

Newly established “university agency” collapses Japanese higher education’s foundation – It is positive in denying university autonomy and academic freedom as well as rights of staff

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Abstract

All the state-run universities (89) were put under independent agencies’ administration named “university agency”, a new type of public corporation which is designed to (1) minimize the governmental expenditure, (2) to help increase major corporations’ competitiveness, and (3) minimize the governmental responsibility for higher education and hamper the free development of universities. Consequently, the university agencies (89) newly established on April 1 (2004) are to be independently but totally controlled by the state power as we had experienced before the World War. What is happening in a new “university agency” by the name of university corporation?

1) The Education Minister sets the interim goals and programs of education and research to be achieved for 5 years, and every year gives them governmental subsidies in proportion to their cost performance. The Ministry of Education also has a power to close university agencies, if the goal does not meet its criteria.

2) All the teachers and administrative staff are treated as non-public service employees (120,000), indicting that they are not protected by the Special Rule Public Educational Personnel and Staff Act. Their status and position are extremely unstable, *e.g.* introduction of term-based employment system, dismissals resulting from an adjustment of the administrative setup, labor condition, wage in proportion to cost performance.

3) Members of the board of directors responsible for decision-making at each university agency include people from outside the university agency, which allows corporate people to take part in university management in order to make education and study better serve government and business interests. Also, a number of bureaucrats and technocrats retired from the Ministry of Education including ministers are invited to the above board of directors. In addition to this, each agency has to invite 2 secretaries who must definitely be appointed by the Education Minister.

Japan’s scientific workers are making a front for reconstructing “university agencies” in accordance with the context of the UNESCO’s recommendation and declaration, which has a baneful influence upon the worldwide higher education progress as well as Japanese one.

1. University agency

The new form “university agency” (independently agency’s administration, or more practically independently administrative corporation) was established on April 1 2004, in which all the state-run

universities were put under independent agencies' administration, a new type of public corporation which is designed to minimize the governmental expenditure. Not only that, the government also wanted to change the state-run universities to ones that help increase major corporations' competitiveness, and minimized its responsibility for higher education and hamper the free development of universities, which are the intellectual foundations of Japan and the world as well. Consequently, university totally be controlled by the state power as we had experienced before the World War. The characteristic of a so-called new university corporation "university agency" is as follows.

1) The Education Minister sets the interim goals and programs of education and research to be achieved for 5 years by each university agency and every year gives them governmental subsidies in proportion to their cost performance, which each university agency has to carry out the pre-determined programs to achieve the goals. Unfortunately, the goal is not lofty, but just general, which seems not to meet the purpose for "further developing Japanese higher education" that the business circle defines – the case must be exposed to the review board's criticism. Since the goals are quite limited for 5 years and the programs towards the goals are complicated, some long-range projects for education and research are not considered under the university agency system. Moreover, the Ministry also has a power to close university agencies, if the goal does not meet its criteria, in which university autonomy and academic freedom are not guaranteed. For instance, basic study which does not meet the required standards set by the government and business circle drastically decline.

2) In university agency, all the teachers and administrative staff are treated as non-public service employees (120,000 were public service employees in the state-run universities), indicting that they are not protected by the Special Rule Public Educational Personnel and Staff Act, which accordingly affects all the Japanese high education system public and private. Since teachers and staff are non-public service employees, their status and position are extremely unstable, *e.g.* introduction of term-based employment system, dismissals resulting from an adjustment of the administrative setup, labor condition, wage in proportion to cost performance. This circumstance makes it difficult to produce the human-oriented results of study and education, and undermine freedom of education and study.

3) Members (502 for 89 agencies) of the board of directors responsible for decision-making at each university agency include people from outside the university agency, which allows corporate people to take part in university management in order to make education and study better serve government and business interests, *e.g. alumni* (lawyers, mayors, managing staff of local governments, leading members of business), president and chair of Japan Railway East Co. LTD., president of Japan Railway West Co. Ltd., president of Japan Railway Kyushu Co. Ltd. Also, a number of bureaucrats and technocrats retired from the Ministry of Education and others including ministers are invited to the above board of directors. In addition to them, each agency has to invite 2 secretaries who must definitely be appointed by the Education Minister. Thus, each university agency can totally governed by the government, and has no root for freely manage its agency as academic centers in a liberal atmosphere.

2. Higher education system in the future

In order to develop Japanese higher education, we have to make a front for reconstructing university agencies towards the right way, which should be in accordance with the context of the UNESCO's recommendation and declaration. The ongoing administration of the agency are clearly contrary to the UNESCO's documentation; especially: 1) in "Recommendation concerning the status of higher-education teaching personnel (1997)": IV. Education objective and policies, V. Institutional rights, duties and responsibilities, VI. Rights and freedom of higher-education teaching personnel, IX. Term and conditions of employment, 2) in "World declaration on higher education for the twenty-first century: vision and action (1998)": Article 1. Mission to educate, to train and to undertake research, Article 2. Ethical role, autonomy, responsibility and anticipatory function, Article 10. Higher education personnel and students as major actors, Article 14. Financing of higher education as a public service, 3) in "Framework for priority action for change and development of higher education (1998)": 1. Priority actions at national level, 2. Priority actions at the level of systems and institutions.

3. Governmental intention for higher education

By reforming the state-run university, the government could achieve the wholesale dismissals resulting from an adjustment of the administrative setup (number of dismissals: 125,000), and curtail the every-year's expenditures for the agency, while people in the economic circle are starting to control the agencies by sending a number of trustees as well as large funds for supporting their business.

Why did the government make the state-run university collapse? They have repeatedly expressed their opinions for the management of the state-run university: 1) scholars at Japan's universities have long been criticized for enjoying splendid isolation within their ivory towers, and 2) this may no longer be the case, as the university structure cannot remain immune to the dramatic upheavals roiling the nation, and 3) the global shift towards knowledge-based economies increasingly makes universities as bodies tasked with developing human resources and as providers of research results with potential for commercialization - a key concept for determining a nation's competitiveness. On the other hand, they have also been shocked by receiving the following data. Namely, according to the World Competitiveness Yearbook in April (2001) by the International Institute for Management Development, Japan ranked lowest among 49 economies surveyed with regard to university education meeting the needs of the economy. The Education Minister then said, "This dismal state of affairs would be fatal to the country, so the government has no choice but to make the state-run universities more competitive through drastic change".

Then the Minister released a structural reform package for the state-run universities (June 2001), which has effectively been introduced into all the universities. Finally the state-run university had completely been reformed into a so-called "university-agency" from April 1, 2004. The following is the gist of the reform package in 2001, which is quite important to understand the present university agency's situation.

1) The state-run universities should be subject to an aggressive reorganization drive - involving the mergers and the regrouping of college and/or departments - in order to reduce their number substantially from the

current 99 national universities (now integrated into 89 university-agencies on April 1, 2004).

2) Strategic management principles modeled on those deployed in the private sector should be introduced in an effort to turn universities into independently managed agency (or public but independent administrative “corporation”). These measures include the introduction of outside experts to participate in school management and the clarification of managerial responsibilities.

3) Universities should be sensitized to the concept of competition through the introduction of third-party evaluations, the details of which form the basis for disbursement of research grants and subsidies. Private universities are also included in the evaluations, which seek to nurture the nation's top 30 universities, institutions or groups and turn them into some of the best institutions of higher education in the world.

In the early 1990s the government launched a reform drive, liberalizing conditions set on the state-run universities' organizational structure and curricula, and introducing a self-evaluation system. Gradual change, however, shifted into high gear in 2001 with the election of Prime Minister Koizumi and his action agenda of “reform without sanctuaries”, which was accompanied by the above package for reforming universities. The Education Ministry accordingly called for the reorganization and consolidation of the 99 state-run universities, while deemed that roughly 30 universities, regardless of whether they were public or not, were recognized as Japan's top schools and/or activities, which would have dibs to receive subsidies for doctoral course research after evaluation of a committee. The Ministry also insisted that the grant system was seen as an effort to concentrate resources on the institutions seen as most promising in surviving international competition. Since the package was fiscal and administrative reforms, its real impact on boosting the quality of education and research at universities was quite questionable.

The Ministry also proposed the merger of the state-run universities in 2001, which was to develop them into unique universities in a competitive environment. Sixteen universities had reached merger agreements and 13 universities and colleges had been in merging talks (as shown above, the final number of university-agency was 89 as of April 1, 2004). Although many state-run universities, especially medical colleges and their neighboring universities, were feeling strong pressure from the Ministry, they could not acknowledge that such oil-and-water marriage just giving large entities was an opportunity to reactivate university education and research. The Ministry should take note the scientific achievements of small universities and their contributions to local areas for a long time, although naturally less than those of universities of large scale.

4. Further movement for developing higher education

To boost up the quality of higher education, under which the coming generations can necessarily enjoy a sustainable society life, the Ministry should discard competitive manner of management and then establish the system to bring about individuality on the basis of non-competitive manner, where a conceptual substitution of “only one” for “number one” would be advised. The above package called for transforming the state-run universities into independently managed agency (or independent administrative entities) should give them greater autonomy as well as managing responsibility. We must stress the importance of supporting free and creative studies while at the same time strategically improving academic

competitiveness.

We have been conducting a number of movements asking the government to let “university” establish “academic freedom” according to the Constitution and enjoy “university autonomy” under the auspices of the government [*e.g.* appeal, petition, university staff’s referendum (putting the bills to the vote), opinion ad. on a newspaper, *etc.*], calling out the nation’s discussion “how the feature of higher education in the 21st century should be” to the public. We will do our best to establish academic freedom and university autonomy through our continuous movements. We also ask the world scientific community to support our movement so as to contribute to the international academic progress.