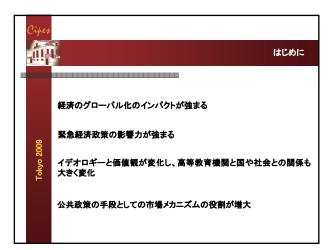
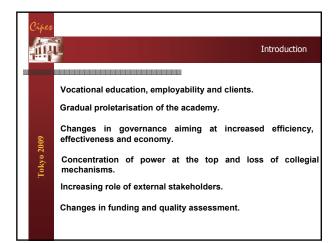
# アルベルト・アラマル

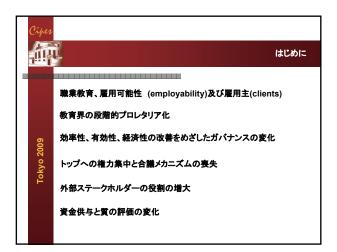


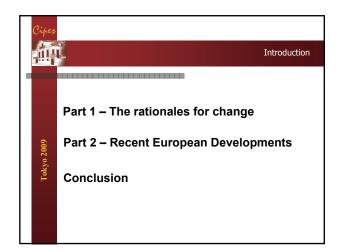




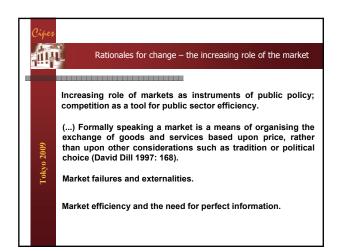


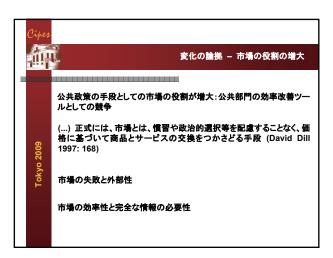


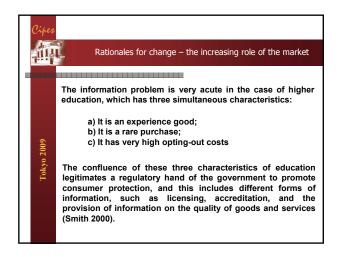


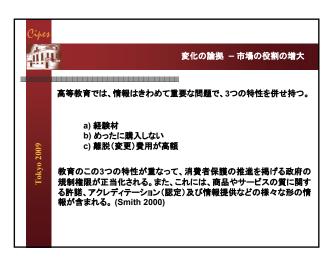


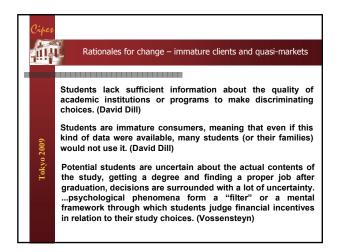


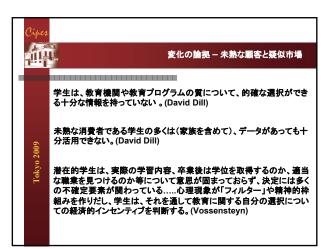


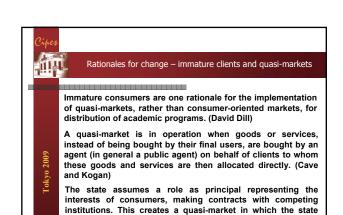






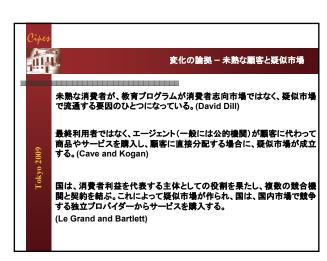


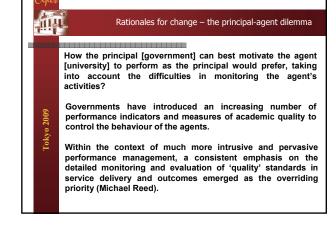




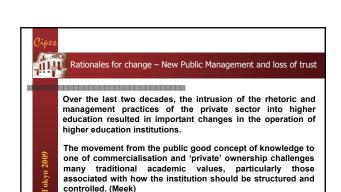
buys services from independent providers, which compete

with each other in an internal market (Le Grand and Bartlett).



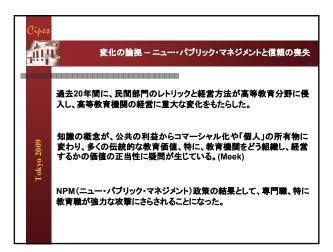


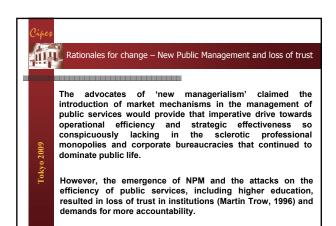


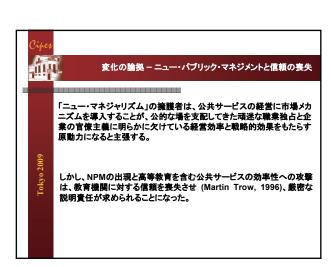


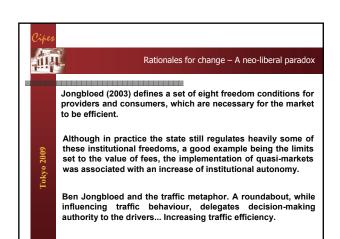
One consequence of NPM policies was a strong attack on

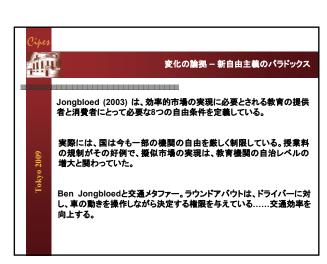
professions, and specifically on the academic profession.

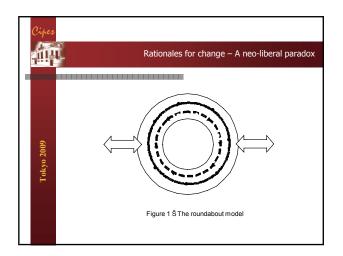


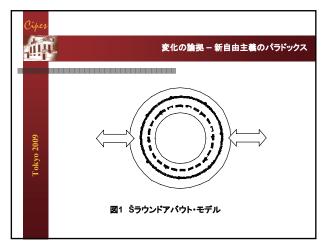












Increased institutional autonomy, combined with market competition, may create regulation difficulties, as autonomous institutions competing in a market may follow strategies aimed at ensuring their own development and survival, to the detriment of the public good or the government's objectives.

This forces the state to intervene by changing the rules of the market to ensure the fulfilment of its political objectives, quality assessment being one of the tools that might be used to ensure compliance of institutions with public policies.

変化の論拠 - 新自由主義のパラドックス

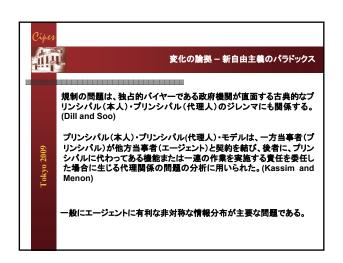
教育機関の自治が拡大し、それに市場競争が伴えば、規制は難しくなるであろう。自治権をもった機関が市場で競合するとなれば、公共の利益や政府の目標を無視しても、組織の発展と存続をめざす戦略を実践するからである。

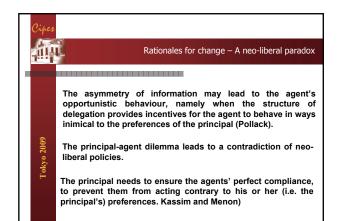
つまり、国は、市場のルールを変えることで政治目標を実現する介入を余儀なくされる。質評価も、教育機関に国の政策を順守させるためのツールのひとつとして用いられることになる。

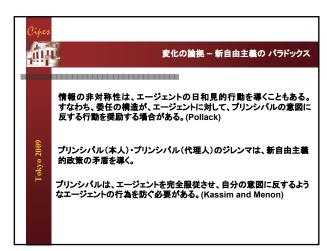
Regulation problems are also related to the classical principal-agent dilemma faced by government agencies acting as monopsonistic buyers (Dill and Soo)

The principal-agent model was used to analyse problems of agency relationships, which are created when one party, the principal, enters into a contractual agreement with a second party, the agent, and delegates to the latter responsibility for carrying out a function or set of tasks on the principal's behalf (Kassim and Menon)

The major problem is an asymmetric distribution of information that favours in general the agent.







Realising that autonomous institutions competing in a market may behave in ways that do not maximise the provision of social benefits and the public good, the government will be tempted to intervene to steer institutional behaviour towards its objectives thus breaking the promise to reduce as much as possible government regulation in favour of market regulation.

The government arbitrarily intervenes to change the rules of the game, forcing institutions to adapt their behaviour to government objectives, for instance by using an increasing number of mechanisms such as extensive arrays of performance indicators and measures of academic quality, or using performance based contracts.

変化の論拠 - 新自由主義のパラドックス

市場で競争する自治機関は、社会的利益と公共利益の提供量を最大化することのない形で活動するという可能性を認識し、政府は、市場の規制に任せて政府の規制を最小限に抑えるという約束を破り、目標に向けて教育機関の行動を誘導する衝動にかられる。

政府は、独断的介入によってゲームのルールを変え、教育機関が政府の目標に合わせて行動するよう強制する。例えば、教育の質を表す成果指標や尺度等のメカニズムや成果主義の契約を多く使用する。

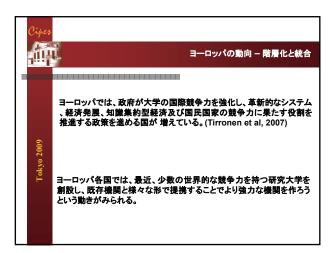
Thus the governance of higher education faces some difficult challenges. If higher education is indeed an important strategic lever for governments in seeking to pursue national objectives, can governments achieve those ends without compromising the independence of universities, or their dynamism in catering for new markets? (OECD, 2003)

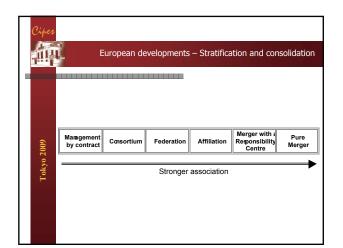
Therefore, it is frequent that higher education reforms only replace one form of influence and control by government for another (OECD, *ibid.*).

A roundabout with traffic lights! (Dominic Orr)





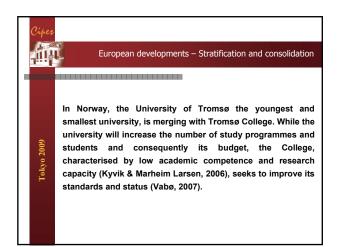






Denmark is a good example of a to-down merger process. By decision of the Danish government a number of mergers became effective as of 1 January 2007: 13 government research institutions (GRIs) and 12 universities were merged into 3 GRIs and 8 universities; and in January 1, 2008 the 22 Centres for Further Education were merged into 8 Regional University Colleges (Holm-Nielsen, 2008). The University of Copenhagen, Aarhus University and the Technical University of Denmark are supposed to form the centre of gravity of the new elite institutions (Vabø, 2007).



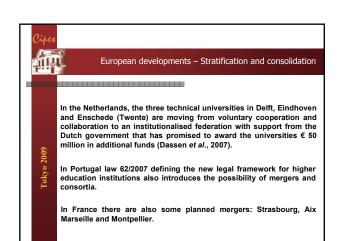


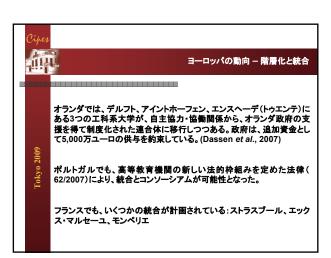




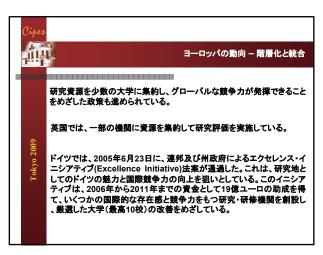
endowments from business and industry.

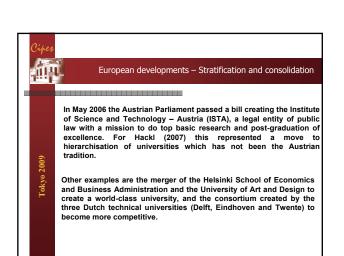














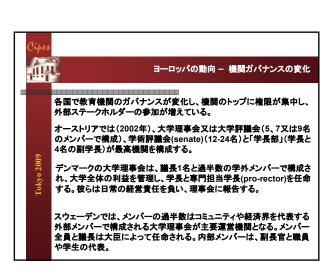


or University Council (with 5, 7 or 9 members), the senate (with 12 to 24 members) and the 'rectorate' (rector and up to 4 vice-rectors).

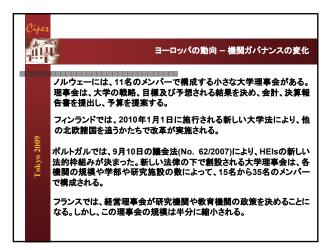
In Denmark there is a University Board with a majority of external

In Denmark there is a University Board with a majority of external members, one of them being the chairman. The Board manages the general interests of the University and appoints the rector and prorector to head the daily management, and both respond to the Board.

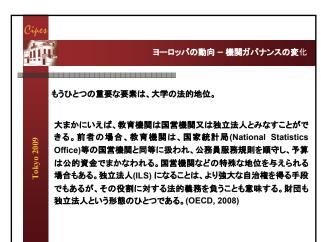
In Sweden the University Board is the main governing body and has a majority of external members representing community and business interests, all of them appointed by the Minister who also appoints the chairman. The internal members are the vice-chancellor and representatives of staff and students.



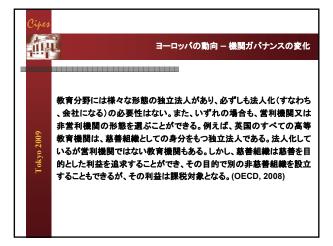














### European developments – Changes in institutional governance

Independent universities as is the case in the UK and Australia, are "a statutory body, charity or non-profit corporation with no government participation and control linked to national strategies and related only to public funding." (World Bank, 2008)

There is a recent trend to grant independent legal status to public universities. In Austria, the new 2002 act gave universities independent legal status, and although they remain in the domain of public law they are no longer state agencies without legal capacity (Pechar, 2005; Sporn, 2002). Universities are now free to decide on employment conditions, academic programmes, resource allocation without government approval (Sporn, 2002), and to borrow funds while all academic personnel are to be employed by the university on the basis of private contracts (Pechar, 2005).



## ヨーロッパの動向 - 機関ガバナンスの変化

英国やオーストラリアにあるような独立した大学は、「法定、慈善又は非 営利機関のいずれかで、国の関与や国家戦略に関連する規制を受ける ことなく、公的資金を供与されるだけである。」(世界銀行、2008)

最近は、公立大学に対して独立した法的地位を与える傾向がある。オーストリアでは、2002年に制定された新しい法律で大学に独立法的地位が与えられた。今も公法の管轄下にあるが、法的権利能力のない国の機関ではなくなっている。(Pechar, 2005; Sporn, 2002) 現在、大学は政府の許可を得ることなく自由に雇用条件、学術プログラム、資源配分を決定し (Sporn, 2002)、資金の融資を受けることができる。また、随意契約によって職員を雇用できる。(Pechar, 2005)



#### European developments – Changes in institutional governance

Another development is the establishment of universities as foundations under private law.

In Sweden this is the case of Chalmers University (1994) and of the University College of Jönkönping.

In 1998, an amendment of the German Federal Framework Act for Higher Education, allowed the sixteen Länder (the German states) to establish a modified legal status for their universities (Palandt 2005). Lower Saxony was the first "land" to take advantage of this possibility and its parliament passed the Lower Saxony University Reform Act, of 24 June 2002, allowing universities to become public foundations as legally self-administered public bodies (Palandt, *ibid*). The decision of the university to become a foundation is taken on a voluntary basis.



## ヨーロッパの動向 - 機関ガバナンスの変化

もうひとつの動向として、民法下の財団法人としての大学設立があげら れる。

スウェーデンでは、チャルマース大学 (1994)とJönkönping 大学 (University College of Jönkönping) がそれに該当する。

**Tokyo 2009** 

1998年に高等教育に関するドイツ連邦枠組み法が改正され、16の州で、 大学に対し、新しく改正された法的地位が設けられるようになった。 (Palandt 2005) ロウワー・サクソニー州は、州として初めてこの権限を行 使した。2002年6月24日、ロウワー・サクソニー大学改革法が同州議会を 通過し、大学は自治法人として法的に認められた。(Palandt, 同上) 大学 が財団法人になる決定は、自主的に決定された。



## European developments – Changes in institutional governance

In Finland there is an intention to create a world-class university in Helsinki by merger of existing institutions into a new institution that will be a foundation

In Portugal, the new legal framework for higher education institutions allows public universities to become public foundations under private law and three universities decided to use this possibility – the University of Porto, the University of Aveiro and the ISCTE.

The advantage of foundations is allowing its leaders a maximum of freedom to run the institution, with a minimum of external interference. However, transforming a public university into a foundation presents difficulties in restructuring internal management and, with the exception of Germany, staff may resist moving from a public service status to a foundation employee. It is also uncertain how future governments will be favourable to the foundation model.



# ヨーロッパの動向 - 機関ガバナンスの変化

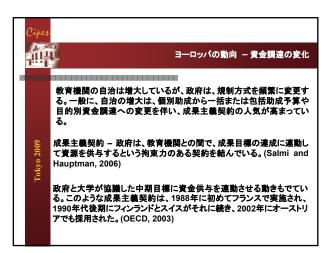
フィンランドでは、既存の教育機関を統合してヘルシンキに世界的レベ ルの大学の創設をめざしている。これは財団法人となる。

ポルトガルでは、高等教育機関に関する新しい法的枠組みにより、公立 大学は公法上の公益財団法人になる。3つの大学がその活用を決めた - ポルト大学、アヴェイロ大学、ISCTE

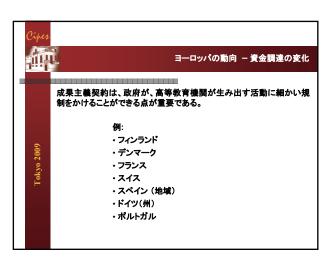
Tokvo 2009

財団法人には、外部からの干渉を最小限に抑え、自由に機関を経営する権限が指導者に与えられるという利点がある。しかし、公立大学を財団法人に変えるには、学内の経営組織も変えるという困難が作い、ドイツは例外であるが、公務員から財団法人の従業員になることへの職員の抵抗も予想される。将来の政府が、この財団形式に賛同するかどうかも定かではない。

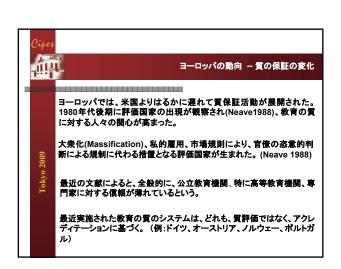














to choose any agency listed in the European Register.

This is consistent with a stratified European Area of Higher Education, as some agencies will address excellence at an international level, others will be more appropriate to regional or local institutions, some will accredit research universities, while others will

specialise in teaching-only institutions.

