 15th and 122nd respectively on those indicators out of a total of 141.

University governance takes place within a larger country governing context. According to the World Bank's Governance Indicators project that context is as follows, showing trends over time associated with a set of country-level data. The country compares very favorably in the global context across all five dimensions. It has stability within each dimension as well (Figure 6.1).

<sup>1</sup> The prior competitive framework included a higher education pillar and a quality score. These no longer are included in the 4.0 version of the WEF framework.

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## Shape and Structure of Higher Education

The Higher Education Act (Riigikogu, 2020) in Estonia distinguishes between universities and professional higher education institutions. Universities offer study programs, including doctoral level studies. Professional higher education institutions include study programs of higher and also vocational education. There are nineteen public and private universities and professional higher education institutions in Estonia. Six are public universities; one is a privately owned University; seven are professional higher education institutions; and five are private professional higher education institutions (Ministry of Education and Research, 2020; studyinestonia.ee, 2020).

The total number of students in Estonia has been declining for the past ten years due to negative birth rates as well as emigration and Estonians pursuing higher education abroad. In 2019, there were slightly more than 45,000 students pursuing higher education in Estonia (HaridusSlim, 2020). About 20 percent pay tuition fees while 80 percent study free of charge (HaridusSlim, 2020; Platonova, 2018).

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## Higher Education Governing Context

The management structure is set out by a laws governing each public University (Riigikogu, 2020). Thus, each public University in Estonia is governed by its own special law, passed by the national parliament. The parliament decides the foundation, merger, division, and closure of a public University. University of Tartu is the oldest and the largest University in Estonia. It was the first University to have its own law (Saar & Roosalu, 2018). The laws of other major public universities were adopted later on. Laws on the University of Tartu, Tallinn University, and Tallinn University of Technology inform the general description of the University governance in Estonia.

Estonia scores highly in the European University Association's (2016) University Autonomy Scorecard. It ranks fifth in organizational autonomy, which refers to a University's capacity to determine its internal organization and decision-making processes; fourth in terms of financial autonomy, which refers to a University's ability to manage its funds and allocate its budget independently; first in staffing autonomy, which refers to a University's ability to recruit and manage its human resources as it sees fit; and first in academic autonomy, which refers to a University's capacity to manage its internal academic affairs independently.

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## 6.2 GOVERNING BODY PROFILE

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### Governance Overview

The law of each University defines the mission of the higher education institution in question. In the mission statements, the laws refer to the historic legacy of each University, since their beginnings date back to the early twentieth century and in the case of the University of Tartu to seventeenth century (Riigikogu, 1995, 2014, 2019). The management bodies of all these public universities are the University Council, the Senate, and the rector.

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### The University Council

The University Council is responsible for the long-term and sustainable development of the University as well as for making important economic, financial, and assets-related decisions, ensuring the achievement of the objectives of the University. It consists of eleven members where five are appointed by the University Senate according to the statutes of the University, one is appointed by the Estonian Academy of Sciences, and five are appointed by the minister of education and research from qualified candidates with expertise in the area of the University's focus, economy, or entrepreneurship. These Council members appointed by the minister contribute by linking the University to society, that is, by contributing to the social relevance of the University's activities. These members cannot be affiliated with this or some other University. The law of Tallinn University of Technology (Riigikogu, 2014) states that members of professional associations need to be represented among those nominated by the minister. The members of the Council are appointed for five years by the government of Estonia based on the proposal of the minister of education and research. In case the Council member resigns or is recalled on some justified bases, a new Council member needs to be appointed for the remaining duration.

The University Council is responsible for adopting the development plan and budget of the University. It weighs in on the adoption of the statutes of the University. There are some variations on how the laws of these different universities stipulate the veto powers of the Council in its interactions with the decisions passed by the Senate. In each case, these norms represent a model of checks and balances in strategic decision-making at the University.

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### **The Senate**

The Senate is the academic decision-making body of the University. The Senate is responsible for all academic activities, which include research and teaching, ensuring that these activities meet high quality standards. The members of the Senate include the rector, who is the chairman of the Senate, vice-rectors, and other members of the University among which at least one-fifth are students. The specific procedures of electing the Senate are specified by the statutes of each University. Responsibilities of the Senate include adopting the statutes of the University and weighing in on the decisions of the Council.

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### **The Rector**

The rector is the head of the University and directs the everyday activity of the University based on the development plan, budget, and other strategic documents of the University. The rector is elected for a term of up to five years. The exact procedure of the election is stipulated in the statutes of each University but in all instances only individuals at the rank of professor can apply for the position of rector; and it is the chairman of the University Council who signs the contract with the rector. This contract sets out the rights and obligations of the rector, the remuneration payable to the rector, and stipulates other relevant conditions. The contract specifies the term until which the rector will stay in the position. The position can be terminated prior to the date set in the contract if the rector resigns from the office or is asked to resign. Once the appointment is terminated, the rector has the right to return to the position he or she occupied at the University prior to becoming rector.

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### **The Case of the University of Tartu**

The University of Tartu is governed by the statutes of the University (Senate of the University of Tartu, 2014) adopted by the University Senate. To adopt the statutes at least two-thirds of the twenty-two Senate members need to vote in favor of this move. Once the Senate has voted in favor of the statutes, the University Council must either approve the corresponding resolution or exercise its right of veto within thirty days from the Senate's decision. To approve the statutes in the Council, at least six of eleven Council members must vote in favor. If the Council decides to veto the statutes, it must state its

reasons for doing so. The veto is effective only if at least two-thirds of the Council members vote for it. In the case of the Council's veto, the Senate must, within thirty days after the declaration of the veto, pass a new resolution regarding the adoption of the University statutes. The statutes become effective upon their approval in the Council unless a later date is specified. These statutes stipulate the governance procedures at the University of Tartu presented further in this chapter.

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### **The University Council**

As mentioned before, the University Council is the highest decision-making body of the University. In addition to its responsibility for the long-term development of the University and ensuring that the objectives of the University are achieved, the Council determines the procedures of electing the rector of the University of Tartu.

Eleven members of the Council are selected by the University and through appointments from the Estonian Academy of Sciences and the minister of education and research as earlier described. The five Council members from the University are nominated in the following procedure. There are four faculties or schools at the University of Tartu and the Council of each school nominates a candidate for the seat on the University Council. The candidate nominated by each school needs to have the support of at least one more school. Members of the University Senate put forward candidates for the fifth University seat on the Council. The five representatives of the University on its Council are nominated via secret ballot with a separate competition for the nomination of each of the five Council members. A Council member nominated by the Senate may not hold the position of the rector or vice rector, director of the area of studies, dean, head of an institute, director of a college or director of an institution, or serve as a Senate member. If a Council member nominated by the Senate is elected or appointed to any of the positions incompatible with the status of a Council member, the Senate recommends the government to revoke this member's mandate to the Council and nominates a new Council member through the aforementioned procedure.

The Council is chaired by the chair who is elected from among the members of the Council. The chair convenes the sessions of the Council either on his own initiative or based on a motion brought by at least six Council members or by the Senate. The Council meets at least four times a year in regular sessions and may hold extraordinary sessions as well. At least

once a year, the Council needs to hold a joint session with the Senate. While students do not elect a member to the Council, the president of the student body may request the permission to participate in the sessions of the Council with the right to speak. The Council members are entitled to receive any information necessary for carrying out their duties from the rector, vice rectors, and area directors. The work of the Council members is compensated on a monthly basis. For members, it is one-third and for the chair it is one-half of the average monthly salary at the University for the previous calendar year.

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### **The Senate**

The work of the Senate at the University of Tartu as in other universities concerns academic and research matters. The Senate determines the University's academic structure, determines curriculum, sets student admission policies, and other teaching and research process related procedures. The Senate is responsible for approving the action plan for addressing shortcomings described in the assessment report for the institutional accreditation. The Senate weighs in on the decisions of the University Council in various ways. It has a single right of veto on the Council's decision to adopt the budget of the University. The Senate also forms an opinion on candidates to the position of the rector and on other matters raised by the Council.

The Senate at the University of Tartu consists of the rector as its chair, sixteen members elected by the University's academic staff and five representatives from among its students. The representatives of the University's academic staff are elected for a term of three years; four members from each school. Candidates to the Senate are nominated by faculty from among full-time academic staff. In each school, a candidate to the Senate must be endorsed by at least ten voting members of the school's academic staff. A voting member who can vote for the nominees to the Senate is any staff whose academic workload at the University is at least twenty hours per week. Elections are held by a secret ballot and each voter may vote for any candidate, regardless of the school from which the candidate has been nominated. The four candidates per each school who receive the largest number of votes are elected to the Senate. Student representatives to the Senate are appointed by the Student Council for a term of one year, ensuring the representation of students from all schools and of all levels of study.

The University of Tartu Senate meets at least ten times a year in regular sessions and may also hold extraordinary sessions. The meeting is called

either by the rector, who is also the chair of the Senate, on a motion brought by at least twelve Senate members, or by the Council. If the Senate chair is absent, the vice rector acting for the rector serves as acting chair. The Senate is competent to act if at least fifteen Senate members attend the session. Decisions in the Senate are passed by a simple majority vote of 50 percent +1, unless the decision requires a larger majority vote. The Senate may convene standing committees or ad hoc committees and its members are entitled to receive any information necessary for carrying out their duties from the rector, vice rectors, and area directors.

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### **The Rector**

According to the law and statutes of the University of Tartu, the rector is the head of the University who is responsible for the lawful and expedient use of the assets of the University and who, within their competence and pursuant to the resolutions of the University Council and of the Senate, exercises the highest administrative and disciplinary authority at the University. The rector reports to the Council and the Senate, ensures the drafting and implementation of the University budget, establishes the University of Tartu Work Rules, Internal Accounting Rules, and other operations. The rector approves the Statutes of the Student Body, decides on the number of student places per curriculum, and sets the rates of tuition fees in degree studies. In accordance with the principles established by the Council, the rector decides on the acquisition, encumbrance with limited real right, and transfer of immovable property. The rector may set up a think tank as an advisory body to discuss and analyze matters regarding the development of the University, may repeal any decision made by a dean, head of an institute, director of a college or director of an institution or the Council of a faculty, institute, college or institution that breaches the law or is harmful to the University. In these instances, the rector refers the decision for a review back to the official or body who adopted it.

The Council of the Tartu University is in charge of organizing the election of the rector. It must adopt the procedures of the election at least six months before the end of the term of the incumbent rector. The election procedures are carried out by an election committee formed by the Council. The chair of this election committee publicly announces the upcoming election of the rector in at least two major Estonian daily newspapers at least four months before the end of the term of office of the incumbent rector. Councils of schools at the University of Tartu and other Estonian universities, the board



of the Estonian Academy of Sciences, a group of fifteen professors, and the Student Council of the University of Tartu can all nominate candidates for the position of the rector at University of Tartu. The elections take place at least three months before the end of the term of office of the incumbent rector. The rector is elected for a term of five years by an Electoral College, which consists of the members of the University Council, Senate, school Councils, the Student Council, and all professors and research professors whose workload at the University is at least twenty hours per week.

The elections of the rector take place in an election meeting. The election meeting can hold a vote if more than 50 percent of the members of the Electoral College is present. The election meeting is chaired by the chair of the election committee. The rector is elected with a simple majority of votes, that is, a candidate who receives the votes of more than 50 percent of the members of the Electoral College is elected rector. The rector can be elected for no more than two consecutive terms. If no candidate is elected, the term of office of the incumbent rector is extended by one year. If no candidate is elected again and the office of the rector is vacant at the time of the election, the Senate appoints an acting rector for a term of up to one year.

The University of Tartu statutes stipulate a procedure for a motion of no confidence in the rector on the basis of breaching the law or the statutes of the University. The motion of no confidence can be initiated by a joint declaration of the Councils of at least two schools. To express no confidence in the rector, a two-thirds majority of the members of both the University Council and the Senate must support this decision. This decision takes place in the session of the Senate chaired by the most senior Senate member. If the Council and the Senate pass a no confidence vote, the rector is relieved of their duties before the term in office ends.

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### Commentary

University governance structure in Estonia reflects the position that the engagement with the external environment is important for the University's development. This point is demonstrated through the composition of the University Council, where 45 percent of the members need to be experts in the areas of the University's focus, economy, or entrepreneurship, and who should work in organizations that are not higher education institutions. These members of the University Council are appointed externally by the government based on the recommendation of the minister of education and research. They are not identified by academics from the University.

The Estonian Academy of Sciences, another actor external to the University, appoints its one member to the Council of the University. The remaining Council members are appointed by the University Senate through a university-initiated process.

Each University has its own procedure for electing the Senate, the body responsible for all academic activities. However, in all cases, the Senate needs to include student representatives, faculty members, and the rector. In fact, the University Senate and the rector in Estonia are conjoined because the rector is also the chair of the Senate.

There are clear checks and balances in decision-making between the University Council, the Senate, and the rector and other units at the University. For instance, the rector may repeal any decision made by a University unit if it breaches the law or harms the University. The Senate has a single right of veto on the Council's decision on budget. The Council, on the other hand, can veto decisions passed by the Senate. All in all, the University governance in Estonia acknowledges the possibility of decisions that need to be reviewed and provides a process for doing that in transparent ways, enabling organizational learning.

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# 7 Georgia

Leah Shapiro

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## 7.1 NATIONAL AND HIGHER EDUCATION CONTEXT

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### National Context

Georgia is a country of approximately 3,716,900 people (National Statistics Office of Georgia, 2020) with an aging population; only 10.9 percent of its citizens are 15–24 years old (Central Intelligence Agency, 2020a). Nearly 32 percent of the population lives in Tbilisi, the capital city. Georgia is bordered to the north by Russia, to the south by Turkey and Armenia, to the southeast by Azerbaijan, and to the west by the Black Sea. The country contains two disputed breakaway territories, Abkhazia and South Ossetia, both of which have been occupied by Russian forces since the Russo-Georgian War of 2008 (Goryashko, 2018).

After the breakup of the Soviet Union, Georgia experienced an economic collapse unprecedented among its fellow former Soviet states (World Bank Group, 2018c). However, Georgia has done well economically in the past decade, demonstrating a strong commitment to economic reform. In 2020, Georgia was ranked the seventh most business-friendly country globally by the World Bank (World Bank, n.d.-g). Its GDP grew at an average rate of 4.8 percent per year from 2010–2019, and the poverty rate decreased from 37.4 percent in 2007 to 20.1 percent in 2018. Despite these gains, economic inequity is a challenge. Rural areas experience higher rates of poverty than urban areas, and ethnic minorities remain economically disadvantaged compared to ethnic Georgians (OECD, 2019a).

The youth unemployment rate is 30.8 percent (International Labour Organization, n.d.). To address misalignment between the skills of tertiary education graduates and the needs of the job market, the Ministry of Education, Science, Culture and Sport has reformed and promoted vocational education and training (OECD, 2019a).

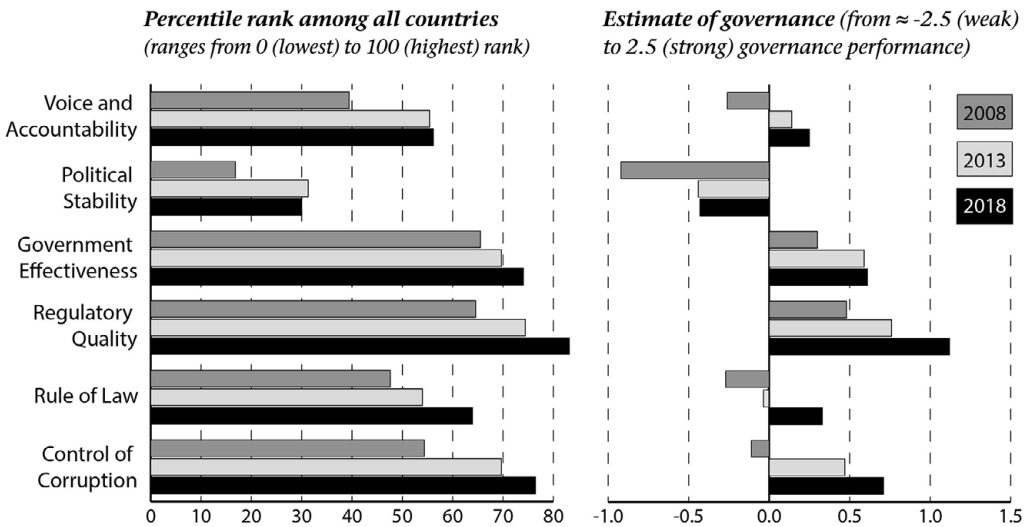
Since the 2003 Rose Revolution, Georgia has positioned itself as a “pro-Western” country. In 2014, Georgia signed an Association Agreement with the European Union, and the country has repeatedly declared its intention of becoming an EU member. This Western orientation is reflected in the country’s market-oriented higher education policies (Dobbins & Khachatryan, 2014).

The Global Competitiveness Index of the World Economic Forum (WEF) ranks Georgia 55th out of 141 countries regarding public sector performance with a score of 54.0 out of 100 and the burden of regulations ranked 11th with a score of 60.8 for 2018–2019 (Schwab, 2019).<sup>1</sup> It scored the future orientation of the government at 51.7, ranked 83rd. Related to corporate governance, WEF indicated a score of 73.2 and a comparative rank of 18. For the Skills pillar, WEF scored Georgia 69.8 out of 100 for the skillset of graduates and a score of 42.7 on the ease of finding skilled employees indicators. This ranked the country 46th and 120th respectively on those indicators out of a total of 141. So, although the country has favorable governance conditions, its future orientation and ability to find needed employees is relatively low. Although the government has some favorable conditions for higher education, it faces significant challenges regarding finding skilled workers and the skillsets of those individuals.

The World Bank Governance Indicators demonstrate that governance in the country is improving. Georgia is particularly strong in control of corruption, which measures the extent to which public power is used for private gain, and regulatory quality, which measures the extent to which government policies promote private sector development. Over a ten-year window, Georgia’s governance context improved, and in some cases significantly. Its control of corruption increased to the 75th percentile from the 55th. Its rule of law score increased almost as much comparatively (Figure 7.1).

<sup>1</sup> The prior competitive framework included a higher education pillar and a quality score. These no longer are included in the 4.0 version of the WEF framework.

Figure 7.1 Worldwide governance indicators for Georgia



### Shape and Structure of Higher Education

There are sixty-four higher education institutions in Georgia, nineteen of which are public. Georgian HEIs are classified as one of three types: research universities, teaching universities, and colleges. Research universities are authorized to award bachelor's, master's, and doctoral degrees. Teaching universities do not perform significant academic research and award first and second-cycle degrees but not doctoral degrees. Colleges only award bachelor's degrees. In October of 2016, there were a total of 190,057 students enrolled in HEIs in Georgia (Erasmus Plus, 2019). In 2019, the tertiary gross enrollment rate was 64 percent (UNESCO Institute for Statistics, 2019).

The Unified National Examinations (UNEs), standardized entrance examinations, were introduced in 2005 to combat corruption in higher education admissions and to improve access for disadvantaged students (Chakhaia & Bregvadze, 2018). Students are awarded state study grants of 100 percent, 70 percent, or 50 percent of tuition based on their UNE scores. Students at both private and public institutions are eligible for state study grants.

Tuition fees, which are capped at the maximum state study grant amount, account for 90 percent of the total income of public HEIs (Erasmus Plus, 2019). Additional funding comes from private grants and donations, competitive state research grants, and the ministries of relevant fields.

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## Higher Education Governing Context

Higher education in Georgia is regulated by two main laws: On Higher Education (2004) and On Educational Quality Enhancement (2010).

The 2004 Law On Higher Education grants autonomy to public HEIs, allowing them to develop their own study and research policies, elect management bodies and officials, and manage their finances. This law, adapted from British-inspired steering approaches, provides rectors with increased financial and budgetary responsibility (Dobbins & Khachatryan 2015). However, the implementation of the law is limited by the granted autonomy. Curriculum is the responsibility of the academics working in collaboration with University administrators. However, the curricula require approval by the Ministry of Education (Dobbins & Khachatryan 2015, Gibbs et. al. (2022) give the example of institutional and program accreditation as evidence. The mechanisms of monitoring are such that they limit autonomy. Dobbins and Krhachatryan (2015), in their study of governance in Georgia and Armenia, argue that the shift to market mechanisms in Georgian higher education only extend to the point where the state is not undermined in its control.

The law also works to promote transparency in management by making the decisions, reports, and legal acts of HEI's managerial bodies accessible to all interested persons. Furthermore, academic personnel and students must be involved in decision-making. The law also defines a three-cycle higher education system consisting of bachelor's, master's, and doctoral degrees, bringing Georgia's system in line with the Bologna Process, which it joined as a full member in 2005.

Both public and private HEIs are monitored by the National Center for Educational Quality Enhancement, which is responsible for quality assurance, authorization of education institutions, management of the accreditation process, and promotion of integration into the European Higher Education Area. It was established by the 2010 Law On Educational Quality Enhancement. The director of the Center is appointed by the minister of education, science, culture and sports in coordination with the prime minister.

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## 7.2 GOVERNING BODY PROFILE

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### Body Structure

According to the Law on Education, the highest governing body of public HEIs is the Academic Council. Public higher education institutions are also

governed by a Council of Representatives (Senate), rector, chancellor, and Quality Assurance Service.

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### **Membership**

Each basic educational unit has an equal number of representatives on the Academic Council. This number is defined by the institution. Representatives can be full or associate professors. Institutions may also allow independent research units to participate in the Academic Council. For example, Tbilisi State University's Academic Council has three representatives from each faculty and one representative from each independent scientific research unit. Akai Tsereteli State University has two representatives from each faculty on its Academic Council. Most public universities have between one and three representatives from each faculty on the Academic Council.

The Council of Representatives consists of student and academic personnel representatives from each of the institution's basic educational units. The membership of the Council of Representatives must be at least double the membership of the Academic Council, and students must comprise one-third of the body. Members of the Academic Council cannot be elected to the Council of Representatives.

Each basic educational unit must have their own Quality Assurance Service composed of professors and associate professors from the respective units.

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### **Member Appointment Process**

Academic Council and Council of Representative members are elected via secret ballot by student representatives and all members of the academic staff of the basic educational units.

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### **Chair Appointment Process**

The rector, the head of a higher education institution, is the chairperson of the Academic Council. They are elected via secret ballot by members of the Academic Council. The rector cannot be elected for more than two consecutive four-year terms of office. The chancellor is responsible for the administration of the institution, including financial and economic transactions. This position is elected by the Academic Council whose recommendation is verified by the Council of Representatives.

One member of the Council of Representatives is elected to be speaker of the Senate. The head of Quality Assurance Service is nominated by the Academic Council and approved by the Council of Representatives.

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### **Board Accountability**

Given that the Academic Council is elected by the University academic staff and students and the ministry has no direct involvement in its daily work, this body seems accountable to its electorate and to the rector who chairs the body. However, as noted above the ministry is highly influential in University efforts, including approval of curriculum and setting the financial and competitive context for the University (Dobbins & Khachatryan 2015).

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### **Scope of Work**

The Academic Council drafts and approves the institution's strategic development plan, approves study and research programs, and promotes integration into the European Higher Education Area. The Academic Council also nominates a chancellor for approval by the Council of Representatives.

The Council of Representatives has the authority to approve the chancellor's budget, approve the Academic Council's nominee for chancellor, and terminate the chancellor.

The rector is the head of a higher education institution. He or she represents the institution's academic and research interests.

The Quality Assurance Services within each basic educational unit promote high quality teaching, learning, and evaluation. They are overseen by the institution's head of Quality Assurance Service.

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### **Commentary**

The Rose Revolution and the Saakashvili government-initiated reforms spurred a series of market-oriented changes in Georgia that are reflected in the evolution of its higher education system and its governance structure. Although maximum tuition is set by the state, higher education institutions are able to manage their own finances; their leaders set and manage budgets. They are able to recruit students, creating an increasingly competitive context. They also elect their own leaders and management bodies and develop their own study and research policies. The state encourages competition



among institutions through its funding mechanisms, combats corruption, and sets quality assurance standards. As Dobbins and Khachatryan (2015) argue, Georgia higher education is pressured both by market forces and by governmental ones. “All in all, a unique model of governance has evolved . . . which seemingly deliberately mix market-based and authoritarian elements” (p. 205).

The country’s economy and political situation, trends in demographics, and the uncertainty in the region mean that universities are under stress. The challenges may suggest stronger alignment of the sector with external needs in terms of relevance but also funding, via tuition fees. However, even with the external demands on universities, there are no direct external voices in Georgian public higher education governance; all members of the governing bodies come from within the universities and the supreme governing body is chaired by the rector, who also is elected from within the University by the Academic Council. State steering is done through other mechanisms. The country a decade ago seemed to have comparatively high levels of a governance capacity context. However, it saw declines per the World Bank indicators, suggesting that it had capacity, but without continued attention that capacity has eroded.

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# 8 Kazakhstan

Peter D. Eckel and Darkhan Bilyalov

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## 8.1 THE NATIONAL CONTEXT

The Republic of Kazakhstan is a land-locked country approximately twice the size of Western Europe but with only 18.8 million inhabitants (Bureau of National Statistics RK, 2021). It is one of the least geographically dense countries in the world. Its two main cities are Astana (briefly called Nur-Sultan) and Almaty, the current and former capitals respectively.

Kazakhstan is a demographically, ethnically, and linguistically diverse country. Its current population consists of over 100 different ethnic groups, including Kazakhs, ethnic Russians, as well as Uzbeks, Ukrainians, Uighurs, Tajiks, Tatars, and Koreans. The country has a tri-lingual education policy according to which students learn and are taught in Kazakh, Russian, and English. Following independence, the country faced a baby-bust and then a boom before leveling off that has impacted school and University enrollments. The decline in birth rates existed from the 1990s through 2005. However, between 2005 and 2010, the trend shifted to a baby boom. Birth rates leveled off in 2010, creating a demographic bubble that is moving through the school system. The World Bank predicts the Kazakhstani labor force will peak in 2030 (2018d), with a population at approximately 22.5 million by 2050 (OECD, 2017b).

As the World Bank bluntly states, “Kazakhstan has gone through massive political, economic, and structural changes in a short period.” (2018d, p. 3). Following the dissolution of the Soviet Union, Kazakhstan faced drastic economic downturns (OECD, 2017a). Between independence in 1991 and 1995, the economy contracted by a third, created by a turn away from the

Soviet centralized economy and complicated further by skilled workers leaving the country (World Bank, 2018d), often moving back to Russia and other post-Soviet States. Oil, gas, and mining sectors led the economic recovery, replacing the Soviet-era manufacturing sector (World Bank, 2018d). Oil and natural resources remain economically important to the country, but their market fluctuations suggest the need to further diversify the economy.

Since 2001, Kazakhstan has made significant economic gains in growing a middle class and reducing poverty (OECD, 2017a). Over the course of ten years the poverty rate fell from 55 percent of the population to 20 percent (2006 to 2015) (World Bank, 2018d). The middle class grew from 10 percent to 25 percent in this same time period. The poorest 20 percent of households saw earnings grow by 90 percent (World Bank, 2018d). However, there exist discrepancies between rural and urban areas, with the poverty rate at 25 percent in rural areas, compared to 8 percent in the largest cities of Astana and Almaty. Those two cities have middle classes of close to half (45 percent) the population compared to 18 percent in rural areas (World Bank, 2018d).

The economic challenges facing the country are focused on the regions away from the capital and rural areas. The January 2022 social conflict focused on the imbalance between urban and rural areas and the economic disparity between them.

An important contributor to the economic growth has been the addition of 1.1 million jobs for a labor force of 9 million. The sectors with the largest job growth were education, health, social services, construction, and transportation and storage (World Bank, 2018d). Given that Kazakhstan is an important hub on China's Belt and Road Initiative, some of these areas are likely to demand workers. That said, the employment growth in the past few years has been in the public sector, including in State Owned Enterprises (SOEs) with their large holdings in gas, transportation, mobile services and electricity, and in small businesses (independent enterprise), which is different from self-employment, along with the modest growth in the private sector (World Bank, 2018d). SOEs have been and continue to be important, comprising 30–40 percent of GDP and playing a stronger role in the country's economy compared to SOEs in the respective economies of neighboring China, Russia, and Turkey (World Bank, 2018d).

Since independence, the oil sector has been the largest and most important area of the economy. However, oil prices have been volatile since 2014. Therefore, the country has undertaken recent economic structural reforms. The government has identified four pillars for economic reform, which

include lessening state intervention and diversifying beyond oil, strengthening the private sector and developing nonbank financial institutions, enhancing trade, and building human capital and improving natural resource management.

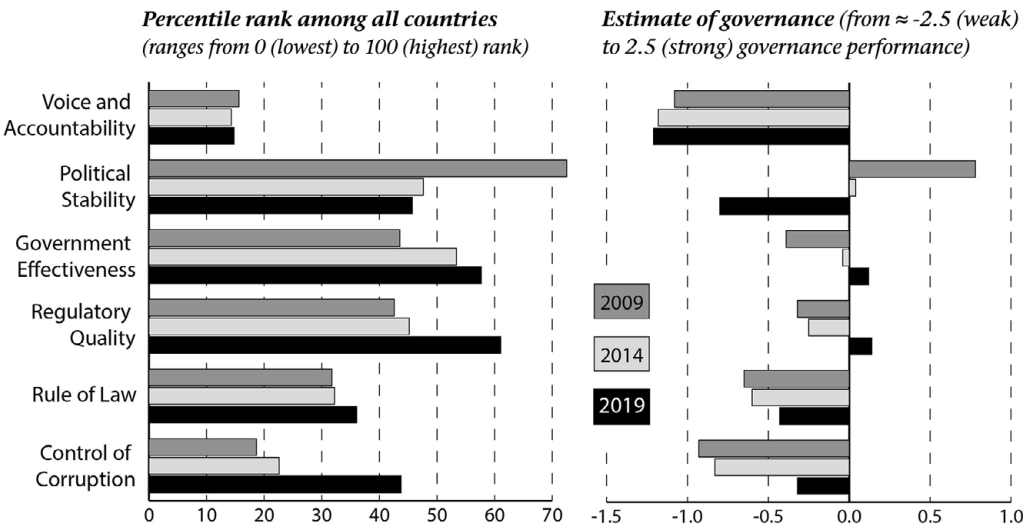
The Global Competitiveness Index of the World Economic Forum (WEF) ranks Kazakhstan 36th out of 141 countries regarding public sector performance with a score of 61.3 out of 100 and the burden of regulations ranked 34th with a score of 49.4 for 2018–2019 (Schwab, 2019).<sup>1</sup> It scored the future orientation of the government at 55.1, ranked 73rd. For the Skills pillar, most closely related to higher education quality, WEF scored Kazakhstan 46 out of 100 for the skillset of graduates and a score of 51 on the ease of finding skilled employees indicators. This ranked the country 95th and 81st respectively on those indicators out of a total of 141. Regarding corporate governance, which arguably is different from public University governance, WEF ranked the country 12th with a score of 74.6. Therefore, the country is somewhat challenged in making policy choices for the future. Overall, it seems that the context should be supportive of higher education and the role that it can play and an effective governance context exists at least in the corporate setting. The country struggles on the quality and output of its education system per these indicators.

The national governing context according to the World Bank's Governance Indicators project is as follows: the control of corruption and regulatory quality across the country has declined. However, political stability increased through 2019. Most indicators hover around or below the 50th percentile rank (Figure 8.1).

Kazakhstan is a unique country in geographic terms. The country is the ninth largest in land mass but with a relatively small population. It has 6 people per square kilometer compared to a world average of 55 and an OECD average of 36 people per square kilometer (World Bank, 2018d). Its primary urban areas housing the political and economic hubs are separated by thousands of kilometers and its extreme continental climate make linkages and synergies between these economic and cultural centers challenging. These factors contribute to meaningful regional differences. In fact, the government is implementing the Serpin Program that provides University scholarships to students in population-rich southern regions to study in the

<sup>1</sup> The prior competitive framework included a higher education pillar and a quality score. These no longer are included in the 4.0 version of the WEF framework.

Figure 8.1 Worldwide governance indicators for Kazakhstan



universities in the less populated northern, eastern, and western regions of the country (Government of Kazakhstan, 2016).

For the most part, Kazakhstan has avoided the ethnic and economic strife common to some neighboring Central Asian states. However, the two-sided challenge of an economic downturn and restructuring that the country is facing has amplified social conflict among youth and in rural areas, creating additional social and political pressure (Bussolo, Davalos, Peragine & Sundaram, 2019). The result was the January 2022 unrest in the Almaty and western regions. The country also has seen an increase in radicalization in rural areas, particularly in the west where there are greater economic disparities; yet the extent of the threat is debated (Stronski, 2016). Furthermore, some citizens have showed increasing frustration with the government and what they perceived as economic and social stagnation out (Stronski, 2009). Protests are infrequent and highly monitored and controlled.

From independence in 1991 through March 2019, Kazakhstan has been led by Nursultan Nazarbayev, the longest-serving leader in Central Asia. Even though he stepped down from the presidency and was succeeded by his successor Kassymzhomart Tokayev (who won approximately 70 percent of the vote in presidential election). The long-serving first president prevented instability common to other post-Soviet States and allowed long-standing

policy frameworks to take root, the most recent being the “100 Concrete Steps.” However, this past election saw an increase in demonstrations and calls for more open and fair elections. To date, Tokayev’s presidency has been marked by the introduction and popularization of the idea of a “Listening state” to improve communication between the government and its citizens as well as by the creation of the civil National Council of Public Trust (Tokayev, 2019).

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## 8.2 THE HIGHER EDUCATION CONTEXT

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### Shape and Structure of Higher Education

The Kazakhstani higher education sector is large, diverse, and undergoing change, if not transformation, particularly compared to its Central Asian neighbors. With independence, the Republic inherited fifty-five universities from Soviet times. Only one of these would be considered classical with multiple faculties across a range of disciplines and fields; the majority were pedagogical or engineering focused (Ahn, Dixon & Chekmareva, 2018). In general, the post-independence period could be clustered into three distinctive periods: “1) the decade of massification and growth of private higher education (1995–2005), 2) the decade of enrollment decline and University closures (2006–2015), and 3) the decade of projected enrollment growth (2016–2026)” (Bilyalov, 2020, p. 9).

In 2018, the total number of students in Kazakhstan’s universities was 512,677 with 93 percent studying at the undergraduate level. Enrollment peaked in 2005–2006 with 775,762 students. Much of the downturn is tied to the declining birthrates as noted above. That said, the country has seen an increase in the share of youth with a general secondary education increasing from 32 percent in 2001 to 62 percent in 2015 (World Bank, 2018d). As the result, the enrollment rates are showing slow but gradual growth in the last two years to 604,000 students enrolled in 2019–2020 academic year (Bilyalov, 2020).

As of 2020, there are 129 higher education institutions (HEIs). Eight are classified as national universities, twenty-seven as state institutions, fourteen non-civic institutions (mainly law enforcement), one autonomous institution (Nazarbayev University, see below), one international (Kazakh-Turkish University), and seventeen institutions in the form of privately and publicly held joint stock companies (JSCs) (such as Kazakh-British Technical University and KIMEP). The seventeen JSCs created before 2019 are jointly owned and operate in limited ways like privately owned corporations in

certain areas such as finances, but the Ministry of Education and Science (MoES) still maintains a strong hand in questions related to choosing institutional leaders and determining human resource policies. The remaining institutions are private.<sup>2</sup> The private sector has been highly volatile as most of the closures in the past decade have been private universities.

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### Higher Education Governing Context

Following the trajectory of other former Soviet states, higher education post-independence was strongly government controlled through the MoES and other ministries that oversaw the universities in their respective sectors, such as agriculture and medicine. The Law on Education and the Law of State Property centralized authority firmly in the hands of government and away from institutions, including private universities and those in the form of joint stock companies. Rectors and vice-rectors were appointed by the ministries, and the rectors of the nine national universities were appointed by the president of the country. MoES set 70 percent of the undergraduate curriculum. The range of programs they could offer as well as the number and types of students admitted was government dictated. Universities did not control their budgets and thus could not generate revenue or make investments. Their use of state-owned buildings and property was restricted.

In 2010, the Republic created a new University, Nazarbayev University (NU), in the capital, Astana. This University was created through a legal framework unique to it. The framework granted unprecedented levels of autonomy to NU and insulated it from direct MoES oversight. This status is something that differentiates NU from prior attempts to create internationally recognized Kazakhstani research universities (Ruby, 2018). In fact, Nazarbayev University has a separate law and the unique mission to spearhead higher education reform in the country and serve as a knowledge and innovation hub in the capital city of Nur-Sultan (Bilyalov, 2017). In addition to being a research-intensive University and educating the country's academically talented, one of its objectives is to build national higher education capacity by serving as a model for new ways of operating. The University receives at least 38 percent of the higher education budget (Canning, 2018), with other estimates even higher if research funding is included. The majority of students do not pay tuition or fees at either the undergraduate or graduate levels. Some programmatic exceptions exist in which students do pay fees.

<sup>2</sup> Data compiled from 2017–2018 AY dataset (Agency of Statistics RK)

In July 2018, a new pivotal law has been approved in Kazakhstan (namely the Law of July 8, 2018 “On amendments and additions to some legislative acts of the Republic of Kazakhstan on the expansion of the academic and managerial autonomy of higher education institutions”). In October 2019, the public University sector completed the important final transition when the government changed the legal status of twenty-five additional public universities to noncommercial JSCs status. This final set completed the transition of all state and national universities being converted to this status. Meanwhile, the government is making provisions to reverse the privatization of thirty-seven public universities that already hold joint-stock company status, thus effectively converting their full ownership to the state (Informburo, 2021), under the management of the Ministry of Education and Science.

These regulations have changed the legal status of the public universities and transformed them into noncommercial joint stock companies completing the transition toward autonomy started by NU. HEIs were given increased autonomy in determining admissions criteria, establishing teacher-student ratio, determining the structure and content of educational programs, and establishing and operating endowment funds. Additionally, the universities through their boards were given authority over setting tuition levels of undergraduate and postgraduate programs, admissions requirements, establishment and dissolution of academic units, creating legal entities, issuing their own diplomas since 2021, determining qualification requirements and staffing procedures for faculty, creation and liquidation of academic structural units, and approving development plans.

While NU from its beginning has had the freedom to develop its own curriculum and degree programs, other public universities’ curricula and degree programs were traditionally controlled by the ministry. With autonomy, the degree of state control of the curriculum at other universities waned so that universities currently define 70 percent of what is taught at undergraduate and master’s level and 90 percent at the PhD level. While given such increased freedom, not many colleges take advantage of it and a few adhere to the traditionally run curriculum with minor alterations (Hartley, et al., 2018). Kazakhstan was also the first Central Asian country to sign on to the Bologna Process in 2010 and align its higher education system to European standards (Ahn, Dixon & Chekmareva, 2018).

The financing of Kazakhstani public universities is a mix of government support and student paid tuition fees. Approximately half of students at public universities are self-financed (OECD, 2017b). However, the majority of public University revenue comes from the government, which is a mix of



student state grants (vouchers) and direct funding. An important exception is NU in which most if not all domestic students are government supported along with an increasing number of international students.

With the move toward autonomy, public universities gained the independence to set and modify their budgets, generate revenue, and set up and manage investment accounts. The Law on State Property that used to govern the majority of public universities limited flexibility regarding how resources could be developed and used and ways that facilities could be leveraged for revenue generation such as through rentals. The Law also placed personal punishments on rectors for ineffective and invalid use of funds, leading to much conservatism related to University expenditures. Compliance not strategy drove the use of resources. The move toward making public universities noncommercial joint stock companies has been a helpful step in providing institutions financial flexibility.

Even with the changes in autonomy, most public universities remain under the responsibility of the Ministry of Education and Science (MoES). However, other ministries, such as the Ministry of Healthcare, the Ministry of Agriculture, and the Ministry of Defense oversee a group of universities with specific missions. This situation is not unusual among former Soviet countries (see Russia, Tajikistan, and Kyrgyzstan cases).

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### 8.3 GOVERNING BODY PROFILE

The governance description that follows focuses on public universities in the Republic. It additionally gives special attention to NU given that it was created as a model for the rest of Kazakhstani higher education and given special autonomous status.

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#### Body Structure

In addition to various governing bodies as discussed below, universities are led by the rector, and they have management Councils composed of University executives and academic Councils that are responsible for curriculum, teaching and learning, and other academic matters. The Academic Council (known as *Ucheniy Sovet* across the post-Soviet contexts) has traditionally been the main collective governing body of the University. The Academic Council consists of up to fifty-one members that meet at least monthly and include both faculty and students along with senior

management and administrators. Despite the Academic Council having the powers over academic matters, in many cases it is dominated by the rector and the senior leadership team when it comes to important decision-making, particularly in administrative and financial matters (Bilyalov, 2016).

As part of the autonomy efforts of the *2011 State Program for Education Development*, different types of governance bodies were created for different types of universities that fall under the jurisdiction of MoES. (Universities that are part of other ministries such as agriculture or health are following different paths.) The specific nomenclature below indicates a particular type of governing structure for a specific type of University with differing governing parameters and responsibilities, something that is not true across other countries, such as the United States.

- Board of Overseers. Originally created for the nine national universities and NU,<sup>3</sup> these bodies are supreme supervisory bodies and have the most authority granted, including the power to select and dismiss the rector; approve budgets; define institutional strategy; and decide on admissions criteria, faculty hiring, and setting senior leadership salaries.
- Board of Trustees. Created originally for most regional public universities; they are advisory and do not have decision-making authority.
- Board of Directors of JSC. These governing bodies were for joint stock companies (JSCs), operate similarly to Boards of Overseers acting as the supreme governing board with the ability to appoint the rector, approve budget and initiatives, and sign off on the institution's strategic plan.
- Boards of Directors of noncommercial JSC. This is the new predominant form of governance that gradually replaced the Boards of Overseers as the converted public institutions establish their new governing structures following the 2018 law.

The Board of Directors now act as the main governing body of the public universities. The Board of Directors are constituted of not less than five members and 30 percent of those members must be independent directors. By law, the boards meet at least once a quarter.

The Board of Directors are external to the institution and are made up by the representatives of the ministry, industry representatives, public figures,

<sup>3</sup> However, NU uses the term Board of Trustees, which is reflective of its international focus and aspirations.

politicians, and representatives of other educational institutions. Despite the boards having the main fiduciary responsibility for the institution, the regulations still posit that the rector “carries the personal responsibility for the operations of the University.” Meanwhile, the Academic Council (*Uchenyi Sovet*) continues to exist, but the bylaws suggest that the Academic Council is considered a collegial advisory body.

For most universities, the single shareholder is typically the Ministry of Education and Science, but it can be another ministry based on whether the University falls under the authority of another ministry such as the Ministry of Healthcare for medical academies. The ministry makes the final appointment of the rector, who is also the chair of the president’s office (*pravlenie*, which could literally be translated as governance). An interesting feature of Kazakhstan is the appointment process of the rector. The Board of Directors develops the program for development of the higher education institution and interviews the candidates based on the priorities of the document. This document acts as the proposal to highlight the vision for the potential University leader.

The Board of Directors sign off on the regulations on appointment and selection of the University rector, corporate secretary, internal audit, and the board committees. It also approves the strategic development plans, operational plans, organizational structure, the number of personnel, admissions criteria, tuition fees, education grant distribution of the University internal grant money, the plan of the board work, the tax policy, the auditing policies, risk management, and other aspects of University governance.

Because the boards of public universities as noncommercial joint stock companies are new, they are still developing their structures. There are only three committees that we found typical for the Board of Directors. These are the committee on personnel and remuneration, the committee on strategic planning, and the committee on audit. In fact, it appears that these committees are the required standing committees for all such boards. The number of board members in each committee varies. For example, each committee in the Eastern Kazakhstan Technical University consists of four members.

At the moment, it is difficult to estimate the average number of Board of Directors at public universities. Because they are at the early stage of creation, the numbers vary, with some universities (such as the Eastern Kazakhstan Technical University) having up to fifteen members, while other institutions, such as the Toraigyrov University (formerly Pavlodar State University), appointed its eight board members in fall of 2020.

From a survey conducted in 2017, before the final round of policy changes, the average size of public University boards is thirteen.<sup>4</sup> The membership varies from a small board of three individuals to the largest board of thirty-five individuals. The size of the board at that time likely depended on whether the board was a one of overseers, directors, or trustees.

Because of the phased transitions, some boards have been operating longer than others. Thus, some of the national University boards have more robust committee structures. For example, Taraz State University named after Dulati, has eight committees – four standing and four temporary. Those standing committees are as follows: (1) executive, (2) finance and property management, (3) academic, and (4) strategic development. The temporary committees focus on the following areas: (1) employment of graduates and training at the request of employers, (2) financial support and the strength of the material and technical base of the University, (3) international cooperation, and (4) students from socially vulnerable groups of the population.

NU as a legislatively independent University was established with a unique two-tiered governance structure. The University has its own Board of Trustees and a Supreme Board of Trustees that governs three entities – NU, the Nazarbayev Intellectual Schools, and the Nazarbayev Fund, an endowment that supports the other two entities.

The NU Supreme Board consists of nine members, including the president of the Republic. The NU Board has thirteen members and can range from seven to twenty-one members according to its by-laws. The bylaws of NU's Board of Trustees allow it to create committees as it sees fit, depending on the needs of the University. Its 2019 committees include: audit; strategy and operations; internationalization; and faculty, student life, and human resources.

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## Membership

The membership of governing boards of public universities is external to the University (non-staff) with the exception of the rector. The individuals serving tend to include representatives from government, such as local or regional governments, corporations and NGOs of local significance to the University, academics from other universities, and alumni.

<sup>4</sup> Unless otherwise sited, the information presented was gathered through a national study of Kazakhstani rectors. Eckel, P. (2016). *Toward Increased Autonomy and Governance Reform: A survey of Rector and board members*. Working Paper: Penn GSE-NUGSE Project on University Autonomy. Astana, KZ.

For NU, its members, except for the rector, are external to the University. They are an intentional mix of Kazakhstani nationals as well as international participants. They come from ministries and other senior government positions, the private sector, and NGOs (Nazarbayev University, n.d.).

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### **Member Appointment Processes**

Board members for most universities are appointed by the responsible ministry. The candidates for board membership should have at least ten years of experience of working in education or healthcare.<sup>5</sup> While nonprofit experience may be advantageous, it also limits participation of business and industry representatives. Board members serve for three- or four-year terms, which are renewable. There are no term limits for board members.

For NU, the Supreme Board of Trustees appoints and removes individuals to the NU Board. Board members serve for a three-year term, which is renewable.

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### **Chair Appointment Processes**

Board chairs mostly are elected by the board itself. In some cases, the rector or the ministry appoints the board chair. Typical board chair service is three to four years (58 percent) with 18 percent of board members serving single-year terms, and 11 percent serving either two-year or five- to seven-year terms.

At NU, the board elects its own board chair. However, according to the bylaws, “The Chair of the Board may be appointed or relieved from his/her office by the decision of the First Chairman of the Supreme Board of Trustees without complying with the provisions of the first part of this clause.”

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### **Board Accountability**

The board of public universities is accountable to the Ministry of Education and Science or to the ministries responsible for the University. Each board member is evaluated yearly by the commission created by the ministry.<sup>6</sup>

<sup>5</sup> Appendix 2 to the Order of the Minister of National Economy of the Republic of Kazakhstan #113 from February 20, 2015.

<sup>6</sup> Order of the Minister of National Economy of the Republic of Kazakhstan dated February 20, 2015 No. 115. On approval of the Rules for evaluating the activities of members of the supervisory board and determining the limit for the payment of remuneration to members of the supervisory board.

In some cases, high performing board members receive a modest honorarium. It is yet unknown how the independent directors in the newly created Boards of Directors are remunerated for their services.

The NU Board is accountable to the Supreme Board of Trustees, which is chaired by the first president of the Republic.

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### Scope of Work

For NU, the Supreme Board is responsible for the following: approval of the long-term development strategy and the charter of the University, intellectual schools, and the fund; approval of the procedure for asset management; composition of the Boards of Trustees of the University, intellectual Schools, and the fund; and decisions on reorganization or liquidation of the University, intellectual schools, and the fund.<sup>7</sup>

The NU Board of Trustees is responsible for the following activities: approving the strategic and development plans; electing and dismissing the president and setting the terms of employment; determining the members of the Managing Council (University's administrative body) with the president's consent and its bylaws; approving salary ranges of University executives; nominating members to the board (with approval of the Supreme body); approving budgets, budget rules, accounting policies, and approving financial statements, including audits; approving procurement rules; setting tuition; certifying degrees; approving major transactions; managing board and management conflicts of interest; making decisions related to creating other entities, liquidating or reorganizing University entities, and acquiring or liquidating shared in other legal entities; approving criteria for partnerships; and reviewing its own performance, that of its members, and its committees.

The responsibilities of Kazakhstani public University boards have varied with the type of body and institution until the most recent changes in the law. Boards of trustees were advisory. Whereas, Boards of Overseers and Boards of Directors (JSCs) have authority and oversight responsibilities. These boards are responsible for hiring the rector, approving the strategic direction and strategic plans of the University, approving budgets and overseeing investment strategies, and making linkages with local business and industry.

<sup>7</sup> <https://nu.edu.kz/news/supreme-board-trustees-retains-composition>.

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**Commentary**

The evolution of governing universities in Kazakhstan is interesting to note for three reasons. First, Kazakhstan is completing a transition if not outright transformation in its approach to governing universities through the creating and empowerment of independent governing boards as part of its autonomy reform efforts. This is no small change from the ministerial oversight approach that was carried over from Soviet times. Furthermore, NU is a grand experiment, not only in governance but in how internationally competitive research universities are structured, managed and led, funded and supported. Its approach to governance through an independent Board of Trustees is part of the larger innovative ecosystem surrounding the organizational structure of NU. In some ways, the approach is very international, if not Anglophone (UK, American, Australian, and Canadian) with an independent board with far-reaching authority and accountability. That said, the composition, responsibilities, and authority of NU's Supreme Board still retains government contact when wanted, given that the chairmanship of that body is the first president and the heavy participation of senior government officials. This seems like a mash-up of Kazak and Western ideals and structures rather than a full-scale turn to the West.

Second, the other public universities are facing two transitions related to the governance reform because, unlike NU, as a new University they have histories, policies, practices, and habits already established. The first transition is that they must develop new capacities and structures at the institutional board and administrative levels as well as within the ministry to support and benefit from independent governance (Eckel, 2019a). This is about doing new things. Second, they must overcome the past, both in terms of old structures and mechanisms (such as attestation and compliance-based performance) and develop new mindsets and ways of thinking. They must create the new and abandon the old and they must manage structures and cultures (Hartley, Gopaul, Sagintayeva & Apergenova, 2015) And all of this has to be done without the ample resources enjoyed by Nazarbayev University.

Moreover, the reform is ongoing, with all public universities recently converted into a new legal form of a noncommercial joint-stock company. The new boards, the Boards of Directors, are being established and populated. This poses multiple opportunities for autonomous governance of the institutions while the older corporate governance structures (Boards of Overseers) disappear. At the same time, there may be a lack of continuity

in board composition with the members of older boards who have gained experience in governance no longer being the members of the newly formed boards.

Relatedly, the role of the MoES must also change. The MoES is moving from direct to indirect steering and giving universities a great deal more freedom. They may lose some influence to market forces as universities set their own strategies and pursue mission-related revenue. They too must put in place new structures and processes and adopt new mindsets, which depart from operational involvement in institutional decision-making and arrives at establishing the mechanisms that allows good governance to happen at universities and simultaneously maintains the necessary level of accountability.

Finally, University and ministerial leaders will face forging a uniquely Kazakh approach to University governance. Independent boards like the ones being created in Kazakhstan are predominately found in countries such as the United States, Canada, the United Kingdom, and Australia, but with a Kazakh approach. These are countries with long histories and traditions of democratic or citizen engagement. Such ways of thought and the values that support them are inconsistent with Kazakhstan's recent history. "Academic [University] leaders in Kazakhstan are being asked to implement reforms that emphasize institutional autonomy and shared governance that do not rest easily with existing norms and values" (Sagintayeva et al., 2018, p. 21). To ensure that this new structure works in this context and at this point in time, the Republic likely cannot simply transfer approaches from one cultural context into their own. Instead, they will have to forge their own way forward in a uniquely Kazakh way.



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# 9 Kyrgyzstan

Zumrad Kataeva and Ali Ait Si Mhamed

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## 9.1 NATIONAL HIGHER EDUCATION CONTEXT

The Kyrgyz Republic, also called Kyrgyzstan, is a small, mountainous, landlocked country bordering Uzbekistan, Tajikistan, Kazakhstan, and China. Kyrgyzstan is a former Soviet republic that proclaimed its independence in 1991. As of January 1, 2020, the population of the Kyrgyz Republic is 6,500,000, with almost 35 percent of the population under fifteen years of age (National Statistics Committee of the Kyrgyz Republic, 2000). The ethnic distribution of the country consists of Kyrgyz (73.5 percent), Uzbek (14.7 percent), Russian (5.5 percent), Dungan (1.1 percent), and other (5.2 percent), which includes Uyghur, Tajik, Turk, Kazakh, Tatar, Ukrainian, Korean, and German (CIA Factbook, 2019). The country is rural, with only one-third of the population living in urban areas.

At the time of independence, more than 60 percent of the population was employed by collective farms placed to produce for the Soviet Union. In addition, the industry sector, accounting for more than 30 percent of gross domestic product (GDP), was also geared toward serving the Soviet industrial complex (Asian Development Bank, 2015). Like other former Soviet republics, the economy of Kyrgyzstan has faced an economic and financial crisis after the collapse of the Soviet Union. For instance, GDP per capita declined by almost 50 percent, from \$1,096 in 1990 to \$535 in 1995, and recovered to the 1990 level only in 2018 (Krawchenko et. al, 2021). In addition, 78 percent of the population lived below the poverty rate (\$3.20 per day) in 2000; however, it dropped by 20 percent in 2017 (World Bank 2020). As a result, the country's

Human Development Index value for 2019 is 0.697, placing it in the medium human development category (United Nations Development Program, 2020).

The national governing context according to the World Bank's Governance Indicators is as follows: Across the indicators, none cross the 50th percentile. Only regulatory quality approaches the mean. That said, the trends across the other indicators are for the most part positive. Those making the most progress – again from a relatively low base – are control of corruption, rule of law, government effectiveness, and voice and accountability. This suggests that the national context of governance is improving, but is still low comparatively (Figure 9.1).

Regarding the economic competitiveness, the Global Competitive Index of the World Economic Forum (WEF) ranks Kyrgyzstan 89th out of 141 countries regarding public sector performance with a score of 47.2 out of 100 and the burden of regulations ranked 82nd with a score of 39.2 for 2018–2019 (Schwab, 2019).<sup>1</sup> It scored the future orientation of the government at 37.1, ranked 129th. For the Skills pillar, most closely related to higher education quality, WEF scored the country 36.8 out of 100 for the skillset of graduates and a score of 34.1 on the ease of finding skilled employees indicators. This ranked the country 130th and 119th respectively on those indicators out of a total of 141. Regarding corporate governance, which arguably is different from public University governance, WEF ranked Kyrgyz Republic with a score of 58.3 (ranked 78th). None bode well for higher education governance. The burden of regulation is high, the future orientation of the government is low, and the current educational system is underperforming.

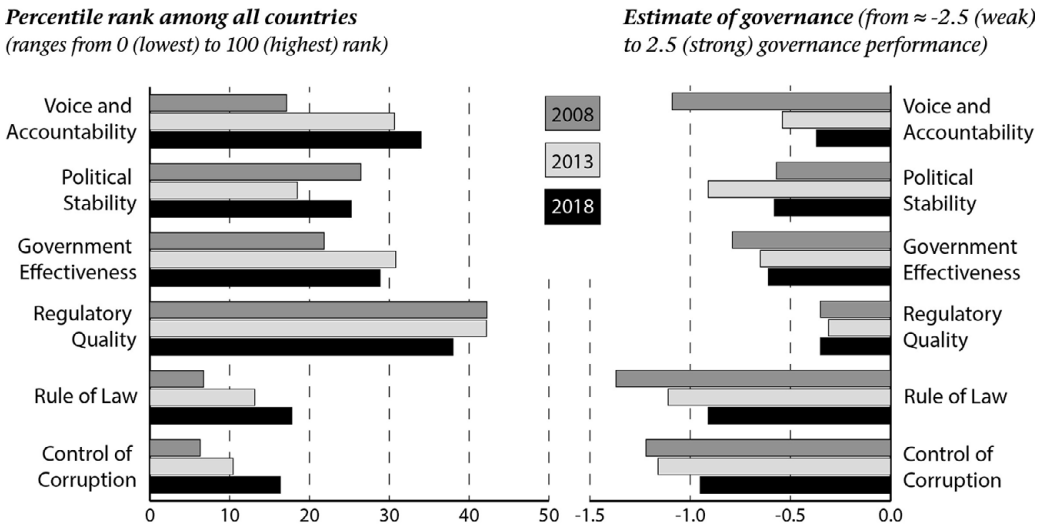
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### Shape and Structure of Higher Education

In terms of higher education, the enrollments witnessed rapid growth after independence due to the expansion of the higher education system and rapid growth of youth enrollment due to various reasons (see DeYoung, 2011). The Law on Education adopted in 1992 created conditions for diversification and expansion of the system, resulting in growth from twelve HEIs in 1991 to fifty-seven in 2020. However, there were fluctuations within these years as new institutions opened and then quickly closed (Shadymanova & Amsler, 2018). The diversification of the system emerged due to the creation of new institutions in all regions and the establishment of new branches, departments, and

<sup>1</sup> The prior competitive framework included a higher education pillar and a quality score. These no longer are included in the 4.0 version of the WEF framework.

Figure 9.1 Worldwide governance indicators for Kyrgyzstan



educational centers within existing institutions and the reorganization of vocational institutions (*technikums*) into higher education institutions to offer market-oriented programs (Shadymanova & Amsler, 2018). Nevertheless, similar to other Central Asian countries, universities in Kyrgyzstan continue to produce graduates in fields that are not relevant to the demands of the labor market, and those in relevant areas are so poorly trained that they are unemployable without significant retraining (Krawchenko et al., 2021).

According to the government website, higher education in Kyrgyzstan represents a very diversified system with thirty-three public and forty private educational institutions as of 2020 ([edu.gov.kg](http://edu.gov.kg)), including two jointly sponsored HEIs (sponsored by government agreement with Turkey [Manas] and Russia [Slavic]), American University of Central Asia (AUCA), the Ala-Too International University, and International University of Kyrgyzstan. In addition, higher education became more linguistically diverse after independence. Therefore, improving the quality of education in both the national language (Kyrgyz) and English and Russian became a focus of educational policy. Although the state law on language promoted Kyrgyz as a national language, the lack of adequate textbooks, dictionaries, and teaching materials in Kyrgyz hindered the implementation of this policy (Shadymanova & Amsler, 2018). In addition, some universities have started programs in English, particularly medical universities, that attract students from South

Asia. International HEIs such as the American University of Central Asia and the Kyrgyz–Turkish Manas University, in turn, offer programs in English or Turkish and have degrees recognized jointly by both governments (Merrill et al., 2021).

As part of educational reforms, Kyrgyzstan aims to promote the principles of the Bologna Process. In August 2011, the government issued a decree requiring all universities to implement bachelor's and master's degrees, using credit hours, by the following fall (Merrill & Ryskulova, 2012; Ministry of Education and Science of the Kyrgyz Republic, 2011). According to the 2011 decree, bachelor's degrees in Kyrgyzstan were four years and a master's two, except for medical degrees, conservatory degrees, and a few other specializations. The transition took place in year-by-year phases (Merrill et al., 2021). First, in 2012, all first-year entering students pursued bachelor's degrees, while those who had entered a year earlier continued in five-year specialist diploma programs. The transition continued until 2016 when the first bachelor's degree and the last specialist diploma recipients graduated simultaneously (Merrill et al., 2021). The PhD programs were introduced first in some specialties, which also were piloted in six universities. The PhD programs now have a duration of three years with 180 credits; however, some of the PhD programs are longer, such as medical programs with six years and 360 credits.

Kyrgyzstan was the first state in Central Asia to introduce a merit-based national University admission exam or General Republication Test (Obshee Respublikanskoe Testirovanie [ORT]) with the funding of USAID and by the initiation of the former Minister of Education Camilla Sharshkeeva to combat corruption in University admissions (Drummond, 2020). By introducing the ORT, the Ministry of Education and Science (MoES) attempted to ensure equal access to higher education and support for rural youth. In addition, the ORT aimed to achieve an independent, objective, merit-based selection of secondary school graduates to study in higher educational institutions based on government scholarships (Shamatov & Bahry, 2020).

As mentioned above, Kyrgyzstan's 1992 Law on Education introduced tuition fees for students to study in higher education (Brunner & Tillet, 2007). It meant that in addition to allocations from state budgets at state universities, "contract" or fee-paying places for students were introduced. Currently, a significant part of higher education institutions' budgets is based on students' tuition fees. Every year, the government of Kyrgyzstan allocates around 5,000 budget places based on the country's needs for different specialists. Priority is given to teaching specialties, and about half of the

budget grants are for “future teachers.” However, due to low salaries, lowering status, limited future opportunities, and hardships of the work demanded from the profession, studying to be a teacher is in less demand (Shamatov & Bahry, 2020).

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### Higher Education Governing Context

The amended 2021 Law on Education proclaims that the governance of the education system is carried out by the government of the Kyrgyz Republic, central and regional government education authorities of the Kyrgyz Republic, and local government bodies. The structure of the education system is developed and approved by the government of the Kyrgyz Republic within the powers assigned to it by law. In addition, the governance of educational organizations is based on the principles of democratization, decentralization, independence, and self-government. The Ministry of Education and Science is the primary organization setting and approving the organization and governance of education. However, some specialized higher education institutions are also affiliated with the other ministries in the country. For instance, the Academy of Management is established under the president of the Kyrgyz Republic, MIA Academy under the Ministry of Internal Affairs, the Kyrgyz State Medical Academy under the Ministry of Health, the Diplomatic Academy under the Ministry of Foreign Affairs, the Bishkek Higher Military School under the Ministry of Defense, and the Osh Pedagogical Institute is accounted to the Local Regional State Administration (Erasmus Plus, 2017).

As a part of the Bologna Process reforms, Kyrgyzstan established independent accreditation of academic programs to assure the public about the quality of higher education programs. To achieve quality assurance of higher education institutions, the working group, including the Ministry of Education and Science (MEoS), developed specific regulations approved by the Kyrgyz government that created the legal basis to start independent accreditation of University academic programs in September 2016 (Ryskulova, 2019). According to the Law on Education, the National Accreditation Council (NAC) is a body that recognizes or denies the activities of independent accreditation agencies based on the regulations established by the government of the Kyrgyz Republic. The National Accreditation Council (NAC) chair is the minister of education, and NAC functions on a pro bono basis. Although the accreditation system is under the control of the MoES, and while the relationship between the MoES and newly established

independent accreditation agencies is not clear, accreditation of higher education institutions is nevertheless a requirement for granting University degrees (Ryskulova, 2019).

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## 9.2 GOVERNING BODY PROFILE

The governance of higher education institutions varies based on the status of universities – public, private, or universities established based on international treaties/agreements. For instance, the governance of Turkish Manas University is significantly different from Kyrgyz–Russian Slavic University. Likewise, private universities have different approaches to University governance structures. However, the governance of public/state universities is outlined in the Law on Education. This chapter describes the governance of public universities that are prevalent in the Kyrgyzstan higher education system.

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### Body Structure

Most public higher education institutions are governed by the Academic Councils and headed by rectors of universities. For instance, the republic's largest University, Kyrgyz National University (KNU), named after Jusup Balasagyn in 2002, is a national University in Kyrgyzstan. It is located in the capital city of Bishkek. KNU is the oldest University in Kyrgyzstan as it was founded in 1925, first as a Kyrgyz Institute of Education with an affiliate campus in Osh. As a prominent University in the country, it has more than twenty faculties with various specialties in social sciences, linguistics, medicine, business, law, teacher education, engineering, and computer science. The main governing body of this University is the Academic Council; however, the rector of this only national University is appointed by the president of the country.

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### Membership

Members of the public higher education institutions' Academic Councils consist by default of rector, vice-rectors, deans, department heads, and senior faculty. The size of this body consists of up to twenty to thirty members.

### Member Appointment Processes

Not all members of the Academic Councils are elected. They consist of the rector (who also serves as chairman of the Council), vice-rectors, deans of faculties, heads of specialized departments, heads of various scientific and pedagogical departments, and representatives from trade unions and student nongovernmental organizations. This contingent should not exceed 50 percent of the total number of Academic Council members. Other Council members include representatives of faculties and other educational structural units such as research institutes, professors, and associate professors. These individuals are appointed. Members of the Academic Council may include the heads of scientific and research institutions, significant scientists, artists, and cultural workers with a specialist training profile who are not employed in the specific institutions. Still, they may be either well-known figures in education or alumni.

The rector approves the composition of the Academic Council of a higher educational institution for a period of two years in agreement with the Ministry of Education and Science.

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### Chair Appointment Processes

According to the 2021 amended Law on Education,

the head (Rector) of a state higher educational institution, except for the leaders of specialized state higher educational institutions such as internal affairs, foreign affairs, and defense, is elected at a general conference of the faculty and staff of a state higher educational institution from among specialists who have academic degree, as well as the relevant qualifications, by secret ballot with a simple majority of votes. The nomination of candidates for the position of the head of a state higher educational institution is carried out by its educational and other structural subdivisions or in the order of self-nomination. Elections of the head of a state higher educational institution are held and considered valid if more than half of the total staff of the state higher educational institution took part in them.” (Law on Education 2003 last amended in 2021)

Further, the Law states that

a candidate is considered elected if they receive more than 50% percent of the votes from the number of those who took part in the election. If none of the candidates has received the required number of votes, a repeat voting is held, in

which the two candidates with the largest number of votes participate. A candidate who has received more than 50% percent of the votes from the number of those who took part in the repeated voting is considered elected. The elected candidate is approved in the position of the head of the state higher educational institution within ten days from the date of the elections by the head of the authorized state body in the field of education. (Ministry of Education and Science)

Therefore, while the University community elects the rector, the final appointment lies with the ministry.

The head of a state higher education institution is elected and approved for the position for five years. However, the same person cannot be elected and approved for the role of the head of a state higher educational institution for more than two consecutive terms. Regular elections of a new head of a state higher educational institution are held no later than thirty calendar days from the date of termination of the powers of the current leader. The head of a state higher educational institution shall exercise powers until the newly elected head of this higher educational institution takes office. The composition and procedure for forming the organizing committee for the conduct of elections are determined by the Academic Council of the higher educational institution and approved by the “authorized state body” in the field of education of the Kyrgyz Republic (The Republic of Kyrgyzstan, 2003).

The recall of the head of a state higher education institution may be initiated by at least two-thirds of the votes of the total number of members of the Academic Council of a state higher education institution. The decision to recall the head of a state higher educational institution is made at a general meeting of the staff of a state higher educational institution by a simple majority of votes and approved by the prime minister of the Kyrgyz Republic. The approval of the decision on the early termination of powers entails the dismissal of the head of a state higher educational institution from office.

In the event of early termination of the powers of the head of a state higher educational institution, the “authorized state body” (The Republic of Kyrgyzstan, 2003) in the field of education of the Kyrgyz Republic shall appoint an acting head of the state higher educational institution before the election of the head of the state higher educational institution. The interim head of a state higher education institution shall not have the right to admit new employees to the collective of a state higher education institution. The election of a new head of a state higher education institution must be held no later than sixty days from the early date.



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### Scope of Work

The scope of work of Academic Councils is outlined in the regulation of the government of Kyrgyzstan on Academic Councils (Polojenie ob uchenom sovete visshego uchebnogo zavedeniya Kyrgyzskoy Respubliki, May 29, 2012, #346) and is of a recommendatory nature; decisions of the Academic Council on the issues of selection and dismissal of personnel and financial and economic activities are also recommendatory to the rector.

According to the same regulation, the main functions and tasks of the Academic Council of a higher educational institution include approval of annual and long-term plans for the development of higher education institutions; consideration of structural changes within faculties, departments, and other units; approval of reports from academic and administrative units; and approval of curricula, timetables, and teaching technologies. The Academic Council also considers and determines financial resources for research and evaluation of the effectiveness of resources. Members of Academic Councils consider faculty promotion applications, doctoral students' progress, issues of awarding personal and state scholarships established for students and postgraduates, and the nomination of scientific and pedagogical personnel of a higher educational institution for government awards.

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### Commentary

The overall context for University governance seems comparatively weak, given the World Bank assessment and WEF indicators. The country performs at a low level across factors that would seem to matter to University governance, such as rule of law, control of corruption, and voice and accountability. Similarly, factors such as a future-oriented government and the quality of graduates are also comparatively low. These create contextual challenges for University governance.

Similar to other post-Soviet countries, Kyrgyzstan's higher education system went through a significant transformation, increasing the number of HEIs. Several adopted policies allowed the establishment of new higher education institutions, including private and international universities. As a result, Kyrgyzstan higher education represents one of the most diverse systems in Central Asia, given the scale of the country, and includes universities such as the American University of Central Asia, Kyrgyz-Turkish Manas University, and Kyrgyz-Russian Slavic University. The governance of HEIs depends on the status of universities – public, private, or

international. The Law on Education allows public universities to elect rectors; however, the scope of work of a governing body, such as the Academic Council, is outlined by the governmental regulation and is only of recommendatory nature. In addition, the president of the country appoints the rector of the only national University in Kyrgyzstan. In sum, although Kyrgyzstan's higher education institutions have autonomy and decision-making power in terms of the election of heads (rectors) of universities, the candidate still needs to be approved by the government bodies along with the members of Academic Councils.

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# 10 Latvia

Rita Kaša

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## 10.1 THE NATIONAL AND HIGHER EDUCATION CONTEXTS

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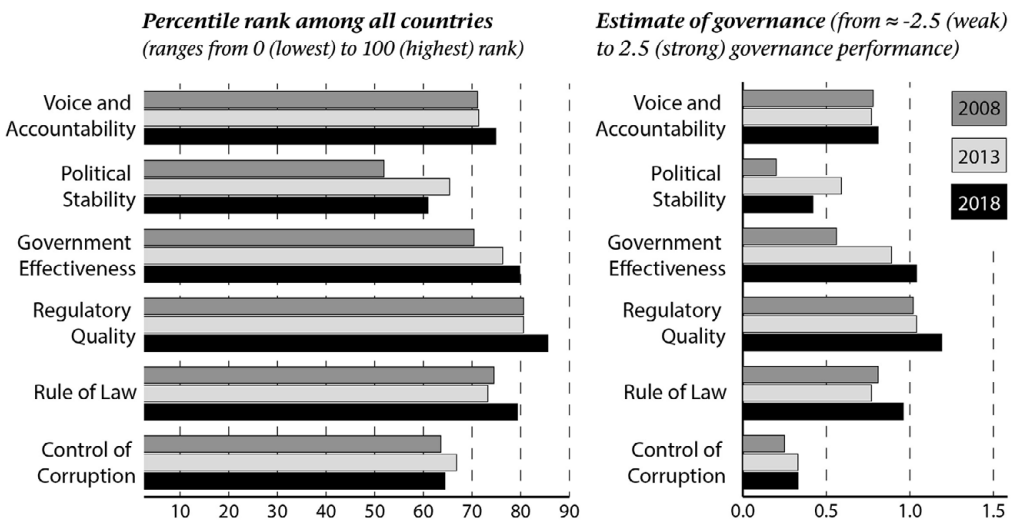
### The National Context

Latvia, a country of almost two million people, is in northern Europe by the Baltic Sea and is one of the Baltic countries. Latvia's neighboring country to the north is Estonia; to the east, Russia and Belarus; and to the South, Lithuania. Since 2004, Latvia has been a member of European Union (EU) and NATO. In 2014, it joined the Euro zone and in 2016 became a member of OECD.

Latvia is a high-income country (World Bank, 2019b). The percentage of people at risk of poverty and social exclusion decreased from 2008 to 2016 from slightly above to slightly below 30 percent of population (Eurostat, 2018). This percentage, however, is one of the highest country poverty levels in EU. Today the service sector dominates the economy. In 2017, services contributed about 74 percent, agriculture about 5 percent, and industry about 22 percent of the country's GDP (CIA, 2019d). Top service fields include retail, transportation, and construction (Central Statistics Bureau, 2020).

A substantial risk for economic development of the country is population decline (LSM, 2019). There was 17 percent population decline between 2000 and 2013; one-third of this was caused by declining birth rates and two-thirds by emigration (Hazans, 2016). Latvia remains a country with the highest expected migration potential in the EU.

Latvia is a parliamentary democracy where 100 members of the parliament are elected every four years in direct general elections. All recent Cabinets of Ministers, the highest executive body in the country formed by political

**Figure 10.1** Worldwide governance indicators for Latvia

parties elected to the parliament, have been coalition governments typically representing more than three political forces. Parties not represented in the government form political opposition (Kažoka, 2010; Pabriks & Štokenberga, 2006). Every four years, the parliament elects the president of the country who is the head of state and commander-in-chief, with high representative and more limited legislative and veto powers.

The national legislation defines governance structures and processes, which have been evolving since regaining the country's independence. The World Bank Governance Indicators provide a summary view on the characteristics of this national governing context. The trend suggests an improving governance context over time. Except for political stability, all of the governance indicators were above the 50th percentile in 2008. Over the next ten years, all of the indicators for the most part have grown stronger, with regulatory quality, rule of law, and voice and accountability – all factors important to higher education – above the 75th percentile (Figure 10.1).

The Global Competitiveness Index of the World Economic Forum (WEF) regarding public sector performance ranks Latvia 79th out of 141 countries with a score of 47.0 out of 100 and the burden of regulations ranked 67th for 2018–2019 (Schwab, 2019). It scored the future orientation of the government at 59, ranked 50th. For the Skills pillar, most closely related to higher

education quality, WEF scored Latvia 53.9 out of 100 for the skillset of graduates and a score of 48.7 on the ease of finding skilled employees indicators. This ranked the country 58th and 100th respectively on those indicators out of a total of 141. Regarding corporate governance, which arguably is different from public University governance, WEF ranked Armenia 49th with a score of 64. Given the population decline, one can see the challenges related to finding skilled employees. Public sector performance is approximately at the median as is the future orientation of the government. While the governance capacity seems high, the economic competitive indices are middling. Thus, there may be significant governance capacity in the system, but with some constraints that permit it to underperform.

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### Shape and Structure of Higher Education

Prior to 2021, the higher education sector in Latvia consisted of six universities, twenty-one non-university type institutions offering bachelor's degrees, two branch institutions of foreign HEIs, and twenty-five colleges that offered first-level or short-cycle higher education (Ministry of Education and Science, 2021). Of all higher education providers, 60 percent were public institutions and 40 percent were private. In total, the higher education sector enrolled almost 76,000 students. Of all students acquiring bachelor's degree and higher, 84 percent attended public HEIs. In the college sector, public institutions enrolled 62 percent of students (Ministry of Education and Science, 2021). Two public universities – University of Latvia and Riga Technical University – enrolled 42 percent of all students pursuing higher education beyond college level; 14,769 and 13,535 students respectively (Ministry of Education and Science, 2021). Enrollments nationally declined by about 40 percent from 2005 (131,072 students) to 2020 (76,282) due to low birth rates and emigration, including for the purpose of education (Kaša, 2015).

In 2020, approximately 60 percent of enrolled students paid tuition fees. In public higher education, there is a dual track tuition policy (Johnstone, 2006) where students are admitted to publicly funded or tuition-free institutions based on their average grade, while other students are admitted to tuition-funded institutions (Ait Si Mhamed, Vārpiņa, Dedze & Kaša, 2018). Fully publicly funded study places are available only to students at public institutions of higher education. Students at private institutions pay tuition unless there are institutional grants available.

In 2021, amendments to the Law on Higher Education Establishments (Saeima, 1995) came into effect, stipulating a new typology of higher

education institutions and distinguishing between research universities, universities of arts and culture, universities of applied sciences, and non-university types of institutions of applied sciences. The type of institution is identified by the founder based on the characteristics of the institution. The Law stipulated that research universities need to specialize in at least three areas of sciences and offer doctoral level study programs. While changes in the higher education sector due to the new law were not observed at the time of writing, such changes might occur in a longer period of time.

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### Higher Education Governing Context

Latvia had a well-developed higher education system prior to Soviet occupation in 1941. After Soviet rule was imposed, the country's higher education system was reorganized to reflect the tenets of the Soviet-style centralized higher education system. When Latvia regained its independence in 1990, the higher education system consisted of ten state higher education institutions. Five were under the supervision of the Ministry of Education, and others were operating under the auspices of the ministries of healthcare, culture, and agriculture (Ait Si Mhamed et al, 2018).

Liberalization, democratization, and modernization were processes that ensued after 1990, generating reforms in the higher education sector as well. The national political priority of integration into European structures provided the direction for higher education reforms. Accession to the EU and acquired global openness strengthened the Europeanization and internationalization of higher education in Latvia (Kaša & Ait Si Mhamed, 2013). Latvia became a strong supporter of the Bologna Process started in 1999, aimed at creating a European Higher Education Area. In addition to its European orientation, a liberal market perspective dominated the underlying steering philosophy of Latvia's post-independence higher education reforms, leading to one of the largest private higher education sectors in the region and public universities with rather high levels of institutional autonomy (Ait Si Mhamed et al., 2018).

In its evaluation of University autonomy by the European Universities Association (2017), Latvia was ranked 22nd in organizational autonomy (medium low at 56 percent) across the twenty-six countries evaluated. It was 2nd in financial autonomy (high at 93 percent); 7th in staffing autonomy (high at 89 percent); and 23rd in academic autonomy (medium low at 50 percent). The report on Latvia notes that universities "operate in a legal framework that gives them significant autonomy in financial and staffing

matters. However, there are considerable limitations in practice in these two dimensions” due to financial constraints (EUA, 2017, p. 119).

Even though the Ministry of Education and Science (MoES) is responsible for higher education policy in the country, reminiscent of the Soviet era, several universities and colleges remain under the supervision of other ministries. The Law on Higher Education Establishments (Saeima, 1995) stipulates that a higher education institution has the right to:

- (1) develop and adopt its constitution;
- (2) develop and adopt its development strategy;
- (3) determine directions for its scientific and artistically creative work, in the case of universities for arts and culture;
- (4) independently decide on the content and form of study programs;
- (5) determine organizational and governance structure of the HEI;
- (6) build human resources at the HEI;
- (7) public HEIs have the right to develop and adopt their annual budget;
- (8) use HEI’s non-financial and financial resources to achieve goals stipulated in its development strategy;
- (9) engage in other activities which do not contradict the principles for higher education institution’s operations set by its establisher and the Law on Higher Education Establishments. (Saeima, 1995)

This country case focuses on the governance structure and procedures at higher education institutions, excluding colleges. The current case study presents only the description of the national legislative framework at the time of publication, public universities in Latvia were rewriting their institutional governing documents to fit with the new higher education governance structure introduced in the country in 2021.

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## 10.2 GOVERNING BODY PROFILE

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### Governance Overview

Amendments to the Law on Higher Education Establishments (Saeima, 1995) of 2021 introduced boards as the primary authoritative body at HEIs. According to the new stipulation, a board became one of the HEI’s governing

bodies along with the Senate, rector, and, if established by the constitution of the HEI, the Constitutional Assembly and Academic Arbitration Court. The new law especially outlined the role of boards at public HEIs. Given the prevalence of the public higher education sector in Latvia, the governance structure at public HEIs will be the main focus of this country case description.

Before proceeding, it is relevant to mention the important role of the constitution of the HEI in the legal governance framework of HEIs. Each HEI in Latvia needs to develop a founding document – a constitution – which lays out the name of the HEI, its judicial status, profile, procedures of determining the structure of the HEI, and procedures for selecting and electing its leadership, as well as stipulating its approach to addressing other questions at the organization. Amendments to the HEI's constitution can be proposed by the Board, the Senate, the rector, at least 10 percent of all members of the Constitutional Assembly of the HEI, an academic department, and the student government. The first instance of review of these amendments is within the Senate. Upon the Senate's approval of the amendments, they are reviewed by the Board. If the HEI also has a Constitutional Assembly, the amendments to the constitution, after they are approved by the Board, need to be approved by this collective decision-making body. The final say, however, about approving amendments to a public HEI's constitution rests with the Ministry of Education and Sciences and is contingent upon the compliance of the amendments with the national legislation.

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### **The Constitutional Assembly**

The largest governing body at a public HEI is its Constitutional Assembly. The number of its representatives is allowed to reach 200 people. Its representatives need to be elected every three years from among employees and students of the HEI. Whether an HEI has this governing body or not is determined by the constitution of the HEI. While the constitution of the HEI will stipulate the exact terms of office for the members of the assembly as well as their election procedures, the national law stipulates that at least 60 percent of all assembly's members need to be faculty and at least 20 percent must be students.

The Constitutional Assembly elects its chairperson, one or more vice-chairpersons, and a secretary. The Constitutional Assembly is convened by its chairperson. The assembly's meetings can also be initiated by one-third of its members, the Senate, or the rector. In a newly founded institution of higher



education, the Constitutional Assembly is convened by the acting rector. It is the Constitutional Assembly that elects and removes the rector of the institution; the rector reports to this body of the University. The Constitutional Assembly also elects the Senate and the Academic Arbitration Court.

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## The Board

The Board is the highest decision-making body at a public HEI. It is responsible for the HEI's sustainable development, the strategic and financial supervision of the institution, and ensures that the HEI works toward its strategic development goals. The HEI Board is expected by law to respect and defend academic freedom. The order of business for the Board is determined by its bylaws and the HEI's constitution. The Board's representation varied by the type of the HEI.

The Board of a research University consists of eleven members. Five of them are internal staff nominated by the Senate. The president of the country nominates one representative with excellent academic credentials who is not linked to the respective University. The remaining five members of the Board are external (not University employees) nominated by the Ministry of Education and Science based on input from alumni of the University, professional associations, employers, and other public stakeholders. The government provides the final nomination of these remaining Board members at a research University. The goal is to achieve that the majority of Board members hold a PhD.

The Board at a University for arts and culture consists of five members. Two are from the University nominated by the Senate. The president of the country nominates one outstanding professional in arts and culture. The remaining two board members, who are external, are selected by the ministry overseeing the HEI in the process of societal engagement representing alumni, professional associations, internationally renowned artists, and other stakeholders.

The Board at the University of applied sciences consists of seven members where three are internally nominated by the Senate. One representative of the sector who is not linked to the University is nominated by the president of the country. Three members to the Board who are external are nominated by the ministry overseeing the HEI following the recommendations from societal stakeholders representing academic, industry, and public sector.

The Board at the non-university type of applied sciences HEI consists of five members. Two are internally nominated by the Senate, one by the

president of the country, and two external members, based on the societal recommendation, are selected the ministry overseeing the HEI and nominated by the government.

The external candidates to the Boards nominated by the government are vetted by a special committee for their reputation, professional credentials, competencies in the areas of risk management, strategic development, international collaboration, and the like. The goal is to establish a Board that represents competencies essential for a strategic leadership of the HEI.

The law stipulates that the nominee to the board should not have at least a year prior to the appointment to the board been an elected member of the parliament or the government (Saeima, 1995). While the Board members nominated by the HEI's Senate can be affiliated with the respective University, those nominated by the State president and the government should not have been employed at the HEI for at least one year prior to the nomination. While on the Board, those nominated by the Senate cannot fulfill the duties of the member in the Senate, be a rector, a pro-rector, a dean, or a vice-dean at the HEI. The Board members can be appointed for no more than two four-year terms. The Board member can be recalled by its nominating body in the case of the loss of confidence.

The Board chairperson is elected from among the members of this body. According to the law, when convening for the first time, the Board chair needs to be elected from among those nominated by the State president and the government (Saeima, 1995). The chair of the Board is elected for up to four years and no more than twice. The Board members are compensated for their work in the amount of the monthly average wage of academic personnel nationally. The chair of the Board receives salary 50 percent higher than other Board members.

The Board has a broad range of tasks. It approves the constitution of the HEI and its amendments, it sets the strategic development plan of the HEI and oversees its implementation, it approves the HEI's annual budget and oversees all financial matters, approves HEI's governance policies, and, based on the rector's suggestion, the Board makes decisions about the structure of the HEI and other governance-related questions. The Board nominates candidates for the rector's position, sets the procedure for the elections, and elects the rector if there is no Constitutional Assembly at the HEI. The Board can initiate the removal of a sitting rector. In decisions that concern tuition fees, directions of studies, and stipends, the Board needs to request a statement on the position of the student government at the HEI.

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## Senate

The Senate of a HEI is a collegial decision-making body composed by the staff and students of the HEI. The mission of the Senate is to protect the academic freedom of students and staff. The size of the Senate cannot exceed fifty people at research universities and twenty-five people at universities of arts and culture and applied universities. Of these representatives, at least 75 percent need to be faculty and at least 20 percent must be students. The election process of senators is stipulated by the constitution of the HEI. A senator can be elected for the maximum term of three years. Student representatives to the Senate are elected by the student self-governance body at a HEI.

The Senate is responsible for ensuring that the constitution of the HEI corresponds to the directions of institutional development as well as other legislative documents. It recommends to the Board which study directions need to be developed. Based on the suggestions from the rector, the Senate decides about opening new and closing existing study programs, sets the criteria for academic ranks at the HEI, and establishes academic ethics standards. The Senate nominates representatives to the Board and can initiate recalling the rector. The Senate's approval is required for documents related to the HEI's development and management prior to their approval by the Board. If the Senate does not agree with some of the documents for more than one month, the Board makes the final decision, reviewing the Senate's objections.

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## The Advisory Convention

The Advisory Convention is an optional institutional body. If created, its purpose is to consult the Board, the Senate, and the rector in strategic matters of an HEI's development. The Advisory Convention may recommend issues for a discussion at the Board and the Senate. Creation of the Advisory Convention can be initiated by a joint decision of the Board and the Senate of a HEI. Decisions of this advisory body have only consultative function to the HEI.

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## The Rector

The rector is the highest official at an HEI. The Constitutional Assembly or the Board, if there is no Constitutional Assembly, elects the rector for a

maximum term of five years. The same rector can be elected for the maximum of two consecutive terms. At research universities, universities of applied sciences, and non-university types of applied sciences institutions, the rector needs to hold a PhD degree. At other universities for arts and culture, a Rector can hold a PhD, professional doctoral degree in arts, or be an elected professor of arts in Latvia or abroad.

The rector is responsible for leading the HEI and implementing steps toward achieving the goals for the HEI's strategic development, including advancing successful personnel policies. The rector appoints pro-rectors and determines their scope of work. The head of the HEI is responsible for developing the plan for the development of research and studies and the overall institutional strategy and submitting these documents for the approval to the Senate and the Board.

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### **The Academic Arbitration Court**

The Academic Arbitration Court reviews complaints from students and faculty regarding infringement of academic freedoms stipulated in the constitution of an HEI. It reviews disputes between administrators or structures of an HEI, rules of an HEI, and it may address other questions as stipulated in the constitution of the HEI. Decisions of this court are binding on the administration of the HEI. Representatives of a HEI administration are not allowed to serve in the arbitration court. Members of this court can only be faculty who are elected by the Constitutional Assembly in a secret ballot. The representation of students in this court needs to be at least 20 percent. These representatives are elected by the student self-governance body at an HEI. Members of the Academic Arbitration Court report to the Constitutional Assembly.

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### **Commentary**

The 2021 amendments to the Law on Higher Education Establishments (Saeima, 1995) shifted the decision-making power balance at public institutions of higher education from the HEI-based structure of insiders, such as the Constitutional Assembly, to the Board, a body composed mostly by members nominated from the outside of the HEI. While the current system of public HEI governance still allows for some variation in the institutional structure, for example, by deciding to have a Constitutional Assembly or not,

the law has assigned the decision-making powers relevant for institutional development to the Board. It stipulates the structure and conditions for the selection of the Board for each type of HEI.

The governance structure of higher education established in 2021 has removed the principle of checks and balances between the rector and the Senate within the institution, where the rector used to not chair the Senate and the Senate had veto rights over the rector's decisions. Now the final decisions on all strategic questions regarding the institutional development rests with the Board. Although the Senate retains its role at the HEI, the Board, which is designed to also represent broader societal interests in higher education, has become the pivotal decision-making body at the institution.

The role of the Ministry of Education and Science now is defined in relation to organizing the negotiations with societal stakeholders for the nomination of 40 percent of the Boards members at an HEI. The government's formal influence does not extend beyond that of organizing the process for selecting societal representatives to the Board. Prior to 2021, universities would appoint their rectors and the government would need to appoint this elected rector to the post to formally assume the duties. Now the government is not involved in the matters of appointing rectors. All these decisions rest with the boards of public HEIs.

As the new University governance structure will root itself in the public sector of higher education, it will be important to examine the impact it has had on the environment of academic work and outcomes.

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# 11 Lithuania

Rita Kaša and Ali Ait Si Mhamed

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## 11.1 THE NATIONAL AND HIGHER EDUCATION CONTEXTS

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### National Context

Lithuania is the largest and the southern most of the three Baltic countries. To the north, it shares a border with Latvia; Belarus is to the east and Poland to the south, and the enclave of Kaliningrad which belongs to Russia, is located in the west on the shore of the Baltic Sea. Since 2004, Lithuania has been a member of European Union (EU) and NATO. In 2015, it joined the Euro zone and in 2018 became a member of OECD.

Lithuania is a high-income country (World Bank, 2020b). The percentage of people at risk of poverty and social exclusion was about 27 percent of the population in 2019, which is above the average of 21 percent at poverty level in the EU (Eurostat, 2020). Trade in goods and services similar to the other two Baltic countries contribute about three-quarters of Lithuanian GDP, with industry contributing 26 percent and agriculture 3 percent (World Bank, 2020b).

Even though Lithuania is the most populous of the Baltic countries, the size of its population has decreased over the past three decades by about one million to 2.8 million people in 2018 (World Bank, 2020b). Reasons for such population decline are the same as those for its neighbors – negative birth rates and emigration (Hazans, 2016). These negative demographic trends are projected to put at risk the very development of higher education systems in the countries of the 2004 EU accession round, including Lithuania (Mizikaci, 2007).

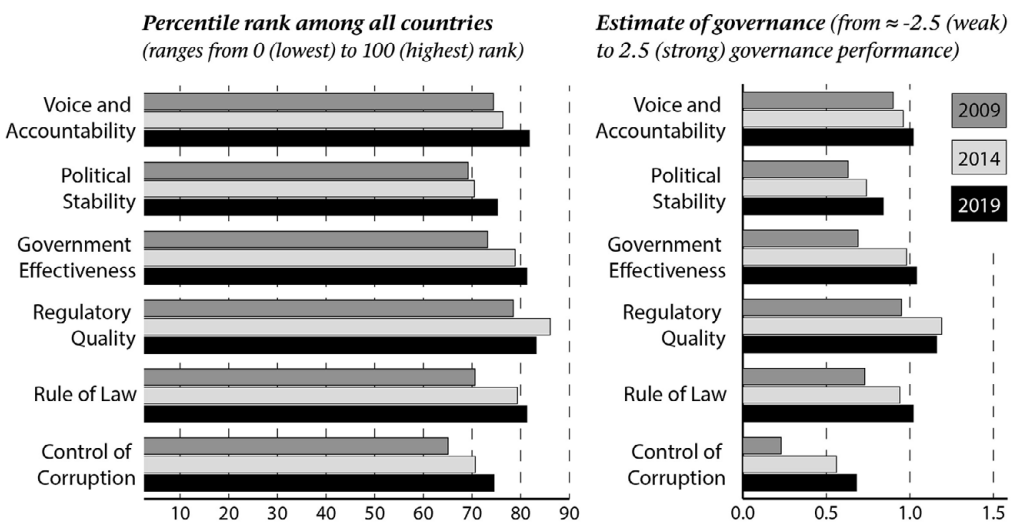
In terms of the political system, Lithuania is unitary semi-presidential representative multiparty democracy. It is the only of Baltic countries where

the state president is elected in a popular vote (Auers, 2015). The president is elected for five years and can serve no more than two consecutive terms. While the president of Lithuania has more domestic powers than the Estonian and Latvian counterparts, their main domain of influence is in foreign affairs. Presidential powers in Lithuania are countervailed by the powers of the parliament called *Seimas*, which is elected every four years. The president appoints the prime minister, who is the head of the government. The prime minister needs to be confirmed in the parliament and then he or she can nominate the government ministers for the presidential appointment.

The national governing context according to the World Bank’s Governance Indicators project is described below. Not just as compared to other countries in the post-Soviet context, but globally, its governance indicators are very high, all above the 70th percentile. However, it has seen its percentile drop across the complete set of indicators, including by approximately 10 percentiles for control of corruption and the rule of law (Figure 11.1).

The Global Competitiveness Index of the World Economic Forum (WEF) regarding public sector performance ranks Lithuania 49th out of 141 countries with a score of 56.1 out of 100. Its burden of regulations ranking was 85th in 2018–2019 (Schwab, 2019). The future orientation of the government is ranked 37th. The Skills pillar is ranked 82nd, with a score of 48.5 out of 100 for the skillset of graduates and ranking of 124th on the ease of finding

Figure 11.1 Worldwide governance indicators for Lithuania



skilled employees indicators. Regarding corporate governance, which arguably is different from public University governance, WEF ranked Lithuania 37th. Taken together, the context for University governance, while strong overall, is (1) slipping downward and (2) seems to struggle with the output of its education for workforce needs. This is likely related to the population decline more than to the quality of education.

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### Shape and Structure of Higher Education

In 2020, there were nineteen universities and twenty-two colleges in Lithuania enrolling 104,000 students (Statistics Lithuania, 2022). There was a change compared to earlier years when the University sector consisted of fourteen public and eight private universities that offered bachelor's degrees and higher, and thirteen public and eleven private colleges that awarded professional bachelor's degrees, enrolling about 150,000 students in total (Leisyte, Rose & Schimmelpfenning, 2018).

Similar to many other countries of the region, Lithuania has a dual track tuition policy (Johnstone, 2006) where students are admitted to publicly funded or tuition-free places based on the results in their University entrance exams, while other students are admitted to tuition funded places (Eurydice, 2019). The grades received during studies determine whether the student continues to receive free higher education. In addition to this approach in distributing funding to students, there are also targeted grants for specialties demanded in the labor market but with limited interest among students, state subsidized student loans, merit-based scholarships to excelling students who have not been admitted to the state-funded places at universities, and social scholarships for various groups of students such as students with disabilities or students who have lost a guardian parent.

The largest University in Lithuania is Vilnius University. It is also one of the oldest universities in Europe, dating back to the sixteenth century. Other major public universities are Vilnius Gediminas Technical University, Kaunas University of Technology, and Vytautas Magnus University.

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### Higher Education Governing Context

Based on political agreements between Soviet Moscow and Germany – the Molotov–Ribbentrop Pact – Lithuania together with the other two Baltic countries was annexed by Soviet forces in 1940. This commenced the



restructuring of the universities according to the Soviet vision for the sector (Leisyte, Rose & Schimmelpfenning, 2018). It included separating teaching and research activities into two different institutional domains and redesigning higher education institutions to align the social fabric of higher education with the tenets and needs of the Soviet state, which aimed to control all dimensions of higher education activity. In this process, academic freedom and autonomy were eliminated.

By 1990, Lithuania had one University and twelve other specialized higher education institutions. At this time, however, the sector of higher education had already begun to change due to democratic currents seeking to weaken the totalitarian state. A highly visible testimony to this process was the reopening of a liberal arts Vytautas Magnus University, previously eliminated by the Soviet regime. The regaining of national independence in 1990 brought next major transformations of higher education sector in Lithuania.

The first decade of this development was marked by the focus on reestablishing institutional autonomy. The state retained two steering instruments – the funding of higher education and the demand for a certain type and number of graduates (Leisyte, Rose & Schimmelpfenning, 2018). Simultaneously, the higher education sector was expanding, creating debates about the recognition of newly established private universities, some of which eventually became part of the system. The decade that followed 2009 was marked by an increasing shift toward market-based University management. Nevertheless, academic elites have still retained considerable influence in University governance decisions.

The contemporary Lithuanian higher education system is characterized by a state supervision model (Leisyte, Rose & Schimmelpfenning, 2018), where universities enjoy a high degree of organizational autonomy. The European Universities Association (2017) has ranked Lithuania 5th in organizational autonomy (high at 82 percent), 14th in financial autonomy (medium high at 73 percent); 10th in staffing autonomy (high at 83 percent); and 23rd in academic autonomy (medium low at 44 percent).

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## 11.2 GOVERNING BODY PROFILE

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### Governance Overview

The Law on Higher Education and Research (Seimas, 2009) stipulates that a University leadership structure includes the Council, the Senate, and the rector. According to the law, a University may establish additional

management bodies as necessary in a procedure stipulated by the statutes of the University.

The Council approves the procedure for organizing the election of the rector of the University, which needs to take place in an open competition, and decides about the appointment and dismissal of the rector. The Council is in charge of assessing administrative staff and other University's employees, approving the internal rules of universities. The Council can rule only if two-thirds of the members of the Council are present. The University rector can participate in the meetings in an advisory capacity. In most questions, the Council needs to consider the input from University Senate.

The law stipulates that the University Council should consist of nine or eleven members. One member is nominated by students. Three or four members of the Council are nominated by the academic staff. Four or five members who are not affiliated with the University are selected in the procedure laid down by the Senate. From these candidates, one is selected, appointed, and recalled in accordance with the procedure laid down by the representation of students. The remaining three or four members are selected through an open competition. The members of the Council, except those selected by students, are elected separately taking into account the different interests of the University. The chairman of the Senate announces the final composition of the Council.

The Council is elected for five-year term at least one month prior to the end of the term of the incumbent Council. When assuming the duties, newly elected members of the Council are expected to sign a pledge that they will work in the interests of the University and the public and pursue this work in good faith. The new Council elects its chair from the members by a simple majority vote. The chairman can be elected only from among the Council members not appointed by students or University staff. The Council members are paid for their work in this capacity according to the University's statutes.

The University Senate governs University's academic affairs and is regulated by its own rules and procedures. It determines the procedures of studies, approves new study and research programs, and submits proposals to the rector for financing these programs and adjusting the University structures as necessary. The Senate evaluates the implementation results of new research programs, approves the internal study quality assurance system, and controls its implementation. The Senate establishes qualification requirements for the positions of lecturers and researchers. It also convenes meetings of the academic community at the University to discuss important issues stipulated

in the statutes of the University. The Senate offers its perspective to the Council on the candidates for the University rector's position and on the range of other questions concerning the management of the University decided by the Council. Based on the recommendation from the rector, the Senate sets the amount of tuition. The Senate also determines the total number of student places, taking into account the possibilities to ensure the quality of studies, research, and art activities.

A term on the Senate lasts for up to five years. Members of the Senate are representatives of the University's academic staff. University's administration representatives participate in the Senate *ex officio*. Student-appointed representatives in the Senate must comprise at least 20 percent of the Senate membership. Student representatives are appointed to the Senate by the student representation body at the University. Also, at least 20 percent of the Senate needs to be senior academic staff with the rank of professor and chief researcher; 20 percent need to be associate professors and senior researchers. Up to 10 percent of Senate members can be representatives of other higher education and research institutions; they have an *ex officio* role in the Senate. The rector of the University is also an *ex officio* member in the Senate.

The Rector represents the University and acts on its behalf. The rector manages and organizes the activities of the University and implements the strategic plan of the University. The rector plays a role in hiring University personnel and signing off on matriculating students. The rector is responsible for managing University finances and setting fees that are not directly related to the implementation of a study programs. The rector publishes the annual University activity report approved by the Council and submits to the Senate and the Council the University's strategic development plans.

The election of the rector is stipulated in the procedure established by the University's Council. The Council announces a public competition for the position of the rector. The rector is elected if at least three-fifths of all members of the Council vote for them. The Law on Higher Education and Research (Seimas, 2009) stipulates that the rector must be a person of impeccable reputation and pedagogical and managerial experience, who holds a doctoral degree or is a recognized artist. On behalf of the University, the chairman of the Council signs the employment agreement with the rector. The rector is elected for five years for a maximum of two consecutive terms. The rector can be removed from the office by at least two-thirds vote if a majority of the Council does not approve the annual activity report of the University submitted by the rector.

### **The Case of Vilnius University**

Vilnius University is governed by the Senate, the Council, and the rector (Supreme Council of the Republic of Lithuania, 1990). A member of the Senate cannot simultaneously be a member of the Council, and vice versa. They need to resign from one of these bodies if they are elected or appointed to the other one.

The Vilnius University Senate is responsible for ensuring academic freedom at the University and is tasked with the supervision of the Council and the rector. The Senate rules by issuing resolutions to the University. The powers of Vilnius University Senate are in line with those described in the Law on Higher Education and Research (Seimas, 2009). The statutes of Vilnius University also stipulate the power of the Senate, with a two-thirds majority of the votes of all Senate members, to pass a vote of no-confidence in the rector. The final decision on the recall of the rector rests with the Council not later than within two months from the no-confidence vote in the Senate.

The Vilnius University Senate is elected for four-year terms and consists of no more than fifty-one members, excluding the rector; the number of Senate members needs to be divided by five. Two-fifths of the Senate members shall consist of persons representing the areas of biomedical, physical, and technological sciences; two-fifths shall be persons representing the areas of social and humanitarian sciences and arts; and one-fifth will be representatives of the University's students. The student representative to the Senate is appointed or elected under the procedure established by the students' representation organization at the University. Other Senate members are elected by the University's academic staff by a process of secret voting. Schools of the University need to elect their senators according to the representation quotas, but not less than one Senate member each. At least half of the elected Senate members need to be professors or chief researchers and at least one-fifth need to have the rank of associate professor and senior researcher. Elections at schools are considered to have been held if at least two-thirds of its personnel eligible to vote have participated in the election of senators. To be elected to the Senate, candidates need to receive the majority of votes of at least half of the voters participating in the elections. In the event where several candidates receive an equal number of votes, the eldest candidates are elected.

The first meeting of the newly elected Senate is chaired by the eldest Senate member participating, who is presented by the chairman of the Central Electoral Commission that organized the election of the Senate. During this meeting, the permanent new chair of the Senate is elected in a secret ballot

with a majority of votes. The chairman of the Council, vice-rector, pro-rectors, chancellor, and heads of core academic units and the University branch offices are entitled to participate at Senate meetings with the right of advisory vote. Resolutions of the Senate are adopted by a simple majority of the participating Senate members, except in cases when two-thirds to make a decision are required. In the event of a tie, the Senate member chairing the meeting shall have the casting vote. At the request of at least one-fifth of all Senate members, voting by secret ballot may be called.

The Vilnius University Council, together with the Senate, is responsible for ensuring the autonomy of the University and monitors the compliance of the University's activity with the University mission, objectives, tasks and principles of activity, general academic interests, and requirements for openness and accountability to society. In line with the national regulations, Vilnius University Council is responsible for electing the rector. Also in line with the law (Seimas, 2009), based on a proposal from the rector and after consulting the opinion of the Senate, the Council submits to the government its decision concerning any changes in the University assets that are owned by the state; making management decisions on other assets based on the rector's proposal and in consultation with the Senate. In the same manner, based on a proposal from the rector and after consulting the opinion of the Senate, the Council approves the tuition and other fees charged by the University, as well as the total number of students at the University, taking into account the capacity to ensure the quality of studies, research, and artistic activity. These procedures are well in line with the version of the Law on Education and Research (2009) prior to 2016, when the law was amended giving this decision-making power to the Senate. The University has significant autonomy across a range of domains.

Vilnius University Council members are elected for five years and consists of eleven members. The composition of the Council corresponds to the stipulation in the Law on Education and Research (2009) presented earlier. Candidates to the Council need to be of good repute, show good understanding of the mission of the University in their work, foster the values of the University, and promote the quality of the institution. Neither the president of the Republic of Lithuania, members of Seimas and the government, nor civil servants of political (personal) confidence may stand for election or be elected to the Council. Each member can serve in the Council for no more than two consecutive terms. No member of the Council is eligible for candidacy for the position of the rector at Vilnius University. The first meeting of the newly elected Council is chaired by the eldest Council member participating, who is

presented by the chairman of the Central Electoral Commission. The chairman of the Council is elected from Council members in the first meeting by the majority of all Council members voting by secret ballot.

The work of Vilnius University Council members is compensated based on the actual hours worked and applying coefficients applied to the official hourly salary of the rector. The hourly rate for the chairman of the Council equals that of the rector, the deputy chairman of the Council receives 85 percent and a Council member 50 percent of the rector's hourly salary.

The Vilnius University rector is the head of the University and shall be officially addressed as "Your Magnificence" (Supreme Council of the Republic of Lithuania, 1990). The rector acts on behalf of the University and represents it, is responsible for the implementation of the mission and objectives of the University, and manages the University's finances and assets. The rector participates in the Council meetings with the right of advisory vote and submits proposals to the Senate and the Council concerning the management of the University. Competencies of the Vilnius University rector align with those stipulated in the Law on Higher Education and Research (2009). The rector is elected for five years for no more than two consecutive terms. A candidate for election to the Vilnius University rector position needs to have a degree in science or art, managerial experience, impeccable reputation, and at least for five years out of the last ten be elected as full professor at a University. Candidates not employed at Vilnius University at the time of their nomination have the right to stand for election to the position of the rector. The election takes place as an open competition in the procedure established by the University's Council. Once candidates are nominated, the chairman of the Central Electoral Commission submits the application documents of all these registered candidates to be discussed by the Senate. After discussing the candidates, the Senate presents its conclusions on their suitability to take the post of the rector and only then the Council votes by secret ballot to elect the rector of the University. The Rector is elected if at least seven out of eleven Council members vote in favor. If there are several candidates and votes split, voting is held in several rounds for candidates who have received the majority votes. The rector, once elected, appoints their leadership team consisting of pro-rectors and a chancellor.

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### Commentary

Although the University governance model in Lithuania represents the balancing of power between the academic oligarchy (Clark, 1983) and

stakeholders outside the ivory tower of academia, the majority of power remains with the representatives of academia.

The rector of a University does not have to come from the academic circles of the specific University. However, the rector must demonstrate highly esteemed academic credentials to be considered for the post. When appointed, the rector needs to lead the University toward achieving its strategic goals while balancing the interests of all parties at the organization. The rector reports to the University Council, which is the institutional governance body in charge of hiring and firing the rector. The University Senate is also a body to which the rector needs to be sensitive given that the Senate presents its own evaluation of the rector's performance to the Council.

The Senate is a University governance body composed of the representatives of the academic community. The Senate members can come not just from its own University but also from other educational or research institutions. The Senate members external to the University have their posts *ex officio*. The rules that regulate the procedures of how the Senate members are elected are likely to vary across higher education institutions. Yet, in all cases, this body needs to represent the diversity of academic ranks, with an emphasis on more senior members of this community, and also includes students. The Senate, thus, represents the arm of academic oligarchy, although its members may come from not one single institution.

The Council is a collegial University governance body that includes members of the University and other stakeholders not affiliated with the University. The profile of about 40 percent of the Council's members selected from outside the University will depend on their selection procedure set by the University's Senate. Thus, the academic community of the University has the final word in determining the diversity of perspectives in the Council.

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# 12 Moldova

Peter D. Eckel

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## 12.1 THE NATIONAL CONTEXT

Moldova is a country of approximately 3.55 million people, not including the breakaway region of Transnistria. It is in southeast Europe and shares its longest borders with Ukraine to the east and Romania to the west. The population has been shrinking since the dissolution of the Soviet Union. From 1990 to 2015, it lost 21 percent of its population (United Nations, 2015). The United Nations predicts that, given current trends of emigration by youth, declining fertility rates, and limited progress on life expectancy gains, its population might decline by another 1.2 million people by 2060 (United Nations, 2015).

Its geographic position places the country between the political pull of the East and the West. It joined the Bologna agreement in 2005. The government of Moldova entered negotiations with the European Union (EU) signing agreements in 2014 for visa-free mobility in the Schengen area. Since that time, political parties that lean to the West and Europe and to the East and Russia have been in tension (Orenstein & Locoman, 2019). The country has also battled corruption and state capture at its highest levels. In June of 2019, the republic faced a government crisis when the Democratic Party, which had been in power, would not recognize the newly formed anti-corruption coalition government that brought together both West- and Russian-leaning parties. The country also has a breakaway region, Transnistria bordering the Ukraine. This area has its separate currency and government but is not recognized internationally.

Moldova is a lower middle-income country making it one of the poorest in Europe; its poverty rate has fallen from 22 percent in 2011 to 9.6 percent in 2015 (Teixeira & Nikolaev (2020)). However, following the global financial



crisis in 2008–2009, its economy was one of the fastest growing in the region averaging 4.5 percent growth from 2010 to 2017 (World Development Indicators, 2018). Today, the service sector dominates the economy – 70 percent in 2016, up from 49 percent in 2000. Agriculture, the second largest sector, declined during that same period from 29 percent to 14 percent of the economy.

The Global Competitiveness Index of the World Economic Forum (WEF) ranks Moldova 56th out of 141 countries regarding public sector performance with a score of 51.8 out of 100. Regarding the burden of regulations, it ranked the country 76th with a score of 40.2 for 2018–2019 (Schwab, 2019). It scored the future orientation of the government at 44.2, ranked 114th. For the Skills pillar, most closely related to higher education quality, WEF scored Moldova 43.5 out of 100 for the skillset of graduates and a score of 36.7 on the ease of finding skilled employees indicators. This ranked the country 106th and 136th respectively on those indicators out of a total of 141. Regarding corporate governance, which arguably is different from public University governance, WEF ranked Moldova 51st with a score of 63.5.

The national governing context according to the World Bank's Governance Indicators project is as follows by percentile rank. These figures are intended to show trends over time associated with a set of country-level data that may impact University governance. By percentile, its overall governing context is below the 50th percentile in all areas except for regulatory quality. Voice and accountability and government effectiveness have improved the most in the past decade. Regulatory quality and rule of law have improved slightly. However, the scores across all indicators remain low as compared to international thresholds. The implications are that the context for universities is challenging. The system seems to lack capacity regarding governance and is not effective at producing graduates for workforce needs or focusing on the future (Figure 12.1).

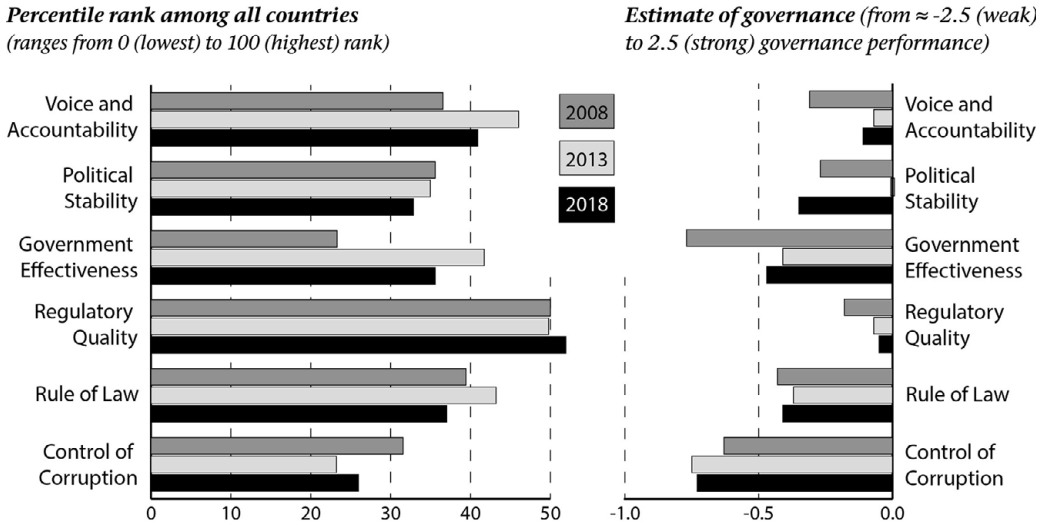
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## 12.2 THE HIGHER EDUCATION CONTEXT

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### Shape and Structure of Higher Education

The University sector in Moldova consists of nineteen public and ten private universities (NSB, 2018). They enroll 55,700 students and 9,800 students respectively (65,543 total) (NSB, 2018). The average enrollment is less than 2,000 students for all but two of the public universities; Moldovan State University and Moldovan Technical University each enroll approximately

**Figure 12.1 Worldwide governance indicators for Moldova**

10,000 students. Enrollments nationally have declined by almost 20 percent in the past two years. Emigration, falling birth rates, and aggressive recruitment and scholarships from nearby Russian and Romanian universities have contributed to the steep decline. Public funding for universities has also declined the past ten years; however, because of enrollment declines, per student funding is on the rise (World Bank, 2018b). The Ministry of Education, Culture and Research (MoECR) is undertaking an optimization process to reduce the number of universities and pedagogical colleges during the 2019–2020 academic year.

Approximately 65 percent of enrolled students pay some level of tuition fees. Of the 65,543 students enrolled in 2018/19, 23,260 received State government scholarships, which are offered in terms of merit and need. Government funding proved insufficient, and universities created contract education and charged these students tuition fees to enroll (Bischof & Tofan, 2018).

### Higher Education Governing Context

Its Soviet history has had a strong impact on the structure and shape of Moldovan higher education. All but one University and all of the institutes were created during the Soviet period, at which the University structure, curriculum, and even academic staff were imported by the USSR with the

Soviet model being replicated in Moldova (Bischof & Tofan, 2018). The structure of the higher education system during Soviet times consisted mostly of special focused institutes – pedagogical, medical, technical, art, agricultural – and a conservatory. There was a single comprehensive University. Furthermore, most of these Soviet-style institutes and the University did not have active research agendas; research was conducted by the Academy of Sciences and its University (Bischof & Tofan, 2018). The University system during this period was highly centralized, which in turn meant that the curriculum was unresponsive to local economic needs (Smolentseva, 2012).

A series of reform laws aimed at modernizing Moldovan higher education occurred following the dissolution of the Soviet Union. During the initial wave of reforms, institutes added diversified curricula and transitioned into universities. A second set of reforms occurred in the early 1990s, which included the emergence of private universities (Bischof & Tofan, 2018). In 2005, Moldova joined the Bologna Process, further spurring reforms such as aligned degree structures, new forms of quality assurance, and a focus on degree relevance. The most recent legislative reforms were implemented with the adoption of the current Education Code in 2014.

As part of the 2014 reforms, the MoECR granted autonomy to Moldovan universities. The Code defines University autonomy as “the right of the University community for organization and self-management, exercising the academic freedoms without any ideological, political or religious interferences, assuming a set of competences and obligations in line with the national strategies and policies for the development of higher education” (MoECR, 2014, p. 41). The granted autonomy gives universities the rights and responsibilities related to

- research;
- the curriculum (although aligned with state education standards);
- admissions;
- hiring and promoting personnel;
- establishing management bodies;
- addressing student and staff social and discipline problems;
- overseeing finances and budgets, including seeking additional sources of income and keeping accumulated income and developing material resources; and
- administrating property to advance University mission/charter.

Along with this autonomy, the Education Code puts forth a set of guiding principles of (1) public responsibility, (2) strategic leadership, and (3) efficient and transparent management. However, the Code states that higher education management shall be performed at two levels: at the national level by the MoECR and at the institutional level. This dual responsibility signals that the Ministry continues to play a meaningful if not direct role. To that point, the functional level of University autonomy is debatable according to World Bank (Teixeira & Nikolaev, 2020), with the Ministry exerting continued control directly and indirectly over the shape of the system and at the University level. Although the possibility and structure for institutional control exists given the autonomy framework and the fact that that Moldovan universities charge tuition to two-thirds of their students and thus need to be market responsive.

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### 12.3 GOVERNING BODY PROFILE

The primary governing body of Moldovan universities is the Senate, which is codified in national statute as that which represents the supreme management body (MoECR, 2014). It operates on a five-year mandate that coincides with that of the elected rector of the University.

There is a second governing body, the Strategic and Institutional Development Council (SIDC), that on some organizational charts appears on the same level as the Senate and has some authority over the rector (see, for example, Universităţii De Stat “Bogdan Petriceicu Hasdeu” Din Cahul, 2015). Although the Code of Education identifies the Senate as the supreme body, there are powers of the SIDC that extend beyond the reach of the Senate, as will be explained below. However, most SIDC decisions need to be approved by the Senate. Thus, there are two bodies that are created to work in concert with each other and as checks and balances on institutionally relevant decisions.

The final body of note is the Administrative Council, however, based on the terms and definitions of this book, it is considered as a management rather than governance body and thus falls outside the focus of this discussion.

Appendix 1 at the end of this chapter summarizes the ensuing discussion and compares Senates and SIDCs. This information was collected through Ministerial document and web analysis of Moldovan universities with available websites that describe elements of their governance structures.

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### Body Structure

The size of the Senates seems to range from a low of 36 members to a high of 101 members. The SIDC size is determined by statute and set at 9.

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### Committees

Committees vary across institutions. The Technical University of Moldova lists its standing committees on its website. This Senate is the largest one of those described consisting of 101 members and the only one with publicly specified committees. These committees include:

- Competition Commission;
- Education and Quality Assurance Commission;
- Scientific Research and Student Creativity Commission;
- Budget, Finance and Resource Optimization Commission;
- Internationalization, Cooperation and Partnership Commission;
- Social Problems, Students' Extracurricular Activities Commission;
- Prizes Awarding Commission;
- Discipline, Integrity and Ethics Commission; and
- Control of Enforcing The Senate Decisions Committee.

This University's Senate also has ad hoc committees and an executive committee.

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### Membership

The membership of University Senates is internal to the University. It includes the rector and prorectors, deans and directors of research and centers, elected academic staff, trade union representatives, and elected students. Stated in the Education Code is the student right to "be elected in the governing structures of the educational institutions" (MoECR, 2014, p. 81).

Membership of the SIDC consists of both University staff as well as outside, independent members. According to statute, SIDC membership includes the rector, pro-rector of finance, five non-university or community

members, and two teaching staff who are not members of Senate. Independent members of SIDC (who are not University employees) are compensated in their role and the chair is compensated at twice the level of members.

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### **Member Appointment Processes**

Membership for the Senate is elected by secret ballot by members from the University for five-year terms. These terms coincide with the elected term of the rector.

For SIDC membership, the Senate selects two teaching staff and two external experts (non-staff) for four of the nine posts. Ministries of Education, Finance, and Competence each select one external member and these individuals cannot be employed by Ministries. The rector serves as part of his/her appointment as does the pro-rector for financial matters. The Code suggest that members include economists and lawyers. SIDC members serve five-year terms.

The rector is elected to five-year terms that are renewable once for ten years. However, many rectors serve multiple terms beyond that. They are elected by secret ballot of the General Assembly of teaching and research staff and by the student representatives serving on the Senate and faculty Councils. The SIDC starts the process by publishing a notice and reviewing candidate dossiers to ensure they meet minimum qualifications. The SIDC or the majority of the Senate may dismiss a rector before the term is completed with the confirmation of the majority of the General Assembly and student representatives to the Senate and faculty Councils.

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### **Chair Appointment Processes**

The elected rector serves as chair of the Senate. The chair of the SIDC is voted upon by its members and must be one of the external members of that body, not employed by the University.

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### **Board Accountability**

The Senate and SIDC are accountable to the Ministry of Education. Moldova also has a quality assurance schema, but it is unclear if that body includes governance as part of its quality review process.

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## Scope of Work

The Education Code sets out a range of responsibilities for the Senate, and from that framework, universities develop a list of Senate tasks. These lists vary but tend to focus on the following categories of work:

- **Strategy.** Ensure principles of academic freedom and institutional autonomy; develop and approve the University charter; approve rectors' annual report; approve strategic development plan that is created by SIDC; nominate staff and confirms SIDC members; confirm SIDC recommendations on creating and terminating academic programs and SIDC recommendations engaging in consortia, entrepreneurial activities, and public-private partnerships.
- **Organization and Administration.** Elect deans and academic heads; determine University structure.
- **Finance.** Approve budget that is created by SIDC; approve project budgets; approve ways of obtaining revenue, donations, and of settling debts.
- **Staffing/Human Resources.** Approve the methodologies and regulations for the recruitment, employment, and evaluation of the scientific, didactic, scientific, and didactic staff; elect and reelect University professors, in some universities.
- **Academic, Curriculum, Research.** Develop and approve admissions framework; approve research strategy; approve institutional educational plans; approve the results of admissions and license exams.

The SIDC has responsibilities as noted above in the Senate work description and requires approval by the Senate. The scope of SIDC's responsibilities include:

- **Strategy.** Coordinate the Strategic and Institutional Plan and submit it for final approval to Senate; ensure intellectual property and tech transfer; and make decisions about entrepreneurial activities, public-private partnerships, and consortia; develop remuneration methodology.
- **Organization and Administration.** Organize rector election; develop physical plant.
- **Finance.** Draft budget for Senate approval and monitor finances; approve model-study contract and tuition fees.
- **Academic, Curriculum, Research.** Approve launch and close of study programs with approval of Senate.

The governance structure is created to have two bodies with shared responsibilities and approval mechanisms, particularly related to the budget and strategy of the University.

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### Commentary

The Senate is the supreme governing body as dictated in the Education Code and seemingly in practice. However, the governing powers are divided between the Senate and the SIDC, at least on paper. Although the Senate is the supreme body and as the Academy of Economic Science's website indicated, it "has the right to debate any issues related to the educational process and scientific research as well as management, socio-economic and financial activity" (Academy of Economic Science, n.d.).

The SIDC has the potential to be a meaningful governance actor because the scope of its work focuses on key strategic topics. These include budget development and tuition setting, the monitoring role related to the efficient use of financial resources, the development of the strategic plan, the development and consolidation of the institution's patrimony, and decisions related to launching and closing study programs. Budget and financial oversight, study programs, and physical plant and land use are fundamental strategic issues that a mix of University insiders (including the rector) and outsiders govern. All of that said, the SIDC decisions require Senate final approval, thus providing leverage for the Senate and constraining the authority and impact of this body. The Senate also appoints four of the nine members to that body, exerting both direct and indirect influence over SIDC work.

Through investigation of documents and websites for this brief, Senates are presented more often and in greater detail than the SIDC. While websites have great limits, the variations are striking between the public depictions of Senates and SIDCs and their relationship to each other. One can begin to speculate where the real power lies at each institution.

The SIDC structure has the potential to keep direct ministerial influence to a minimum, given that although ministries can appoint members of SIDC, they cannot be members of ministerial staff. That said, members of other ministries are appointed to SIDC, opening the doors for direct governmental influence. The broad sweep of fiscal and curricular powers, and the fact that the rector is elected by the University, also have the potential to lessen ministerial influence. Given the low scores in the WEF's Global Competitiveness index related to the future orientation of the government, ranked 114th out of 141 countries, and the low scores associated with higher



education's performance – skillset of graduates ranked 106th and ease of finding skilled employees ranked 136th, and coupled with a disproportionately strong record of corporate governance, ranked 51st, using the structure of the SIDC more effectively and with less government influence – direct or indirect – seems to have strong potential as a tool for effective University governance. Unlike other countries that do not have such a structure in place that allows for more distance from direct government control and opens lines of influence with corporate and other nongovernmental leaders, Moldova has such a structure but seems to be underutilizing it.

Finally, it is important to note the role and position of the rector in the Moldovan University governance structure. The rector, elected by the University and an institutional insider, not only chairs the Senate but also leads the Administrative Council, and this individual sits on SIDC. In addition to the rector, the pro-rectors and the deans sit on the Senate, and the pro-rector for finance additionally sits on SIDC. Therefore, one must consider the administrative authority present in governance. Serving with the elected mandate of the University and its academic staff and positioned structurally in key authoritative positions in both the Senate and SIDC and as a bridge between them, the rector likely has strong say in the governance of the University.

# Appendix 1

## Governance in Moldova

**Table 12.1 Governing Moldovan universities: Senate and SIDC**

	Senate	Strategic and Institutional Development Council (SIDC)
Purpose	“The supreme management body of the University” (Code)	to oversee strategic initiatives
Size	36 (Tiraspol State)–101 (Tech U of Moldova)	9
Committees	example committees: Competition Commission Education and Quality Assurance Commission Scientific Research and Student Creativity Commission Budget, Finance and Resource Optimization Commission Internationalization, Cooperation and Partnership Commission Social Problems, Students’ Extracurricular Activities Commission Prizes Awarding Commission Discipline, Integrity and Ethics Commission Control of Enforcing the Senate Decisions Committee	
Membership	rector, pro-rectors, deans, academic staff, heads of research Councils and other key units, students	rector, pro-rector of finance; five non-university members; two teaching staff (non-executive)

Table 12.1: (cont.)

	Senate	Strategic and Institutional Development Council (SIDC)
Appointment Process	elected every five years	Senate selects two teaching staff and two external experts (non-staff); Ministries of Education, Finance and Competence each select one external member (cannot be employed by Ministries)
Leadership: Chair	rector	elected by SIDC and cannot be University employee
<b>Scope of Work</b>		
Strategy	ensure principles of academic freedom and institutional autonomy; develop and approve the University charter; approve rector annual report; approve strategic development plan (created by SIDC); nominate staff and confirm (without amendment) SIDC members; confirm SIDC recommendations on academic programs, consortia, entrepreneurial activities, and public-private partnerships	coordinate the Strategic and Institutional Plan (for final approval to Senate); ensure IP and tech transfer; and; make decisions about entrepreneurial activities, public-private partnerships, and consortia; remuneration methodology
Org. & Admin.	elect deans and academic heads, determine University structure	organize rector election, develop physical plant (patrimony)
Finance	approves budget (created by SIDC); approve project budgets; approve ways of obtaining revenue, donations, and settling debts	draft budget and monitor finances, approve model-study contract and tuition fees
Staffing	approves the methodologies and regulations for the recruitment, employment, and evaluation of the scientific, didactic, scientific, and didactic staff; elect and reelect the University professors	
Academics	develop and approve admissions framework, approve research strategy, approve educational plans, approve the results of admissions and license exams	approve launch and close of study programs with approval of Senate
Other		members are compensated with a monthly allowance (except rector and pro-rector)

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# 13 The Russian Federation

Zumrad Kataeva

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## 13.1 THE NATIONAL AND HIGHER EDUCATION CONTEXT

The Russian Federation is located both on the European and Asian continents, with the dividing line of the Ural Mountains between the two. The country's land area is 17,075,400 km<sup>2</sup>, with 78 percent of the population living west of the Ural Mountains. The country's population is more than 146 million, three-quarters of which live in cities, making for an urban nation. Russia has one of the world's most diverse societies, with as many as 160 ethnic groups. The two major cities are the capital Moscow, with over twelve million people, and St. Petersburg, with over four million.

The Russian Federation is a federal presidential republic with the president being the head of the state. According to the constitution, the president is elected for six years. Government duties are split between several ministries, some of which, in turn, have federal services and federal agencies. The head of the government, the prime minister, is appointed by the president and approved by the State Duma (lower chamber of the parliament). Russia has a two-chamber legislative power. The parliament, the Federal Assembly, is composed of the Council of the Federation (upper chamber), with 170 seats, whose members are appointed by the regional governors and legislative institutions for a four-year term of office, and the State Duma (lower chamber), which has 450 seats elected by direct election for a four-year term.

The country is grouped into seven federal districts; however, federal districts are not established by the country's constitution and are not the constituent units but exist for federal government agencies' convenience of governing and operation. Each district includes several federal subjects, and

each federal district has a presidential representative. According to the constitution, the federation is divided into the federal subjects, or areas, of Russia. Since March 18, 2014, the Russian Federation constitutionally consists of eighty-five federal subjects.

According to the WEF Global Competitiveness Index, the Russian Federation ranks 43rd out of 141 countries. As of the burden of regulations, it ranks 90th with a score of 37.0 for 2018–2019 (Schwab, 2019). Russia has increased the quality of its research institutions and R&D expenditures (1.1 percent of GDP, ranking 34th). In terms of skillset, Russia ranks 54th among 141 countries with a score of 68.3 out of 100. Regarding the skillset of graduates and ease of finding skilled employees, Russia ranks 77th with the score of 50.1 and 47th with scores of 58.7, respectively. In the past year, Russia revised down its assessment of the skillset of secondary education graduates by 0.1 points, indicating that the quality of education is not keeping up with the needs of a modern economy (Schwab, 2019). Regarding corporate governance, which arguably is different from public University governance, WEF ranked Russia 75th with a score of 59.2.

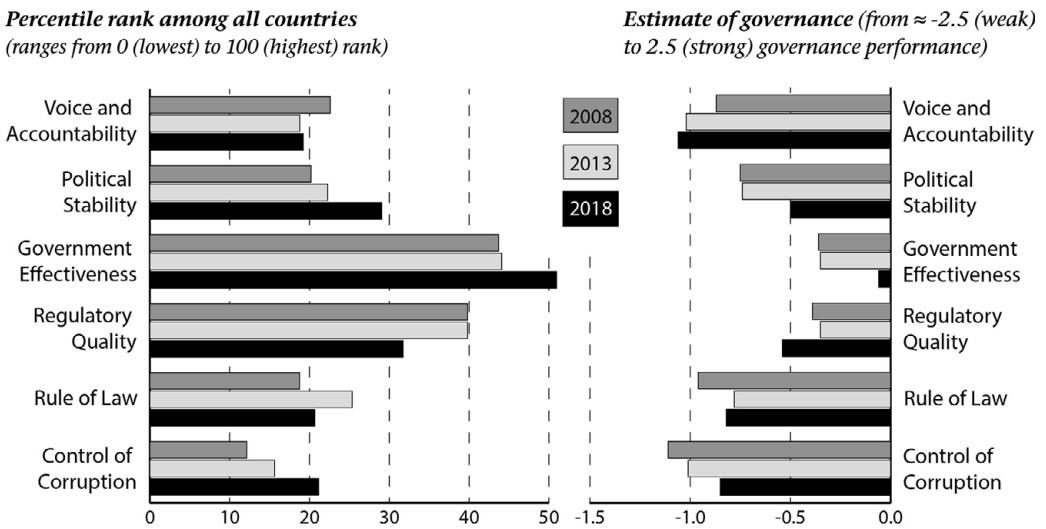
According to the World Bank Governance Indicators, Russia's ranks are all below the 50th percentile, except for government effectiveness. The rule of law, voice and accountability, and regulatory quality have dropped over the five-year period of 2013 to 2018 and are in less than the 20th percentile. These indicators suggest that Russia does not have a robust context for University governance and has a high burden of regulation (Figure 13.1).

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### Shape and Structure of Higher Education

The collapse of the Soviet Union has significantly impacted the economy of Russia. From 1990 to 2002, key sectors of the economy lost up to one-third of the total number of employees: the industrial sector (about 36 percent), agriculture (20 percent), construction (23 percent), and transport and communications (16 percent) (Platonova et al., 2019). These changes in the labor market resulted in reducing the demand for natural science training with higher education and have led to a decrease in the popularity of engineering universities. At the same time, the social and financial sectors of the economy increased significantly. For example, employment in the trade sector increased by 85 percent, in the financial sector by 103 percent, and in public administration by 85 percent (Platonova et al., 2019).

As of 2018–2019, the higher education system consists of 741 higher education institutions – 496 state universities, including 10 federal universities,

**Figure 13.1 Worldwide governance indicators for Russia**

29 national research universities, and 247 non-state and private universities. After the collapse of the Soviet Union, Russian higher education experienced substantial growth in the number of universities between 1991 to 2011. In addition, the legislation adopted in 1992 allowed the establishment of private HEIs (the Law on Education). The number of private HEIs grew to 358, an eight-fold increase, although only 7 percent of students were enrolled in the private sector (Platonova & Semyonov, 2018). In addition, the system witnessed the establishment of HEI branch campuses that allowed wider access to higher education in the regions.

After a relative decline in the mid-1990s, the number of students has grown every year. In 2000, the number of students per 10,000 was 327, significantly higher than in 1995 at 189 students per 10,000 population (Platonova et al., 2019). As of 2020, the total number of students is 4.7 million. The age cohort participation among 17 to 25-year-olds in higher education is about 32 percent. The tertiary enrolment rate among 20 to 24-year-olds increased from 28.8 percent to 30.3 percent between 2005 and 2014 (Platonova et al., 2019). Russian universities train specialists in more than 350 specialties. The number of faculty of state universities includes 265,000 people, of which 153,000 people are highly qualified specialists (candidates and doctors of sciences). Non-state universities employ over 42,000 faculty.

From federal and regional budgets, governmental support for higher education is approximately 55 percent of the total cost (as of 2012). However, 97 percent comes from federal funding and only 3 percent from regional budgets. The regions do not receive funds from the federal budget for the organization or provision of higher education, since seventy out of eighty-five areas are subsidized and federal subsidies cannot be spent on higher education. The legislation does not clearly regulate this issue; there are actually no incentives for regions to interfere in the University sector (Froumin & Leshukov, 2015). According to Froumin and Leshukov, “Under such circumstances, market mechanisms of higher education organization are virtually absent in some regions” (Froumin & Leshukov, 2015, p. 6).

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### Higher Education Governing Context

The First Law of the Russian Federation “On Education” (1992) provided the legal foundation for new funding mechanisms. Institutions were granted the right to carry out financial and economic activities independently. State universities received the right to attract extrabudgetary funding, predominantly through students’ tuition fees. The system was introduced under which the state funds student places in state universities, but these universities can enroll additional students via privately funded places. Most students with tuition fees choose popular programs and areas, such as economics, management, information technology, and Law (Platonova & Semyonov, 2018).

Starting in 2000, higher education became a priority for the government. New policies aiming at transforming the higher education system were introduced, including the Unified Entrance Examinations for the universities. In addition, Russia signed the Bologna Declaration in 2003 and introduced bachelor’s, master’s, and PhD degrees. For instance, Moscow State University and Saint Petersburg State University have the right to award their own PhD degrees instead of the centralized Higher Attestation Committee of the country. The government also encouraged a so-called new type of University, which aimed to become centers for attracting talented youth and contributing to the development of Russian regions. Many universities since then have been merged and transformed into federal universities.

Another project initiated by the government was creating the network of universities having the status of national research universities. Following the current Law on Education, these universities have a special status granting them the right to establish educational programs without ministerial approval. Additionally, the Lomonosov Moscow State University and

St. Petersburg State University were recognized in 2009 as the leading universities by a special law allowing targeted funding and further developing new academic programs outside of traditional regulatory mechanisms.

To increase the international competitiveness of leading Russian universities, the government launched an effort known as the Project 5-100. Its goal was to ensure that at least five Russian universities are included in the top one hundred leading world rankings by 2020. The project was based on a competitive procedure for selecting programs to improve the competitiveness of universities. The first round of competition with fifty-four universities was held in 2013, in which fifteen universities were recognized as winners. In 2015, another six universities were selected for the program. However, the project did not include Moscow State University and St. Petersburg State University because of their already granted special status. In total, twenty-nine universities participating in Project 5-100 received targeted funding for increased research output from the government (Gryaznova, 2018).

According to the Law on Education, the governance of higher education in Russia is carried out at three levels: federal, regional, and municipal. At the federal level, governance is carried out by the Ministry of Education and Science of the Russian Federation. The functions of the ministry include approval of federal state educational standards, licensing, state accreditation and liquidation of educational institutions, development, and implementation of state and international programs and other regulatory functions. However, Platonova and Semyonov argue that in reality, at the level of regional and municipal levels, higher education is basically not included in the authority of these government agencies (Platonova & Semyonov, 2018).

HEIs report directly to the various bodies of executive power. By the end of Soviet times, twenty-eight different ministries were supervising other HEIs. Today, twenty-one different bodies, including the Ministry of Education and Science (MoES), govern most of higher education, which enroll approximately 60 percent of all students. The two other major ministries are the Ministry of Agriculture and the Ministry of Health and Social Development (medical HEIs) that oversee HEIs offering degrees in their areas of responsibility. Although Russia is a federal state, there is little decentralization of state authority regarding higher education, as was mentioned earlier (Platonova & Semyonov, 2018).

The current higher education governance model in Russia results from the chaotic transformation period of the entire higher education system following the dissolution of the Soviet system (Froumin & Leshukov, 2015). The ratio of regional and federal universities has actually remained unchanged over twenty years. Only one-third of all regions have subordinate



universities; most of them only have one such University, and 20 percent of those regional universities are arts universities rather than comprehensive ones (Froumin & Leshukov, 2015).

According to Froumin and Leshukov

the current federalism organization in higher education almost completely coincides with the model characteristic of the Soviet socialist state, which was supported by absolutely different principles – the state character of higher education, job placement system, economic planning, etc. The real regionalization of higher education that is currently supported by many stakeholders has never taken place in the country.

Comparison to comparable large countries (the United States, Canada, Great Britain, Australia, Germany, Brazil, India, China) demonstrates that Russia is characterized by the most centralized management model in higher education. (2015 , p. 15)

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## 13.2 GOVERNING BODY PROFILE

The Russian higher education system illustrates a multifaceted example of governing models of higher education institutions. There are three governing models: one for state universities; another for “flagship universities” that include autonomous and national universities; and a third for two universities of special status, Moscow State University, named after MV Lomonosov, and St. Petersburg State University (Table 13.1)\*.

The Law on Education states that the governance of universities is harmonized throughout the country and is described in detail in each University charter. Overall, one of the essential parts of the Russian University governance is the General Conference, composed of elected researchers, teaching staff, and students. The General Conference approves the internal regulations of the University and elects a labor dispute commission. Conference delegates are elected among faculty, administrators, and students. The representation of scientific and pedagogical workers (faculty/academic staff), following the charter of the University, should be at least 80 percent of the total number of delegates to the conference. The election of conference delegates is made by a simple majority of votes by open or secret ballot with at least 50 percent of the number of employees or students of the respective units participating in the vote. The voting results are drawn up in a protocol that is submitted to the Election Committee.

\* An overview of the governance of Russian universities can be found online at <http://www.cambridge.org/Eckel>

One of the tasks of the General Conference is electing the Academic Council. In turn, this governing body is responsible for setting the main directions for University development, including its educational and research activities, and approves financial and economic plans. In addition, the Academic Councils in Russian higher education institutions regulate specific operational issues, such as approval of rectors' annual reports, the setting of the University's educational standards and requirements, the hiring of professors, and the establishment of faculty workloads. The Academic Council is always headed by the University's rector, who is also responsible for the direct administration of the University. Thus, while the General Conference makes collective decisions about the main direction of universities, Academic Councils are responsible for and are in charge of daily decision-making and strategic priorities of universities. The members of the Academic Council of the University should not exceed 50 percent of the total number of General Conference delegates.

Delving deeply into the Russian higher education landscape and types of governing structures, we tried to identify the main governing models:

First, Moscow State University, named after MV Lomonosov, and St. Petersburg State University, have special status according to the Law on Education. The rectors of these two universities are appointed by the president of the Russian Federation and not elected by the Academic Councils. The main governing body of these universities are also Academic Councils elected by the General Conference.

These two universities also have advisory Boards of Trustees (*Popechitel'skiy Soviet*) appointed by the Academic Councils headed by the rectors. The Boards of Trustees consist of representatives of the government and state businesses of the country. For example, the current chair of the Lomonosov University Board of Trustees is the president of Russia. The current chair of St. Petersburg State University (SPSU) is a deputy chair of the Security Council and a former prime minister who is a graduate of SPSU.

The second category includes flagship universities that consist of autonomous universities comprising of ten federal universities and the recently added Crimea Federal University, making in total eleven, and the twenty-one national research universities participating in 5-100 projects as well as leading higher education institutions in the regions. One of the features of these universities is the Board of Overseers (*Nablyudatel'niy Soviet*) that operates in addition to the General Conference and Academic Council. The legal status of an autonomous organization was introduced by the federal law "On Autonomous Organizations" (2006) to increase the quality of services of

public institutions and the efficiency of public spending through the easing of specific excessive state control mechanisms in the areas of daily financial management, procurement, and budgeting (Gryaznova, 2018). This reduction of the bureaucratic burden was accompanied by the introduction of new forms of University governance, based on more autonomy, involvement of various external stakeholders through involvement in governance, continuous monitoring of the key performance indicators, and competitive financing (Gryaznova, 2018). The Law requires each autonomous organization to have a Board of Overseers in its governing structures. Boards of Overseers consider the proposals of head of organizations (in this case rectors of universities) related to changes to the charter of organizations, their restructuring, and financial matters of organizations. The Law indicates explicitly that some of the issues proposed by the rectors can be supported/declined by the Board of Overseers, but the rector can still make the final decision. However, significant financial transactions, transactions in which there is a financial benefit, the auditing of the annual financial statements, and approving the selection of audit organizations are final decisions that rest with the Board of Overseers.

Rectors of autonomous universities such as the Financial University under the government of the Russian Federation, the Russian Academy of Painting, Sculpture and Architecture Ilya Glazunov, as well as the Higher National Research University School of Economics are appointed by the government of the Russian Federation (The Government Decree No. 33 of January 16, 2014 “On the Procedure for Appointing Rectors of Educational Organizations Subordinate to the Government of the Russian Federation”). However, recently the minister of Science and Higher Education announced that the Board of Overseers should elect the rectors of national research universities participating in 5-100 projects. Boards of Overseers will be the primary entity responsible for the overall governance and election of rectors. This was announced as a pilot project, and the Ministry is deciding whether it should be required to select rectors by Boards of Overseers at other autonomous institutions.

As indicated on their websites, several autonomous universities and national research universities have both a Board of Trustees and a Board of Overseers in the governing structures. For instance, in the case of National Research University Higher School of Economics, the governing bodies consist of the Board of Overseers, the Conference of Employees and Students of the University (General Conference), the Academic Council of the University, the Presidium of the Academic Council, the rector of the University, and the Board of Trustees.

The third category is Russian State universities. Most of these universities have budgetary (not autonomous) status, but there is a competitive program where state universities can compete for autonomous status. The Federal Law on Higher and Professional Education requires all state budgetary accredited universities to establish a Board of Trustees consisting of academics and students in addition to General Conferences and Academic Councils.

The appointment of rectors of state universities involves several stages. First, they include getting an attestation from the Ministry of Science and Higher Education confirming their abilities to be nominated and elected. Next, their candidacy is nominated for election by the General Conference, and the winning candidate must get approval from the Academic Council. Then the University submits its election results to governments of cities, regions, and the federal government for approval. The final step is receiving final approval from the Ministry of Science and Higher Education of the Russian Federation.

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### **Body Structure and Membership**

According to the Law on Autonomous organizations, the Board of Overseers should consist of five to eleven members. The specific structure of the board is defined by the institution's founder (i.e., MoES, the Russian government, or the regional or municipal authorities). According to the Law, each board should include representatives of the Russian government, the Federal Agency of State Property Management, and civil society, including individuals with proven records in related content and professional areas, such as health or agriculture. Institutions have the right to nominate their own representatives for board membership where the Ministry of Education and Science finalizes and approves/disapproves nominations.

Members of the Boards of Overseers are appointed by the institution's founder (the Ministry of Science and Higher Education). As the founder of federal and national HEIs is the government, the members of these organizations, in most cases, are appointed by the government. The term of the Board of Overseers is established by the charter of the autonomous institution but cannot be more than five years. A person may serve as a member of the board for an unlimited number of terms. The rector of an autonomous institution and his deputies cannot be members of the Board of Overseers. The rector of an autonomous institution participates in meetings of the Board of Overseers with an advisory vote.

The number of members of the Board of Trustees varies from institution to institution. The Board may include employees of the higher educational

institution and students, representatives of the founder of the higher educational institution, representatives of employers, executive authorities of the constituent entities of the Russian Federation, local government bodies, and, following the charter of the higher educational institution, representatives of other organizations. The Law specifies that the procedure for the formation of the Board of Trustees, its term of office, competence, and process for its activities should be determined by the charter of the higher educational institution.

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### Member Appointment Processes

The chair and members of the Boards of Overseers of autonomous organizations are appointed by the founder (Ministry of Science and Higher Education or the government). Usually, the chair of the Board is the governor of the region or ministers of sectoral ministries, or other high-profile public officials. However, the ministerial decree states that during the appointment of the chair and members of the Board, the ministry will take into account nominations provided by the Academic Council of HEIs.

Under the Russian legislation, the head/rector of the HEI can either be elected by

- (1) the general Conference of the HEI (subject to approval by the founder of the HEI), or
- (2) appointed by the founder of the HEI,
- (3) the president of the Russian Federation, or
- (4) the Government (Law on Education 2012).

According to the Law, the Board of Trustees includes employees of a higher educational institution and students, representatives of the founder of the higher educational institution, representatives of employers, executive authorities of the constituent units of the Russian Federation, local government bodies, and, following the charter of the higher educational institution, representatives of other organizations. The procedure for forming the Board of Trustees, its term of office, competence, and process for its activities are determined by the charter of the higher educational institution. For instance, the charter of Voronezh State University states that the members of its Board of Trustees are approved by the Academic Council nominated by the rector and approved by the decree of the rector of the University.

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### **Chair Appointment Processes**

The members of Boards of Overseers elect the chair; however, it should be approved by the Ministry of Science and Higher Education. Typically, the chair of the Board of Overseers is the governor of the region or ministers of sectoral ministries or other high-profile public officials.

The members elect the chair of the Board of Trustees at the first session of the newly formed Board of Trustees.

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### **Board Accountability**

As mentioned earlier, Boards of Overseers of autonomous universities are accountable to the founder of the higher education institutions that are either the government, the Ministry of Science and Higher Education, or other relevant ministries. However, the recent reforms of giving more power to the Board of Overseers may shift accountability.

Academic Councils headed by the rector are accountable to the Board of Overseers and the founder of the institution (the Ministry of Science and Higher Education, government)

Boards of Trustees are accountable to the Academic Council headed by the rector.

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### **Scope of Work**

According to the Law on Autonomous Organizations, the Board of Overseers of autonomous organizations considers proposals of the founder of the head of the autonomous institution regarding organizational, financial, and administrative issues. As mentioned earlier, some of the problems proposed by the rectors can be supported/declined by the Board of Overseers, but the rector makes the final decision; however, items 9, 10, and 12 of Article 11 state that the decisions made by the Board of Overseers are mandatory for rectors. These items include activities related to proposals of the head of the autonomous institution on the conclusion of significant financial transactions, transactions in which there is a financial interest for the institution, and issues of auditing of the annual financial statements of an autonomous institution approving selecting audit organizations.

The scope of work of Boards of Trustees (Law on Higher and Postgraduate Education), while advisory, is to assist institutions in solving current and future problems of the development of a higher educational institution; to attract financial resources to ensure the activities and development of a

higher educational institution, as well as to control the use of funds; and to participate in the development of educational programs of higher and post-graduate vocational education implemented by a higher educational institution and to ensure that these programs take into account the requirements of interested employers. In addition, the Boards of Trustees work in close contact with the University administration and its founder.

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### Commentary

For the past decades, Russian higher education has experienced many transformations – including several reforms to build a quality and competitive higher education system. Significant policy changes resulted in mergers and the creation of federal and national research universities. The government also launched Project 5-100 to ensure that at least five Russian universities are included in the top hundred leading world rankings by 2020. The project was based on a competitive procedure for selecting programs to improve the competitiveness of universities. Selected universities received direct funding from the government for restructuring, building research capacity, publications, and other concerns.

The University governance structure in Russia presents a multilayered example of University governance that is regulated by several laws and depends on the status of universities. For instance, Moscow State University and St. Petersburg State University have special status regulated by a separate law. The president of the Russian Federation appoints the rectors. Federal autonomous universities and national research universities having autonomous status must have Boards of Overseers in their governing structures consisting primarily of external stakeholders. State-accredited universities must have a Board of Trustees. The general conferences and Academic Councils are parts of governing structures in all universities.

In our observation, the Russian government created multiple avenues to regulate and oversee higher education governance. Although Russia continues its attempts to move toward decentralization and autonomy of higher education and more HEIs will be granted the status of autonomous organizations moving toward having Boards of Overseers and Boards of Trustees, the Russian higher education system still reflects a centralized model of University governance.

This chapter was written before Russia's invasion of Ukraine and the University rectors' statement uniting behind the president and his actions, whereas students and academics are risking much to speak against the war. In addition, Russia has suspended its membership in the Bologna Process arguing there has been a lack of positive changes in the education system.

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# 14 Tajikistan

Zumrad Kataeva

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## 14.1 THE NATIONAL AND HIGHER EDUCATION CONTEXTS

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### National Context

The Republic of Tajikistan is a small landlocked country located in south-eastern Central Asia and borders Kyrgyzstan to the north, the Xinjiang region of China to the east, Afghanistan to the south, and Uzbekistan to the west. The territory of Tajikistan is 144,100 square kilometers, with 93 percent of the territory covered by mountains. The country shares the most extensive border with Afghanistan through the rugged, mountainous area. About 6 percent of the country is suitable for agriculture, and the remainder is in the mountain valleys.

In terms of its size and population, Tajikistan is one of the most rapidly growing countries. According to the last census of 2020, the population of Tajikistan is 9.12 million, comprising 49.5 percent men and 50.5 percent women (Agency on Statistics, 2020). Approximately 74 percent of the population lives in rural areas. The people of Tajikistan are relatively young, and 18 percent are of preschool age, reflecting previously high fertility rates. Life expectancy at birth is 71.1 for men and 74.6 for women. According to the latest 2019 Census, 85 percent of the population is Tajik, 13 percent is Uzbek, 0.8 percent is Kyrgyz, 0.5 percent is Russian, 0.2 percent is Turkmen, and the remaining 2 percent comprise other nationalities. Many ethnic minorities live in rural areas, especially along the international borders with neighboring countries such as Uzbekistan and Kyrgyzstan.

The Constitution of the Republic of Tajikistan was adopted on November 6, 1994, and amended two times, on September 26, 1999, and June 22, 2003.

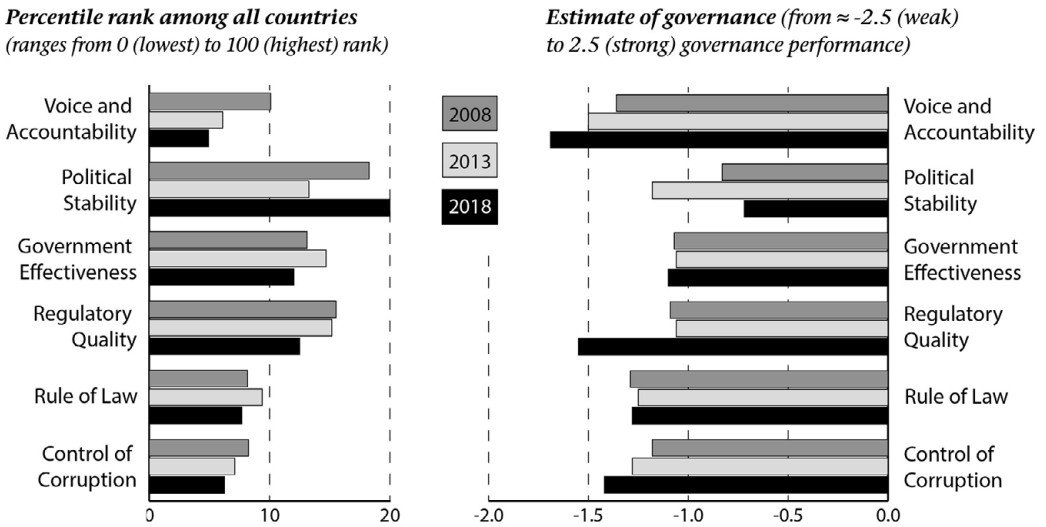


The constitution has the highest legal power, direct application, and supremacy over the whole territory of Tajikistan. The constitution proclaims the establishment of a democratic, legal, secular, and unitary State (Constitution, Article 1), where the State power is based on the principle of separation of powers (Article 9). As the fundamental law of the State, the constitution defines the structure of the government; the fundamental rights, liberties, and responsibilities of its citizens; and the powers of the legislative, executive, and judicial branches. Within the presidential system of the government, the president of Tajikistan appoints the government and the prime minister – with the agreement of parliament. Thus, the president also serves as the head of the state. The parliament, consisting of the Upper House (*Majlisi Milli*) and the Lower House (*Majlisi Namoyandagon*), is responsible for legislation; jurisdiction rests with the Supreme Court.

As with other former republics of the Soviet Union, Tajikistan has undergone an economic and financial crisis. During the civil war of 1992–1997, the country lost thousands of people, and hundreds of thousands more were displaced. The civil war destroyed the economy and much of the educational infrastructure. Even though the share of state budget resources and other investments in education is gradually increasing, the economy's competitiveness remains low. The economy is heavily dependent on labor migration to Russia and remittances, which affects the demand for labor, including the domestic demand for professional skills, competencies, and knowledge, and employment opportunities for University graduates (NSED, 2020). The national currency depreciated by about 130 percent from 2000–2013, though per-capita growth averaged 5.6 percent in the same period, and wages grew substantially compared to the 2000 level. Even with a real overall GDP growth rate of 5 percent per annum, Tajikistan would require another fifteen years to reach pre-independence levels of its GDP per capita (World Bank, 2018).

Nevertheless, Tajikistan has achieved rapid poverty reduction for the past decade, mainly due to a favorable external environment. The absolute poverty in the country decreased from 72 percent in 2003 to 37.4 percent in 2012 and further down to 27.4 percent in 2018. Extreme poverty declined from 42 percent in 2003 to 17 percent in 2018 (NSED, 2020).

According to the World Economic Forum Global Competitiveness Index, Tajikistan ranks 104th out of 141 countries. As for the burden of regulations, it ranked the country 69th with a score of 51.0 for 2018–2019 (Schwab, 2019). In terms of Skillset, Tajikistan ranks 71st among 141 countries with a score of 53.1 out of 100. In terms of the skillset of graduates and ease of finding skilled employees, Tajikistan ranks 60th with a score of 53.7 and 70th with a score of

**Figure 14.1 Worldwide governance indicators for Tajikistan**

53.7, respectively. Regarding corporate governance, which arguably is different from public University governance, WEF ranked Tajikistan 53rd with a score of 60.0.

According to the World Bank's Governance Indicators project, the national governing context is as follows. Figure 14.1 is intended to show trends over time associated with a set of country-level data. All of the indicators are below the 20th percentile, with only political stability reaching that level in 2018. Even from low starting points in 2008, control of corruption and voice and accountability dropped, as did regulatory quality. Together these indicate a low capacity for effective governing contexts and little likely ability to bring about meaningful change.

### Shape and Structure of Higher Education

The Tajikistan education system inherited a highly centralized and unified system of education that required substantial reforms and adaptation of new policies. The latest National Strategy of Educational Development 2020 recognizes the creation of an effective education system that provides inclusive and equal opportunities and the improvement of the general well-being of the population of the Republic of Tajikistan. However, the quality of education

remains low. The NSED 2020 highlights the insufficient growth in the number of preschool institutions, the poor quality of school infrastructure in the regions, and the low qualifications of teachers. In addition, low attendance rates; inadequate access to improved sanitation and water supply in rural schools; physical, financial, and cultural barriers to overcoming social exclusion; and gender inequality in terms of access to education at all levels create obstacles to building quality inclusive education system.

The transition from the planned to the market economy has led to several significant higher educational policy decisions, resulting in the quadrupling of the number of higher education institutions (HEIs) since 1990. By 2018–2019, 40 state higher education institutions enrolled 209,800 students, with 69 percent enrolled in full-time programs and 30.1 percent in part-time correspondence programs. The system employs 11,693 faculty members. Students enrolled in universities in Tajikistan are either funded by the state budget or pay tuition fees, a dual track tuition model. In 2018–2019, the overall percentage of students paying tuition fees at HEIs was almost 68 percent. Tuition fees consist of around 68 percent of University budgets and are the primary funding source for higher education. As with most of the students enrolled in education and humanities programs, the lack of student enrollment in science, engineering, and technology is of great concern to the government (ADB, 2015).

The gender distribution of higher education institutions remains a primary concern. For example, in the 1991–1992 academic year, the percentage of female students was 34 percent, whereas, in the 2018–2019 academic year, the proportion of females increased only slightly and amounted to 36.4 percent. In this regard, state policy in higher professional education aims to increase the access and enrollment of women with higher education (see Kataeva & DeYoung, 2017).

The government of Tajikistan is striving to integrate its higher education system into European higher education and actively pursuing the Bologna Declaration. Since 2007, the Ministry of Education and Science of the Republic of Tajikistan has implemented reforms such as introducing a three-tier education system and implementing the European Credit Transfer System (ECTS). The Soviet-type of specialist diploma was gradually changed to bachelor's and master's degrees, except for some medical specialties. Some larger institutions have opened PhD programs. However, creating a consistent quality assurance system and a national qualification system have yet to be developed, approved, and implemented. Thus, the NSED 2020 recognizes the need to continue governance, quality assurance, teaching, training, and assessment reforms.

In December 2013, Tajikistan opened the National Testing Center (NTC) to increase transparency and access to higher education. The NTC was created by the president of the Republic of Tajikistan and was funded by the World Bank, the Russian Federation, and the Open Society Institute – Assistance Foundation (OSI–AF). During the first year of NTC’s activities, from 2013 to 2014, the admission of girls to HEIs increased by 8 percent, and from 2010 to 2016, the growth in admissions equaled 29 percent (NSED, 2021). Similar to other Central Asian countries, higher education in Tajikistan lacks graduates who can meet the changing requirements of the labor market. There is a lack of engineering and technology graduates for industry and small- and medium-sized enterprises.

In 2016, in collaboration with the Ministry of Education and Science, the World Bank launched a project to develop mechanisms that improve and monitor higher education’s quality and labor-market relevance. The project aims to enhance institutional level operations, enhance quality assurance and curriculum reforms, and improve the assessment of higher education financing. The final component supports the overall project management, communication, training, monitoring and evaluation, and the audit of the Project (World Bank, 2016).

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### Higher Education Governing Context

Although the civil war delayed the beginning of the reforms and transition to a market economy, even during the turmoil the Law on Education (1993) was adopted, which brought about several changes in education. Private education institutions were legally allowed, and some were established, but the higher education sector eventually closed in the 2000s. The National Strategy for Educational Development of Tajikistan (NSED) adopted in 2001 acknowledges that the public management system of education is a legacy of a highly centralized and planned system of the former Soviet Union and remains unreformed to a considerable extent (NSED, 2021). Thus, the NSED 2021 priorities include the expansion of the autonomy of HEIs and the reduction of state intervention in HEIs’ activities, creation of supervisory boards in state-owned HEIs, and the creation of conditions for HEIs to independently form and design their development strategies for decision-making with regard to internal administration and financial management.

The Law on Higher and Professional Education (Law on HPE) clarifies the roles and responsibilities of the body responsible for the management of

higher education in the country, the Ministry of Education and Science (MoES) as well as the institutions of higher education (Tajikistan, 2003). The Law on Higher Education determines the framework for “operational management” of all higher education institutions, but no separate provisions exist for governance and management of these institutions. In terms of University autonomy, the Law on Higher Education defines it as “University autonomy is the highest form of the learning process and academic activities, determining the state responsibility of the institutions of higher professional education before their founder” (Law on Higher Education, 2009). However, in the context of Tajikistan, “the founder” of HEI is always “the government” as the rectors of universities are still appointed and discharged by the decree of the government (Law of HPE, 2009, article 14; DeYoung et al., 2018).

Although the Law on HPE states that the teaching staff, researchers, and students of institutions of higher professional education, including teachers of the institution of higher professional education, are provided with academic freedom in the presentation of the curriculum, the academic standards and draft curriculum provide the framework within which the higher education institutions must operate, limiting curricular autonomy (ADB, 2015). While the institutions may propose changes to the academic curricula, as curricula are strongly controlled by MoES (ADB, 2015). The autonomy of higher education institutions students, financial, staffing, and educational matters requires a University to operate within the budget approved by the MOES and Ministry of Finance, with staffing levels also defined by the budget.

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## 14.2 GOVERNING BODY PROFILE

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### Body Structure

The country’s universities have limited autonomy from direct governmental oversight. Looking into universities’ websites and governance profiles, higher education institutions in Tajikistan have Academic Councils (*Ucheniy Soviet*) as the primary governing body, led by the University’s rector. The heads of the Academic Councils are rectors of higher education institutions appointed by the country’s government.

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### Membership

The University Academic Council consists of the rector (chairman), vice-rectors, deans and directors of structural units, heads of basic units, and other

scientific and pedagogical staff. The rector of the University may, if necessary, change the composition and number of members of the Academic Council. The direct organization of the activities of the University Academic Council is assigned to its secretary. The secretary of the Academic Council is appointed and dismissed from the list of members of the Academic Council by the rector of the University. The meeting of the Academic Council is valid if it is attended by two-thirds of the members of the Academic Council. Decisions of the Academic Council meeting are valid if more than half of the members of the Academic Council attended the meeting and voted for a resolution.

The Academic Council in Tajikistan, as in the Moldovan case, seems to range in size among the universities.

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### **Membership Appointment Processes**

The membership of the Academic Council of universities is elected by open vote and approved, provided that two-thirds of the members of the Academic Council are present and more than half of the members of the functioning composition of the Academic Council have positively voted for the new composition. In case of early termination of membership of one of the members of the Academic Council, the replacement of the Academic Council is carried out at the beginning of the academic year, in the order of the formation of the Academic Council. In the event of termination of a member of the Academic Council, their membership in the Academic Council is also suspended. Membership for the Academic Council is defined by the position of a member, that is, vice-rector, deans, department chairs, etc. The government appoints the rector. Therefore, the rector has the authority to change who serves on the Academic Council. The members of the Academic Council are elected by open vote, provided that two-thirds of the members of the Academic Council are present and more than half of the members of the functioning Academic Council have positively voted for the new members. The rector of the University can also change the composition and number of members of the Academic Council.

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### **Chair Appointment Process**

The rector, appointed by the president of the country's government, chairs the Academic Council as part of their responsibilities.

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**Scope of Work**

According to the Law on HPE, the exclusive powers of the higher body of an institution, that is, Academic Councils include (a) approval and amendment of the charter of the institution and change in the size of its authorized capital; (b) the establishment of the executive body, the appointment of its head, and his dismissal; (c) approval of the annual report and balance sheet of the institution of higher professional education; (d) deciding on the reorganization, transformation, and liquidation of the institution of higher professional education.

In addition, the charters of universities may outline more details of the scope of work of each Academic Council, mainly regarding the improvement of the management and structure of the University, including the creation and liquidation of centers, laboratories, faculties, departments, departments, sectors, and other educational, scientific, industrial and service structures; approval of the regulations of the structural divisions of the University; and promotion and doctoral students' issues.

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**Commentary**

The higher education system has almost quadrupled since 1991 with the increased number of higher education institutions and enrolled students, consisting of 40 higher education institutions and more than 200,000 students. The primary concerns for higher education remain the low quality of education and discrepancies between the graduates' skills and the demands of the labor market and low enrollment of female students to higher education, among others. Currently, only about 34 percent of the total number of students are females. Tajikistan strives to build its education system according to the Bologna principles.

In terms of governance of the system and institutions, Tajikistan higher education represents a very centralized model with limited opportunities for institutional autonomy and weak participation of faculty and students in the governing process. The heads (rectors) of the higher education institutions are appointed by the government. Although the main governing body within higher education institutions is the Academic Council, the rector may discontinue the membership of Council members. Tajikistan remains among few countries with no private institutions.

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# 15 Turkmenistan

Serik Ivatov and Darkhan Bilyalov

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## 15.1 THE NATIONAL AND HIGHER EDUCATION CONTEXTS

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### National Context

Turkmenistan, like other post-Soviet republics, has implemented a series of reforms to transform its social and political institutions so that they will be able to accommodate its national agenda. Upon the dissolution of the Soviet Union in 1991, Turkmenistan did not abandon the centralized management style but reemphasized the major role of the state in guiding the country's transition from the Soviet model to a new model. Although this centralized approach may have yielded some positive results, such as free water, electricity, subsidized gasoline, and public transportation (Pomfret, 2001; Stronski, 2017) during the first two decades of independence, it also made the economic sectors, including the higher education sector, rigid and unable to react quickly to changes in the market. In addition, the country has focused on reducing foreign influences in the process of social and political transformation, thus increasing the country's degree of isolation from the outside world. In 1995, Turkmenistan gained the status of a permanently neutral state unanimously supported by the General Assembly of the United Nations. The country does not hold a membership with many international organizations, coalitions, and unions, including the World Trade Organization, the Eurasian Economic Union, and the Bologna Process.

Turkmenistan is one of the Central Asia countries situated on the eastern shore of the Caspian Sea. It borders Iran, Afghanistan, Kazakhstan, and Uzbekistan. It has an area of 492,200 km<sup>2</sup> (approximately 305,838 mi<sup>2</sup>), 80 percent of which is desert. Despite its large territory, the population of



Turkmenistan is approximately six million people, which is twice that of Moldova but less than a third of Kazakhstan.

Although the process of changing the political system of Turkmenistan from the Soviet-type to democracy started in 1991, it is moving slowly. First, to date, there are three officially registered parties, namely, the Democratic Party of Turkmenistan (since 1991), the Party of Industrialists and Entrepreneurs (since 2012), and the Agrarian Party of Turkmenistan (since 2014). However, only one party (the Democratic Party of Turkmenistan) dominates the political field at all levels of government. Previously, the country had been a single-party state until it adopted a new constitution in 2008 that enabled the formation of multiple political parties. Second, in Turkmenistan, the president still has a high degree of authority and is the main driver of transformations in the country (Clement & Kataeva, 2018). Since independence, that office has been held by two people, Saparmurat Niyazov (1990–2006) and Gurbanguly Berdimuhamedow (2007–present).

Turkmenistan is an upper-middle-income country, with its economic growth mainly driven by hydrocarbon exports (Gyulumyan, 2014). There was a dramatic increase in the country's gross domestic product (GDP) from \$3.2 billion to \$43.5 billion between 1991 and 2014, followed by a fall to about \$35.8 billion in 2015 (World Bank, n.d.-b). In 2015, Turkmenistan experienced an economic crisis caused by the collapse in gas and oil prices. Its export markets include petroleum gas (83 percent of exports), refined petroleum (5.6 percent), pure cotton yarn (2.2 percent), and raw cotton (2.1 percent) (OECD, 2019d). Turkmenistan exports the vast majority of goods to China (83 percent) and Turkey (6 percent). According to OECD (2019d), the country's economy relies mainly on industry (57 percent), while service sector and agriculture account for 28.1 percent and 9.3 percent respectively.

Because of the centralized market philosophy, there has been a slow liberalization process of the economy, making the country's economic system unable to adjust quickly to changing conditions. The government exercises tight administrative control over its key sectors, resulting in the dominance of state-owned monopolies in the economy and hindering the development of private sectors. In turn, that makes the system vulnerable to economic crises. The centrally planned economy and the abundance of hydrocarbon resources (the world's fourth-largest holder of natural gas) helped Turkmenistan more or less address the challenges following the dissolution of the Soviet Union. Examples of current economic challenges include a low level of industrialization and transportation and the natural gas dependency on the market of the former Soviet republics (Pomfret, 2001).

The country's centralized approach also slowed down the liberalization process of the education sector. Upon the dissolution of the Soviet Union, Turkmenistan inherited a successful education system in terms of a high level of literacy and primary and secondary enrollments (Brunner & Tillet, 2007). The higher education system had been absent during the pre-Soviet era (Clement & Kataeva, 2018). The country has shaped the education system as a means to promote nation-building and to produce specialists required for the economy. The government implemented a series of radical and disruptive educational reforms (Hofmann, 2018), some of which might be questioned by international standards. Examples of such reforms include the replacement of the Cyrillic-based alphabet with a Latin-based script (in 1993); a decrease in years of schooling in Turkmen-medium schools and years of University education from ten to nine years (in 1999) and five to four years, respectively; the elimination of all postgraduate programs (Hofmann, 2018); and full or partial replacement of courses on history, geography, philosophy, and social studies with courses on *Rukhnama*, a book written by President Niyazov (Clement & Kataeva, 2018). *Rukhnama* comprises the president's collected thoughts on morality, culture, and history. When Gurbanguly Berdimuhamedow took office in 2007, the government reversed many of the reforms, including the restoration of post-graduate programs, increasing years of schooling, and years of University education (see Clement & Kataeva, 2018; Merril, 2009).

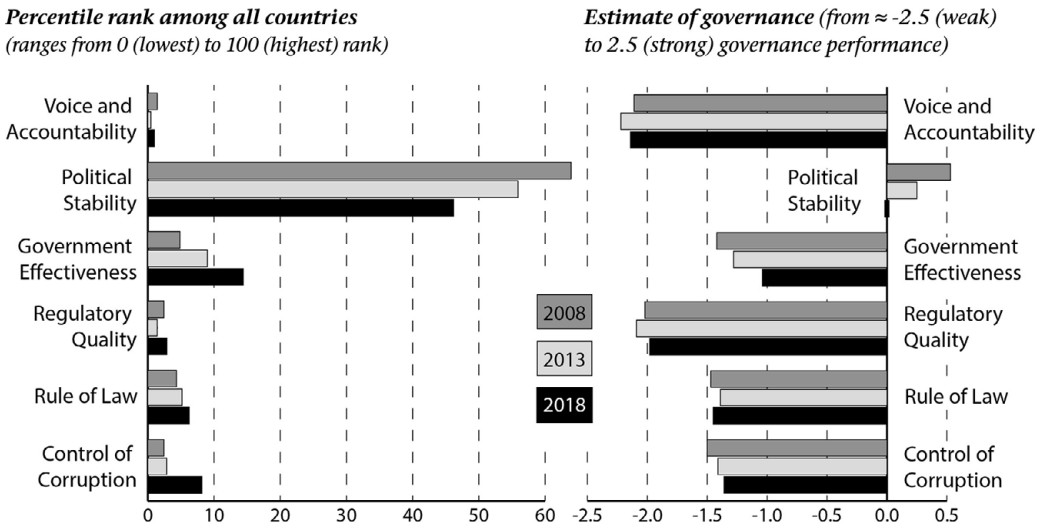
The national governing context according to the World Bank's Governance Indicators project is as follows: The country has high political stability, but its corresponding other areas of governance are low. The voice and accountability indicator is below the second percentile, and none of the other domains are higher than the fifth percentile. The country is tightly controlled centrally and there are few freedoms and incentives for broader participation within government. The missing profile of global competitiveness by the World Economic Forum is telling in and of itself (Figure 15.1).

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### Shape and Structure of Higher Education

In terms of shape and structure, the higher education system of Turkmenistan shares some features with other former Soviet republics, but it also has some peculiar characteristics. The major role of state and political leaders, as well as underinvestment related to country wealth, are the reasons for the slow modernization of the system. In 2012, public expenditures on education accounted for 3 percent of GDP (World Bank, n.d.-b), which is low compared to international indicators.

Figure 15.1 Worldwide governance indicators for Turkmenistan



The country's higher education institutions (HEI) can be divided into the following types: University, academy, institute, and conservatory. Universities offer a wide range of programs, including graduate programs. Academies offer graduate programs in special fields, whereas institutes provide graduate programs in specific professions. Of twenty-four HEIs, there are six universities, one academy, sixteen institutes, and one conservatory (Education, Audiovisual and Culture Executive Agency, 2017). Clement and Kataeva (2018) propose another classification of institutions in terms of educational activities, majors, and specialties. According to this classification, there is one national flagship University, three large state and specialized universities, two international universities, fifteen small and specialized institutes located in the capital, and three regional specialized institutes. Over the course of the last several years, Turkmenistan has created new institutions such as the International University for Humanities and Development in 2014, Oguzkhan University of Engineering and Technologies in 2016, and the Institute of Public Utilities in 2017 (centralasia.news, 2019).

According to the 2014 UNESCO data (the latest available data; UNESCO, n.d.) there are low college-going rates (7.95 percent of the age group), particularly for women (6.2 percent), with 36 percent lower female enrollment than in 2016 (Babayeva & Bilyalov, 2020). With a sizeable share of

youth in the country, college admission is modest yet growing, with more than 12,000 students admitted in the 2019–2020 academic year (Babayeva & Bilyalov, 2020). The latest trend in the country is the shift from state-funded study to tuition fee education. As such, the number of fee-paying students has increased by 33 percent, while state-funded education has seen a 14 percent decrease (Turkmen HEIs increased enrollment; “Turkmenskije vuzy uvelichili nabor studentov i rasshirili perechen napravlenij podgotovki,” 2020).

Another similarity to other post-Soviet countries is that Turkmenistan is taking steps to transition to a three-cycle degree system. However, the transition started later and slower in Turkmenistan as compared to its former Soviet counterparts, with the change still far from being adopted system wide. Only two universities, the International University for Humanities and Development and the Oguzkhan University of Engineering and Technologies, offer first cycle and second cycle programs that are in accordance with the Bologna structure (European Commission, 2017a). Regarding third cycle programs, they are not fully following the Bologna standards. Since the restoration of the Academy of Science in 2007, many HEIs have launched three-year doctoral programs (*aspirantura*), but the structure of the programs is not aligned with the Bologna requirements. A distinguishing feature of Turkmen postgraduate education is that the Academy of Science continues to play a major role in training doctoral students.

The number of HEIs has increased from nine to twenty-four institutions since independence (Clement & Kataeva, 2018). Although the Law of Turkmenistan on Education adopted in 2009 allows the establishment of private HEIs, all institutions are state-owned. Overall, the modernization process of the higher education system according to international standards has been slow over three decades of independence. One of the possible explanations for this is that the educational reforms of the Niyazov administration hindered the modernization process (Clement & Kataeva, 2018; Merrill, 2009). The educational reforms of the Berdimuhamedov administration such as the Law on Education (in 2009) and a 2007 decree “On improvement of education system in Turkmenistan” resumed the modernization process. For instance, the current legislation allows conducting additional income-generating activities that does not affect their public funding, which depends on the number of students. In addition, the two new universities mentioned above charge tuition fees (EACEA, 2017).

Another peculiarity of the HE system is that all HEIs, except three institutions, are situated in Ashgabat, the country’s capital.

### Higher Education Governing Context

The governance of the higher education system is centralized, as the state plays the major role in regulating and governing the vast majority of HEIs' activities. Concurrently, HEIs have strictly limited autonomy. First, the institutions have constrained financial autonomy. In the current legislation, they have the right to conduct income-generating activities under the legislation and to use the available extra-budgetary resources for their purposes. For instance, they can use them to provide support for students in need. As for public money, the institutions do not have the control over these funds. Specifically, they do not have the flexibility to reallocate resources to different budget priorities. Also, the institutions do not have authority to set salary schemes. It is the state that approves the schemes for HEIs.

Second, the institutions have limited autonomy to shape academic structure and course content. The state sets state educational standards that HEIs follow and develops guiding documents concerning the organization of education.

Third, the vast majority of HEIs are not entitled to set admission standards and the size of student enrollment. Admission to HE is regulated by a presidential decree, whereas the quotas are set based on the applications from the sectoral ministries and departments.

Lastly, the institutions do not have autonomy to cooperate internationally with other organizations. The Cabinet of Ministers of Turkmenistan (CMT) is responsible for maintaining international relations. Thus, HEIs follow a comprehensive state-control model, with little to no market orientation because the core decision-making unit regarding main activities remains with the State.

In terms of accountability, the governing structure of the HE system can be characterized as a hierarchical governmental-led model. The CMT is the highest governing body that designs and implements state educational policies, strategies and state educational standards, coordinates the activities of HEIs, and sets models of funding, quality assurance, licensing, and accreditation. The Ministry of Education is the highest governing body after the CMT that controls information as well as sets policy. Interestingly, the ministry did not have a website until recently (Berdyeva, 2020; National Information Center, n.d.). It organizes the activities of the institutions, designs normative acts on the organization of professional development programs, elaborates the procedures for student enrollment and the standard statutes for HEIs, and approves a salary-related scheme.

The rector is the highest ranking official who is responsible for the direct management of an institution. The rector's powers and responsibilities are specified by the institution's policies. Rectors are appointed by the government.

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## 15.2 GOVERNING BODY PROFILE

A challenge exists in finding relevant information to describe the university-level structure to governing. The lack of public information and documentation is illustrative of the types of control and oversight provided by the government. The presented governing structure is not exhaustive because of the scarcity of information. The profile focuses on one of the new universities, which might be organized differently from the older universities or different types of HEIs. Other details beyond this instance are not readily available.

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### The Case of the International University for Humanities and Development

The International University for Humanities and Development is perhaps the most modernized and certainly the most internationalized University in the country. Established in 2014 in the country's capital, the University uses the English language as the medium of instruction. The University has six schools and a foundation-year program to help students acquire academic study skills and improve their English language proficiency. Although it is not clear what scholarships exist to study at the University, the yearly announcements on student admission to the University only mention the fee-paying option.<sup>1</sup>

The University has five faculties, enrolling more than 1,600 students. The focus of the University is on humanities and social sciences with a computer science department according to its website (<https://iuhd.edu.tm>). Two recently opened master's programs were designed according to the Bologna requirements.

In terms of its governing body, the University's major decision-making lies with the Academic Council chaired by the University rector. Similar to the standard Soviet structure of Academic Councils (*Uchenyi Sovet*), the IUHD Council includes the rector, vice-rectors, heads of structural units and research centers, and deans.

According to the University's website (<https://iuhd.edu.tm/academic-council>), the Academic Council has the following functions:

<sup>1</sup> <https://turkmenportal.com/catalog/16821>.

- make amendments to the institution’s charter;
- approve the composition and decisions of the Academic Council and changes in the structure of the University;
- consider the development of research work, accept reports on the work accomplished, and also contemplate implementation of research work objectives into production;
- accept reports from the senior and middle leadership teams and make relevant proposals.
- considers issues related to the institution’s main activities and international cooperation.

The Academic Council meetings are held once a month on a certain day of the week and are open to the public.

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### Commentary

Turkmenistan has strongly pursued a centralized approach after independence, from revamping the country’s economy sectors to structuring its higher education sector. To date, this state-driven approach expanded enrollment, and there are considerable internationalization efforts taken by some institutions. Market forces exert minor but growing influence over the system with the declining state-funded admissions and the increase in fee-paying students. However, the country’s centralized approach slowed down the pace of the modernization process in accordance with the international standards. Nevertheless, Bologna preparations are underway, though they may still take substantial time and effort to elevate Turkmenistan higher education following the requirements of this integrative process.

The country’s tight administrative control has also affected the governing structure of HEIs. The governance structure is still very centralized with strong government control over institutional decision-making. The lack of transparency is evidence of this point. The universities tend to follow the traditional Soviet-style governance approach with the central role of the University rector and the Academic Council. The country context seems to be unfavorable to University governance, per the World Bank governance indicators. Low percentile ranks in the governance indicators (rule of law, control of corruption, voice and accountability) appear to directly or indirectly affect universities and their governance and management.

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# 16 Ukraine\*

Ali Ait Si Mhamed and Serik Ivatov

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## 16.1 THE NATIONAL AND HIGHER EDUCATION CONTEXTS

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### National Context

After gaining its independence in 1991 from the Soviet Union, Ukraine, like other post-Soviet republics, has implemented liberalization and modernization reforms. However, these reforms have been affected by demographic, economic, and political challenges. Its population of 51.9 million has fallen significantly to 41.5 million between 1990 and 2021 (State Statistics Service of Ukraine, 2021a) and it is projected to fall further to 35.1 million in 2050 (United Nations, 2015). The population has been declining in recent years due to falling fertility rates and emigration (OECD, 2017c).

The country has an important strategic geopolitical position as it is on the crossroads of major transportation routes from West to East. With an area of 603,628 km<sup>2</sup> (approximately 233,062 mi<sup>2</sup>), Ukraine is about the same geographic size as France. It borders Russia to the northeast, Belarus to the north, Poland, Slovakia and Hungary to the west, and Romania and Moldova to the south. It holds membership in the United Nations, the Council of Europe, the OSCE, and since 2005 the Bologna Process.

During the first decade of its independence, Ukraine underwent a fundamental transformation from totalitarian government toward a democracy and from command economy to market oriented one. The changes have impacted the role of individuals who became active actors and participants in national

\* Editor's note: This case profile was written before the 2020 invasion of Ukraine by Russian forces. Reading this is a difficult reminder of how things were in more peaceful times.



and local development. All this led to concurrent changes in the country's priorities, of which education became one of the most important. More specifically, due to its significant role in facilitating the transition to an information economy, higher education (HE) became a substantial realm of social change. In other words, younger generations who acquired higher education in Ukraine have played major roles in instrumental social and economic reforms.

Ukraine has not shown steady economic growth because the country failed to enact key structural economic and institutional reforms, curb corruption, and decrease its dependency on external resources (OECD, 2017). Ukraine used to be one of the post-Soviet republics with the highest gross domestic product (GDP) but has become one of the republics with the lowest GDP (World Bank, 2021a) after independence. Currently, Ukraine's per capita GDP is approximately USD3,659 (World Bank, 2021a) and it is classified as a lower-middle-income country (World Bank, 2021b). After more than six years of political and economic tension, the Ukrainian economy has shown signs of stabilization since 2016. Based on the data from IMF, Ukraine recorded a growth of 3.2 percent of its GDP in 2019, slightly down from growth of 3.3 percent in 2018. Ukrainian GDP is still driven by domestic demand and household consumption representing about 70 percent of GDP.

The country has been in continual conflict with Russia, which has had an ongoing and negative impact on the economy. The budget deficit in 2019 was -2.7 percent and it was estimated to continue in 2020 and 2021 remaining at -2.5 percent (IMF, 2020). However, the country continues to undertake various economic reforms aimed at strengthening household consumption and consolidating public finances along other fiscal, monetary, and exchange rate reforms. The budget adopted for 2020 puts priority on security and defense to restore peace in the eastern part of the country. Other priorities include health, education, and infrastructure development.

Ukraine has an industrialized economy. Its main industries include coal, electric power, machinery and transport equipment, ferrous and nonferrous metals, food processing, and chemicals. The economy of Ukraine depends mainly on the services sector rather than on the industry and agriculture sectors. For instance, in 2017, services contributed about 60 percent, agriculture about 12.2 percent, and industry about 28.6 percent of the country's GDP (CIA, 2021). The country has fertile soil, it used to be known as the "breadbasket of the Soviet Union."

Although Ukraine faced some political challenges such as the Orange Revolution (see Kuzio, 2010) and the Maidan events (see Diuk, 2014), it achieved some successes on its way to democracy. Ukraine has elected five presidents,

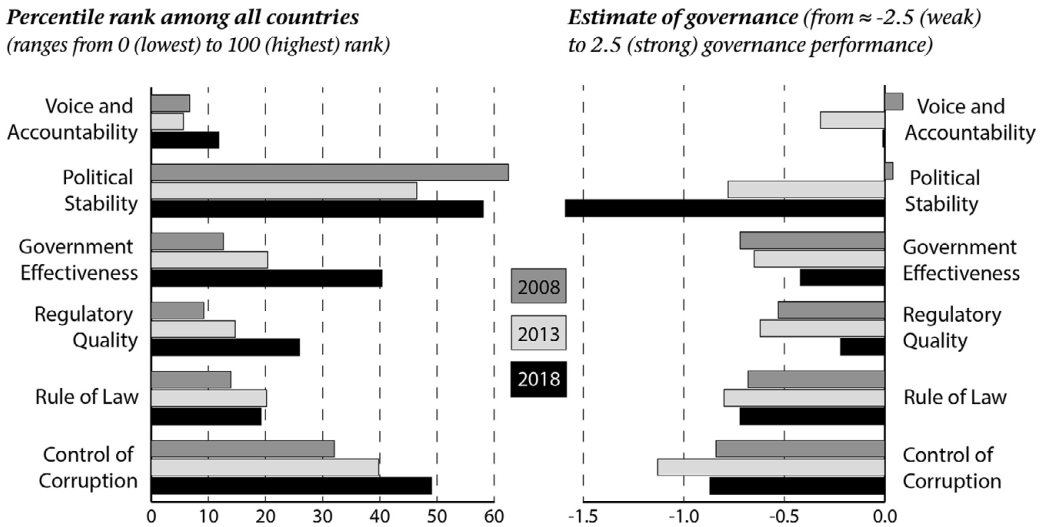
showing some key elements of democracy. The constitutional reforms following the presidential election in 2004 gave greater authority to the prime minister and the parliament, making Ukraine a semi-presidential republic. Also, the country is a multiparty democracy. At least eight parties are being presented in the parliament. Most of these parties are either center, center-right, or right. At least three of these parties are pro-Russian. Like its Moldovan neighbor, the country is in a constant negotiation of moving toward the West or toward Russia.

The president is the head of the state elected for five years. He is the commander in chief. He appoints the prime minister. The executive power is shared between the president and the prime minister. The latter is the head of the government and can form his government except for the minister of defence and the minister of foreign affairs who are appointed by the president. The legislative power is the parliament consists of 450 seats chosen on a proportional basis from parties that gain 3 percent or more of the national electoral vote. The president has the power to dissolve the parliament.

Fundamental transformations in the economic and social arenas have surfaced significant distrust between the population and the government. This distressed climate is fueled by an increase in corruption and a decrease in serious reforms. However, the presidential election of 2019, which led Volodymyr Zelensky to the presidency with more than 73 percent of popular vote has changed the political environment in the country. With the former president Petro Poroshenko being harshly criticized for his poor record of reforms mandated by IMF and less or no effort to combat corruption, Zelensky has had an ample opportunity to change the country's trajectory. Many developments took place after Zelensky's election. The issue of Russia-Ukraine tension was mediated by Germany and France leading to the meeting of the Russian and Ukrainian presidents to meet and discuss tensions over the Donbass. The tripartite meeting of Russia, Ukraine, and the European Union (EU) in Minsk led to solving the riddle of renewing the contract of governing gas control to EU from Russia via Ukraine with approximately 3 billion dollars pledged to the gas company in Ukraine in this deal. The impeachment of US president Trump has also marked the success of Ukrainian government capacity to deal with complex foreign issues and the ability of the current Ukrainian government to deal with abuse of power and obstruction of justice. Hence, the Ukrainian government drew on the priority of restoring peace in Donbass and avoiding being drawn into American partisan politics.

The national governing context according to the World Bank's Governance Indicators project is high on political stability (at approximately the 60th percentile). Its control of corruption and governance effectiveness,

Figure 16.1 Worldwide governance indicators for Ukraine



while below the international median, both improved continually over the decade between 2008 and 2018. Voice and accountability remain low (less than the 10th percentile) (Figure 16.1).

The Global Competitiveness Index of the World Economic Forum (WEF) ranks Ukraine 72nd out of 141 countries regarding public sector performance. The burden of regulations ranked 68th with a score of 43.9 for 2018–2019 (Schwab, 2019). It scored the future orientation of the government at 48.7 out of 100, which ranked it 94th. Its Skills pillar scored 54.5 for the skillset of graduates and a rank of 54th. WEF granted a score of 56.7 on the ease of finding skilled employees indicators, which ranked it 53rd. WEF's corporate governance score was ranked 91st. Overall, the governance context is challenging given its low scores by the World Bank as well as by WEF. The burden of regulations is middling comparatively, as is its education outcomes indicators, however, its corporate governance score, while not the same as higher education, was low on a global scale.

### Shape and Structure of Higher Education

Ukraine implemented several market-oriented reforms to align its higher education sector with the national needs. These reforms resulted in the

expansion of public HE and the emergence of private HEIs, the introduction of tuition fees, and the diversified HE system.

Ukraine expanded its HE sector in response to the rising demand for higher education. There was an increase in the number of tertiary enrollments by 185 percent between 2000 and 2009, as well as in the enrollment percentage of the eligible age group from 47 percent to 79 percent between 1999 and 2008 (Shaw, Chapman & Rumyantseva, 2011). Consequently, the number of universities, academies, and institutes that offer long-cycle degree programs increased from 149 to 281 between 1990–1991 and 2019–2020, while the number of other tertiary institutions (secondary specialized educational institutions that offer short-cycle degree programs) decreased from 742 to 338 during the same period (SSSU, 2021c). Approximately 75 percent of students study at universities, academies, and institutes, while 25 percent of students receive education at specialized educational institutions (World Bank, 2021b). As for the private institutions, they account for more than 20 percent of all the HEIs. For instance, there were 162 operating private institutions in the 2015–2016 academic year (Rumyantseva & Logvynenko, 2018).

Apart from being state or private (non-state), Ukrainian tertiary institutions can be classified based on their level of accreditation at one of four levels. Ukraine merged some elements of vocational education with higher education (Rumyantseva & Logvynenko, 2018). As a result, secondary specialized educational institutions (colleges, technical and vocational schools) became part of tertiary education and were reclassified as HEIs of I and II levels of accreditation. More established HEIs (universities, academies, and institutes) received III and IV levels of accreditation. HEIs of I and II levels of accreditation appear to be equivalent to the short cycle higher education (e.g., community college in the United States) because they award junior specialist degrees to students, prepare them for jobs, or to transfer to level III and IV institutions. HEIs of I and II levels of accreditation offer undergraduate, graduate, and doctoral programs.

Also, Ukrainian institutions can be classified based on their status, focus, and range of programs. Given that, institutions can be comprehensive and specialized. The former has higher status, focuses on teaching and research, and offers a wide range of programs, whereas the latter focuses mainly on teaching within their chosen fields. Another feature of the specialized HEIs is that they are accountable not only to the Ministry of Education like their counterparts but also to the corresponding sectoral ministry (e.g., Ministry of Healthcare). Within this classification, HEIs can be classified further.

Specifically, there are flagship universities, national and regional universities, academies, and institutes (see Rumyantseva & Logvynenko, 2018).

In response to the scarceness of public funds, both state and non-state HEIs are allowed to diversify their funding sources. HEIs generate revenue mainly through student tuition fees and the public budget. Students at state HEIs are either funded by the state through state grants or self-funded via tuition fees. Statistics have shown a somewhat steady rate of 50 percent of students who pay tuition for studies in public universities (Rumyantseva & Logvynenko, 2018). Private HEIs do not receive any direct or indirect public funding. Hence, all students in these HEIs are expected to pay tuition fees that are overall higher than those in public HEIs. This funding arrangement provides private HEIs with absolute financial autonomy and control of the resources without any intervention of the state. That said, private HEIs that wish to grow the culture of research activity need to autonomously provide funds for these activities as well as educational activities.

Public HEIs are primarily funded from the State budget. The financing of higher education is within the responsibility of the Ministry of Education and Science. Other ministries, such as the Ministry of Health and Culture, etc., to which some HEIs are attached, allocate funds directly to the public higher education institutions and control their budgets. Public University funding is input-based, which means that the allocation of funds is based on the real costs of the institution in relation to the number of students due to be enrolled in the next academic year and the number and structure of the academic staff. In addition to the public funding, universities generate resources from tuition fees, projects (national and international), real estate, endowments, grants, consultancy services, and other diversified revenue similar sources. The Law of Higher Education (2014) has entitled funding to public universities that covers building and infrastructure, salaries, purchase of equipment, library and information systems, scientific research, international cooperation, publishing, students' extracurricular activities, and special needs programs.

The public funding is mainly provided through line-item budgets, while other diversified sources of income are at the discretion of the institution's spending according to its strategic goals. Although the ratio between the self-provided income and the public budget differs from one institution to another, on average no budget allocated for public HE from the State exceeds 50 percent of the total budget. Moreover, it is important to note that the diversified revenue that HEIs are free to generate from multiple sources must follow the Budget Code of Ukraine and the Decree of the Cabinet of Ministers

(Education, Audiovisual and Culture Executive Agency, 2017). Such laws and regulations define how self-generated revenues are to be spent and the State treasury is in control of assuring HEIs follow those defined procedures.

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### Higher Education Governing Context

Although Ukraine implemented market-oriented reforms to revamp its HE system, it is still in the process of transitioning from a highly centralized system to a more democratic and self-governing one. During the Soviet Union, HEIs in Ukraine were characterized as institutions with "weak University self-governance" and high "strong state control" (Osipian, 2008, p. 15). For instance, the main top managers, such as the rector, the vice-rector and the chief accountant, were all appointed by the Ministry of Education of the Soviet Union. Strong state regulations prevented the development of managerial self-governance, which qualified top leadership of the universities to perform primarily administrative functions. All these realities of governance in Soviet Ukraine did not leave any room for academic self-governance.

After joining the Bologna Process in 2005, Ukraine committed to an effort to align its higher education governance system with the international standards. Consequently, the government introduced several changes such as the creation of Supervisory Boards, the election of the rector, increased levels of University autonomy, and the establishment of autonomous universities (flagship universities). However, these changes are not systemwide and the majority of HEIs in Ukraine adhere to a state-centered model (Shaw, Chapman & Rumyantseva, 2013). These HEIs do not enjoy a high level of autonomy over their financial and academic activities or their structure (Shaw et al., 2013). Only some autonomous state universities (e.g., Kiyv National University of Taras) enjoy a higher level of autonomy over their budgets and educational programs.

HEIs are still dependent on the state in relation to the management of administrative, academic research, and financial activities. The government aims to increase the degree of financial autonomy of institutions. It revised the legislation on higher education funding to implement performance-based funding. However, HEIs submit their budget to their "parent" ministries for approval. As for administrative activities, institutions have the right to interact with external bodies (e.g., foreign universities) and shape their structure and the structure of the governing bodies (e.g., Academic Board). The composition of the governing bodies still needs to be approved by the ministry. Regarding the academic activities, HEIs are entitled to choose the

directions of programs and modify them to some extent. All changes must be in accordance with the national legislation and programs must include some obligatory components. Also, Ukraine seems to retain the divide between higher education and research. The vast majority of HEIs focuses on teaching, whereas academies of science produce most research and scientific innovation (World Bank, 2021b). This divided structure may limit the ability of HEIs to improve the quality and relevance of their programs.

The state still plays a major role in the governance of HE. It is represented by the Ministry of Education, the Cabinet of Ministers, and the National Agency for Higher Education Quality Assurance (NAHEQA). To operate, the governance structure in Ukraine “requires Parliament to set legislation, the Cabinet of Ministers to develop secondary legislation and implement policy, and other ministries and agencies to oversee their subordinated HEIs” (World Bank, 2021b, p. 4). As for NAHEQA, it is an autonomous body that accredits HEIs and certifies the quality of their programs. The state determines the curriculum and regulates the admission procedures, limiting the institutions’ academic autonomy. It plays different roles for state and non-state HEIs regarding funding. As the latter does not receive direct or indirect public funding, non-state HEIs appear to enjoy a higher level of financial autonomy than their counterparts. All HEIs are accountable to the Ministry of Education (also to the corresponding sectoral ministry if it is a specialized institution).

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## 16.2 GOVERNING BODY PROFILE

Structure-wise, both state and non-state HEIs seem to have a similar governance structure. It comprises the rector, Academic Board, Supervisory Board, the General Meeting (Conference) of Labor Collective, and student government. The focus of this discussion is on the two primary decision making bodies, a bi-cameral approach.

The two authoritative bodies in public universities are the Academic Board, a collegial body of an HEI set up every five years. It is involved in all key aspects of institutional management. The Supervisory Board exists to oversee the institution’s assets management and adherence to its original purpose.

The rector is the highest official of the University, who is elected by the General Meeting of Labor Collective every five years (for no more than two terms) by secret ballot. Then, the Ministry of Education or HEI’s founder

contracts with the elected rector depending on the University's type of ownership (public or private). Sometimes, this position is called the president. It is expected to function in its name and represents it in relation to other actors. The rector is involved in recruitment and disciplinary, economic, and position assignments (e.g., promotions). The rector of an HEI in Ukraine is accountable for the development of educational activities, financial management, and maintenance. In exercising these activities, the rector relies on the Academic Board, which consists of the heads of the institutional subdivisions, outstanding members of its teaching and research staff, and representatives of the student community.

Each University also has a General Meeting (Conference) of Labor Collective, which is the supreme collegial body of public self-governance of an HEI. The final body is student government, which constitutes an inseparable part of public self-governance of a HEI. It comprises all students of the institution and is responsible for addressing academic issues, the protection of rights, and interests of students.

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### **Body Structure**

The two primary decision-making bodies described below are the Academic Board and the Supervisory Board.

The Academic Board includes the chair, the rector, vice-rectors, deans, director of the library, chief accountant, heads of self-government bodies, elected representatives from trade union organizations, faculty members, students, and representatives from industry. The Board must include at least 75 percent faculty members and 10 percent students. The quotas are determined by the institution's charter.

The Supervisory Board is composed of a chairman, deputy chairman, the rector, and representatives of state bodies and industry. It shall not include employees of the institution except for the rector.

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### **Scope of Work**

The Academic Board has the following functions:

- (1) The Board determines development strategies for the educational, scientific and innovative activities of the institution.
- (2) It approves the changes in the institution's structure.



- (3) It develops and submits the charter of the institution to the highest collegial body of public self-governance (Conference of Labor Collective).
- (4) The Board adopts the financial plan and annual financial statements of the institution of higher education.
- (5) It also defines the system and the procedures for internal quality assurance, approves the academic programs and curricula, makes decisions on the organization of the educational process, determines the academic programs' duration, and approves diploma templates.
- (6) The Board evaluates the educational and scientific activity of the institution's units. It confers the academic titles (professor, associate professor, and senior researcher) and submits respective decisions for approval by the certification board of the central executive authority in the field of education and science.
- (7) It has the right to submit a proposal for the recall of the head of the HEI in accordance with the legislation, the institution's charter, and a contract. The proposal is considered by the highest collegial body of public self-government of the institution.
- (8) It makes the final decision on the recognition of documents on higher education issued by foreign and local religious HEIs.

The Supervisory Board has the following functions:

- (1) to ensure effective interaction between the institution and external actors such as state organizations, research community,
- (2) to oversee the institution's assets management,
- (3) to exercise public control over the institution's activities,
- (4) to attract additional financial sources of funding,
- (5) to contribute to the development of the institution,
- (6) to submit a proposal to recall the head of the institution on the grounds specified by the laws and the charter of the institution,
- (7) to participate in the work of the General Meeting of Labor Collective and make suggestions, and
- (8) to exercise other rights determined by the charter of the institution.

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### **Membership and Appointment Process**

The Academic Board includes permanent and elected members. Examples of permanent members are the rector, vice-rectors, and deans. Examples of elected members are representatives from faculty members and students. The representatives elected from among faculty members are approved by the supreme collegial body of public self-governance. As for the student representatives, they are elected by secret ballot by students. The election process starts thirty calendar days before the end of the term of the previous Board. The composition of the Board is approved by the order of the institution's head within five working days from the end of the term of the previous Board.

The Supervisory Board is formed and approved by the Ministry of Education on the proposal of University's senior leadership for five years. Members of the Supervisory Board perform their duties on a voluntary basis.

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### **Chair Appointment and Process**

The Academic Board is governed by a chair who is elected by secret ballot from the members of the Board for the duration of the Academic Board, which is five years. To qualify for the position, the candidate must have a research degree and/or academic (honorary) title.

The chairman of the Supervisory Board is appointed and approved by the Ministry of Education based on the proposal of institution for five years.

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### **Board Accountability**

The Academic Board is accountable to the supreme collegial body of public self-governance (the General Meeting of Labor Collective). The charter of the institution specifies the accountability of the Supervisory Board.

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### **National Technical University of Ukraine Igor Sikorsky Kyiv Polytechnic Institute**

To describe the governing process of HEIs in Ukraine, we selected National Technical University of Ukraine Igor Sikorsky Kyiv Polytechnic Institute as an example. With its history that goes back to the late nineteenth century, the institution has a strong reputation for its dedication to knowledge, science, and education. It is the largest institution of higher education in Ukraine and it is well known for its preparation of engineering and scientific personnel.

Due to that vital role, it was elevated from being Kyiv Polytechnic Institute to the status of National Technical University of Ukraine in 1995. Further status was allocated to the University in 2007 by the Committee of the Board of Education as a research University. It was named after its former student, Igor Sikorsky, who became an outstanding aircraft designer of the twentieth century. The Institution gained its autonomous status through policy reforms in the early 2000s. The section below will cover the structure of the University. Description in this section stems from the statute of the University (National Technical University of Ukraine, n.d.).

The Ministry of Education and Science of Ukraine is the central executive body whose authority is determined by law and the statute. It has the authority (1) to approve the University's statute, (2) to conclude and terminate a labor contract with the rector through competition, (3) to supervise the financial activities of the institution, and (4) to delegate some of its powers to the rector.

The rector is the chief executive officer of the University. They are responsible for (1) direct management of the University according to law and statute; (2) representation of the University in relations with both local and international, state, and non-state actors; (3) issuing orders, decrees, and directions; (4) the recruitment and dismissal of employees; (5) management of funds and assets; and (6) organization and monitoring of the implementation of curricula and programs. The rector is elected via a secret ballot for five years and can be dismissed by the ministry. One candidate can be elected as rector for no more than two terms.

The Academic Board is the collegial body of the institution formed for a five-year period. Its composition is approved by the rector. The chairman of the Board is elected by secret ballot from its members who have a research degree or an academic (honorary) title. The Academic Board includes permanent members such as the rector, vice-rectors, deans, heads of institutes, librarian, chief accountant, the chair of trade union, the head of student trade union, and two heads of student government. It may also include elected members such as representatives from faculties (one per faculty), ten representatives from other staff, two delegates from graduate students, and representatives from students (one per school). Delegates from teaching and research staff are elected at the meeting of the General Conference of Labor Collective, drawing on the proposals from units. Representatives from the student body are elected by secret ballot. The Academic Board includes at least 75 percent teaching and research staff and 10 percent student representatives. It may also include representatives from industry upon the decision of the Academic Board.

Its main responsibilities are to (1) determine the strategic direction of academic and research activities of the universities, (2) approve the financial and annual reports of the institution, (3) shape the University's internal quality assurance mechanisms, (4) approve changes by the rector in the structure of the University, (5) approve the content of education provided, (6) approve and evaluate the activities of the University, (7) award academic titles, (8) submit a proposal for the recall of the rector, and (9) determine the staff recruitment procedures.

The Supervisory Board is approved by the ministry and may not include the employees of the University. The members of the Board are appointed for five years on a voluntary basis. The body has the authority (1) to consider the ways of future development on strategic matters, (2) to consider the financing of the University, (3) to make proposals regarding different activities of the institution, (4) to oversee the management of the University, (5) to attract additional financial sources of funding, (6) to assist in the development of the institution, and (7) to facilitate the interaction of the institution with external actors such as state and local authorities, research institutes and industry. In its activities, the Supervisory Board is guided by the Constitution of Ukraine and the Law on Higher Education (2014). The Board exercises its activities guided by the principles of collegiality and publicity in decision making.

The General Meeting (Conference) of Labor Collective is the highest collegial body of public self-governance. It must represent all groups of participants. The meeting includes the rector, vice-rectors, heads of institutes, deans, chief accountant, and heads from trade union and student trade union. It also comprises at least 75 percent delegates from teaching and research staff and at least 15 percent student representatives and other staff. Delegates from teaching and research staff are elected at the meetings of trade unions and units. Student representatives are elected by secret ballot. This body has the following functions: (1) agrees to amendments (additions) to the institution's charter, (2) hears the rector's annual report, (3) creates a commission to solve labor disputes, (4) considers the proposals of Academic Board or Supervisory Board for the recall of the rector, (5) approves the internal regulations of the institution, and (6) considers other issues.

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## Commentary

Although Ukraine implemented changes to its HE system to meet the international standards, these changes are not systemwide and limited and institutional governance culture is not fully established. HEIs were given a

greater degree of academic and financial autonomy (EACEA, 2017; World Bank, b). The current legislative framework allows HEIs to align some elements (e.g., electives, major specializations) of their programs in accordance with the international standards and labor market needs. However, all changes to programs are regulated by the state. Also, all academic programs must have obligatory courses prescribed by the Ministry of Education and Science of Ukraine. As for financial autonomy, private institutions appear to have greater degree of freedom than public institutions. Non-state institutions do not receive direct or indirect public funding, whereas state institutions receive public funding up to 50 percent of their total budget. In addition, many HEIs are not well-equipped to operate according to a more autonomous set-up and Ukraine lacks “the means in terms of information and steering mechanisms to orient newly autonomous HEIs towards competitiveness and performance” (World Bank, 2021b, p. 4).

Also, the governance structure of HEIs has changed in response to the degree of academic and financial autonomy they have. The structure comprises the rector, the Academic Board, the Supervisory Board, and the General Meeting of Labor Collective. The Academic Board seems to be the most important decision-making body that focuses mainly on academic issues. As for financial issues, they are concern of the Supervisory Board. Based on the descriptions of the functions of these bodies, there is still room for increasing the degree of their autonomy.

The funding system requires a huge reform because the existing model of cost distribution spreads out the funds around many HEIs employees and students, which leaves faculty with small uncompetitive salaries. Even worse, the current funding system does not allow any upgrades in infrastructure, equipment, and resources to keep the quality on a proper level. The current funding model allows for covering minimum expenditures leaving a large share of cost to be borne by HEIs through cost sharing via tuition fees paid by students and families. Compared to per-student cost, even tuition fees earnings are not enough to close the funding problems because the tuition fees are low.

Hence, Ukraine needs urgent governance reforms that take quality enhancement seriously and decrease corruptive acts that have been one of the main hurdles toward the prosperity of HEIs institutions. With boards and some autonomy in place, Ukraine is taking the right step toward fixing higher education challenges, but that requires serious steps in increasing governance reform and decreasing the level of centralization.

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# 17 Uzbekistan

Ali Ait Si Mhamed and Serik Ivatov

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## 17.1 UZBEKISTAN NATIONAL AND HIGHER EDUCATION CONTEXT

Uzbekistan is a lower-middle-income country (World Bank, n.d.-a) with a population of more than 33 million people (Wolrdmeters, n.d.). It is a doubly landlocked country located in Central Asia. It shares borders with Afghanistan to the south, Turkmenistan to the southwest, Tajikistan to the southeast, Kazakhstan to the north, and Kyrgyzstan to the northeast. Uzbekistan is made up of twelve provinces and the autonomous republic of Karakalpakstan located in the northwest part of the country. Uzbekistan is a member of many international organizations, including the United Nations and the Organization for Security and Co-operation in Europe (OSCE) since 1992.

The dissolution of the Soviet Union affected Uzbekistan, producing challenges similar to other post-Soviet republics, such as the dependence of its market on the socialist republics, economic resource scarcity, and the transition to a market economy. Uzbekistan transitioned gradually to a market economy (Ruziev, Ghosh, & Dow, 2007). Because of this, Uzbekistan's economy was more resilient to external shocks than other post-Soviet countries. Specifically, during the early period of transition, Uzbekistan experienced lower output loss compared to other transition economies, followed by positive and steady economic growth. This performance is known in the literature as the "Uzbek Puzzle" (Pomfret, 2000). Researchers (Pomfret, 2000; Ruziev et al., 2007) argue that several factors, such as specialization in agriculture, for example, being the seventh-largest producer of cotton in the world; natural resource endowment, including being the world's seventh-

largest producer of gold; and the centralized management of the economy, help to explain the puzzle.

Uzbekistan's slow approach helped to facilitate industrialization and ensured economic growth. During the Soviet period and the first years of independence, agriculture and services were the primary sectors of the economy, whereas industry was a poorly developed sector (Ruziev et al., 2007). Currently, services and industry are the main contributors to the gross domestic product (GDP). For instance, in 2017, services contributed about 48.5 percent, agriculture about 17.9 percent, and industry about 33.7 percent of the country's GDP (CIA, n.d.-b). There has been an increase in the GDP between 1990 (13,361 billion USD) and 2016 (81.847 billion USD), followed by a significant fall between 2017 (81.779 billion USD) and 2019 (57.921 billion USD) (World Bank, n.d.-c).

Although the pragmatic and gradual approach to transition produced many economic and political benefits, it also produced some disadvantages. In terms of the management of some sectors of the economy, Uzbekistan did not reject centralized planning in favor of decentralized planning. Hence, Uzbekistan has been dedicated to implanting market-oriented reforms (e.g., privatization) only in some sectors (e.g., small-scale enterprise and retail sectors). The government has maintained "complete control over the 'commanding heights of the economy,' including the HE sector as well as the transport, communications and media industries and the financial, agricultural and extractive sectors" (Ruziev & Burkhanov, 2020). Currently, the government is working on developing and implementing comprehensive market-oriented reforms so that its institutions will be able to operate in the global commercial environment (Asian Development Bank, 2010).

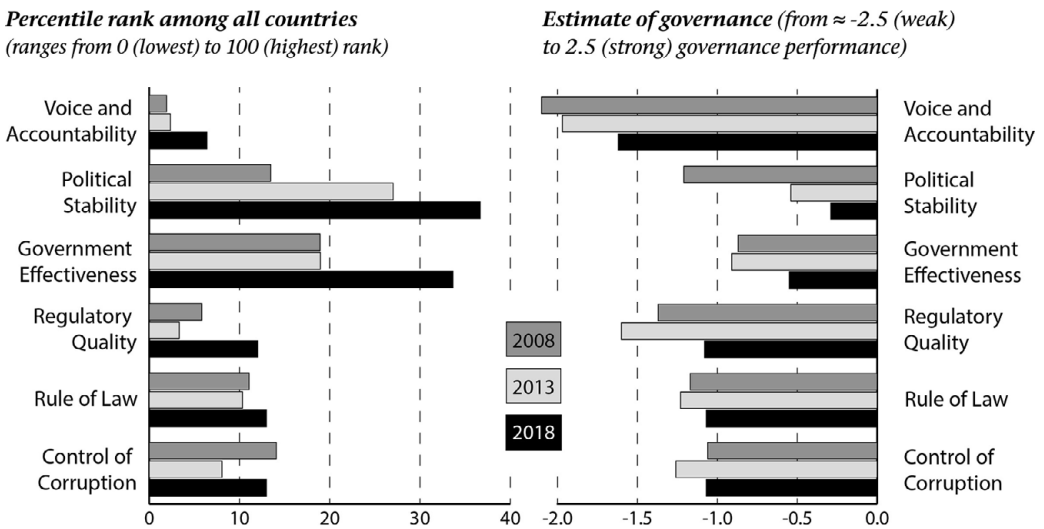
Although, since independence, the education sector of Uzbekistan has also faced challenges, human capital development is a high priority item on the national agenda. Public spending on education decreased from 7.284 percent to 5.281 percent of GDP between 2013 and 2017 (World Bank, n.d.-c). There was a need for horizontal and vertical changes in the structure of education in Uzbekistan. The government implemented several initiatives to promote human capital development. Examples of such initiatives include the National Program for Personnel Training (NPPT) in 1997, the National Program for Basic Education Development (NPBED) in 2004, and the Welfare Improvement Strategy Paper (WISP) in 2007.

Transition to a market economy also required sociopolitical reforms. Uzbekistan moved from a single-party system to a multiparty system and replaced communist ideology with a national ideology. According to its

constitution, Uzbekistan is a secular, unitary, and presidential constitutional republic whereby the president is the head of state. Uzbekistan’s government is divided into three branches: a legislature (Oliy Majilis), an executive (the Cabinet of Ministers), and a judiciary (Supreme Court, Constitutional Court, and Higher Economic Court). In the literature, the interpretations of politics in Uzbekistan are mixed (Weidman & Yoder, 2010). Some sources (Constitution of the Republic of Uzbekistan) characterize Uzbekistan as a democratic country, whereas the others describe it as an authoritarian state (CIA, n.d.-c; Shmitz, 2020). Thus, it seems that Uzbekistan is still debating its political liberalization.

The governing context according to the World Bank’s Governance Indicators project is as follows: across the set of indicators, the country scores low, all below the 37th percentile. The voice and accountability indicator in 2018 is at the 6th percentile. The country has made notable progress on political stability and government effectiveness in the ten years between 2008 and 2018, improving from less than the 20th percentile for both to close to the 35th percentile. Its control of corruption and rule of law are both low and remain unchanged after ten years. Uzbekistan is not included in the World Economic Forum’s competitiveness indicators (Figure 17.1).

**Figure 17.1** Worldwide governance indicators for Uzbekistan





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## Shape and Structure of Higher Education

The foundations of the higher education system in Uzbekistan were laid before becoming part of the Soviet Union. In 1918, Turkistan National University was established. Similar to other former Soviet Republics, the system was revamped to meet the highly centralized system of the Soviet Union. The higher education institutions mainly focused on producing a highly qualified workforce to meet the demands of the Soviet economy. As a result, the higher education sector was comprised mainly of forty specialized institutes, with a focus on specific fields such as agriculture, medicine, and three comprehensive universities, offering a wider range of disciplines (Ruziev & Burkhanov, 2018). The majority of institutions were located in the country's major cities such as Tashkent, Samarkand, and Nukus.

After gaining its independence in 1991, Uzbekistan introduced reforms to the higher education system to shift from a centralized economy to a market-based economy. In 1992, Uzbekistan enacted the Law on Education. Part of this policy reform shifted the cost of education from the government to students and parents. The government introduced a dual-track tuition policy. Students can either win a government-funded merit-based scholarship or pay tuition fees. Although there were private higher education institutions in the 1990s, they were not able to obtain an official license. To date, all higher education institutions are publicly owned (Ruziev & Burkhanov, 2020).

The country has gone through both vertical and horizontal changes in the structure of its HEIs. Generally speaking, the HE system is comprised of three types of institutes: universities, institutes, and academies. Universities offer a wide range of bachelor's and master's programs, as well as professional training programs. Academies also offer two-level programs but with a focus on specific fields and are mainly responsible for conducting top graduate studies, making their status more superior compared to universities and institutes. Institutes offer bachelor's, master's, and postgraduate programs in specific fields. They focus on producing various specialists in different fields such as agriculture and law. In 2017, the government introduced an interim level of education, which is PhD degree, between master's degree and *Doktor Nauk* (Doctor of Science).

There are thirty-two universities (twenty public universities and their six regional branches, and six branches of foreign universities), six academies, and forty-four institutes (thirty-six public institutes and their seven regional branches), and one branch of foreign University (European Commission, 2017b). In 2019, an American University, Webster University, received a

decree from the president of Uzbekistan to operate jointly with the Ministry of Higher and Specialized Education. The HEIs in Uzbekistan can also be classified into six types: comprehensive universities, specialized universities, institutes, regional branches of domestic HEIs with the purpose to improve access in the regions, academies, and branches of foreign HEIs (Ruziev & Burkhanov, 2018). Regional HEIs do not offer doctoral studies programs.

Since its independence and the introduction of reforms and programs above, the number of HEIs and students has increased significantly. For instance, there was an increase in the number of institutions from 43 to 78 and full-time students from 180,000 to 250,000 between 1989 and 2015 (Ruziev & Burkhanov, 2018). There are three modes of learning available in the country: full-time and part-time learning, distance learning, and evening learning.

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### Higher Education Governing Context

Given the centralized management described in the first section, the approach to governance in the HE sector can be described as top-down and centralized (Ruziev & Burkhanov, 2018; Weidman & Yoder, 2010). The structure of the HE system is multilayered in terms of accountability, resulting in the duplication of administrative control and limiting the capacity of the Ministry of Higher and Secondary Specialized Education (MHSSE) to manage the HE system (Ruziev & Burkhanov, 2018; Weidman & Yoder, 2010). The Cabinet of Ministers is the supreme governing body in the HE system that is in charge of key decisions (e.g., state educational standards, funding, accreditation, licensing). As for the MHSSE, it plays a complementary role (e.g., supervision, guidance, organization of the academic year). Also, the capacity of the MHSSE is weakened by the fact that HEIs can be accountable to other ministries or state committees similar to the ministerial structure during the Soviet era (Weidman & Yoder, 2010). As a result, seventy-eight HEIs are regulated by the Ministry of Higher and Secondary Specialized Education (MHSSE), whereas twenty-seven institutes are supervised by other ministries, such as the Ministry of Health (Ruziev & Burkhanov, 2018). As for branches of foreign HEIs, they operate as public-private partnerships and still have some degree of ministerial oversight and direction.

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## 17.2 GOVERNING BODY PROFILE

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### Governance Overview

As mentioned above, Uzbekistan's approach to governance in the HE system can be characterized as top-down and centralized. The governance of the HE

system is exercised by the following bodies: the Cabinet of Ministers, the MHSSE, the rector, the Academic Board, and the Boards of Trustees.

The Cabinet of Ministers is the supreme governing body in the HE system. It is responsible for the implementation of state education-related policies and setting the procedures for attestation, accreditation, licensing, student transfer, institution rankings, staff in-service training, staff recruitment, and evaluation. In addition, it appoints rectors of the state HEIs and determines the templates of education documents (e.g., diploma) and the procedures for issuing education documents. The Cabinet of Ministers is accountable to the president of the state and Oliy Majilis.

The MHSSE is the highest governing body that manages the HE system. It has the capacity to develop and implement state education-related policies. It is responsible for the organization, coordination, and methodological guidance of the educational process and student assessment procedures. Also, it participates in the development of regulatory legal acts and submits proposals on the appointment of rectors to the Cabinet of Ministers. The MHSSE is accountable to the Cabinet of Ministers.

The rector is the highest official of the HEI. The rector of the state HEI is appointed solely at the discretion of the Cabinet of Ministers, whereas the rector of the non-state institution is appointed by a founder or founders. The rector is responsible for the organization of the education process, as well as for controlling and guiding academic lyceums or professional colleges (technical and vocational education) established under the institution. The rector issues decrees and orders, hires and dismisses employees, recommends candidates for promotion, directs and regulates the work of departments and schools, and determines the structure of a University. The rector is not allowed to work part-time in other organizations.

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### **Body Structure**

The Academic Board and the Board of Trustees are advising bodies of the HEI. They are established at every HEI regardless of its type of ownership. The boards are not legal entities and carry out their activities on a voluntary basis. They are responsible for the consideration of key management issues and the quality of education.

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### **Membership and Appointment Process**

The membership and appointment process of the Academic Board and the Board of Trustees are regulated by the respective charters of the institution.

In terms of composition, it includes the rector, the rector deputies, leading scholars and experts of Uzbekistan and foreign countries, heads of educational and scientific units, as well as institutions and organizations (academic lyceums and professional colleges) established under the HEI.

Regarding the composition of the Board of Trustees, it includes the representatives of founding shareholders, local authorities, line ministries and institutions, other educational institutions, enterprises and organizations, public organizations, foundations, and sponsors. The composition of the Board of the state HEI is approved by the ministry and institutions that have the HEI in their jurisdiction. As for the composition of the Board of the non-state HEI, it is approved by the founders of the HEI. The Board of the institution can be dismissed by the decision of line ministry or institution.

Interestingly, as outlined in the state regulation on the Board of Trustees, the composition of the Board shall be approved by the respective ministry or institution, or founding shareholders, whereas the composition of the Academic Board seems to be approved by the HEI.

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### **Chair Appointment Process**

The chair of the Academic Board is the rector by default, whereas the chair of the Board of Trustees is elected at the first meeting of the board, which is chaired by the rector. The state regulation of the Board of Trustees does not specify procedures for chair appointments. This process as well as the term of office of both chairs (Academic Board and the Board of Trustees) are regulated by the respective charter of the institution.

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### **Board Accountability**

It is difficult to identify the accountability of both boards, as state regulations appear not to provide clear descriptions of the relationship between the rector, the Academic Board, and the Board of Trustees (World Bank, 2014). However, given that both boards' are consultive bodies, it seems that they are accountable to the rector. According to the World Bank (2014), these boards do not have real authority in the decision-making process. The rector who is elected at the discretion of the Cabinet of Ministers (at state HEIs) or founders (at non-state HEIs) has final decision-making authority in the institution.

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### Scope of Work

The Academic Board and the Board of Trustees operate in accordance with the legislation and respective charters of the institutions approved by line ministry or institution.

The Board of Trustees has the authority to develop and to submit proposals for amendments and additions to the regulation of the board and for the development of the institution. Also, it has the capacity to participate in the discussion of the institution's plans, programs, and other documents, and to manage the board's fund.

Unlike the Board of Trustees, the Academic Board seems to have no specific state regulation that outlines its scope of work. The Academic Board makes decisions on the organization of the educational and research activities. It has the capacity to solicit for the conferment of academic titles and degrees (e.g., PhD degrees), to discuss scientific and methodological reports, and to recommend scholarly works for publication. Also, the board has the authority to make decisions on teacher in-service training and cooperation with partner institutions. The decisions of the Academic Board come into effect upon the rector's approval.

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### **The Case of Tashkent University of Information Technologies named after Muhammad Al-Khwarizmi (TUIT)**

As an example, the governing process at Tashkent University of Information Technologies named after Muhammad Al-Khwarizmi (TUIT) is described in this section. The description stems from the official website of the University and respective documents (e.g., charter).

The rector is the highest official of the HEI and is appointed by the Cabinet of Ministry. The rector is responsible for the University's activities and property, as well as the internal affairs of the University. The rector represents the University and signs contracts on behalf of the University, issues order, hires and dismisses employees, determines the institutional structure, sets the tasks for units and approves their regulations, and regulates the economic, academic, and research activities of the University.

The Academic Board is an advising body of TUIT established in accordance with the Regulation on Higher Education. The main goals of this body are to implement state programs and enhance the educational and research processes of the institution. It comprises the rector (the chair), vice-rectors, local and foreign scholars and experts, heads of schools and departments, as

well as institutions affiliated with the University (e.g., academic lyceum). It may also include representatives of line institutions, trade union organizations, and local and foreign HEIs. Other members (e.g., students and faculty members) are elected by secret ballot at the general meeting (conference). At the beginning of each academic year, new members are elected if previous members are expelled for various reasons. The composition of the board is approved by the rector. The number of members is regulated by the University's charter.

The Board of Trustees is an advisory body of TUIT established by the decision of the Academic Board in 2002 in accordance with respective legislation. The main goals of the Board are to assist in the statutory activities of the University, provide advice on the urgent problems related to the University's development, and ensure the competitiveness of the institution locally and globally. In terms of composition, the Board includes the rector, the representatives of legislative and executive authorities, the media, public organizations, legal entities, as well as citizens who have a desire to become a member of the Board. All members have equal rights and responsibilities and work on a voluntary basis. The chair of the Board is elected. The chair appointment process, as well as term of office of the Board, is not specified in the charter.

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## Commentary

Uzbekistan's approach to its transition to a market economy is more or less similar to other post-Socialist republics. Uzbekistan, like other republics, has prioritized the role of human capital in the development of its economy. Unlike some post-Soviet republics (e.g., Russia), Uzbekistan decided not to immediately reject centralized planning in favor of a market-based economy (Ruziev et al., 2007). The State has played a key role in the development of Uzbekistan. Although this decision and favorable economic conditions (cotton and gold) helped Uzbekistan show a good performance during the early period of transition (Pomfret, 2000), these factors have limited the capacity of institutions, including HEIs, to operate in a global commercial environment (ADB, 2010). Currently, Uzbekistan has become dedicated to developing and implementing comprehensive market-oriented reforms in all sectors (ADB, 2010; Ruziev et al., 2007).

Uzbekistan introduced a range of policies to reform its HE system such as Law on Education, NPPT, NPBED, and WISP. These policies have resulted in the transition to the three-cycle HE system, the diversification of the HE

landscape (e.g., state, private, and foreign HEIs), and the introduction of tuition fee programs. However, Uzbekistan's centralized management model makes the current structure of HE management rigidly tied to the needs of the labor market (Ruzieva & Burkhanov, 2020). For instance, universities do not have the authority to develop and implement curricula. Also, governance-related policies implemented in the HE system in Uzbekistan seem to be implemented partially.

Governance bodies such as the Academic Board and the Board of Trustees seem to have less authority than their counterparts in the European Higher Education Area. According to the World Bank (2014), these bodies "should be accorded greater authority to set a greater share of the curriculum within the University or HEI . . . to differentiate themselves from other HEIs and to respond to evolving local needs and demand" (p. 90). Thus, the governance structure of the HE system also requires further comprehensive reforms.





# **Part III**

## **Comparisons and Analyses**



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# 18 Variety and Variation among Post-Soviet University Governing Structures

## Toward Four Models

Peter D. Eckel and Darkhan Bilyalov

This book tells the stories of fifteen independent efforts to govern higher education – a set of individual journeys forward, each from a common originating point in the early 1990s. The cases profile the ways in which countries of the former Soviet Union are approaching governing their universities and what governance structures they put in place to undertake this essential task. Underlying these stories are the common and different governance structures of public universities. What do they have in common? How are they different? Some of the countries in this book have moved toward their existing models in response to independence and autonomy; others kept traditional centralized approaches; still others are trying approaches that are novel. This chapter suggests four different models that exist across the fifteen countries, described below in detail – *academic-focused*, *state-extended*, *internal/external*, and *external civic*.

This chapter signals the transition from describing each approach to looking at the set as a whole and identifying meaningful subsets and clusters of approaches. As the previous fifteen chapters demonstrate how each country structured the governance of its University systems, this chapter presents a broader view of the common and varied structures. This chapter is organized to describe patterns within the set. Subsequent chapters move toward analysis and discussion.

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### 18.1 A REMINDER ABOUT GOVERNANCE STRUCTURES

Structure, while not the only organizational element, matters to all organizations, including universities and policy agencies. The ways in which an

organization, and in this case the University governance body, is structured shapes what information is collected and how it is sorted, transmitted, and made available; the ways decisions are made, including which decision-makers come together under what opportunities and constraints, and the ways in which decisions are addressed and actions taken (Hammond, 1993, 2004; Mintzberg, 1993; Orton & Weick, 1990; Simon, 1957). “The structural design of public organizations is important for fulfilling collective public goals, and reorganizations will reflect changing goals” (Christensen, 2011, p. 505).

The structure of University governance is a complex undertaking regardless of context, involving multiple stakeholders (Jongbloed et al., 2008). “Even though the legal responsibility for an institution may lie in a single entity such as a governing board, multiple actors such as the legislature, the governor, higher education commissioner, and coordinating board all could compete for some controlling interest in the decision-making process of public colleges and universities” (Lane, 2012, p. 285). The governance structure dictates which stakeholders come together and how, including who has access to what information and how decision-makers work together collaboratively, sequentially, or independently. If, as former Harvard University Dean Henry Rosovsky astutely notes, “Governance is about power: who is in charge; who makes decisions; who has a voice; and how loud is that voice?” (1991, p. 261) then the governance structure is the vehicle for power.

The governance structure, however, also is an artifact of that power in that its contours reflect the wishes of the powerful who created it. The organizational configuration reflects values, meanings, and beliefs (Kallio et al., 2020). Patterns of power shape structures through both *de facto* (informal) and *de jure* (formal) ways. An inclusive authority will likely create avenues for multiple stakeholders to exert their variety of influence leading to a more open structure. A consolidated authority, such as solely in the hands of a ministry, will likely result in a different structure that is narrow. Research supports this notion in the context of gender equity, as an example, where women’s access to formal and informal sources of authority yield more inclusive opportunities (Milazzo & Goldstein, 2017). In the higher education context, ministries, universities, and even heads of state give form to University governance; they shape it and dictate its functions. The stronger the authority held by one, the seemingly more that power holder dictates the shape.

Organizational structure is both an independent and a dependent variable in organizational activity (Hammond, 2004; Simon, 1957). Structure and its information flows are never impartial (Hammond & Thomas, 1989). The

structure of a particular organization will bias decisions or policymaking toward some outcomes and away from others, even before one adds to the equation decision-makers' abilities, priorities, and dispositions. "If two institutions are identical in every respect (e.g., they have the same tasks, the same personnel, and even have access to the same raw data) but the two institutions' hierarchies [structures] differ, the institutions may classify the data differently, and thus the top level decisionmakers in each may learn different things from the information" (Hammond, 2004, p. 123). The results are different outcomes shaped solely by variation in structure. Structures in this view can be thought of as the independent variable that shape outcomes and processes (Hammond, 2004).

Yet structures also are dependent variables. They are "the outcome of forces both outside and inside of the University" (Hammond, 2004, p. 102). The structures that exist are shaped by a variety of factors, including historic and contemporary economic and political conditions, as well as collective beliefs and authority's preferences (Pfeffer & Salancik, 2003; Powell & DiMaggio, 1991), all of which evolve over time (Bucheli & Kim, 2013). Structure is not the only factor that matters, but it is a key one, discernable and describable, and the focus of this book.

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## 18.2 COMPARING APPROACHES

This chapter compares the various structures of University governance across the fifteen former Soviet countries. Governance, as noted in [Chapter 1](#), is the process and activities used to steer universities and operates through defined structures at the governmental as well as institutional levels. Thus, governance bodies are the discernable structures that determine mission, approve strategy, set policy, monitor institutional well-being, and oversee quality and compliance. We focus on those bodies at the institutional not governmental level. The first comparison, [Table 18.1](#), describes the most authoritative (or supreme) governing body for public universities at the institutional level across the set of focal countries. These bodies are identified by a range of names that describe similar but also different bodies; however, they are the senior-most collective or institutional decision-making body. The table also notes where external advisory bodies exist, as described by law or statute.

The most common structure across the fifteen countries is the Academic Council; found in Azerbaijan, Belarus, Georgia, Kyrgyzstan, the Russian Federation, Tajikistan, and Turkmenistan. Academic Councils are

**Table 18.1 Primary governing structure**

Country	Authoritative external board	Authoritative mixed internal / external board	Authoritative internal body	Advisory external body
Armenia		Board of Trustees		
Azerbaijan			Academic Council	Board of Trustees
Belarus			University Council	
Estonia			University Council	
Gorgia			Council of Representatives / Academic Council	
Kazakhstan				
State universities	Board of Directors			
Nazarbayev University	Board of Trustees / Supreme Board			
Kyrgyzstan			Academic Council	Board of Trustees
Latvia		University Board		
Lithuania		University Council		
Moldova		Strategic and Institutional Development Council (a)	Senate (b)	
Russia			General Conference/ Academic Council	
Tajikistan			Academic Council	
Turkmenistan			Academic Council	
Ukraine	Supervisory Board (a)		Academic Council (b)	
Uzbekistan			Academic Council	Board of Trustees

university-wide decision-making bodies that are composed of members of the academic community and make or validate University decisions. These bodies within and across countries may or may not be identical, but they do share some similar characteristics in terms of academic membership, the focus of their work predominately on academic issues, and their place within the organizational and decision-making structures of the University.

The second most common University governance model across this set of countries are governance bodies that are a mix of University staff (internal members who are employed by the University) and external members who

are not University employees and hold posts external to the University) – found in Armenia, Estonia, Lithuania, and Latvia – or consist of two complementary bodies that include University stakeholders and external individuals such as Moldova and Ukraine.

The third model is limited to Kazakhstan, whose universities have governing bodies consisting solely of external or non-university members, with the exception of the rector's membership. Until recently, this country had a variety of University governance structures, Boards of Directors, Boards of Trustees, Boards of Oversees, each assigned to a different type of University and operating differently and with varying scopes of responsibilities and authority. The law of 2019 created a uniform governance approach, external boards, for all universities regardless of mission or type.

Worth noting is the fact that Moldova and Ukraine both have a dual system of governance that combines the Academic Council with a second governance body comprising University staff and externally appointed members (mixed internal and external) – the Strategic and Institutional Development Council in Moldova and or all external members as the Supreme Council in Ukraine. This is a bicameral governance approach. In a different context, Canada also uses a bicameral, as compared to unicameral, governance structure with a Senate and a Board of Governors with parallel and complementary authorities (see, for example, Shanahan, 2019).

Furthermore, four countries – Azerbaijan, Kyrgyzstan, the Russian Federation, and Uzbekistan – supplement their Academic Councils with external advisory bodies. These seem to be non-decision-making bodies, offering only insight and perspective. These are structures outside of formal decision-making schema that create opportunities for linkages beyond the campus and government with other universities, the private sector, and other entities invested in higher education and its outputs.

Similar structures have similar as well as different labels, which are reflected in [Table 18.1](#). We use the terminology (often translated) common to each country.

There is tremendous variation within the structure of the different governing bodies. In some instances, the law dictates the size and composition of the body across all universities, such as the Strategic and Institutional Development Councils (SDIC) in Moldova, at nine, and the University Councils in Estonia, at eleven members, respectively. The external boards and the dual external/internal boards are small, such as the two above. The Academic Councils are the largest bodies, with upwards to 100 in Moldova and Belarus (see [Table 18.2](#)).

**Table 18.2 Size and composition of governing bodies**

Country	Size	Composition
<b>Academic Councils (or other authoritative internal bodies)</b>		
Azerbaijan	15–20	rector, vice rectors, deans, directors, department heads; chair of student academic society; members who are elected and appointed by rector
Belarus	Varies	rector; vice Rectors; academic staff; non-academic staff; students (25 percent); union representatives
Georgia		
Academic Council	Varies	academic staff; members of research units; administrators
	representative number per faculties	
Council of Representatives	Twice as many as Academic Council	students must be one-third of the Council
Kyrgystan	20–60	rector, vice-rector, deans, department heads, senior academic staff; trade union representatives; students (20 percent)
Moldova (Senate)	36–101	rector, pro-rectors, deans, directors, academic staff, union representatives, students
Russia	Varies	elected researchers, staff, and students
Tajikistan	Varies	rector, vice rectors, deans and directors, staff
Turkmenistan	Unknown	rectors, vice rectors, deans and directors, staff
Ukraine (Academic Council)	Varies	rector, vice-rectors, deans, director of the library, chief accountant, heads of self-government bodies, elected representatives from trade union organizations, faculty members, students, and representatives from industry; the board must include at least 75 percent faculty members and 10 percent students
Uzbekistan	Varies	rector, vice-rectors, local and foreign scholars and experts, heads of schools and departments, heads of institutions affiliated with the University (e.g., academic lyceum); representatives of trade union organizations; and local and foreign HEIs, students, and academic staff
<b>Mixed Internal/External Boards</b>		
Armenia	20–32	25 percent government; 25 percent external individuals; 25 percent students; 25 percent staff



Table 18.2 (cont.)

Country	Size	Composition
Estonia	11	five appointed by Senate (cannot be senators or senior administrators), one from Academy of Sciences, five from Ministry of Education and Research
Latvia	5–11 (varies based on mission)	40 percent external; 60 percent internal
Lithuania	9 or 11	a combination of individuals nominated by academic staff, one by students, some external members (non-employees) selected by Senate, the remaining selected through open competition
Moldova (Strategic and Institutional Development Council)	9	two teaching Staff, two external experts, appointments by Ministries of Education, Finance and Competence; rector, pro-rector for finance
Authoritative External Board Kazakhstan		
State universities (Boards of Directors)	Up to 15	ministry representatives, private sector leaders, other University leaders, public figures
Nazarbayev University Supreme Board	9	ministry representatives, private sector leaders, other University leaders, public figures, NU president
Nazarbayev University Board of Trustees	7–21	external ministry representatives, private sector leaders, other University leaders, public figures, NU president
Ukraine (Supervisory Boards)	11–15	members external to the University

The membership composition is consistent across the Academic Councils with a mix of University administrators, such as rectors, pro-rectors, deans, and heads of research institutes, and academic staff. Academic staff in such Academic Councils make up at least 50 percent of the Council composition (e.g., in Kyrgyzstan and Tajikistan). Student representation is also present, although it varies in the proportion of student participants from 10 percent (Ukraine) to 25 percent (Belarus) of the body's membership. The internal/external boards as well as the external governing bodies tend to be much smaller in size ranging from five (in some of Latvia's arts and culture and applied sciences universities) to thirty-two (Armenia), with these bodies in

Estonia (eleven), Lithuania (nine to eleven) and Moldova (nine) being small, particularly compared to the Academic Councils. In Kazakhstan the sizes range from eight to twelve members with some of the new boards still forming.

The membership of the internal/external boards varies in the proportion of internal and external members. Armenia's Board of Trustees include 50 percent from campus and 50 percent external members. Estonia and Moldova have equal membership as well. Latvia's boards are approximately 40 percent external appointments and 60 percent internal University members.

The external members tend to be heavily governmental with some evidence of individuals from the private or corporate sector. Kazakhstan includes members of the Ministry of Education and Sciences as well as other ministries on University Boards of Trustees. The two boards of Nazarbayev University are both chaired by high-ranking government officials. These boards also include individuals from the private sector. Moldova's SIDC includes individuals appointed by various ministries and may or may not include members of government. Estonia's University Council includes individuals from the Ministry of Education and Research as well as from the Academy of Sciences. The European Union criticized the highly political nature of Armenia's governing board composition (Smith & Hamilton, 2005). Latvia, in contrast, explicitly prohibits current members of government agencies and elected members of parliament from serving on public University boards.

Most of the Academic Councils are chaired by the rector, which is part of that individuals' official responsibilities. In some instances, such as Georgia and Ukraine, the rector is elected by the body. In other countries, the rector is appointed by the appropriate ministry (Russia and Moldova) or by the president of the country (Azerbaijan, Belarus, Tajikistan, Turkmenistan, and some Russian universities). For those countries with external boards or internal/external boards – Armenia, Estonia, Moldova, Latvia, and Lithuania – the bodies elect board leaders from within their ranks. Latvia specifies that the board chair must be elected from the external board members. In Kazakhstan, board leadership is appointed by the ministries or, in the case of Nazarbayev University, by the president of the country, as is the case for Russian autonomous universities (see [Table 18.3](#)).

The scope of work varies based on the type of governance approach. Academic Councils focus on institutional-level governance issues such as approving or discussing the budget and the University's strategic program (for example, Azerbaijan, Moldova, and Turkmenistan). They also address traditional academic topics such as curricula, and degree program offerings.

Table 18.3 Governing body leadership

Country	Elected chair	Appointed chair	As part of job duties
Armenia	elected by the board (often held by a government official)		
Azerbaijan			appointed Rector
Belarus			government-appointed rector or the president of the Republic
Estonia	elected by the board		
Georgia			Elected Rector
Kazakhstan			
State universities	elected by the board		
Nazarbayev University		Board of Trustees – appointed by president	Supreme Board – first president of the Republic
Kyrgyzstan			appointed rector
Latvia	elected by the board (from members not appointed by staff or students)		
Lithuania	elected by the Council (from members not appointed by staff or students)		
Moldova	SIDC – elected by members (must be an external member)		Senate–elected Rector
Russia			appointed rector
Tajikistan			appointed rector
Turkmenistan			appointed rector
Ukraine	Academic Council – elected by members	Supervisory Board – appointed by the ministry	
Uzbekistan			appointed rector

In Ukraine, the Academic Council also concerns itself with quality assurance. In Georgia and Turkmenistan, the Academic Council concerns itself with European integration or internationalization; and in Azerbaijan, that body contributes to the development of state educational standards. Academic Councils in Uzbekistan are advisory to the rector. In Kyrgyzstan and Tajikistan, the Academic Council does not have financial responsibility; and outside of academic issues, its governance activity is to approve the strategic program presented by the rector.

Those countries with external boards or the mixed board of insider and external members do not address academic issues, delegating that responsibility to their own Academic Councils, which are either subservient to the supreme decision-making body or work parallel to it. Lithuania's Councils, in addition to approving the budget and the strategic program, also are responsible for overseeing the rector selection process. Estonia's University Councils do not have this responsibility. In Latvia, the board approves the University's constitution, sets the strategic development plan and monitors its implementation and approves the budget and University policies. The board also nominates candidates for rector and can initiate the rector's replacement.

In contrast, the external boards of Kazakhstan's universities, in addition to budget and strategic programs and to hiring the rector (confirmed by the ministry), also determine tuition fees, address issues of risk management, and set admissions targets and criteria. The latter set of responsibilities are newly devolved; prior to 2019, they were the responsibilities of the Ministry of Education or relevant ministries. In Ukraine, the Academic Council addresses academic issues and makes most of the key financial and strategic decisions. This body works in concert with the Supervisory Board, which is an external body. This second body makes proposals to the University, oversees University management, and considers financing.

The unique division of labor in Moldova between the Academic Senate and the SIDC are worthy of deeper explanation of its design as intended (see the Appendix of [Chapter 12](#) for a side-by-side comparison). The Academic Senate is responsible for academic issues and new degree programs, the University charter, and the rector's annual report and the strategic development plan. It confirms members on the SIDC and develops and approves the admissions framework and research strategy. The Strategic and Institutional Development Council (SIDC) coordinates the strategic development plan and puts it forth for Senate approval. It organizes the rector election, again for selection by the Senate, and it develops the budget and monitors finances, which is approved by the Senate. The two bodies are structured to work in concert with each other. A similar two-body approach exists in the Ukraine with an internal Academic Council and an external Supervisory Board, but those bodies seem to work on issues independently (academic versus finance) rather than requiring sign off by the other as in Moldova.

Of the fifteen countries in this study, eleven have structures – advisory or decision making – that have at least some external (non-university) members. Four countries – Azerbaijan, Kyrgyzstan, the Russian Federation, and Ukraine – have external advisory bodies but with limited influence and

no bureaucratic or formal authority. Kazakhstan has externally comprised governing boards. Armenia, Estonia, Latvia, Lithuania, and Moldova have bodies that are a mix of internal and external individuals with limited structural authority. The membership of these external bodies is often governmental (except for Latvia), and many have individuals of public renown or leaders from the private sector. The advisory bodies seem to serve as resources for the rector and for those with strong governmental presence, also likely play an accountability function for the state although informal.

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### 18.3 EMERGING MODELS OF GOVERNANCE

The above descriptions point to four university-level governing models across the former Soviet countries. The models reflect a composite of structural elements including the general membership of the body, its leadership and how those individuals obtain that role, the focus or scope of the decisions made, and the extent to which there is a direct role by the government or its branches.

The first is the *academic-focused* model. This approach is common to Georgia and Kyrgyzstan, and in Ukraine and Moldova, for one of their governance dual structures. The elected rector is a first-among-equals coming from the University's academic ranks, serves at the preference of the academic staff, and serves as the body's chair as part of the rector position. The body focuses strongly on academic issues. The membership is dominated by academic staff as well as representatives that include students and members of campus units and trade unions. Key governance decisions beyond academic issues, such as budget and planning, often fall outside of this body and are either made by the rector and his or her staff or are the responsibilities of the ministry.

The second model is *state-extended*. This approach in many ways is structured similarly to the *academic-focused* mode. The essential difference is that the leadership of these bodies is appointed by the government and the scope of responsibilities is limited based on what is delegated to them as compared to what is ministerial responsibility. These models exist in Russia, Belarus, Tajikistan, and Turkmenistan. This model seems to extend the one-man management model of the Soviet era (Kuraev, 2016) in which the government appoints the rector and holds that person to account. The rector is powerful, with authority derived directly from the State. Thus, the government has a strong role in setting institutional direction and driving decisions

through its appointed institutional head as well as through its control and policy making. This structure limits the scope of institutional-level governance. Ministries remain strong and have direct control of the universities. Azerbaijan, Russia, and Uzbekistan supplement their government-centric approaches to University governance with external advisory boards. The key difference between this model and the *academic-focused* approach centers on the rector. Is that person an academic, elected by and accountable to academic staff or is that person appointed by the government and its agents and primarily accountable to them?

The third approach is the *internal/external* model, which consists of membership from within as well as outside the University. Armenia's Board of Trustees, Latvia's boards, Lithuania's and Estonia's University Councils and Moldova's Strategic and Institutional Development Councils are examples. The Ukraine and Moldova adopt a slightly different approach in that rather than a single body with dual representation, it has two bodies with coordinated responsibilities. One example from the Ukraine is the Academic Council and the Supervisory Board at National Technical University of Ukraine Igor Sikorsky Kyiv Polytechnic Institute. The Supervisory Board consists of individuals external to the University, whereas the Academic Council consists of administrators and representative staff and students. Moldova's Strategic and Institutional Development Councils are themselves the permeable body with a combination of University staff and external appointments.

The final model we label *external civic*, describing the governance structure of Kazakhstan. Here the power center in terms of governance structure, composition, and agendas is located outside of the institution in a public or civic domain. "External members in governing bodies in higher education institutions could be seen as representatives for civil society." (Larsen, Massen & Senker, 2009, p. 8) Thus, the label here is *external civic* to differentiate it from *state-extended* in which the locus of authority is also external but grounded in government. We understand that the term civic can be a nuanced term, but we use it to indicate that it is grounded in the community and citizens, even if those citizens are elites but outside of government and the academy – grass tops, not grassroots, so to speak. In the Kazakhstani context, the balance tilts toward governmental members, but participation from the private sector and from other universities does exist. This is a nuanced distinction and an important one in which membership matters. If the *external civic* board members are all more mostly governmental, this module becomes the *state-extended* one and loses the important voice of civic

stakeholders. Having members of government holding the most seats and being most influential is a risk in Kazakhstani universities if the country is to operationalize the design of its governing boards structure.

These boards have broad scopes of responsibilities including hiring, supervising, and firing the rector; determining budgets; setting admissions criteria and targets; and creating partnerships and other entities. Given that the members are appointed by the ministries, they are notable and well-respected individuals by the government, and, in the Kazakhstani context, many notable and influential individuals have strong links to the government. Ukraine's Supervisory Councils also comprise non-university staff. In countries such as Kazakhstan, often highly influential powerbrokers are in governmental positions as compared to the West; whereas, in US boards, the most influential are members from corporate backgrounds and professionally accomplished, if not wealthy, individuals (Chait, 2009; Eckel & Trower, 2018).

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#### 18.4 PUTTING THE MODELS IN CONTEXT

If governance is about power and voice (Rosovsky, 1991), these models offer insights into University power dynamics and to ideas about the variation of authority and control between governments and their public universities. The *external civic* and *state-extended* models reflect a locus of power outside of the University. The *state-extended* model places authority in the government, which varies between University presidential and ministerial influence and involvement depending on county and University. Given the composition of the Kazakhstani *external civic* governing bodies, while the structure allows for broad stakeholder influence, currently that influence remains governmental. However, it is different from the *state-extended* model because influence is indirect via appointments rather than through direct ministerial line-management oversight and it has the potential to be balanced with corporate and academic (from other universities) voices. Furthermore, this approach alters governmental influence by sharing power with private citizens and people of eminence from other walks of life in the country. If Kazakhstani boards had fewer governmental members and surrogates, they would be more representative in their composition and thus more civic.

The *academic-focused* model also reflects division of power between government via the ministries and University academics. In the *academic-focused* model, the government devolves or delegates academic decisions to

the University governing body. The level of this delegation is tied to levels of state-granted autonomy.

The final model reflects the most complex of the power dynamics. This model is termed *internal/external* because of its involvement of University and governmental or other external stakeholders and reflects a balance between these stakeholders' influence and aims. In the Moldova structure, for example, there is a differentiated role between the Academic Council and the Strategic and Institutional Development Council, with different stakeholders serving on each and only the rector and pro-rector serving on both bodies. The rector chairs the Academic Council and an external member of SIDC chairs that body and is selected by members of SIDC. Estonia's University Councils include five individuals appointed by the Senate and who are not members of the Senate or serving as senior University administrators, five individuals appointed by the Ministry of Education and Research, and one person from the Academy of Sciences. Latvia's boards balance the interests of internal and external stakeholders and explicitly bans current members of government from serving on boards. The Armenian Boards of Trustees also are designed to be representative across stakeholder groups with balanced representation of governmental members, external individuals, students, and University staff. However, as the European Union analysis suggests (Smith & Hamilton, 2015), examples of governmental influence in the selection of the nongovernmental appointments consolidate its influence.

These four models from post-Soviet contexts connect to but also differ in substantive ways from governance models described in the literature. The three primary ways of understanding governance approaches – both at the state and campus levels – are market-oriented, state-centered, and academic self-rule models (Clark, 1983; Dobbins et al., 2011; Dobbins & Khachatryan 2015) or various deviations of them, such as Humboldtian, Napoleonic, and incorporated models (Shattock, 2014). Trakman (2008) adopt a slightly different focus and describes five models addressing institutional-level governance: academic or collegial governance with its dominance of academic staff; corporate governance that focuses predominately on the business model of universities and efficiencies; trustee governance that relies on surrogates working in good faith to advance institutional interests; stakeholder governance with its representative approach that may include internal and external stakeholders; and an amalgam model, which is a composite of select elements of the other four.

Our *academic-focused* and *state-extended* models reflect Trakman's academic self-rule and the state-centered models respectively. The *internal/*



*external* model adds detail to Trakman's stakeholder approach by clarifying the composition of and balance among the key stakeholders, which in most instances are individuals representing government interests or with ties to the government, with the exception being Latvia. Trakman comments, "the problem with stakeholder governance is in determining which stakeholders ought to be represented on the governing bodies" (2008, p. 73). Countries in this project address that question in different ways. The *internal/external* model addresses that question from a contextually relevant perspective. The *external civic* model is also different from the market-oriented model above and from Trakman's corporate and trustee models. The participants are not significantly corporate representatives, nor do they serve as trustees solely for a public trust (Trakman, 2008).

The final element of this discussion links these models to various theoretical underpinnings of the different governance approaches. There are three conceptual frameworks typically used to understand nonprofit and University governance: agency theory, stakeholder theory, and stewardship theory (Austin & Jones, 2016; Van Puyvelde et al., 2012), although others exist (Cornforth, 2003; Donina et al., 2015). These approaches are instructive because "they focus on the relationships between a delegator and a delegate [labeled principals and agents], which is the central object of analysis in the design of governance regimes" (Schillemans & Bjurstrom, 2019, p. 651). The delegate (agent) is intended to act in the interests of the delegator (principal). What differs across these frameworks is the nature of that relationship and who is engaged in the relationship. These frameworks are reflected both in the structure of governance but also in the culture of how boards operate (Eckel & Trower, 2018).

Agency theory suggests that key actors are narrowly defined principals and agents who engage in a compliance-based relationship (Eisenhardt, 1989). The principals typically are the owners, such as shareholders in a corporate setting or the government in a state University context. The agents, on the other hand, are those individuals hired by the principals to manage the organization and its well-being. The expectation by principals is that the agents should act in the best interests of the organization. However, the theory argues that agents see their hiring as an opportunity to maximize their own best interests or those of the organization, which may conflict with the wishes of the principals. The result of this drift are goal conflicts (Eisenhardt, 1989; Kivisto, 2008). The misalignment may be because of self-interest or because universities leaders and faculty are pulled toward goals simply different from those of the principals (state or founders)

(Austin & Jones, 2016; Bleikle, 1998; Kivisto, 2008). For instance, universities may pursue a research and graduate agenda in the pursuit of academic prestige when the state prioritizes undergraduate education and workforce alignment. Agency theory may be a tool for countering mission drift (Morphew & Huisman, 2002) and institutional striving (O'Meara, 2007) to align University objectives with those of its principles.

Agency theory suggests that governing structures are created by the principals to set and articulate goals for the agents and then to oversee, monitor, and when necessary, correct their actions when they pursue their own self-interests. "Hence, governance structures are used to minimize the misalignment between the principals' and agents' goals, minimize agency costs, keep agents' self-serving behaviors in check" (Austin & Jones, 2016, p. 35). Governing bodies then act accordingly through the use of extrinsic rewards and punishments to steer the behavior of agents (Davis et al., 1997). This is control-oriented governance (Franco-Santos et al., 2017).

The second theoretical tradition is that of stewardship theory. This theory stems from alternative assumptions to agency theory. Stewardship theory argues that the agents adopt a collectivist perspective, rather than individualistic, and seek to act in the best interests of the organization (Austin & Jones, 2016; Schillemans & Bjurstrom, 2019) either because goals are aligned or because there is greater utility and returns for the agents to pursue principals' goals (Davis et al., 2007; Van Puyvelde et al., 2012). In this framework, agents are committed to the organization and personally identify with it and its goals (Austin & Jones, 2016; Davis, et al., 2007). These notions of affiliation, collective intent, and intrinsic rewards counter those of agency theory with the self-interested agents extrinsically motivated to be compliant. Executives and other agents see themselves as personally connected to the institutions and advancing a shared purpose. There is a moral dimension to this work, grounded in a sense of obligation (Hernandez, 2012) and a level of trustworthiness between agents and principles (Davis et al., 2007). Stewardship suggests significant autonomy for the agents regarding strategic and operational issues (Austin & Jones, 2016).

The work of governance from this theoretical tradition is for the governing body "to support the president's decision-making and to provide advice and counsel to the University's leadership rather than engaging in excessive monitoring behaviors" (Austin & Jones, 2016, p. 39). The governing assumptions are not oversight and compliance but consist of collaboration between principals and agents, self-management and agent discretion, and procedural and substantive independence (Schillemans & Bjurstrom, 2019).

Stakeholder theory, the third tradition, offers yet another perspective on governance by recognizing a broader set of principles. It argues that organizations have an array of stakeholders who have different expectations for, obligations to, dependencies on, and interactions with an organization (Austin & Jones, 2016; Jongbloed et al., 2008), even if they can be challenging to accurately and consistently define (Mitchell et al., 1997; Van Puyvelde et al., 2012).

The primary role of governance via stakeholder theory is to represent the needs and interests of the diversity of stakeholders. These are individuals or collectives of individuals who to some notable extent have a relationship that is influential, legitimate, timely, and salient to the operation of the organization (Mitchell et al., 1997). In a corporate context, this may mean shareholders as well as communities, suppliers, and customers. In a public higher education context, not only government interests matter, but those of employers, students and their families, alumni, donors, academics staff, and trade unions can be defined as stakeholders (Jongbloed et al., 2008).

Governance from this tradition, therefore, is the mechanism to provide voice and lend influence to various stakeholders (Austin & Jones, 2016) and to sort among those voices. A key element of governance is to leverage these stakeholder relationships to secure external resources and ensure the long-term well-being of the organization (Mampaey & Huisman, 2016). A fundamental aspect of governance is increased institutional responsiveness to outside expectations, demands, and opportunities, and to gain and sustain legitimacy of the University (Beerens & Udam, 2017; Christensen, 2011; Jongbloed et al., 2008).

These three frameworks help ground the four emergent models of post-Soviet States in an explanatory context. While each exist as independent theories, their utility is increased through multidimensional application (Austin & Jones, 2016; Schillemans & Bjurstrom, 2020; Van Puyvelde et al., 2012). The models here, including their compositions of the governing bodies, their scope of work, and their relationship to the ministries – the principals in these structures provide insights into the theoretical underpinnings that illuminate the different approaches (see Table 18.4). One can both identify the framework assumptions from which each structure is designed and the ways in which it seems to operate.

The *state-extended* model reflects the assumptions of agency theory. In these cases, the ministry (the principal) oversees and directs the agents (rector), with a high degree of compliance and extrinsic motivations (rewards and punishments); the role of other stakeholders is minimal or nonexistent.

**Table 18.4 Theoretical underpinning by governance structure**

Country	Agency theory	Stewardship theory	Stakeholder theory
academic focused: Georgia, Kyrgyzstan		designed and operated	operated
state-extended: Azerbaijan, Belarus, Russia, Tajikistan, Turkmenistan, Uzbekistan	designed and operated		
internal/ixternal: Armenia, Estonia Latvia, Lithuania, Moldova, Ukraine	operated		designated
external civic: Kazakhstan	operated		designated and operated

The *external civic* model predominately reflects the ideas of stakeholder theory with broad representation and involvement by a variety of individuals. Depending on the degree of influence of the individuals who serve and how they see their role, they may well work on behalf of the institution to secure needed resources and help bolster its reputation. In the Kazakhstani context, because of the strong presence of government members and their surrogates, the *external civic* model may also serve the goals of the agency theory.

Regarding its connection to the state, the *academic-focused* model reflects the notions of stewardship theory, with its internal representation and focus on academic issues, and a leader elected by the academic staff and the seeming alignment of principals' and agents' goals. However, from an internal or organizational governance perspective, this model may well reflect the stakeholder model, given its broad representation of internal stakeholders (not external principals) and the focus of its work on lending voice to institutional, particularly academic, decisions. The *internal/external* model seems to reflect the stakeholder theory as it gives voice to a range of individuals and recognizes that internal staff too have perspective and important voice in University governance. This structure seems to view academic staff as both principals and as agents.

Finally, what may matter most to understanding the patterns of governance through these theoretical models is not the structures themselves, but how the structures operate. For example, Moldova and Armenia's governing bodies include external individuals (*internal/external* model) as does Kazakhstan (*external civic* model), yet the composition of those external participants is strongly tied to, appointed by, or consist of governmental officials. Because the key stakeholder is the government, these structures may actually operate as an agency model, based on compliance and oversight

rather than cooperation between principals and agents and a level of procedural and substantive autonomy.

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## 18.5 CONCLUSION: QUESTIONS REMAINING

This chapter sought to describe and begin to categorize the different approaches to University governance found across the fifteen post-Soviet countries. What it doesn't accomplish is to describe how these models work or their appropriateness or effectiveness. As the criticism of Armenian University governance demonstrates (Smith & Hamilton, 2015), how these structures are used varies and their operation matters.

The transition to *external civic* boards in Kazakhstan is also a new and relatively novel approach for this part of the world. It is one that differs in key ways from the US, Canadian, and UK models of independent boards because of the composition of these boards with governmental presence. For instance, Canadian law prevents members of government from serving on its public University boards (Shanahan, 2019). While in the United States, state governors often do hold appointments as *ex officio* members of boards, they are rarely active participants (Association of Governing Boards, 2016a). This is not the case in Kazakhstan. These universities seek influential individuals to serve on boards, and for many that means individuals from the government or with strong ties to it.

The next chapters offer further investigation into the efficacy of the models that emerged since the dissolution of the Soviet Union in 1991. How well do these models reflect the University governance needs of their respective national contexts? What do we know about what the various structures are able to accomplish given University needs and the contexts in which they operate?

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# 19 Governing Appropriately

## Autonomy and Bureaucratic Capacity

Peter D. Eckel

This chapter begins to ask about the appropriateness of the governance structures given context. [Chapter 18](#) described the structures of governance. This chapter seeks to understand what those structures might mean.

Governance does not happen in isolation from the policy area and institutional activity. Rather, it is the bridge between them. “The purpose of governance is to assure that higher education’s stakeholders are able to achieve the goals they have for the enterprise” (OECD, 2017b, p. 260). How well a particular approach to governance is designed to serve as this bridge is important to this discussion, and the focus of this chapter and the next. The previous comparison chapter highlights four different patterns of University governance structure across the fifteen countries of focus – *academic-focused*, *state-extended*, *internal/external*, and the *external civic*.

Governance is about execution, the ability of agents to carry out the wishes of principals (Austin & Jones, 2016; Fukuyama, 2013). Therefore, the question explored here is how appropriately structured is the approach to governance suited for the principals’ aims given the realities of the context in which the universities operate? The fact that the performance of governing bodies is extremely difficult to discern (Chait, Holland & Taylor, 1993; Daily, Dalton & Cannella, 2003; Forbes & Milliken, 1999) makes understanding the degree of fit between the governance context and the structure a plausible logic to explore.

Structure is not the only factor in governance capacity. Execution matters – how well the governance actors operate within the presented structures. Common wisdom as well as academic research acknowledge that the use of organizational and decision-making structures may have little relationship to their intended objectives and expectations of their designers (Brunsson &

Olsen, 1997; Jibladze, 2017). “Reform and response will thus not be the outcome of a near perfect rational choice but will be limited in its capacity to deal with complex realities” (Enders, de Boer & Weyer, 2012, p. 9). Structures do the best they can but are unlikely perfect. However, they do matter, as they provide the framework for action, and they must operate in the given context.

This chapter focuses on the nexus of two elements, bureaucratic or public sector capacity and autonomy, drawing on the framework of Fukuyama (2013). Chapter 20 retains the dual-element focus and changes the second dimension to the amount of competition in the system, using the logic of Aghion, Dewatripont, Hoxby Mas-Colell, Sapir, and Jacobs (2010). Both chapters use dimensions of autonomy as a common anchor.

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## 19.1 AUTONOMY AS COMMON ANCHOR

Autonomy is the organization’s ability and capacity to act in relationship to its environment, independent from external control (Enders, de Boer & Weyner, 2013). It is an important condition that allows universities to fulfill their missions (EUA, 2017) and ensures that organizations have the authority and capacity to direct their own efforts rather than have them dictated for them. It is a key indicator of organizational development (Brunnson & Sahlin-Andersson, 2010). Finally, autonomy isn’t an absolute but rather is “contextually and political defined” (Neave, 1988, p. 31) and it evolves in response to changing conditions and policy connections. Thus, it varies across country and within policy contexts.

To determine the levels and forms of autonomy across the fifteen countries in this project, the analysis draws on the University Autonomy in Europe framework advanced by the European Universities Association (EUA). This comprehensive framework investigates autonomy across four different dimensions, collectively drawing on over thirty indicators (EUA, 2017):

- organizational – a University’s capacity to determine its internal organization and decision-making processes;
- financial – a University’s ability to manage its funds and allocate its budget independently;
- staffing – a University’s ability to recruit and manage its human resources as it sees fit; and

- academic – a University’s capacity to manage its internal academic affairs independently.

Where data is available about the post-Soviet countries (Estonia, Latvia, and Lithuania), this effort draws directly upon the EUA’s scorecard. Outside of the European scorecard effort, EUA independently conducted autonomy audits of Armenia, Moldova, and Ukraine as part of the ATHENA project 2012–2015 (EUA, 2015). The effort produced percentage scores and narrative insight to classify the autonomy level of each country. The remaining nine countries are assigned autonomy levels based on our own rough analysis, as described below. Kazakhstan also had its level of autonomy assessed (EUA, 2018). Since the time of that report, the different levels of autonomy by institutional mission have been consolidated into a common approach. Kazakhstan continues its transition toward governmental goals of increased autonomy, and it remains in transition (Hartley, et al, 2015). Thus, we rely only peripherally on the EUA report. Because a comprehensive analysis of autonomy in former Soviet countries does not exist, this analysis draws on data collected at different points in time, beginning in 2015 (for the ATHENA project countries) through 2021.

Particularly relevant to University governance structures are three dimensions of the EUA framework – organizational, financial, and academic autonomy. The staffing dimension is a management issue and thus not included in this governance analysis. For non-EUA countries, we developed rough (and comparably incomplete) indicators of autonomy based on information in the country profiles, drawing on select indicators from the EUA framework. Specifically for organizational autonomy, we considered the ability of the governing body to hire and fire the president or rector; for financial autonomy, the ability to determine budgets and to generate and keep revenue; and for academic autonomy, the ability to determine academic program offerings and the curricula of those programs. These are focused but also limited conceptualizations of autonomy compared to the comprehensive EUA scorecard framework. Given the lack of numerical scores parallel to EUA’s efforts, each was assigned a mid-range number for comparison. This is not ideal; however, the focus of this effort is not to determine, benchmark, or evaluate autonomy but rather to understand the appropriateness of the governance structure to context. Autonomy is a central element of that context and modest indicators suffice for this purpose.

Following the lead of EUA (2017), we classify each remaining country’s higher education system level of autonomy across a four-part scale: high,



**Table 19.1 Levels of higher education autonomy by country**

Levels of autonomy	Country
high levels	Estonia, Kazakhstan (Nazarbayev University)
medium-high levels	Latvia, Lithuania, Kazakhstan (State Universities)
medium-low levels	Armenia, Azerbaijan, Georgia, Moldova, Ukraine
low levels	Belarus, Kyrgyzstan, Russia, Tajikistan, Turkmenistan, Uzbekistan

medium-high, medium-low, and low. [Table 19.1](#) provides a snapshot of country-level autonomy.

## 19.2 GOVERNANCE STRUCTURE VIA CAPACITY AND AUTONOMY

One way to understand the appropriateness of University governing structures is through the nexus of capacity, the ability of the governance system to produce and execute, and autonomy, its level of discretion it has to carry out its functions. Fukuyama (2013) argues that public sector or bureaucratic capacity and autonomy are two contextual dimensions that while independent must be appropriately aligned within a governance context. “More or less autonomy can be a good or bad thing depending how much underlying capacity a bureaucracy has” (Fukuyama, 2013, p. 360). Autonomy is important because it leads to creative problem solving and, where it aligns with capacity, has fewer transactional costs than compliance. Autonomy increases when there are fewer rules and broader mandates, with a decentralized or local locus of control rather than a centralized state one.

More or less bureaucracy also can be a good or bad thing depending on the amount and type of autonomy. A low-quality bureaucracy can have too much autonomy allowing decision-makers to pursue poor priorities and in extreme situations can lead to high corruption. Fukuyama (2013) posits Klitgaard’s (1988) formula  $\text{Corruption} = \text{Discretion} - \text{Accountability}$  as extreme evidence. See Osipian (2017) for a discussion of the relationship between autonomy and corruption in Ukrainian higher education as an example from the region.

A high-quality bureaucracy also can have too little autonomy constraining its professionals. “The higher the capacity of a bureaucracy, then, the more autonomy one would want to grant them” (Fukuyama, 2013, p. 361). Given the capacity of the governance structure, the problem also can be one of

excessive rules or excessive discretion. In a low-quality situation, one would need extensive rules to guide actor behavior. “If an agency were full of incompetent, self-dealing, political appointees, one would want to limit their discretion and subject them to clear rules” (Fukuyama, 2013, p. 360). A paper on reform in Ukrainian higher education addresses this point by asking, “What level of self-governance can be delegated to the organizations, which have little public trust, yet receive considerable public funding? How one can provide more autonomy to highly centralised institutions without turning them into feudal domains of the individual rectors?” (Sovsun, 2017, p. 9). Capacity linked to autonomy is needed to address these potential shortcomings. On the other hand, in a high-quality structure, one would not want to limit the professional judgment through overly cumbersome rules to encourage innovative problem solving. “In a high-capacity state, one would like to have more rather than less discretion” (Fukuyama, 2013, p. 361).

This framework suggests that a relative ideal exists in balancing appropriate and corresponding levels of autonomy and capacity. It further suggests that changing a level of autonomy is best done in proportion to appropriate system capacity. More autonomy matches higher levels of capacity; less capacity is likely better aligned with low levels of autonomy. In the University governance context, then, systems with high capacity should have high levels of autonomy, and the inverse would also be desirable.

However, there exists a possible paradox in this rationale worthy of attention. One might argue that if the government cannot function well, delegation may be the answer, removing decision-making out of central control to devolved control. The challenge here is that the State likely doesn’t have the capacity to monitor performance across a set of autonomous entities. The policy guardrails and accountability frameworks likely needed to ensure that the delegated powers are functioning with the country’s best interests at a variety of local levels won’t exist.

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### **Autonomy, Capacity, and Governance Structures**

This analysis focuses on the perceived levels of capacity or quality of the bureaucracy and the level of autonomy provided to its institutions. It then overlays the current University governance structure over these dimensions to determine the extent to which the approach seems to map appropriately onto country-level government quality and autonomy. Does the structure provide too much autonomy given capacity? Does capacity seem to outstrip the level of autonomy?

To determine country context regarding quality and government capacity, this analysis draws on a set of indicators from the World Bank (WB) (2019) and World Economic Forum (WEF) (Schwab, 2019) to develop an estimate of bureaucratic capacity. These indicators were not developed for this purpose, so the analysis is indirect and likely inexact. Each indicator independently measures other aspects associated with governance capacity, not those directly associated with higher education. They also focus on the government's capacity, not universities' capacities. And although there is a distinction between these two levels, they should be somewhat related. As a set, the indicators provide a general sense of the quality contexts in which each country's public universities are operating. This is as much as we can accomplish here.

For government capacity, a composite indicator was created from a simple average of percentile scores of WB Governance Indicators: (1) control of corruption, (2) rule of law, (3) regulatory quality, (4) government effectiveness, and (5) voice and accountability. We created a composite score of WB indicators.

The World Bank Governance Indicators were selected because as a set they represent elements likely important to University governance.

- Control of corruption and rule of law address issues important to fidelity to laws and policy and the collective good, ensuring that institutional priorities are placed ahead of individual ones and that public resources are likely spent for public gains and not private ones.
- Regulatory quality and government effectiveness address issues related to the quality of public sector services and regulations, the ability of governmental actors to set appropriate rules and follow them and the belief that those rules are constructive as intended, and the level of governmental credibility.
- Voice and accountability are relevant because they address issues such as freedom of expression and commentary, important elements of independent higher education and because universities are public goods and should reflect collective social values and priorities.

The World Economic Forum (WEF) offers a complementary set of indicators that also may matter to public University governance. Two of WEF's Global Competitiveness Index rankings of public sector performance and the future orientation of the government seem useful (Schwab, 2019).

Public sector performance addresses the ability of governments to meet their mandate without overly cumbersome regulation, similar to the World

Bank's government effectiveness variable. The future orientation of the government is important to this project because universities are a key component of creating a favorable future for the country in terms of educating the future workforce and providing inputs for the future economy of a country. How well a government looks to the future may impact its efforts related to higher education. WEF includes a corporate governance indicator, which at one point we thought might be a parallel for public governance in terms of auditing and accounting standards, conflict of interest regulation and shareholder governance, and addresses the governance ethos that exists in the country, albeit in the private sector. However, in the end, because the levers of corporate and higher education governance are different, it is not included in this analysis. For public sector effectiveness and the future orientation of government, we created percentile rankings compared to the countries in the total WEF data set. Data for Belarus, Turkmenistan, and Uzbekistan did not appear in the WEF data.

For each of the two sets of indicators we developed a percentile score for each country. This percentile score is across the whole data set, for instance across approximately 140 countries in the WEF project. We then rank ordered the 15 post-Soviet countries against each other and classified the country into quartiles – low, medium-low, medium-high, high – to parallel the autonomy assessments for rough comparison.

Because the World Bank and World Economic Forum rely on different indices, the comparative rankings of the country set differed, particularly in the middle portion of the fifteen countries. Estonia and Lithuania consistently were at the top and Kyrgyzstan was at the bottom. Belarus and Turkmenistan also scored low on WB indicators and were not included in the WEF set. Latvia ranked third in the WB indicators but dropped to sixth in the WEF set. Georgia also ranked comparatively high in the WB set at fourth but was ninth in the WEF data. Moldova was seventh comparably in the WB data but twelfth in WEF data. Russia, on the other hand, was low in WB indicators (tenth) but fifth in the WEF indicators. To iron out these differences, a simple average of averages was calculated of the two composite scores for a grand composite. Again, the analysis is not aiming for specificity as much as a general understanding of context.

These scores are unweighted and the relationships between them unexplored. Both are worthy of deeper examination, but that is beyond the scope of this chapter.

We classify level of governance capacity in quartiles as determined by their comparative percentile rankings: 100–76 as high (H); 75–51 as medium-high

**Table 19.2 Governance capacity percentile averages and comparative ranking and assessment**

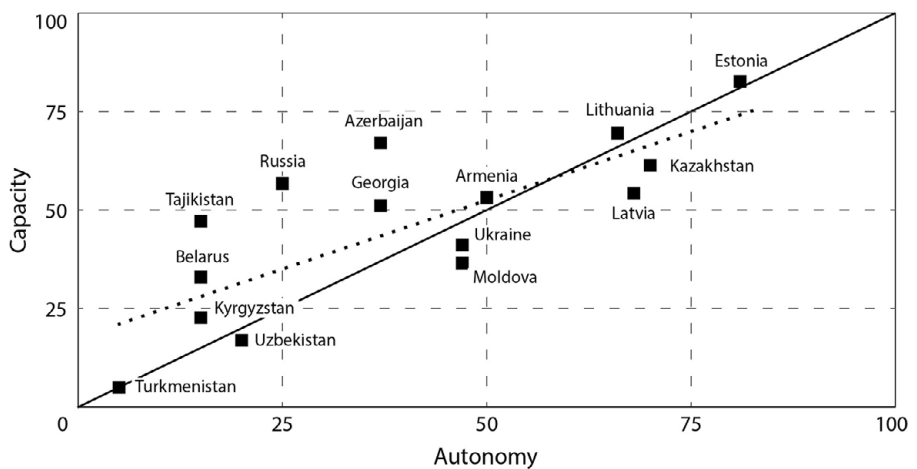
Country	World Bank indicators (rank)	WEF indicators (rank)	Grand composite (rank)
Armenia	52 (5) MH	53 (8) MH	53 (5) MH
Azerbaijan	30 (11) ML	67 (3) MH	48 (7) ML
Belarus	33 (9) ML	NA	NA
Estonia	89 (1) H	83 (1) H	86 (1) H
Georgia	70 (4) MH	51 (9) MH	60 (4) - MH
Kazakhstan	43 (6) ML	61 (4) MH	52 (6) - MH
Kyrgyzstan	27 (12) ML	23 (13) L	25 (13) L
Latvia	78 (3) H	54 (6) MH	66 (3) MH
Lithuania	80 (2) H	70 (2) MH	75 (2) MH
Moldova	42 (7) ML	37 (12) ML	39 (9) ML
Russia	32 (10) ML	57 (5) ML	44 (8) ML
Tajikistan	10 (14) L	47 (10) ML	28 (12) ML
Turkmenistan	5 (15) L	NA	NA
Ukraine	37 (8) ML	41(11) ML	39 (10) ML
Uzbekistan	17 (13) L	NA	NA

(MH); 50–26 as medium-low (ML); and 25 and under as low (L). See [Table 19.2](#) for the WB, WEF, and composite assessments.

These tables allow for descriptively plotting Fukuyama's two dimensions – bureaucratic capacity and autonomy (see [Figure 19.1](#)). The figure indicates the low to high levels of autonomy and capacity given the two scales. One slope (solid line) indicates an idealized one-to-one assumed relationship that we developed for lack of clear alternatives. (See [Chapter 21](#) for questions for further research to better explore this relationship). The second dotted line shows the relative slope across the set of the fifteen countries for a comparative understanding.

[Figure 19.1](#) graphically describes the autonomy levels of the HE system and the general bureaucratic capacity in which universities operate. We wanted to create a visual summary to frame the discussion. It is not intended to demonstrate inferential analysis. Using the assumed one-to-one relationship, the capacity and autonomy of the context seem to correspond to each other well for Estonia, Lithuania, Armenia, and Turkmenistan, even though they are at different points on the slope with differing but with corresponding levels of autonomy and bureaucratic capacity. Based on the countries' relationship to the idealized capacity-autonomy slope, Azerbaijan, Russia, Tajikistan, and Belarus seem to have bureaucratic capacity that outstrips their levels of autonomy. Inversely, Moldova, Ukraine, Latvia, and

Figure 19.1 Bureaucratic capacity and autonomy by country



Kazakhstan seem to have greater autonomy given their levels of inferred bureaucratic capacity. Thus, to create appropriately aligned governance contexts, those countries above the solid line would need to shift to the right to increase autonomy, freeing their universities from excessive constraint. Those below the line would need to move left for lesser autonomy to align with system capacity.

Comparatively, similar but not exact patterns exist using a within-group slope: Kyrgyzstan, Ukraine, Latvia, and Moldova have autonomy levels that outpace their levels of capacity in contrast to the other countries in this set (see the dotted line in Figure 19.1). Turkmenistan, Estonia, Azerbaijan, Russia, and Tajikistan all have relative excess capacity compared to their levels of autonomy.

To what extent do the current governance structures of post-Soviet universities align with the governing contexts? Chapter 18 identified four models of University governance – *academic-focused*, *state-extended*, *internal/external*, and *external civic*. Given that policymakers are more likely to alter level of autonomy – limit it or increase it through regulatory change– as compared to have the ability to readily alter bureaucratic capacity in all of its complexity, the analysis defaults to autonomy as the potentially modified variable in this discussion.

The analysis allows one to speculate about the appropriateness of various models in different contexts. It provides a framework to speculate and raise questions, make inferences (Table 19.3).

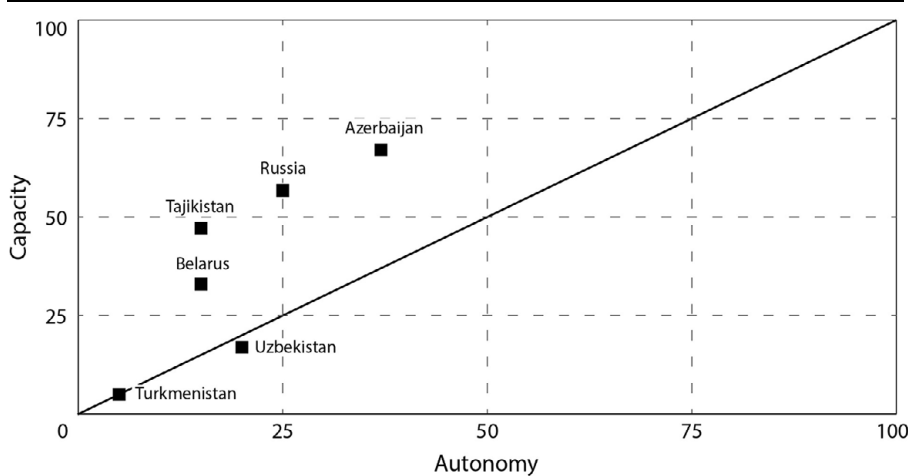
Table 19.3 Country governance structure and capacity/autonomy levels and ratio

Governance structure/country	Capacity/autonomy	Relationship
state-extended		
Azerbaijan	MH/L	insufficient autonomy
Belarus	L/ML	insufficient autonomy
Russia	MH/ML	insufficient autonomy
Tajikistan	ML/L	insufficient autonomy
Turkmenistan	L/L	appropriate
Uzbekistan	L/L	appropriate
academic-focused		
Georgia	MH/ML	insufficient autonomy
Kyrgyzstan	L/L	appropriate
internal/external		
Armenia	MH/MH	appropriate
Estonia	H/H	appropriate
Latvia	MH/MH	appropriate
Lithuania	MH/MH	appropriate
Moldova	ML/ML	excess autonomy
Ukraine	ML/ML	excess autonomy
external civic		
Kazakhstan	MH/MH	appropriate

The *state-extended* models not surprisingly exist in countries with low autonomy – Azerbaijan, Belarus, Russia, Tajikistan, Turkmenistan, and Uzbekistan. However, the bureaucratic capacity levels of Azerbaijan and Russia are medium-high and that of Tajikistan and Belarus are medium-low, suggesting that each of these countries have autonomy levels that seem too low by comparison to capacity levels. The capacity of Azerbaijan seems high given the country's government and its authoritarianism (Freedom House, 2022). That may be due to the WEF indicators selected for this analysis that focus on future orientation and public sector capacity, both of which may be strong in that country's form of political governance (Figure 19.2).

Turkmenistan and Uzbekistan have strongly governmentally driven University governance structures via the *state-extended* model that seem appropriate for the context in which those universities are operating – low capacity and low autonomy. A *state-extended* structure in which the government makes the most of the relevant decisions and appointments may suit those contexts well. However, for other countries, that have bureaucratic

Figure 19.2 State-extended governance structures by autonomy and capacity



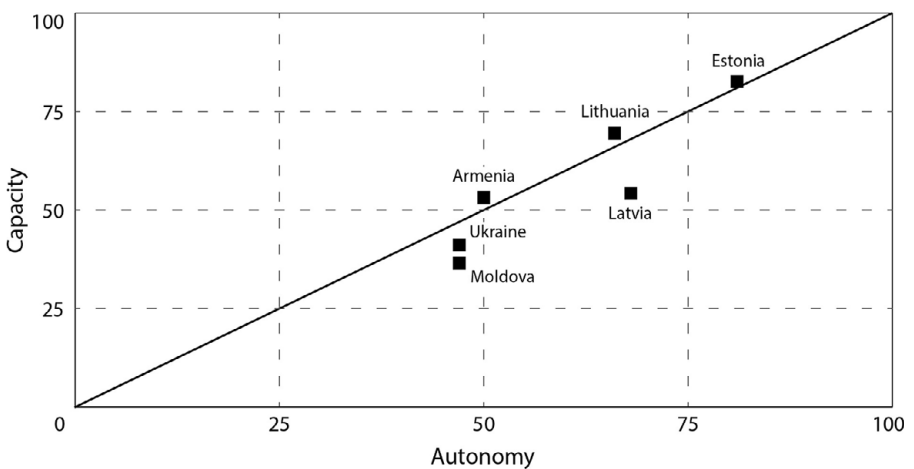
capacity that surpasses autonomy, a different University governance structure that can take advantage of capacity and autonomy may be beneficial. The *state-extended* model likely does not allow this, meaning that capacity goes untapped, and the system may be overly constrained by its governance approach of an extended state.

The second model, *academic-focused*, appears in Georgia and Kyrgyzstan.<sup>1</sup> Georgia has medium-low levels of autonomy and capacity; Kyrgyzstan is low on both dimensions. The *academic-focused* model suggests a level of institutional insularity – for instance, the rector is elected from within the University and the primary actors in governance are internal to the University. Two points can be inferred from the Georgia example: First, the system seems to have insufficient autonomy for its bureaucratic capacity. More autonomy may benefit its universities to act and remove some governance burden from the administration. Second, the governance structure with its insularity and focus on academic issues may align well with the comparatively low levels of autonomy but doesn't take advantage of bureaucratic capacity. As the analysis by Dobbins and Khachatryan (2015) indicate, the

<sup>1</sup> Moldova and Ukraine both have Academic Councils that reflect the academic-focused governance model. But both also have dual governance bodies, Ukraine with its Supervisor Board and Moldova with the Strategic and Institutional Development Councils. Because both of these two bodies have internal University as well as external members, for this discussion we classify these as internal/external governance bodies.



Figure 19.3 Internal/external structures by autonomy and capacity



context has elements both of autonomy and authoritarian control. Expanding the scope and levels of autonomy and adopting a different governance model may best take advantage of capacity levels and move its institutions out of this paradoxical context. Kyrgyzstan, on the other hand, has low levels of both autonomy and capacity. It's context more closely resembles that of the state-extended models above. Its academic focus may work against a University system that likely benefits most from close ties to the government. This model limits organization effectiveness in a low capacity, low autonomy environment; the *state-extended* model may yield tighter beneficial relations with the State.

The *internal/external* governance structures are most prevalent in countries with high and medium-high capacity and autonomy, Estonia, Latvia and Lithuania, and in Armenia with similar medium-high capacity but with a level of medium-low autonomy (see Figure 19.3). Two other countries also followed the *internal/external* model, Moldova and Ukraine, and they are examples of this type of governance model within medium-low autonomy and capacity. They are also the only two with dual governance structures, the second being *academic-focused* Academic Councils. Moldova and Ukraine are two countries in this set with seemingly excess autonomy given bureaucratic capacity. The other countries with *internal/external* governance models had a balanced ratio between capacity and autonomy. This model reflects the greatest variation across contexts from medium-low to high in both dimensions.

Given that Moldova and Ukraine are countries with medium-low autonomy and capacity, the *internal/external* governing model may be underperforming or at least not function in ways for which the University governance structure was designed. Its bicameral governance structure means that the *internal/external* body, which is comprised mostly external members, is balanced with staff-dominated Academic Councils (*academic-focused* model). Given medium-low capacity, this may mean that the independent elements of these models may underperform; the capacity isn't there. Concurrently, if the capacity exists, the medium-low autonomy may mean that these bodies are unable to take advantage of that autonomy to advance institutional priorities. Insights from the country profiles suggest that those with lower levels of capacity and autonomy have operational challenges of this system with undue governmental influence and in the case of Armenia a recent history of corruption (Smith & Hamilton, 2015).

The three countries with the highest levels of autonomy and that also have comparatively high levels of bureaucratic capacity adopted these models of external and internal stakeholders. They may be well suited for these contexts. The governing context is different for Estonia, Latvia, and Lithuania than Ukraine and Moldova, although the University governance structures are similar. Thus, questions exist as to which context allows for effective and efficient use of a common structure and how well those structures can operate in their relative contexts? A second way to think about this difference is to consider who the stakeholders are participating in this structure. Evidence from Moldova, as well as Armenia, suggests that government actors and affiliates fill seats that can be reserved for external board members such as corporate or community leaders and educators. Thus, in medium-low autonomy contexts, the government retains a strong degree of influence through a structure that operates differently in high and medium-high autonomy contexts.

The *external civic* model, which in many ways is structured similarly to governing boards in the United States and United Kingdom, appears only in Kazakhstan and this is a relatively new approach for that country, with the exception of Nazarbayev University starting its second decade of operation. That country's levels of autonomy and capacity are both medium-high but with what seems like excess levels of autonomy given bureaucratic capacity. Two potential scenarios exist. One is that the governance structure is ahead of the country's capacities and level of granted autonomy. Thus, an *external civic* structure is created for a future context and having this in place may permit progress toward increased autonomy. Decision-makers are planning

for a future not yet arrived and thus they will need to do the due diligence to ensure its arrival. The second possibility is that the structures, although intended to have strong external presence across a range of industries and sectors, still operates predominately or strongly with governmental influence; they are versions of *state-extended* models but portend to be something different. In the post-Soviet context, this may be a retrograde approach to University governance.

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### 19.3 MAKING SENSE OF CAPACITY AND AUTONOMY

This analysis across the set of fifteen former Soviet countries demonstrates a variety of governance structures situated in differing contexts. Those University systems with *state-extended* structures tend to be in low autonomy contexts. This is not surprising and offers confirmation that universities in low autonomy and capacity contexts may need different things from governance as compared to universities operating in other contexts. That said, based on the indicators used here, many of these countries seem to have bureaucratic capacity that outpace their levels of autonomy. This mismatch raises the question: to what extent might these universities be more efficiently, and possibly effectively, governed with a governance structure and policy schema that allowed them the autonomy to take advantage of capacity? Some countries seem to have excess bureaucratic capacity but do not leverage it and instead align University governing bodies with low levels of autonomy.

A second observation is that the *internal/external* model exists across a variety of capacity/autonomy levels. The similar governance structure model appears in contexts ranging from high autonomy/high capacity contexts (Lithuania) to medium-low autonomy/medium-low capacity contexts (Moldova). Unlike the *state-extended* structures that clustered at one end of the continuum, this model appeared across diverse contexts. This raises the question of how well these models work given their design across the capacity variations? Is there operational variation within this model depending on context? Asked another way, is there a difference between how this model works in Lithuania as compared to Moldova? We do know that Moldova adopted a different version of this model with its two parallel bodies as compared to Lithuania's single governing body.

Relatedly, how much external voice truly exists in the *internal/external* structure when autonomy and capacity are low? What happens when governmental officials serve in what may be nongovernmental positions on

governing boards? The critical review of Armenian University governance provides one lens into these questions (Smith & Hamilton, 2015).

Third, Kazakhstan is the outlier governing structure with its *external civic* approach. Yet Kazakhstan's universities seem to be operating in a medium-high autonomy and capacity context. We also know that Kazakhstan's autonomy is a relatively new phenomenon, and the country continues to have growing pains related to it (Hartley et al., 2015). What it says on paper and in its laws may be slow to evolve in reality. This structure creates a distance from direct governance involvement and from internal stakeholders (such as academic staff). This model may better suit high-autonomy/high-capacity contexts because it allows more flexibility at the local level to pursue strategies that the University deemed valuable and have the capacity to pursue priorities that matter to the University and have less risk of inefficiency or in worse cases corruption. Because of its distance from government, the model places more responsibility and higher expectations on an independent body to act effectively and in ways that can take advantage of its context. The *external civic* structure also seems the model best suited for high-capacity contexts as it requires much from an independent board. The question to ask, particularly following the civil unrest in that country in winter 2022, is to what extent does the system have the needed capacity via its independent governance, or is the structure too far ahead of the policy context? And if it is ahead of the policy context is this newly adopted structure able to move the needle on autonomy and gain the needed capacity to govern well?

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### Implications for Policymakers and Campus Leaders

This preliminary exploration raises three implications for policymakers and campus leaders. First, a group of countries have governance structures that may be out of alignment with their autonomy and bureaucratic capacity levels. University administrators and policymakers might be well-served by exploring alternative structures to governance that allow them to take advantage of autonomy and capacity levels. If universities are not leveraging their given autonomy and capacity, they may be working inefficiently. In practical terms, universities with capacity that outpaces autonomy may be well suited for governing in a more autonomous context and thus they can make the case for increased autonomy. Russia, Azerbaijan, and Georgia might benefit from increased autonomy given the indices of bureaucratic capacity used here. However, except for Georgia with its *internal/external* model, the other countries noted have *state-extended* governance structures. Thus, in addition

to making the case for increased autonomy, they might also need simultaneous reform of their governance structures, moving to less direct control and adopting the *internal/external* model per other more autonomous post-Soviet countries.

Second, it seems like some University systems have excess autonomy that may not be supported by their levels of bureaucratic capacity – particularly Moldova and Ukraine. The mismatch may mean that these systems do not have sufficient mechanisms in place to ensure adherence to higher education goals and priorities, might allow for universities to pursue their own priorities rather than those linked to stated educational objectives, and in worse case situations allow for corruption. Some writers have been critical of Ukrainian higher education on this point (Osipian, 2017, for example). Thus, these countries might be better served by constraining some levels of autonomy or putting in place safeguards to prevent poor governance. The safeguards might be differently structured governance systems and new accountability schema with clear country-level goals. The more complex undertaking is to increase the bureaucratic capacity for oversight and strategy and this too may mean new governance structures, which, for example, involving members of government or their surrogates more intentionally.

Finally, those universities in countries with high capacity and high autonomy might be better served by considering an *external civic* model of governance. The likely policy and governance questions focus on issues of relevance, responsiveness, and performance. Given high levels of capacity and autonomy, the compliance-focused governance approaches with less capacity is likely under delivering. One might argue that boards that are external to the University minimize stakeholder or representative conflicts of interest. As Harvard sociologist David Reisman is reported to have said, “the role of governance is to protect the future from the demands of the present” (Bowen & Tobin, 2015). Thus, a broader representative stakeholder board that is external to the University may be better suited to serve as a bridge to different social and economic sectors, serve as collaborators on strategy, and balance internal decision structures. They would avoid or at least minimize representatives advocating their own positions rather than considering the good of the University as a whole (Shanahan, 2019). The author’s personal experience with a representative University board in Canada suggests that University insiders dominate conversations more than external members in board meetings because they are more knowledgeable about University activities, and because they have a stronger self-interest. They also view their roles as advocating on behalf of their constituents rather than taking a

broader University perspective. That said, *external civic* boards require the most board education because their members are not of the academy or all from the government. And effective governance via this structure does not happen naturally or easily but demands a high degree of intentionality from member selection through meeting organizations and board leadership (Chait et al., 2005; Eckel & Trower, 2018).

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## 20 Governing in the Context of Competition and Autonomy

Peter D. Eckel and Ali Ait Si Mhamed

How appropriate are the University governance structures in former Soviet countries for their expected tasks and in their respective contexts? [Chapter 19](#) considered the appropriateness of University governance structures given the nexus of autonomy and capacity for each of the fifteen countries and the four identified models of University governance. It was a perspective focused on assumed capacity to govern given levels of autonomy. Keeping the focus on autonomy consistent, this second exploration considers the level of competition among universities as a salient contextual element important to governance (Marginson & Considine, 2000; Musselin, 2018; Pucciarelli & Kaplan, 2016). Competition in higher education consists of a set of organizational responses to environmental pressures (Schofield et al., 2013). It focuses on what universities must do to attract financial resources; recruit students and staff, both foreign and domestic; be part of the global research enterprise; and, for many, pursue world class status (Salmi, 2009) and global rankings (Hazelkorn, 2015).

On a more pragmatic level, competition also becomes a way to direct organizational priorities and focus attention. Viewed in this way, competition also becomes its own type of “external discipline” (Aghion et al., 2010, p. 45). The more competition in a system, the more universities must focus attention on requisite inputs – such as students, tuition, and funding. This in turn creates an alternative type of accountability system, one that is market driven rather than government mandated.

The competitive lens is important to higher education and a counter to direct government oversight because effective governmental accountability and steering can be difficult to do given the nature of higher education. First,

as Aghion et al. (2010) argue, the production function of universities is difficult to observe and understand, therefore centralized government control may be less effective than making organizations compete for resources and inputs. Competition thus serves as a guardrail against institutions pursuing their own objectives. Second, according to Aghion and colleagues, high levels of competition and autonomy are linked to high levels of productivity, at least in terms of research indicators. Third, using the United States as an example, the authors argue that its low levels of guaranteed funding and at best mediocre student inputs (based on the relatively poor performance of US schools on primary and secondary assessments as compared to other countries), further coupled with the existence of high caliber universities, seems to suggest high levels of performance from high levels of competition and autonomy. This high level of performance of US higher education system at the country level was further verified by a comparative study of national level higher education systems by Williams et al. (2013).

Competition is an increasingly important topic of policy discussion around the globe. However, when coupled with autonomy, its role becomes clearer as these two dimensions work as a set. An imbalance in one against the other creates inefficiencies in the system. Write Aghion and colleagues:

There is some danger in giving universities great autonomy if they are not in an environment disciplined by competition for research funding, faculty and students. The autonomy might be used to pursue goals other than expanding University outputs that are valued by society. There is little point in promoting competition among universities if they do not have sufficient autonomy to respond with more productive, inventive, or efficient programs. (Aghion et al., 2010, p. 10)

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## 20.1 TIDES OF COMPETITION IN POST-SOVIET HIGHER EDUCATION

Before this examination of competitiveness and autonomy and its link to University governance structures, we need to note that higher education competition is a relatively new aspect for some of the University systems in this study. Centralization and coordination, and not competition, clearly was the *modus operandi* during Soviet times (Smolentseva, 2020). All higher education institutions were under direct ministerial control (Froumin & Kouzminov, 2018), with little or no opportunity for choice of what programs to pursue, which students to admit, or what resources to secure and how to



spend them. All governance decisions were centrally taken. Not until the time of Perestroika did competition emerge and HEIs begin to have opportunities to participate in (or were arguably thrust into) a global competition for research, students, and academic staff. “However, even in the extreme Soviet state-control model, HE providers and rival regions engaged in heavy competition over resources from the “party-state” (Dobbins & Khachatryan, 2015, p. 193). Competition existed in higher education, just in a different form.

The competitive environment for higher education in the post-Soviet world, beginning in the 1990s, included introducing the privatization of higher education (Smolentseva, 2020). During this period, a fundamental transformation took place when unregulated markets emerged, populated with low quality, unregulated providers. Cost sharing between the state and students for higher education also emerged because of cuts in public HE funding (Smolentseva, 2020). Hence, HEIs began reinstating the new forms of funding beyond direct state support, including introducing tuition fees. Most countries adopted, over time, a dual-track tuition structure (except for Turkmenistan) with one group of students supported by state grants and others who self-funded their education (Smolentseva, 2020). With the funding changes, came the relaxation of control in admissions, which according to some research (Gerber, 2007) was at the root of inequalities in access to higher education, given that the students from economically disadvantaged families were no longer able to afford higher education for which they now had to pay themselves. At the other end of the spectrum, some universities adjusted academic standards by enrolling less prepared students (Smolentseva, 2016).

The gold standard of world class universities driven by their research rankings also emerged. “Research has long been organized as a competitive activity” (Musselin, 2018, p. 659). Global rankings dominated by research indicators further pushed universities to compete on a global level and created a global marketplace for research (Hazelkorn, 2015; Tsvetkova & Lomer, 2019), even when it conflicted with nationalistic policies and sovereign goals (Makinen, 2021).

The privatizing reforms in higher education occurred in parallel to those elsewhere in the post-Soviet economy, including the privatization of state-owned enterprises and housing and efforts to transform different sectors via credits and loans from Western banks. The abrupt changes in both the government and the economy affected higher education and created an opening for the emergence of competition and an ecosystem to support it.

A caveat on competition. We admittedly use a Western, neoliberal-driven framework of competition and its assumptions. It is market-based; it is about accessing resources and capital (Aghion, et al, 2010; Musselin, 2018; Pucciarelli & Kaplan, 2016). It also is about prestige and exists in a transnational context (Hazelkorn, 2015; Makinen, 2021). Hasse and Krucken (2013) argue that competition as a notion is shaped by context-specific logics (they compare businesses and universities, for instance). We recognize that the West and post-Soviet contexts had, have, and will likely advance different logics. “One of the first obstacles that hinders the inclusion of Russian universities in international rankings is that there are differences in interpretation and measurement in HEI’s effectiveness in Russia and western countries” (Mushketova et al., 2017, p. 50). Notions of Western, neoliberal competition may not strictly align with the post-Socialist notions of competition. This is particularly so, given the ongoing Soviet legacies in this region’s higher education (Froumin & Kouzminov, 2018). However, researchers note that these Western ideas of competition exist in the post-Soviet space, with two examples focusing specifically on Russia (Makinen, 2021; Tsvetkova & Lomer, 2019), even if there is tension between local and Western logics. Furthermore, the context-specific logics of competition in higher education also may not equally be supported across the fifteen very different countries that have different forms of universities, fund higher education in different ways and at different levels, use different accountability approaches, and that have policy schemas that prioritize and support priorities differently. Yet, factors that we take to infer competition do exist within and across the fifteen countries in this exploration. Smolentseva (2020) provides an excellent study of the privatization of post-Soviet higher education through a lens of student markets, tuition fees, and private University growth. Her work is important and we use it here.

The aim is to understand in broad strokes how diversified, extensive, and intensive competition is along a set of compatible domains – ones for which secondary data is available to develop a composite picture that can be compared. This chapter focuses on the cumulative competitive environment that consists of international research productivity, domestic and international students, and funding via tuition fees. The indicators selected here are a mix of input (tuition fees) and output (research productivity) variables. We worked to find possible indicators that exist across most of the fifteen countries. The point is to try to capture the extent and magnitude of the overall competitive environment. We do not think a clear and comprehensive way exists to describe the competition levels within higher education. This is an imperfect attempt.

The chapter then explores the four different University governance models of this book – *academic-focused*, *state-extended*, *internal/external*, and *external civic* – within the comparative competitive and autonomous contexts.

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### Research Competition

To understand the extent to which research competition exists within each country, we looked at research output at the country level as a surrogate for research competition. Research productivity can be considered an indicator of a country's ability to compete on a global research stage. The act of producing internationally recognized research and gaining acceptance in international journals requires scholars to conduct research that competes with other submissions, making successfully published research an illustration of competitive success. We used country level h-index scores obtained from Scimago.<sup>1</sup> H-index scores are commonly used indicators of research productivity, such as by QS World University Rankings<sup>2</sup> – and can be used to estimate country-level research output (Jacso, 2009). This index has its flaws, including being field dependent and rewarding established researchers (Bornmann & Daniel, 2008) who may exist in greater numbers in some countries rather than others, but the h-score index is a common framework to describe and compare research output. The latter shortcoming might make it more challenging for researchers in countries with less-established research agendas, but it also means that newcomers have overcome ingrained hurdles to become more competitive, possibly suggesting a disproportionate ability to compete. We converted the h-index country rank to percentiles (comparing against a reported 240 countries and localities). We assigned an assessment – high, medium-high, medium-low, and low quartiles – based on the derived percentile (Table 20.1).

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### Student Competition

The second dimension of competition is the extent to which institutions compete for students. Here two dimensions may matter, internal country competition and competition for international students. (More on competing for student tuition fees below in the resources section.) One dimension is when state universities compete for in-country students against

<sup>1</sup> [www.scimagojr.com/countryrank.php?order=h&ord=desc](http://www.scimagojr.com/countryrank.php?order=h&ord=desc).

<sup>2</sup> [www.iu.qs.com/university-rankings/h-index/](http://www.iu.qs.com/university-rankings/h-index/).

**Table 20.1 Country research productivity percentile ordinal rankings**

Country	h-index percentile
<b>high</b>	
Russia	9
Ukraine	21
Estonia	22
<b>medium-high</b>	
Lithuania	25
Armenia	28
Georgia	29
Belarus	30
Latvia	35
Azerbaijan	40
Moldova	43
Kazakhstan	44
<b>medium-low</b>	
Uzbekistan	53
Kyrgyzstan	58
<b>low</b>	
Tajikistan	74
Turkmenistan	85

private higher education. The larger share of students enrolled in the private sector the greater the competition for public universities, which suggests that they do not compete well against private universities. Capacity of the public system may be a factor weakening this argument, particularly when universities are constrained in increasing their enrollment numbers. But considering the sector as a whole, the more institutions that exist means that each institution has to compete against a larger competitor set for students if enrollments are assumed to remain constant. At an extreme, for example, three universities are likely existing in a less competitive place than thirty-five institutions, particularly regarding competition for quality students.

Across the fifteen countries in this study, we found a mean private University enrollment at 14 percent. We grouped countries ordinally and clustered them based on their relationship to the mean and assigned them a ranking of high, medium-high (both above the mean, with high at least two times the mean) or medium-low and low (both below the mean, with low 50 percent or less of the mean) (Table 20.2).

**Table 20.2 Grouped ordinal ranking of private higher education enrollments by percentage**

Country	Percent of private sector enrollment
<b>high</b>	
Kazakhstan	52
Georgia	35
<b>medium-high</b>	
Moldova	23
Latvia	22
<b>medium-low</b>	
Kyrgyzstan	14
Armenia	12
Russia	10
Azerbaijan	9
Estonia	9
Ukraine	8
<b>low</b>	
Belarus	7
Lithuania	5
Uzbekistan	5
Tajikistan	0
Turkmenistan	0

Second, universities compete for international students as well as domestic ones. International student mobility creates its own set of competitive dynamics and does so in two different dimensions. The first is the ability to compete for international student enrollments. This is inward flow. The more competitive the sector the larger the share of international students it can attract. However, competition flows two ways, as universities within a country must compete against foreign universities seeking to capture their domestic students. Therefore, a country with a competitive international student market would be able to recruit students from abroad and prevent their students from leaving to study elsewhere – outbound flow.

The percentages of in- and outbound students from UNESCO's study of student flow were the sources of evidence.<sup>3</sup> We recognize an important limitation, as in both instances government policy very likely may be a factor. Governments may actively recruit international students, or, conversely, they may create policy hurdles that limit inward mobility. (See, for instance,

<sup>3</sup> <http://uis.unesco.org/en/uis-student-flow>.

Mushketova et al., 2017, discussion on Russia). They may also establish barriers to outbound mobility or conversely fund programs that support outbound mobility, as in Kazakhstan's Bolashak program, for instance (Perna et al., 2015). Nevertheless, this exercise seeks to create a rough sense of competition within the higher education space in each country; and policy is part of that defining context.

Three patterns emerge across the inbound and outbound student data. One set of countries had a comparatively high percentage of inbound students with low shares of outbound students. Thus, the competitive context seems to be strong in those countries because they attract students from abroad and have few of their own students leave – Latvia, Kyrgyzstan, and Russia. The second set of countries are those with higher relative percentages of outbound students and comparably low levels of inbound students. They are likely characterized as weak competitive context countries because they lose domestic students and can't attract international ones – Azerbaijan, Kazakhstan, Moldova, Tajikistan, and Uzbekistan. The final set are those institutions with similar levels of inbound and outbound students – Armenia, Belarus, Estonia, Georgia, Lithuania, Turkmenistan, and Ukraine. Because they equally gain and lose students, we categorize those countries as competitively neutral even though they vary in the share of students sent and received. Included in this list is Turkmenistan, which does not report data on outbound students to UNESCO but it reports only 0.3 percent inbound students (Table 20.3).

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### Funding Competition

The third dimension of competition is funding. The focus here is on student-paid fees. Following the dissolution of the Soviet Union, the newly independent countries faced times of austerity because of increased difficulties with taxation and/or because of competition with other public needs (Johnstone, 2014). Higher costs in the higher education system, public sector austerity, and the introduction of tuition fee schemas during the times of independence in post-Soviet Union countries led to a marked difference in cost-sharing between universities and the state (Smolentseva et al., 2018, 2020). The result was “a shift in the burden of higher education costs from being borne exclusively or predominately by government to being shared with parents and students” (Johnstone, 2003, p. 351).

University funding in former Soviet countries predominantly comes from the state and follows three broad categories: (1) basic funding aimed at supporting the performance of basic tasks, (2) performance-based funding

**Table 20.3 Percentages and ratios of inbound and outbound students in post-Soviet countries**

Country	Inbound	Outbound	Inbound/ outbound ratio
Strong competition			
Latvia	9.3	6.3	1:0.7
Kyrgyzstan	9	5.1	1:0.6
Russia	4.5	1	1:0.2
Neutral competition			
Armenia	5.5	5.1	1:1
Belarus	4.3	5.8	1:1.3
Estonia	9.6	8	1:0.8
Georgia	8.1	7.5	1:0.9
Lithuania	5.3	8.8	1:1.7
Turkmenistan	0.3	NA	NA
Ukraine	3.5	4.5	1:1.3
Weak competition			
Azerbaijan	2.2	21.8	1:1
Kazakhstan	3.3	13.2	1:4
Moldova	5.6	22.2	1:4
Tajikistan	0.8	7.5	1:9
Uzbekistan	0.2	12.3	1:61

Source: <http://uis.unesco.org/en/uis-student-flow>

that incentivizes a variety of activities deemed important; and (3) an innovation-oriented component that enables University investments in strategic objectives (Ziegele, 2013). However, universities in most former Soviet countries, particularly to fund the third objective, leverage dual-track tuition in which some students are supported by the state through scholarships and other students pay tuition fees (Ait Si Mhamed, 2017; Johnstone, 2014; Smolentseva, 2020).

The dual-track tuition approach both increases and diversifies University revenue as state funds do not always keep up with rising expenses. In fact, using Kazakhstan as an example, Ait Si Mhamed et al. (2021) found that public universities seem to prefer non-stipend students because state-supported students bring in less money per student than those who pay tuition. Without robust ways to compete for students and their tuition fees, a University's access to an important source of funding is limited. Due to data challenges in this area, it is not easy to find supporting information about how important tuition fees are to overall Kazakhstani University budgets.

However, in the 2020–2021 academic year, the total number of students enrolled was 576,557. Of this number, 196,100 students (which represents about 34 percent) have a state grant; and 380,500 students (which represents 66 percent) pay tuition fees. Ait Si Mhamed's estimations suggest that the high rate of students paying for their studies indicates that universities make choices to compete for these students in ways that they do not for state grant students. State grants are highly regulated, and universities cannot reject any state grant students who decide to enroll at a designated University.

Smolentseva (2020) reports that the percentage of fee-paying students varies across post-Soviet countries from a low of 7 percent in Turkmenistan to a high of 85 percent in Armenia and Georgia. Only in Estonia and Turkmenistan do less than 20 percent of students pay fees. Estonia abolished tuition fees for first-cycle, full-time students in 2021 (Smolentseva, 2020), thus only students outside of this group pay fees. Approximately half of students pay tuition fees in Kazakhstan, Lithuania, Ukraine, Russia, Belarus, and Moldova. Armenia, Georgia, and Kyrgyzstan all have over 80 percent of students paying fees (see Table 20.4). The mean percentage of students paying tuition fees is 55 percent. This percentage becomes the threshold to determine the relative level of competition for fee paying students.

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### Toward a Competition Composite

From the above elements, a sense of the competitive context can be constructed. The aim is to offer a general understanding of competition within each national higher education system context by looking at the intensity within each and the breadth across the four elements. We treated each of the four indicators equally – research output, share of students enrolled in private universities, international student mobility (which itself consists of inbound and outbound mobility) and competition for fee paying students. They may have different weights in practice, the discerning of which is beyond the scope of this project but a valuable discussion to consider.

We assigned each item a score of 1 (low competition) to 4 (highly diversified competition) and created a country-level compositive score that had the possible range of 4 (all assigned low scores) to 16 (all assigned high scores), representing the most intensive and diversified competitive context. The competition array is presented in Figure 20.1. The countries with the highest diversified competition indexes were Georgia, Latvia, Kyrgyzstan, Russia, Armenia, and Latvia. Those in the least overall competitive contexts were Turkmenistan, Tajikistan, Uzbekistan, Belarus, Lithuania, and Azerbaijan.

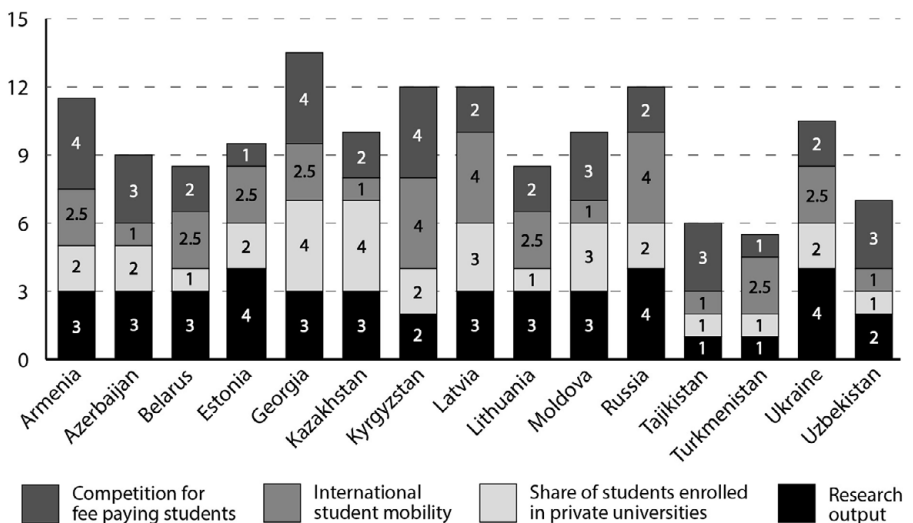


Table 20.4 Ordinal ranking of fee-paying students by percentage

Countries	Percentage of fee-paying students
high	
Armenia	85
Georgia	85
Kyrgyzstan	81
medium-high	
Uzbekistan	73
Tajikistan	68
Azerbaijan	61
Moldova	57
medium-low	
Belarus	54
Russia	50
Ukraine	49
Latvia	47
Lithuania	46
Kazakhstan	45
low	
Estonia	18
Turkmenistan	7

Source: Smolentseva, 2020

Figure 20.1 Composite competition across PSS

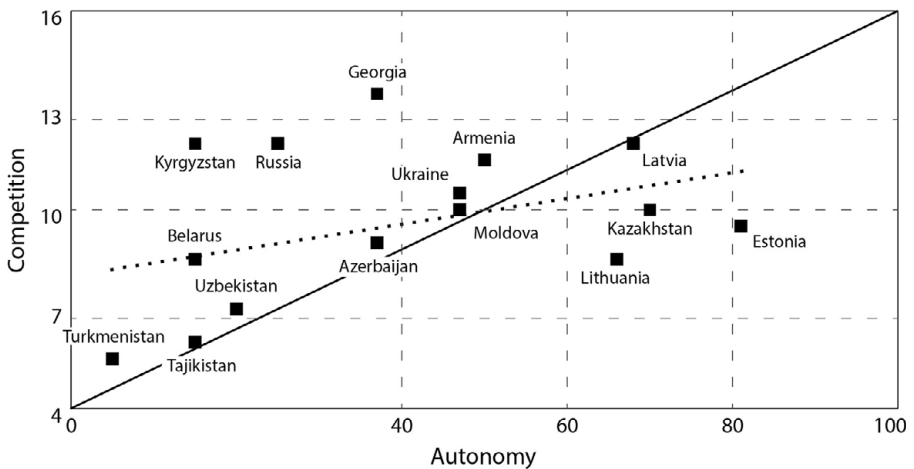


The composite suggests that the contexts with the highest levels of competition are Georgia, Kyrgyzstan, Armenia, Latvia, and Russia. However, the types of competition vary across the set as the elements that make up the composites differ. For example, Georgia is highly competitive with tuition fees, regarding international students, and for research. Whereas Kyrgyzstan competitiveness is tied to tuition and international students but comparatively low on research and private University competition. Russia is low on tuition and private University competition but high in research and international students. Armenia is high on tuition and research but low on private University competition and international students. Competition levels may be similar but the dimensions on which they compete are different even in this rough analysis.

Like the capacity/autonomy comparison in Chapter 19, the following figure visually describes by country the array of competition and autonomy contexts. The competition axis has been adjusted to reflect the possible 4 as the lowest possible assigned competition score as 1 for each of the four areas and 16 as the highest level of competition across the four domains (4 x 4). Figure 20.2 presents the country scattergram plot of competition and autonomy. The solid line shows an assumed idealized one-to-one slope, the dotted line indicates the mean slope across the data set.

Figure 20.2 describes the autonomy levels of the HE system and determined composite levels of competition by country context. While not making

Figure 20.2 Competition and autonomy



conclusive assessments, competition and autonomy seem to correspond well for those countries that fall along the idealized slope: Turkmenistan, Tajikistan, Uzbekistan, Azerbaijan, Moldova, Ukraine, and Latvia. They appear at different points on the slope with differing but appropriate corresponding levels of autonomy and competition. For instance, Turkmenistan, Tajikistan, and Uzbekistan have low levels of autonomy but also face little competition. On the other hand, Latvia operates in a competitive context but has comparatively and compatibly high autonomy. Moldova is in the middle of both.

Based on the countries' relationship to the competition–autonomy slope, countries such as Georgia, Kyrgyzstan, Russia, Belarus, and Armenia seem to operate in competitive environments that outstrip their levels of granted autonomy. Inversely, Lithuania, Kazakhstan, and Estonia seem to have excess autonomy given their levels of competition in their University sectors. Thus, to create appropriately structured governance contexts, those countries above the line would need to shift to the right to increase autonomy to compete more effectively. Those below the line would need to move left for lesser autonomy to align with the levels of competition they face.

Policy can also adjust levels of competition. Another alternative for those countries above the line – Georgia, Kyrgyzstan, Russian, Belarus, and Armenia – is to constrain competition if universities are not granted more autonomy. Those countries below the line – Kazakhstan, Lithuania, and Estonia – might find benefit from policy changes that increased competition for domestic and international students, for tuition paying students, and/or for research to better take advantage of their levels of autonomy.

Looking comparatively within this set (the dotted slope line), Kyrgyzstan, Georgia and Russia could possibly benefit by gaining autonomy compared to other universities in this region who have high levels of competition. Conversely, Estonia and Kazakhstan as well as Turkmenistan, Tajikistan, and Uzbekistan might need more competition to align with their levels of autonomy, benchmarking against other former Soviet countries. They could also be granted less autonomy. To simplify the discussion, this chapter draws upon the idealized one-to-one slope for its remaining discussions and comparisons.

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## 20.2 GOVERNING APPROPRIATELY IN CONTEXT

This book works to develop a comparative understanding of University governance and its structures. We are not seeking inferential analysis but

rather a descriptive understanding within and across contexts. The next step is to consider governance structure appropriateness for the context in terms of higher education competition and autonomy, paralleling the analysis in [Chapter 19](#). To what extent do the current governance structures of universities in former Soviet states align with the autonomy and competition governing contexts? The comparative chapter identified four models of University governance – *academic-focused*, *state-extended*, *internal/external*, and *external civic* that organize this discussion.

Aghion et al. (2010) argue autonomy and competition should work as a set and that there are optimal levels of balance between the two dimensions. Too much autonomy without the constraints of competition can be problematic. It might allow actors to pursue their own objectives without constraints, leading to inefficiencies. Competition sets safeguards on behavior. The same is also true in that too little autonomy in a highly competitive context can constrain actors so that they are unable to compete effectively. “Competition compels adaptation and those who do not compete successfully are threatened by selective forces.” (Hasse & Krucken, 2013, p. 185). The competition–autonomy framework describes the “rules” for its universities to operate (Aghion, et al., 2010, p. 19), whereas the previous capacity–autonomy framework describes the structure’s capacity to adhere to and benefit from the rules. Because autonomy and competition also scale up and down together, like Fukuyama’s autonomy and capacity framework in [Chapter 19](#), an assumed sloped line exists of appropriate sweet spots for governance structures that reflect this sliding intersection of competition and autonomy (see [Table 20.5](#)).

We can further extend this analysis to examine how the competitive landscape aligns with governance structures in each of the fifteen countries.

The *state-extended* model would seem most appropriate when low competition and low autonomy exist in tandem. The state directs higher education, provides the needed resources, and may put in place policies that limit competition. There are few incentives or opportunities to compete and therefore institutional autonomy is unwarranted. Governance structures, from this perspective, can and should be tied to the state. They likely have limited scopes of work beyond compliance and assuring progress on state-directed objectives. Azerbaijan, Tajikistan, Turkmenistan, and Uzbekistan seem to have appropriate governance structures for their competitive contexts.

Belarus and Russia, on the other hand, each seem to be operating in competitive environments for which they do not have sufficient autonomy.

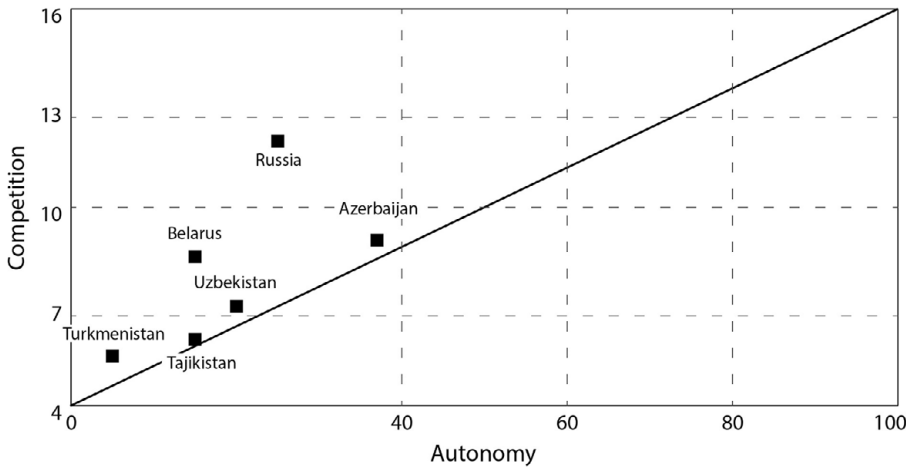
Table 20.5 Country governance structure and competition/autonomy levels and ratio

Governance structure/country	Relationship
state-extended	
Azerbaijan	appropriate
Belarus	increase autonomy / decrease competition
Russia	increase autonomy / decrease competition
Tajikistan	appropriate
Turkmenistan	appropriate
Uzbekistan	appropriate
academic-focused	
Georgia	increase autonomy / decrease competition
Kyrgyzstan	increase autonomy/ decrease competition
internal/external	
Armenia	increase autonomy / decrease competition
Estonia	decrease autonomy / increase competition
Latvia	decrease autonomy / increase competition
Lithuania	appropriate
Moldova	appropriate
Ukraine	appropriate
external civic	
Kazakhstan	decrease autonomy / increase competition

Thus, state-extended governance structures may be ill suited in that they are dominated by the state and thus respond to government policy rather than competitive forces. They may benefit from broader composition that include individuals with knowledge of competition and strategy (Figure 20.3).

An *Internal/external* model of governance is common among those University systems with higher levels of autonomy and where competition comparatively is moderate to high. Moldova, Latvia, and Ukraine fall along the assumed slope of competition and autonomy. Of this set, Moldova and Ukraine have less autonomy than Latvia but correspondingly lower levels of competition to which they need to respond. Two other situations exist in countries with this governance model. First, Estonia and Lithuania have autonomy that seems to outpace competition. They both have high levels of autonomy and correspondingly moderate levels of competition as defined in this chapter. The system may be better optimized by increasing competition in both contexts. What does need to be taken into account and is not detailed in this analysis is the size of the competitive environment. Both are comparatively small countries and vastly smaller than Russia, for example.

Figure 20.3 State-extended governance structures by autonomy and competition

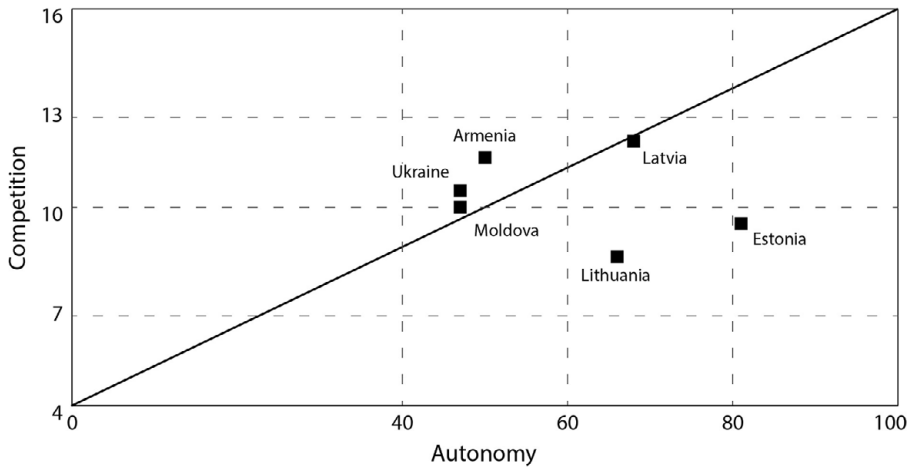


Thus, the scope of competition may be different and arguably underrepresented here. Second, this analysis suggests Armenia has insufficient autonomy for the country's level of competition, the inverse of Estonia and Lithuania.

One factor to consider is who the external members of governing bodies are in these different contexts. In the lower autonomy and lower competition contexts, members of government may suffice to give the few degrees of freedom and complexity in which they are working. However, in Latvia, where competition is greater as is autonomy, governmental members may work against the University's ability to respond to external pressures and opportunities. They have a limited scope of engagement. This model of *internal/external* membership may be the most flexible across contexts depending on the number and backgrounds of governing body members (Figure 20.4).

Georgia and Kyrgyzstan are the two *academic-focused* examples in this project. Georgia seems to operate in a highly competitive environment, the most competitive across this set of fifteen countries per this analysis. Georgia's governance structure seems to be insular with membership and leader selection from inside the University. Given its need to compete effectively, but with insufficient autonomy, this governance structure and the granted autonomy may hinder strategic action that allows the universities to take advantage of its competitive environment and not be overwhelmed by

Figure 20.4 Internal/external governance structures by autonomy and competition

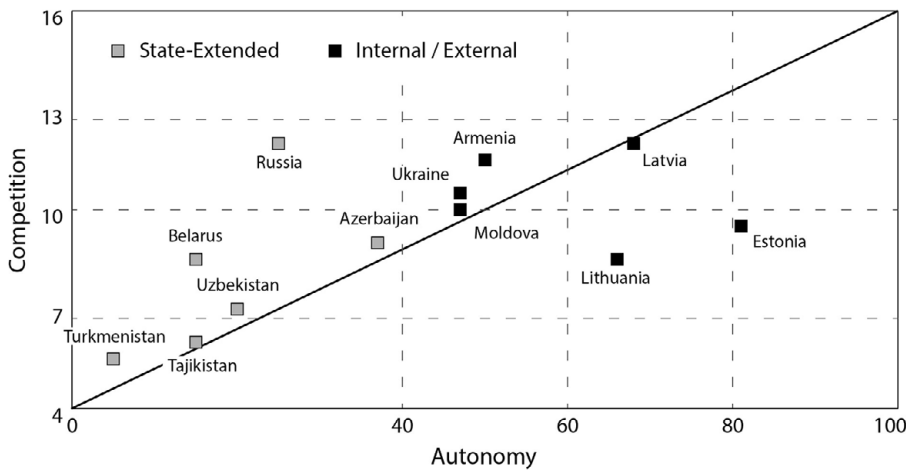


it. Similarly, Kyrgyzstan seems to be operating in a comparatively high competitive environment and one with comparatively low levels of autonomy. Its governance structure also does not suggest it is outwardly facing, likely hindering universities' abilities to compete, on the one hand, and, at the same time, limiting its access to government to benefit from ministerial engagement.

The final model, *external civic*, only appears in Kazakhstan in this project. This is a country where autonomy seems to outpace competition. This governance structure, with its external members, may be more suited for high competition/high autonomy contexts where external stakeholders can provide significant strategic insight if not competitive advantage to governance (Chait et al., 2005).

Research on team decision-making suggests that those with diversified backgrounds and multiple perspectives are less likely to be overconfident in their decision-making abilities, explore more possibilities in their deliberations, and be more willing to question judgments and opinions leading to better decision making (Almadoz & Tilcik, 2016). They bring outside perspectives to better understand opportunities and threats in the competitive environment and have the autonomy to act as needed (Pucciarelli & Kaplan, 2016), as those that cannot compete well cannot make necessary changes and therefore risk negative organizational results if not downright closure (Hasse & Krucken, 2013). To what extent might the *external civic* model be one

**Figure 20.5 Academic-focused and external civic governance structures by autonomy and competition**



applicable to countries such as Latvia, with its high autonomy and high competition; to Estonia, if it had more competition in the system; or to Georgia, if its universities had greater autonomy given its high level of competition? We believe this is an important question that merits further exploration. See [Figure 20.5](#) for the last two models.

### 20.3 MAKING SENSE OF COMPETITION AND AUTONOMY

Across the fifteen former Soviet countries, there seems to be very few well-aligned governance structures for the competitive contexts in which they operate. Those with *state-extended* models operating in low autonomy, low competition, and low-capacity contexts, such as Turkmenistan, Tajikistan, Uzbekistan, and Belarus may be most appropriately suited to govern universities in this context. Kazakhstan is the only example of an *external civic* governance structure. It operates with comparatively (on paper) high levels of autonomy. Yet Latvia has the comparatively highest levels of autonomy and competition. To what extent might this model also suit the autonomy and competition contexts of Latvia? An *external civic* structure may help Latvian universities create strong ties beyond campus borders with the private sector, future employers, and other external stakeholders (AGB, 2016). It can create a disciplined focus for governance by minimizing disruptive



internally driven self-interest that has been documented in other internal/external governance structures (Shanahan, 2019) and address shortcomings of expertise bias when field experts are over involved (Almandoz & Tilcsik, 2016).

Countries such as Georgia, Russia, and Kyrgyzstan may exist in overly competitive environments per their levels of autonomy. Georgia operates in the most competitive higher education space per this analysis and furthermore outpaces its level of autonomy. Yet its capacity and level of autonomy (see Chapter 19) are much more aligned. It follows an *academic-focused* model of governance with a strong, internally appointed rector and staff membership. This model suggests an inward focus that may not serve it well in either context, particularly the competitive one. Kyrgyzstan follows the same *academic-focused* governance model. Yet it too finds itself in a competitive environment but has limited autonomy to compete effectively and a governance structure that is focused inward rather than with a structure that provides opportunities for an external focus.

The other two Baltic countries, Latvia and Estonia, have a University governance model that includes both internal and external stakeholders. Each has comparatively high levels of autonomy, with Estonia the highest across the fifteen countries. Estonia has corresponding levels of high capacity but is not operating in a very competitive environment. Of the Baltics, only Latvia operates in an environment of corresponding competition and autonomy and of capacity and autonomy. The dual-stakeholder approach may serve its universities well, as it gives voice to multiple groups of individuals helping it navigate the realities of its contexts. The low levels of competition for Lithuania and Latvia coupled with high levels of capacity may mean that universities run the risk of having too few constraints on their behaviors. They are missing the guardrails that competition can provide. This fact coupled with multiple voices of stakeholders who likely have similar but also different priorities (Shanahan, 2019) may lead to institutions being adrift or pursuing multiple strategic priorities concurrently at counter purposes.

Finally, to what extent has the *academic-focused* model outlived its utility as viewed through a competitive lens? Only Georgia and Kyrgyzstan use this model. While likely overstating its insularity, it is structured to be internally focused on academic needs and priorities. Given the increased competitive contexts in which these two higher education systems operate – with an internal focus, in which rectors are elected from within the campus and the governing body comprises members who are University employees – this structure may have been sufficient at one point in time. But increased

external demands shaped by the dual trends of New Public Management and globalization that reach deeper into University priorities and governing structures that do not look outward at least to some extent, such as through the *internal/external* stakeholder model, may well be unable to sufficiently respond to external demands and changing contexts.

An interesting question to consider is the extent to which the type of competition matters in terms of governance structure? There is so much variation within the set of countries that a line of future inquiry might focus on the type of competition – for students, resources, or research – and if some types of governance approaches are more suited for each.

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### Comparison across Frameworks

While the analysis and its components is in many ways rough and incomplete, the pictures this analysis paints are worth considering and building upon with future research. Autonomy and competition yielded different contexts across the governance models as compared to the capacity and autonomy analysis in [Chapter 19](#). For example, Georgia has drastically more competition than suitable for its levels of autonomy, but its capacity only moderately surpasses autonomy in that framework. Estonia has appropriately high levels of capacity and autonomy, but its competition was medium-low and less than aligned with autonomy. Lithuania was similar in that competition and capacity were aligned, but competition was low compared to autonomy. Thus, the implication for those countries that profiled differently is that solutions to one misalignment might not apply to the other or make the other alignment worse. For example, increasing autonomy in Azerbaijan to better align autonomy with public sector capacity would take both out of alignment with competition. Policymakers may need to think about which is a more ideal alignment and which governance structure might be best suited for the context. Both of these two countries have *state-extended* models. Moving to a more externally attuned model such as *internal/external* may address capacity but be problematic in terms of competition as few market-based guardrails exist.

Some instances may benefit from a single adjustment. Estonia, for example, has aligned levels of autonomy and capacity as well as the *internal/external* governance model. Its competition is medium-low, so using policy levers to increase competition may be beneficial and place less of a regulatory burden on policy mechanisms.

Some countries had similar patterns across the two comparisons. Turkmenistan and Uzbekistan both had low levels of autonomy, capacity,

and competition. Russia had medium-high capacity and competition, and low autonomy. Belarus, Armenia, and Kazakhstan each profiled similarly across the two frameworks. For countries that showed similar patterns across contexts and for which the current governance model is questionable, a common solution may work well across both domains. For instance, Russia seems to have capacity that further outpaces autonomy as well as competition that exceeds autonomy. Its governance structure is *state-extended*, which may not be the most beneficial given its levels of competition and capacity. More autonomy and a governance structure that is more permeable – *external civic* or *internal/external* – may better serve its universities.



# **Part IV**

## **Conclusion**



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# 21 Addressing the Dilemmas of Governance in the Post-Soviet Context

Peter D. Eckel

This concluding chapter focuses on the implications of the project's findings, both in terms of description and analysis of why these observations and findings matter and how to make sense of the individual country responses and their patterns.

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## 21.1 PATTERNS AND THEIR MEANINGS

From a common foundation set by the Soviet Union over thirty years ago, this book mapped and analyzed state University governance structures across the fifteen diverse countries that evolved through 2021. From the European-leaning Baltic countries to Russia and those in its direct sphere of influence and the Central Asian countries, the economic and cultural diversity across the set is immense. Yet, they all started their independent journeys from the same place, when the Soviet Union fell, and each had the opportunity to determine how to construct and govern their University sectors. This shared starting point presents a unique opportunity to understand evolutionary ways of development, compare current characteristics, and speculate on onward trajectories.

The rich detail in each of the case profiles allowed us to identify four patterns of governing structures – *state-extended*, *academic-focused*, *internal/external*, and *external civic* (see [Table 21.1](#)). The models are helpful to explain the choices made in each country and to determine if patterns emerged across a once like set.

**Table 21.1 Emerging governance models by post-Soviet countries**

Academic-focused	State-extended	Internal/External	External civic
Georgia Kyrgyzstan	Azerbaijan Belarus Russia Tajikistan Turkmenistan Uzbekistan	Armenia Estonia Latvia Lithuania Moldova Ukraine	Kazakhstan

The *state-extended* model described the dominant approach in six countries – Azerbaijan, Belarus, Russia, Tajikistan, Turkmenistan, and Uzbekistan. In these countries, the government held the most direct influence. Their structures are not surprising given the role of government and structure of each economy, all highly centralized and very much grounded in their Soviet roots. The other common approach are those states that developed *internal/external* models. Armenia, Estonia, Latvia, Lithuania, Moldova, and Ukraine adopted this approach that had stakeholders from inside the University working with external stakeholders to govern. In Moldova and Ukraine, the universities are governed in a bicameral or parallel structure with two bodies, one internal (*academic-focused*) and the other either *external civic* (Ukraine) or an *internal/external* model (Moldova). In the other countries, one body exists.

The other two models were much less common. The *academic-focused* structure is dominant in Georgia and Kyrgyzstan. The final model, found only in Kazakhstan, is the *external civic* structure, with its wholly external body with the exception of the rector. This last model, depending on the backgrounds of board members involved, evolved the furthest from the Soviet centralized approach. The Balkan countries are the most Western leaning in terms of public policy and the structure of the economy and membership in the European Union. Moldova and Ukraine have been pulled both toward Europe and to Russia. Kazakhstan is the outlier of this group. Geopolitically, it had strong ties to Russia before Russia's invasion of Ukraine but has been pursuing a "multidirectional" approach, a tripartite foreign and economic policy, simultaneously engaging with Russia, the West, and China.

The models with non-university stakeholders reflect a desire to connect universities to the public and shift the locus of decision-making to a broader set of actors and away from both the state and the academics. That said, which external members serve matters. The more governmental appointees, the more the models, while structured differently, likely operate as *state-extended*. A fundamental question, regardless of structure, is how much



control are governments willing to give up and delegate to their universities and various stakeholders, both internal and external?

Furthermore, to make governance more open to nongovernmental influence (which is different from authority), some countries put in place external advisory bodies. These include Azerbaijan, Kyrgyzstan, Uzbekistan, and Russia for some of its universities. Although the authoritative decision-making body was either *state-extended*, where the influence remained in the government, or *academic-focused*, where the influence was from within the institution, these advisory bodies present opportunities to bring outside perspectives into University decision-making. But even then, questions remain regarding who is appointed to these advisory bodies. Our understanding is that often it was government officials who comprised these external advisory boards, but not exclusively, suggesting an opening for the inclusion of some nongovernmental voices in University strategy, even in centrally controlled higher education systems.

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## 21.2 ADDRESSING THE DILEMMAS OF GOVERNANCE

University governance broadly construed is intended to make universities better by framing and solving problems, making decisions, ensuring fidelity to stated goals, and holding institutions accountable – but also advancing strategy, counseling University leaders, advocating on behalf of the universities, and serving as a bridge to relevant external stakeholders, which can be represented by the state, the community, or a combination of both, depending on the context. Governance works across three levels – oversight and accountability, problem solving in partnership with University leaders, and strategy with an eye on the long-term future of the University (Eckel & Trower, 2018). Yet this work can be problematic because of the inherent contradictions in the roles and expectations (Austin & Jones, 2015; Chait et al., 2005). Larsen and colleagues (2009) identified four common “dilemmas of governance” (pp. 5–8) as they studied governance reforms in Europe.

- Dilemma between representative democracy and organizational effectiveness. A tension exists between who is involved in actively governing. On one side are externally identified, often appointed by government, actors who engage because of increased expectations for University accountability and performance-driven outputs. On the other side are internal stakeholders whose representation increased in Europe in the in the 1960s and 1970s

as a response to the idea of workplace democracy. As the authors rightly point out, an increase in workplace democracy actually works against a broader representative stakeholder democratic engagement. Thus, a dilemma exists within a dilemma.

- Dilemma between integrated management structures and dual management structures. Just as composition (who governs) matters to University governance, the structures through which those individuals govern also matter. This dilemma concerns itself with how the structures for making academic and administrative decisions are integrated into a single body or the extent to which they coexist within two separate decision tracks. The latter recognizes independence of two types of decisions and a separation of decision-makers. The former combines decisions, and the bodies that make them, often making the academic decision-makers advisory rather than definitive.
- Dilemma between external and internal influence in governance decision-making. This dilemma can be understood through a single question: how integrated with and responsive to the external environment should universities be? One side implies openness is fundamental and suggests that governing bodies be composed of external stakeholders. The other side argues for independence and thus expects internal or University (academic) community members.
- Dilemma between centralization and decentralization in autonomous universities. The final dilemma addresses the locus of decision-making and who holds authority and responsibility for organizationally salient decisions. In this framework, the decentralized approach to decision-making means academic units within the University have supremacy over their decisions and outcomes; whereas a centralized approach consolidates influence in the hands of those individuals at the organization's administrative level, or what is sometimes called the corporate level. This is a different type of centralization/decentralization between University and government.

These dilemmas of governance require universities to consider who is involved in governance, how those individuals come together to make decisions, what decisions they make, and for what purpose they make those decisions. In the European context, those dilemmas came to light as being driven by changes in public policy and changing expectations for universities; that is, universities were expected to become increasingly relevant, competitive, responsive, efficient, and effective (Larsen, et. al., 2009).

Table 21.2 Governance dilemmas by PSS governance model

	State-extended	Academic-focused	Internal/external	External civic
Representative democracy/ Organizational effectiveness	Organizational effectiveness	Representative democracy	Organizational effectiveness	Organizational effectiveness
Integrated management/ Dual management	Dual management	Dual management	Integrated management (Armenia, Estonia, Latvia, Lithuania) and Dual management (Moldova; Ukraine)	Integrated management
External/ Internal influence	External influence	Internal influence	External influence	External influence
Centralization/ Decentralization	Centralization	Unclear	Centralization	Centralization

The four models of governance in the post-Soviet era provide insight regarding how they address these governance dilemmas, which are outlined in Table 21.2.

The models, even though they differ, resolve some of these dilemmas consistently. Three out of four prioritize organizational effectiveness over representative democracy, the *academic-focused* model being the only exception. However, even as they prioritize organizational effectiveness, *state-extended*, *internal/external*, and *external civic* models approach this idea differently. In the *state-extended* model, organizational effectiveness is in the hands of the government, whereas in the other two models it reflects the views of various stakeholders. For the last two models, they approach the idea of representation not internal to the University, as in the traditional European context, but externally to society.

Three of the PSS governance models reflect centralization of decision making. *State-extended*, *internal/external*, and *external civic* all consolidate decisions in a central body or administration, away from the academic units. How centralized decision-making is in the *academic-focused* structure is unclear in this project. Decisions may be devolved to units, though this is unlikely in Kyrgyzstan given its low levels of autonomy. Additionally, the same three models that favor organizational effectiveness over representation are also biased toward external influence on the third dilemma.

*State-extended* and *academic-focused* models have dual management. The *external civic* model adopts integrated management. Whereas the *internal/external* model addresses this dilemma differently depending on country. Governance is either integrated where there is a single body (Armenia, Estonia, Latvia, Lithuania) or with two bodies with delegated, parallel responsibilities (Moldova and Ukraine).

Beyond the dilemmas identified in the European context, the four post-Soviet University governance models suggest other dilemmas. First, a pressing question across the four models is not external versus internal influence but which external influence and how much influence? The post-Soviet dilemma focuses on the role of the State and the extent to which it devolves governance to a broader set of stakeholders. To further complicate this dilemma, governance structure may matter only a little as governmental influence reportedly exists in both the *external civic* and *internal/external* governing bodies.

A second dilemma across the post-Soviet set centers on the degree of centralization and decentralization at the system level. The Larsen et al. (2009) framework focused on the centralization/decentralization dilemma between the administrative core and the academic units within an institution. In the post-Soviet context, centralization is about the consolidation of decisions in the ministry or ministries rather than at the University level. How shared is shared governance?

A third dilemma that surfaces from this context is to whom the University is responsive. This is a nuanced version of the above European dilemma. Is the University most responsive to the government singularly or more broadly to the needs of the country or region (economic, social)? The *state-extended* model provides one answer – the State. The *external civic* and *internal/external* suggest a different response – multiple external stakeholders.

Furthermore, these post-Soviet governance dilemmas stand in comparison to still another set of governance dilemmas in Western contexts. For example, in Canada, a key dilemma is determining how to advance the “best interests” of the University (Shahahan, 2019, p. 14) given the strong representation of elected University staff (academic and administrative) on the mostly externally appointed governing boards. The best interests of academics serving on governing bodies may be different from those of external fiduciaries. Because of the representative nature of Canadian board members, “tension between the guardianship view and the constituency representation view of University governance has existed for decades in Canada” (p. 16). Guardianship and constituency tensions are a helpful way to frame the dynamics in these

boards. Among the four models, only the *internal/external* model has the potential for this to exist.

Further south in the United States, Chait (2009) identifies three dilemmas in the US University governance that he calls gremlins. The first is the attention given to board structure over board culture. He argues that governance members debate board size, committee structure, and meeting frequency, while ignoring the more important determinant of board behavior – board culture. The second gremlin Chait identifies is the allure of strategic planning over strategic thinking. Operationally, US boards tend to focus on plans and get caught up in details rather than “articulate a few sensible, feasible, and comprehensible ideas that create comparative advantage” (p. 3). The final gremlin is the impact of philanthropy on governance given the role of wealthy individuals who are philanthropic donors serving on University boards. Although the focus of this book is on structure, one can speculate about board culture, particularly contrasting the *academic-focused* and *state-extended* models. Does culture matter more than structure or are they reflective of one another and are they reinforcing? When the context changes or is misaligned does the culture of these models impede modifying structures? The allure of strategic planning over strategic thinking also raises questions in the countries studied here. Fundamentally, what is the role of the supreme governing body regarding setting strategy? Different models may respond differently to this question. The name of the Strategic and Institutional Development Council in Moldova signals one response as does the *external civic* model in Kazakhstan. Those countries with strong state control answer a different way.

The North American dilemmas may not be transferable in the same way to the post-Soviet contexts, but they are helpful in demonstrating how governance is contextually dependent. Across contexts, dilemmas exist, some common and others unique. What may be more important is the recognition that dilemmas in governance exist and being intentional in design and function can help to surface and resolve these often underlying tensions.

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### 21.3 IMPLICATIONS

This chapter explores the implications of this study’s findings. This final section looks further at implications with more practical purposes for policy-makers and for University leaders.

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## For Policymakers

Policymakers and ministerial leaders play a key role in developing, evolving, and reforming their University governance models. We hope that this book is useful to them to think more intentionally about how sensibly to organize University governance: First, by providing an overview of the different governance models so they can see the range of options that countries similar and dissimilar have pursued given a common history; and second, by demonstrating some of the probable benefits and drawbacks of these approaches via the contexts in which they operate.

*Understand the level of autonomy and capacity and autonomy and competition.* As two of the analysis chapters demonstrate, many of the countries in this study may have a mismatch between their levels of autonomy and capacity and between levels of autonomy and competition. For example, according to our admittedly rough analysis, Russia and Georgia have both capacity and competition that outpaces autonomy; Kyrgyzstan and Belarus have competition that outpaces autonomy. Providing more autonomy with appropriate accountability schemas in these contexts might be important to University sector development. It would free up universities to pursue more actively new strategic directions; be less costly to oversee, direct, and coordinate; and encourage universities to move beyond compliance to performance. Conversely, Lithuania, Estonia, and Kazakhstan seem to have insufficient competition given their high levels of autonomy. Creating a more dynamic and competitive context may further strengthen the University sector, recognizing that competition to an extreme can impede public purposes (Morphew & Eckel 2009). Kazakhstan and Latvia, and to some extent Moldova, have autonomy that seems to outpace capacity. Lessening autonomy may create more efficiencies across the University sector by allowing for greater coordination and integration (Lane & Johnstone, 2013).

Conducting a deeper analysis with more robust data would be helpful. The analyses in this book would benefit from additional attention to the concepts presented, a more rigorous analysis, and a more comprehensive set of locally relevant and robust data. The second step is to enact policy changes that either shift autonomy levels or increase or decrease competition. Capacity seems to be the element more difficult to shift but nonetheless would benefit from investment.

*Develop context-appropriate University governance structures.* One point of the analysis was to understand the extent to which the governing structures seem appropriate for the governing context. In some instances, the structures

seemed consistent with need. But in other cases, the structures seem misaligned. Understanding the extent to which each of the models and their variations might be better suited to the context is a valuable policy conversation, and one in which to involve University leaders. What this book offers, and what most comparative governance studies fail to provide, is the close analysis of the interplay of the context and University governance structures. For example, those universities operating in highly competitive and autonomous contexts might explore using the *external civic* model to provide more stakeholder involvement, benefit from their understanding, and increase and improve environmental scanning. Those in less competitive and autonomous contexts may be better served by the *state-extended* or *internal/external* models. One governance model does not and should not fit all contexts.

One might also question the utility of the *academic-focused* model given either the importance of government stakeholders in low autonomy contexts or external voices in more competitive and autonomous contexts. Is this a model worth retiring? Has it outlived its purpose? How well does it fit the demands of the times? Taking this perspective invites pushback from academics who value their place and authority in institutional decisions. Nevertheless, it is a worthwhile discussion.

*Understand that governance structures are also linked to histories, expectations, and legitimacies.* Changing governance is much easier said than done. Each model, regardless of its alignment with context, will have defenders and beneficiaries who will protect the current order (cue Machiavelli on that point). Bringing about change, particularly abruptly, can be difficult if not disruptive. Changing governance approaches, such as what is occurring in Kazakhstan (Hartley et al., 2015), requires changes in structures, processes, and expectations at both the University and the ministerial levels. Most central to change is the ability to change mindsets and adopt new ones. Change for the future is often constrained by an inability to overcome the past. Ensuring that the new models implemented work as designed requires additional diligence. The case of Kazakhstan, Latvia, and some other countries in the post-Soviet contexts suggest that intentional change is doable. Some of the countries that started from similar governance models have developed differently and, in some cases, comparatively quickly.

*Invest in strengthening governance capacity.* Governance requires intentionality and thought, and the better structures continue to evolve as needs change (Chait et al., 2005; Eckel & Trower, 2018). Ensuring that those involved in governing have the skills, capacities, and knowledge to govern effectively is important. Developing and offering training and development programs and

workshops and creating and sustaining ongoing networks of practice that bring together governing body members and University leaders – together or separately – are useful strategies to strengthen governance.

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### For University Leaders

The second key group of individuals are University leaders who live with and hopefully benefit from appropriate and effective governance structures.

*Advocate for systems that match context.* As with the implications to policy-makers above, University leaders can and should advocate for creating higher education policy contexts that align levels of autonomy with those of competition and capacity. Too little autonomy per competition and/or capacity can tie the hands of leaders creating frustration. Too much autonomy can risk leaders not knowing what activities to prioritize or how to be accountable for progress and can lead to institutional drift and possible inefficiencies.

*Recognize that increased autonomy may not be a panacea.* Relatedly, it seems like most if not all University leaders want to advocate for more autonomy. The EUA's Autonomy Scorecard provides a framework for such conversations. However, as the discussions throughout this book indicate, such an ask is best treated carefully. Without ensuring sufficient competition and capacity, autonomy may become a greater challenge than benefit. Some of the countries in this study – Kazakhstan, Armenia, and Ukraine – might provide ongoing case studies of that point.

*Spend the time ensuring effective University governance.* Good governance takes effort. While beyond the scope of this project, one can assume that the different models of governance will require different types of effort by University leaders and their teams and academic staff – and different support structures to make governance work. Regardless of the model, governance requires intentionality, deliberateness, and constant attention.

*Ask for and participate in trainings and ongoing development.* Capacity to govern takes skill, knowledge, and aptitude at the University and ministerial levels, as well as at the individual level. If governance systems change, ensure that leaders ask for and participate in capacity-building activities.

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## 21.4 FUTURE RESEARCH

Governance and international comparisons of it have strong histories (see, e.g., Austin & Jones, 2016; Larsen et al., 2009; Shattock, 2014) and more work



should be done in this tradition, as should further work on this area of the world as it is often overlooked (Kuzhabekova, 2020; Muller, 2020), but in many ways it is a unique as well as important group of countries. Some additional lines of inquiry include the following:

- This research focused on surrogates for performance of both the higher education sector and University governance. Better understanding and assessing of governance performance are important lines of inquiry within these countries and governance contexts.
- Understanding within country differences raises another set of questions valuable to explore. We conducted country-level analysis establishing a strong understanding of between-country differences. Yet we recognize that in some countries different types of universities exist, such as in Russia, Ukraine, and Kazakhstan. To what extent is governance different within a particular country across types of institutions, for example, comparing regional and national universities? With the growth of private higher education across the countries, further analysis inclusive of private and international/autonomous universities may be beneficial.
- Understanding the role of external advisory boards. Many of the countries, particularly in our *state-extended* model have external advisory boards. What is the role of these boards? How are they used by universities and governments? Who comprises their membership?
- This effort did not get inside governing processes and bodies. How these bodies work is another line of potentially promising inquiry. What decisions do they make? Who is involved and through what processes? Who specifically are the stakeholders involved and to what extent does government have a presence – direct or indirect – via appointees?
- How do the models identified here reflect governance in other parts of the world? What are the local dilemmas of governance? What governance processes and structures exist? Can we create a broader international comparison?

A final set of questions focus on the conceptual elements we used in this project's analyses, particularly related to notions of autonomy, competition, and capacity.

- EUA's autonomy scorecard is an exceptionally useful tool. Might there be value in a parallel, competition scorecard? Such a framework might shed light on the degree of strength as well as the nature of competition in various

countries. The two combined could become even more powerful tools for a more integrated analysis of the context in which universities operate.

- This study's most competitive countries had different types and levels of competition. As we wrote in that [Chapter 20](#): the elements that make up the composites across this set differ. For example, Georgia is highly competitive with tuition fees, regarding international students, and with research. Whereas Kyrgyzstan competitiveness is tied to tuition and international students but comparatively low on research and private University competition. Russia is low on tuition and private University competition but high in research and international students. Armenia is high on tuition and research, but low on private University competition and international students.
- Finding more rigorous ways to understand, capture, and describe similarities and differences in competition and their implications might be important. What should be the elements of competition and what are the weights of those elements that can help paint a comprehensive picture?
- We defined competition nationally but recognize that countries differ in their populations and numbers of students. Many are members of the European student mobility space. Is the right unit of analysis for competition the country or a different unit? Competition in Latvia with its few universities and small number of students is very different from Russia simply given scale of students and institutions. What is the role of national policies that impede or facilitate competition?

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## 21.5 THE FUTURE OF THE REGION

When we started writing this book, we had much hope for the region. From the Soviet days, the majority of these countries have made much progress on economic, political, and educational reforms. We anticipated that some chose different pathways forward for their universities and the bodies that govern them. Many have advanced differently and at different rates. We were looking for innovation and adaptation, differences, and similarities. The Russian invasion of Ukraine in 2022 puts much of this continued evaluation on hold and may embolden others to move quicker and in different ways. It does raise new sets of questions about progress and innovation throughout the region. Institutions and lives have been disrupted in those two countries but also across Europe. Universities are the hope for the future; our thoughts are with those continuing their good and hard work.

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# INDEX

- Academic Councils, 7, 52, 105, 146, 147  
academic-focused. *See* Governance structures  
Agency theory, 209–210, 211  
Aghion, P., 17, 232, 244  
American University of Central Asia, 105  
Armenia  
    competition, 231, 240  
    corruption, 38  
    economy, 36  
    politics, 35  
    population, 35, 37  
    state universities, 5, 37  
    University autonomy, 40  
    University governing bodies, 42–44, 206, 246  
Austin, I., 210, 211, 214, 264  
autonomy, 215–217, 257. *See* country-specific University  
    autonomy  
    and bureaucratic capacity, 221, 228–230  
    and competition, 244, 248–250, 262  
    European Universities Association (EUA) Scorecard, 14,  
    264, 265  
Azerbaijan  
    competition, 240  
    economy, 47  
    population, 46  
    state universities, 49  
    University autonomy, 50, 57, 221, 222  
    University governing bodies, 54, 198, 244, 245  
Azerbaijani Diplomatic Academy, 51, 54  
  
Baku Engineering University, 51  
Baku State University, 51, 52  
Belarus  
    competition, 240  
    economy, 58–59  
    population, 58  
    state universities, 5, 60–61  
    University autonomy, 221, 222  
    University governing bodies, 62–64, 198, 205  
Belarus State University, 63  
board development. *See* board education  
board education, 229  
  
Bologna Process, the, 5, 31, 46, 56, 78, 88, 100, 101, 110, 128,  
    131, 143, 155, 160, 174  
bureaucracy. *See* Bureaucratic capacity  
bureaucratic capacity, 218  
  
Chait, R., 6, 7, 12, 214, 230, 247  
    gremlins of governance, 261  
Committee of University Chairs, 7  
competition, 233, 234  
    and autonomy alignment, 232  
    composite scores, 240, 242  
    for funding, 238  
    for international students, 237–238  
    for research, 115  
    for students, 235  
corruption, 41, 42, 48, 57, 64, 76, 77, 84, 98, 100, 119, 128, 154,  
    170, 184, 217, 219, 228  
  
dual-track tuition, 185, 233, 239  
  
Eastern Kazakhstan Technical University, 91  
Estonia  
    economy, 65  
    state universities, 5, 67  
    University autonomy, 67, 216  
    University governing bodies, 73, 206, 246  
European Universities Association. *See* Autonomy  
external advisory bodies, 12, 42, 52, 55, 57, 72, 90, 94, 115,  
    146, 150, 187, 190, 204, 206, 257, 265  
external civic. *See* Governance structures  
  
Fielden, J., 6, 7  
Financial University under the Government of the Russian  
    Federation, 147  
Froumin, I., 3, 22, 25, 27  
Fukuyama, F., 214, 217–218, 221, 244  
  
Georgia  
    competition, 240  
    economy, 75–76  
    population, 75  
    governing bodies, 9

- Georgia (cont.)  
 state universities, 5, 77  
 University autonomy, 174  
 University governing bodies, 78–80, 198, 205, 250
- governance bodies  
 defined, 197
- governance defined, 11–13, 197, 214
- governance dilemmas, 257–261
- governance stakeholders, 196, 198, 204, 258
- governance structures, 8  
 academic-focused, 195, 205, 224, 244, 246, 256, 263  
 dual systems, 199, 206  
 external advisory bodies, 199  
 external civic, 195, 206, 226, 228, 229, 244, 247, 256, 259  
 independent, dependent variables, as, 196–197  
 Internal/external, 195, 206, 225, 227, 244, 245, 250, 259  
 power, 207–208, 256–266  
 state-extended, 195, 205, 223, 227, 244, 250, 256, 259
- governing boards. *See* Governance bodies
- governing bodies. *See* specific countries  
 Canada, 5, 213, 229, 260  
 Finland, 7  
 Japan, 7  
 leadership, 14, 43, 53, 62, 79, 93, 103, 114, 134, 157, 166, 178, 188, 202  
 membership, 14, 42, 52, 62, 68, 79, 90, 102, 113, 122, 133, 174, 201–202  
 responsibilities, 6, 8, 14, 44, 54, 63, 68, 69, 80, 90, 94, 105, 114, 116, 135, 159, 166, 177, 179, 202–204  
 size, 199  
 United Kingdom, 7, 9, 226  
 United States, 5, 213, 226, 261
- Hammond, T., 8, 196, 197
- Higher National Research University School of Economics, 147
- H-index scores, 235
- institutional level governance. *See* governing bodies
- Internal/external. *See* governance structures
- International University for Humanities and Development, 167
- Kazakhstan  
 economy, 82–84  
 enrollment, 5  
 governing bodies, 9  
 population, 82  
 state universities, 5, 86–87  
 University autonomy, 216, 222, 228  
 University governing bodies, 89–95, 226, 263
- Kyrgyz National University, 102
- Kyrgyz-Russian Slavic University, 105
- Kyrgyzstan  
 competition, 240  
 economy, 97  
 population, 97  
 state universities, 101  
 University autonomy, 222  
 University governing bodies, 102–105, 198, 205
- Kyrgyz-Turkish Manas University, 105
- Latvia  
 competition, 240  
 economy, 107  
 governing bodies, 9  
 population, 107  
 state universities, 5, 109  
 University autonomy, 110, 216, 221, 222  
 University governing bodies, 111–116, 205, 246, 263
- limitations, 15
- Lithuania  
 competition, 240  
 economy, 118  
 population, 118  
 state universities, 120  
 University autonomy, 216, 222  
 University governing bodies, 121–124, 205, 246
- Maassen, P., 6, 7
- Minsk State Linguistic University, 61
- Moldova  
 economy, 128  
 governing bodies, 9  
 population, 128  
 state universities, 5, 129  
 University autonomy, 131, 221, 222  
 University governing bodies, 132–136, 205, 246
- Moldovan Technical University, 5
- Moscow State University, 143, 145, 151
- Musselin, C., 8, 231, 233, 234
- National Research University Higher School of Economics, 147
- National Technical University of Ukraine Igor Sikorsky Kyiv Polytechnic Institute, 178, 206
- Nazarbayev University, 5, 87, 88, 93, 95, 226
- QS World University Rankings, 235
- rectors  
 appointed, 40, 52, 53, 55, 61, 90, 91, 102, 117, 122, 147, 157, 158, 166, 187, 205, 249  
 elected, 7, 44, 69, 73, 79, 103, 106, 114, 125, 132, 174, 205, 224  
 responsibilities, 42, 52, 63, 72, 80, 89, 123, 146, 147, 187, 256  
 in Soviet universities, 27

- Russia  
competition, 240  
economy, 141  
population, 140  
state universities, 141  
University autonomy, 221, 222  
University governing bodies, 151, 198, 205
- Russia, Imperial, 22, 23
- Russian Academy of Painting, Sculpture and Architecture  
Ilya Glazunov, 147
- Russian Federation. *See* Russia
- Shattock, M., 8, 9, 10, 208, 264
- Smolentseva, A., 3, 4, 11, 29, 131, 233, 238, 240
- Soviet ideology, 5, 22–23, 24, 26
- Soviet Union  
dissolution, 3, 16, 30  
higher education, 26  
pre-Soviet universities, 4  
rabfaks (workers colleges), 25  
technikums, 26  
University governance, 26–30
- St. Petersburg State University, 144, 145, 151
- stakeholder theory, 210–211, 212
- state-extended. *See* governance structures
- stewardship theory, 210, 212
- student fees, 238, 240
- student mobility, 237
- Tajikistan  
competition, 240  
economy, 153  
higher education institutions, 24  
population, 152  
University autonomy, 154, 221, 222  
University governing bodies, 148–151, 198, 205, 244, 245
- Tallinn University, 67
- Tallinn University of Technology, 67
- Tashkent University of Information Technologies named after Muhammad Al-Khwarizmi, 190
- The Belarusian State University of Culture and Art, 61
- Toraigrov University, 91
- Turkmenistan  
competition, 240  
economy, 161  
International University for Humanities and Development, 166  
population, 161  
state universities, 5, 164, 166  
University autonomy, 165  
University governing bodies, 197, 205, 244, 245
- Ukraine  
economy, 168–169  
population, 168  
state universities, 162–165  
University autonomy, 174, 221, 222  
University governing bodies, 205, 246
- UNESCO student mobility data, 237
- University of Tartu, 67, 69
- USSR. *See* Soviet Union
- Uzbekistan  
competition, 240  
economy, 182–184, 185  
population, 182  
state universities, 185–186  
University autonomy, 186  
University governing bodies, 187–190, 244, 245
- Vilnius University, 120, 124–126
- Voronezh State University, 149
- World Bank Governance Indicators, 38, 48, 59, 66, 76, 84, 98, 108, 119, 129, 141, 154, 162, 170, 184, 219
- World Economic Forum Global Competitiveness Index, 37, 57, 66, 76, 84, 108, 119, 129, 141, 153, 171, 219
- World Economic Forum Governance Indicators, 98
- Yanka Kupala State University of Grodno, 62

