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Autonomous University Demands in the Process of the Transformation of Turkey's Higher Education Field

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Abstract

During the restructuring of the higher education systems of the world and Turkey by the neoliberal education policies, the significance of developing a critical social opposition for the universities as institutions embodied the universal social values are autonomous, democratic and in public nature grows progressively. One of the bases for the development of such an opposition is to construct a conceptual and theoretical ground that is alternative to neoliberal discourse and analyze the transformation in higher education field on this ground. This paper discusses the present structure of Turkey's higher education and its direction of change in defense of university autonomy by the use of the method of public policy analysis.

Keywords: Neo-liberalism, public service, university autonomy.

[Turkish]

Türkiye'de Yükseköğretim Alanının Dönüşümü Sürecinde Özerk Üniversite Talebi

Özet

Dünya'da ve Türkiye'de yükseköğretim sistemleri yeni liberal eğitim politikaları aracılığı ile yeniden yapılandırılırken üniversitelerin evrensel toplumsal değerleri bünyesinde barındıran, özerk, demokratik ve kamusal nitelikte kurumlar olmaları yönünde eleştirel bir toplumsal muhalefet geliştirmenin önemi giderek artmaktadır. Bu tarzda bir toplumsal muhalefet geliştirmenin temel dayanaklarından biri yeni liberal söyleme alternatif bir kavramsal ve kuramsal zemin inşa etmek ve bu zemin üzerinden yükseköğretim alanında yaşanan dönüşümü çözümlenektir. Bu çalışmada Türkiye'de yükseköğretim sisteminin mevcut yapısı ve değişme yönü, kamu politikası analizi yöntemi kullanılarak üniversite özerkliği savunusu üzerinden tartışılmıştır.

Anahtar Kelimeler: Yeni liberalizm, kamu hizmeti, üniversite özerkliği,.

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Introduction

While reconstructing public service areas that consist education through “public reform” policies developing within the framework of regulation policies implemented throughout the world in order to find solutions to the ongoing global crisis, this process reflects on the higher education area mainly by commoditization of the knowledge and its usage to support capital accumulation facilities.

In order to help capital gain advantage in the increasing global competition due to structural crisis of capitalism, higher education institutions, those which are expected to undergo research and development facilities that are important cost items, are transformed to a new style “university” with the purpose of producing service in the market conditions and hereby creating their own financial resources. In this process, neoliberal university approach, named as “entrepreneurial university model” in the literature, is especially grounded on fiscal autonomy argument.

Transformation of higher education area by means of neoliberal education policies bring about important discussions in terms of autonomy of the universities. One of the important dimensions of autonomy debates for universities is the issue of social value of the autonomy of universities. In that respect, “from whom” and “how the universities should be autonomous” is an important discussion topic, whereas universities are supposed to be educational and research institutions producing and transferring information in favor of public interest.

It is impossible to think that universities, regarded as institutions that are intended to function in conformity with public interest, are immune from social demand and control. When universities are considered as organizations operating with public resources and governmental budget, we can conclude that individuals producing social resources have governance right on universities. However, aside from the discussions on which social classes carry out “production of social resources”, defining universities only through public interest discourse damages the academic function of universities. Therefore, creating unique types of social control on universities without harming their values creates another problem of the discussions on autonomy of universities.

A further dimension of discussions on autonomy of universities is the aspects of the university autonomy, as perceived, over historical process. According to Savran (2004), the autonomous university concept is considered as an important character for the emergence of progressive political thoughts in universities, starting from second half of 1950’s to 1980 in Turkey. However, as effectiveness of neo-liberal policies was intensified by the anti-democratic applications and regulations against universities after 1980, autonomy of the universities as a whole came into question. During this process, the fiscal autonomy, described as the right to use the resources universities own or transferred from governmental budget in line with public responsibilities of universities, has started to be perceived as the situation where universities are

organized as an enterprise in market conditions and create their own resources, and this kind of approach has damaged academic and institutional autonomy.

Objective and Methodology

In this study, the historical development, current structure and transition period of Turkish higher education system, by focusing on university autonomy, is discussed with the method of public policy analysis within the context of global reconstructing dynamics in higher education. Public policy is a term defining the actions or inactions which governments and public bodies choose to do or not. This term is defined as “sum of oriented activities that several organizations and people follow to solve a problem” and considered as “a model of action which consists of many decisions that expand over the time” by Anderson (1994, 4-8). If public policy is defined as actions and functions that generally done or avoided by public authorities, public policy analysis can be described as analyzing and understanding the activities that public authorities do or avoid with regard to public services.

In this study, the policy documents leading to the transformation of higher education systems in the world and Turkey, and essentially the “Council of Higher Education (CoHE) Draft of Bill” which brings radical changes in higher education field are covered.

In the first section of this study, the historical development of Turkish higher education was summarized with its organizational and legal dimensions. In the second section, neoliberal statements and dynamics that change higher education area were discussed. In the third section, the appearances of change in Turkish higher education were discussed in terms of university autonomy and the last section is allocated for concluding remarks.

Historical Development of Higher Education System in Turkey

Historically, the term of university was first used in Italy and the first institution named as “university” was founded in 1088, which was called as University of Bologna. The modern university emerged in 19th century with a function suitable for industrial capitalism and nation-states as industrial capitalism’s political instrument through the guidance of intellectual studies of German philosophers, from Kant and Fichte to Schleiermacher and Von Humboldt. During this period, while scientists obtained institutional and financial facilities which had never been observed, universities undertook the mission to support “national culture” facilitating the process of “creating citizens” suitable for nation-state approach. In other words, modern universities were emerged and developed as institutions which provide high-level education in order to ensure the financial and ideological reproduction of developing capitalism (Hatiboğlu, 2000; Kwick, 2002; Demirer ve Özbudun, 1999).

In Turkey, the first institution built with a name of university was İstanbul University (1933). In the Ottoman Empire times, the word of “darülfünun” was used as a substitute for the word of “university”. The first idea to establish a *darülfünun* was first suggested in Interim Parliament consisting of 7 members founded in 1845, and in April 1846 Sultan Abdülmecit ordered to found a

darülfünun. The first *darülfünun* started its education with conferences open to public, however later it was shut down. Afterwards, *Darülfünun-u Osmani* (1870), *Darülfünun-u Sultani* (1874), *Darülfünun-u Şahane* (1900), *İstanbul Darülfünunu* (1912) and *Darülfünun-u Osmani* (1919) were established. The regulation of *Darülfünun-u Osmani* dated back to 21st October, 1919 which was considered as an act that embodies the efforts of *İttihak ve Terakki Cemiyeti* (Unity and Progress Party) to modernize *Darülfünun* was the first law text with regard to the universities. By this regulation, the scientific autonomy was mentioned¹ in the law for the first time, and managerial autonomy was partially assured (Tekeli, 1985 ; Hatiboğlu, 2000).

Darülfünun which acquired scientific autonomy through 1919 Regulation obtained “legal personality” in 1924. The budget of *Darülfünun* was converted to “supplementary budget” with the law numbered 493 enacted in 1924, and thus it was separated from the budget of Ministry of Education. In this period, it was considered that *Darülfünun* did not fulfill its duties expected, and two main critiques were directed to *Darülfünun*: *Darülfünun* posed a negative attitude towards revolutions, and it did not publish sufficient scientific papers. Professor Albert Malche who was invited by the government in 1932 to reorganize *Darülfünun* prepared a report (Tekeli, 1985, 663 : Akyüz, 1985, 329).

Darülfünun was abolished by means of a law numbered 2252 and dated 31st May 1933, and the ministry of education was charged to establish *İstanbul University* after 1st August 1933. The autonomy was removed and president of the university became a representative of ministry of education after the University Reform in 1933. A vast clearance was observed in the university in a way that only 59 out of 151 staffs in *Darülfünun* were assigned to the new university. Academic staff in the new University was replenished by appointing people as associate professors without holding a PhD degree and with German and east-European professors who were escaping from Nazi regime (Akyüz, 1985, 329, 330).

In 1946, a new arrangement was made in higher education by enacting the University Law numbered 4936. With this arrangement, universities got their autonomy and legal entity. The duties of universities were indicated in detail. According to this arrangement, universities were considered as “high-level research and education entities with autonomy and legal entity” and will be governed with a supplementary budget. The university in 1946 was autonomous, governed by a supplementary budget and had legal entity and scientific freedom. However, it has brought about some hesitations that ministry of national education had wide authority on universities. The head of interuniversity committee, the highest body in universities, was minister of national education. The signature of the minister was necessary for appointments. With the 1960 amendments, the phrases consisting of the term of “ministry of national education” were removed from the law (Hatiboğlu, 2000).

The position of universities and youth people in universities within the empowering social opposition movements as a result of capitalist developments in Turkey after 1960's, appearance of modern class relations and the effect of world conjuncture motivated hegemonic class to reconsider the university system after

¹ Article 2: *Darülfünun* shall have scientific autonomy.

the 1971 coup. From this perspective, one of the first legal texts to reform society and university was the law numbered 1750 and dated 7 July 1973. The Universities Law numbered 1750 which describes the duties of universities as to educate “intellectuals who has national history conscious, who are devoted to custom and usage and nationalist and who has sound thoughts” established the first Council of Higher Education (CoHE).

Finally, the higher education law numbered 2547 among the first legal regulations after the 1980 coup was the main text specifying Turkish higher education system. The law numbered 2547 which introduced an authoritarian university concept that is against universal university values, that has restricted autonomy, and closed to participation is still in force, despite it has undergone several amendments over time.

Neo-Liberal Thought in Higher Education Area and Dynamics of Global Change

The competition between individual capitals increased after globalization and it became very important to have knowledge and equipment necessary for fast-growing production and movement process due to increasing competition. It became very critical in the competition between capitals to obtain high value-added products both in national and global level, and possess technological superiority for these products. On the other hand, during this process, the situation where people in production and service sectors compete with each other to develop their abilities and expertise raised the importance of knowledge, and as a result, the education system producing systematic knowledge (Ercan, 1998, 48). Higher education institutions are of great importance with regard to producing systematic knowledge applicable in production process.

It has been observed that a set of variables were mentioned such as the increasing importance of knowledge within the framework of global crisis and restructuring dynamics, increasing demand for higher education and necessity to enhance labor qualifications due to increasing international competition, when considering neoliberal literature about the transformation experienced in higher education level in the world.

According to the Strategy Report prepared for The CoHE in 2007 to set up the ground for higher education arrangements performed in Turkey, the transition process to knowledge society in developed countries has begun since the last quarter of twentieth century, and a new global economic structure which is called as knowledge economy was formed. In this new structure, the power of individuals was assessed with their knowledge and level of education, and competition power of the countries was assessed with their human and social capital. This process has caused increased expectations from the universities, and the issue of restructuring higher education system became an emergent debate. On the other hand, due to rapid developments towards globalization, transition to market economies and especially free movement of services, higher education became one of the important agenda articles in United Nations, UNESCO, OECD, EU Commission, World Bank and World Trade Organization (CoHE, 2007, 13).

According to CoHE report (2007), as a result of aforementioned developments, it is necessary to educate more students from a wide range of ages;

to expand programs in order to cover all fast-growing knowledge and new knowledge areas; to head for applications in education to create job prospects for graduates and in research to create knowledge; to contribute more to regional and national development by establishing strong bridges with society; to develop open and transparent governance models accountable to their stakeholders, and to supply all these with gradually relatively decreasing public resources. Hence, universities which are trapped between increasing expectation and relatively decreasing public resources started to search for new opportunities to increase income resources by enhancing their autonomy and to generate more productive management models (CoHE, 2007, 13, 14).

In line with this, according to Aktan (2007, 1), major dynamics leading to changes in higher education area in the world are population growth and increasing demand for higher education owing to the population growth, globalization, information society, development of new technologies, increasing competition and government reforms (contraction and restructuring of government, good governance practices).

Within this systematic which was formed without paying attention to even basic reasoning rules such as causality and context-intention as can be seen from many authors who express rhetoric of change, when mentioning globalization, proliferation of cross-border higher education, academic mobility and increasing competition; when mentioning information society and new main technologies, lifelong education, distance learning, online education, e-learning, topics like interdisciplinary and multidisciplinary education; when mentioning government reforms, diversity in higher education, liberalization, deregulation, accountability responsibility, transparency, decentralization, privatization, transformation to entrepreneur university model from colleagues management model, decreasing public finance absolutely or relatively, promoting private finance; when mentioning increase of competition, diversity in supply of higher education, proliferation of quality, accreditation applications, private universities and corporate universities have become an emergent issue (Aktan, 2007, 2).

The policies that become an emergent issue at global level in the transformation of higher education systems can be addressed as market-oriented applications in service provision, deregulation, liberalization and privatization, board of trustees at the managerial level, entrepreneur model², cooperation with stakeholders and social responsibility, good governance, harmonization of higher education systems and adaptation to quality control (from this point of view, accreditation and standardization systems analyzing inputs and procedures in order to ensure quality in higher education, performance systems analyzing outputs).

Deregulation which is considered as market-oriented applications in higher education is a name given to generate legal-institutional liberalization and is based on the assumption that economic productivity can be increased by accelerating competition in all sectors. As of 1980's, deregulation applications have become widespread in higher education services (Aktan, 2007, 4). Liberalization is about allowing private sector to operate in sectors once determined as public service

² Management of the universities with a focus on quality and cost-efficient provision of customer satisfaction by universities and featuring participation of stakeholders (Aktan, 2007, 15).

areas. Privatization is transfer/sale of properties, once owned by public bodies, to private sector.

Neoliberal dynamics of change in the world are reflected in Turkish higher education system in a way of causing important results on the basis of relations with European Union. For instance, according to the report prepared by European Universities Association (EUA) by analyzing the evaluation reports concerning 17 Turkish universities, which was carried out between 1998-2007 within the context of Institutional Evaluation Program (IEP), it became increasingly important to improve accountability and autonomy of universities, while there has been a paradigm change affecting the role and function of universities for over 30 years in the West Europe. According to Visakorpi et al., the autonomy of universities in Turkey is weak. Universities should be equipped with legal basis suitable for them to progress by creating their institutional profiles³ flexibly (Visakorpi et al, 2008, 18).

Bologna process has a vital role in the process of harmonizing Turkish higher education area with national and international market forces via neo-liberal policies. Bologna process is a development⁴ managed to canalize higher education area to global market in accordance with General Agreement on Trade in Services (GATS) and to make European higher education systems more advantageous in international competition by cumulating them as European Higher Education Area (EHEA).

The Issue of University Autonomy in Turkish Higher Education System in the Context of Neo-Liberal Change

According to the Turkish Language Association dictionary, autonomous refers to have self-governing ability subject to a diverse law, while autonomy refers to the right of a society or organization to govern themselves with unique laws. When considered for universities, according to Lima Declaration, autonomy means “independence of higher education institutions against government and other powers of the society in their interior operations, in taking decisions about their fiscal affairs and management, in generating their own policies in their activities related to education, research and conflicts with outer world”.

Autonomy for universities has three different dimensions: academic autonomy, institutional autonomy and fiscal autonomy. In the World Higher Education Conference organized by UNESCO in 1998, academic autonomy was considered as “the freedom of academic society to fulfill their scientific activities in conformity with ethic rules and international standards, in a context they define without any external intervention (Özipek, 2001).

³ Generation of institutional profile means that companies develop in several areas where they want to be superior in the context of higher education system or international and leads to diversity in higher education.

⁴ With European Higher Education Area, it is aimed to harmonize European higher education system by recognizing diplomas and accreditation applications, to increase student mobility, to create a common European conscious and culture, and to improve competition power in science and technology via cooperation between universities. For Bologna process and regulations related to create European Higher Education Area , see Gümüş, Adnan and Kurul, Nejla (2011) *Üniversitelerde Bologna Süreci Neye Hizmet Ediyor? [For What Bologna Process serve in Universities?]* Ankara: Eğitim-Sen Higher Education Office Publication.

According to Lima Declaration, academic autonomy means “freedom of members of an academic environment in gathering, developing, and dissemination information via examination, discussion, documentation, production, creation, and teaching”. According to this definition, all members of academic environment should have the right to perform their functions without any discrimination, and without any fear of intervention from government or from any kind of source.

According to UNESCO, academic autonomy describes the situations where universities arrange their internal organization, management, and internal distribution of financial resources; earn revenue from non-public sources; employ their own staff; determine their own working conditions and finally become autonomous from external intervention for the freedom in education and research activities (Özipek, 2001). According to the Lima Declaration, “the autonomy of higher education institutions can be achieved by a democratic self-governance with the participation of all members of the academic environment”. All members of the academic environment should have the right and opportunity to participate in the implementation of academic and managerial duties without any discrimination, so that institutional autonomy can be considered. “Autonomy should cover the decisions on determination and performance of policies related to teaching, research, external studies, and usage of resources.”

Fiscal autonomy, considered as the third element of university autonomy, can be regarded as a dimension of institutional autonomy, as can be seen from the aforementioned statement. From this point of view, fiscal autonomy can be regarded as a situation where universities should not be tackled with any intervention while they use public resources allocated to them in line with university needs, except the surveillance and inspection carried out by government in favor of public interest using public procedures and principals.

When referring to the legislation shaping Turkish higher education system within the concept of autonomy discussions, according to the 130th article of the Constitute, “universities, academic staff and their assistants can freely do scientific research and publications. However, this situation does not give the right to engage in activities against presence and independence of the state, and unity and integrity of society and state”. Again, according to the same article, “University management and control bodies and academic staff cannot be dismissed from their duties by any office/authority other than Higher Education Council and authorized bodies of universities”.

As can be seen, the Constitute recognizes university autonomy; however it limits this autonomy to the prohibition of “engagement in activities against presence and independence of the state, and unity and integrity of society and state”. When considering vague wordings in the text and its tendency to criticisms on authoritarian state and society, it is easy to infer that this restriction can easily be used to remove the main objective of this right. As a matter of fact, examples of these kinds of situations have been observed many times.

According to the article 3 of the Higher Education Law numbered 2547, “University is a higher education institution which has academic autonomous and is a legal personality; which carry out teaching and education, academic research, publication and counseling at high level; and which consist of entities and units such as faculty, institute and college”. The statements mentioned related to aims and main principals of higher education in articles 4 and 5 in the same law define

the limits of academic autonomy. When analyzing these aims and principals, many vague and abstract statements which restrict academic autonomy, and reflect an authoritarian state and society can be observed. For example, it is one of the purposes of universities to educate their students as persons “devoted to Atatürk nationalism in line with principals and revolutions of Atatürk”, “who hold national, moral, humanistic, spiritual and cultural values of Turkish nation, and who are happy and proud of being a member of Turkish society”, and “who know their duties and responsibilities to the Republic of Turkey and behave in such a manner”. It is the major principal “to help students to gain service conscious in conformity with Atatürk’s revolutions and principals and Atatürk nationalism”.

With respect to academic autonomy, according to the article 130 of the Constitution, all issues related to organizational and fiscal operations shall be regulated by law. When looking at the related law, the CoHE regulated by the article 6 of the law numbered 2547 is an organization “which administers all higher education, conducts activities of higher education institutions, holds autonomy and a legal public personality within the framework duties and responsibilities granted by this law”. CoHE, as stated in the article 131 of the Constitution and the article 7 of the law numbered 2547, is responsible for planning, implementing and supervising in the areas of all managerial and academic activities in higher education system.

According to the article 6 of the law numbered 2547, CoHE is a body with twenty-one members, seven of each is appointed by the President of Turkey, Cabinet and the Interuniversity Council. Members of the Council are appointed by President by “prioritizing professors who successfully served as a rector (president of the university) and academic staff”; among “distinguished members of high level public servants or retired staff” by Cabinet; and among “professor members who are not the members of the Council” by the Interuniversity Council. The members selected by the Cabinet and Interuniversity Council can be appointed only after the approval of the President, and if new candidates are not assigned in replacement of candidates not approved by the President, then the President has the right to select and appoint those members. The head of the CoHE is also selected and appointed among the members of the Council.

According to the article 11 of the law numbered 2547, the Interuniversity Council, where university presidents are represented, is an academic body functioning within CoHE structure. It fulfills academic functions mentioned in the article 11. According to the article 13 of the same legislation, presidents of public universities are appointed by the President of Turkey among the candidates holding the title of “professor” selected by the university academic staff who meet with the invitation of the existing president. In the election, first six most voted people are selected as candidates. Three candidates selected by the Council of Higher Education are presented to the Presidency. The President of Turkey selects and appoints one of the three candidates. President of the university represents the legal personality of the university and high-tech institute.

Together with the optional “tendency poll”, deans are appointed by CoHE among three faculty academic staff nominated by the university president (m.16). Directors of graduate schools (the Institutions) are appointed by the rector with the suggestion of the dean of the related faculty. For the graduate schools which

are attached to university presidency, this appointment is done directly by the university president (m.19).

It is not possible to mention about institutional autonomy of the universities in the frame of aforementioned summarized CoHE order. It is because in Turkish higher education there is neither “self-regulation which consists of democratic participation of all related academic members” as stated in the Lima Declaration nor “decisions with regard to determining and conducting education, research and external studies, using of resources and other related activities as well as policies”

The approach of İhsan Dođramacı, founding head of CoHE, one of the leading people regarding the CoHE system, is remarkable. According to Dođramacı, universities are financed by the taxes paid by citizens. Hence, the owner of the universities is society. The representative of the society is the state and the government selected. So, governments may be responsible in terms of assigning university administration. The methods applied considering the presence of intermediate entities as central or high board of directors, the appointment of university administrators or appointment of professors and associate professors change from one country to another and these have nothing to do with university autonomy. The basis of all these methods and management systems is that universities should be responsible to the society and function in line with accountability rule. According to, the following suggestions do not have universal characteristics “The universities are not autonomous unless they are administered by the units which they select”, “it is against to the autonomy to have the people who are non-members of the academia in the university administration”. Universities’ self-regulation brings about autarky (Dođramacı, 2007, 7-15).

The ideas which rather appear like “public” in fact point out a set of important problems. In the first place, according to Dođramacı, the state has an impartial characteristic and behaves in favor of common interests of the society. In the second place, ruling political parties which were formed by the principle of selection and representation are accepted as the only legal representatives acting in favor of benefits of the society and any will-power of the society except from the state will-power is not mentioned. As a result of this view, it is entirely up to the political sovereign’s determination to exercise the institutional authority concerning the universities. From a different perspective, Dođramacı referring to the universities funded by the taxes and their responsibility of accounting at the same time is both a defender of privatisation policies of the higher education and an implementer of these policies as could be seen from the Bilkent University case, which is the first non-state, privately owned university.

In Turkey, there have been studies and practices to prepare a new Higher Education law for ages. The most recently, at the beginning of 2013, a new draft bill was prepared by CoHE with a claim of creating an alternative law to the existing higher education order which is framed by the article numbered 2547 of law and it was presented to the Ministry of National Education (MoNE). It was declared that the draft bill to be examined by the ministry and then to be referred to the parliament. The draft bill which is still being arranged is not referred to the parliament yet. However, the content of the draft bill reveals the elements of new neoliberal transformations in Turkish Higher Education.

Having a look at the draft bill, first of all, it is suggested to make changes in the articles numbered 130 and 131 in the Constitution. According to the change which is demanded for the article number 130, “Higher education institutions as well as academic staff can freely conduct research studies and publish works. Executive higher education units as well as academic staff cannot get rusticated by any authorities except from the council’s and higher education institutions’ related staff.” According to the change which is demanded for the article numbered 131, “Turkish Council of Higher Education plans, coordinates, regulates, evaluates and supervises the higher education system; ensures these institutions’ founding, development and effective use of allocated sources and makes plans for training academic staff in accordance with the aims and principles stated in the law.”

As the change in the article numbered 130 implies, definition of scientific autonomy was freed from the ban of “acting against the existence and independence of the government and unity of the nation and the country and indivisibility”. Through the article number 131, it was aimed at establishing “Turkish Council of Higher Education” instead of “Higher Education” and authorities of the council were significantly limited to inspecting and coordinating.

According to the article numbered 3 in the draft bill, “Higher Education is regulated, planned and conducted based on the principles of equality, discrimination ban, academic and scientific freedom, institutional autonomy, diversity, transparency, accountability, participation, collaboration, scientific competition and quality.”

According to the article numbered 5 regarding the academic freedom and security in the draft bill, “every academic staff has the right to teach, to conduct research, to publish and to be involved in academic activities regardless of any political view, religion, sect, belief, nation, colour, sex, choice of dressing and other reasons.” “Executive and inspective units of higher education and academic staff can never get sacked from academia by any authorities except from the council’s and higher education institutions’ related staff.”

In order to create conditions for the academic freedom, it is necessary that faculty has to have security for their jobs and career. The article concerning the ban to discrimination and job related security does not seem to be effective on preventing the discrimination and job security given that it stands out performance criteria and expanding the regulations on short term contracted employment. It is also interesting to note that job security is limited to “executive and inspective units of higher education institutions and academic staff”. In the draft bill, supporting staff are out of the scope.

The article numbered 6 in the draft bill includes the details about establishment and components of Turkish Council of Higher Education. According to this article, it is stated that “Turkish Council of Higher Education was established as a legal personality in order to plan, coordinate, regulate, evaluate and supervise the higher education system, and as autonomous in terms of administrative and fiscal perspective”. The article numbered 7 in the draft bill concerns the details of duties and authorities of CoHE. On taking a closer look at the article, it could be seen that the duties and authorities of the council are in fact beyond inspecting and coordinating.

According to the draft bill, CoHE consists of general board, executive board and presidency. General board consisting of 21 members including the president is the most supreme decision making component. 7 of the members are assigned by the President of Turkey, 7 of them are assigned among the civil servants or professors by the Cabinet, 7 of them are assigned by the Council of University Presidencies among their non-member professors. In the draft bill, as an alternative to the article numbered 7, it is proposed that political parties are entitled to nominate 5 members of the general board and the parliament is entitled to select these people.

According to article numbered 9 in the draft bill, “Executive Board comprise of 9 members, including the president and vice president. 6 members are assigned by the General Board by selecting 2 members from the quotas of Presidency of Turkey, Cabinet and Council of University Presidencies”. According to the article numbered 10 in the draft bill, “President of Turkey assigns the President among the professor members of the board for 4 years. One of the two vice presidents is selected by the General Board and other is selected by the president of the board.” President of the board leads to sub-units of the establishment which have detailed duties.

According to the Council of University Presidencies which is regulated by the article numbered 11 in the draft bill consists of university presidents and acts as an academic unit such as Council of Interuniversity defined in the law of 2547.

According to the article numbered 12 in the draft bill,

“The government can form a council of the universities in accordance with the procedures and principles in the law; the council of the universities consists of 6 professor members three of whom are nominated by the each board of the faculties and selected by the senate; 2 members are selected by the Cabinet, 1 member is selected by the council among the professor members; among these 9 members at least one of them is selected among the external components of the universities, among people who financially support the university or among alumni and consists of 3 members and the president of the university .”

The authorities of board include assigning the president of the university, assigning the deans and directors of the graduate schools, approving the strategies of the university, preparing investment programme of the university as well as draft budget, publicising on behalf of the university, purchasing real estates, deciding to establish limited property right on the properties owned by the university on behalf of third persons with the proposal of university board of directors, identifying the student quota to be recruited, identifying the wages of academic staff who were employed on a short contract, identifying the increase on the student fees determined by the Cabinet and identifying the annual rates of the academic positions for each faculty.

It seems that in terms of autonomy of the universities aforementioned draft bill of CoHE would make the regulations concerning the institutional functioning of the universities worse than the existing CoHE order. It is important to note that authority of the CoHE has been rearranged beyond its usual authority of coordination and supervision. The way of selecting and assigning the chair and members of the council could not be considered as a democratic approach. Rather than components of the universities, the President of Turkey, Cabinet and council of universities assign the members of the council. The chair of the council who is

powerfully entitled is selected by the President of Turkey and the chair administers a massive presidency consisting of many sub-units.

It is stated that for each university, in addition to the council of the faculties and senates of the universities, Cabinet has been also entitled to select the members of the university council; furthermore, it is remarked that among nine members there must be “external stakeholders” of the university who might be the alumni or people who financially support the university. There is also a statement concerns the authority of the Cabinet to select two people among the university components.

The council of the university, which could be conceived as a trustee in a pro-governance approach, is entitled to administer all of the academic, administrative and fiscal functioning of the university. Involvement of the academic staff in functioning of the university is restricted, relative and indirect. It is not possible for the other components of the university such as the students and supporting staff to be involved in functioning of the university, except for the participation of the students to the council meetings as observers.

In the draft bill of CoHE, the higher education law of 2547 which creates a base in privatisation and commercialization of the universities are maintained; moreover, it regulates general conditions of the financial flexibility of the public universities. In the current version of the bill, autonomy could be dealt in the basis of neoliberal financial autonomy.

OECD identifies the autonomy of the universities according to following 8 criteria CoHE, 2007, 21):

1. Possessing the real estate and other equipments
2. Funding through debts
3. Spending the resources independently for its own purposes
4. Identifying the curriculum and the contents
5. Governing the process of recruiting academic staff and making redundant
6. Identifying the wages
7. Identifying the quota of the students
8. Identifying the tuition fees

As is seen, OECD significantly conceives the autonomy of a university from the financial point of view. Five of the articles listed above are directly related to the financial aspects of the university.

In defending the neoliberal transformation of the higher education as Özipek (2001) remarks the meaning of economic dimension of the autonomy refers to the minimum dependency of the universities on the government and political sovereignty. This means that central administration of university funding would be weakened, in other words, the universities would be financially independent. It would restrict the academic freedom if the scientific studies and education are funded by the government. Draft bill of CoHE is grounded in this view of financial autonomy and overly embodies the financial flexibility principles.

Conclusion

Since 1980s, in the light of universal perspective it could be said that the Turkish Higher Education System which was essentially structured by law numbered 2547 has been framed in a way of weakening autonomy of the institutions and restricting academic autonomy.

Today, although the law numbered 2547 frames the higher education in accordance with the neoliberal policies which lead to structural transformations, it is still insufficient to meet the expectations of the sovereignty from the higher education depending on the developments in the World and the level of capital accumulation. Therefore, there are provisions to make fundamental changes in the system as a result of the perception that the higher education must be compatible with the conditions of the capital accumulations and strengthen the power of sovereignty in the new conditions.

The provisions of the restructuring the higher education embody basic elements of neoliberal universities and put aside the idea of fiscal autonomy which implies commercializing in the field of higher education, they hinder the autonomous universities. In that sense, autonomy of the universities which has the potential to facilitate knowledge production in favor of the society and to share that produced knowledge with the society as well as to catalyze collective scientific production through the interactions with the subjects in the society are under threat.

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