

# The Coordinated Development of University Autonomy and Government Intervention

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**Abstract:** University autonomy and government intervention are a pair of basic contradictions in the external relationship of higher education. Strategies of the Coordinated Development of University Autonomy and Government Intervention as follow: balance autonomy and intervention under the premise of public justice; establish a multi-centric co-governance with mutual restriction to realize good governance; modernize the governance capacity of universities with the rule of law as the core; build trust mechanism based on social choice by combining self-discipline with heteronomy. Only in this way, can we coordinate the development of university autonomy and government intervention.

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University autonomy and government intervention are a pair of basic contradictions in the external relationship of higher education. University autonomy seeks "internal power" rooted in academic community; Government intervention is rooted in the "public power" outside the power community. In terms of value orientation, universities advocate the value of knowledge, pursue academic freedom and autonomy,

and take this as a necessary condition for pursuing objective truth. The government, on the other hand, takes the national interest as its value pursuit and uses administrative, legislative and financial means to increase its influence on university running. There is a conflict between freedom and order in their value orientation. "The practice of education is actually an educational pedigree like this: one end consists of rights, individuals and freedom; the other end is made up of power, state and order<sup>[1]</sup>." Government and university are located at both ends of this structure. As political and market power become part of university governance system, how to achieve the coordinated development of autonomy and intervention becomes the key to deal with this contradiction.

## 1 Possibility of the coordinated development of university autonomy and government intervention

University and government share the same interests and promote the same goals, which make the coordinated development of the relationship between the two a realistic possibility. The university is a stakeholder organization, and the government is the most important external stakeholder of the university. Firstly, the university is a highly resource-dependent organization. As an institution of knowledge production, the university depends on the material resources provided by the society to survive and develop. "One constant in the history of universities is the lack of funding<sup>[2]</sup>."

While universities receive financial support and resources from the government and society, the state has the right to supervise the distribution and use of resources. Secondly, government decisions and interests depend on universities. The government relies on universities to train talents for the country and society, to provide intellectual support for national development, and to make universities serve the needs of the country's long-term development. Thirdly, the combination of university autonomy and government intervention is conducive to the realization of social public justice. The government's appropriate intervention and macro-control on universities is also conducive to the maximum protection of public interests.

## **2 Strategies of the coordinated development of university autonomy and government intervention**

### **2.1 Balance autonomy and intervention under the premise of public justice**

From the legal point of view, autonomy is in contrast to heteronomy, that is, under the principle of subjectivity, individuals are relatively independent and have the right to handle their own affairs. Intervention is a means by which the government maintains order, coordination and structure optimization by means of administrative control and legislative regulation. In order to balance the relationship between university autonomy and government intervention, it is necessary to adhere to the principle of moderate government intervention on the premise of public justice.

Firstly, the common interests of government and university lie in the embodiment of publicity and justice. The legitimacy of universities is mainly reflected in the support of providing knowledge, talents and technology to the society and the country. The justice of government intervention is reflected in exercising public power, managing public affairs, representing and reflecting public interests, and bearing corresponding public responsibilities and so on according to the law. The order established by the university, the government and the society should be based on moral justice and the freedom and equality of public interests, and should set the ultimate goal on caring human beings.

Secondly, autonomy shall be limited if it violates the principle of social justice. The value of freedom is conditional and limited and cannot be generalized or absolutized. University autonomy has its power

boundary and cannot go beyond the power field of government governance. Universities should respond to the expectations of the community in an appropriate manner and assume their social responsibilities in conjunction with the government's appropriate intervention in university activities.

Thirdly, government intervention should not be at the expense of university autonomy. Whether to intervene in university autonomy depends on whether there are corresponding legal causes. The focus of intervention lies in the degree of control, that is, the necessity, intensity and timing of government intervention. There are four typical modes of government intervention: market mode, participatory mode, flexible mode of government and unregulated mode of government<sup>[3]</sup>. For China, in order to grasp the limits of government intervention in universities, there are the following ways: First, build an interactive platform between universities, government and the market, and provide broad space for university autonomy through decentralization to universities and the market; Second, the government authorizes specific intermediary organizations to actively intervene in university management affairs according to their functions and powers; Third, by virtue of its power to allocate resources, the government plays a coordinating role, shifting from highly controlling universities to ensuring the quality and fairness of the whole higher education system<sup>[4]</sup>. Government intervention should be appropriate and limited, and should be carried out as far as possible through councils and other means to return the autonomy of running a school to universities, so that universities can develop autonomously.

### **2.2 Establish a multi-centric co-governance with mutual restriction to realize good governance**

First, Universities and the government should create and govern together. China is a socialist country under the leadership of the Communist Party of China, in order to realize university autonomy, we should unswerving implement the president responsibility system under the leadership of the Party Committee, form a mechanism of co-creation between universities and the government, and gradually weaken the administrative level and administrative management of universities, so as to improve university autonomy. Co-governance means that all stakeholders such as the university board of trustees, administrative departments, teachers and students participate in university governance together,

and achieve common development through the establishment of common goals, joint creation, and the ultimate goal of “good governance”<sup>[5]</sup>. This means that universities, governments and society need to realize “governance mutualization” on the basis of “cognition mutualization” and “interests mutualization”. That is to say, in the process of democratic management, a collaborative culture should be cultivated so that the university, the government and the society can jointly create, make decisions, take responsibilities, and develop, and form a governance pattern of democratic cooperation.

Secondly, an academic democratic community should be established to form the model of multi-center co-governance university. In the history of China and foreign countries, several models of the relationship between universities and the government has been generally formed, namely, the model of autonomous community, of government governance and of a decentralized governance, *etc.* The government mainly solves the order problem of university and social communication by means of public governance. At present, political and market power has become a part of the governance system of polycentric universities. The government should commit itself to establishing the model of democratic community, delegating power to the social field in appropriate forms, cultivating and guiding the development of educational intermediary organizations, and taking these organizations as an important force to participate in the management of higher education. At the same time, universities should consciously assume social responsibilities, take the initiative to improve internal governance, and institutionalize the scope, procedures and personnel composition of academic power through institutions such as teaching committee and academic committee to ensure the realization of university autonomy.

Thirdly, set the goal of good governance. First of all, the government should shift from interfering in the micro-field of university running to focus on the formulation of policies, regulations and development plans, and guide, regulate and supervise the university running by means of institutional norms, supervision and evaluation. In addition, the government should focus on directional and principled work, shift from micro-level actors to authorizers, adopt decentralization measures and encourage cooperation among various institutions, so as to democratize decision-making. Moreover, the quality of professionals should be

improved and the university system should be supervised in a coordinated way that the center of power shifts down, and finally achieve the goal of good governance<sup>[6]</sup>.

### **2.3 Modernize the governance capacity of universities with the rule of law as the core**

At present, the key to deal with the relationship between university autonomy and government intervention under the background of the rule of law is whether the government governs the university according to law and penetrates the essence of the rule of law into the university organization. Contract not only reflects the spirit of the rule of law, but also reflects the level of modernization of university governance ability.

Firstly, the means of rule of law should be distinguished from administrative means. According to the rights of the government and university regulated in the law of higher education, the university’s autonomy generally concentrated in the areas related to the academic, while governmental power concentrated in the areas such as finance, personnel, health *etc.* In order to realize the balanced development of higher education, the education fairness, and goal of cultivating talents of high quality, the government needs to exercise administration and supervision power over universities. Therefore, the functions of government should shift from administrative examination and approval to legal procedure, from controlling universities to supervising universities, and from “running universities” to “running education”.

Secondly, the rule of law is the foundation of good governance. On the one hand, legitimacy is the requirement and important symbol of good governance; on the other hand, rule of law is the premise of good governance, and efficiency is the performance of good governance. It is the core of coordinating government management and university autonomy to perfect their respective power and responsibility and clarify the status of university legal person through contract system.

Thirdly, the right to make university regulations is the core right of university autonomy. University is not only the subject of civil activities, but also has the qualification of independent subject in the field of administrative activities. As a legal person, the behavior of a university is to perform official duties for the state. It must exercise the public power of enrollment, education and teaching, science and

research in accordance with the law. University statutes should clarify the administrative system headed by the President, the functions and rules of procedure of the academic committee with professors as the main body, as well as the coordination and restriction between them.

#### **2.4 Build trust mechanism based on social choice by combining self-discipline with heteronomy**

Judging from the status quo of China, the important reason for the incomplete implementation of the autonomy of running a school is that universities have not established a self-restraint mechanism. Therefore, it is urgent for universities to combine self-discipline with heteronomy, so as to solve the problem of the government's low trust in universities and the government's unwillingness to cede power.

Firstly, Universities shall cultivate the spirit of innovation and promote self-discipline. Innovation is the driving force of university autonomy and development. To advocate the spirit of innovation means to respect academic independence and creativity, and the realization of university autonomy depends on the innovation of each scholar. Innovation is not only the need of university autonomy, but also the inexhaustible driving force for national prosperity.

Government and universities enjoy the powers conferred by laws and regulations and must assume corresponding responsibilities. The government is the legislator of higher education regulations, the organizer and the macro manager of universities. As an institution of knowledge production, universities shoulder the responsibility of cultivating talents for the society and providing intellectual support for national and national development. Therefore, universities should take the initiative to establish self-development and self-restraint operation mechanism to meet the needs of economic construction and social development, and adhere to university self-discipline to rebuild social trust.

Secondly, government should make use of the market to administrate appropriate and legitimate intervention. The limitation of public resources and the diversification of social demands make it a conscious choice for higher education to accept market regulation. Historically, universities have adopted three strategies in the game with the government in order to realize their own interests: to establish university associations and alliances to influence the formulation of government education policies in the form of interest groups; to develop diversified financing channels and

actively use all kinds of private capital to reduce the dependence of universities on government funds<sup>[7]</sup>. An intermediary organization similar to the board of directors or appropriations committee should be established between the university and the government to promote the realization of university autonomy.

The purpose of market intervention is to form a pattern in which the government and the market jointly regulate higher education so as to meet the diversified demands of society for higher education. The government has the responsibility to supervise social intermediary organizations in exercising the power of public education, entrust social intermediary organizations with public education affairs that the government cannot or unsuitable to manage, and with clear legal status, and also entrust the public with the right to participate in the management and decision-making of public higher education. Nevertheless, market intervention can only be limited, and the value basis of education determines that its function should be realized mainly through the public choice mechanism rather than the market mechanism.

Thirdly, a market competition mechanism based on social choice should be established. The premise of social choice mechanism is that universities become truly independent market subjects, can choose independently in the market according to their own interests, and respond to the environment in a timely manner. In terms of governance system, American universities have formed a typical decentralized, divided and separated power mechanism characterized by social choice and free competition. Only when universities feel threatened and cannot rely on the government, can they actively participate in the competition and accept the social choice. Through policies and financial leverage, the government can stimulate universities to participate in competition, generate internal requirements for standardized operation, and derive a self-restraint mechanism, so that universities can gradually get rid of excessive dependence on the government. Once the self-restraint mechanism is formed, it will be more conducive to the realization of university autonomy.

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