

The Reform of Italian University Governance: Small Steps towards a Market-Oriented Model?

Extended abstract

The reform of Italian University governance, resulting from the enforcement of *Law 240* of 30 December 2010 (the so-called *Gelmini Law*), introduces New Public Management principles such as increased market orientation, competitive allocation funding, and a stronger service orientation to the needs of society. However, the Italian governance approach presents path dependency from previous choices, and its reform trajectories have nuances and peculiarities which make it an interesting case study. Adopting the classification framework proposed by Dobbins et al. (2011), - based on Clark's tripartite distinction between State, academia, and market (Clark 1983) - we describe how the Italian Higher Education (henceforth, HE) governance model has been reshaped and modernized by the reform.

The Italian university system was characterized by powerful national academic guilds and the absolute dominance of academics (Clark 1977), and the traditional governance model in Italy was described as oligarchic (Clark 1983). The two collegial bodies, the Academic Senate and Board of Directors, in theory, had a clear separation of functions and powers, but each issue that arose was also scrutinized in some way by the other collegial body. This caused a weak differentiation between the Academic Senate and Board of Directors, causing political wrangling inside the institution rather than a strategic allocation of resources (Battini 2011).

To solve decisional ineffectiveness and inefficiency, the system's centre had to intervene drastically and many elements of the *Law 240* can be seen as a reaction to the bad use of autonomy and to the 'self-referentiality' of the academic community.

Indeed the *Law 240* imposes guidelines and restrictions on Italian state universities notwithstanding the fact that their autonomy is recognized by the Republican Constitution of 1948 (article 33). *Law 240* imposes an organisational uniformity and establishes at the central level a 'standard' for Italian state university governance with six bodies, three of which governing ones.

The three governing bodies are: the Rector, the Academic Senate, and the Board of Directors. The Rector is the executive leader of the institution, continues to be elected from the academic community, and can chair both collegial bodies. *Law 240* revisited thoroughly the decision-making power of collegial bodies to distinguish between the tasks of the Academic Senate and Board of Directors. The Academic Senate is the body of academic representation, all its members being elected within the academic community; while the Board of Directors is, in contrast,

liable for strategic direction and for the financial sustainability of the university, must be composed also by a minimum number of lay members and for its members it is introduced the concept of professionalism, requiring managerial and financial skills. Both collegial bodies have now a dimensional cap.

In the new organisational framework the board and the Rector are responsible for strategic choices, while the Academic Senate looks marginalized, with a mainly advisory role, though with the important power to vote a motion of no confidence over the Rector.

Concerning internal organisation, the law introduces a simplification, creating a single internal structure - the department - though providing for the possibility of a maximum of twelve 'connection structures' to coordinate and rationalize teaching activities and to manage common services. Teaching and research activities, functions previously assigned respectively to faculties (liable for teaching) and departments (liable only for research), are unified in the new department. This simplification derives from the need to overcome the overlapping of competencies between faculties and departments (Carloni 2011), while maintaining unity of teaching and research activities typical of the Humboldtian model.

Although policy makers presented the new legislative framework as an approach to the market models, it preserves historically deep-rooted academic values. Within the set of empirical indicators and ideal-type models proposed by Dobbins et al. (2011), only the funding mechanism is very close to the market-oriented ideal type model, with openness to diversification of incomes. On the contrary, the institutional balance of power, the personnel and the substantive autonomy are still anchored to the tradition of academic self-governance, even if with steps towards the market-oriented model.

Altogether, the Italian HE governance model remains in an intermediary position between the market-oriented and the academic self-governance. The choices of policy-maker were partially determined on the basis of contingent reasons such as resource shortages rather than of real strategic choices of openness to the market. As a consequence, the innovations introduced by *Law 240* stimulate an adaptive behaviour to reduce 'pathologies' and the inefficacy of the system, rather than fostering a real change in HE governance. Moreover university autonomy significantly curbed by the government. Because of the many limitations imposed on university autonomy and a tighter 'command and control' approach, Italian university governance does not abandon the traditional bureaucratic-oligarchic model (Clark 1983) and maintains many features of a State-control model (van Vught 1989).

In summary, Italian university governance preserves historically deep-rooted features, such as resilience to change, slowness in reacting to external pressures and demands of society,

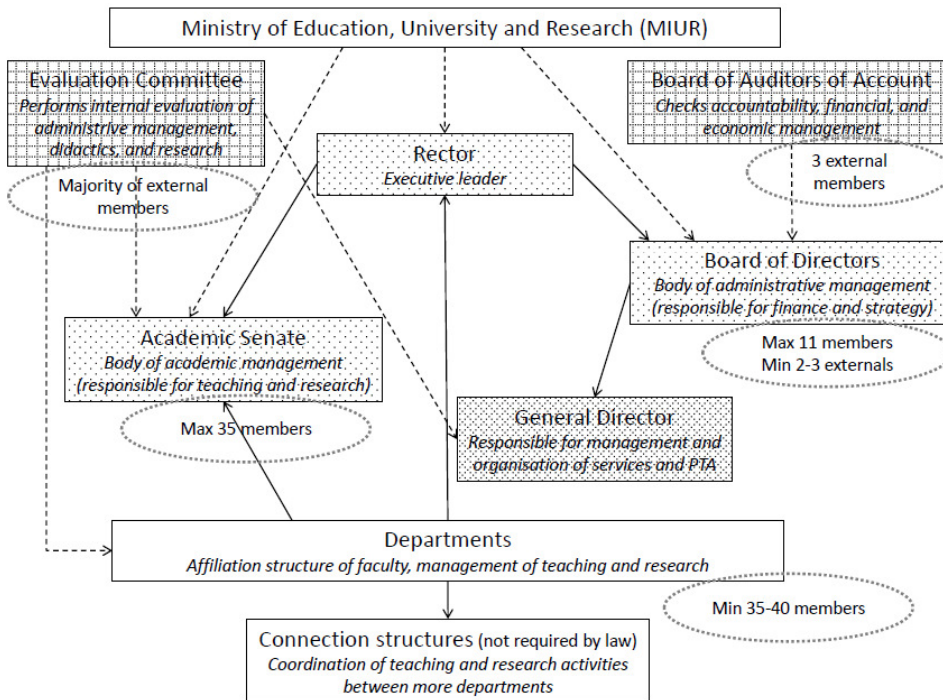
persistence of consensual-distributive decision-making styles, and a culture based on corporative-democratic principles. If the Italian reform attempted to open the system to the market and to introduce NPM principles, *Law 240* did this only partially: there is competition for financial resources, but no real competition for academic staff. Universities are called upon to make strategic choices using inherited practices, dated instruments and rules that represent the ‘democratic-representative’ culture of the past and are not compatible with the age of ‘accountability’. Within an unchanged general framework, institutions are poorly equipped for the task ahead and Italian universities are being asked to compete even though they do not have the tools required to succeed.

References

- Battini, S. (2011). La nuova governance delle università. *Rivista trimestrale di diritto pubblico*, 359-379.
- Carloni, E. (2011). La riforma dell'università. L'organizzazione della didattica e della ricerca. *Giornale di diritto amministrativo*, 366-371.
- Clark, B. (1977). *Academic power in Italy*. Chicago: University of Chicago Press.
- Clark, B. (1983). *The Higher Education System. Academic organization in Cross-national perspective*. Berkeley and Los Angeles, CA: University of California Press.
- Dobbins, M., Knill, C., & Vögtle, E. V. (2011). An analytical framework for the cross-country comparison of higher education governance. *Higher Education* 62(5), 665-683.
- van Vught, F. (Ed.). (1989). *Governmental strategies and innovation in higher education*. London: Jessica Kingsley Publishers.

Figures and Tables

Figure 1: Organization chart of ‘standard’ Italian governance after the ratification of *Law 240*



Legends

