

THE GOVERNANCE IN THE PUBLIC UNIVERSITIES: INCIDENCE OF THE STAKEHOLDERS IN THE LEVELS OF UNIVERSITY MANAGEMENT]

X. Peralta¹

¹*Universidad de Cuenca (ECUADOR)*

Abstract

In recent years the importance of maintaining suitable attachments with the environment and society has been more and more evident for the Ecuadorian Universities. Not just as an income by services, but also as a link that reinforces the fundamental functions of shaping and investigation, promoting trends of different productive sectors. For that reason, it is necessary the existence of a modern, versatile and flexible university, with mechanisms which makes possible the participation of its members, to face troubles.

It is precisely in this context that, this research is focus on, based on the fact that, the current knowledge society, demands that higher education institutions develop as organizational structures aiming on achieving greater and better interaction with their stakeholders (Actors of the public sector, productive sector, university community and society in general), with the aim of ensuring economy, efficiency, effectiveness and quality in the provision of public goods and services and, above all, ensure that the university's government and management, have as purpose and result in the creation and added value, improving the general utility for the higher education community and the benefits for the whole society.

This research focuses on analyzing the management of Ecuadorian Public Universities through the analytical perspective of governance, With the purpose of determining to what extent the current university management model is aligned with a university governance perspective and specifically to evaluate the governance at "Universidad de Cuenca" to diagnose its current situation under the perspective of university governance; because all these aspects and components have been relegated, being among other reasons of this lack of attention and importance, the little scientific tradition of my country, the lack of vision and commitment of the governors, the pressure of the social demand to get register, the lack of a clear concept of what have been done from the University by its Professors and students; and particularly, university management, which has been oriented more on solving immediate problems and not problems that would imply their permanence, strengthening and growth over time.

This research approach is mixed (qualitative and quantitative), and the results of the research target is to determine:

- a) The degree of participation of the actors of public sector, the productive sector, the university community and society in general, in the different levels of the University of Cuenca.
- b) Demonstrate if university management observes certain features of university governance; and,
- c) If the structuring and formality of the processes in the university strategic management are determining factors that condition the effective governance in this University.

Keywords: governance, public universities, stakeholders.

1 INTRODUCTION

The emergence of this new concept of Governance is so imprecise, but has also brought hopes of change and new realities and prospects for renewal to a traditional system characterized by technocratic planning and discouragement of ungovernability.

In recent years, the world has been immersed in profound changes that are impacting on public powers. The multiple changes of the complex, dynamic and uncertain environment, does not admit a single vision, but requires focus on features. Hence the need for traditional, hierarchical and one-sided, centralized systems of democratic representation and the formulation of social objectives to be unprepared to face new challenges which are emerging and requiring new ones in which the achievement of society's expectations have to be articulated through political, economic, social, cultural, etc. objectives, set out in a concept of modern governance as a guide to the interaction between interdependent actors, entails a modification of the relationships between the State and society.

Around the idea of modern governance, assume elements such that to exercise it there are different actors who act independently in the different public spheres; that each actor requires resources and that in turn these actors are developed in this area in an interdependent way for the achievement of goals and objectives; And, as a consequence of this, the government as such is responsible for generating a regulatory framework and promoting the implementation of necessary policies that benefit or not the actors of a state.

Given the political, social and especially educational situation that we are experiencing, the public sector has sought to find new elements, tools and strategies that help to achieve greater effectiveness and consolidate the deteriorating relationship among state - society – education.

It is precisely in the latter, and specifically in higher education, that it has become one of the axes of the economy and the promoters of the greatest changes in the states and Ecuador has not been an exception, since in the last decades lot of undergone important changes have been applied that try and continue trying to transform the Education System, generating a process of profound changes especially in the field of university education, generating transcendental relationships between State and Society in order to be at the forefront of world demands . This series of changes have been presented with greater force since 2008 with Constitutional Mandate No. 14, issued by the National Constituent Assembly on July 22, 2008, which determines that higher education is a system that responds to the public interest Non-profit and grants the State exclusivity in the action, control and regulation of higher education based on the management and public investment tool called "the National Plan for Good Living". It was constituted in an initiative oriented precisely to recover the role director, regulator and supervisor of the State on the institutions of Higher Education; establishing the obligation of the National Evaluation and Accreditation Council (CONEA) to prepare a technical report on the level of institutional performance, in order to guarantee its quality, facilitating its purification and improvement [1], and subsequent to The Organic Law on Higher Education was put into effect in October 2010, structuring a solid scheme governed by the principles of: Responsible Autonomy, Co- government, Equality of opportunities, Quality, Relevance, Integrality and Self-determination [2].

These changes, in addition to their impact on the control and ongoing monitoring of Ecuadorian education, have had implications in the governance of higher education, redefining their management, evaluation, accreditation and quality assurance systems, establishing new rules of interaction, competences and structures in public universities.

From the above mentioned approaches, two key questions arise: In what measure does the university management model implemented in this country align with a university governance perspective; and, governance at the public universities is framed in the perspective of university governance?

In order to provide answers to the questions raised, this first article will cover the theoretical framework, which will be based on research on governance in public universities and the impact of stakeholders on the levels of university management, with the review of secondary sources of Information, mainly academic articles and databases that allow to locate the new challenges of the governance in the context of the innumerable structural changes that undergoes college education, concluding with the approach that the governance in the universities must respond to the changes of structure, operation and organization of the institutions that result from the processes of overcrowding and the differentiation of higher education.

2 THE GOVERNANCE

For Agustí Cerrillo Martínez, governance means a new way of governing more cooperative in which public and non-public institutions, public and private actors participate and cooperate in the formulation and application of public policies. The emergence of governance implies a change in the traditional ways of proceeding on the part of the public powers. Mandatory assignment, hierarchical leadership, and control of political processes are being replaced by new forms of regulation based on negotiation and coordination, and even persuasion, by which public officials try to mobilize a lot of spread political resources between public and private participants.

Governance is now often used to indicate a new way of governing that is different from the hierarchical control model, a more cooperative manner in which state and non-state performers participate in Public-private mixed networks [3].

Governance is taking its place in concept in recent years, because it is conceived as a path of managing power, considering a real transformation of social structures and a displacement of public action.

For Aguilar, **governability** and governance are two conceptual and practical approaches that relate to government action, refer to the problem of governmental capacity or directive of the government and seek their solution, but have a different approach to the problem and offer dissimilarity, although the two approaches are complementary. Governability consists of the possibility or likelihood that the government will govern its society. This author affirms that the capacity to govern is the process of governing with its practices of dialogue and negotiation with the social players. The governance target does not change the traditional mode and pattern of governance to society, which is still thought and justified as being governed by government and structured, and which assumes that economic and civil society can only be the object and destination of Government and the Public Administration, but in no way subject. Governance is then a new management process, a new relationship between government and society, management includes governance, while requiring the action of a capable and effective government. In this sense, governance means the change of process / mode / pattern of government: the transition from a core to a system of government, which requires and activates the resources of public power, markets and social networks. In connection, it is the transition from a centralized hierarchical style to an associated, complementary and interdependent style of government between governmental agencies, private and social organizations. Governance will then imply the ability of the government to combine all elements of economic nature, public finance, foreign interference, and above all, protection and benefit to a democratic society that claims the right to an honest, transparent, vigilant government, fair and respectful of human rights [4].

Aguilar [4] argues that in this contemporary social circumstance, it is called "modern" or "new" governance, strictly speaking, to the process in which the definition of the direction of society, of the ways of organizing to achieve the objectives (solve problems, face challenges, create futures of value) and how the costs and benefits will be distributed can no longer be the exclusive work of a government, considered as the sole or dominant roll, but is the result of joint-interaction deliberation - interdependence-co-production-co-responsibility-partnership among government and private and social organizations, in which government and organizations play changing leaderships with reciprocal links according to the nature of problems and social circumstances.

On the other hand, the concept of governance also has another analytical appeal, since if governance is the set of rules, principles and values that guide the interaction between performers involved in the development of a given public policy, can be understood as an institution, that is, as the set of rules of the game or constrictions conventionally constructed to frame human interaction in a given society and that guide the interaction between individuals and organizations [5].

Prats [5] argues that administration is not an objective in itself, but rather a means to achieve a variety of objectives that are chosen independently by the characters involved and affected. Following Prats [5], "governance refers to the ability of a given society to face positively the threats and opportunities that claim up at a given time" and one of the aspects that will have relevance for this will be governance. The quality of governance is based on the degree of institutional development of authority in a society. As Prats [5] continues, "*a system is governable when it is socio-politically structured in such a way that all strategic actors interrelate and resolve their conflicts according to a system of rules and formal or informal procedures -institutions- within which they formulate their expectations and strategies*".

With the definitions given, it is important to mention that the paradigm shift from the government to the governance must be conceived as an opportunity for the states and the societies, in a horizon in which the agreement must prevail that: the control, the horizontal and Not the vertical, must be understood as

a valuable process for the achievement of a political reconfiguration in search of its effectiveness and efficiency.

Thus, it is a question of finding new scenarios of interdependence and over centered, of communicative connection, of autonomy, of being able to generate the necessary knowledge to moderate an know-how society that works in a reticular and transnational way.

In short, it is necessary to emphasize that governance has now become important, mainly due to the innumerable changes in society, and that the new governance is a strategy to unite the current state with contemporary society, this implies, then, to focus on a Governance, different from the traditional conceptualizations of the state and state-society relationships, marked basically by the following factors like that a new governance has been driven by governments basically incapable of transforming the economy, the expenditure models are politically sensitive and administratively hermetic, which means, economies marked by the notable increase in public spending and the significant drop off in state revenue; the democratic problems associated with the approach of the state to private capital, the impact of globalization on the world market and the different forces that affect it and which have an impact on the national economic policy of the states, the emphasis on failure by states to divide public and private functions of the state and joint mobilization of resources as a way to reduce the specificity of the state in society and indirectly to suggest that states are not as powerful and resourceful as they had expected, the flow of a new public management, with a different conceptualization of the state where there is an increasing interest in governance and the idea of some generic form of social control, the social change that has been generated currently defined in general terms as switching in aspects such as increased social participation, protection and conservation of the environment, gender equality; issues that require a thorough approach to determine their influence on states, the increasing importance of new sources of regional and international (or global) governance, the apparent tension between new forms of political coordination and direction and channels and instruments of political accountability [6].

To conclude this first general approach to governance, it should be mentioned that, while it is true, many factors have printed fundamental changes in states and the world; and each state has assumed different and changing ways of adapting to these changes, which has led governments to seek new mechanisms and instruments that allow them to assume them by becoming increasingly complex management. In this process of trend, states have become more important as to how they are involved in the governance process, and in this sense different styles, principles, concepts and definitions have been used to explain how contemporary governance must be understood and implemented, assuming that it must be conceived as an open process, as a management exercise through which society, being a public society that competes, encompasses, and holds us accountable and must be the result of a joint work of all the players of it.

2.1 Governance and public management

Based on the basic concept of Governance taken from the DRAE in its 22nd EDA, its connotation to read as follows: "Art or a way of governing that aims at achieving sustainable economic, social and institutional development, promoting a healthy balance between the state, the civil society and the market of the economy".

From the foregoing two important points must be made. First, it is distinguished that governance is not equal to govern. The DRAE indicates that the two concepts are not synonyms but are linked. Secondly, it should be noted that the term governance is currently attributed to certain purposes that are assigned to a number of actors, and not just to a government.

These points made in the definitions imply a conception currently changed around the role of governments and what is actually governance. At the level of governments, the term governance has been appropriated in two academic and political domains. In the scenario or political stage, the public administration, international organizations, governments, among other performers, revolved its management mainly around its democratic legitimacy, representativeness and political responsibility, but not to the results that reached the states around social problems. Precisely in this problematic of governmental efficiency is where the concept of governance in the intellectual and political media arises. In this context, in the academic field, the concept of governance was the medium that emerged and served to channel social skepticism about the governance capacities of governments.

However, the use of the term governance has been used in the face of the need to have a critical expression on the nature and results of governments. If governance does not become a problem, the alternative concept of governance that governance represents has no motive to emerge or is irrelevant

[7]. Governance would thus be used to display the transformations and errors of States, as well as to demonstrate the appropriateness of new models of government.

The formation of the concept of governance and its application in the field of public management responds to the emergence of a new social reality characterized by skepticism about the ability of States to meet social demands. Thus, two dimensions of governance can be seen: on the one hand, the effectiveness of the directing instruments of governments, which involves the recognition, acceptance and integration of the complexity of a government as an intrinsic element of political management; Understanding that the management of this complexity implies the existence of different and many actors that incorporate into the political process a multiplicity of goals, objectives and values. On the other hand, the inclusion of society and the market in the resolution of public problems and in decision-making processes implies a system of government through the intervention and participation of diverse characters within the framework of several existing networks in the surroundings.

2.2 Governance and education

It is precisely in the last scenario mentioned in the previous section that education has its role through policies that promote new challenges and current demands, starting from the fact that governance implies not only a role of government managers but a complex interaction between multiple public, private, entities and collective rolls, who fulfill diverse roles and functions. In this context, education is now seen as a great opportunity for states to connect it with the set of services and educational policies that seek to improve the living conditions of citizens and strengthen the role of the State in their respective environments , Through new forms of governance, new goals, through a self-evaluation of performance that aims to determine above all the internal and external efficiency of stakeholders, academic productivity, education contribution to local, regional, national and international development.

However, all these changes and transformations in education are not visible in all its extension, due to the fundamental strengthening of traditional systems of exercising power in the State, the prevalence of administrative management close to the higher dispositions, reigning almost always bureaucracy and management led by practices of general acceptance and already obsolete.

2.3 Governance in college

Today, thanks to all this maelstrom of changes, challenges and advances that will continue to be presented, especially in higher education, there is a need to move to a new approach and vision of governance, where institutions must seek new government structures that connect the university entity with its environment and stakeholders, adding that these structures must be nourished mainly by strong administrative, financial, legal, academic, research and linkage with society components, pillars on the strategies that guarantee institutional sustainability should be defined.

A new model of university governance at this time with a participatory approach, involving the different actors in the environment should not be turned to a corporate model of business, a situation that is of concern to highly developed states or knowledge economies as in societies in development paths that seek to expand and diversify their productive base and to use knowledge more intensively to innovate in economics, politics and culture [8], because the public service of education would lose its essence. What is important, then, is to conceive higher education institutions as entities that must act strategically with their environment (national government, ministries, judiciary and other control bodies, employers and employers, professionals and their collegiate bodies and civil society in general), with its functional units through the adoption of organizational decisions that generate results of high performance and impact, that strengthen the academic quality and that guarantee a management adhered to the requirements of the society in which they develop; with internal stakeholders (managers, academics, students, administrators, workers and other internal stakeholders); with regulations and control; policies, strategies and management mechanisms that allow the institutions to exercise governance.

This new model has had rapid expansion in public higher education institutions. There have also been interesting examples of the rapid expansion of the private university sector, with elite, semi - elitist and massive universities [9]; with the capacity to absorb demands at a lower relative cost than state universities and with similar models of entrepreneurship management and use of management techniques imported from the business sector.

From the point of view of the governance of private universities, the character and purposes of the principal are decisive. It can be the Catholic Church (national or pontifical) or other churches, a religious order, foundations or nonprofit corporations or commercial companies (national or foreign). Usually the

principal conducts through a board or board of directors, an organism to which the executive staff responds to perform an entrepreneurial management function, but sometimes - and not infrequently - has a traditional bureaucratic action. In both cases, there is usually a deficit of collegiality and, consequently, of academic participation and representation [10].

2.4 Governance in ecuadorian public universities

In this article, special attention will be given to governance in public universities; And in this area, Ecuadorian reality has not been a part of the changes that have been presented and continue to present in society, including the known as overcrowded access of the higher education system, the emergence of new interest groups, therefore [11], which is why the Ecuadorian higher education system faces a series of conflicts and tensions with its own national peculiarities that are found especially in public policies and the conduct of institutions of higher education.

Currently, the universities face a growing imbalance between the demand facing the national university system and the response offered in grade and postgraduate [12], we try to talk about greater coverage, growth in research, equality Access, quality education; Linking with the community, continuing education, leaving aside the analysis of university governance; Because all these aspects and components have been relegated, being among other reasons of this lack of attention and importance, the little scientific tradition of my country, the lack of vision and commitment of the rulers, the pressure of social demand for a registration simply, the lack of a clear concept of the duty to be done of the University on the part of its professors and students, and in particular, of the university management, that has focused more on solving the immediate problems and not problems that would imply their permanence, and growth through time.

The most important structural problems in Ecuador's higher education are: the lack of a long-term national strategy on science and technology, based on knowledge of the current and future state of knowledge and experiences in the world; The absence of a national vision on the qualitative and quantitative needs of professionals of the country in the different branches of knowledge to overcome underdevelopment; the low link between primary school, college and university in the training of students, which has made them do not enter in higher education or enter without enough formation, young people who then thicken the ranks of the frustrated and little productive; The idea of many professionals that it is not necessary to update their studies for their whole life; The brain drain for lack of opportunities in a country which has been facing ups and downs development policies [13]. This corroborates what was stated in the preceding paragraph and when talking about education the axes of action are framed in what the constitution establishes, in articles 350 to 357, that determines for higher education these aspects as main: the respective system has as academic and vocational training; the system will be composed of universities and schools of applied sciences; community college and pedagogical institutes; and conservatories of music and arts, duly accredited and evaluated. These institutions, whether public or private, shall not be focus on profits; to the system will be governed by two public bodies, one of administration of the system and the relationship between its different actors with an executive function; And another, technical, accreditation and quality assurance of institutions, careers and programs; universities and polytechnic schools, public and private, will be created by law,.... The technological, technical and pedagogical institutes and conservatories will be created by resolution of the system administrator, the state will recognize to the universities and polytechnic schools academic, administrative, financial and organic autonomy, in accordance with the objectives of the development and the principles established in the Constitution; public higher education will be free to the third level [13].

It is important to note that the above does not even mention concern about the form, relevance, quality, adaptability, innovation of government processes in the performance of public universities, and this can be attributed to an internal perspective of the Public universities there is a lack of synchrony between these and other social actors that guarantees a mutual interaction, for which the analysis of their organizational structures, processes and institutional management itself, are still framed in traditional systems, marked by two optics that seem to contradict but exist. The first is the one that has a rational approach, which seeks to fulfill functions of forecasting, planning, budgeting, execution, control, evaluation, correction, and finally to measure results and allow the accountability demanded by the government. The second is a vision of a link with social actors, and for this they frame their action in an internal structuring, own statutes, regulations, policies and norms of operation, relations and interaction with other individual or collective actors, evaluation systems, control and monitoring.

3 UNIVERSITY GOVERNANCE AND THE IMPACT OF THE STAKEHOLDERS ON THE LEVELS OF UNIVERSITY MANAGEMENT

In order to ensure the achievement of the objectives of higher education [10], universities must be organized and operated, both internally (government and management) and externally (relations with entities and actors). The main elements in this research on governance in public universities will be related to their processes and procedures, structures for decision making, achievement of their goals and objectives, strategic direction, organizational structure and philosophy; and finally the normative framework, laws, regulations and mechanisms used for the generation or creation of value; in the areas of the institution of higher education, which for this research are considered as: institutional, academic, research and linkage with society; and in each of these elements, to evaluate the intervention and participation of external and internal stakeholders or stakeholders starting with his identification of the stakeholders theory that corresponds to Mitchell [17], Freeman [19], Donaldson & Preston [20], McVea & Freeman [21], among others, that will fuel the analysis.

The changes made in Ecuador in the field of education, beginning with the Constitution of the Republic of Ecuador in 2008 and the Organic Law on Higher Education in 2010 [14], should be used to increase the institutionalist of the Control and regulation of the Higher Education System, as well as to improve the management of universities, through the restructuring of their governance, the new model of government should try to collaborate in this work, making public policies in Higher Education possible Economic - financial, as well as management. This incidence, these related changes need to be determined in the research that is currently underway, based on the modern theory briefly presented in this article, with the purpose of finding an aligning mechanism of interests, between the different actors, so that the change in Higher education does not come or depend exclusively on the State, but also on the University and all its stakeholders.

In addition, the general requirements of the environment are expressed explicitly in the external evaluation criteria and in all applicable legislation, and tacitly in the demands of an efficient and committed university management by the community in which they are involved, its students, professors, administrative employees and service workers [18]. These needs and expectations of stakeholders, as well as their satisfaction, are essential in an educational management system, which aims to contribute to the improvement of the capacity of the institution, to provide educational services that guarantee the satisfaction of all stakeholders and comply with the requirements established for the external evaluation by the government agencies responsible for it.

Finally, the adding of stakeholders to university governance and its impact can not be alien to the reality of the universities on 21st Century and should be analyzed as a certain possibility within the framework of a socially responsible behavior of higher education institutions because the presence of representatives of society in the government of the university "will in principle facilitate the enhancement of interdependence and interactivity between the university and society" [15], which without doubt will bring with it multiple benefits to all the actors that interact in this way of governing the university, which in the beginning has been restricted to the existence of the social councils but that certainly must go further in terms of the incorporation of the stakeholders in university government.

4 CONCLUSIONS

A governance structure will be appropriate to the extent that it is aligned with the Institution, its processes, structures, decisions, in order to its needs. In Ecuadorian public universities there is a lack of synchrony between their institutional work and their degree of participation with their internal and external stakeholders, which makes uncertain the future of these institutions where university autonomy reigns and the achievement of its objectives and goals. In this sense, governance is constituted in the middle, in the flexible and versatile tool for the university's own purposes in its essential negotiation process with internal and external interest groups, government authorities willing to support these changes; Entrepreneurs who collaborate to achieve social development; professors with clear goals and above all with vocation of service, researchers committed to contribute to their work to solve problems in society and the country, students with motivation to achieve, values and will to achieve their goals, parents concerned and responsible with their children and with the society, means of communication that work with professionalism; civil society organizations, trade unions and union leaders to defend their interests and work to achieve them, thus seeking a real transformation of higher education institutions.

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