

# GOVERNANCE OF HIGHER EDUCATION IN MALAYSIA AND CAMBODIA: RUNNING ON A SIMILAR PATH?

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**Abstract:** *Cambodia and Malaysia are two Southeast Asian countries at dissimilar levels of socio-economic development. Their higher education systems are also on different developmental paths with varying motivations driving their respective development and progress, but the governance of higher education across these two systems has one striking similarity. Both systems see neoliberal principles and ideologies as a means to guide the development and governance of higher education, while the States, to varying degrees, still exert significant control and 'guidance' over the development and institutional governance. This similarity, albeit at varying degrees, can be seen through examining the issues and challenges concerning the governance of higher education in both countries such as reforms in autonomy and accountability as well as the state-university relationship. Beyond recognising this similarity, we argue the need for considering alternative paths of development for higher education in these countries, particularly alternatives that are more suitable and appropriate for the local needs and contexts in each of the two countries.*

**Keywords:** *Governance of higher education, Cambodia, Malaysia, neoliberalism*

## Introduction

Malaysia and Cambodia embraced neoliberalism as an ideology to guide the development of their higher education (HE) systems almost simultaneously. While the more developed state of Malaysia has adopted neoliberalism to catapult the country into an advanced economic phase and takes HE development seriously (reflected in heavier investment in HE, the intensification of privatisation, the commercialisation of services and the adoption of neoliberal practices), the less advanced state of Cambodia adopted this new doctrine for a reactive reason, and thus takes HE development for granted and focuses more on reactive regulation and *ad hoc* interventions.

As a development ideology, neoliberalism promotes values of free market and faith in a lean government and its limited involvement in and protection of the 'self-regulating market' and social spheres. In order to achieve economic development, it is to promote maximization of economic growth, expansion of economic activities, and strategies for rapid, successful integration into the regional and global economies. There is thus a need for endless competition to stay competitive in the global system. The perception of endless competition and the promotion of one's competitiveness

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to improve economic gain also govern action and decision of every individual, and citizenship is understood as the 'homo-economicus, the ideal, entrepreneurial, self-made individual' (see, Fukuyama, 2004; McCarthy and Prudham, 2004; Weber and Duderstadt, 2008). Yet, interestingly, as Chomsky (1999) pointed out, there are varieties in ways in which neoliberal doctrines were introduced.

A general global trend is the increasing adoption and permeation of neoliberal practices and ideologies in higher education and its governance in recent decades, although the state still plays a significant role in the promotion (or lack) of higher education development, in many cases through the adoption or permeation of neoliberal practices and ideologies and/or state-led interventions in many Northeast Asian countries. Five distinctive neoliberal policy shifts in higher education include: the multi-facet retreat of the state (e.g. in terms of funding, service provision and regulation); privatization and promotion of private sector engagement and university entrepreneurialism; promotion of internationalization and international competition; adoption and permeation of neoliberal practices and ideologies into higher education (e.g. promotion of corporate-style managerialism), and a paradigm shift in curriculum focus (i.e. promotion of core sets of subjects facilitating transferability and employability of graduate skills and competencies to meet market-driven demand (see Boden and Nedeve, 2010; Lao, 2015; Locke, Cummings and Fisher, 2011; Mok, 2008; Radice, 2013).

Despite the different motivations of the two States, one striking similarity is that both see neoliberal principles and ideologies as a means to guide their development goals as well as HE governance. This suggests that HE development in both countries is following a similar path dictated by neoliberal cultures and influences, such as new public management (NPM), privatisation and marketisation, and efforts from the state (or a lack of such efforts) in shaping and dominating HE development and governance to achieve neoliberal development and its discourse. Governance is mainly 'shared' between and shaped by the varying relationship among the state, market and academic institutions, with declining academic autonomy and rising academic capitalism, and hence, higher education institutions (HEIs) have been transformed into quasi-corporate entities (see Henkel, 2007). This has given rise to many similar issues and a number of quite distinct challenges in governance, but both States are moving toward achieving a neoliberal end. The aim of this paper is to examine the issues and challenges. Importantly, it considers the possibility of alternative paths of development for these two countries that will ultimately alter how HE will be governed to achieve an alternative development discourse beyond neoliberalism.

### Higher Education Systems of Malaysia and Cambodia

Cambodia and Malaysia are Southeast Asian countries but with vast differences. Cambodia is a homogeneous society, while Malaysia is a multi-ethnic and multi-religious society (see Table 1).

**Table 1: Background Information of Malaysia and Cambodia**

	Cambodia	Malaysia
Population	16 million – 97% Khmer	31 million – Malay, Chinese and Indians in Peninsular Malaysia and 80 ethnic groups in Sabah and Sarawak
Religion	>96% Buddhist	>60% Muslim; others have liberty to practice other religions
World Bank Classification	Lower-middle-income economy	Upper-middle-income economy
Colonial heritage	French; independence in 1953	British; independence in 1957

Source: World Bank, 2018

The Malaysian HE system was established following the formation of the University of Malaya in 1949. Since then HE in Malaysia has enjoyed uninterrupted development, albeit with changes in the societal roles of universities as well as in the relationship between universities and the State. From a single university, the system grew into two main sectors: public and private. The public system currently comprises 20 universities, 33 polytechnics and 91 community colleges, with an enrolment of 672,000 students and 43,271 academics. Conversely, the private system is made up of 70 universities, including 9 foreign branch campuses, 34 university colleges, and 410 colleges, with an enrolment of 485,000 students and 24,476 academics (Ministry of Education, 2015).

The system can be seen as dual since the public and private sectors are governed by different legislation. On the one hand, public universities are federal statutory bodies, which are semi-entities with a certain amount of autonomy but which are under the supervision of the Ministry of Higher Education (MOHE). In addition, they must subscribe to circulars, directives and rules and regulations issued by the Ministry of Finance and the Economic Planning Unit in terms of finance and allocation, by the MOHE and Ministry of Science, Technology and Innovation in terms of research grants, and by the Public Service Department in terms of human resources. They are subject to audit by the National Audit Department, and are indirectly under the influence of the National Higher Education Fund Corporation through the provision of student loans.

On the other hand, private HEIs were established under the Companies Act 1965 and are concurrently governed by the Private Higher Education Institutions Act 1996 (Act 555). The Act enables the Minister to empower the Registrar-General to govern private HEIs, which will be elaborated in the later section. In addition to the Ministry, private HEIs may be subject to rules and regulations imposed by external parties, for instance if they are running franchise programmes. Moreover, as with public universities, their academic programmes require accreditation by the Malaysian Qualifications Agency.

While post-independence Malaysia has been relatively peaceful, with the exception of a bloody racial riot in 1969, Cambodia went through a difficult period of turmoil involving civil war and genocide, lasting from the late 1960s to the early 1990s; about 1.7 million Cambodians were killed during the Khmer Rouge regime alone (from 1975 to 1979). Predictably, HE was in a state of disarray. An entire generation of post-genocidal Cambodians grew up illiterate and most young people lacked basic education when the situation stabilised and order restored in the early 1990s. The entire education system has had to be re-created almost from scratch, with only 50 university lecturers, 207 secondary school teachers and 2,717 primary school teachers reportedly surviving the social and political upheaval (Ross, 1987). After the genocide, HE had to be rebuilt, which occurred with support from the Eastern bloc countries, organising the small number of surviving academics via central planning and utilising dilapidated infrastructures. HE was solely provided by public HEIs between 1979 and 1997, and their governance was in the hands of central Government.

In 1997, responding to an increasing demand for HE, and in light of the Government's inability to expand its supply to absorb high school graduates, HE was privatised. In practice, this meant two things: permission for private providers; and legal/de facto permission for public HEIs to offer fee-paying programmes to earn revenue 'for institutional development' (Un and Sok, 2014). Since then the HE landscape has transformed significantly, especially in terms of quantity. There were only 8 public HEIs and roughly 10,000 students in 1997. In 2017, there were 121 HEIs, of which 48 are public institutions. The gross enrolment rate was 217,840 in 2016. There were 12,916 academics in 2016, a significant number of whom were teaching at more than one HEI, but with only a very tiny fraction holding PhD degrees (Ministry of Education, Youth and Sport (MoEYS), 2017).

Legally, public HEIs can be classified into public administrative institute (PAI). Two key differences between public HEIs and PAIs are: that PAI HEIs, the Cambodian version of 'semi-autonomous' HEIs, with a good degree of financial, personnel and academic autonomy, are 'financial managers', who deal directly with the Ministry of Economy and Finance (MEF) and are governed by its respective sub-decree, thus giving them more autonomy in managing the budget. Public HEIs on the one hand are institutions for which financial arrangements are made via the supervising technical ministry.

Legally, public HEIs are supposed to have less institutional autonomy, although in practice this is not always the case.

Unlike Malaysia, Cambodia is yet to create a law on private HE. In practice, private providers are governed by the same sub-laws covering public HEIs. Stipulations on financial matters are governed by the law on private firms. In terms of academic standards and criteria, they often follow those applicable to public providers, and they are required to be inspected by MoEYS or their respective technical supervising ministry, and accredited by the Accreditation Committee of Cambodia (ACC). Their administrative staff members are often full-time, while a majority of the teaching staff are part-time wage earners, many of whom work full-time at public agencies and HEIs. There are few foreign branch campuses or foreign-owned HEIs. The key shareholders of the providers are big businesses and/or prominent political figures.

### **Governance of Higher Education in Malaysia: Issues and Challenges**

The understanding of HE governance in Malaysia needs to be contextualised in two major strategic documents: the National Higher Education Strategic Plan (NHESP) 2007–2020; and the Malaysia Education Blueprint (Higher Education) 2015–2025. The NHESP was first launched with the aspiration to transform “higher education towards producing human capital with first class mentality and to establish Malaysia as an international hub of higher educational excellence” (MOHE, 2007, p. 12). The focus on governance was to develop instruments to measure the readiness of the governance system of public universities to be given autonomy for self-governance (MOHE, 2011). Based on these instruments, 17 public universities have received this status. The then Minister of Higher Education outlined that the autonomous status would cover institutional, financial, academic and human resource aspects, and explained that universities with autonomous status would not be tied down by government rules and bureaucratic processes (Priya, 2012). However, when the MEBHE was launched in 2015, as a continuation of the NHESP, autonomy was described as giving universities “greater flexibility to terminate courses with low take-up rates, to implement enrolment management, to top-up staff promotion systems from self-generated funds, to increase the age limit for contract staff, and to apply for exemptions from the Ministry of Finance to relax procurement limits and tender procedures” (Ministry of Education, 2015, p. 6-3). Clearly, the autonomy to be granted to the autonomous HEIs had been watered down; autonomy as a concept is still evolving, as underlined by the differences between the point of view articulated by the Minister and the description outlined in the MEBHE.

#### *Neoliberalism and New Public Management*

Over the last two decades, HE has been permeated globally by the influence of neoliberalism. This influence has pushed universities, more obviously public ones, to become more entrepreneurial and market-oriented by emphasising income generation and production for an economic market in terms of students, research and services (Slaughter and Rhoades, 2009). Furthermore, NPM, a particular strand of neoliberalism conceptually derived from the philosophy of neoliberalism that has been a trend globally in public policy, turning the public sector towards a market-oriented management model similar to the private sector (Larbi, 1999), has become a significant part of public universities. The common nomenclatures used in public management, such as efficiency, effectiveness, delivery, flexibility, measurement and outputs (see Besosa, 2007; Larbi, 1999) are manifestation of NPM, and these terms have now become a central part of policy discourse in Malaysian HE (Wan, Morshidi and Dzulkifli, in press). The NHESP and the MEBHE further reaffirmed the influence of NPM and neoliberalism on the Malaysian system. The influence of NPM and neoliberalism has been further cascaded into universities, reflected in the dominance of (Key Performance Indicators) KPIs and a focus on measurables, as opposed to consideration of intangible benefits.

### *Autonomy and Accountability*

One key characteristic of NPM is the emphasis on accountability. In the MEBHE, accountability is a key concept underlying strategies to develop an 'empowered governance' for Malaysian institutions, where the need to balance autonomy with accountability is emphasised. The MEBHE has further stated the need to review existing laws and circulars to enable a transfer of decision rights from the Government to public universities. However, the full transfer of decision rights to universities will only include evaluating the performance of institutional leaders, setting pay schemes (salary designation), and making admission decisions (see MOE, 2015, pp.6-10). Seven other items will see a partial transfer, and the Government is expected to maintain the decision-making rights for monitoring universities and determining the number and profile of students.

However, even prior to the MEBHE, concerns were raised pertaining to the implementation of autonomous status without drastic reforms and changes to existing legislations and frameworks that governed public universities (Fauziah and Ng, 2014). Currently, public universities with autonomy continue to fully abide by all circulars and regulations issued by the Public Service Department and Ministry of Finance. Hence, without significant change to existing legislation and the frameworks that allow universities to exercise their autonomy, the autonomous status may only result in more audits and accountability assessments without real and tangible changes in the direction of autonomy.

### *Focus on the Measurables*

According to the concept of NPM, the operationalisation of accountability typically leads to the use of performance contracts and KPIs (Larbi, 1999). While these two mechanisms may enhance the productivity, efficiency and effectiveness of an organisation in the private sector, the same criteria may not be suitable or applicable in the context of a university. Apart from KPIs, indicators such as key intangible performances (KIPs), which are unmeasurable items, can also be used to evaluate the performance of an organisation. Fundamentally, this poses a key question: Are KPIs and/or KIPs appropriate and suitable to be used in the context of HE and universities? As Cole (2009) argues, the sole use of measurable indicators to illustrate quality is inappropriate, as there are many important elements of a university that cannot be measured. For instance, contribution to society and humanity through education and research may not yield tangible, measurable and instantaneous outcomes.

The focus on measurable indicators did not begin with Malaysian universities. Since the 1960s, academia has been obsessed with measurable indicators (Fischer, Ritchie and Hanspach, 2012; Loyola, Diniz-Filho and Bini, 2012). In the most recent decade a major driver behind the focus on measurable indicators has been the growing importance of global university rankings, which has its roots in and is a legacy of the influence of neoliberalism (see Lynch, 2014). Hence, in addition to the pressure to compete for global university rankings, additional measurable indicators for the local context were added. The Rating System for Malaysian Higher Education Institutions (SETARA) is used to measure the quality and contribution of institutions through metrics and measurable indicators, and the Malaysian Research Assessment Instrument (MyRA) to measure research-specific performance. These measurable indicators have become some of the major mechanisms which the MOHE employs to supervise public universities (Morshidi, Azman and Wan, 2017).

### *Corporate Culture*

The adoption of a corporate and market culture in Malaysian HE has become more explicit. Beginning with a corporatisation exercise in five of the public universities in 1997 (see Lee, 2004), university councils in public universities have been replaced with boards of directors. The emergence and rapid development of private HEIs have also to a large extent underlined the corporate and market influence in HE. Terms such as income generation, efficiency and profitability have become a major part of discourse not only in private institutions but also among public universities. Furthermore, the MEBHE has outlined the adoption of corporate governance as the guiding framework for HE

based on the Malaysian Code on Corporate Governance developed by the Securities Commission of Malaysia and/or the Government-Linked Company (GLC) Transformation Programme Green Book.

The adoption of corporate and market culture into HE has been treated as a rather straightforward and unproblematic process. This has disregarded the fact that universities have had their own traditions and cultures for centuries, whereby for instance, academic cultures and traditions that revolved around collegiality and democracy may be at odds with a managerial, corporate or market culture underpinned by a strong neoliberal ideology.

### *The Role of the State*

Despite the embrace of neoliberalism, the State still takes an active role in HE, albeit one that is more strategic and visionary. The current role, as described in MEBHE, is one of a tight controller, which is described as encompassing the roles of funder, regulator, policymaker, overseer and controller, with additional involvement in the appointment of key leaders. However, it should be noted that the role of the State is slightly different in terms of its relationship with the public and private HE sectors.

With public universities, the State acting through the MOHE, assumes the role of a tight controller. Not only does the State provide funding to public universities for operational and developmental expenditure, but the Minister also has the authority to appoint the Chairman and members of the Board of Directors, the Vice Chancellors and Deputy Vice Chancellors. Through funding and the authority to appoint key leaders, the State enforces very strong and direct control on public universities.

Although the role of the State in private universities is not as controlling as in public universities, there are also elements of tight control. The Minister appoints the Registrar-General who has significant authority over private HEIs, and specifically controls them through licensing. The Registrar-General is empowered by Act 555 to approve the establishment of private institutions and other structural changes including mergers, partnerships and creating new branches, as well as take action to close down institutions or bar them from recruiting students. Importantly, the Registrar-General has authority over the use of languages of instruction and conditions related to academic programmes and requirements.

In terms of the influence of neoliberalism, the role of the State on HE development is significant when it takes an active role to ensure the performance and sustainability of universities, as well as in ensuring the accountability of expenditure of public monies, especially by public institutions. Hence, the influence of this ideology has allowed the State to assume the role of a tight controller.

### **Governance of Higher Education in Cambodia: Issues and Challenges**

HE governance in Cambodia must be understood within the context of the adoption of so-called public-private partnerships and the introduction of PAIs in 1997.

#### *Emergence of Neoliberalism*

Cambodia's HE has felt the impact of neoliberalism too, although in a different way from Malaysia. While Malaysia attempts to adopt corporate culture and permits public HEIs to commercialise their services (including research and innovation) to reduce state funding, Cambodia simply allows HEIs to privatise their services (mainly teaching) to generate revenue for self-improvement. This practice is translated into the purchase of casual teaching services from (non-) civil service casual staff, many of whom are contracted for as short as one semester or one year. Many sign contracts to teach as few as one or two classes per semester. At many HEIs the on-contract staff outnumber the civil servants. This practice of short-term contracting is also seen in private HEIs, which are run like teaching enterprises, but without wider community engagement.

The manifestation of neoliberalism is also seen in *laissez faire* competition in this teaching enterprise. There is little formal state regulation of fees and teaching wages/salaries. The state institutional capacity to supervise and steer HE development is limited. Accreditation and assessment (an inexpensive neoliberal approach to ensure quality and inapplicable to neo-patrimonialism), for example, are well known for their pro forma and lack of rigour in practice. Institutional accreditation is yet to be put into practice, and since its inception in 2003, the ACC, the sole accreditation body, has only managed to accredit foundation year programmes (first year of an undergraduate degree). Internal quality assurance is yet to be carried out with rigour. According to the sub-decree on licencing, once they are licenced, HEIs will be legally permitted to run permanently with no risk of licence revocation, as there is no stipulation on re-licencing and de-licencing, which is a very sensitive issue. The lack of supervision and regulation has produced fertile ground for quality downgrading and cost-cutting to attract students. This has created a 'race to the bottom' in both fees and quality (Ting, 2014).

The emergence of neoliberalism is also reflected in language use in national and sectoral plans and policies, especially since 2000, although there has been no systematic effort to operationalise these neoliberal concepts. Terms like efficiency, effectiveness and result-based planning are frequently seen in plans and policies and are well-used by technocrats and politicians – but ways to measure them are vague or absent. There is no requirement on KPIs or targets/outputs, and neither is there any commitment from the Government to fund HEIs based on these new initiatives. There has been talk of institutional autonomy and accountability in the past decade, but the operationalisation of these notions is sketchy, and there seems to be little will from top political leaders to grant meaningful or full autonomy to public HEIs. A skills mismatch and HE relevance to labour market needs is seen in all key policy documents.<sup>1</sup>

### *Autonomy and Accountability*

Like Malaysia, Cambodia has been talking about institutional autonomy and accountability. However, the State remains reluctant to adopt this neoliberal ideology in its entirety, although perhaps for different reasons. Limited autonomy<sup>2</sup> and accountability is known to be a sticky issue, although variations in the degree of (de facto) autonomy and accountability exist and ad hoc reforms towards these ends have been implemented. In practice, HEIs have considerable substantive (i.e. academic) autonomy in selected areas. They have significant autonomy in curriculum design, research policy formulation, entrance standards, and awarding degrees. Nevertheless, autonomy in staff (i.e. civil servant) appointments, promotion and firing is still centralised and rigid, and full-time staff, who are civil servants, are on the Government payroll and have secure lifetime employment. Like many ASEAN countries, Cambodia is less generous with procedural (i.e. non-academic) autonomy, although both types of autonomy need to be aligned and are complementary (see Berdahl, 1971; Raza, 2010; World Bank, 2012). Financial management and procurement measures in public HEIs have to adhere to ministerial regulations, and line item budgeting is the norm. In principle, budget reallocation is hard and complaints of slow and cumbersome disbursement are fairly common (Un and Sok, 2014; Sok, 2016).

Because of its inability to fully finance HE, the Government has allowed public HEIs to generate revenues. Attempts to legalise this practice have resulted in establishment of some PAI HEIs later. Public HEIs have virtually full autonomy in managing the resources they generate and are allowed to spend their budgets as they see fit. The lack of supervision and oversight has nevertheless led to complaints and concerns about a lack of transparency and accountability in financial management and mismanagement of the self-generated revenues (from both concerned state agencies and university staff). With their budgets, public HEIs can purchase casual services from non-civil servant staff. This has created a de facto dual personnel system. HEIs also use the money to top up the salaries of administrative and management staff, including rectors and board members. It is important to note

that there is no legal basis for such top up exercise. This is why we see different practices across public HEIs in Cambodia.

The issue of ‘incomplete autonomy’ is accompanied by one of ‘incomplete accountability’ (see ADB, 2012; World Bank, 2012). This partial accountability manifests itself in the composition and selection of board members and all levels of university administrators. Governing boards are generally small, with as few as 5 to 7 members (Chan et al., 2008), and are narrow in their stakeholder representation (Un and Sok, 2014; Sok, 2016). Besides one or two staff representatives and the rector, external members are generally high-ranking officials appointed by concerned ministries to represent them on the boards. Voices from other important sectors of the economy and society, such as professional and academic societies, are generally absent. Although there is no golden rule on the best size and composition of governing boards, experiences from more developed HEIs in other parts of the world show that they are staffed with more board members, who come from more diverse spheres and not necessarily from state agencies (Fielden, 2008; Royal Irish Academy, 2012; Sok, 2016). The selection of public university administrators is likewise centralised, with top administrators appointed by the Government ‘for life’, and seniority (and political affiliation/loyalty) coming before competency, in actual practice (Chet, 2006; Ahrens and McNamara, 2013). This top-down recruitment may lead to upward accountability in relation to the Government and the political patron, and undermine downward accountability and transparency in relation to staff, students and wider communities. According to Mak (2008), HEIs still remain ‘partly or wholly within the machinery of the government’.

Ten public HEIs were granted the status of PAI as of 2010 (Touch, Mak and You, 2014). With this status, they were given more autonomy in all areas. The reform enables PAI HEIs to have respective governing boards to which the rector is directly accountable. Although this arrangement theoretically allows for more autonomy and representation, a study by Touch, Mak and You (2014) suggests that the results are mixed at best, with the two institutions they sampled still very much adopting the old top-down governing style. In addition, governing boards, although varying in size and stakeholder composition, are still small and narrow, even though the decree allows PAIs to have up to 11 board members. Some external representatives are career politicians, which is against the spirit of the decree, and there are complaints about junior appointees on the grounds that they have limited knowledge and expertise especially in HE and its management (personal communication, 2015). Administrative and management positions at all levels are still appointed by the Government. The reform does not seem to improve institutional accountability and transparency either, especially towards staff and students, and does not necessarily enable more engagement from staff members in HEI governance. Nor does it allow representatives from non-state spheres in HEI governance.

### *Domination of the Institution by the Top Institutional Leaders*

In the Western tradition universities are supposed to be academic communities, wherein the academics make key decisions and where collegiality rules. In Malaysia the academic enjoyed relative freedom for a few decades until the state attempted to corporatise HEIs in mid-1996. What this new practice means is that the state attempts to empower the top executive(s) and governing board(s) and to reduce the authority of the academics. In Cambodia, it is customary that power lies in a top institutional leader. Virtually complete executive power tends to be in the hands of the rector/director, although consultation with governing boards and other key institutional top administrators exists, especially regarding financial matters. According to a survey of 54 HEIs in 2011, however, there are some signs of a de-concentration of authority to departments or faculties. This is especially the case in academic affairs where no major financial decisions are involved; financial decisions are still more centralised at the university level. Financial authorisation at lower levels is virtually absent or permitted for petty cash at best. Private HEIs are operated mainly in line with the dictates of their main shareholders. The shareholders are generally the dominant figures in governing boards; indeed,

in some private HEIs the main shareholders/owners still act as both the president of the board and the university executive president.

Another sign of institutional domination by the executive(s) is the absence of a standing university faculty senate, a mechanism that can allow academics to engage in HEI management. Such senates, if properly established and nurtured, can play crucial roles in assisting top administrators and governing boards, and can be a good three-way institutional checks-and-balances mechanism too. They can help to create an institutional culture, whereby staff members get involved in institutional management. In Malaysia, for example, University Senates play an important role in managing and advising top administrators about academic affairs, including setting academic standards and faculty recruitment policy (see Sok, 2016). The absence of a standing academic council in Cambodia thus limits the involvement of academic staff in decision-making and reduces them to a teaching corps.

### *Government Domination and Limited Comprehensive Reform*

Since 1997 neoliberalism has begun to seep into Cambodian HE, but the State still has a strong grip over HE and public HEIs and this presents a big challenge for inclusive HE governance. The idea of granting 'greater institutional autonomy' emerged 10 years ago in the second Education Strategic Plan 2006–2010. It was suggested that '[a]ll public higher education institutions [will be] transferred to become Public Administrative Institutions by 2008' (MoEYS, 2006, p. 40). Yet since that time no systematic reform towards 'greater institutional autonomy' has been conducted. The new Minister for Education in 2013 instigated yet another attempt to decentralise HE governance, but not much systematic structural and legal reform has been undertaken to ensure institutional autonomy and accountability. Green lights from the top political leaders for rigorous reforms are apparently absent at best.

Another issue is the chronic fragmentation of HE governance at the system level. The 121 HEIs are under the technical supervision of 16 Ministries, some of which supervise only one or two HEIs. The Supreme National Council for Education was supposed to be established to coordinate education development, but such a permanent coordination mechanism has yet to be established, and systematic cross-ministerial coordination is scarce (Sen and Ros, 2013). The fact that the number of supervising agencies has climbed from 9 in 2006 (UNESCO as cited by Chet, 2009) to 11 in 2008 (Mak, 2008) and 16 in 2017 is alarming. The lack of coordination and cooperation has had negative repercussions on the health of the HE system, but any impetus from top political leaders to create an effective supervisory system is yet to be seen.

Another related issue is the lack of comprehensive and proactive regulation of HE. The 2007 Law on Education has relatively few stipulations regarding HE. In practice, HE is governed by numerous sub-laws ranging from ministerial guidelines/notifications to issue-specific Royal Decrees. A first sub-law on HEIs was passed in 1992, and this is referred to now and then. Spanning a period of 25 years, some stipulations in some sub-laws are out-dated and even conflicting (see Un and Sok, 2014). In addition, the sub-laws are often reactive and issue-specific. Besides, unlike laws and to a lesser extent decrees and sub-decrees, some sub-laws are not binding across ministries, and hence coverage or jurisdiction is limited.

### **Higher Education in Malaysia and Cambodia: Running on a Similar Path?**

This paper does not set out to present a like-for-like comparison of HE governance in Malaysia and Cambodia. Such a comparison would not be meaningful given the different contexts and levels of HE development. However, from exploring the governance issues above, there are more striking similarities than differences. The development of HE in both countries, dictated by the current governance system and structure, is following a similar path towards becoming a quality, world-class, and efficient HE system within the mould prescribed by neoliberalism. Thus, there are significant similarities in terms of the governance issues they are facing. The influences from neoliberalism

include the adoption of NPM, corporate culture and measurables within the HE setting to a varying degree in both countries, with the ultimate goal of answering to economic and privately driven demands.

Since the 2000s the intensification of regional and international integration has forced HE in both countries to be more outward-looking. A successful response to this demand will depend on how far neoliberal governance travels in both countries. The Malaysian government has played a more active role in adapting neoliberalism into HE through its two major strategic documents. Though less active than its Malaysian counterpart, the Cambodian government agreed to implement the first-ever comprehensive HE project intervention driven by the World Bank: the Higher Education Capacity and Quality Improvement Project (HEQCIP) 2010–2017. The language of neoliberalism is clearly evident in this project, especially the focus on results-based planning, effectiveness and efficiency, and autonomy and accountability.

Another similarity is the reluctance of the States to withdraw themselves from the affairs of public HEIs. Even Malaysia, which has a more advanced HE system and stronger state institutions to steer HE from a greater distance, is not willing to grant full rights to public HEIs. The appointment of institutional leaders and governing boards are telling examples. This reluctance can be witnessed in the UUCA and other key legislature on HE, which are generally restrictive and regulatory. The Cambodian state gets even more deeply involved in the affairs of public HEIs. A majority of governing board members are government representatives (ranging from a deputy prime minister to deputy minister), and rectors and vice-rectors are government appointees and generally politically affiliated.

However, there is also a significant degree of divergence. The Malaysian government has attempted, with a degree of success, to reduce the authority of academics in its effort to adopt NPM, to empower the top executives and the governing board, and to empower itself to steer HE development. In a sense, in the face of neoliberalism the State is still reluctant to allow the market force to be the major/sole actor to determine HE development, and thus it has continued to intervene quite extensively, as well as support the subsector financially to ensure that public HEIs contribute to a broader notion of national development and nation building (Morshidi, 2010). In this regard, the Malaysian state shaped its desired development of HE – i.e. towards the promotion of nation building – with a certain amount of success.

In Cambodia, on the other hand, the involvement of the State, especially in steering the development of HE and the provision of public funding to foster HE, is very limited. The intervention is more regulatory and reactive, and meaningful support to HEIs is weak or virtually absent. Public funding to HE is minimal – reportedly at 0.1% of GDP and 10% of the education budget (from the MoEYS) going to HE (Ting, 2014; Un and Sok, 2014). Paradoxically, some PAI HEIs receive virtually no public funding, and many large Phnom-Penh public HEIs get roughly 10–20% of their annual expenditure covered by the government budget (personal communication, 2015–16) and the rest is from self-income generating activities mainly tuition fees. Large-scale project intervention to HE solely funded by the State is non-existent, and the USD 23 million HEQCIP is the first and only large-scale intervention to date provided by the World Bank.

In a sense, the more developmental state of Malaysia has been trying to be ‘proactive and supportive’ as much as it can, especially in order to move HE towards a neoliberal end, but also in maintaining the role of HE to achieve broader national development. Meanwhile the less developed state of Cambodia is struggling as to how to systematically foster HE development, and is divided and apparently non-consensual (cf. Evans, 1995; Migdal, 2001; Myrdal, 1967). In the context of a much less capable state, Cambodian HE is more prone to be shaped or even dominated by its big donors and their agendas and ideologies, and hence more prone to neoliberalism. Systematic building of institutional capacity in state institutions to support HE development has never been taken seriously by the State and the ‘development partners’.

Apart from recognising that HE governance is developing in the same direction, it is equally important to recognise and understand what preceded the current development in both countries. Prior to the adoption of neoliberalism, HE in Cambodia was relatively poorly developed because

of the extended period of conflict and genocide. Universities were not able to function properly, and a majority of academics were persecuted during the Khmer Rouge regime or fled the country afterwards. The fact that only 50 university academics survived the conflict (Ross, 1987) highlights the severity of the situation. Hence, academic culture has been neglected and is to a large extent non-existent. The lack of academic culture (e.g. collegiality, esprit de corps) is illustrated in the lack of research collaboration and culture in universities (Chet, 2006; Kwok et al., 2010; MoEYS, 2015a; MoEYS, 2015b) and the focus solely on teaching. Academics, as an institution, in Cambodia do not have much influence on the development of academic programmes and the direction of HE development more broadly, whereby the development of these programmes was dictated by central Government during the socialist period during 1980s, and since 1990s the State took a more *laissez faire* approach toward HE under the influence of the more liberal economy and market-driven demand facilitated by donors. Therefore, the current development of HE is not built upon a strong foundation that would be provided by an academic culture of excellence. The weak academic culture presents a big challenge to the development of quality HE, as well as to ensuring good governance and intra-institutional collaboration and the promotion of academic engagement in fostering the development of the broader community and society. The absence of academic culture has further been affected by the partial adoption of neoliberal principles, i.e. the privatisation of teaching services, to relieve pressure on the State and because of the limited investment to build a stronger academic culture and HE more broadly.

On the other hand, neoliberal governance in Malaysia has emerged with the State's facilitation of a strong academic culture and research capacity, which universities had enjoyed for quite a long time before 1996. During that period, HE developed without the influence of external factors such as accreditation or quality assurance, as well as a lack of requirements for universities to justify the employability and quality of their graduates. Within this context, the Senate of a university remains a powerful entity in terms of academic matters, with significant participation from the academic fraternity. This becomes the reference to understand the compromises and tensions underlying the changes influenced by neoliberal governance, which have corporatised public universities since 1996 (see Wan and Morshidi, in press). In this context, the promotion of collegiality, encouraging academics to provide their three core services (rather than simply teaching), and empowering academics to get involved in, let alone advance, the development of HE and their respective institutions are a far-fetched dream in Cambodia. While the Malaysian government is aware of the issues and is trying to reconfigure the role of the State in the midst of the global neoliberal trend, in Cambodia the State needs to be brought in entirely yet again.

### **Is There an Alternative Route?**

Despite the significant differences in the local contexts and their respective levels of development and HE, the adaptation and permeation of neoliberalism has led the governance of HE in both countries to run along the same path, whereby academic culture is dying slowly in Malaysia and having difficulty to find a way into existence in Cambodia. Above all, the traditional role of a university, providing curriculum that is locally relevant and beneficial to the community it is supposed to serve and contributes to issues such as the public good, social justice, national identity, civic engagement, and nation building (see Un and Sok, forthcoming), loses weight in favour of the emulation of a world class university in the Western sense. Over the last decade or so the neoliberal model of HE in the West has been challenged in terms of its sustainability. For instance, student debts in the United States have exceeded USD 1.2 trillion, with over 7 million debtors in default (The Economist, 2014). However, at the same time, 76.4% of academics across HEIs in the US were holding adjunct positions, without the job security and benefit of tenured or full time academic posts (Curtis, 2014). In general universities have found themselves in a highly paradoxical situation, as Collini (2012) argues: while more public money has been spent on these institutions, they have become more defensive about their public standing; while numbers of students enrolled increased, there

has been increasing scepticism about the benefits of university education; and while universities are regarded as engines of technological growth and economic prosperity, they are simultaneously labelled as backward, elitist and self-indulgent. Similar underlying challenges facing the current model of HE can be attributed to the influence of ideologies and cultures embedded in the current governance of HE in Malaysia and Cambodia, which adopt 'neoliberalism' as the *modus operandi* and the ultimate measurement of success.

However, the current model is not the only path for universities to take. As the late Sir David Watson, the eminent scholar of HE, mentioned:

I encourage universities looking at strategic options to return to their 'founding' purposes, as reflected in charters, legislation and the like. You will very rarely find 'prestige' as an objective there. Even if such concerns (and the drive for 'world-classness') have more or less overwhelmed today's dialogue. Returning to our roots can help generate a more profound sense of social engagement for a higher education institute (2013, pp. xv–xvi).

In considering alternative paths, it is essential to revisit the idea of a university, particularly in the local context within which an institution is based. Particularly for universities in (less) developing societies, as societal institutions they have a vital role in contributing to the sustainability and relevance of development in the local society and economy. As Wan, Morshidi and Dzulkifli (2015) argued, while the Western model of universities may have served the development of HE in Malaysia well, there is a need for universities to remain relevant and uphold the important mission of contributing towards growth and development, and if necessary, not to confine their thinking to a particular model but to be creative and bold in considering alternative models that meet the needs of Malaysia. This argument is even more important to Cambodia as it begins to rebuild its HE system. The major goals of HE should not only be to prepare the country for regional integration and turn out graduates for the labour market, but also to address the issues of public good, social justice, civic engagement and nation building – i.e. a broader notion of development.

However, if alternative paths are to be considered for the development of HE in both countries, importantly, HE governance should first begin to re-develop its academic culture. Specifically in Cambodia, the absence of sound academic culture in HE governance resembles the process of building a house without a solid foundation. There is generally limited esprit de corps among and within bodies of faculty members and supporting staff, as well as among administrators at all levels. With the tendency to halt the recruitment of civil servants to serve public HEIs and the common practice of hiring short-term casual staff mainly as teaching machines, with no clear career path, little engagement in other university-wide activities and uncompetitive remuneration, there is little hope that Cambodia will be able to build its academic culture and HE in general. In this regard, HE governance can be said to be in a deep crisis and in need of urgent surgery and reformulation. One way of doing this would be to reconfigure the engagement of the academic in order to create an academic culture.

Even in Malaysia, where some form of academic culture is in place, the influx of cultures and ideologies such as neoliberalism, NPM and managerialism, and their endorsement by the State, have eroded academic culture, and therefore a drastic realignment may be necessary before an alternative path can be considered. Ultimately, it is important to recognise that academics and academic culture must remain at the core of HE (Clark, 1998), and HE governance that attempts to downplay academics and academic culture will find that institutions will become organisations that bear the name of a 'university' but which are unrecognisable as such.

## Notes

<sup>1</sup> However, this is not to downplay the fact that in the past few years there has been more consistent effort to operationalise key abstract concepts like autonomy, accountability and more advocacy to adopt performance-based funding.

<sup>2</sup> Institutional autonomy in this section is conceptualised in line with Hayden and Thiep (2007, p. 80), who adapted Berdahl's (1990), Ashby's (1966) and Tight (1992); i.e. it is divided into substantive and procedural autonomy and has six attributes: "freedom to be self-governing; freedom to exercise corporate financial control; freedom to make their own staffing decisions; freedom to select their own students; freedom to decide on their own curriculum; and freedom to assess and certify the academic performance of their own students".

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