

# **Development of Autonomy in French and Japanese Universities: A comparative Study on the French Contractual Policy and the Incorporation of Japanese National Universities<sup>1</sup>**

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The purpose of this article is to develop a comparative study of French and Japanese universities, which show certain similarities, with special focus on the contractual policy in France and the incorporation of national universities in Japan.

The Japanese national universities<sup>2</sup> were, until March 2004, a part of the national government and directly operated by it. On 1<sup>st</sup> April 2004, by acquiring the status of “national university corporations”, they were given a legal personality and increased their autonomy.

On the other hand, French universities, after having being dismantled at the time of the Revolution, gained a legal personality towards the end of the 19th century; they have gradually extended their autonomy. However, it was not until recently that they came to operate in an integrated manner with an identifiable corporate identity: previously they had worked as a league of faculties.

The French experience in this matter may offer suggestions for the reform of the Japanese national universities – where academic units have traditionally been autonomous – for a more integrated management at university level, in order to become more responsive to society after incorporation. For the French universities, the Japanese reform may also be suggestive, because it contains initiatives that have never been practised in France.

## **University Governance in Japan and France**

### *The Governance system of Japanese National Universities before Incorporation*

Governance Organization National universities were a part of the national government. The internal structure (both academic and administrative) was determined by the Government, and its modification was subject to ministerial authorisation.

Each national university had a president to administer school affairs, having authority over all the staff. Vice-presidents could be appointed to support the president in his/her duties. Each faculty and graduate school had a dean to administer relevant school affairs.

A council was organised to deliberate on important matters of university administration. It was a collegial body, presided over by the president, and consisted of senior faculty members. Apart from the council, a number of committees were often established at the discretion of each university, to deliberate on different matters (planning, finance, public relations, publications, information system,

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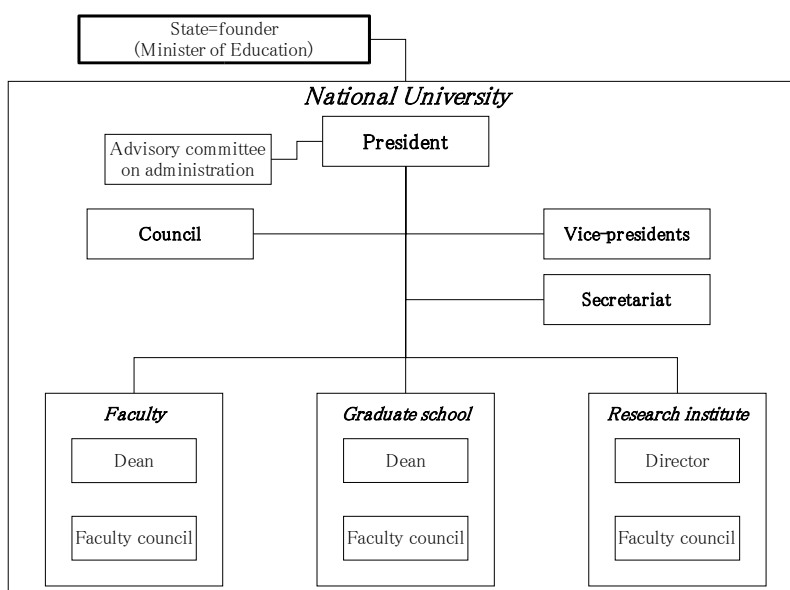
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*etc.*). In addition, each faculty and graduate school had its council (faculty meeting).

A secretariat was established, headed by a secretary-general, to execute administrative work. It contained several departments and a number of sub-units to provide a range of administrative services. Staff members in the secretariat were public servants, and except for part-time workers, were appointed through the national public service examination.

Traditionally, no external persons participated in university governance. In 1999, a modification of the School Education Law established an advisory committee on administration in each national university, composed of external experts from different social areas to advise the president on university administration.<sup>3</sup>

**Figure 1. Organization of Japanese National Universities before Incorporation**



**Collegiality and Duality** The governance of Japanese national universities was characterised by collegiality and duality. Although presidents were appointed by the Minister of Education,<sup>4</sup> they were selected, following election by faculty members, before a formal decision by the council on a proposal to nominate the president. Deans were selected by the president based on the advice of the relevant faculty council, which was formulated through an election by relevant faculty members.

Although the administrative organisation was supposed to provide support to the academic organisation, in effect the two were in competition. Control of the structure of clerical organisations throughout each university was directly administered by the Government. Although the appointment of most non-academic staff was delegated to the president, high-level non-academic staff were appointed by the Minister of Education. This included secretary-generals, vice-secretary generals and other directors, who were moved among universities and other institutions under the jurisdiction of the

Ministry of Education, including the Ministry itself. The Ministry managed these staff without consulting the relevant national universities.

Institutional autonomy of the national universities was thus very restricted in terms of administration, although the governmental control over academic activities was very limited.<sup>5</sup>

### *The Governance System of French Universities*

**Governance Organization** According to the Higher Education Law (1984),<sup>6</sup> a university is managed by decisions of the president, resolutions of the governing board – called the administrative council (*conseil d'administration*) – and proposals of the scientific council (*conseil scientifique*) and of the council for university studies and university life (*conseil des études et de la vie universitaire*) (Article 26).

The president is elected from among those full-time teacher-researchers (*enseignants-chercheurs*)<sup>7</sup> having French nationality, by obtaining the absolute majorities of all the constituent members of the above-mentioned three councils. The term of office for the president is five years and reappointment is not allowed. The president directs the university, is responsible for orderly running of the institution, and represents the university externally. The president has authority over all the staff, presides over the three councils, and controls expenditure and income. In order to assist the president, a presidential office (bureau) is set up, whose members are elected on the basis of the president's proposals (Article 27).

The governing board, the sole decision-making body among the three councils, is composed of 30-60 members, elected from four constituencies (Table 1). The governing board determines university policies, particularly by deciding the contents of the institutional contract (*contract d'établissement*) with the Ministry of National Education.<sup>8</sup> It votes the budget, approves the accounts, distributes posts, and approves agreements and conventions signed by the president (Article 28).

**Table 1. Composition of the Councils**

		<i>Governing board</i>	<i>Scientific council</i>	<i>Council for university studies and university life</i>
Number of members		30-60	20-40	20-40
<b>Constituencies</b>	Academic staff	40-45 %	60-80 %	**
	Non-academic staff	10-15 %		10-15 %
	Students	20-25 %	7.5-12.5 %*	**
	External persons	20-30 %	10-30 %	10-15 %

\* Graduate level only.

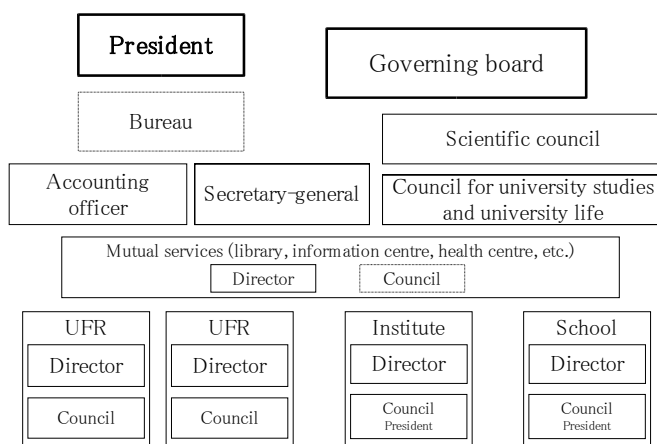
\*\* 75-80 % in total ; both constituencies are equal in number.

Directors of the UFR (*unités de formation et de recherche*), the basic education/research units,<sup>9</sup> are elected at meetings of the UFR council. The UFR councils comprise faculty members, non-academic staff, students and external persons (Article 32).

A secretary-general for the university is appointed by the Minister of National Education, based on the proposal of the president. The secretary-general directs the clerical staff, under the authority of the president, and participates in deliberative bodies including the governing board as a non-voting member (Article 59).

In contrast to the Japanese universities before incorporation, participation of non-academic staff, students and external persons in administration is institutionally assured in French universities. In the Japanese universities, an advisory council with external members was recently created, but existed for only 2 years, and students and non-academic staff were generally not allowed to participate in deliberative bodies.

**Figure 2. Organization of French Universities**



**Administration in Practice – Federation of UFR** Although the organisational structure of the French universities is fixed by law and is standard throughout the system, the actual conditions of decision-making are very disparate. In some universities, the decision-making process is centred around the presidential office; in others, UFR have a much greater voice in university administration. In all cases, because the councils are large bodies comprising between 20 and 60 members, it is often difficult to reach agreements and prearrangements (by small groups, for example) are very important (Musselin & Mignot-Gérard, 2001).

It should be noted that French universities are also dually structured. Two structures coexist – institution and disciplines. This complicates the university administration (Friedberg & Musselin, p. 5). Typically, procedures for employment and promotion of teachers are basically defined by the National Council of Universities (CNU), which is composed of sections classified by discipline. The administration of each university is hardly involved directly in the arrangements for employment of teachers (Musselin, 2001, pp. 75-76). For university teachers, their ranking in their discipline is a decisive factor for their promotion and recruitment. As a result, their sense of belonging to their

discipline has been much stronger than that of belonging to the university. This constitutes a significant factor preventing universities from being managed as one united body.

In the universities, the UFR have tended to be autonomous and agreement on contentious issues at university level, such as formulation of university strategies, is reached only with difficulty. In consequence, many universities have worked for a long time as federations of UFR and, at least until recently, have been unable to respond to the strategic needs of society.

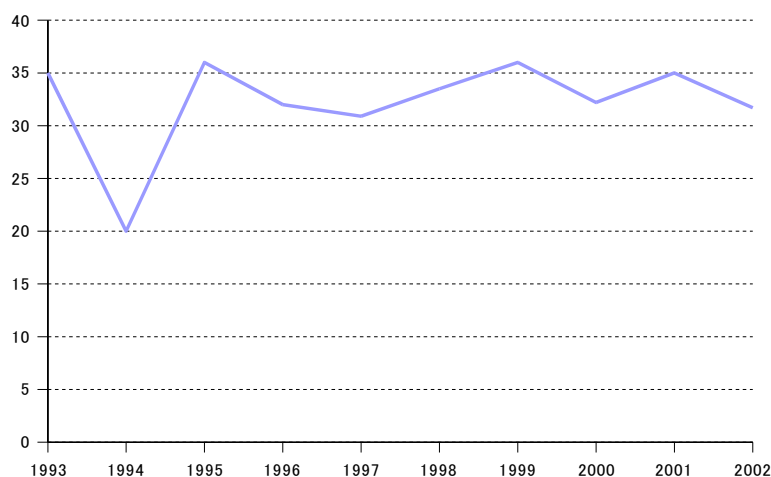
### Increased Autonomy of Universities

#### *Contractual policy in France and Unification of Academic Units in the University*

Adoption of a Contractual Policy After having been applied to research activities for several years, the “contractual policy” (*politique de contractualisation*) was generalised in 1989 to apply to all university activities. The aim of the policy was: 1) to establish a new relationship between the State and universities; 2) to enhance the autonomy of universities; and 3) to promote a sense of responsibility in the framework of a long-term strategic plan (*Conseil national de l'Évaluation*, 2001).

Each university draws up a four-year development plan based on its strategy, corresponding both to national objectives and to diverse local needs. The plan is submitted to the Ministry of National Education. After negotiation between the two parties, a four-year contract is signed, based on which the university is funded for the agreed activities. The amount of funds available through the contracts accounts for around one-third of the public subsidies provided by the State to the higher education institutions.<sup>10</sup>

**Figure 3. Percentage of Public Subsidy Budget Allocations through Contracts**



Source: Frémont *et al.*, 2004

The Effects of the Contractual Policy on University Management The principal goal of the contractual policy was to enlist the initiative of the universities to enrol and serve better the

increased numbers of students of the late 1980s and early 1990s. In fact, between 1988 and 1995, French universities enrolled almost 500,000 more students. This policy is regarded as the instrument that enabled them to “absorb an unprecedented influx of students on the campus of French universities” (Frémont *et al.*, 2004, p. 25).

Although this was not an explicit aim, the contractual policy enabled each university to function as a united body (Musselin, 2001, p. 135). That is, in order for a university to decide upon a plan for the contract, it needed to examine the entire activities of the university, and had to determine and prioritise policies and projects to be included in the plan. In order to reach agreement, people in the university needed repetitious negotiation and sometimes compromise was necessary for certain UFR.

Traditionally, such agreements had been reached with difficulty in universities where the academic units were organised by discipline. However, the contractual policy required the constituent members to act differently. For a UFR to realise a project – for example, to develop a new course – it had to be included in the plan and be prioritised in the course of negotiations at university level. With, over time, a succession of contracts, teachers, who traditionally held a strong sense of belonging to their discipline, gradually changed their attitude, and an environment developed in which they worked in the interests of the whole university.

Change in the Government-university Relationship Although, since the Law for the Orientation of Higher Education (Faure Law) was enacted in 1968, every government has emphasised the importance of the university autonomy, it has hardly devolved power and responsibility to universities. The situation has not fundamentally changed even after the adoption of the contractual policy. This is because, although universities blamed the Government for the failure to transfer authority, they regarded it as convenient to receive a budget allocation according to the norm defined by the Government rather than to assume responsibility for all their own financial matters (Friedberg and Musselin, 1993 : 14). However, in spite of the lack of devolution, introduction of the contractual policy led later to enhancement of autonomy as universities came to think how best to respond to societal needs and to operate in a more integrated manner.

### *Incorporation of National Universities in Japan*

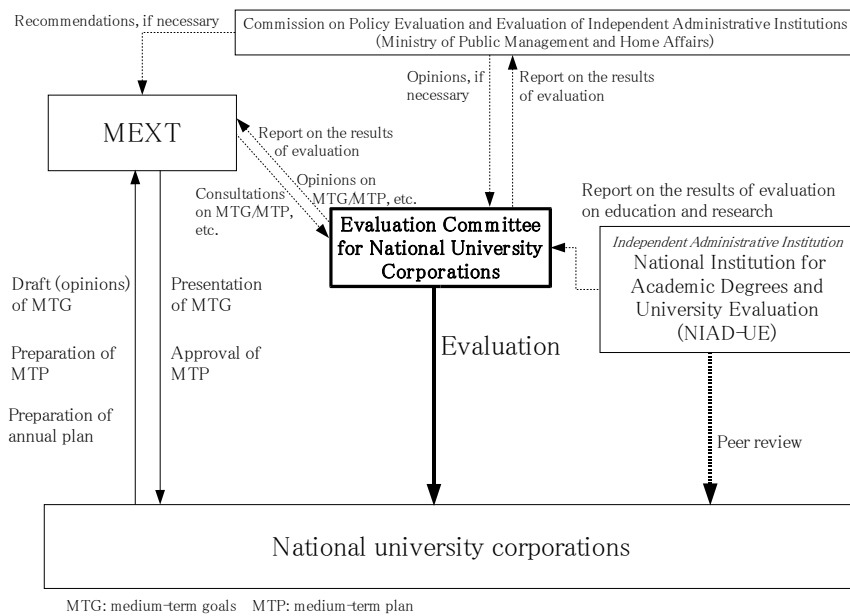
#### The National University Corporation System

a. Goals/Plan and Evaluation Each national university has been given an individual legal personality and has become a national university corporation.<sup>11</sup> This policy – individually incorporating national universities – aimed at extending individuality by enhancing the institutional autonomy of each institution.

The budget for each university is now allocated by the Government as a lump sum (operational grant) without earmarking. It is to be based on a medium-term plan prepared by each university and

approved by the MEXT. Medium-term goals are prepared by the MEXT and elaborated on the basis of the views of each university (see Figure 4). The duration of the medium-term goals/plan is six years. Subsequently, the budget allocation for the following period will be varied according to the results of an evaluation.

**Figure 4. Evaluation System of National University Corporations**



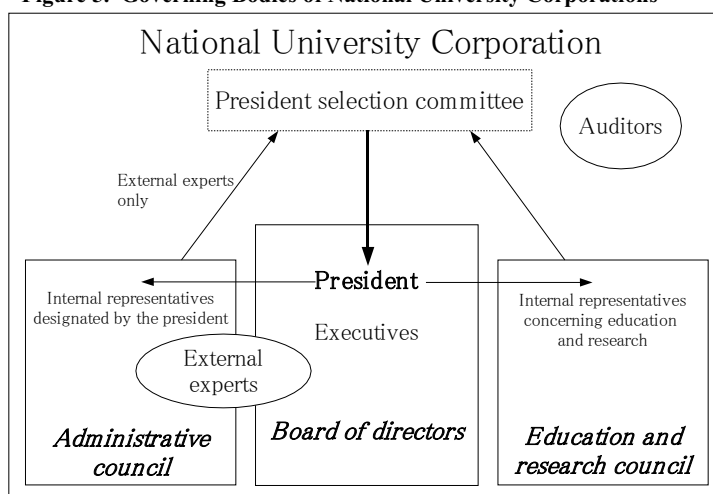
Before approving the medium term goals the Ministry will consult the Evaluation Committee for National University Corporations (hereafter referred to as the “evaluation committee”). With respect to matters essentially related to education and research, the evaluation committee will have received a report from the National Institution for Academic Degrees and University Evaluation (NIAD-UE), in order to respect the specialised nature of the education and research of each university. Even before foundation of the national university corporations, the evaluation committee was set up on 1<sup>st</sup> October 2003. It held its first general meeting on 31 October 2003 and selected Ryoji Noyori (a Nobel laureate in chemistry) as its chairman.

b. **Governance and Management** Each national university corporation has the president of the university and its executives on its governing body. In contrast to the former national universities, where the sole deliberative body was the council, three deliberative bodies are established in each corporation: (1) a board of directors, the highest deliberative body before the final decision by the president; (2) an administrative council (also translated as a “management consultation committee”), to deliberate on important matters concerning the administration of the national university corporation; and (3) an education and research council, to discuss important matters

concerning education and research. The governance is shared by these three organisations. In addition, the structure of the secretariat is now determined at the discretion of each university.

In order to ensure the national universities are accountable and responsive to society, people from outside the university now participate in their management. At least one of the executives — who compose the board of directors — should be a person from outside the university. In addition, not less than half of the total membership of the administrative council should be appointed from outside.

**Figure 5. Governing Bodies of National University Corporations**



*c. Personnel* National university teachers and other staff members are no longer public servants. The non-public servant status was adopted in order to allow the new national university corporations to practise more flexible forms of recruitment, salary structures and other conditions of employment. Differences between the two types are shown in Table 2.

**Table 2. Public Servant Type and Non-public Servant Type**

	<i>Public servant type</i>	<i>Non-public servant type</i>
<i>Guarantee of status</i>	Stipulated by law	Stipulated by rules of employment of each corporation
<i>Rights of labour</i>	Disputes are prohibited.	Disputes are not prohibited.
<i>Recruitment of non-academic staff</i>	Selection among successful candidates in the national public service examination	According to the criteria defined by each corporation
<i>Dual employment, side business, and political activities</i>	Restricted by the National Public Service Law	Stipulated in the employment rules of each corporation
<i>Foreigners</i>	Impossible to appoint them to management positions	Possible to appoint them to management positions
<i>Salaries and working hours</i>	Determined by each corporation	



	<i>Public servant type</i>	<i>Non-public servant type</i>
<i>Medical insurance and pensions</i>	Similar to the national public servants	
<i>Provisions of the penal code such as bribes</i>	Similar to the national public servants	

d. Students' payment Each national university corporation is allowed to raise tuition charges and entrance fees by up to 10% above the levels set by the MEXT. For the fiscal year 2004, the levels identified by the MEXT remained the same as those determined by MEXT in the previous year, 520,800 yen and 282,000 yen respectively. For fiscal 2004, all the national universities left their fees at the same level as those identified by the MEXT.

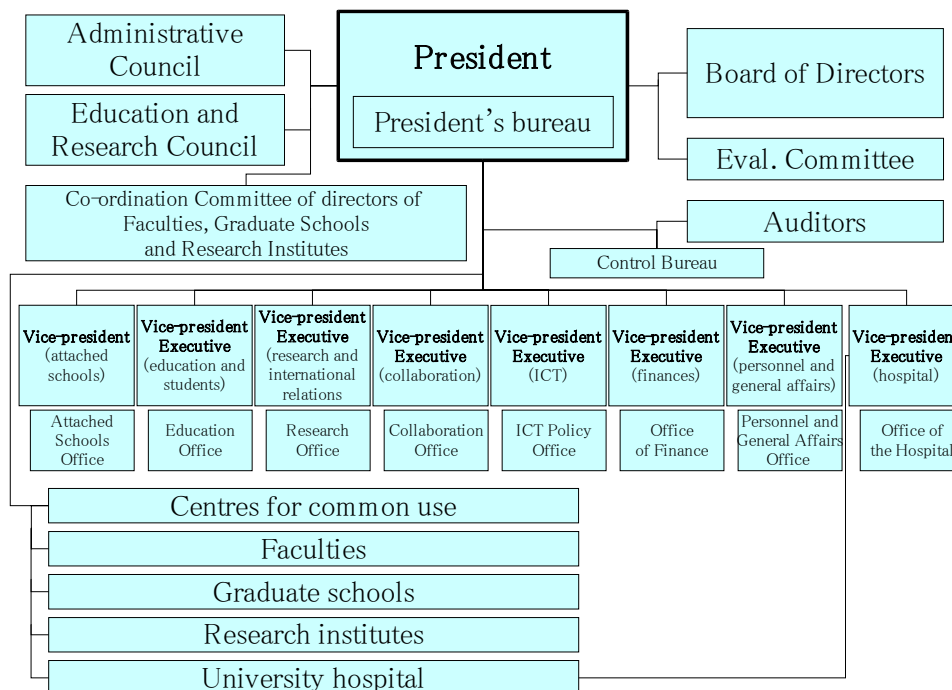
After Incorporation – What Has Happened and What Problems are Identified? The transition process of incorporation was relatively smooth, although preparations for incorporation had not been an easy task for each national university. After incorporation, however, some major problems can be identified in the light of the objectives of incorporation.

a. Financial Stability of the National Universities The 2004 fiscal year budget allocated to the national universities (operational grant) is unchanged from that of fiscal 2003. However, as a result of negotiations between the Ministry of Finance and the MEXT in the winter 2003-2004, it was agreed that the operational grant would subsequently be reduced by 1% each year except for the component provided for faculty members' salaries.

Apart from the operational grant, the major source of income for national universities is tuition fees. In December 2004, the MEXT revised the level of tuition fees for fiscal year 2005, by raising it from 520,800 yen to 535,800 yen. Most universities intend to raise their tuition fees according to the ministerial revision, but a small number of universities envisage maintaining their tuition fees at the level of 2004. If they succeed in doing so, for the first time in their history, tuition fees of the national universities will vary from institution to institution.

All in all, national universities will continue to be in a very precarious financial position. In order to resolve this problem they will need to rationalise their administration and identify additional sources of income.

b. Improvement of the University Governance Previously governance of the national universities was characterised by a dual structure: academic and administrative. In preparation for incorporation, each national university reorganised its administrative structure, more or less centring on the president. For example, Hiroshima University dismantled its secretariat and set up offices under vice-presidents composed of academic and non-academic staff members (Figure 6).

**Figure 6. Organisation of Hiroshima University as of April 2004**

University authorities have tried to centralise and concentrate powers in regard to finance and personnel affairs, in order to assure efficient management. These attempts are now more or less halfway to completion. Their success will depend largely upon the leadership of the president and also upon wide (and positive) participation by constituent members in the decision-making process. In addition, it will necessitate the development of non-academic staff, who have traditionally been supposed to support education and research according to official rules. Now they are expected to improve the university management as well as its education and research activities with knowledge and skills that are much more professionalised.

On the other hand, an excessive concentration on centralised university authority is not desirable. As Birnbaum (1988) has pointed out, shared governance is most often the best solution for university administration. In this sense, the recent abolition by Tohoku University of a process of election for its president, aiming at consolidating the presidential authority, may not result in increased performance.

c. Participation of External People in University Administration As mentioned above, people from outside the universities are now invited to participate in university administration. In particular, not less than half of the total members of the administrative council should be appointed from outside. As an example, the external members of the administrative council of Hiroshima University are listed in Table 3.

**Table 3. External Members of the Administrative Council of Hiroshima University**

<i>Name</i>	<i>Occupation (former)</i>
W. Imanaka	President, Chugoku Newspaper
K. Inai	President, Japan Audio Visual Educational Association (Former Secretary to the Minister of Education)
B. Johnstone	Professor of Higher and Comparative Education, State University of New York at Buffalo (Former President of State University of New York)
M. Ogasawara	President, Board of Education of Hiroshima Prefecture
M. Onami	Special Advisor, Kyoto Tachibana Women's University (Former President of Ritsumeikan University)
T. Shiiki	Lawyer
S. Takasu	Chairman, Chugoku Economic Federation / Chairman of the Board of Directors, Chugoku Electric Power Co. Ltd.
K. Tanabe	Secretary-General, Tokyo Conference for the Collaboration in Chugoku (Former Director-General, Chugoku Bureau of Economy, Trade and Industry (METI Chugoku))

Until now, the contributions of external people to university administration have not been strong, and the way they are to participate still needs much more study so that the national universities may optimise their involvement.

d. The Evaluation Increase in autonomy goes hand in hand with rigorous evaluation. However, evaluation methods have yet to be sufficiently developed, and much more study has to be done. In addition, evaluation practices are very time consuming. Fair and efficient evaluation methods are yet to be identified.

### **A Comparison of University Administration in France and Japan**

*A Comparison between Japanese National Universities (Ex-incorporation and Post-incorporation) and French Universities* In the Japanese national universities, a variety of changes to the system were sought from their incorporation: reinforcement of the presidents' authority, external participation in management, ex-post evaluation by a third party, and enhanced autonomy by conferment of the legal personality. This section presents a comparison of university administration in France and Japan - both pre-incorporation and post-incorporation systems for Japan (Table 4).

**Table 4. Comparison between Japanese National Universities (Ex-incorporation and Post-incorporation) and French Universities**

	<i>Japanese national universities</i>		<i>French universities</i>
	Pre-incorporation	Post-incorporation	
<b>Status</b>	Subsidiary organisation of the Ministry of Education	National university incorporation with legal personality	Public institution ( <i>établissement public</i> ) with legal personality
<b>Staff</b>	Public servants	Non-public servant type employees of the university	Public servants
<b>Staff quota management</b>	Administered by the State	Outside the administration by the State (subject to the budget)	Administered by the State
<b>Selection of the president</b>	Appointed by the Minister of Education based on the selection by the council; Japanese nationality required	Appointed by the Minister of Education based on the proposal by the president selection committee of the corporation; Japanese nationality <u>not</u> required	Elected by the members of the three councils among teachers-researchers ( <i>enseignants-chercheurs</i> ); French nationality required
<b>Boards and councils</b>	A council to deliberate on important matters of administration, composed of important faculty members and presided over by the president; An advisory council to the president composed of external persons	Board of directors, composed of executives including at least one external person; Administrative council, composed of internal representatives and external experts (not less than half of the total members); Education and Research council, composed of faculty members	Three councils (governing board, scientific council, and council for university studies and university life) composed of academic / non-academic staff, students and external persons
<b>Dean/Director of the UFR</b>	Appointed by the Minister of Education based on selection by the president in accordance with the deliberation by the faculty council	Appointed by the president (rules to be decided by each university)	Elected in the UFR council meeting
<b>Faculty/UFR council</b>	Composed of academic staff	No change in the membership, but matters taken into deliberation to be restricted depending on the university	Composed of academic/ non-academic staff, students and external persons
<b>Employment and promotion of teachers</b>	According to the selection by the president based on deliberations of the faculty council	According to the selection by the president based on deliberations of the faculty council, as well as taking the university policies into consideration	Decided by the governing board after selection by a committee of specialists from candidates on the list established by the CNU
<b>Secretary-general</b>	Appointed by the Minister of Education	Appointed by the president	Appointed by the Minister of National Education based on the proposal of the president
<b>Other non-academic directors</b>	Appointed by the Minister of Education	Appointed by the president	Appointed by the Minister of National Education

	<i>Japanese national universities</i>		
<b>Other non-academic staff</b>	Appointed by the president	Appointed by the president	Appointed by the Minister of National Education
<b>Recruitment of new non-academic staff</b>	From the successful candidates in the national public service examination	According to the rules determined by each university	According to the rules determined by the State
<b>Recruitment of vacant posts</b>	(N. A.)	According to the rules determined by each university	According to the rules determined by the State, based on the competitive examination or the aptitude list
<b>Tuition/registration fees</b>	Determined by the State	Determined by the university based on the levels determined by the State	Determined by the State
<b>Goals and plan/Contract</b>	(N. A.)	Six-year MTG/MTP determined/approved by the Minister of Education	Four-year contract between the Ministry and the university, based on the plan determined by the university
<b>Budget allotment (competitive funds excluded)</b>	Through special account for national educational institutions, precisely earmarked	Block grant (operational grant) on the basis of the six-year plan without earmarking, including personnel expenditures	Global allocation for running costs (DFG), allocation by contract (earmarked), personnel expenditures, and others
<b>External institutional evaluation</b>	(N. A.)	Evaluation by the evaluation committee at the end of the MTG/MTP	A periodical evaluation by the CNE in accordance with the contract term is planned.

Note: The comparison shown in the table above focuses on the principal elements concerning governance and excludes some marginal elements (contract employees, for example).

*Comparing the Incorporation of National Universities in Japan and the Contractual Policy in France* In this section, four key points affected by incorporation of the Japanese national universities and the French contractual policy will be examined: issues of governance, the personnel system, the finance and accounting systems, and external institutional evaluation.

Governance Issues Both university systems place councils and boards around the president, all of which are presided over by the president, in order to draw opinions from all sectors of the university community. However, the manner of participation of the stakeholders is not the same. In French universities, participation of non-academic staff and students is institutionally assured, whereas in Japanese universities both parties have been long excluded from deliberative bodies. In Japan, students have been always regarded as objects for teaching, and their learning has been relatively neglected.<sup>12</sup>

As mentioned above, involvement of non-academic staff has led to a dual structure in Japan – academic and administrative – in which the two elements were often conflictual. Incorporation of the Japanese national universities was intended to dissolve this dual structure, thus reinforcing presidential leadership and integrating non-academic staff into top university management. However, it requires thorough rethinking of the role of non-academic staff and their development, neither of which has yet

been achieved. These factors are also essential for an increase in autonomy by which universities should by themselves seek to establish policies and formulate strategic plans responsive to society.

Such a situation seems to be similar to the situation in which French universities are currently placed. Much more autonomy is claimed for the universities (CPU, 2001, for example), and in this context, reinforcement of the effectiveness of the management team is pointed to.<sup>13</sup> In a similar vein, the administrative work is said to be fundamentally changing. Dizambourg (1997) said: "The function of the administrative services of the university was, up to the recent period, to produce administrative proceedings, applications or preliminary proceedings to decisions often taken out of the university, in particular at ministerial level", and then pointed to emergence of new functions requiring competencies such as communication skills, managerial ability, and juridical and administrative competence.

As for deliberative bodies, French councils are larger than Japanese ones, although both systems have the same number of councils. It may be more difficult for the French councils to reach agreements but easier to draw together various opinions on campus. In Japanese universities, they are likely rapidly to reach a consensus and to show strategic vision, but consensus in the councils may lack adhesion across the university. As Birnbaum (2004) has indicated, the effectiveness of universities is not based on efficiency and speed but on reliability and trust; a participatory management style involving the maximum number of people on campus should not be excluded from Japanese university administration.

The Personnel System The staff in Japanese national universities are no longer public civil servants, which gives much more flexibility to university administration. In particular, the staff quota is no longer administered by the State, and each university is able to design a personnel system it deems appropriate. Discretion over the personnel system constitutes one of the key elements of university autonomy. If French universities are to increase substantially their autonomy, they will ineluctably have to rethink the status of the staff and the personnel system, even though the staff, especially the non-academic staff, are much attached to the public function (*fonction publique*) and are very reluctant to accept reforms. Recent decisions on the devolution of authority over non-academic personnel of schools from central to local governments<sup>14</sup> did not include university staff. However, devolution of authority for personnel to universities may be placed on the agenda for discussion on the enhancement of university autonomy in the near future.

The Finance and Accounting Systems Each Japanese national university receives a lump sum (operational grant) to be divided according to the university's priorities, including academic and non-academic staff salaries. This block grant approach enables universities to develop a more efficient resource allocation on campus. In addition, with the abolition of the staff quota, Japanese national universities are now able to implement strategic human resource management within the limit of their

budget. For that, reliability and trust, mentioned earlier, are essential.

In French universities, because staff members are public civil servants, their salaries are directly controlled by the State. This may become a very contentious issue when an increase in university autonomy, including financial autonomy, is considered. In fact, a bill presented to parliament in 2003 to boost university autonomy<sup>15</sup> was withdrawn, in the face of student and staff movements opposing the bill as well as a proposal for a new degree system called *LMD* (bachelor, master, doctor), where they feared that the nature of higher education as a public service might be modified. The bill envisaged allocating more resources to universities as block funds, including, to a certain degree, personnel expenditures.

In addition, the term of the MTG/MTP for the Japanese national universities is six years. The term was determined after taking into consideration the nature of university education and research, for which a stable base was considered essential. In France, contracts are signed for four years, but its prolongation to 5-6 years is currently being studied (Frémont *et al.*, 2004, pp. 120-121).

External Institutional Evaluation Both countries are moving from ex-ante towards ex-post evaluation, both for institutional as well as project-based evaluation, and are putting the emphasis on self-evaluation assisted by external examiners. For Japanese universities, the Evaluation Committee for the National University Corporations has been set up inside the Ministry of Education and is entrusted with a periodical evaluation of all the national universities in accordance with the mid-term goals/plan. The first evaluation is scheduled for 2010, and therefore its effectiveness is still unknown.

In France, the *Comité national d'Évaluation* (CNE), an independent administrative institution, has been active since 1985 (*Décret n° 85-258*). It has implemented institutional evaluations and thematic evaluations, and has suggested various improvement measures. However, its influence has remained marginal both for the central administration and for institutions themselves, mainly because it is located outside the Ministry of National Education, but also because it has been decided that its reports should not be used for budgetary allocation (Musselin, 2001, pp. 107-108). Recently, the CNE has been encouraged to participate in institutional evaluations in accordance with the contract cycle, so that its recommendations may be considered in preparation for the next contract. A report on the contractual policy (Frémont *et al.*, 2004) also recommended a reinforcement of the role of the CNE in evaluation of projects in the contracts.

## **Closing Remarks**

Incorporation of national universities was said to be one of the most significant reforms from the inception of the Japanese modern higher education system in the Meiji era. Various measures for reform had previously been taken, but they were basically implemented within the existing legal framework in which national universities operated. For this reason, the flexible development of education and research was restricted, particularly under the Japanese budget system and national

public service system (Ministry of Education, 2004). The reform was implemented in April 2004, and it is now up to each university to develop its education and research with much less restriction.

As for French universities, the contractual policy has been effective for almost 20 years, if that implemented for research activities is included. In the meantime, university autonomy has been enhanced as Musselin (2001, p. 151) described it: “from the idea of the University to the emergence of universities”, and universities have become more diverse and diversified, which is also an aim of the Japanese incorporation policy. Nowadays, the contractual policy is widely accepted by university people and is regarded as a success, even though further improvement is necessary (Frémont *et al.*, 2004, p. 125).

In the course of study on incorporation of national universities, the Japanese government investigated some foreign higher education systems, including the French contractual policy. It appears that the policy had an influence on the Japanese national university corporation system, especially on the MTG/MTP scheme.

Before incorporation, there were so many restrictions concerning the Japanese national universities, coming from the legal framework upon which the national universities were founded. Now, in many respects, Japanese reform has gone beyond that of the French higher education system, including provision of budget allocations as block funds, a personnel system without staff quota management, and a governance system centred on the president, even though the French system is advancing towards the same goals. If the Japanese reform turns out good (or bad) enough, it may provide some useful information for French higher education.

However, one can also find major differences in university management, such as student and non-academic staff participation. In Europe, participation of students in various decision-making processes is becoming common,<sup>16</sup> including participation at high levels of authority (vice-presidency and governing board). In France, where participation in councils is legally assured, student vice-presidents are found in some universities. A Minister of National Education once proposed that this situation should be generalised with a student vice-presidency in all universities;<sup>17</sup> and under the *LMD* system, students will be able to participate in evaluative activities of the education in each university. Student participation in university management may well draw more attention in Japan both for institutional accountability and student development.

Finally, reform of universities is still in progress in Japan as well as in France. In order to improve the higher education system, even more study is needed in both countries. Since a number of similarities are found between the two settings, both countries will be certainly able to gain much through sharing experiences.



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## Notes

1. This article is partially based on an article, originally published in the *Daigaku Ronshu (Research in Higher Education)* No. 33 in March 2002. Substantial additions have been made to the original text to provide additional information and description reflecting recent developments in both countries.
2. In Japan, there are three sectors of universities : 1) national universities established by the national government (currently national university corporations), 2) public universities established by local government, and 3) private universities established by non-profit educational foundations called *school juristic persons*.
3. In many cases, members of the advisory committee on administration became members of the administrative council of the same university at the time of incorporation.

4. The official appellation of the relevant ministry was “Ministry of Education, Science, Sports and Culture” (“*Monbusho*” in Japanese) until the merger with the Science and Technology Agency in January 2001. The *Monbusho* became then the Ministry of Education, Culture, Sports, Science and Technology (MEXT). In this paper, the Minister in charge of the *Monbusho* or the MEXT is referred to as the “Minister of Education.”
5. In Japan, accreditation (*habilitation*) is not necessary for the contents of academic programmes, and decisions on the selection of teachers are made locally (mostly by the faculty council).
6. Known as Savary Law (*Loi Savary*). Today, most articles of the law have been integrated into the Education Code (*Code de l'Éducation*).
7. University teachers with higher education status.
8. In France, the organisation of ministries is usually modified at the time of cabinet reshuffles, and the name of the ministry responsible for education is not stable. In this article, the term “Ministry of National Education” has been employed to designate the relevant ministry.
9. UFR correspond by and large to Japanese faculties. However, the former are more ramified and smaller than the latter, and provide education from undergraduate to graduate level.
10. They are comprised of an operational grant (*subvention de fonctionnement*) and an investment grant (*subvention d'investissement*).
11. More precisely, each national university was founded by a national university corporation (see below).
12. This can be seen in the underdevelopment of student affairs and professional development of teachers, especially compared with the United States. Support for students has been explicitly codified in the National University Corporation Law.
13. *Discours de Jack Lang, Ministre de l'Éducation nationale, devant la Conférence des Présidents d'Université, le 5 juillet 2001.*
14. *Loi 2004-809 relative aux libertés et responsabilités locales.*
15. *Projet de loi sur l'autonomie des établissements d'enseignement supérieur (de modernisation universitaire).*
16. Scottish universities can be cited as an advanced example.
17. *Discours de Jack Lang, Ministre de l'Éducation nationale, devant la Conférence des Présidents d'Université, le 5 juillet 2001.*

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