Reigniting the Debate: Autonomy and Accountability in Malaysian Higher Education

23 May 2017
This is a defining moment for higher education in Malaysia, especially for universities, to once again put forward the agenda of university autonomy on a national pedestal, if not internationally. The last time this happened was in 2004 when the Ministry of Higher Education, which was just created for the first time, set up a Committee to look into the possibility of “transforming” higher education, chaired by the eminent educationist, Tan Sri Dato' Seri Dr. Wan Zahid Mohd Noordin. The committee in its final report which was tabled in Parliament, suggested more than 130 recommendations with university autonomy at the heart of it all. Unfortunately, little has come out of it. Although there were more reports commissioned, the issue of autonomy was left in abeyance.

Our conference held on 23 May 2017 serves as another important milestone where issues related to university autonomy are being rearticulated after a period of intensive research and consultative discussions, culminating in the historic meeting of minds. More so because the issue of university autonomy has been a “sensitive” one, especially post-1974 following the Baling incident where university students became more vocal in asserting their social responsibility by speaking up for the marginalised. Right or wrong, they chose to exercise their ideas of what social responsibility means to them in the way that many of their counterparts across the globe did during the same period. This was somewhat globally synergised by the various local initiatives led by the students supported by the academics, by and large.

In Malaysia, the synergy took an unprecedented cohesiveness among several major students bodies beyond the usual divide. Unfortunately, it was turned into a “dark” moment in the history of student activism when “intrusions” in the form of administrative and legalistic orders were swiftly applied through draconian means. Campuses were raided, and several students were taken into “detention” allegedly to help with “investigations” as to the way the students discharged their social responsibilities, and engaged with the community that they belonged to.

In a nutshell, university autonomy as it was understood and practised then was intensely scrutinised. It would be fair to say that this left a marked impact in shifting what and how knowledge is to be delivered, generated and disseminated – be it in lecture halls, or in laboratories. Even more so in the field where public engagement with the community used to be openly conducted and encouraged. In short, the administration and management of the university was “transformed” to be more akin towards a bureaucracy delegated to academics who “think” and “act” more like bureaucrats and less so as inherent (public) intellectuals – at least viewed from the pre-1974 perspective.

Consequently, the scholastic environment was (and is) more subdued (colloquially described as monyok), more compliance (ampu) and more “head-nodding” (angguk) with little room for debate and dissent which used to be the hallmarks of a vibrant and concerned university. No doubt the outcomes are well aligned to “the Government’s” notion of what a university should be like – the feel and touch, rendering it closer to a glorified “high-school” as observed by those who had sampled the two sides of the divide. They were also quick to remind us of what Voltaire observed, namely: “It is dangerous to be right, when the government is wrong.” In no time it becomes the mantra of the day, where things are left entirely to the supposed wisdom (and fancies) of the powers that be, for more than 40 years now. This is despite the oft-repeated cliché
acknowledging that the days of “the Government” knows best is over. Except perhaps in matters related to university autonomy it seems!

Yet the reality is that universities are more robust than what we know. Universities tend to outlast even the empires and civilisations that created them. Let alone any one form of government. For example, the first university in the world which was built by a woman, Fatima al-Fihri, in Fez in 859 is still standing amidst the many changes in the socio-political milieu of not just the nation, but the region too beginning from the 9th century. Although it took several “beatings” time and again from the powers that be, the essence and values of what constitutes autonomy outlive the very powers that be!

Perhaps this is the lesson that we need to reflect upon as we drill down in the discourse today. Especially so when Yang Berhormat Dato’ Seri Idris Jusoh threw open the Pandora’s Box during his annual address in February 2017 with the theme aptly entitled: Reimagining Higher Education. We are of the humble opinion that there is little to (re)imagine sans autonomy in the broadest sense of the word. Hence the need for autonomy is essentially given.

To reinforce this, let me leave you with a (my) working definition of what a university is, crafted more than 10 years ago at the Higher Education Summit in Bangkok attended by more than 1600 delegates, including some 245 leaders of universities, from more than 85 countries. The Summit adopted the Bangkok Declaration on Higher Education (July 23, 2006), which recognises the following:

“Universities must strive to be above politics and business interests and serve their societies and communities by providing a voice and space in which to cultivate rational, mutual and moderate dialogues that will shape intellectual, cultural and economic development on a shared basis.”

The declaration is very much in tandem with the statements adopted earlier (in 1998) by the UNESCO-based International Association of Universities which is fully supportive of this project.

On that note I am very optimistic that we will arrive at another high point to dignify our universities as autonomous and accountable institutions so as to enable them to really “soar upwards” taking their rightful place in the reimagined world of higher education. This is indeed a defining moment for all of us.

Lastly, let me thank all those who were involved in making this project a very endearing and successful one, especially the researchers-authors of the main papers, IDEAS for its initiatives and effort, and not least the Ministry of Higher Education for its continued support and participation.

Looking forward to a fruitful deliberation.

Salam hormat

Dzulkifli Abdul Razak, Prof Tan Sri Dato’
Chair, Higher Education, IDEAS
4th President, International Association of Universities
When my esteemed colleagues and I wrote the Wan Zahid Report, we were very hopeful that our recommendations would be accepted by the Government, and in turn, would be implemented, in whole or in part, by the Ministry of Higher Education. The report was wide-ranging in nature, spanning a broad spectrum of higher education in Malaysia. Certain key points that we made were intended to enhance the efficacy of higher education institutions in Malaysia. We were confident that the then newly minted Ministry of Higher Education under an equally brand new Minister of Higher Education was prepared to make the paradigm shift, judging from the assurances given to our committee, that latitude would be given to the committee to make unimpeded recommendations that it thought best for the progress and development of higher education in Malaysia. For the record, we made many bold recommendations without receiving any advice to the contrary from the authorities.

Fast forward to 2017, I am pleased to state that the Government took into account some of our recommendations in the Malaysian Education Blueprint: Higher Education 2015 - 2025 (MEB HE). One of the aspects that had eluded the Ministry of Education in the past was with regard to autonomy of higher education institutions. Thankfully our call for autonomy to be granted to higher education institutions was captured in the blueprint. This is a landmark decision and we congratulate the Minister of Higher Education for this bold decision. It is now up to the university leadership to muster its creative energies to utilise this latitude to steer their respective institutions to greatness.

I am pleased to see scholarly research in the higher education sector being carried out through a collaboration between Yayasan Sime Darby (YSD) and the Institute for Democracy and Economic Affairs (IDEAS). This project which aims to strengthen current higher education policies, is in line with YSD’s objective of complementing the Malaysian Government’s efforts in enabling society to gain better quality higher education for the future of our country.

I take my hat off to the researchers, authors, and everyone involved for the effort and time that they have put in to produce this report. It is my fervent hope that Yayasan Sime Darby’s support would contribute, in one way or another, directly or indirectly, toward the enhancement of our higher education and enabling our institutions to soar upwards.

Soaring upwards!

PREFACE

Tan Sri Dato’ Seri Dr Wan Mohd Zahid Mohd Noordin

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The Wan Zahid Report

On 17 January 2005, then Minister of Higher Education, Dato' Dr. Haji Shafie bin Haji Mohd. Salleh convened a Committee to study the status of higher education autonomy in Malaysia. The Committee was named Jawatankuasa Mengkaji, Menyemak dan Membuat Perakuan Tentang Perkembangan dan Hala Tuju Pendidikan Tinggi Malaysia. On 18 July 2005, the Committee produced a report (hereinafter the ‘Wan Zahid Report’) containing 138 recommendations that were presented to the Minister. The Report was discussed by Cabinet and presented in Parliament by Shafie’s successor, Datuk Mustapha Mohamed.

The Wan Zahid Report contained recommendations covering many aspects of higher education including improvements in teaching, community service, lifelong learning as well as the democratisation of knowledge, access to education and benchmarking performance to international best practices.

Several important recommendations regarding university autonomy were also proposed. These recommendations covered issues of university governance, the appointment of Vice-Chancellors and professors, and financial autonomy.

Recommendations on governance

a) The University’s Constitution should be amended to enable professors to choose 20 of their own staff to join the University’s Senate.

b) The Minister of Higher Education should delegate his powers to the University’s Board to play their role as “guardians of autonomy” more effectively based on the principles of autonomy, academic excellence and accountability.

c) All decision-making on university and management policy is to be delegated to the University’s Board.

d) The powers of the University’s Board should be broadened to include its role as “guardians of autonomy”.

Recommendations on the appointment of Vice-Chancellors and professors

a) The appointment of Vice-Chancellors for postgraduate and undergraduate universities must be done openly and competitively to ensure the selection of the best candidate. The appointment should be for two years and the VCs should be given a competitive salary. The appointment can be renewed, extended or terminated at any time.

b) Key Performance Indicators (KPIs) should be implemented to evaluate the performance of Vice-Chancellors. The KPIs should be included in the VC’s contract of appointment.

c) There should be strict requirements for the appointment of professors. The appointment should be done transparently and they should be remunerated competitively.
d) Professors with good performance should be rewarded based on academic excellence and not be given administrative positions.

e) Researchers should be allowed to retain the rights of their research. They should receive some of the royalties of their research work that have been commercialised or patented by other universities or agencies.

f) The funds allocated for the recruitment of new staff should be managed by the universities themselves. The criteria used to recruit staff should be academic excellence, suitable areas of specialty, a positive attitude and experience that contributes towards scholarship, and openness.

**Recommendations on research and academic excellence**

a) All universities should create and build their own standards and benchmarks for excellence.

b) All universities should have an intellectual property policy that encourages the registering of patents based on the research and development work of each university. The patent and intellectual property rights should then be developed to create new products.

**Melangkah Ke Arah Kecemerlangan: Research and advocacy project to promote greater autonomy and accountability in Malaysian higher education**

The Institute for Democracy and Economic Affairs (IDEAS), with guidance from YBhg. Tan Sri Dato' Seri Dr. Wan Mohd Zahid Mohd Noordin, the author of the Wan Zahid Report, conducted a preliminary review to compare the Report against the Malaysia Education Blueprint on Higher Education 2015 - 2025 (MEB HE). We found that some recommendations from the Report have been absorbed into the MEB HE, but the adoption was incomplete. They were not as detailed as what was described in the Wan Zahid Report. We identified the two key issues that were inadequately addressed by the MEB HE, that is the enhancement of autonomy and the strengthening of accountability in universities.
Thus, IDEAS embarked on a pioneering research project on autonomy and accountability in higher education in Malaysia. During 2016-17, IDEAS conducted four roundtables on this topic, where we gathered stakeholders from the Government, public and private universities, other think tanks, as well as representatives from university student associations. Four policy papers were produced on the different aspects of autonomy: the history and epistemology of universities, the history of autonomy, financial autonomy, and examples of university autonomy from around the world. The policy papers are:

- **The History of University Autonomy in Malaysia**  
  Dr. Chang-Da Wan, Lecturer  
  National Higher Education Research Institute, University Sains Malaysia (USM)

- **The History and Epistemology of Universities**  
  Associate Professor Dr. Munif Zarirruddin Fikri Nordin, Associate Professor  
  Universiti Utara Malaysia (UUM)

- **Will Our Public Universities Have Financial Autonomy?**  
  Wan Saiful Wan Jan, Chief Executive  
  Institute for Democracy and Economic Affairs (IDEAS)

- **Autonomy and Accountability in Higher Education: Lessons from Ghana and Mexico**  
  Dr. Sean Matthews, Associate Professor  
  Faculty of Arts, University of Nottingham Malaysia Campus

In his paper, Chang-Da Wan traces the historical developments of state intervention in public universities. He sets the scene for the most pivotal moment in the history of Malaysian higher education: the enactment of the University and University Colleges Act (UUCA) in 1971, following the racial riots of 13 May 1969. He argues that further amendments in 1975 marked the beginning of the end for university autonomy in Malaysia. Chang-Da Wan commends the MEB HE for its focus on autonomy, particularly in the area of university governance. However, he also highlights the fact that the larger ecosystem, in which universities operate in, is not taken into account in the MEB HE when deliberating autonomy.

Munif Nordin provides a more philosophical perspective on higher education in his paper. He takes a step back from the question of autonomy itself and invites the reader to consider the meaning, purpose and role of universities. He provides a narrative of the Arab, Chinese, Indian, European and American intellectual traditions, highlighting the different historical reasons behind the establishment of universities in these different contexts.
Nordin then analyses the situation in Malaysia, where he argues that universities were built for economic, political and collaborative purposes. He cites the weakness of the academic culture in Malaysian universities, political interference in the running of Malaysian universities, as well as the lack of efforts in sustaining our own intellectual traditions. Apart from these specific recommendations, a pertinent issue that was raised by Munif Nordin was the need to revisit the meaning, purpose and role of a university. This means that the function of a university should go beyond producing employable graduates, but should serve society by providing a voice and space to cultivate discourse. A university should be an integral part of the community it resides within.

Wan Saiful Wan Jan explores a crucial issue in the debate surrounding university autonomy that is the financial autonomy of universities. Wan Saiful presents evidence of the importance of financial autonomy by presenting several reports and rankings that show a direct correlation between a university’s freedom to determine its own budget allocation and research performance. The paper then highlights the issue of the Federal Government’s cuts in funding for public universities, arguing that they were missed opportunities for the Government to introduce a comprehensive and clear plan to enhance the financial autonomy of universities. A key point that Wan Saiful makes is the Government’s reluctance in granting universities complete financial autonomy, which is linked to its desire to maintain control over the way that universities function. He emphasises the importance of allowing public universities to venture into businesses to generate their own income, but qualifies this by cautioning against leakages. Additionally, the paper argues that philanthropic contributions to public universities in Malaysia is uncommon because the environment for such donations is not conducive enough.

In his paper, Sean Matthews provides an international perspective on the issue of university autonomy by exploring higher education in Mexico and Ghana. His justification for choosing these two countries is that they provide an alternative to the dominant Western models of higher education. He emphasises the need for policy recommendations to take into account the wider ecosystem, the cultural context and the conditions in which universities function. Ghana shares many parallels with Malaysia where the nation’s history has been dominated by the long process of postcolonial adjustment and decolonisation. In the case of Mexico, the system is a stark contrast to that of Malaysia’s as it enjoys very high degrees of institutional autonomy. As argued by Sean Matthews, lessons learned from the higher education systems in Mexico and Ghana are also relevant. In Mexico, for example, 75-90% of funding for public universities comes from the government, yet they are highly autonomous and not subject to central planning or state control. In Ghana, both the National Council for Tertiary Education (NCTE) and the National Accreditation Board (NAB) have been instrumental in asserting the importance of autonomy and accountability of governing bodies in universities, among others.
POLICY RECOMMENDATIONS

Many recommendations were made during the roundtables that were held on 12th October 2016, 8th December 2016, 21st February 2017 and 22nd February 2017. The four policy papers provided some policy recommendations as well. Some of them were built on the Wan Zahid Report, and some were based on new ideas borne out of the discussions. These recommendations are explained in the next section.

Firstly, we recommend that the Universities and University College Act (UUCA) which was introduced in 1971 should be abolished.

Secondly, we recommend the enactment of a National Higher Education Act that will incorporate the following:

1. **Institutional Autonomy**

   1.1 The Vice-Chancellor (VC) should be appointed by the University’s Board of Directors according to merit and with full transparency and accountability.

   1.2 The Board of Directors should be restructured to include academics, not just Government representatives and individuals appointed by the Minister. The chairmanship of the Board should be left to the Board to decide. Academics from all levels (including junior lecturers) should be included in the Senate.

   1.3 Universities should have the autonomy to decide on the remuneration of lecturers. Currently, the Public Service Commission decides on the hiring, firing and remuneration of lecturers. If universities have the autonomy to decide on these matters, it will be able to attract a large pool of talent from all over the world and will, therefore, have a reputation on the world stage.

   1.4 Devolve state bureaucratic or administrative control to autonomous or independent statutory bodies at an arm’s length from Government.
2. Academic and student autonomy

2.1 Ensure the recognition, support and empowerment of diverse stakeholder groups within the higher education sector, in particular academics themselves but also students, professional bodies and local business and community representatives.

2.2. There should be absolute autonomy for universities to structure their own academic syllabus. A university should have the right and flexibility to decide on programmes offered to students.

2.3. Both public and private universities should have the right to decide on the admission of students.

2.4. Lecturers should have the academic freedom to teach students content that they see fit.

2.5. The function of the Majlis Profesor Negara (National Professors Council) should be strengthened, similar to that of the Human Rights Commission of Malaysia (SUHAKAM).

3. Financial autonomy

3.1 Universities should have the autonomy to decide on how their funding should be allocated.

3.2. Both private and public universities should be allowed to set their own tuition fees for students.

3.3. Charitable donations to universities should be tax exempt. These tax exempt donations include funds from alumni and corporate companies.

3.4. Universities should publish an annual report including a financial report that is available for public scrutiny freely on their websites.

3.5. A transparent funding formula for universities should be developed.¹

¹An example of this would be to allocate funding according to an agreed subsidy for each student enrolled into the university. For example, 10% of the total cost would be borne by the students directly through university fees whereas 90% of the cost would be subsidised by the Government. The Government would therefore pay the university for each student it enrolls as opposed to providing a lump sum in operational costs.

Although the formula itself can be discussed further, it is important that the formula be made transparent and that the allocations are made based on the agreed formula. Through this method the Government can influence the number of enrolments in higher education depending on the nation’s needs, and yet, universities can have the autonomy to decide on the types of programmes they wish to offer so long as there are students who enrol into these programmes. Additionally, the decision to provide developmental funds and research grants to universities should also be carried out by an independent commission based on national priorities.
4. Building a supportive environment

4.1 In order for the culture of philanthropy to be a norm in our society, there needs to be a body similar to the Charity Commission in the United Kingdom that regulates charitable giving as a whole, including to universities. This body should be in charge of registering eligible organisations which are established only for charitable purposes, and to take action in the case of malpractice or misconduct, among others. In the context of higher education, the establishment of this body is crucial to ensure that charitable giving is done transparently and with accountability, as well as to ease the process of obtaining tax-exemption status for donations.

4.2 The commercialisation of ideas and research should be enhanced through appropriate reforms in the IP regime. University leaders need to instill a stronger commitment to entrepreneurship to selected relevant faculty members, with a view to ensure they see IP as commercial products that can be monetised. This will enable the universities to further secure their financial stability in the long run.

4.3 Design innovative, relevant and inclusive models for institutional review and Quality Assurance deriving from local conditions and negotiated amongst stakeholders.

4.4 Promote alternatives to the standardisation and homogenisation of institutional missions and structures associated with the aspiration towards ‘world-class’ status and the submission to externally-conceived ranking criteria.
University autonomy is an issue that has been brought up many times since Malaysia’s founding. These have been documented and addressed several times in the past. In these recommendations, we have proposed autonomy as a concept that encapsulates the institutional, academic and financial aspects of a university’s governance. It is important to highlight that these recommendations should also take into account private universities, as they were also an important participant in our roundtable discussions.

This report is the latest push towards full-fledged autonomy for our universities. These recommendations on institutional, academic and financial autonomy should be read together with the four policy papers on this topic to provide a deeper understanding of the reforms that need to be implemented. The importance of this project cannot be overstated. To move forward as a nation, our universities need to be empowered, not subject to the controls from the powers that be.
References


Wan Jan, Wan Saiful. 2017. Will our public universities have financial autonomy? Institute for Democracy and Economic Affairs (IDEAS)