



Universidade de Aveiro
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Departamento de Ciências Sociais, Políticas e do
Território

**SOFIA LUÍSA
RODRIGUES
SERRANO
BRUCKMANN**

**MUDANÇAS NO GOVERNO E GESTÃO DAS
INSTITUIÇÕES DE ENSINO SUPERIOR EM
PORTUGAL**

**CHANGES IN GOVERNANCE AND MANAGEMENT
OF HIGHER EDUCATION INSTITUTIONS IN
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Tese apresentada à Universidade de Aveiro para cumprimento dos requisitos necessários à obtenção do grau de Doutor em Estudos em Ensino Superior, realizada sob a orientação científica da Doutora Teresa Carvalho, Professora Auxiliar, e do Doutor Rui Santiago, Professor Associado com Agregação, do Departamento de Ciências Sociais, Políticas e do Território da Universidade de Aveiro.

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Thesis submitted to the University of Aveiro for fulfillment of the necessary requirements leading to the Doctoral degree in Studies in Higher Education, carried out under the scientific supervision of Doctor Teresa Carvalho, Assistant Professor, and of Doctor Rui Santiago, Associate Professor with Aggregation, of the Department of Social, Political and Territorial Sciences of the University of Aveiro.

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Ao meu pai e à minha mãe.
Ao Martin, à Inês e ao Daniel.

À memória de Rui Santiago

*To my father and my mother.
To Martin, Inês and Daniel.*

In loving memory of Rui Santiago

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palavras-chave

Ensino superior, Nova Gestão Pública, managerialismo, reformas, governação, mudança organizacional.

resumo

Nas últimas quatro décadas, o Ensino Superior sofreu mudanças mais profundas do que aquelas que conheceu nos restantes séculos da sua existência. Tais mudanças enquadram-se no âmbito de reestruturações implementadas no sector público que têm como denominador comum a assunção que o sector privado é mais eficaz e como tal se lhe devem aplicar as práticas de gestão do sector privado. Esta corrente ideológica que pretendia ver aplicados ao sector público os princípios por que se rege o sector privado, defendendo que este era o caminho para tornar as instituições públicas mais eficazes, eficientes e diminuir um excesso de burocratização de que eram acusadas, é conhecida na literatura por Nova Gestão Pública (NGP) e managerialismo.

As reformas que já haviam sido implementadas noutros países tornaram-se uma realidade no Ensino Superior português apenas na primeira década do século XXI, com a publicação da Lei nº 62/2007, de 10 de setembro, que estabelece um novo Regime Jurídico para as Instituições de Ensino Superior (RJIES). Foi esta reforma, enquadrada nos princípios da NGP, que motivou o presente estudo e que se traduziu na publicação dos seis artigos que aqui se compilam e constituem esta tese de doutoramento. Procurou-se dar resposta às seguintes questões de investigação: a) de que forma as IES portuguesas interpretaram e transpuseram para a prática o 'projeto' político e organizacional do RJIES sobre a governação e gestão das instituições? b) o modo como este 'projeto' foi transposto para a prática pode ser caracterizado como uma transformação profunda da governação e da gestão das IES tal como preconizada pelas expectativas políticas contidas na nova Lei? c) a adoção do regime fundacional traduziu-se por transformações mais profundas nas estruturas de governação e gestão das IES, no sentido do seu maior afastamento da burocracia profissional, em comparação com o regime de instituto público?

A análise das estruturas de governo de três universidades fundação (Aveiro, Porto e ISCTE) e de três universidades do regime de instituto público (Coimbra, Minho e Nova de Lisboa), aliada à análise das 26 entrevistas a reitores, presidentes de conselho geral, administradores e diretores de unidades orgânicas permitiu as seguintes conclusões principais: a) não se verificam diferenças substanciais entre universidades fundação e de instituto público que possam estar diretamente relacionadas com a escolha do modelo institucional; b) as universidades não se afastaram completamente da burocracia profissional, co-existindo características deste modelo e do modelo manageralista; c) o modelo híbrido de governação (aqui designado de arquétipo colegial-eficiente) emergente da reforma encontra-se presente quer ao nível das estruturas de governação, quer ao nível do esquema interpretativo que prevalece entre os atores das seis instituições, tendo sido possível caracterizá-lo e demonstrar que características mantêm da burocracia profissional e aquelas que incorporou do modelo manageralista.

keywords

Higher education, New Public Management, managerialism, reforms, governance, organisational change.

abstract

Over the last four decades, Higher Education has changed more than over centuries of existence. Such changes fall within the scope of restructurings implemented in the public sector that have as common denominator the assumption that the private sector is more effective and as such management practices of the private sector should be applied to the public sector. This ideological trend that wanted to see private sector principles applied to the public sector, arguing that this was the path to follow to have more effective and efficient public institutions and to reduce an excess of bureaucratisation they were accused of, is known in literature by New Public Management (NPM) and managerialism.

The reforms that had been implemented in other countries become a reality in Portuguese Higher Education only in the first decade of the 21st century, with Law nr. 62/2007, of 10th September, that establishes a new Legal Framework for Higher Education Institutions (RJIES). This was the reform, within the principles of NPM, that motivated the present study and that resulted in six published papers herewith compiled and that make the core of this doctoral thesis. The following questions were addressed: a) in what way have Portuguese HEIs interpreted and transposed into practice the political and organisational 'project' of RJIES regarding governance and management of institutions? b) can the way this 'project' was transposed into practice be characterised as a deep transformation of HEIs' governance and management such as foreseen by the political expectations of the new law? c) has the adoption of the foundational model resulted in deeper transformations in governance and management structures of HEIs, with institutions moving further away from the professional bureaucracy, when compared to the public institute model?

Analysis of the governance structures of three foundation universities (Aveiro, Porto and ISCTE) and of three universities that remained within the public institute model (Coimbra, Minho and Nova de Lisboa), together with the analysis of 26 interviews to rectors, presidents of general council, administrators and unit directors led to the following conclusions: a) there is no evidence for the existence of substantial differences between foundation universities and public institute universities that may be directly linked to the choice of the institutional model; b) universities did not entirely withdraw from the professional bureaucracy, instead characteristics from this model and from managerialism co-exist; c) the hybrid governance model (hereafter referred to as efficient-collegial) emerging from the reform is to be found both at governance structures level and at the interpretative scheme level prevailing among actors from all six institutions and it was possible to characterise it and to show which characteristics it keeps from the professional bureaucracy and those it incorporated from the managerislist model.

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List of abbreviations

CEO – Chief Executive Officer

EGOS – European Group for Organizational Studies

EFSM – European Financial Stabilisation Mechanism

HE – Higher Education

HEI – Higher Education Institution

IMF – International Monetary Fund

ISCTE-IUL – Lisbon University Institute

NPM – New Public Management

OECD – Organisation for Economic Co-operation and Development

OU – Organisational Unit

RJIES – Regime Jurídico das Instituições de Ensino Superior

SFSF – Security Financial Stabilisation Fund

UA – University of Aveiro

UC – University of Coimbra

UM – University of Minho

UNL – University Nova de Lisboa

UP – University of Porto

Part I – Approach

1. Introduction
2. Institutional change in Higher Education: the Portuguese reform
3. Designing a methodological approach

1. Introduction

Universities are among the oldest institutions in the world, the first to have been created dating back to medieval times (the University of Bologna, the first to have been created, was established in 1088, and in Portugal the oldest university is the University of Coimbra, created in 1290). Nevertheless, even though they have been existing for centuries, we can claim their modernity as they appear in great number only in the 20th century and only from then on can we speak of higher education systems (Magalhães, 2006; Scott, 1997; Trow, 1996). These systems comprise now a great variety of institutions (Huisman, Lepori, Seeber, Frølich, & Scordato, 2015), of public and private scope, some belonging to the university sub-system, and others to the polytechnic sub-system. Their diversity results not only from the sub-system they belong to and their public or private statute. Diversity results also from the way these institutions organise themselves, from their dimension, the diversity of enrolled students, from their geographical location and the environment around them, and from the missions each one of them sets forth to accomplish. In spite of this diversity and the singularity each institution can claim for itself, higher education institutions clearly share some main characteristics (Magalhães, 2006) that make of them, as a whole, institutions that belong to the same institutional field: universities produce and develop knowledge and they share it by teaching it to students.

Unchanged for most of their existence, a few decades ago universities and higher education institutions in general have been subject to severe reforms that completely transformed the higher education scenario. Change started in the after war period and as a consequence of the reconstruction period that followed the war, when the state had to invest more effort as provider of a broader welfare offer and there was more demand for highly qualified professionals, and therefore a growth both in terms of the number of enrolled students as well as an increasing number of higher education institutions (Bauer & Kogan, 2006; Kivinen & Rinne, 1990; Santiago & Carvalho, 2012). But it is in the 1970s and 1980s that the greatest changes started to be introduced in advanced capitalist economies. Besides the increasing number of enrolled students in higher education and the consequent growth of higher education systems, essentially funded by the state (Scott, 1995), a background of financial and economic crisis set the ground for the introduction of government imposed reforms that came to question the traditional university organisational model that had characterised higher education over its long history (Amaral, 2009; Carvalho & Santiago, 2010; Santiago & Carvalho, 2012).

It is fair to claim that these reforms are to be understood in a broader reform trend of the public sector in general, introduced on the ground of a public administration considered to work inefficiently and to be over bureaucratized. Recognised in the literature as new public management (NPM), this expression identifies a reform trend that argues for the use of private sector management practices in the public sector, as the former are considered to be more efficient and

effective, leading to a reduction of expenditure in the public sector, judged as necessary (Ferlie, Ashburner, Fitzgerald, & Pettigrew, 1996; Locke, Cummings, & Fisher, 2011; Magalhães & Santiago, 2011; Mongkol, 2011; Pollitt & Bouckaert, 2000; Reed, Meek, & Jones, 2002). Although we chose to frame the analysis of the Portuguese higher education reform within new public management and managerialism (and these are the expressions that will be mostly used in this thesis), we are aware of further writings and theoretical developments from scholars that opt to claim neo-liberalism as the best concept that helps explain the changes higher education has been experiencing (Ball, 2015a, 2015b).

This general context of change in the public sector came to affect higher education institutions in the European set. Although rhetorically already present, in Portugal, NPM-like changes were first introduced to higher education in 2007, by government decree with Law 62/2007, which sets a new legal framework for Portuguese higher education institutions, known by its acronym RJIES – *Regime Jurídico das Instituições de Ensino Superior*. The reform law of Portuguese higher education is very extensive, considering almost every aspect concerning higher education. From among the many issues it covers, changes introduced at governance level and the new institutional model it introduces stand out as very important changes, raising the hypothesis of a paradigm change.

The set of studies herewith presented resulted from the interest such context arose in understanding the reform introduced by the RJIES and what led to a reform like this one. They therefore aimed at answering questions such as: where does it stand in the context of European higher education? What resulted from the implementation of the law? Did institutions meet the law's expectations in their reorganisation of governance and management structures? Did this reorganisation stand for a new organisational archetype specifically in public universities? And if so, what characterises this new archetype (or archetypes) that resulted from the reform?

In order to address these questions, the research herewith presented considered a set of six Portuguese public universities, in a case study that includes Portuguese universities of two institutional models (the ones set forth by the RJIES): foundational model and public institute model. The governance structures of these universities were analysed, compared and cross-checked against the law. Grounds for the options they took were discussed. Institutional actors' perceptions in management and governance positions have been considered by means of interviews done to university actors in top decision-making positions: rectors, presidents of the general council, administrators and directors of organizational units (faculties, departments and schools). The overall findings were analysed and discussed in the light of institutional theories that help understand and explain organizational change processes.

As such, the main purpose of the set of studies that integrate this thesis has been to analyse how higher education institutions have responded to the RJIES in order to address how deep they promoted transformation of traditional governance and management structures.

Specific aims included:

1. to compare these models in foundation universities and public institutes;

2. to analyse the convergence / divergence degree of these new models with the political expectations of the RJIES;
3. to identify and characterise typologies of the different HEIs governance and management models resulting from the reform. Therefore, to analyse the evolution of the traditional university governance archetype to the expected managerial archetype, and above all to characterise the resulting hybrid archetype.

The research underlying this thesis resulted in three core publications of which the candidate is first author, and three other complementary publications that focus specific aspects around governance reform, and of which the candidate is second author. All six studies are herewith included and constitute this doctoral thesis.

1.1. Thesis structure

The present thesis is structured in two main parts, as described below.

Part I includes an introductory section outlining the research: scope and research questions. A second section presents the state of the art on the research focus. A final section will briefly present methodological aspects about the research herewith presented, focusing on the three papers of which the candidate is first author – methodological aspects of the other three papers are dealt with in the articles themselves.

Part II includes the research studies resulting from the PhD study that have been published or accepted for publication. This part includes a total of six papers: the three first papers constitute the core of the research developed during the PhD studies, of which the candidate is first author; the remaining three papers were published or accepted for publication in co-authorship, where the author of this thesis contributed as second author.

*Paper 1: Bruckmann, S. & Carvalho, T. (2014). The reform process of Portuguese higher education institutions: from collegial to managerial governance. *Tertiary Education and Management*, 20(3), 193-206.*

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*Paper 3: Bruckmann, S. & Carvalho, T. (2017). Understanding change in higher education: an archetypal approach. (accepted for publication in *Higher Education with revisions*).*

Paper 4: Carvalho, T. & Bruckmann, S. (2014). Reforming the Portuguese public sector: a route from health to higher education. In C. Musselin & P. Teixeira (Eds.),

Reforming Higher Education. Public Policy Design and Implementation (pp. 83-102). Dordrecht: Springer.

Paper 5: Diogo, S. & **Bruckmann, S.** (2015). Managing the unmanageable: perceptions on institutional change of a Portuguese university foundation. *Working Papers in Higher Education Studies*, 1(1), 23-46.

Paper 6: Donina, D. & **Bruckmann, S.** (2017). Convergence or divergence in university institutional governance reforms? Comparing Napoleonic states. (Submitted for publication as chapter of the book edited by the Associazione Italiana di Organizzazione Aziendale (Assioa), following presentation at the EGOS conference, Naples, in July 2016).

Paper 1 focuses on how Portuguese universities translated the reform law and reorganised their governance and management structures. It addresses the main question: to what extent were institutions able to introduce more diversity in their organizational models as a consequence of RJIES? This essay, of qualitative nature, addresses the question by comparing the internal governance structures of six Portuguese universities (Aveiro, Porto and ISCTE, as foundation universities, and Coimbra, Minho and Nova de Lisboa, as public institute universities) through document analysis of their internal statutes defining governance and management structures. The study does not leave aside a comparison of the institutional models established by the RJIES, considering for that purpose two sets of comparable universities, one group of three foundational universities and another group of three universities that did not choose to become a foundation.

Considering that one of the results of the 2007 reform of the Portuguese higher education system is a blurring of boundaries between universities and society, paper 2 addresses specifically one of the major changes introduced by the RJIES into the governance models of Portuguese higher education institutions: the introduction of a mandatory presence of external stakeholders in top governing bodies. The research approach considered the analysis of the statutes from the six Portuguese universities above identified and the perceptions of both academics and external stakeholders holding key-governing positions, in order to assess to what extent is the presence of the latter perceived as a necessary and effective change. The study pursued thus a qualitative approach by presenting the results of content analysis of both legal statutes of the six universities, and of the interviews conducted to actors holding key-governing positions at their institution.

Paper 3 considers the Portuguese reform of higher education institutions' governance structures from an archetypal perspective, seeking to assess the extent to which there has been a move from a traditional archetype (herein considered as the professional bureaucratic archetype) to a more managerialist archetype. Based on empirical research showing that organizations tend to be in a hybrid area of archetypal change, the present study explores that hybridism, contributing to a better understanding of where universities stand in between archetypes. For this purpose, the study develops a qualitative approach based on archetypal theory whereby internal university statutes are analysed and perceptions of key actors are considered according to the two

dimensions that together define an archetype: structures and systems (governance and management structures), on one side, and interpretive scheme (set of values hold and shared by organizational actors on their own organization), on the other. This study helps to clarify and characterise the hybrid archetype resulting from reform, herein defined as the efficient-collegiality archetype.

Paper 4 is a comparative study focused on the changes occurred in the health and in the higher education sectors, within a broader context of change in the public sector, based on new public management and managerialism assumptions. Underneath government imposed changes on health and on higher education institutions lie reasons related to the idea that public institutions lack effectiveness and that there is a need for de-bureaucratization. Within this context, the present study aims at understanding how legal reforms intend to change the main characteristics of bureaucratic structures; how these changes are followed by transformations in professional regulation; and whether organizational and professional legal changes are similar in health and in higher education.

Paper 5 analyses the reform of the Portuguese higher education system, based on the case study of a university that chose to become a foundation. Analysis is considered within the context of the economic crisis the country found itself in shortly after and of the political changes it underwent around that period. The study is based on a qualitative approach making use of content analysis of both legal documents providing a better understanding of the change process, and of interviews to key system and institutional actors in order to have their perception on the changes imposed by the law. The paper therefore addresses the following research questions: how are these changes in HE legislation interpreted and lived by academia? How do actors perceive reforms in the sector?

Paper 6 compares and analyses the university institutional governance reforms implemented in Italy and Portugal. The choice for these two countries was based on the common administrative structure they share. Considering that this is a cluster of countries under-researched in comparative higher education studies, the authors set forth to develop a multi-level analysis, first addressing how international concepts have been translated into national laws (the 'Gelmini' reform in Italy and the reform implemented by RJIES in Portugal); secondly assessing how all state universities in both countries implemented these laws by analysing the new statutes established by state universities. The paper approaches the study of these reforms making use of qualitative methodology and framing it theoretically within the concept of organizational allomorphy as the most suited to better explain the current pattern in HE institutional governance reform when compared to both convergence and divergence.

Finally, this thesis ends with the presentation of a general overview of the conclusions resulting from the research developed within the PhD study, discussing its limitations and giving hints for further research that might improve knowledge on organizational change in higher education.

The following section will focus on the whole context that led to reform in higher education and to the specific reform process implemented in Portuguese higher education. Pressures for change in the public sector in general will be discussed as a worldwide trend that has influenced changes in higher education – new public management ideas and principles, as well as a managerialist ideology that managed to convey the idea of the benefits for the adoption of private sector management techniques by the public sector, as a way to turn public sector institutions more efficient and de-bureaucratized.

2. Institutional change in Higher Education: the Portuguese reform

It is undisputable that the public sector and along it the public higher education sub-sector have changed enormously over the last three to four decades. Drivers for change and pressures exerted on higher education systems and institutions are varied and can, in a first instance, be identified with new public management reform narratives that, in opposition to the bureaucratic model, claim for more effectiveness and efficiency, more flexibility at the level of the organizational structures, the benefits of bringing into public institutions private sector management models, contracting-out, markets or 'quasi' markets, accountability and increased decision-making power roles (Carvalho & Santiago, 2010, 2015; Charbonneau, 2012; Diefenbach, 2009; Ferlie, 2010; Magalhães, Veiga, Amaral, Sousa, & Ribeiro, 2013). The public administration being criticized and changed, the bureaucratic model, which is the organizational structure underpinning it, has also been transformed and we can speak of a change from a bureaucratic into a post-bureaucratic rationale (Josserand, Teo, & Clegg, 2006; Sturdy, Wright, & Wylie, 2016; Vie, 2009).

Changes implemented in the public sector and the narratives that contextualise them are of great interest to the set of studies herewith presented, as they deal with change, at institutional level, of public universities. Therefore, and considering the main purposes of the studies that constitute this doctoral thesis (cf. *supra*), the present section of this report will have a first part dealing with the context that made change possible in (Portuguese) higher education (with a focus on change at governance structures level) by giving an account of the various public administration models and narratives used to explain public sector and higher education change: new public management, post-new public management, new governance and post-bureaucracy literature will be on the basis of our discussion.

A second part will be focused on the theories that help understand institutional change, as the level of analysis is placed, in all the studies that constitute the core of this doctoral thesis, on higher education institutions, that is on change within institutions: broadly speaking, institutionalism, and specifically, theories framed by institutionalism, which help reflect on convergence and

divergence issues (Beckert, 2010; DiMaggio & Powell, 1983; Meyer & Rowan, 1977), and discuss, based on the classical definition of Royston Greenwood and Christopher Hinings (1993), the likely emergence of new paradigms and archetypes and what characterises them.

The present section will, therefore, focus on all these aspects, which are considered as essential for a thorough and relevant theoretical and conceptual framework of the subject being discussed here, providing an account of the state of the art in higher education studies concerned with reforms at government level of universities within the public sector.

2.1. Change in higher education: public management reform narratives

It is the main purpose of this thesis to study the reform of the Portuguese higher education system and more specifically the consequences of this reform on the government structures of the six universities selected for analysis. A reform means change, transformation. In order to better understand that change, it is important to understand where did the reform originate from and why: that is, who induced the reform, what were the drivers for change and what is the context that made it possible. Then, while analysing the reform, it is important to know who implemented the reform and how: that is, who has put into practice what was set out in Law 62/2007, what has really changed and whether the law's expectations were met, and how different is the final result from the initial situation before the reform.

We can answer briefly to those questions by saying that the reform of the Portuguese higher education was a government-induced reform with a new law being published (Law 62/2007, known by RJIES), following the results of a report by the OECD (on request of that same government) and similar reform patterns that had already occurred in other OECD countries (Amaral, 2009). The drivers for change are related to a broader context of perception of a public sector with high levels of expenditure that needed to be reduced, public sector services perceived as inefficient and ineffective, and a generalized idea that private sector management models, on the opposite, are more efficient and therefore should be brought into public sector organizations to make them operate in a more 'business-like' way (Diefenbach, 2009). These general principles induced the government to promote changes in higher education institutions' organisation and management models. According to the law and, briefly put, the proposed changes in the government structures were: fewer government boards and, above all, smaller government boards in terms of the number of members who constitute them, which therefore results in less representative boards; concentration of power in single person executive bodies; introduction of mandatory presence of external members in top decision-making boards, changing the collegial balance and introducing accountability; a switch from election as the single selection mode of board members to the introduction of appointment and co-option as possible and sometimes mandatory selection modes,

as well as a change from direct election for single person executive bodies into indirect election by board members instead of by all actors from academia.

The characteristics of the 2007 Portuguese reform will be detailed ahead, but this brief account of them is the cue we need to develop on new public management as the movement or 'menu' of choices to be made that introduced this kind of reforms in the public sector (Diefenbach, 2009; Mongkol, 2011; Santiago, Carvalho, & Cardoso, 2015), and further discuss other narratives dealing with the changes occurring in public administration: bureaucracy vs. post-bureaucracy; new public management vs. post-new public management, governance and network governance (Christensen, 2012; Christensen & Lægreid, 2011; Gay, 2013; Hajnal & Rosta, 2015; Josserand et al., 2006; Paradeise, Reale, Bleiklie, & Ferlie, 2009).

Portugal is a latecomer to new public management like reforms due to its political history (Neave & Amaral, 2012). Only in the early 70s did the country started to expand its higher education system (both in terms of the number of institutions and their diversity, as well as in terms of the number of enrolled students), and only in 1974 did it become a democratic country with the April 1974 revolution overthrowing a dictatorial regime known as 'Estado Novo'. With democracy in place, Portugal aspired to implement a welfare state, providing for social security, health and education of its citizens. As Esping-Andersen sustained the type of administration model underlying the welfare state was the bureaucracy. "The welfare state is also made possible by the rise of modern bureaucracy as a rational, universalist, and efficient form of organization." (Esping-Andersen, 2004, p. 13)

The theoretical support of the welfare state, based on the administrative bureaucracy and on professionalism, refers to the principles upheld by Max Weber (1978) who considered bureaucracy as the ideal answer to the problems arising from the capitalist system. The bureaucratic model is, according to Weber, the prevailing model in modern and western societies, and, namely, it is the model that sustains public administration and the welfare state.

The word *bureaucracy* suggests, however, different as well as contradictory concepts. It becomes therefore necessary to strip the concept of those meanings popularly associated with it, where bureaucracy is identified with inefficient organisations, with excessive use of formalities and paper, as well as with staff members too attached to rules and regulations, which prevents them from providing a service and solve problems with the necessary efficiency and promptness. The concept of *bureaucracy* is therefore thus identified with the dysfunctions of the bureaucratic model and not with the system itself (Coltro, 2006). According to Max Weber's classical definition, however, an organisation based on the bureaucratic model consists precisely on an organisation that aims to ensure efficiency to attain its purposes, relying for that purpose on rational norms and rules that have been written down to help staff members to attain that very same efficiency. The bureaucratic organisation, described by Weber, is, according to the author, the efficient organisation *par excellence*; and none the less the lack of efficiency is precisely the issue it is more criticised for.

We call now on another renowned author, Henry Mintzberg (1979, 1989), to bring to discussion one typology of organization he has defined as professional bureaucracy, as it is the one that applies to the kind of organizations under study: universities. The first definition Mintzberg presents of the professional organisation is a good characterisation of this kind of organisation, emphasising the characteristic that most differentiates it from all others. The author says, not without some humour:

I work in a professional organization, and probably chose to do so initially because it is the one place in the world where you can act as if you were self-employed yet regularly receive a paycheck. (Mintzberg, 1989, p. 173)

This statement from Mintzberg gives an account of the kind of organisation in which professionals (in the case of higher education institutions he is referring to, teaching staff and researchers) have a high degree of autonomy and control over their own work. As the author himself claims, these are “upside-down organizations, where the workers sometimes appear to manage the bosses” (Mintzberg, 1989, p. 173).

Since Weber and Mintzberg first wrote on bureaucracy and professional bureaucracy, much has changed in the world and therefore in the way public sector organizations operate. Organizations face new pressures in a world where the increasing development of technology and the global economy present new challenges (Amaral, 2009; Carvalho & Santiago, 2008; Peters, Marginson, & Murphy, 2009). Criticism to the welfare state and to the bureaucratic model underpinning it increased in a moment (during the 70s and 80s) the Western world was facing various pressures (slowdown in economic growth; rise in unemployment rate; opening-up of economies; and the influence of liberal ideals) and new public management emerges as a mechanism through which reform is promoted (Santiago et al., 2015).

Seen as an international trend or movement with a set of doctrines on public management, perspectives around new public management vary. Some authors put emphasis on issues such as the need for reduction of public expenditure, improvement of efficiency and efficacy in public sector organizations, decentralization, and the adoption of private sector management techniques, seen as more effective to manage an organization (Christensen & Lægreid, 2001; Hood, 1991; Mongkol, 2011; Pollitt & Bouckaert, 2000). Other authors, bring further into the discussion what they consider to be the ultimate goal of new public management policies: the dismantling of the traditional bureaucratic model of organization (Newman, 2001; Santiago et al., 2015) and, at higher education government level, bringing the governance model closer to the managerial model and more distance from the traditional collegial model of decision-making in a university (Burnes, Wend, & Todnem, 2014; Carvalho & Santiago, 2010; Enders, Boer, & Leisyte, 2008).

A concept that is often to be seen in the literature dealing with new public management is that of managerialism. The studies that constitute this thesis make use of both these terms while analysing the reform introduced in Portuguese higher education by Law 62/2007, as one goes hand in hand with the other and it is difficult to differentiate their characteristics, as they come together describing the same phenomenon. We can see managerialism as the ideology underlying

new public management that relates specifically to the perceived benefits of private sector management techniques and practices over those traditionally characteristic of the public sector, as well as the establishment of a management culture, in which the slogan 'give managers the right to manage' is argued for (Diefenbach, 2009; Kapucu, 2006; Santiago & Carvalho, 2012). Issues of effectiveness come therefore along in the same sense as with new public management.

Although we base our study on a theoretical and conceptual framework built around new public management and managerialism, we are aware of the writings that develop on the emergence of post new public management theories to study reforms of the public sector (Christensen, 2012; Cohen, 2016; Ferlie, 2010; Hajnal & Rosta, 2015; Polidano & Hulme, 2001; Pollitt, 2016; Zafra-Gómez, Bolívar, & Muñoz, 2012). Ferlie (2010, p. 78) refers to critics of new public management who stress its 'dysfunctional aspects' and accounts for post new public management developments that do not totally dismiss new public management. Instead those post new public management narratives would bring along softer ideas. The author further introduces the concept of network governance, as one of the post new public management narratives (Newman, 2001). Network governance is a kind of governance that calls upon all actors involved to discuss matters and jointly participate in decision-making. It therefore relies on partnerships between public and private sectors, as well as cross sector partnerships (Ferlie, 2010). Considering the object of study of this thesis, and the changes occurred in Portuguese public universities and the level of the government structures, we could claim that network government is translated by the presence of external stakeholders in important government boards such as the board of trustees, in the case of foundation universities, and the general council, in all of them. Having external members participate in decision-making is a way of meeting network governance in that universities discuss their matters with people from outside their institution and coming from very distinct professional (and business) backgrounds. Further to the discussion on network governance, we call on Salamon (2000) to have his view on new governance as a hybrid: the author argues that the reforms to the public sector have resulted neither as full-privatization nor as full public sector delivery, but rather what he names as new governance. New governance is seen as a hybrid as it brings together (network governance) government, public management and society / business actors, local government representatives, among others, to discuss and take decisions together on public problems. The author considers this approach to public sector problem-solving as necessary, as the reality and problems became more complex, which makes it difficult for the government to solve them on its own. New governance scholars argue for a collaborative way of dealing with public sector problems and purposes.

In a paper by Magalhães, Veiga, Amaral, et al. (2013), focused on the interaction between governance reform and institutional contexts and that intends to analyse 'the impact of governance reforms on the universities autonomy', by taking the case of the Portuguese universities that chose to become foundations, the authors recognize as dominant approaches to governance reforms narratives such as new public management, network governance and new governance. Governance is a concept discussed by the authors and seen as having developed around the 90s

on assumptions of autonomy enhancing efficiency of decision-making processes and greater effectiveness.

Stoker (2006) defines network governance as follows:

Networked governance is a particular framing of collective decision making that is characterized by a trend for a wider range of participants to be seen as legitimate members of the decision-making process in the context of considerable uncertainty and complexity. (Stoker, 2006, p. 41)

The author further adds that it “requires the state to steer society in new ways through the development of complex networks and the rise of more bottom-up approaches to decision making” (Stoker, 2006, p. 41). This requires public managers (and we can include in this group top and middle managers in the higher education context) to work differently, as they now have to consider other actors than themselves and actors from outside academia to participate in internal decision-making processes and to take decisions along with those actors. This is to be seen in present universities government structures through the introduction of external stakeholders in top decision-making boards (Bleiklie, Enders, Lepori, & Musselin, 2011), as referred to above.

Bleiklie et al. (2011) see the emergence of post new public management narratives, such as network governance, as narratives that complement and challenge some of new public management inspired reforms. They name some of these reforms and discuss them within the influence of new public management and network governance narratives, ‘their interplay and sometimes conflicting influence’ (Bleiklie et al., 2011, p. 2): the inclusion of external stakeholders in decision-making boards, and the participation inter- and supra-national actors in higher education.

Just as we have been dealing with narratives on public sector management and on the changes that have been affecting public sector organizations, we have now to focus on the level of the bureaucratic model that underlies, as we have seen, the welfare state model such as it was in place before reforms were imposed and implemented. Reforms imposed on the public sector have indeed affect the bureaucratic way a public organization operates. Most authors refer to a co-existence of characteristics of both bureaucratic model and post-bureaucratic model (again the hybridism) (Clegg, Harris, & Höpfl, 2011; Santiago et al., 2015; Sturdy et al., 2016). These authors claim that rather than considering that there has been an end to previous forms of public administration, and therefore the bureaucratic model underlying it, we can speak of a “more complex and differentiated set of post bureaucratic (or neo-bureaucratic) possibilities that have had the effect of undermining some distinctions previously deemed incontestable [...]” (Clegg et al., 2011, p. 2). Clegg writes about bureaucracies being reconstructed and argues once again for hybridisation processes instead of considering that bureaucracies have been superseded (Clegg, 2011). Society has become more complex and so have problems society and governments have to deal with. This has required of bureaucracies to evolve and adapt but not all their essence, what they really are, has changed into something totally new.

Grey & Garsten (2001) bring into the discussion on post-bureaucracies elements such as trust, empowerment, personal treatment and shared responsibility, which the authors consider are

the ones differentiating post-bureaucracies narratives from the traditional bureaucracy model. The authors further consider post-bureaucracy as a concept that entails a set of organisational changes aiming at eroding or even dismantling bureaucracy. The features these authors relate to post-bureaucracy meet all those above discussed within the post new public management narratives we have been dealing with so far.

Thus the principal features of post-bureaucracy include the reduction of formal levels of hierarchy, an emphasis on flexibility rather than rule-following and the creation of a more permeable boundary between the inside and outside of organizations — as denoted by the increased use of sub-contracting, temporary working and consultants rather than permanent and/or in-house expertise. (Grey & Garsten, 2001, p. 230)

After covering the various narratives that deal with the public sector (and public sector organisation models) and its evolution, we may conclude that there are similarities among them all, or at least complementarities, making it impossible or at least difficult to see where the borderlines between them are. They mostly have to be faced as the result of hybridisation processes and the result is just that: a hybrid that mingles characteristics from old and new. All those theories that frame public sector reforms make it, therefore, possible to assemble a set of ideas and concepts that still let us choose new public management as the theory that enable us to discuss and understand the reform we are concerned with. We may however make use of the term 'neo-liberalism' (Ball, 2015a, 2015b; Magalhães, Veiga, Ribeiro, & Amaral, 2013) to join all those theories under a single concept that will apply to the reforms of public sector institutions. Even if it is acknowledged that there is a theoretical, and even ideological, discussion around the concept of neo-liberalism (Krugman, 2009; Ong, 2006; Stiglitz, 2007) it is here assumed as a set of incoherent and unstable practices organised around the idea of 'market' as the basis of social relations (Ball, 2016; Shamir, 2008). According to Ball (2016) neo-liberalism makes use of three major, highly interrelated and interdependent components or technologies: Market, Management and Performance. In the author eyes these technologies change academics subjectivities. As he mentions when referring to his own experience:

I was a child of Beveridge, of the British post-War welfare state, of free milk and orange juice, of NHS dentistry. I am now a neo-liberal academic working for a global HE brand, ranked in international comparison sites for performance-related pay. Increasingly, in relation to this shift and the life I lead, I am, as Judith Butler puts it, 'other to myself precisely at the place where I expect to be myself' (Butler, 2004). (Ball, 2015b, p. 258)

Ball refers to some of the main consequences brought to higher education by reform theories whose main change principles translate in concepts such as 'accountability', 'league tables and rankings', 'performance-related pay', 'student fees' and students seen as clients, among others (Ball, 2015b, p. 258).

Even though all of our work herewith presented focus on new public management as the theoretical and conceptual framework that explains the drivers for change in the public sector in general and in higher education, in particular, we agree with Ball that the entire reform process

higher education has been subject to (and still is) fits perfectly within the framework of neo-liberalisation and neo-liberal policies imposed on public higher education.

2.1.1. Portuguese higher education reform

The RJIES is the policy instrument through which new public management-based reform is implemented in Portuguese higher education institutions. The changes it brought to public higher education institutions are many and varied, but we will focus on two of the main changes that had a very significant impact in the Portuguese higher education arena (and that triggered motivation for the present study): a new institutional model was introduced as an option that higher education institutions could take; the management and governance model was greatly changed with a clear decrease in the number of governing structures, but above all in the number of members that were part of those same structures.

Before the RJIES all public higher education institutions had the same public statute being public universities, polytechnics or schools of higher education. The RJIES introduced a new institutional model that was totally new in Portugal: the foundational model. It is in itself a hybrid model, as it is described in the law as ‘public foundations operating under private law’. Using Stephan Ball’s terms, this new model can be seen as representing a market technology in the sense that it allowed to ‘make public service organizations more business-like and more like business’ (Ball, 2016, p. 1049). The emergence of this new institutional model was not widely applauded by academics and most institutions considered it with caution. It was not surprising that only three universities (Aveiro, Porto and ISCTE) chose to become a public foundation, driven by some of the advantages this model promised to have when compared to its counterpart: less bureaucracy and greater autonomy in terms of finances and human resources management (Mano & Marques, 2011). Meanwhile two other universities (Minho and Nova de Lisboa) have become foundation universities, and a third one (Coimbra) is discussing internally this possibility.

Regarding changes at management and governance level, the table below presents the main mandatory governing structures public higher education institutions had before the reform was implemented, and the governance model introduced after 2007, by the RJIES.

Governance structures before the reform (defined by Law 108/88, of 24 September)	Governance structures after the reform (defined by Law 62/2007, of 10 September)
University assembly	Board of trustees (only in foundation institutions)
Rector	General Council
University senate	Rector
Administrative council	Management board

Table 1: Governance structures before and after the reform introduced by Law 62/2007 (RJIES).

We have on one side (before the reform) highly participated structures like the university assembly (composed by elected representatives from all academic groups – teachers, researchers, non-teaching staff, students, and governing members from the institution's units –, and respecting parity among all representatives); a rector who is a member of the institution and is elected by the university assembly; the university senate with once again members from all academic actors of academia; and the administrative council that is composed by the rector, one vice-rector, the administrator and one representative from students.

On the other side, after the reform, governance structures, change deeply in what concerns their composition. Universities now have a board of trustees, which is a governing board exclusive of foundation institutions (composed of five external members appointed by the government on the institutions suggestion); the general council, whose number of members varies from institution to institution, ranging from 15 to 35 members, and where not all members of academia have a seat (composition of the general council will be detailed below) (Bruckmann & Carvalho, 2014; Mano & Marques, 2011; Pedrosa, Santos, Mano, & Gaspar, 2012); the rector might not be a member of the institution, since the law now opens the position to people coming from both outside the institution and the country, and is no longer elected by all members (university assembly), but instead is elected by the general council (a much smaller and less represented structure); and finally the management board, which remains quite similar to the administrative council in composition and role. Law 62/2007 further introduces two new roles to higher education institutions: the sole auditor (who controls financial and asset management) and the student ombudsman (who, according to the law, works “in conjunction with student associations, the institution's bodies and services, namely the Pedagogic Councils, and its organisational units”). These changes are said to promote transformations in the way universities are perceived. From loosely coupled systems (Orton & Weick, 1990) universities are now being organised as unitary (Carvalho & Santiago, 2010) or complete (Enders et al., 2008) organisations. Resorting, again to the more recent study of Stephan Ball (2016) one can assume these changes as translating the introduction of management technologies in universities.

Although more thoroughly analysed in the studies that follow this report, it is nevertheless worth to highlight the composition of the general council, as some significant changes (when compared to the previous governance model) stand out. Namely, the mandatory presence of external members (30% at least), of which one of them will have to preside the council. The previous governance model did not impose the presence of external members and they were almost absent from governance boards before the RJIES. Now they seat in the most important governance board of the institution, to which they preside, along with teachers (more that 50% of the total members) and students (at least 15%). This can be related, as we have just seen above, to an evolution of the public administration model into network governance, in which other actors participate in decision-making in public affairs. The detailed analysis of governance changes is presented in the papers that constitute part of this thesis.

The three papers that constitute the core of this thesis, dealing with the main research questions we set forth to research, deal with these changes in more detail, discussing them in the light of the theoretical and conceptual framework presented in the previous section. This reform has been the object of research by other authors who have analysed, from different perspectives and with different purposes, these same changes introduced to Portuguese higher education institutions by the RJIES (Lira, Gonçalves, & Marques, 2015; Mano & Marques, 2011; Marques, 2012; Pedrosa et al., 2012; Veiga, Magalhães, Sousa, Ribeiro, & Amaral, 2014).

The original contribution to knowledge of this doctoral thesis relies on its contribution for a better understanding and clarification of how higher education institutions adapt to change, when change is induced by governmental decision (a new legislation imposing it) and by external factors (as, among others, massification of higher education, changes in knowledge production modes, pressures from society that take higher education institutions to a greater interaction with external actors). It further contributes to clarify the hybrid archetype that results from reform, which although identified by various authors, had not yet been subject to specific characterisation. And it does so by making use of the archetype theory, in its two main dimensions (structures and systems, and interpretive scheme), which is not a theory enough explored in HE context.

2.2. An institutionalism approach to change in higher education

Keeping the focus on the main purposes of the studies that constitute this doctoral thesis, which deal with change at the level of the higher education institutions, this report has to consider institutionalism theories since they can be assumed as a relevant tool to discuss organisational change. The approach to the Portuguese reform of higher education is, therefore, further discussed in the light of institutionalism theories that help understand organisational change in general, and change in higher education in specific considering both internal and external drivers (DiMaggio & Powell, 1983; Diogo, Carvalho, & Amaral, 2015; Meyer & Rowan, 1977; Meyer & Scott, 1983; Zucker, 1987); and those trying to explain convergence (isomorphic change processes) and divergence (change processes resulting in heterogeneity), within the same organisational field, and both within the same national context as well as across borders (DiMaggio & Powell, 1983; Vaira, 2004). Archetypal theory (Greenwood & Hinings, 1988, 1993) was also considered in one of the studies herewith presented because it served the purpose of discussing whether the 2007 Portuguese reform implied a change of paradigm or archetype, and it further helped characterise the hybrid archetype identified in literature as the result of new public management or neo-liberal based reforms of higher education.

Institutionalism and its various branches is one the most widely used theories to understanding organisations (Greenwood, Oliver, Sahlin, & Suddaby, 2008) and, as mentioned

previously, it is also widely used in higher education to help discuss and understand organisational change in higher education institutions (Ferlie, Musselin, & Andresani, 2008; Gornitzka, 1999). Ben Kuipers and his colleagues (Kuipers, Kickert, Tummers, Grandia, & Voet, 2014) developed a systematic revision of the literature concerning the management of change in public organizations and concluded that 15.4% of the published work in this topic included the institutional theory in their theoretical framework. The use of this theory seems to be even more prominent in the higher education area. A search in one of the most popular databases – SCOPUS – for scientific articles and books or book chapters using the keywords ‘change’ and ‘higher education institutions’ reveal the existence of 65 references. A detailed analysis of these references abstracts shows that almost half of them (30 references) resort to the neo-institutionalism or sociological institutionalism as the main theoretical framework.

Taking this, the selection of this theoretical background to analyse the way Portuguese higher education institutions adapt to change promoted by the new legal framework emerged as the most adequate.

Institutional isomorphism and new institutionalism, in general, meet the assumptions on which this study is based, namely: organisations are open systems that interact and are influenced by the surrounding environment, being also subject to the influence of internal dynamics. The analysis of the organisations and more specifically of organisational changes should take into account the articulation of both those forces (external and internal) for an integrated and comprehensive understanding of the whole organisational phenomenon. Organisational change must be analysed in its multiple dimensions, namely the context for change, the processes through which it occurs and the result of change in respect to the kind of change occurred.

Notwithstanding before referring to this theory, and considering the main purposes of this work, it is relevant to make a brief approach to what is here considered as organisational change.

We have already seen that, nowadays, an extremely dynamic environment surrounds organisations, demanding from them an effort to adapt and ensure their survival. Organisational change implies transformation, a change of organisational model, a transition from one stage or model to another; it may have various origins, develop in several forms and even various kinds of result: change may imply a rupture with the previous model or just “sedimentation”, to make use of the metaphor used by Cooper and his colleagues (Cooper, Hinings, Greenwood, & Brown, 1996).

Theoretical approaches to organisational change aim mostly at explaining the *whys* (why did a certain organisational change process occur, what has led to organisational transformation), the *content* of change (what has changed), the *process* of change (how did change occur, whether it was planned or not, whether it was pro-active or reactive,...), and finally the *result* of change (whether we are facing a radical or rather an incremental or convergent change) (Bezes et al., 2012; Cornforth, 2002; Greenwood & Hinings, 1993, 1996; Olsen, 2002, 2009; Scott, 2001). Institutions, according to Scott (2001) have three distinct pillars sustaining them: the regulatory, the normative and the cultural-cognitive.

It is important to make a clear distinction between the concepts of organisation and institution, which may be commonly interchanged as equals, but within institutional theories they are very different concepts and need to be considered as such. Within institutionalism, the concept of institution entails a set of norms and values, framed by a culture, which play an influence on organisations and on organisational actors. Organisations, on the contrary, are seen as systems responding to 'situational circumstances' and influenced by the institutional context they are in (Diogo et al., 2015; Greenwood et al., 2008; Scott, 2001).

According to sociological institutionalism, institutions do not include only rules, procedures and norms, but also symbols, cognitive schemes and moral models that guide human action (Hall & Taylor, 2003). Institutions thus are seen as a set of rules, procedures and practices, which structure the relationships that individuals establish, setting out their action within the framework of a certain institutional context (Bell, 2012; March & Olsen, 1984).

Institutionalism is a theoretical perspective that allows the researcher to analyse organisational change by putting the focus on both the social environment and on the organisation's internal environment. Some branches of institutionalism put the focus more on the influence of the external environment, others on internal aspects, but most authors claim for the need to consider both these aspects while analysing an organisational change process, as they both influence the life of an organisation (Bell, 2012; March & Olsen, 2008; Marsh & Rhodes, 1992; Powell & DiMaggio, 1991).

Institutional change may be intrinsic and endogenous to the organisation itself (the organisation's own culture, its set of ideas and values, the professionals' power within the organisation and the system it belongs to, the organisation's own goals, the internal policies and the symbolic power a certain organisation may have within the organisational system it belongs to), and it may be extrinsic and exogenous (economic, political, cultural and social factors, market pressures, changes in values of society, governmental pressures, pressures caused by an increasing development of technologies, globalisation, among others) (Gioia & Thomas, 1996; Greenwood & Hinings, 1996; March & Olsen, 1998; Olsen, 2002). And both dimensions (intrinsic and extrinsic) might be present in a single change process.

Another key concept for institutionalists is that of *institutionalisation*. The set of theories that comprise institutionalism consider that the behaviour of both the individuals as well as organisations is influenced and defined by a set of *institutionalised* norms and values. Researchers whose theories frame institutionalism seek to explain the role played by institutional norms and values for the definition of the organisational structure, considering that during that process organisations seek to get legitimisation, that is acceptance from outside the organisation (Meyer, 1977; Meyer & Rowan, 1977; Scott, 2001; Zucker, 1977). Institutionalisation is therefore the process through which normative and cognitive models establish, shape and become accepted by the organisation and its members (Bell, 2012; North, 1990; Powell, 2007; Selznick, 1996). By having as key concepts institutions and institutionalisation processes, institutionalism emphasises, thus, the role of institutions in understanding members of an organisation act (Powell, 2007).

According to sociological institutionalism, institutions do not include only rules, procedures and norms, but also symbols, cognitive schemes and moral models that guide human action (Hall & Taylor, 2003). Institutions thus seen as a set of rules, procedures and practices, structure the relationships that individuals establish, setting out their action within the framework of a certain institutional context (Bell, 2012; March & Olsen, 1984). By including elements of cognitive and symbolic nature in the definition of institutions, cultural characteristics are being introduced – the informal constraints North (1990) writes about –, thus breaking down the conceptual divide between ‘institutions’ and ‘culture’. As Hall and Taylor argue: “The two shade into each other” (Hall & Taylor, 2003: 14-15).

Within this context, where it is recognised that the influence institutions have on individuals and on the options they take, the question by DiMaggio and Powell (1991, p. 29) is pertinent: “[...] then how does institutional change occur?”

2.2.1. Institutional isomorphism

For the purpose of the studies herewith included, and considering the main goals they set forth to research – how did higher education institutions react to external pressures and reorganise themselves, and if institutions were able to introduce more diversity in the organisational models of the Portuguese higher education system – we started with the classical definition of DiMaggio and Powell (1983) of institutional isomorphism.

The concepts of legitimization and isomorphism were exposed by two papers by John Meyer, published in 1977 (one of them along with Brian Rowan). These are considered to have had a considerable impact on the emergence of the new institutionalism (DiMaggio & Powell, 1991). It is the case of “The Effects of Education as an Institution” and “Institutionalized Organizations: Formal Structure as Myth and Ceremony”. In them, the authors set out the central elements of the new institutionalism, namely aspects related to legitimization and isomorphism (Meyer, 1977; Meyer & Rowan, 1977), two recurring concepts in the literature concerned with the new institutionalism.

Isomorphism is a central concept in an important study on institutional convergence by DiMaggio and Powell (DiMaggio & Powell, 1983). The authors define the concept as the one that best describes the homogenisation process, which decreases organisational diversity in a given organisational field, considering that there are two kinds of isomorphism: the competitive and the institutional isomorphism. They deal in more detail with institutional isomorphism. Competitive isomorphism occurs in open systems where there is market competition and is identified by theories that emphasise market competition issues (DiMaggio & Powell, 1983; Hannan & Freeman, 1977). Institutional isomorphism assumes that the pressures put on organisations make them adapt to the external world and to other organisations within the same organisational field. Exploring the institutional isomorphism, the authors identify three mechanisms through which it occurs: coercive, mimetic and normative isomorphisms. The first of these mechanisms stems from

the pressure from the general surrounding environment, political influences imposed onto the organisation, such as legislation, pressures stemming from other organisations, pressures from the society and also related to legitimisation. The mimetic isomorphism is the result from the adoption of identical responses to the same uncertainties by different organisations, in that some mimic the others. Finally, the normative isomorphism is associated to professional values and, hence, to the concept of professionalization. Normative isomorphism stems, thus, from forces resulting from the collective efforts that members of a given professional area do in order to ensure better working conditions, as well as ensure professional autonomy and its legitimisation (DiMaggio & Powell, 1983).

These three mechanisms – coercive, mimetic and normative – determine the institutionalisation process. It is not always easy or possible to make (empirically) a clear distinction as it is in theory. Analysis of the organisational change making use of DiMaggio and Powell's isomorphism might demonstrate that these forces appear sometimes intermingled and mixed.

According to this theory the isomorphic mechanisms induce institutions in a specific institutional field to become more similar than different in a process of change.

To what extent can new institutionalism, and specifically institutional isomorphism, help explain the various dimensions present in a reform process imposed onto public sector organisation, more specifically in the field of higher education? The reform process such as the RJIES, imposed onto higher education institutions by law, may lead, according to this theory, to a certain degree of homogenization in the way these institutions respond and reorganise to meet the law's expectations. The pressure for change is the same; it is imposed to a group of organisations that belong to the same institutional field, and whose professionals share the same values. It is further a law that sets out crucial aspects of the organisations' structure and even their institutional model. Even when the law leaves some room for the organisations to take their own decisions relating to some operation aspects, it is expectable to find institutional responses that reflect the three isomorphic mechanisms described by DiMaggio and Powell (1983).

In line with neo-institutionalism it is considered that the organisation contains aspects of a more symbolic nature, which are to be seen at the level of the interpretive schemes (set of ideas, beliefs and values particular to each organisation), and that these cannot be overlooked while analysing and explaining organisational change processes (Greenwood & Hinings, 1993, 1996; Hall & Taylor, 2003; Liguori, 2012). Intra-organisational characteristics may help explain, in contrast to what institutionalism theories argued when sustaining the existence of isomorphic change processes (DiMaggio & Powell, 1983; W. R. Scott, 2003), why do organisations, even when subject to the same change process, diverge in their response and in the way they subsequently develop themselves (Greenwood & Hinings, 1996). In a more recent analysis of the isomorphic pressures, Jens Beckert (2010) concluded that the same mechanisms that constitute the sources of isomorphic changes can support processes of divergent changes.

Data analysis sustaining the different publications in this thesis reveal the lack of a strict homogenization both at the national level (when comparing higher education with health sector)

and the global level (comparing with Italy). But, a high differentiation also emerges when analysing the local organizational dimension with higher education institutions presenting different institutional archetypes.

2.2.2. The archetypal theory

Having the sociological institutionalism as theoretical framework, Greenwood and Hinings (1993, 1996) make use of the archetype concept to analyse institutional change within the context of deep transformations in the public sector. To these authors an archetype can be defined as a “set of structures and systems that reflects a single interpretive scheme” (Greenwood & Hinings, 1993, p. 1052). The interpretive scheme the authors refer to are sets of ideas, values and beliefs underpinning organisational archetypes. They embody intra-organisational dynamics that are specific to each organisation (Liguori, 2012). As with other branches of new institutionalism, archetype theory aims at understanding organisational change and it does so by helping to identify organisational typologies (Greenwood & Hinings, 1993). On the basis of the definition of the archetype are two arguments sustained by the authors: a more holistic perspective sustaining that “organizational structures and management systems are best understood by analysis of overall patterns rather than by analysis of narrowly drawn sets of organizational properties”; and a second one that understands that “patterns are a function of the ideas, beliefs, and values [...] that underpin and are embodied in organizational structures and systems (Greenwood & Hinings, 1993, p. 1052).

Archetype theory is based on two important concepts: structures and systems, on one side, and interpretive scheme, on the other. These are two important analysis dimensions while considering an organisational change process. Change has to be analysed at both these levels, as they influence each other into change in a reflexive relationship (Brock, 2006). At the level of structures and systems, we have to consider how the organisation is structured and operates, considering levels of authority and hierarchy (Greenberg, 2011; Lunenburg, 2012).

The level of the interpretive scheme introduces some degree of subjectivity to objective organisational structures (Brock, 2006). This subjective is related to what constitutes these interpretive scheme – even the term ‘interpretive’ brings subjectivity on its own – as these comprise elements such as ideas, beliefs and values hold by the organisational members about their own organisation (Greenwood & Hinings, 1993).

Analysing an organisation change process on the basis of the concept of archetype enables us to understand the change process in its dichotomous dimension: convergent vs radical change. Considering a change process in terms of the resulting archetype we may find a different archetype from the one we had initially (radical change); or, we might conclude that the resulting archetype is still within the initial archetype parameters, with no change of ideas, values and beliefs, that is no change at the interpretive scheme level – in this case we have a convergent change process

(Greenwood & Hinings, 1996). The authors refer, though, to another possible outcome of change: different archetypes might coexist, instead of having a single dominant archetype. This is considered to be a period of archetype incoherence, by the authors (Greenwood & Hinings, 1993).

Our paper “Understanding change in higher education: an archetypal approach” will be dealing in more detail with archetypes and specifically with this archetype incoherence, which we prefer to name ‘confluence of archetypes’ and where we will be analysing the hybrid archetype that paper deals with.

Archetype theory provides, as we see it, an additional and important dimension to the institutionalism theories that are considered in the studies comprising this thesis, inasmuch as it seeks to explain the reason why organisations within the same organisational field respond differently to one same pressure for change. It is, thus, in contrast to institutionalist theories centred on explaining isomorphic change processes (DiMaggio & Powell, 1983; Scott, 2003). The specificity of the interpretive schemes of each organisation make it difficult not to have diversity, even when under the same pressures and even when those pressures tend to lead organisations to homogenisation of their organisational structures (Machado-da-Silva, Fonseca, & Fernandes, 1999).

The studies constituting this doctoral thesis will substantiate the institutionalist theories we have been dealing with, showing how they can indeed be useful in explaining institutional change, specifically in the field of higher education.

3. Designing a methodological approach

The studies herewith presented as published papers result from the intention to study and better understand the organizational change process of Portuguese higher education institutions, as a consequence of the implementation of a government imposed reform in 2007. In order to do so, a qualitative approach has been taken, with an option for content analysis of both legal documents defining new governance structures of higher education institutions (Law 62/2007, itself, and university statutes and other regulations adding relevant insight on that), information made available by the higher education institutions on their websites, specifically relating to members of their top governance structures, and of interviews undertaken to university actors with responsibility in governance issues and decision-making processes (both at top and middle governance / management levels). The present section will present the methodological process undertaken, outlining the methodological options that were considered to best support the research herein set forth.

Although each of the papers herewith included already have a methodology section clarifying the main methodological options taken for each study, we take the opportunity of this report to best

detail some aspects without the word count constraints imposed by journals. Not wishing to be repetitive of what has already been explained in each paper, this methodological section will nevertheless give a thorough account of the options taken and of the reasons why they were considered to best suit this research.

We take the option of outlining here only the methodological options that concern the three papers of which the candidate is first author, as these three papers constitute the core output of this research project. Methodological options of the remaining papers, of which the candidate is second author, are left to the methodological sections within each of these papers.

3.1 Defining the object of study

Any research work starts with the researcher's curiosity to learn more about a particular topic. From there on, the researcher defines the research questions s/he intends to search answers for. This first moment of definition of the research questions is very important, as it sets the basis that will guide the research (Coutinho, 2011; Miles, Huberman & Saldaña, 2014). In this particular case, curiosity was triggered by a new law expected to radically change the Portuguese higher education landscape in many respects. Law 62 (RJIES) came out in 2007 after having been submitted to public discussion. Some new aspects thus being introduced into Portuguese higher education institutions were strikingly different from what was previous tradition in these public institutions and the law therefore arose a lot of comments and discussion from various sectors of society, some in favour of the changes being introduced, some against or at least very sceptical of them. From among those novel aspects, we highlight a new institutional model that was presented as a hybrid between public and private realms as higher education institutions were meant to keep some of their public institution characteristics, but were nevertheless defined as being subject to private law and awarded more autonomy regarding financial and human resources management: an institutional model defined as a public foundation under private law. The RJIES also imposed some interesting changes to governance and management structures of higher education institutions that were expected to change the traditional governance paradigm into one more influenced by private sector organizations, namely by reducing governing boards, by empowering the rector and by introducing mandatory presence of external members into the main decision-making boards.

Working in the higher education milieu herself, namely with tasks that involved a direct contact / interaction with the rector and vice-rectors of a Portuguese public university, the researcher considered it of great interest to know more about the ongoing changes and deepen her understanding of what had triggered the reform, what it would actually mean for the institutions and how the whole reform process was being perceived (the degree of integration and acceptance) by academia.

This reform and the subsequent changes it introduced into the Portuguese higher education system have therefore set the scenario research and have arisen the following research questions:

- What is the degree of convergence / divergence of the new governance and management model implemented by Portuguese higher education institutions in regard to the political expectations of the RJIES?
- How do both institutional models introduced by the RJIES (foundational model and public institute model) compare? Is the foundational model, as could be expected, more in line with managerialism principles of governing a higher education institution when compared to its counterpart?
- What characterises the new governance and management model resulting from the reform? Which typologies is it possible to identify and what characterises each one of them?
- How is this reform to be understood within the scope of international reform trends of the public sector in general and the public higher education sector in particular?
- Did this reform result in a shift of paradigm in higher education? Considering the existing literature on change in higher education and assuming and verifying that the 2007 reform resulted in a hybrid model, gathering elements from both a traditional model of governing a university with elements of a more managerialist governance model, how is this hybridism to be characterised?

These and other questions that arose in the course of the research work, as research is continually a work in progress with new questions arising and therefore the research design being redefined (Savenye & Robinson, 2005), have led us to take the options that will now be presented.

3.2 Defining the methodological process: literature review

As any research work, a review of the existing literature is the first important step to start the research process, which in the case of a doctoral work in the social sciences intends to lead to building new knowledge and contribute to a better understanding of the social phenomenon under study. Identifying existing literature on the subject being studied is therefore an important and necessary feature for the design of the study itself (Coutinho, 2011; Miles et al., 2014).

Literature review was, as such, the first stage of the research process that led to the publication of the papers herewith included. It enabled us to frame the research subject within a broader trend for public sector reform and examine the higher education reform underway in Portugal in the light of New Public Management policies that had already been implemented not only in other public sectors in our country, as well as in other countries, already years before arriving to Portugal. Readings on New Public Management and on managerialism, on the importance of these reform trends to the reform of the public sector, in general, and to the higher education public sector, in specific, helped to set the study of the 2007 reform in context and assess the need for further research, as well as the identification of which research path should be followed. Implicitly, of course, it also helped exclude or disregard other research hypotheses that

could have been considered to the analysis of the reform context – that is, it helped to set the research focus.

Literature review also allowed for the identification of what had already been done in terms of the analysis of the reform of university governance structures following the publication of the RJIES and for the refining process of the research that was still to be done. The 2007 reform of the Portuguese higher education system was the subject of analysis of a number of research studies, done under different perspectives (Lourenço & Mano, 2014; Lourenço, Mano, & Pires, 2014; Magalhães, Veiga, Amaral, et al., 2013; Mano & Marques, 2011; Marques, 2012; Pedrosa et al., 2012; Veiga et al., 2014). The studies that constitute the present thesis although analysing the same phenomenon and sharing some common points of interest, pick a different perspective in that the focus relies on the main governance and management structures of public universities, considering topics such as the number of members per governance board, type of members that constitute it, the presence of external members to the institution and how that is perceived, selection modes of those members (both internal and external), and in that the analysis is taken further to considering the main aspects that characterise the archetype resulting from the implementation of this reform.

3.3 Defining the methodological process: the research sample

The object of study defined and the research questions established, it became necessary to consider the research methods that would suit the research the most. As Savenye and Robinson (2005, p. 69) put it: “There is no one ‘correct’ approach or methodology. Research questions should guide decisions about approaches, paradigms, and methods.”

This is, as said, a qualitative study within social sciences, starting with the identification of the research problem, followed by the sampling process, data gathering, defining the research questions that might be readjusted considering the data that has been gathered, and analysis of data (according to defined dimensions and categories of analysis).

As to the sampling process, and considering the research interest to understand the reform of Portuguese higher education within the scope of broader public administration reforms; considering the specific aim of understanding the rearrangement of governance and management structures in public higher education institutions; considering further the conceptualisation of our object of study within an international public sector reform trend known in the literature by new public management and managerialism, the choice to study the Portuguese public higher education system and leave aside the private higher education sector became obvious. The research universe was therefore restrained to the public Portuguese higher education institutions.

One of the first options that followed was to consider only the public university subsystem and disregard the polytechnic subsystem. The reason for this choice relates mostly to one of the research questions / aims defined: to compare institutions from both institutional models

established by the RJIES. By the time this research project was initiated only three universities had chosen the foundational model. No institution from the polytechnic subsystem had undertaken such choice – and this is still true at the present time. In order to have comparable institutions from both institutional models, we had to consider only the university subsystem. This decision left us with a group of 14 public universities, in which we include one university institute.

Although a sample of 14 institutions would not be considered too large for research purposes, once again our research aim of comparing foundation model institutions with public institute model universities led us to consider the only three universities that have become foundations and then select three other universities, which were comparable to them in terms of age, size and location. Our final sample was therefore reduced to six public universities: three foundation universities and three comparable public institute universities (see table 2).

Foundation model	Public institute model
University of Aveiro (UA)	University of Minho (UM)
University of Porto (UP)	University of Coimbra (UC)
Lisbon University Institute (ISCTE-IUL)	University Nova de Lisboa (UNL)

Table 2: Research sample

Law 62/2007 introduced changes both at central governance level and at unit governance level. We therefore decided not only to look at the changes occurred in central governing boards but also at the level of faculty / school / department by choosing two units per university, preferably in different scientific areas. Table 3 shows our complete research sample.

Foundation model	Public institute model
University of Aveiro	University of Minho
Department of Civil Engineering	School of Engineering
Department of Social, Political and Territorial	School of Law
University of Porto	University of Coimbra
Faculty of Law	Faculty of Arts
Faculty of Pharmacy	Faculty of Sciences and Technology
Lisbon University Institute	University Nova de Lisboa
School of Social Sciences and Humanities	Faculty of Social Sciences and Humanities
School of Technology and Architecture	Faculty of Sciences and Technology

Table 3: Research sample with organizational units

3.3.1 Characterising the research sample

The six universities on which the study is based share some common characteristics, but are still different in many regards. This section will detail why were these institutions chosen, how do they compare to each other, and will characterise each one of them thoroughly enough to best clarify and justify the choice of considering them for this study.

As already stated, the idea of best understanding what resulted from the introduction of two different institutional models led us to consider higher education institutions representing these two existing institutional models. As from the group of Portuguese public universities, only three chose to become foundation universities, the option for the Universities of Aveiro, Porto and the University Institute of Lisbon (ISCTE) was an obvious one. The criteria defined to select three other universities that would compare to these was based on the institution's age, dimension, main scientific areas offered and geographic location.

The table below summarises the universities' characteristics. Each foundation university is followed, in the table, by the university that was considered to best compare to it.

University	Institutional model	Year of creation	Nr of students (in 2012/13 ¹)	Location
Aveiro	Foundation	1973	14280	Centre/North
Minho	Public institute	1973	19500	North
Porto	Foundation	1911	32166	North
Coimbra	Public Institute	1290	24087	Centre
ISCTE	Foundation	1972	8621	Lisbon
Nova de Lisboa	Public Institute	1973	18550	Lisbon

Table 4: Characterisation of the six universities

Considering the institution's age, the Universities of Porto and Coimbra are comparable as they are the oldest Portuguese universities – although their creation is centuries apart, Porto is still the second oldest university, created in the beginning of the 20th century. They also compare in terms of dimension, as they have a high number of enrolled students.

The Universities of Aveiro and Minho were both created in the same year – 1973, a year that is a milestone in what regards the growth of the Portuguese higher education system. They are both situated in the northern part of the country and they show but a slight difference in terms of the number of enrolled students, the University of Minho having a larger number of enrolled students (about 4,000 more).

¹ Data retrieved from the website of the Council of Rectors of the Portuguese Universities (*Conselho de Reitores das Universidades Portuguesas, CRUP*), obtained in turn at the Directorate General of Education and Science Statistics of the Ministry of Education and Science (*Direcção-Geral de Estatísticas da Educação e Ciência do Ministério da Educação e Ciência, DGEEC-MEC*).

ISCTE and Nova de Lisboa are both located in the capital and they were both created in the early 1970s. Although they show great differences in what regards size and structure, we considered the criteria of location and year of creation as sufficient enough for them to compare.

This section will now proceed with a brief characterisation of each university, as their structure is important for the purpose of the studies herewith presented.

University of Aveiro

Situated in a relatively small-sized town, the University of Aveiro has been growing and expanding since its creation in 1973. With a population of around 14.000 enrolled students in 1st, 2nd and 3rd cycle degree programmes, the university also has an offer of post-secondary programmes and non-degree awarding programmes in all three levels. Although it first started with an offer situated at university sub-system level, the University of Aveiro presently also includes an offer at polytechnic level, integrating four polytechnic schools.

Unlike all other five universities, the University of Aveiro is organised in Departments, with a centralised governance structure in which these units do not have the degree of autonomy that usually characterises faculties or schools. The University of Aveiro has 16 departments in areas ranging from sciences and technology, art, management and economics, humanities, health sciences and social sciences.

The University of Aveiro formally became a foundation university in 2009, year of the publication of its new statutes, in which the new governance structure is defined. Since then, this university has been having the same rector, although at general council level change has already occurred, with a second general council in place; the same happened at the level of the board of trustees.

University of Minho

Situated in the north part of Portugal, with a pole in Braga and two others in Guimarães, the University of Minho belongs to the group of Portuguese universities founded in 1973, which makes of it a relatively young university. It has welcomed its first students in 1975/76. Since then it has grown to have around 19.500 enrolled students in 1st, 2nd and 3rd cycle degree programmes, and in all degree awarding and non-awarding programmes it offers.

It is organised in 11 teaching and research units distributed through its three *campi*: eight schools and three institutes in areas ranging from architecture, sciences, health sciences, law, economics and management, engineering, psychology, nursing, social sciences, education, and arts and humanities. These organizational units are situated both in Braga and in Guimarães, two towns in the north of Portugal. With regard to staff, the University of Minho has 1300 professors and 800 non-teaching staff members.

Regarding governance, the University of Minho shares with all other universities the three main central boards: general council, rector and management board; and two other boards, as stipulated by law: the students' ombudsman and the sole auditor. To these mandatory boards, the

university chose to have three other boards of advisory nature: the academic senate, the cultural council and a disciplinary board.

At organizational unit level, governance boards include the School council, the president, a scientific council, a pedagogic council, and a management board. Organizational units may choose to have others boards of advisory nature.

University of Porto

The University of Porto is the second oldest in the country, its foundation dating back to 1911. Porto is also the second largest Portuguese town and until the merge of two universities in the capital (University of Lisbon and Technical University of Lisbon), this university had the largest number of enrolled students, making of it the largest university of Portugal. According to the information available in the university's website, there are presently 29921 enrolled students in all three cycles and degree awarding and non-awarding programmes. Its 14 faculties have a total of 2291 professors/researchers and the whole university has 1563 non-teaching staff members. The organizational units are situated in the three *campi* that constitute the university. The faculties' scientific areas range from architecture, fine arts, sciences, nutrition and food science, sports, law, economics, engineering, pharmacy, arts, medicine, dental medicine, psychology and education science, biomedical sciences, and it further has the Porto Business School.

At governance level, and to conform with the law, the University of Porto, as a foundation university, has four central governance boards: the board of trustees (specific to foundations), the general council, the rector and the management board. As all other public universities, it further has the students' ombudsman and the sole auditor. The University of Porto chose to have the senate, as an advisory board.

At organizational unit level, faculties have the following governance boards: representative council, director, executive council, scientific council, pedagogic council, and advisory board.

University of Coimbra

The University of Coimbra is the oldest university in the country and one of the oldest in the world – its creation dates back to 1290. Although at the beginning it moved between Lisbon and Coimbra, it is now and since the 16th century established in Coimbra, which is situated in the central region, between Porto and Lisbon, the two largest cities in Portugal. Organized in eight faculties and four other teaching and research units, the University of Coimbra has 24817 enrolled students in all three cycles, and both degree and non-degree awarding programmes. With teaching and research units distributed around three *campi*, the University of Coimbra has 1648 professors and 1295 non-teaching staff members.

At governance level, the University of Coimbra has the three central governance boards imposed by the RJIES: general council, rector and management board. As specified by the law, the university has two other mandatory boards: the students' ombudsman and a sole auditor, who

controls the financial and asset management of the institution. To these mandatory boards, the university adds the senate, which is an optional board of advisory nature.

At unit level, each faculty has a faculty assembly constituted by 15 members, elected from among peers, a director, who presides the faculty assembly and is elected from among professors and researchers holding a doctoral degree. Faculties further have a scientific council (with 25 elected members) and a pedagogic council (with 22 elected members this board is the only one where there is parity in the number of faculty members and students). They may decide on having further boards if they wish to.

As the oldest university of the country and the single university providing higher education for centuries, the University of Coimbra holds still a significant symbolic meaning in the Portuguese higher education landscape and the weight of its history needs to be taken into account while analysing certain options it took.

ISCTE-IUL

ISCTE – University Institute of Lisbon (ISCTE-IUL) is a public university institute that was created in 1972. This higher education institution is one of the three that chose to become a foundation and its new statutes, rearranging the governance boards accordingly, date back from 2009. ISCTE-IUL is located in Lisbon, in a single campus, and is constituted by four schools (composed of a total of 16 departments) and eight research units. Schools' scientific areas range from sociology and public policies, social sciences and humanities, technologies and architecture, and a business school.

With 296 enrolled students in 1972, ISCTE-IUL grew to have presently 9234 enrolled students in all three cycles and in degree awarding and non-awarding programmes. Its teaching staff is constituted by 284 professors/researchers and it has 242 non-teaching staff members.

Regarding central governance, the ISCTE-IUL has the main boards any foundation university must have: board of trustees, general council, rector and management board. Complying with the law, it further has a sole auditor and a students' ombudsman. To these mandatory boards, this university institute adds the academic senate (an optional advisory board), the scientific council, the pedagogic council, the university council, and it may have other advisory boards.

At school level, governance boards include the director, the scientific commission and the pedagogic commission. Schools are, by statute, decentralised organizational units responsible for the organization and management of teaching activities. They are composed of departments and research units.

University of Nova de Lisboa

The University Nova de Lisboa (UNL) is one of the Portuguese universities created in 1973. It is located in Lisbon, as its name would suggest, and although most of its units are indeed in the capital, some units are located in Caparica (in the south riverside of the Tagus) and in Oeiras. The university has 9 organizational units, including faculties, schools and institutes. Scientific areas

range from sciences and technology, social sciences and humanities, business and economics, law, hygiene and tropical medicine, information management, chemical and biological technology, to public health.

The University Nova de Lisboa has presently 19867 enrolled students, mostly in degree awarding programmes (1st, 2nd and 3rd cycle) and a few in non-awarding degree programmes. UNL has 1716 teaching and research staff members, of which 99,5% have a PhD, and 804 non-teaching staff members.

At central governance level, the UNL has the three main governance structures all other public universities have, namely general council, rector and management board. It further has a sole auditor and the students' ombudsman. Like the University of Aveiro and unlike all other four universities included in this study, the UNL chose not to have an academic senate. Instead it has a board of directors, a board of students and a disciplinary board.

At organizational unit level, governance structures are organised around a faculty / school board, a director, a scientific council and a pedagogical council, and an advisory board or a board of students, also of advisory nature. UNL has a decentralised structure in terms of organizational units, as these have a high level of autonomy.

3.4. The document analysis

Considering our main goal of analysing change occurred at governance level in the six universities of our research sample, and being that change originated by a new law, the analysis of those documents defining the new governance structures of public higher education institutions was the next step to take. We therefore proceeded with the analysis of the law itself and then of the universities' statutes defining the internal governance rearrangements, focusing on pre-defined dimensions and categories of analysis (see table 5 below).

Law 62/2007, best known as RJIES, is a very thorough and prescriptive law. It covers the entire Portuguese higher education system (both public and private systems, and both university and polytechnic sub-systems) and has up to 185 articles, each often with several paragraphs and points. Data collected from these documents was then subject to content analysis (Bardin, 2009) of the articles concerned with governance boards, their composition, board members' selection process and core competences, according to the dimensions and categories of analysis detailed below.

Dimensions	Categories
Government and management structures	Governing boards at central and unit level Governing boards' composition Governing boards: competences Mandatory vs advisory boards
General Council	Composition Presidency Competences
Selection issues	Governing boards: members' selection methods Rector's selection methods Unit director / president's selection methods
External stakeholders	External members at board level External members' presence at unit level External stakeholders' selection methods
Representativeness	Representativeness of the various academic actors in governing bodies

Table 5: Dimensions and categories of analysis

Content analysis of these documents enabled us to better understand how these Portuguese universities had implemented the law, how far were they willing to go in the sense of a more managerialist governance model in those aspects where the law gave institutions some freedom to define some governance boards or how conservative were they by verifying those aspects where institutions chose to maintain or even reinforce aspects that have characterised the traditional governance model.

Each paper then focuses the analysis on specific dimensions and categories that best frame the research questions each one of them sets forth.

The first paper included in this thesis, aimed at analysing how Portuguese higher education institutions reacted to external pressures and reorganised their internal government and management structures. The main question it tries to answer is to what extent were institutions able to introduce more diversity in the organizational models characterising the higher education system in Portugal. In terms of methodology it drew on content analysis based on five major themes that were defined as the main target of imposed changes:

- (1) Government and management structures (both central to the higher education institution and of its organizational units) – to identify government bodies that are part of the higher education institution formal structure
- (2) The general council as top management structure – to analyse how the general council is composed
- (3) External stakeholders in higher education institutions – to assess to what extent did higher education institutions include external members in their management bodies
- (4) Selection issues – to assess if and how selection procedures of top managers changed in higher education institutions
- (5) Representativeness in government and management structures – to assess if there have been changes in representativeness of the various academic actors in government bodies

The second paper analyses the changes introduced to the governance model by focusing on the presence of external stakeholders in top governing bodies, aiming at assessing to what extent the presence of external stakeholders is perceived as a necessary and effective change. Furthermore, this study also intends to shed some light to the following question: how do academics and external stakeholders perceive the presence of external stakeholders, at HEIs' top governing bodies? In order to do so the study relies on content analysis of both documents (statutes and information made available on the HEIs' website) and interviews. Thematic content analysis was based on 4 major themes:

- The end of the 'ivory tower'? – to discuss the interviewees' perception on the need of opening the university to society. The expression 'ivory tower' metaphor has long been used to refer to universities as institutions closed in on themselves. As Rüegg tells us: "Since the late nineteenth century the universities have been compared to 'ivory towers' to symbolize their arrogant distancing from the world." (Rüegg, 2011, p. 16).
- External stakeholders: a fresh look into the university – to get the perceptions of both internal and external stakeholders on the benefits of having someone from the outside world involved in the university's governance.
- Higher education: moving closer to the business world? – to analyse and discuss whether internal and external stakeholders perceive the presence of external members in top governing boards as a move towards a more managerial model of university governance.
- Internal vs. external stakeholders: who is in charge? – to discuss the perceptions of internal and external stakeholders about their role in governance.

The third paper aims at exploring archetypal hybridism through the lens of the two main archetypal dimensions: systems and structures and interpretive scheme. Each of these dimensions includes two categories of analysis as described below:

Systems and structures: Structures and processes

Decision-making

Interpretive scheme: Organizational values

Ideas on State coordination

3.5. The interviews

Further to document analysis, in-person semi-structured interviews conducted to a representative sample of key actors in top decision-making and governance boards, were considered as a necessary research method to undertake. The group of interviewees is identified in table 6 below.

	President of General				
	Rector	Council	Administrator	Unit Director	Total
Foundations	3	2	2	5	12
Public institutes	3	3	3	5	14
Total					26

Table 6: Interviews

Interviewing is a well-recognized method to generate data in social sciences. In spite of the constraints it can be accused of and that mostly relate to its subjective character (both who the interviewer and the interviewee are matter and might influence the responses, how they position themselves vis-à-vis the other, the context the interview takes place, who the interviewees are vis-à-vis the subject under study, the interaction between interviewer and interviewee throughout the interviewing process,... all these issues influence the data the researcher will manage to retrieve and analyse) the "(...) strength of qualitative interviewing is the opportunity it provides to collect and rigorously examine narrative accounts of social worlds." (Miller & Glassner, 2004, p. 137).

Following the path of qualitative research is both accepting that the research undertaken will always be subject to a certain degree of subjectivity (and being prepared to stand up for the methodological options taken) and knowing that this methodological approach will provide the researcher studying social phenomena the possibility to retrieve data from fieldwork (Patton, 2002, p. 4), which enables the researcher to be close to the subject under study. Data is mainly collected through three main collection methods: documents, interviews and observation. Conducting interviews and getting data to analyse from there is a way to have the perception of the actors who are somehow involved in the thematic area being researched.

Semi-structured interviews were therefore one of the methodological options considered and undertaken. These were conducted according to a pre-established interviewing guide, where some questions were set. This interviewing guide can be found as an appendix to this thesis. Mainly, questions were intended to have the perception of university actors with direct involvement in management and governance issues on the reform and governance structures level occurred in their own institution.

Most of the interviews were performed in the university setting itself, in the interviewees' offices. Two of them were performed outside the university setting, one of them in a public space, which caused the recording to have a very bad quality, making it very difficult and even impossible to transcribe – the use of this specific interview is therefore more limited than we would like it to be, as the interview itself was of great interest and quality. A second interview, although done in the interviewee's university office, also became difficult to transcribe (and therefore to use) due to its recording quality, as the interview was done in a big office subject to the echo effect and also as the interviewee in question did not remain seated and tended to move away from the recorder.

Interviews were performed between November 2013 and June 2014, and all of them were recorded with the agreement of all interviewees. Only one of them requested the interview not to be publicly disclosed. Interviewees are identified according to the type of institution they belong to: **UF** for foundation universities and **UIP** for public institute universities; and the post they held at the institution: **r** for Rectors, **p** for Presidents of General Council, **a** for Administrators, and **d** for Directors of organizational units. The numbers are assigned in a random way, e.g. the Rector of a university foundation is identified as follows: **1UFR**.

As with the universities' statutes, interviews were subject to content analysis (Bardin, 2009), based on previously defined dimensions and categories, detailed and explained in each paper.

Part II – Results and discussion

Paper I

Paper II

Paper III

Paper IV

Paper V

Paper VI

Paper I

The reform process of Portuguese Higher Education Institutions. From collegial to managerial governance?

Abstract

Portuguese public higher education institutions have been undergoing a major reform process since 2007. The most noticeable changes were introduced by Law 62/2007, which gave higher education institutions the option to choose between two different institutional models (foundational and public institute), and allowed the implementation of new government and management structures. We know, from the institutionalism theoretical perspective, that in a process of change institutions tend to be more similar than diverse. This study aims to analyse how Portuguese higher education institutions reacted to external pressures and reorganised their internal government and management structures. The main question it tries to answer is to what extent were institutions able to introduce more diversity in their organisational models? In order to find clues to answer this question, the study compares higher education institutions' internal structures by developing a qualitative study based on content analysis of internal legal documents from six universities (three that remain public institutes and three that have a foundational model).

Keywords

Governance, management, organisation structures

Reference

Bruckmann, S., & Carvalho, T. (2014). The reform process of Portuguese higher education institutions: from collegial to managerial governance. *Tertiary Education and Management*, 20(3), 193-206.

Introduction

Higher education has been undergoing changes all over the world. The drivers for change are varied, and include factors related to demographic issues, globalisation and a generalised tendency to reform the public sector by incorporating private sector management policies and practices known as new public management and managerialism (Lodge & Hood, 2012; Pollitt, 2002).

In higher education, the influence of new public management is particularly noticed in higher education institutions' governance reforms, reflected in the attempts to strengthen central leadership, weakening collegial structures by integrating stakeholders in boards and top-down decision-making processes, intending to turn higher education institutions into integrated or unitary organisations (Carvalho & Bruckmann, 2014; Carvalho & Santiago, 2010; Enders, De Boer, & Leisyte, 2008).

Portugal is no exception to these global trends, and the recent reforms in the public sector and, more specifically, in the higher education system, are framed by new public management and managerialist principles. Higher education reforms followed the evaluation of the Portuguese higher education system by international organisations such as the Organisation for Economic Cooperation and Development (OECD), leading to the publication of new legal documents. One law specifically produced changes in the internal organisation of public higher education institutions' governance structures: Law 62/2007, known as Regime Jurídico das Instituições de Ensino Superior (RJIES – legal framework of higher education institutions). Although this law considers the private sector of Portuguese higher education, it does not impose a reform of their governance model such as the one here under study, or even comparable. The private sub-system has therefore not been taken into account for the present study.

Six years after the implementation of the law, it is still unclear how Portuguese higher education institutions have followed and implemented new governing structures. Did institutions actually innovate when creating new organisational structures? Are they more diverse or similar now? Has the change envisaged by the RJIES been as profound as expected? This paper aims to analyse and discuss how Portuguese higher education institutions reacted to external pressures and reorganised their internal government and management structures.

Drivers for change: a conceptual backdrop

In developed countries, since the late 1970s, public sector reforms have led to a deep change in public systems and institutions. This 'revolutionary change', which started in Anglo-Saxon countries, was sustained by a political discourse of inefficiency, over-bureaucratisation and ineffectiveness of the public sector, and is described in the literature as new public management

and managerialism. Even if different concepts are also found in the literature (as in governance), they all essentially describe the same phenomenon: the intent to substitute the public administration bureaucratic model by a new one sustained on the principles that guide private sector organizations based on market laws.

The elements that comprise the new public management package are usually identified as being: the decentralisation of processes and control, accountability for results, increased competition between public and private services providers, and the creation of 'quasi-market' mechanisms. All these elements represent a paradigmatic shift in the public sector sustained in three E's criteria (efficiency, efficacy and economy). The implementation of the new model implies a shift in the structures of public sector institutions' governance and also of the managers' role, to whom more power to manage, without any formal constraints of imposed rules, is ascribed (Ferlie, Ashburner, Fitzgerald, & Pettigrew, 1996; Hood, 1995).

Whether the new public management 'package', when applied to public sector institutions, is really effective is still to be proven. There are substantial differences between a private and a public organisation that make it difficult to understand that the same 'recipe' would apply to both (Meek, 2003; Pollitt, 2002). Taking the important aspects in which public and private organisations differ, the assumption that the implementation of management techniques from the private sector in the public sector, on its own, would make public organisations more efficient seems quite questionable. Some authors believe that there is more to it than mere efficiency concerns that come out in political discourses, and argue that it is part of a more general and broad movement that intends to promote the deconstruction of the welfare state (Deem, Hillyard, & Reed, 2007; Meek, 2003).

As has happened in other sectors of the public domain, the influence of new public management principles became visible through the attempts made to impose on higher education private management and market regulation assumptions and practices (Santiago, Magalhães, & Carvalho, 2005). Transformation based on new public management becomes evident with the implementation of new governance models based on a managerial approach. Some of the changes made in this context include a shift away from conventional academic collegial structures and reinforcement of the powers given to rectors or presidents. Collegial boards such as the academic senate or the university's assembly are now absent or, when still existent, are at the level of advisory boards. This raises questions about the Weberian bureaucracy itself, the basis of the welfare state.

Within this perspective, the political reforms taken in Portugal are not isolated but, instead, highly influenced by the external environment. Actually, there is wide consensus that every organisation is influenced and affected by the external environment in which it interacts. Be it by means of new policies, normative pressures, economic constraints or simply due to their dependence on other organisations or even the state, organisations have to constantly adapt and evolve in the environment they are in, which causes them to change.

Institutionalism is one theoretical perspective focusing on the social environment rather than on the economic context (Gornitzka, 1999). Specifically, the work of DiMaggio and Powell (1983) is

useful to understand the mechanisms of organisational change that are being considered in the present study. These authors developed an innovative approach arguing that efficiency is not the main driver for organisational change but that compliance with the institutional environment is. They argue that, although organisational change could lead to a great diversity of organizational forms, there is actually a process of homogenisation going on. This homogenisation process is described by the concept of institutional isomorphism. It occurs when 'disparate organizations in the same line of business are structured into an actual field', being thus subject to the same forces and pressures and consequently leading them 'to become more similar to one another' (DiMaggio & Powell, 1983, p. 148).

Institutional isomorphic change occurs through coercive, mimetic and normative mechanisms. Distinction between all three cannot always be clearly made and all three can coexist in a single organisational change process. Coercive isomorphism is the result of political influence and legitimacy issues. Its results are, 'both formal and informal pressures exerted on organisations by other organisations upon which they are dependent and by cultural expectations in the society' (DiMaggio & Powell, 1983, p. 150). Mimetic isomorphism arises in moments of uncertainty and refers to organisations that take others as models. Normative isomorphism stems from professionalism.

Reforms legally imposed by government are the result of economic uncertainty and state budgetary constraints. These low levels of resources might have an influence on organisations' implementation of the present reforms. Furthermore, by imposing the same practices on a group of organisations performing in the same area, coercive isomorphism is expected to happen, as all have to conform to the same legislation. However, whenever legislation opens the door to organisational diversity, it is important to analyse the mechanisms that lead organisations to take distinct decisions and come up with diverse organisational models. Before reflecting on these mechanisms, it is relevant to assess to what extent institutions have adopted different organisational models.

National reforms: pressures for change

The first changes in the Portuguese higher education system started before the revolution, in the early 1970s, with the so-called Veiga Simão Reform, which created a binary system and promoted the emergence of new universities, opening the door to massification. After the 1974 revolution, attempts were made to set up a welfare state in Portugal. At this stage, higher education was an important tool which the state used to promote and implement a democratic society. In the 1980s, there was a strong emergence of the private sector, which allowed for system massification and democratisation to become effective in the two last decades of the twentieth century. Governing structures were, at the time, defined according to democratic values and rules, with higher education institutions adopting a collegial model with strong participation of academics and

students in the decision-making process. The main governing bodies were by then the rector, the university senate and the university's assembly. These last two bodies were extensively participated in by all academic groups, easily reaching up to 100 members.

At the end of the 1980s and in the 1990s, new public management and managerialism, which had already been dominant in developed countries since the 1970s, began to be present at a rhetorical level (Carvalho & Bruckmann, 2014). With the new century, the managerialist 'philosophy' started to be legally imposed. Public reforms started first in health, and then in higher education, as part of a major intent to reduce public sector expenditures and make public organisations more efficient and accountable, assuming the adoption of policies and practices typical of the private sector as the only best way to achieve it.

Real change came through the socialist government that took office in 2005, with the help or compliance of international organisations such as the OECD. Higher education legislative reforms started at that time were sustained in the reports of international assessments produced by this international organisation. Although it is recognised that higher education reforms, intended to deeply transform the Portuguese higher education system, were developed based on several distinct legal actions, this paper focuses on a specific one. The new legal framework for higher education institutions (hereafter referred to by its acronym RJIES) will be dealt with in more detail as it was meant to completely change the Portuguese higher education landscape.

RJIES imposed major changes at the institutional governance level, proposing to replace the dominant collegial model by a more managerial one. The law proposed to: promote power concentration in fewer governing boards; reduce significantly the number of members that constitute the governance structures; introduce external stakeholders in top management bodies; create new ways to choose members of the bodies, with some being co-opted and others appointed; increase professionalisation of management and stronger leadership roles; create new institutional models; base the funding system on performance-based funding; make higher education institutions more publicly accountable; and allow cooperation and consortiums between institutions.

Leaving the option to higher education institutions to choose between two different institutional models is one of the most striking features of the Portuguese higher education system: higher education institutions can now choose to be a public institute or to become a foundation. Foundations are public institutions under private law. They share with public institutions the main management bodies (general council, rector and management board), and add to these one extra government body: the council of trustees. There are other aspects that differentiate the foundational model from the public institute model, namely a greater autonomy in what concerns financial matters, multi-annual public funding on a contract basis, and greater flexibility for staff recruitment and management.

Methodology

That the law allowed institutions to opt between two different institutional models made it interesting to compare higher education institutions' internal transformation processes, by analysing the new government and management structures in those universities that chose to remain public institutes and those that chose the foundational model.

A qualitative study was developed, based on the analysis of the legal documents that define the new governance structures for universities, as well as information provided by the higher education institutions' webpages. Documents analysed included legal documents published by each higher education institution defining the new government structures: higher education institutions' statutes, and statutes and/or regulations from higher education institutions' organisational units (UC Statutes, 2008; UM Statutes, 2008; UNL Statutes, 2008; ISCTE Statutes, 2009; UA Statutes, 2009; UP Statutes, 2009). The data from the analysis of these documents were then cross-checked against the RJIES to assess the extent to which higher education institutions followed what had been defined by the law, and what they decided and established for their government structures beyond the law.

The Portuguese public higher education system is composed of 14 universities, 32 polytechnic institutes and 4 military and police academies. The private sub-system is composed of 29 institutions within the university sub-system and 42 polytechnic institutions. For the purpose of this study, only the public university sub-system has been considered. The focus was placed on six Portuguese public universities: two groups of three universities each were examined. At the organisational unit level, two units per university were considered (see Table 1).

Table 1. Sample description.

Universities	Organisational Units	
Foundational model		
University of Aveiro (UA)	Civil Engineering Department	Social, Political and Territorial Sciences Department
University of Porto (UP)	Law Faculty	Faculty of Pharmacy
ISCTE-IUL (ISCTE)	School of Social Sciences and Humanities	School of Technology and Architecture
Public institute model		
University Nova de Lisboa (UNL)	Faculty of Sciences and Technology	Faculty of Social Sciences and Humanities
University of Coimbra (UC)	Faculty of Arts	Faculty of Sciences and Technology
University of Minho (UM)	Law School	School of Engineering

The overall number of organisational units per university is as follows: University of Aveiro 16 departments, University of Porto 14 faculties/institutes, ISCTE 4 schools, University of Coimbra 8

faculties, University of Minho 11 schools/institutes and University Nova de Lisboa 9 faculties/schools/institutes.

These universities differ from one another in a number of ways. Some are very old institutions, such as UC (thirteenth century). Others are quite recent, such as UA, UM, UNL and ISCTE, founded in the early 1970s. In between we have UP, created at the beginning of the twentieth century. They also differ in terms of their size, organic structure and legal name. The UA is the only higher education institution organised in departments, considered as its basic organisational units. The departments do not have the same degree of autonomy as the faculties and schools that constitute the organic structure of the other five universities.

After collecting all the documents considered relevant they were submitted to thematic content analysis (Bardin, 1993). This content analysis was based on five major themes that were defined as the main target of imposed changes:

- (1) government and management structures (both central to the higher education institution and of its organisational units) – to identify government bodies that are part of the higher education institution formal structure;
- (2) the general council as top management structure – to analyse how the general council is composed;
- (3) external stakeholders in higher education institutions – to assess to what extent higher education institutions included external members in their management bodies;
- (4) selection issues – to assess if and how selection procedures of top managers changed in higher education institutions; and
- (5) representativeness in government and management structures – to assess if there have been changes in the representativeness of the various academic actors in government bodies.

The Portuguese university: new institutional and management model

Under the new public management and managerialism reform, Law 62/2007 began the greatest reform of the Portuguese higher education system for many years. This legal framework, which can be interpreted as a coercive tool for change, nevertheless gave higher education institutions the opportunity to choose between being a public institute or a foundation.

Taking the six higher education institutions (three that opted for the public institute model and three for a foundational one) and their 12 organisational units, an analysis is developed in order to see how their organisational structures changed in accordance with this new legal framework. This analysis aims at understanding how far these institutions were able to transform their structures, introducing more diversity into the system. The way the six universities organised

their government and management structures varied. They all have the government and management bodies defined by the RJIES, but the place left by the law to higher education institutions for other government bodies, all of advisory nature, has been filled in diverse ways.

It is noticeable that the sole differences found between the foundational model and the public institute model are those defined by the law, meaning foundation universities have one extra governing body: the council of trustees (with five external members). All other differences found do not relate to the institutional model, but to options taken in spite of it. All universities share by law the following governing structure: general council, rector and management board. To these, foundation universities add the council of trustees. Beyond this, the options are varied, as highlighted in Table 2.

Table 2. Optional bodies.

Universities	Optional bodies	Advisory bodies	Members
UC	Senate		Representatives from all members of academia
UA		1. Council of Ethics	Members from academia and external members appointed by the general council
		2. Cooperation Council	Members from academia and external members appointed by the Rector
		3. Disciplinary Commission	Members from the teaching staff, students and non-teaching staff with parity
UM	Senate		Representatives from all members of academia
		1. Cultural Council	President, those responsible for cultural units, 1 student, external members
UNL		2. Disciplinary Council	Rector, academics, students and non academics
		1. Board of Directors	Includes all organisational unit Directors
		2. Students' Council	Constituted by the Presidents of all students' associations
UP	Senate	3. Disciplinary Council	Includes members from all academic actors without parity
			Representatives from all members of academia
ISCTE	Senate	1. University Council	Representatives from all members of academia

Table 2 reveals that all universities (UC, UM, UP and ISCTE) that chose an optional body opted for the same designation: senate. The academic senate seems to be the body closest to collegial decision-making, including representatives from all academic groups: teaching/research staff, students and non-teaching staff. Having a seat in the senate, all have, therefore, something to say on academic matters because this is an obligatory advisory body to the rector's academic decisions.

Of the four higher education institutions that chose to have a senate, two (UC and UP) have a strong symbolic power (Bourdieu, 1991) within the Portuguese higher education system. UC is the oldest university in the country and one of the oldest in Europe. UP is also one of the oldest in the country, and is the university with the highest number of enrolled students (Fonseca & Encarnação, 2012). Even if two of these universities have a foundation model, one can hypothesise that these universities did not intend to make a radical break from the collegial model. The senate was one of the emblematic bodies of the collegial university. The symbolic maintenance of this designation can be seen as a strategy to gather academics' support for organisational change.

Concerning the advisory boards, it also seems that there are more similarities than differences between the institutions. UC and UP are the only two that did not create any of these kinds of bodies. The others (considered as new universities in Portugal), created bodies with the intent to regulate disciplinary issues (UA, UM and UNL). To this UA adds the council of ethics, an:

advisory body to the government bodies of the university in matters of ethics concerning fulfilment of its tasks, like promoting consideration and contributing to the definition of guidelines or the establishment and consolidation of a policy of compliance with ethical principles. (UA Statutes, 2009, art. 31, 1)

Some minor divergences emerge with the existence of singular bodies in UA, UM, UNL and ISCTE. These bodies have different purposes and correspond, respectively, to a: cooperation council – an 'advisory body to the Rector aiming at promoting consideration and at contributing to the definition of policies in cooperation matters between the university and the social environment' (UA Statutes, 2009, art. 32, 1); cultural council – 'the Rector's and the general council advising collegial body on all university's cultural policy matters' (UM Statutes, 2008, art. 59); students council – 'the advising body in all matters that directly concern students' life' (UNL Statutes, 2008, art. 16), and a University council – 'that assists the Rector, without decision-making competence, on coordination tasks' (ISCTE Statutes, 2009, art. 26, 2).

It seems that there are some slight differences between the institutions, with the new ones being more innovative in the creation of advisory bodies. The presence of the senate in four out of six of these universities may be interpreted as an attempt to mask the presence of a more linear way of decision-making in these universities. If this is the case, then one can infer that the new managerial model is not completely institutionalised, and institutions are making an effort to demonstrate to their members that they are still ruled as a loosely coupled system and not as an integrated, unitary organisation (Carvalho & Santiago, 2010).

The RJIES establishes that the general council can be constituted by 15–35 members, including representatives of teachers and researchers (>50%), of students (≥15%) and individuals of recognised merit external to the higher education institution (≥30%). The analysis of the six universities' statutes regarding the composition of the general council is summarised in Table 3.

Table 3 – Composition of the general council

Higher education institution	Profs / Res	%	External members	%	Students	%	Non teaching staff	%	Total
RJIES		>50		≥30		≥15	optional	–	15-35
UA	10	52	5	26.3	3	15	1	6.7	19
UP	12	52.2	6	26.1	4	17.4	1	4.3	23
ISCTE	17	51.5	10	30.3	5	15.2	1	3	33
UC	18	51.4	10	28.6	5	14.3	2	5.7	35
UM	12	52.2	6	26.1	4	17.4	1	4.4	23
UNL	11	52.4	7	33.3	3	14.3	–	–	21

The composition of the general council is an important element to understand if institutions changed in similar or divergent ways, since the law left some space for differences. The law allows a body composed of between 15 and 35 members. Only one university (UC) reaches the maximum number allowed, while UA is the university with the lowest number (19). The proportion of professors or teachers is very similar in all universities, but major differences arise concerning the proportion of external members, students and non-teaching staff. The highest proportion of external members is found in two new universities (ISCTE and UNL); of students in UP and UM; and of non-teaching staff in UA and UC. One hypothesis to explain the high percentage of external members found concerns the importance of management schools within the two universities in question (ISCTE and UNL), which may have been influenced by the existence of a more managerial culture.

This data seem to confirm the previous hypothesis that old universities try to maintain their organisational structure closer to the collegial model of decision-making. The UC is the university that has opted for the largest number of general council members.

Concerning students' representation, it is interesting to notice that UC has one of the lowest proportions of students. This is particularly striking since traditionally they had a great power in the organisational structure of this institution. Throughout history, students sometimes even played a decisive role in the rector's election (Estanque, 2008). In this case, the university seems to have taken the opportunity to make a change that was already being questioned by academia.

What these data seem to show is that there are slight differences in institutions' options that may translate the influence of different organisational cultures, but it may also be a signal of their intention to create distinct organisational models. Nevertheless, it is important to highlight that there are no common tendencies in the foundational options for general council constituency.

According to RJES, the general council president is elected among its external members. Analysis of the information available at the higher education institutions' websites made it possible to consider the professional backgrounds of these six presidents (see Table 4).

Table 4 – Professional background of general council president and other external members

Higher education institution	President of general council	Other members' professional background							
		Business world	Politician	Academic	Journalist	International Organisation	Church	Manager in public organisation	Writer
UA	Business world	2		1	1				
UP	Judge and former Ombudsman	1	1			1	1	1	
ISCTE	Deputy secretary-general of the UN and former academic	4	1	1 (and former politician)	1	2			
UC	Business world and former politician	1	1	1	1	1		3 + 1 Sports manager	
UM	Jurist and former politician	2	1 + 1 union representative			1			
UNL	Academic	3		2					1

This analysis shows more similarities than differences between the institutions. Institutions opted for three types of profiles: academics, businessmen and politicians, except for UP which chose a former ombudsman. One might expect that institutions that opted for a foundational model would be more managerial and, in this sense, would opt more for the business profile. However, this is not the case. Both old and new universities chose a managerial profile for their general council president. This may be related to the dominant managerial environment in the public sector (Carvalho & Bruckmann, 2014). Besides UP, another foundation university has as president of the general council a former deputy secretary-general of the UN and former academic, and there is also a traditional public university whose president comes from the business world and is a former politician. In this sense, the age of the institution, and its position in the Portuguese higher education system, is not the only variable explaining the differences in options concerning the profile of general council presidents.

As to the remaining external members, analysis of their profile shows a predominance of members from the business worlds in two universities – UA and ISCTE.

The presence of external stakeholders in government structures in Portuguese higher education was greatly increased by the RJIES. Their presence is mandatory in top management bodies such as the general council. The council of trustees, the highest governing body of foundation universities, is solely constituted by external stakeholders appointed by the government on the recommendation of the institution. Nevertheless, the analysis of the universities' statutes shows that two universities chose to include external members in other governing bodies. Such is the case with the UA, with two governing bodies including external stakeholders, and the UM, for one governing body.

At the organisation unit level, the RJIES only mentions that a collegial body, when existent, may include external stakeholders. Analysis reveals that some organisation units made the choice of including external members in some of their governing bodies (see Table 5). Both Schools of ISCTE have an advisory board composed solely by external members appointed by the director.

Table 5 – External stakeholders at organisation unit level

Higher education institution / organisation unit	Middle management bodies	Nr members	Nr external members
UP			
Faculty of Law	Representatives Council	15	1 (co-opted)
Faculty of Pharmacy	Representatives Council	15	1 (co-opted)
ISCTE			
School of Social Sciences	Advisory Board	Not defined	All external (appointed by the Director)
School of Technology and Architecture	Advisory Board	3	3 (appointed by the Director)
UNL			
Faculty of Sciences and Technology	Faculty Council	15	5 (appointed by the Rector)
Faculty of Social Sciences	Faculty Council	13	4 (appointed by the Rector)

These data show that although universities tend to be organised as 'unitary organisations' within the new managerial regime, disciplinary or scientific fields still have an important word to say on the way universities are organised. There are important differences between organisational units that show not only that they still have some freedom to take decisions on their own, but also that 'tribes and territories' (Becher & Trowler, 2001) are still a relevant variable to take into account when analysing universities' adaptation to external pressures.

Once again there are no common elements between the universities that have a foundational model. The RJIES establishes that the rector is elected by the general council. Candidates can be professors or researchers from the institution itself or from other institutions, national or international. This means a significant change in the selection of the main

representative of the higher education institution. Rectors used to be elected by the university's assembly (a highly representative governing board) from among its members (who were only from academic staff).

All universities have elected rectors who belonged to their institution. This reinforces the image of the rector as *primus inter pares* and not as chief executive office, as previous analyses might make us believe. It seems that it is still important for rectors' legitimacy to have internal support from other academics. This is in line with the more traditional collegial model.

At organisation unit level, there are different choices for the selection of the organisational unit director (see Table 6). Only UA and ISCTE seem to move away from the collegial way of electing organisational unit directors through participation of all organisational unit members. Nevertheless, this cannot be seen as a characteristic of the foundational model, since the UP opted for another system based on election. In this matter, it seems that, even if this university opted for a foundational organisation, it is closer to those that maintained a more collegial model.

Table 6 – Selection of organisation unit Director

Higher education institution / organisation unit	Organisation unit Director selection
UA	Designated by a selection committee composed by the Rector and four other elements. Nomination confirmed by the Rector by formal appointment
UP	Elected by the representatives council
ISCTE	Appointed by the Rector among professors and researchers of the school's organisational units holding a PhD degree, according to the proposal of the scientific commission after vote
UC	Elected by the faculty's assembly
UM	Elected by the school council among its PhD members
UNL	Elected by the faculty's council among its members

Representativeness seems to have decreased in general at all levels of the institutions' governing bodies. Not only have they become smaller (fewer members), but also some academic actors seem to have lost out more than others. Such is the case of students and non-teaching staff (for this last group, presence in the general council is not even mandatory). Although the RJIES introduced external stakeholders as members of top management boards, the academic group composed of teachers and researchers still keeps the majority of the seats. All higher education institutions have one governing body with parity among members: the pedagogic council. The UM has yet another board: the disciplinary council.

Decrease in representativeness and participation of academic actors in decisionmaking boards means a loss in collegiality, which is in line with new public management and managerialist organisational approaches of incorporating private sector management practices into public service institutions. We might, therefore, conclude that there is a tendency for a managerial model to

substitute for the collegial one. However, there is no single or dominant substituting model. Instead, what seems to be in place is a hybrid model with elements of both collegial and managerial governance. In general, it seems that institutions avoided a radical departure from previous organisational models (even foundations), maintaining some traces of collegiality (examples of this are the maintenance of the senate, the high participation of teachers/researchers in the general council and, in some cases, even students; and the academic profile of some general council presidents and the election of organisational unit directors).

There is a tendency for older universities to be more in line with a collegial model, even if one of the new universities (UM) also presents similar governance models. It seems that all universities have tried, even if in different ways and to different degrees, to maintain some elements of a collegial governance model. This may be due to collegiality being a core aspect of an academic institution, regardless of the level of managerialism. It may also be the result of the transitory moment in which Portuguese universities are, with a new model (i.e. more managerial) perhaps being dominant in the future.

Data analysis allows for the conclusion that there are slight, but important, differences in the six universities' organisational models. Curiously, the option for a foundational model does not seem to be the most influential factor in the emergence of distinct organisational models. However, even if Portuguese higher education institutions have opted for different governance and management models, there are some common elements to all of them, confirming Powell and DiMaggio's hypothesis that institutions tend to change in more similar than diverse ways.

Conclusions

Considering that the RJIES opened the door for the choice between two different institutional models, and that three out of six universities studied chose the foundational model, we might have expected to find significant diversity among the government and management models in place. It would also have been legitimate to consider the hypothesis that foundation universities would be more keen on leaning towards a more managerial model of governance than universities that chose to remain public institutes. Analysis of the statutes and regulations of the six universities and their 12 organisational units, however, showed that diversity, when existent, does not relate to the chosen institutional model, but to options institutions took in spite of it. Elements of a managerial and a more collegial model of governance are to be found in both institutional models, which shows that the institutional model is not the only variable to consider: other factors contribute to the options higher education institutions take and make them move away from or stay close to the collegial model.

There is more convergence than divergence to be found when comparing the government and management models of these six universities, at least when considering significant aspects. Although implemented in different ways, there is a common pattern of change where the RJIES left no place for freedom of choice: the top executive boards were coercively imposed and mandatory

to all universities. Even where there was place for choice, it is noticeable that most universities made similar options regarding the maintenance of collegial boards, preference for academics as rectors, election as the preferred selection method, among others, which seems to indicate a process of institutional isomorphism in which a coercive mechanism prevails, but where normative and mimetic mechanisms are also present (DiMaggio & Powell, 1983).

There are, however, certain divergences worth signalling, because of what they might mean in terms of a more radical shift from the conventional model of university governance: only two universities (UA and UNL) chose not to keep an academic senate; one opted for a reduced composition of the general council (UA); and another two chose not to elect the organisational unit director (UA and ISCTE). Nevertheless, the existence of collegial governing bodies, both at central level and at organisational unit level, seems to indicate a certain degree of prevalence of the 'traditional' way of governing a university, regardless of the institutional model chosen.

Although RJIES proposed a decrease in collegial bodies, most higher education institutions chose to have collegial bodies when possible, with representatives from all groups in academia. This happens also at organisational unit level. Nevertheless, there has been an increase in the participation of external stakeholders in the government and management structures of higher education institutions, which is much in line with new public management principles. Concerning the size of the general councils, analysis shows that only one university chose to have the maximum number of members. As to the composition of the general council, the majority of the universities did not respect the minimum percentage required for external stakeholders (30%), and only two of them attain this number. Two of the universities analysed do not reach the minimum percentage for students' membership (15%). Only one university chose not to include members from the non-teaching staff in its general council. Although the inclusion of non-teaching staff representatives is not mandatory, the majority of the universities in this study chose to include at least one member from this academic group.

Data analysis reveals that the symbolic capital gathered by universities in the higher education field is important in determining the level of governance and management changes they adopted. Old universities seem to try to maintain their structures closer to a collegial structure. However, this is far from being the only important influence.

More studies are needed to deepen the analysis concerning the importance of 'academic tribes and territories' on the adoption of managerial vs. collegial governance and management structures, and to find satisfactory clues about the factors that induce different choices within the same reform process.

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Legislation

- UA Statutes. Despacho normativo (Legislative Order) nº 18-A/2009, May 14th 2009
- UM Statutes. Despacho normativo (Legislative Order) nº 61/2008, December 5th 2008
- UNL Statutes. Despacho normativo (Legislative Order) nº 42/2008, August 26th 2008
- ISCTE Statutes. Despacho normativo (Legislative Order) nº 18/2009, May 8th 2009
- UP Statutes. Despacho normativo (Legislative Order) nº 18-B/2009, May 14th 2009
- UC Statutes. Despacho normativo (Legislative Order) nº 43/2008, September 1st 2008

Paper II

Shifting boundaries in universities' governance models: the case of external stakeholders

Abstract

Higher Education reform trends hit Portugal in 2007, with law 62/2007 (RJIES) defining a new institutional framework and imposing major changes to higher education institutions (HEIs). These were given the chance to choose between two institutional models and required to restructure their governance model. One of the visible outcomes of this reform is a blurring of boundaries between HEIs and society. Academics now have to share a space that was traditional theirs with people coming from outside academia.

The present study results from an analysis of the changes occurred in six Portuguese universities after implementation of the RJIES, considering the context of broad public administration reform embedded in a managerialist framework. Changes to the governance model were analyzed focusing on the presence of external stakeholders in top governing bodies. The perceptions of both academics and external stakeholders were analyzed in order to assess to what extent the presence of external stakeholders is perceived as a necessary and effective change. Furthermore, this study also intends to shed some light to the following question: how do academics and external stakeholders perceive the presence of external stakeholders, at HEIs' top governing bodies?

Keywords

Governance, reform, higher education, institutions, bureaucracy, new public management

Reference

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Introduction

Higher Education (HE) has changed more in the last 30 years than it ever did before. From the 1970s and 1980s onwards, European HE systems were faced with the consequences of a rise in neo-liberal ideologies, implementation of new public management (NPM) based reforms, consequent attempts of marketisation of HE and adoption of quasi-market principles (Amaral & Magalhães, 2007; Reed, 2002). In parallel, higher education institutions (HEIs) also faced an increased demand for HE, with HE systems in general moving away from elite type systems to mass HE systems (Trow, 1974), which came to place 'further burdens on already stretched resources' (Taylor, 2013: 82).

Changes driven by NPM and managerialism principles produced effect also on governance models. Governance reforms in HEIs reflect some of the main characteristics of a NPM reform, such as governing bodies structured in a corporate-like manner, with leadership roles reinforced and traditional collegial structures replaced by stakeholder boards (Carvalho & Bruckmann, 2014; Carvalho & Santiago, 2010). The political discourse conveys the need for such reforms by claiming that more efficacy, efficiency and accountability are needed in public sector institutions. By assuming that private sector management practices are more efficient than the traditional bureaucratic governance model of public administration, and that therefore the public sector should adopt the management techniques typical of the private sector (Ferlie et al., 1996), NPM reform may be seen as an attempt to question and to change the Weberian bureaucratic administrative pillar (Carvalho & Bruckmann, 2014).

In Portugal, HE reform trends became effective in 2007, with a new law (known by its acronym RJIES) defining a new institutional framework and imposing major changes to higher education institutions. For the first time in the history of the Portuguese HE system, HEIs were given the chance to choose between two institutional models: they could either remain a public institute or become a foundation¹. They were also required to restructure their governance model in a manner that was new to them. Some of the major elements of this reorganisation can be here shortly accounted for: a reduction in size of university governing bodies and in the number of governing bodies; mandatory participation of external stakeholders in top governing bodies; selection modes of members of governing bodies have changed and include now appointment and co-option, besides the traditional election; candidates to Rector may come from other institutions and countries; among others.

One of the visible outcomes of this reform is a blurring of boundaries between HEIs and society. Academics now have to share a space that was traditional theirs with people coming from other professional backgrounds outside academia. Following an international trend, academics in management positions are now more accountable to the State and to society, as HEI's governing

¹ As defined by Law 62/2007 (RJIES), foundations are public institutions operating under private law.

bodies include external stakeholders, some of them co-opted by the HEI, others appointed by the government following a proposal from the HEI. In fact, the increased presence of external stakeholders in top-level bodies is a worldwide trend. Several European countries have undergone reforms that resulted, *inter alia*, in an increased presence of external stakeholders in important decision-making university boards, even if in different degrees and roles (Boer & File, 2009). The door to the 'ivory tower' is open.

The inclusion of external stakeholders in university governance results in a shift in balance on traditional decision-making roles. For a long time decisions on matters concerning the university were taken by a large majority of academics, in highly represented and collegial boards, where external stakeholders were mostly nonexistent. Nowadays, the presence of external stakeholders at governance level became a rule and academics have seen their presence diminished in important decision-making boards. As the CAP survey results show "the faculty's role in decision-making has shrunk somewhat" (Locke, Cummings, & Fisher, 2011: 4). This came to change the governance paradigm in force, with a new shared governance paradigm being legitimised.

As the study aims to analyse the way internal and external stakeholders perceive the presence of external stakeholders at top governing bodies, the theoretical perspective will also consider the idea of 'shared governance' (Shattock, 2002, 2006; Stensaker & Vabø, 2013). Shared governance refers to a governance model that values decision-making processes participated by a great diversity of actors, including both internal actors (academics, non-academic staff and students) and external actors (members of the society and the entrepreneurial world not related to academia).

Thus, the theoretical framework seeks to articulate NPM and managerialism concepts with the idea of shared governance and the shift in university's stakeholders' role, the first helping to understand what triggered reform and discuss how the mandatory presence of external stakeholders in top governing bodies fit into this reform movement, the latter to help discuss whether these external stakeholders are perceived as having an effective role in university governance.

This paper is organised in five main sections. It starts with a brief reflexion over the context of higher education reform in Portugal, followed by a presentation of the chosen framework for analysis, and the methodological approach adopted for this study. Section 5 presents and discusses the empirical findings and the final section presents the conclusions, summing up the main findings and their implications for the future of the university's governance model.

Context of reform in Portugal

Portugal had a somewhat later development of its HE system due to the dictatorial regime in place for great part of the 20th century. Most of the Portuguese HE system remained almost unchanged until the 1970s. At the early 1970s, Minister Veiga Simão created a binary system made of universities and polytechnic institutions, and made it possible for new HEIs to emerge (Bruckmann

& Carvalho, 2014), thus expanding the system both in terms of the offer as well as the demand for HE. The 1974 revolution made it possible to democratise the Portuguese HE system, and the governance model in place was a reflection of the new democratic period the country was experiencing: extensively participated collegial governing bodies (by all academic groups), whom the rector had to consult and follow the majority's decision.

Whereas in other developed countries NPM reforms were in place since the 1970s and the 1980s, in Portugal it is during the 1990s that NPM discourse starts to be present at the political discourse level. Actual reform becomes a reality in the early 2000s with the publication of a set of new legislation that followed recommendations from international organisations such as the OECD. From this set of new legislation, law 62/2007 is of great significance to Portuguese HE as it imposed a major reform to the Portuguese HE landscape.

The key elements of the reform brought by the RJIES include the possibility given to HEIs to choose between two different institutional models, which is new to Portuguese institutions: HEIs can now choose to remain public institutions or to become a foundation. Foundation universities were until then non-existent in the Portuguese HE system: they are considered to be public foundations operating under private law. The hybridism suggested by this term, mixing public and private realm, has a reflection on the institutions themselves: they are still public and must abide by the terms imposed by the government, but at the same time they have a greater autonomy, namely on financial issues and do not have to abide by the general rules applying to other public administration institutions; they may have staff careers of their own which gives them more flexibility in terms of recruitment and personnel management; financing is based on multi-annual contracts with the state and on funding they get from other (private) sources. This is mainly what differentiates HEIs that chose to become a foundation from those that opted to remain public institutes.

At the governance level, the main difference lies on the fact that foundations have an extra mandatory body when compared to public institutes: the board of trustees. Otherwise they share the main governing bodies at central level: the rector, the general council and the management board.

Another new aspect brought by the RJIES in terms of the governance reform it implies was the introduction of external members in top governing bodies of HEIs, at an important decision-making level. Their presence is mandatory in the general council and the board of trustees. Selection of external members is not done through election. Instead general council external members are co-opted by the internal members. The government at suggestion of the HEI appoints external members of the board of trustees.

Besides these more striking aspects of reform, RJIES also implied: a reduction of governing bodies and of the number of members that constitute them; power concentration in one-person bodies, such as the rector and the directors of organisational unit; greater accountability requirements; increased professionalization of management; among others.

Shifts in university governance models: a theoretical approach

Governance shifts in HE must be set in a context of broader public administration reform and increased relevance of market-oriented perspectives, claiming for the need for more efficiency and efficacy on behalf of public sector organisations. Claims for low levels of efficiency and efficacy in public organisations, present in policy makers' discourses, have been used as the driver for reforms associated to a rise in managerialism ideology. The environment of economic crisis, experienced by countries implementing NPM reforms, gave governments the legitimacy they needed to implement such reforms and to gather general approval and acceptance of the idea that more efficiency is needed in public sector organisations and that this is achieved by the adoption of private sector management practices (Larbi, 1999). Such claims are part of a broader trend in public administration reform known as New Public Management (NPM) (Barzelay, 2001; Clarke & Newman, 1997; Ferlie et al., 1996; Hood, 1991; Kirkpatrick, Ackroyd, & Walker, 2005; McLaughlin, Osborne, & Ferlie, 2002; Pollitt, 2002). This reform trend, based on managerialism ideology, can be said to be a generalised tendency to reform the public sector by incorporating private sector management practices (Bruckmann & Carvalho, 2014; Lodge & Hood, 2012).

The rise of a managerialist ideology cannot be dissociated from an increased influence from neoliberalism and resulting questioning of the bureaucratic State model and the Welfare State itself (Larbi, 1999). The idea that the State has failed in several areas, that public sector organisations lack transparency and accountability to society, the widespread criticism to bureaucracy and the generalised idea that the private sector is far more efficient than the public sector (Simonet, 2011), conveyed by interested stakeholders, is indeed a neoliberal type of discourse and it managed to attract support from the general population. Public sector reforms associated to NPM are the result from a shift in the role the State is expected to play in modern societies (Carvalho, 2009; Henkel, 2000; Neave & Vught, 1994; Vught, 1994). Pressure to reform the public sector is also enforced by international organisations such as the OECD, IFM, and the World Bank (Larbi 1999) that besides the need for an increased efficiency of public organisations, also claim the need to improve (i.e. decrease) public expenditure.

Briefly put, these reforms aimed at changing the public management paradigm in force from the traditional bureaucratic model to a more managerial one, based on private sector practices (Bruckmann & Carvalho, 2014; Mongkol, 2011). The 'NPM menu', as Mongkol (2011: 35) puts it, is composed of various items, not all of them being present in every reform: decentralization of management processes, marketisation of public services with increased competition within public services and between public and private services providers, contracting-out and outsourcing, use of market-like mechanisms, emphasis on performance and on results (Bruckmann & Carvalho, 2014; Larbi, 1999; Mongkol, 2011). These are some of the key elements of this NPM menu.

NPM in the HE context becomes visible through a number of changes that have implemented new practices typical of a more managerial model for public institutions, from which we can highlight: government-HEI contracts, focus on targets and outputs and on performance

indicators; strengthening of management and leadership positions; stronger client and market orientation reflected by a focus on quality issues and on marketing; concern with value for money issues.

Whether NPM represents a new paradigm in public sector management remains to be fully asserted. Some authors believe it does (Eakin et al., 2011; Kirkpatrick, Ackroyd, & Walker, 2005; Larbi, 1999; Liguori, 2012). What is certainly true is that NPM represents a dominant set of ideas about public administration, within a given timeframe, responsible for important changes occurred in public sector institutions, among which we find HEIs.

Governance shift in higher education

In HE, NPM reform is specifically visible at governance and management levels (Stensaker & Vabø, 2013). In what concerns the university, there is not one single governance model, as there is not one single model of university either. Although universities worldwide have a common root and share therefore a common heritage, they are also single institutions as they have developed according to the environment around them, which differs geographically and socially, having to adapt to it (Altbach, 1991: 190). Differences among institutions worldwide are also visible at governance level, with institutions showing different governing structures in their organisation.

University governance has traditionally been characterised by a model based on the principle of 'shared governance' (Shattock, 2002, 2006; Stensaker & Vabø, 2013). Although there is still much discussion about the definition of 'shared governance' specifically in the context of higher education, it can be briefly described as a governance model in which decision-making is a process participated by the organisation's actors. As Shattock puts it '[...] university governance is defined as the constitutional forms and processes through which universities govern their affairs' (Shattock, 2006: 1). In HE, the actors involved are above all academics, but also students and non-academic staff, whose presence in HEI's governing bodies is part of the university tradition, although with different degrees of participation. The supremacy of the academic staff role in decision-making bodies of HEIs has always been and still is a major characteristic of the governance model of HEIs (Stensaker & Vabø, 2013).

Traditionally, the university governance model was also defined by collegiality and was constituted by highly represented governance bodies, i.e. not only were all internal academic groups represented, as they were represented in large numbers. The reforms that followed NPM principles questioned this traditional governance model, imposing not only a reduction of governance bodies' size, as well as the introduction of external members in top decision-making bodies of HEIs. The concept of shared governance is thus extended and came to include a group that had for a long time been out of the traditional university governance model: members from the society that were external to HEIs, the stakeholders Amaral and Magalhães define as 'the representative of interests of the organisations' surrounding environment' (2000: 16).

We recall here four changes considered by Peter Eckel and Adrianna Kezar (2006) to be factors that might 'reshape' the decision-making model of HEIs as indeed they are major elements that contributed to a shift in governance in HE: the relationship between the State and public institutions has changed, with the latter being subject to more scrutiny and accountability measures; increased influence from the marketplace, as public institutions get less financial support from the State and must therefore look for other sources of financing; globalization puts HEIs in a much larger context, requiring interaction and competition at an international level; significant changes to the academic workforce, claimed to have an important and direct implication for governance (Eckel & Kezar, 2006: 6). Some of these factors are already a result from NPM based reforms, some have sustained them and some are simply contextual factors that cannot be dissociated from the rest.

As part of this reform of the traditional university governance model of managerialist influence, some authors even consider that a new form of university governance has emerged, introducing the notion of corporate governance (Kezar, 2004), with a clear decline of academic participation in decision-making, considered to be too self-interested, and an increase of external participation.

Higher education stakeholders' role

The reforms addressed in this study reflect, as we have seen, a shift of the traditional relationship of higher education institutions and the State. Whereas traditionally this relationship was characterised by a State control model, neo-liberal ideology's discourse conveyed the idea that the State should withdraw from what was considered to be excessive regulation of public organisations, thus giving rise to a model of State supervision (Neave & Vught, 1994; Vught, 1994). The argument was mostly based on the idea that public sector organisations were ineffective, over bureaucratized, unproductive and wasting too much State money. The shift from the State control model to the State supervision model resulted in higher education policies enhancing autonomy, accountability and quality assessment, considered as requirements for more effective and efficient higher education institutions and thus became the cornerstones of the reforms that followed (Magalhães & Santiago, 2011). The State thus leaves up to higher education institutions to define their strategy and to adapt to the environment they are in, assuming that this will enhance their efficiency, capacity to innovate and accountability (Magalhães, 2001: 127). However, the State does not entirely retreat from controlling higher education institutions. It shifted the control that was traditionally done upfront to a control based on results, visible in the widespread performance assessment instruments set up across European higher education institutions (Veiga, Magalhães, Sousa, Ribeiro, & Amaral, 2014). Guy Neave names this model of State based on regular assessment of the performance of institutions, through agencies and committees set up for the purpose, the Evaluative State (Neave, 2012).

The shift in the relationship between State and higher education institutions and the subsequent concerns with autonomy, accountability and quality assessment had a direct impact on the role of both internal and external stakeholders, redefining it (Leisyte, Westerheijden, Epping, Faber, & Weert, 2013). Considering that a stakeholder is anyone or any entity having a share of interest in higher education (Amaral & Magalhães, 2002), it is possible to identify a group of internal stakeholders, composed of members of the academia (academics, non-academic staff and students), and a group of external stakeholders, who represent, in the institution, the interests of society in higher education (members of society at large, the State and some international organisations). External stakeholders' presence in governance boards of higher education institutions is a way of bringing into institutions the interests of society and to make institutions be more accountable to society (Veiga et al., 2014). It also came to change internal dynamics and the role of internal actors, as they have seen their presence reduced in governance matters, by being imposed a shared governance model where the presence of external stakeholders became mandatory. Internal actors, traditionally used to collegially decide on important and strategic matters concerning their institution, now have to share discussion and decision-making with people from outside academia. This leads us to a 'new stakeholder model' with boards of trustees being introduced, composed by external members who very often come from the business world; with rectors being elected by smaller boards integrating external stakeholders; with senates being decreased of their decision-making power and the Rector having a redefined and more empowered role (Sporn, 2003).

The balance between internal and external stakeholders has shifted, with roles being redefined. However, in spite of the greater prominence external stakeholders have been assuming in higher education institutions' governance models, internal stakeholders, namely academic actors, still keep a leading role on governance matters.

Methodological Approach

The present study is based on empirical data gathered through semi-structured interviews to key actors from six Portuguese HEIs, as well as content analysis of legal documents defining the new governance structures (statutes, regulations and website information). The focus being on governance changes that occurred after implementation of the RJIES, the study could not leave aside the fact that 3 Portuguese HEIs decided to adopt the foundational status. Thus, it became interesting to consider perceptions on governance changes, namely on the increased participation of external members in top governing boards, from both public institute universities and foundation universities' actors. The three existent foundation universities integrate the study: Aveiro, Porto and ISCTE. In order to have a comparable set of institutions on the public institute side, 3 universities were chosen according to criteria of age, size and internal structure: Minho, Coimbra, Nova de Lisboa. The study integrates 2 organisational units (OUs) per HEI, as the law foresees the

possibility to integrate external stakeholders also at this governance level. Table 1 presents the study sample.

Table 1. Sample description

<i>Universities</i>	<i>Organisational Units²</i>	
<i>Foundational model</i>		
University of Aveiro (UA)	Civil Engineering Department	Social, Political and Territorial Sciences Department
University of Porto (UP)	Faculty of Arts	Faculty of Pharmacy
ISCTE-IUL (ISCTE)	School of Social Sciences and Humanities	School of Technology and Architecture
<i>Public institute model</i>		
University Nova de Lisboa (UNL)	Faculty of Sciences and Technology	Faculty of Social Sciences and Humanities
University of Coimbra (UC)	Faculty of Arts	Faculty of Sciences and Technology
University of Minho (UM)	Law School	School of Engineering

Although the Portuguese HE system³ comprises both a public and a private sub-system, for the purpose of this study only public HEIs have been considered. In the same line, in spite of the fact that the Portuguese HE system is binary, composed both by universities and polytechnic institutes, only universities were considered for this study.

The analysis to the statutes and regulations of these institutions made it possible to identify the governance boards integrating external stakeholders, both at central and unit level. Information made available on the institutions' website enabled to gather data on the professional background of external members of the General Council, which is the top governing board of the HEI.

Semi-structured interviews were conducted to key actors of the 6 universities: Rectors, Presidents of the General Council, Administrators, and Directors of organisational units. Interviewees are identified according to the type of institution they belong to: **UF** for foundation universities and **UIP** for public institute universities; and the post they held at the institution: **r** for Rectors, **p** for Presidents of General Council, **a** for Administrators, and **d** for Directors of organisational units. The numbers are assigned in a random way, e.g. the Rector of a university foundation is identified as follows: **1UFr**.

Interviews took place between November 2013 and June 2014.

² The number of organisational units per university is as follows: University of Aveiro 16 departments, University of Porto 14 faculties / institutes, ISCTE 4 schools, University of Coimbra 8 faculties, University of Minho 11 schools / institutes, University Nova de Lisboa 9 faculties /schools / institutes.

³ The Portuguese public higher education system is composed of 14 universities, 32 polytechnic institutes and 4 military and police academies. The private sub-system is composed of 29 institutions within the university sub-system and 42 polytechnic institutions.

Table 2. Interviewees' map

	<i>Rector</i>	<i>President of General Council</i>	<i>Administrator</i>	<i>Director of OU</i>	<i>Total</i>
Foundations	3	2	2	5	12
Public institutes	3	2	3	5	13
Total					25

Both interviews and documents were subject to content analysis, the latter to establish facts about how HEIs reorganised themselves to implement the new governance structures according to the RJIES, the former to have key actors' insight specifically on the presence of external stakeholders in top governing boards of the institution, and the strengths and weaknesses of a governance model including external members. Interviews were subject to thematic content analysis (Bardin, 2009), based on 4 major themes:

- The end of the 'ivory tower'? – to discuss the interviewees' perception on the need of opening the university to society. The use of the 'ivory tower' metaphor has long be used to refer to universities as institutions closed in on themselves. As Rüegg tells us: "Since the late nineteenth century the universities have been compared to 'ivory towers' to symbolize their arrogant distancing from the world." (Rüegg, 2011: 16).
- External stakeholders: a fresh look into the university – to get the perceptions of both internal and external stakeholders on the benefits of having someone from the outside world involved in the university's governance.
- Higher education: moving closer to the business world? – to analyse and discuss whether internal and external stakeholders perceive the presence of external members in top governing boards as a move towards a more managerial model of university governance.
- Internal vs. external stakeholders: who is in charge? – to discuss the perceptions of internal and external stakeholders about their role in governance.

External stakeholders in governance boards: strengths and weaknesses

The RJIES brought no doubt a major change to HEIs' governance model. Part of that change has to do with the introduction of external members in important governance boards of the institutions. Their presence is mandatory at the top central boards of HEIs, such as the general council, where external members account for at least 30% of members, and at the board of trustees (in foundation universities), constituted solely by external members to the HEIs. It is left to HEIs to choose to include external members in other governance boards, both at central level and at organisational

unit⁴ level. Analysis of the statutes of the six universities that integrate this study made it possible to map the presence of external members in these HEIs' governance boards, as shown in Table 3.

Table 3. Presence of external members in governance boards

<i>HEI</i>	<i>Board of Trustees</i>	<i>General Council</i>		<i>Other governing boards with ext. members</i>		<i>External members at organisational unit level</i>	
		<i>Nr. Ext. members</i>	<i>Total nr. members</i>	<i>Nr. of gov. boards</i>	<i>Nr. of ext. members</i>	<i>Nr. of ext. memb.</i>	<i>Selection mode</i>
UA	5	5	19	2	Not defined	–	–
UP	5	6	23	–	–	1	Co-opted
ISCTE	5	10	33	–	–		
School of Social Science						All	Appointed by Director
School of Technology and Architecture						3	Appointed by Director
UC	–	10	35	–	–	–	–
UM	–	6	23	1	≤ 10	–	–
UNL	–	7	21	–	–		
Faculty of Sciences and Technology						5	Appointed by Rector
Faculty of Social Sciences						4	Appointed by Rector

The roles assigned to these external members vary according to the board they belong to. The general council has to be presided by an external member, giving this external member a very important role within this board and the institution. The other external members of the general council have the same power as all other members, except for the choice of external members themselves, which is exclusively up to internal members to decide through co-option. Among the duties of the general council we find the election of the Rector, to which every single member gets to vote for in equal shares. According to Law 62/2007, the general council gathers its members four times per year, which might mean that external members only have to physically be at their higher education institution at the four meetings established by law. A greater involvement of external members in the life of the institution might depend on the relationship established between them and the Rector, as became apparent from some interviews. A greater involvement might mean a closer relationship and the development of an informal role of external members, which goes beyond the formal role established by law.

The government, upon suggestion of the institution, appoints external members to the board of trustees, in the case of foundation universities. This is a supervisor and monitoring board to the general council's decisions. Its members cannot have any work relation to the institution, so as to assure a certain distancing between them and the institution. If this was the case of first choice members, further boards of trustees sometimes include former rectors or members of the institution, which might mitigate the law's expectations.

⁴ By 'organisational unit' is meant the units that constitute HEIs such as schools, faculties and departments.

A shared governance model is, thus, present in the general council, where internal actors (academics, students and non academic staff) and external stakeholders share decision-making powers on the same matters. It is absent in the case of the board of trustees, as this board is constituted solely by external members.

Analysis of the statutes shows that four out of the six universities of this study chose to expand the inclusion of external members beyond law requirements, which might indicate the acceptance of the discourse claiming for the need to change the traditional university governance model, where the academia was run by academics, to a new governance model, in which the society has also a word to say about how a university should be governed, and also claiming for more accountability. The fact that the University of Coimbra chose not to include external members in governing boards other than those required by law might be connected to the weight tradition and history still have in this university, the oldest in the country, the foundation of which dates back to the 13th century. The same cannot be said of the University of Minho, created only in the 1970s. It might however be related to the fact that this university made the choice of remaining a public institute and not become a foundation university, clinging to a more traditional model of university.

Subsequent interviews done to key actors of the six universities in question made it possible to better understand what might have been beneath these choices, on one hand, and on the other hand to have an insight on how the presence of external members is perceived, giving us a better idea of the actors' perceptions on the strengths and weaknesses of a governance model including external members.

The end of the 'ivory tower'?

Analysis of the interviews to both internal and external actors shows that the presence of external stakeholders in top governing bodies of HEIs is generally perceived to be very positive. Most interviewees refer the need for universities to open themselves to society and the outside environment in general, and most claim that having external members as part of top governing boards is a way to do it. When asked to give their opinion on the subject, interviewees rate the presence of external members very positively:

I rate it [external stakeholders' presence] as very, very positive. It promotes a greater openness of the university to the outside, and also a higher level of discussion and agenda at the highest governing body of the university. (1UIPr)

[...] I think that this was a very positive measure only because universities were completely closed: the academics, their careers were what determined it all. (2UIPa)

Not only do most interviewees perceive the presence of external stakeholders as promoting a necessary openness of universities to society, as they also consider that the university was too closed in upon itself, which is perceived negatively. Most actors, irrespective whether they come from foundation universities or public institute universities, share these opinions. There seems to

be no significant difference to notice when comparing opinions from actors from foundation universities and public institute universities.

I think that institutions must increasingly open to the outside [...]. If the university is an ivory tower it dies. (1UIPd)

It basically means to extend the link to society, if you wish. (1UFR)

This is also the view of external stakeholders, themselves. They consider that the university should open to the outside and letting in external members is considered as a means of doing so.

I think that the RJIES has ideas that are very worthwhile ideas, intending to make universities stop living in their own closed system, by introducing general councils and external members (1UIPp)

The university seems to be moving beyond the 'ivory tower' it used to be. By perceiving as positive and accepting the participation of external members in important decision-making boards, academics are accepting the idea that discussion of and decision on university affairs benefit from an external insight, thus opening the door of the 'ivory tower', which was traditionally shut. Although foundation universities have an extra board composed solely by external members, this does not seem to have an impact on stakeholders' perceptions when compared to those of public institute stakeholders, as both seem to share the same opinions regardless of the institutional model chosen by their university.

External stakeholders: a fresh look into the university

This idea shared by most interviewees that the university was too closed in upon itself and needed to open to society at large might explain the reason why the introduction of external members in important governing boards seems to be so widely accepted and considered as a positive measure brought by the RJIES. Most interviewees perceive external stakeholders as having brought to universities a new look and a new way of running the institution, which is rated as positive by internal actors.

I think they [external members] have brought a new way of looking at things and even of managing things, which I rate as good. (1UFd)

I think it is always good to have a look from outside, from someone who is an outsider [...]. I think they have brought a different way of seeing things, of looking at things, and even of managing things that I rate as good. (1UFd)

I think it is always good to have people from the outside, not least to ask: why is this like this? (5UFd)

The traditional model of university shared governance is changed by the RJIES that extends it to another group (society members) who comes to have a word on university matters, where they used to have none before. It is curious to notice that it is furthermore unquestioned and unchallenged by academics who, traditionally, were the main decision-makers in matters relating to their institution and themselves as professionals. This supports the idea that the NPM discourse

widespread by international organisations, national governments and ultimately accepted by society at large, also found careful listeners at the institutions aimed by the reform, where it seems to have come to be institutionalised.

The presence of external members in HEIs is also perceived as a two way thing by some members of academia: not only can HEIs benefit from an external look, but also external members can get a better idea of how HEIs actually work, the problems they face, and take this knowledge to the outside. This is seen as a positive aspect of the inclusion of external stakeholders in top governing boards.

First, it requires us to consider different looks, it brings along different looks and requires from us to reflect about those looks; the external members themselves change their own looks when they are, say, influenced by the institutional experience [...] (3UFR)

[...] there is a positive aspect I am noticing about those external elements. [...] there used to be that dominant discourse saying that universities should adapt themselves to the market world, etc., and this, I think, is being put in perspective because some external representatives are being confronted with the universities' own reality. [...] And they are themselves taking initiatives to resolve that issue. And that is interesting because there is a certain awareness that goes a bit against what was previously said. (2UFd)

Once more these results seem to support the idea that the University is no longer seen as an organisation that should remain closed in itself. Academics seem to be willing to let in ideas and insights from the outside and see this as beneficial for the discussion of university matters and consequently for decision-making on matters concerning the academia.

Higher education: moving closer to the business world?

One of the key characteristics associated to NPM is to value the private sector management techniques to the detriment of those of the public sector. This results in bringing the public sector closer to the private sector in various ways. In HE, the inclusion of external stakeholders in top governing boards can be seen as a way of doing this. The analysis of the composition of the general council and the board of trustees' members – where most external members are – shows us that there is a considerable number of external members coming from the business world. This might indicate that HEIs consider it as an added value to have among their members, known figures from the business world. Table 4 shows the percentage of external members with a business background in both general council and board of trustees.

Table 4. Percentage of external members with business background

<i>HEIs</i>	<i>General Council (1st mandate)</i>	<i>General Council (2nd mandate)</i>	<i>Board of Trustees</i>
UA	60%	60%	60%
UP	50%	16,7%	60%
ISCTE		40%	40%
UC	50%	20%	–
UM	33,3%	33,3%	–
UNL	14,3%	42,9%	–

It is of interest to notice that there are some differences in the percentage of external members with business background between first and second general council mandates. There is a significant decrease in the universities of Porto and Coimbra, which might indicate that the inclusion of business people was not considered to have been as positive or valuable as expected. On the contrary, the University Nova de Lisboa increased the number of members with a business profile in the 2nd mandate, which might be considered to be in line with the decision of becoming a foundation university.

Some interviewees consider that the reform could have gone even further in terms of the ratio of external members and the way they are selected, specifically in the General Council, where their presence should be, by law, of at least 30% of the members.

[...] we could still have more elements in a higher percentage of external elements in the general council [...] (3UFR)

Selection of external members is done by co-option by the internal actors and therefore I think that we should consider the possibility of part of the external members be co-opted by the external members and not only by the internal members. I think it is necessary to find other ways of selecting external stakeholders. (1UIPp)

This goes in line with what has already been said: external stakeholders seem to be widely accepted in HEIs and some even consider that their presence should be increased. When asked about whether they considered that the new governance model imposed by the RJIES had contributed to move public sector governance models closer to those of the private sector, some interviewees claim it has and make a direct relation with the presence of external stakeholders. At organisational unit level, scientific area seems to matter in terms of how important is the presence of external members perceived to be.

A little, though not totally. And I think that the inclusion of external members in decision-making bodies has a bit to do with that. It is the university moving closer to the business world. Of course that also depends much on the faculties and on the scientific areas, it is not the same in a faculty of economics or of engineering, or a faculty of arts. And the external members are not equally important in all faculties because the link of faculties to the business world is not the same, it depends much on the scientific areas that are lectured. (3UFd)

The acceptance of the idea conveyed by NPM discourse that the private sector is more efficient than the public sector (Larbi, 1999; Pollitt, 2002) and that the public sector might benefit from public sector management techniques is present in answers such as the two below:

[...] the perception we have is that [external members] really bring a different vision and therefore place different levels of ambition than those we were used to. On the other side, they are facilitators of the relationship with the community, namely the business world, and that I think is a very considerable gain for a university, even in what concerns the degree of rigour they place on accountability [...]. We have here a slightly superior level of demand than the one we were used to. And that is good, bringing experiences from the private world. (1Ufa)

[...] there is an entrance of external elements in the General Council, which I rate as positive as it brings a new look and it contributes to the presence of external elements... and they come from more rigorous governments, more experienced and more strategically determined. (3UFR)

Although the presence of external members in HEIs seems to be widely accepted, some interviewees refer a few aspects they perceive as of concern. One interviewee notes that the initial

trend to choose external members coming from the business world might bring along the tendency to implement in public HEIs management practices typical of the private sector, perceived as not applying to the reality of a university.

The first temptation of the universities was to pick up representatives of the business world. [...] namely the Presidents of the General Councils bring along a logic of hard management to the General Councils and to the university, which is not necessarily... I hold nothing against management but this cannot work like it was a supermarket... (2UFd)

Others perceive the number of external representatives in top governing boards of HEIs as too high and question whether that number should be as high as it is, although still not opposing to their presence.

[...] as a matter of principle, I think it might be interesting to include members from the civil society; but what I can ask is whether the percentage should be that high. (3UFd)

These answers show that among academics there is still opposing voices to the idea conveyed by NPM supporters that private sector management practices should be applied to the public sector because they are considered to be better and able to solve public sector management problems.

Internal vs. external stakeholders: who is in charge?

The analysis to the legal documents of the six universities, namely the statutes that define the new governance model according to the RJIES, shows that, except for the board of trustees (where external members account for 100% of the seats), the academics still hold the majority of seats in most governing bodies. The RJIES itself establishes that academics should hold more than 50% of seats in the general council, giving them the majority and the most important word to say on the matters discussed at general council level. The presence of external members in other governing bodies is not significant, as already mentioned, and happens mostly in consultative boards. So, clearly academics still are in charge of their institutions. But how is this perceived by members of academia and also by external members? How do academics perceive this share of governance with members from outside academia? And specifically in the case of the board of trustees, how is their presence perceived in terms of their duties towards the institution?

Internal interviewees perceive that in spite of the fact that university governance is now shared with external members, the traditional internal balances have not changed: the top governing board is still composed by a majority of academics, and non-academic staff and students are still present.

Actually, the general council is still composed of majority of academics. There is a representative from the non-academic staff and then the external personalities, and those yes, they do bring a new dynamics, but internally the balances did not change substantially. (1Ufa)

When questioned about the board of trustees some interviewees reveal a lack of knowledge of what this board actually does and speak of it as a 'symbolic board', though recognising it as a means of supervision by the State of the HEI's activities, as all members are appointed by the government.

I think it was, on one hand,... when institutions chose to become a foundation, it was the assurance that the State still kept controlling foundations through the board of trustees, because they are appointed by the government. Now, what I think is that it is more of a symbolic board, at this point, than actually a board with strong powers, isn't it. (2UFd)

For me it is a non-existent board... I don't know what it does... I have the feeling it is inoperative. (1UFd)

The answers above transcribed come from directors of organisational units, who might feel a bit more distant from central governing boards, whereas rectors have a greater interaction and articulation with them. To the same question, one rector from a foundation university answered:

The board of trustees is very important [...]. They used to say that this was to governmentalise the institution: I prefer to have five members that I get to choose and propose to the government, than one minister I didn't vote for. [...] A good part of the functions of the ministry have been delegated. Therefore, I have a much greater intervention on the names I propose to the government because it cannot nominate them until I have proposed them, and I also accept that the government, since it delegated on the board of trustees patrimonial responsibilities, have a word to say on the nomination. (1UFR)

Some interviewees perceive that external members have a too great decision power on matters concerning the university. Others make the distinction between issues that should exclusively fall within the competence of academics and that are not to be decided by external members – such is the case of scientific and pedagogical matters – and issues that can fall within the competence of external members.

It seems to me that it is a bit exaggerate that they [external members] should have such a decision-making power, specially if they are not familiar with the university's life. (3UFd)

It depends on the competences of the board because, for instance, if that board has scientific and pedagogical competences I totally disagree, it makes no sense. If the board has economic, financial and administrative competences, if it is not the decision-making board just of control, so to say, then it is not as preoccupying because I think that the academics are important specially on those matters where they have a word to say, which is the most important of all: the academic issues, especially on scientific and pedagogic issues, especially in those. [...] Now, is it essential for academics to have an opinion on financial or administrative issues? I have some doubts about that, lots of doubts, I even have doubts whether university management has to be done exclusively by academics. I have doubts. (4UIPd)

Interviewees also refer as positive the fact that the presence of external stakeholders changes the kind of discussions that used to happen in some university boards, more of an internal and corporative nature:

The presence of external members was very reduced, the meeting was presided by the Rector, and easily those boards were lost in internal discussions of more or less corporative nature, or of corporative interest [...]. The qualitative leap there is huge. (1UIPr)

Perceptions of academics on who is in charge or ought to be in charge show that 'tribes and territories' are still part of the academic culture. Academics perceive positively the presence of external stakeholders in top governing boards but still see themselves as the rightful decision-makers on academic and scientific matters.

Conclusions

Analysis of the interviews seems to indicate that both academic actors and external stakeholders perceive change brought by the RJIES, regarding the mandatory presence of external members in top governing bodies, such as the General Council and the Board of Trustees, as a positive change of the governance model of universities. They seem to consider that the traditional way of running a university was lacking insight from outside and is, therefore, benefitting from the outside view brought by these members. This wide acceptance of external members seems to be unquestioned by academics, which is curious to notice since they are traditionally the main decision-makers in university matters and those who may have felt they had more to lose with the inclusion of external members in important decision-making boards. Nevertheless, they seem to accept this new model and even consider it positive. This fact might indicate that there is wide acceptance of the idea conveyed by NPM-based discourse about the need for more efficiency in university governance and the benefits of getting the public sector closer to the private sector in terms of their governance and management model. However, this cannot be dissociated from the fact that all academics that have been interviewed hold government and management positions within their institutions, which means they deal directly with external stakeholders.

A study by Magalhães and Amaral, published in 2007 – year of the publication of RJIES – shows that academic actors' perceptions were already mostly favourable to a shift from the traditional model of governance of HEIs to a more managerialist one. It also shows that the perceptions of some actors were then already in a 'hybrid position', gathering elements from both the 'collegial-bureaucratic rationale' and the 'managerialist rationale' (Magalhães and Amaral, 2007: 322).

Several interviewees refer to the fact that they see the benefits of the presence of external members as a two-way opportunity: HEIs benefit from a new view on the institutions, but external members also get to know how a university really works, the problems they face and take that knowledge out, which is perceived as very positive by academics.

In spite of the fact that the university governance model now includes external members, the shared governance model in place continues to have a majority of members coming from academia. Academics still perceive they have and should continue to have a word to say on university matters, especially on scientific and pedagogical issues. This seems to indicate that the NPM reform discourse is generally perceived as a positive change, but still members of the academia are not willing to give up the majority of seats they hold in university governance.

In spite of the wide acceptance of external members in top governing boards, some internal actors warn about the danger of bringing to universities a governance model characteristic of the private sector, as they do not apply to the reality of a university.

The university has moved away from the 'ivory tower' it was considered to be; boundaries are shifting and the governance model seems to be drifting away from the traditional bureaucratic archetype towards a managerialist paradigm of running a HEI.

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Paper III

Understanding change in higher education: an archetypal approach

Abstract

During the past three decades, higher education institutions have been changing, moving away from the traditional bureaucratic archetype towards a more managerialist one. Empirical research already demonstrated that organisations tend to be in a hybrid area of archetypal change. Considering the specific case of a government imposed reform in Portugal, and using a case study approach of six public universities, this study aims at exploring archetypal hybridism through the lens of the two main dimensions: systems and structures, and interpretive scheme. The theoretical background lies on academic literature on organisational change in higher education and specifically on archetype theory. The findings drawn from document analysis and interviews outline the main characteristics of the hybrid archetype that we chose to name efficient-collegiality. The study contributes to shed light on this hybrid archetype, taking research further from where former studies have stopped.

Keywords

Archetype, governance, higher education, new institutionalism, new public management, organisational change

Reference

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1. Introduction

Over the last four decades¹, the public sector and specifically the public higher education (HE) sector have been subject to pressures that resulted in substantial change. The Humboldtian university as we knew it, where knowledge seeking and sharing was a value on its own, has been questioned first by massification processes and then by New Public Management (NPM) influence. One of the dominant narratives recognised worldwide impact in the public sector is NPM. Based on the assumption that public sector organisations were over-bureaucratised and inefficient, the NPM 'menu' (Mongkol, 2011) argued for the primacy and advantages of private sector management practices and for the benefits of their use in public sector organisations.

Within these NPM-based assumptions, at governance level, attempts have been made to change traditional university consensus-based structures (Deem, Hillyard, & Reed, 2007) into centralized strong leadership power boards, where not all academics have a seat, nor least a word to say; where the shared governance model was extended to include external members, changing the traditional collegial model of running a university to a business-like model, with decisions being taken in a more top-down basis (Carvalho & Santiago, 2010a, 2010b). Universities now have to operate in a more (market-like) competitive environment, and respond the best way they can in order to survive and to ensure organisational legitimacy (Diogo, Carvalho, & Amaral, 2015; Fumasoli & Stensaker, 2013).

There is a clear change of paradigm, already identified in literature on organisational change in HE, with public HEIs moving away from what was their traditional model into a model clearly closer to private sector practices. Empirical research has already identified the resulting hybridism of this change of archetype but from our point of view existing research falls short in defining and understanding it. What characterises that hybrid archetype? Which characteristics from the traditional professional bureaucratic archetype remain untouched and which characteristics from a more managerial-like archetype managed to introduced themselves in public HEIs? How can we characterise and understand this hybrid archetype?

In order to analyse these issues, we argue that archetype theory (Greenwood & Hinings, 1993, 1996) can constitute a framework that will help explore the hybridism resulting from the changes implemented in HE. Our reflection is based on a case study of a reform imposed on HEIs by the Portuguese government in 2007.

¹ This timeframe applies mainly to the Anglo-Saxon world (the United Kingdom, Australia and New Zealand), where these pressures first began to be felt.

2. The changing university: the Portuguese context

Universities are among the oldest organisations in the world. Although knowledge seeking and transmitting remains their most important characteristic, much has changed. This section focus on the main changes occurred in the Portuguese context.

Portugal is a case worth highlighting since its HE system had a later development compared to other European systems. The main reason lies on the fact that only in 1974 did the country establish a democratic regime, after a long dictatorship. In the early 1970s new universities and polytechnics were created, thus enabling the system to grow both in offer and in the number of enrolled students. In a short period, Portugal moved from an elite to a mass HE system, thus getting more attention from the state and society at large.

Having developed later, while most other European HE systems were already undergoing major reforms, Portugal was still experiencing a period of growing expansion, within a newly established democratic regime, mirrored in HE legislation by the establishment of large collegial governance boards and a much participated academic life.

Reforms reflecting NPM and managerialism ideology, occurred in most European countries during the 1980s and 1990s, first arrived in Portugal in the early 2000s. From the series of new legislation published along that decade, Law 62/2007, known by its acronym RJIES, is the one to impose the greatest changes to the HE system.

The choice given to HEIs between two institutional models, so far has resulted in three foundation universities. The other institutions chose to remain within the public institute model. The main reasons for choosing the foundational model were mainly financially related: foundation universities would get more autonomy in getting and managing their funds, and human resources, not having to abide by the general public administration rules. In spite of the publicised advantages of the foundational model, the economic context the country found itself in shortly after prevented institutions to fully benefit from them.

Having shown in a brief overview the main changes occurred in HE in the last four decades, we will proceed to present a theoretical framework that might help not only discuss and understand, but also define and characterise the emergent hybrid archetype that resulted from these changes.

3. Analysing change in higher education: a theoretical approach

Organisational change in general and organisational change of HEIs in particular have been widely researched and are the main focus of a great variety of studies that aim at understanding several

aspects that relate to this matter: what leads to organisational change; how is the organisational change process itself; what results from the change process; and how do organisational actors behave in the face of change (Fumasoli & Stensaker, 2013; Gornitzka, Kogan, & Amaral, 2005; Gornitzka & Maassen, 2000).

Institutionalism and its various sub-fields have been widely used as the theoretical framework that best helps explain an organisational change process. Institutional theory considers there is a relationship between human action and institutions whereby one influences the other. It also considers organisations within their external institutional environment, to which they have to adapt to and comply with (Diogo et al., 2015). The external environment is important in the organisational change process as external pressures put on organisations may influence and even impose change onto them. However, authors like DiMaggio and Powell (1983), Meyer and Rowan (1977), Zucker (1987) and Meyer and Scott (1983) argue for the importance of the internal environment in shaping organisations. Institutionalised values and practices, as well as normative and cultural features influence and help shape an organisation.

Keeping the focus on the outcomes of organisational change and on the question of whether a new organisational paradigm has emerged or not, change processes in a given organisational field may be approached on the basis of the archetype theory. The study of organisational change using an approach based on archetypes received a major drive with Greenwood and Hinings' (1988, 1993) work, where they explore and develop the concept of archetype and discuss its implications for the study of organisational change. Archetype theory has been particularly used in the study of organisational change specifically focused on professional service organisations, such as accounting firms, law firms and health care/medical practices (Brock, 2006; Brock, Powell, & Hinings, 1999; Dent, Howorth, Mueller, & Preuschoft, 2004; Pinnington & Morris, 2002). Organisations such as these are recognised one main common characteristic: that of having professionals that are not only operators, but also managers of the organisation they work in (Brock, 2006).

Before further developing the archetypal approach to organisational change, we shall first elaborate on the concept of professional bureaucracy, as this configuration shapes the traditional archetype that best defined a university prior to recent reforms.

3.1. The professional organisation

Mintzberg (1979) had already identified a structural configuration he named Professional Bureaucracy, corresponding to the kind of organisation that has highly specialised professionals in the operating core, with 'considerable control over their own work' (Mintzberg, 1979, p. 349). Mintzberg considers the professional bureaucracy as a democratic organisation, providing professionals with a high degree of autonomy and power. As he puts it 'the professional has the

best of both worlds: he is attached to an organisation, yet is free to serve his clients in his own way, constrained only by the established standards of his profession' (1979, p. 371).

Organisations that fall into this organisational configuration further include universities, hospitals and school systems. Professionals within these organisations tend to work in a very independent way and directly with their 'clients'.

Professional bureaucracies rely on the work of highly specialised professionals who have undergone training at HE level. The authority given by the power of expertise also favours the great autonomy these professionals have. These specialists are backed up by support staff that ensures a certain number of tasks are performed to serve the operating core, freeing professionals from spending time on matters unrelated to their core tasks.

Regarding structure, professional bureaucracies are highly decentralised and in what concerns decision-making, they are based on collegial values and these values are translated in highly participated and represented decision-making structures (Brock et al., 1999; Mintzberg, 1992).

3.2. The archetypal approach

Greenwood and Hinings (1993) base their definition of 'archetype' on a holistic perspective that understands organisational structures through general patterns and not so much by 'narrowly drawn sets of organizational properties' (1993, p. 1052). According to the authors, patterns correspond to the elements that constitute what they name 'interpretive schemes' (set of ideas, values and beliefs), that underlie and are present in organisational structures and systems. As such, the authors define the concept of archetype as "a set of structures and systems that reflects a single interpretive scheme" (Greenwood & Hinings, 1993, p. 1052).

Considering that archetypes are important to understand organisational change, Greenwood and Hinings define change as the movement between archetypes (1993, p. 1053). Moreover, archetypal change requires modification of the underlying interpretive scheme, which is what defines an archetype. The approach to organisational change focused on the idea of archetypes implies, thus, to explain organisational diversity resulting from the change process. The authors draw on neo-institutional theory to develop a theoretical framework that considers the influence of both environmental pressures and intra-organisational dynamics in an organisational change process (Greenwood & Hinings, 1996).

The organisational archetype

The concept of archetype is based on the need to understand organisational change and specifically organisational diversity through typologies (Greenwood & Hinings, 1993). Applied to organisational studies, archetypal theory entails a classification of organisations according to

identified types that each present a common and coherent set of organisational arrangements (Greenwood & Hinings, 1993).

The notion of archetype further entails two concepts: that of structures and systems, and that of interpretive scheme. The analysis of organisational change through the archetype theory perspective involves considering both changes occurring at structures and systems level, and at interpretive scheme level, as they not only interact with each other, but one will influence the other into change. As Brock (2006, p. 160) puts it, 'structure, systems and their underlying interpretive schemes stand in a reflexive relationship with each other'.

Organisational structures and systems define the way an organisation operates, identifying roles and allocating tasks, responsibilities and also authority, by defining hierarchy (Greenberg, 2011; Lunenburg, 2012). There are different types of organisational structures as each organisation operates in its own way, and structures and systems are designed to enable organisations to meet their own goals (Lunenburg, 2012).

The idea of interpretive schemes adds a subjective meaning to (objective) organisational structures and systems (Brock, 2006). Interpretive schemes relate to the set of ideas, values and beliefs organisational actors hold about their own organisational structures and systems and therefore are considered to underpin them (Greenwood & Hinings, 1993). They can thus be considered as 'mental elaborations' from organisational actors on the concrete reality of their own organisation (Silva & Fonseca, 1996, p. 143).

Several studies in the area of public administration and HE have identified a change considered to be caused by the emergence of NPM and managerialism ideas and consequent political pressures put on public sector institutions in general, and particularly on HEIs (Amaral, 2009; Bardouille, 2000; Brock, 2006; Carvalho & Santiago, 2016; Lazzeretti & Tavoletti, 2006; Locke, Cummings, & Fisher, 2011; Magalhães & Amaral, 2007; Santiago, Magalhães, & Carvalho, 2005).

Archetype theory has not been explicitly used in the area of HE, but some studies consider the analysis of values shared by actors of a given organisation sector. Magalhães and Amaral (2007, p. 316) identify a change in values and norms in Portuguese HE, which they relate to a growing criticism of traditional Humboldtian values and an increased use of private sector management practices in the public sector. Although the authors do not explicitly make use of the concepts of archetype and interpretive schemes, they do refer to a change of the interpretive scheme by identifying values and norms related to a traditional way of governing a university, and those that constitute a more managerialist-like way of governance. As argued by Greenwood and Hinings, values are what underpin interpretive schemes and a change of interpretive scheme is required in a process of archetypal change (Greenwood & Hinings, 1993).

The study by Magalhães and Amaral (2007) identifies elements that characterise what could be considered as the traditional archetype of the public university: collegial governance structures, low levels of external stakeholders' participation, highly participated governance structures by all

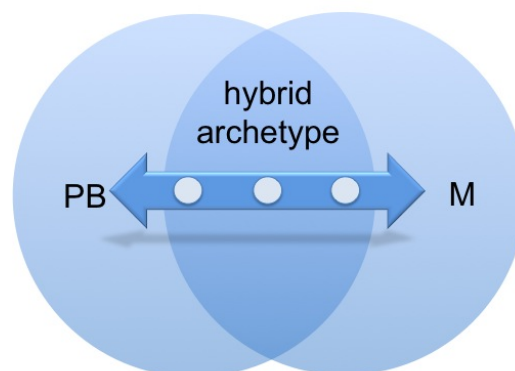
academic actors, parity between academics and students in certain governance boards, and election of members of governance structures. The authors also identify characteristics of a new set of values and norms that they relate to an 'entrepreneurial ethos' at governance and management level of HEIs (Magalhães & Amaral, 2007, p. 323).

Bleiklie and Kogan (2007) likewise refer to the changes occurred at organisation and governance level in HEIs as a move away from the traditional university, which they name the 'republic of scholars', to the university as a 'stakeholder organisation'.

Considering that the archetype consists of the relationship between structures and systems on one side and an interpretive scheme on the other, and that values and ideas are not easily or equally changed among organisational actors, Greenwood and Hinings refer to a period when there is not a single archetype; instead different archetypes coexist – the authors write about archetype incoherence (1993, p. 1075).

Different archetypes may indeed coexist at the same time – we may rather speak of a 'confluence' of archetypes –, and each one of them has its own characteristics. The idea of archetype 'confluence' is where the 'hybrid archetype' is to be found, as shown in figure 1. The intersection area between two archetypes is where this archetype 'confluence' occurs, as elements from both the starting archetype (professional bureaucracy) and the arrival archetype (managerialist archetype) are present and mingled in a certain degree. The arrow shows that movement between two changing archetypes can be bi-directional. It is this hybrid area where more than a single archetype can coexist that is of interest to this study and will therefore now be explored.

Figure 1 – Archetypal change: the hybrid area



4. Research design

Considering the framework just presented and the main purpose of this study, which aims at analysing a change in archetype within the HE sector, and specifically explore the hybrid area HEIs are standing in, we developed a qualitative study focused on a sample of six public Portuguese universities. This set of universities includes institutions from the two different institutional models established by the RJIES and is composed of three foundation universities (Aveiro, Porto and ISCTE) and three universities that remained within the public institute model (Coimbra, Minho and Nova de Lisboa). This institutional model was perceived as a way of bringing HEIs closer to private sector governance models, with a clear increased autonomy on behalf of the institutions. Significant differences at governance level were therefore to be expected, with foundation universities governance structures closer to the private sector governance model and to a managerialist archetype.

The research focus is set on both the level of governance and management structures, and on the level of the interpretive scheme. We considered it, therefore, interesting to analyse both the governance structures in place and the perceptions of top and middle-level actors of the six public universities.

Actors with governance and management positions (at top and middle management levels) were interviewed with the purpose of identifying the set of values that stand out in their discourse, in order to assess in what ways has the interpretive scheme underlying the traditional archetype characteristic of a public university changed. Interviews were carried out to rectors, presidents of the general council, administrators, and two directors/presidents of organisational units (OU) per university, in a total number of 26 interviews, carried out between November 2013 and July 2014.

Table 1: Number of interviews held

	President of				
	General				
	Rector	Council	Administrator	Unit Director	Total
Foundations	3	2	2	5	12
Public institutes	3	3	3	5	14
Total					26

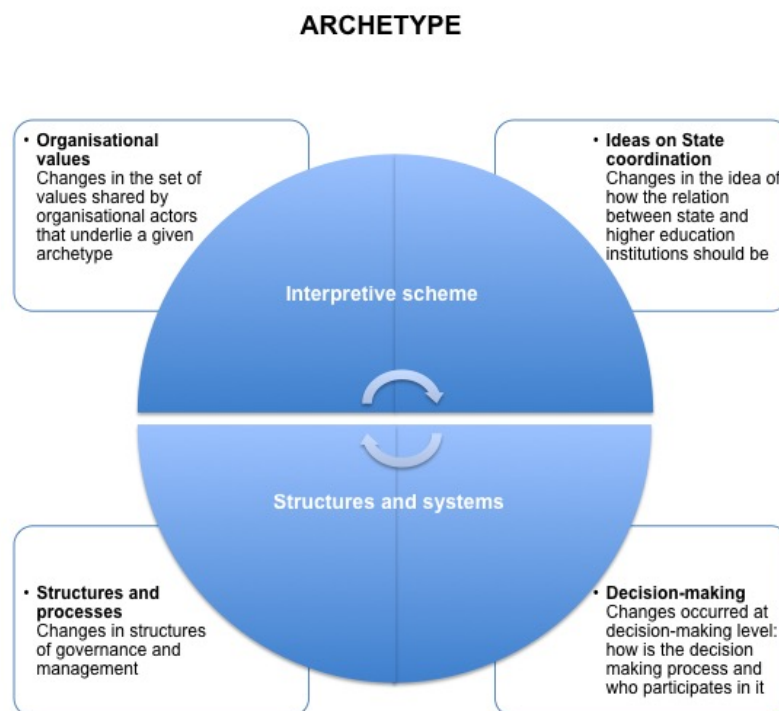
Singling out top and middle management actors leaves out other institutional actors, such as academics with no management positions, administrative staff and students, whose perceptions could be relevant to have a better understanding of the whole interpretive scheme in place. This option, however, was based on the need to have the perception of those who have a role in university governance and therefore are closer to the existent structures and composition.

The interviews performed to the above-identified top and middle-level actors focused on the 2007 reform to the Portuguese HE system, as the overall theme. Questions were asked about their perception on the need for such a reform, on what they considered to be the most important changes occurred in their institution and how they perceived them, on specific changes occurred at governance level, as well as on whether they considered there has been an approximation of public sector management techniques to those of the private sector, and to how they rated it. The study included also analysis of legal documents from the six universities, in order to have information on how they organised themselves to comply with the law. The RJIES is a very prescriptive law, but it still left some room for institutions to take their own decisions on the existence of some boards. The analysis of the way universities chose to rearrange their governance structures, both mandatory and optional, is very helpful in assessing how far they were willing to go in the managerialist way of running a university, and how have their structures changed to support a new interpretative scheme.

Both the legal documents and the interviews were then analysed and subject to thematic content analysis (Bardin, 2009), according to the dimensions and categories of analysis defined in figure 2.

Figure 2 considers the reflexive relationship structures and systems, and interpretive schemes stand in with each other (Brock, 2006). Taking these as the dimensions for analysis, we further considered two categories per dimension as set in figure 2.

Figure 2 – Dimensions and categories of analysis



Findings will be presented and discussed in section 5.

5. Changing archetype: mixed feelings

The 2007 reform marks an important turning point for Portuguese HEIs in what concerns their institutional and governance models. University governance in its traditional collegial form has been challenged and changed in a way that had never occurred before.

The present study led us not only to confirm our starting assumption, that HEIs stand in a hybrid area; more importantly, it enabled us to explore this hybridism and better understand what remains of the ‘old’ archetype and what emerges from the ‘new’ archetype.

Based on the two dimensions and the four categories of analysis previously defined, we will now explore what we chose to name the efficient-collegiality archetype.

5.1 Structures and systems

The 2007 reform involved a series of important changes, from which we highlight: significant reduction of the number of members of the most important executive boards; representativeness of the different academic actors in government boards; power concentration on one-person boards; selection processes now include also appointment and co-option; external members were introduced at top decision-making boards. These are the changes, at structures and systems level, that will be analysed, according to the two identified categories (structures and processes, and decision-making).

The table below presents the mandatory governance boards before and after the 2007 reform.

Table 2 – Government boards before and after the RJIES

Before the RJIES	After the RJIES	
	Public institute universities	Foundation universities
Rector	Rector	Board of trustees
Academic Senate	General Council	Rector
Assembly	Management Board	General Council
Administrative Board		Management Board

The RJIES brought significant changes in terms of the mandatory governance structures. Boards like the academic senate, which has a long tradition in universities’ governance models,

and the university assembly cease to be mandatory and the choice to have a Senate is left to the institution. The main mandatory and executive boards are now the General Council, the Rector and the Management Board. Foundation universities add the Board of Trustees.

These governance boards gather a set of characteristics (regarding their composition and competence) that are much in line with NPM and managerialism principles. The Rector is, by definition, a single-person body, who has seen his/her powers greatly enhanced after the reform. The Rector no longer depends on decisions taken by an academic senate composed by a great number of academics, to decide upon important matters. He/she can decide for him/herself and is therefore also held responsible for the decisions he/she takes. This is considered to be a more 'governable' way of governing a university, as decisions can be taken without being subject to long and very participated discussions – as perceptions of interviewed actors showed. But it does change a long-standing paradigm in universities' governance models, where decisions used to be taken in collegial boards and the Rector would then execute them accordingly.

According to the RJIES, the Senate is now an optional governing body of advisory nature. The choice to keep it was taken by four out of the six universities: Coimbra, Porto, Minho and ISCTE. This choice, therefore, cannot be related to the chosen institutional model. It could have been expected that foundation universities would lean toward a more managerial governance model and would therefore choose not to keep a board like the Senate, where traditional collegial representativeness is still maintained. However this is not the case, which leads us to that hybrid logic we have been writing about: even though some institutions chose an institutional model that takes them closer to managerial governance models, even though actors were willing to accept smaller structures and less representativeness, institutions still chose to maintain a collegial board that was traditionally part of the university's governance model. This might happen for various reasons, but certainly the difficulty academics feel in accepting being out of decision-making forums is one of them. One Rector confessed he would prefer not to have a Senate in his institution, but at the time of the decision his peers did not accept this. He still has the project to ban the Senate in the near future.

I even think that the law should have put an end to senates and all that stuff. I think that there are too many boards. [...] Here, for internal reasons, I had to keep the senate [...]. People were afraid to bring an end to it. Here it was a concession, negotiation pure and simple. Possibly, now when I revise the statutes I'm not sure it will resist. [...] We are doing a statutes' revision and I will slim down the whole structure. (1UFr)

In what concerns the Rector and the Director/President of organisational unit, the reform implied a reinforcement of their power. These top and middle management level actors now may take decisions on some matters without having to consult collegial boards and have their agreement as it used to be done before. This power reinforcement in single-person boards is much in line with managerialist principles and interviewees confirm it by drawing the parallel between the Rector and private sector CEOs.

The RJIES' model was influenced by business management when it distinguishes the figure of the Board of Directors and that of the Chief Executive Officer. The General Council is, in a way, a Board of Directors, with a chairman with few powers, which is the President of the general

council. And then there's a CEO who is the Rector. So I think the RJIES was much inspired by business management models [...]. (1UIPP)

Another aspect that has changed is the process of choice of both these top and middle management level actors. The Rector is still chosen through an election process. However his/her election is no longer done by a large number of members of the academic community. Instead, the Rector is elected by the General Council, a much more restricted number of persons that includes also external members.

Concerning selection of directors of OUs, the RJIES only stipulates that when existent it is the unit's collegial body that elects its director. Each institution further determines selection procedures. From among the six institutions of the study, the University of Aveiro is the one to have gone further away from the traditional election model: a selection committee composed by the Rector and 4 other elements designates the director after a public presentation of his/her project. At ISCTE the Rector appoints the unit's director according to the proposal of the unit's scientific commission vote. All other institutions have a collegial board that elects the unit's director.

The last category of analysis takes us to decision-making processes in HEIs and to issues related to collegiality. The RJIES introduced significant changes that affected collegiality. One of them relates to the introduction of external members in top-level decision-making boards, namely the General Council and the Board of Trustees. We argue that this did not radically affect the collegial characteristics of the governance model in place, but the collegial balance has definitely been changed.

The Board of Trustees is the highest body of foundation universities' governance. It is composed solely by external members (5), appointed by the government on recommendation of the institution.

At General Council level the legislator opted for a shared governance model where both internal and external members have a seat. According to the law, at least 30% of the members must be external to the institution. The RJIES establishes that the majority (> 50%) of the members must be academics, thus preserving some degree of collegiality in the General Council. The way the six universities organised their General Council varies (see table 3).

Table 3 – Composition of the General Council

HEI	Profs / Res	%	External members	%	Students	%	Non teaching staff	%	Total
RJIES		>50		≥30		≥15	optional	–	15- 35
UA	10	52	5	26.3	3	15	1	6.7	19
UP	12	52.2	6	26.1	4	17.4	1	4.3	23
ISCTE	17	51.5	10	30.3	5	15.2	1	3	33
UC	18	51.4	10	28.6	5	14.3	2	5.7	35
UM	12	52.2	6	26.1	4	17.4	1	4.4	23
UNL	11	52.4	7	33.3	3	14.3	–	–	21

The academics' decisions may still prevail over the other members' opinions. However, the presence of external members may change the balance and it is seen as having an effect over a certain corporate spirit that used to characterise collegial boards. The analysis of the composition of the General Council shows us that only one institution exceeds the minimum percentage defined by law as to the presence of external members: Nova de Lisboa, with 33.3%. The ISCTE follows with 30.3%. All others do not attain at least 30% as required. This might indicate that the academy in view of this new element in university's governance was unsure of the benefits and decided for a more conservative way. This confirms the hybrid logic that seems to prevail in governance reform in the Portuguese HE system, where significant change still does not mean radical change and therefore not a change in archetype; it further helps us to better understand this hybridism, by enabling a better picture of what exactly characterises this hybrid archetype. Briefly put, the governance models changed into more top-down decision-making processes but there was an attempt to maintain some collegial characteristics (even if in some cases academics resisted to these willingness/pressures).

5.2 Changing interpretive schemes

We have so far dealt with one important dimension of the archetype – structures and systems. The second dimension – the interpretive scheme – will be now analysed, according to the two identified categories (organisational values, and ideas on state coordination).

Some studies have already identified a hybridisation process occurring at the perception level of public HEIs' actors. Magalhães and Amaral (2007) show that in 2007 academic actors' perceptions were already mostly favourable to a shift from the traditional model of governance to a more managerialist one, evidencing that the perceptions of some actors were then already in a 'hybrid position', gathering elements from both the 'collegial-bureaucratic rationale' and the 'managerialist rationale' (Magalhães & Amaral, 2007; Santiago & Carvalho, 2004). The same hybridisation process was identified in a study developed in 2010 based on interviews with middle academic-managers. In this study the authors conclude that, in spite of changes at system and structures level, academics tend to maintain some traditional values closer to a collegial model (Carvalho & Santiago, 2010b). We now aim at going further and make it clear in what consists presently this hybrid interpretive scheme, by identifying its characteristics and thus contribute to a better understanding of what characterises the emergent efficient-collegiality archetype.

As previously mentioned, NPM and managerialism principles convey the idea of the need to import into public organisations private sector values such as efficiency, efficacy, the importance of strong leadership roles for efficient decision-making, the idea of a much less interventionist state and of public organisations more accountable to society by imposing the presence of society members in governance boards. The degree of acceptance and commitment to these values will be now analysed to assess the real changes occurred at interpretive scheme level in university actors.

Most interviewees mention 'efficiency' as an important value to be preserved and relate its improvement to the new governance model in place after the reform. The idea of efficiency is related by some interviewees to cost issues: efficient governance structures and processes are seen as having a lower cost to the institution. Concerns about efficiency and linking efficiency to cost issues are much inline with NPM narratives.

[...] there was clearly a decision-making process that was not very efficient, with a significant cost [...]. [...] I did that cost analysis, just in terms of the people involved, in different boards. So, I think there was an inefficient internal process in terms of decisions and that now the Rector's responsibility as a board came to significantly improve.

When asked about governance issues that relate to democratic participation values, interviewees mostly seem to be accepting the new model that clearly reduces participation of academics in decision-making boards. The RJIES required of HEIs a reduction of the number of members in executive boards. This came to question a university governance that was widely shared among academy members, and thus to question the traditional collegial governance. Whereas some interviewees referred that members of academy now feel distant from discussion and decision-making on academy issues, most of them still find this change as very important for decision-making processes.

[...] we came to have a serious problem of representativeness of departments in the central boards. [...] there was a loss... And I hear my colleagues complaining a bit. People ceased to be heard, they practically ceased to exist. (1UFd)

Even when favourable to a change in the collegial model of university governance, some interviewees refer positively to the maintenance of some structures where democratic participation values still prevail, such as the Senate. They accept the idea that smaller boards work more efficiently, but they assume as important the existence of widely participated structures, even if only of advisory nature.

What we need to understand is [...] if the number of members is enough to represent all sectors at university level. I have no doubt that it is insufficient. At school level I think the problem is not that incisive. (4UIPd)

More than the representation of different actors in governance bodies, democratic participation values underlying collegiality are also related, by some interviewees, to the kind of decisions to be taken.

I think that the agility had mostly to do with: some decisions were taken by collegial boards and I think they shouldn't. [...] I think that what is strategic or that which are political decisions [...] there collegiality is very important. I think it is very hard that for a long time measures can be taken and paths can be traced against the university college.

Another aspect where a change of the set of values and norms in force can be seen concerns the inclusion of external members in the decision-making process and how academics perceived it. Analysis shows that most interviewees consider the presence of external stakeholders positively. Even those who show some reservations as to their presence in certain instances, consider it positive to have external stakeholders in university governance boards.

[...] at institutions' level the idea of having external stakeholders is that idea of assuring [...] that strategic decisions are informed by an outside view compromised with governance. And I think that is, obviously, very important.

The name *CEO* came out sometimes while referring to the Rector, and even when not explicitly stated, the comparison between the Rector and a decision-maker from the private sector, more empowered to take decisions on his/her own, and with increased responsibilities, was likewise done. In this sense these results contradict the findings of a previous study (Carvalho & Machado, 2011) that concluded that the perspective of the Rector as *primus inter pares* was more dominant in South European countries. In fact, this may be interpreted as the result of an approach of the Portuguese HE system and values to those dominant in the Anglo-Saxon countries.

From the point of view of executive decisions, [...] the Rector is more a CEO, who has not to wait on the formal agreement and meeting of a board [...] to take a decision. [...] there is a greater nominal responsibility on the person who is at the top. (2UIPr)

Generally, more empowered leadership roles, both at central and OU level, were rated positively by most interviewees. Nevertheless, it is hard to admit that this perspective of the Rector as a CEO was dominant among the interviewees. An actor with middle management functions mentioned pros and cons of these increased leadership roles, perceived as having on one side a gain in efficacy, and on the other side the danger of a bad management of this empowerment.

He has [more powers] but that speeds up [decisions] [...] in a more effective way. But as I say one must be careful with who is at that board. Everything has its pros and cons. (3UFd)

A change of the interpretive scheme is also seen by the changing ideas faculty members have on the role the state should have in HEIs' steering. Interviewees reported mostly that the RJIES would imply more autonomy being granted to universities, and rate that as very positive and necessary, but as the reform occurred when the economic crisis settled in the country this did not happen.

I think it did not change... That is, the RJIES would have changed it, but in fact little or nothing has changed because there is a clear distortion by the Ministry of Finances. (2UIPr)

Therefore, in spite of the expectations brought by the law, interviewees claim there has been no change in the relationship between HEIs and the state and complain about dashed expectations of autonomy.

[...] in my opinion, today the problem of university management is the lack of autonomy, that was taken from foundations [...]. (1UFr)

We may therefore confirm from the analysis of the interviews that there is an ongoing process of change of interpretive scheme in what concerns organisational values and ideas in university context. Some new values are being increasingly institutionalised among academy actors and indicate an evolving process from the traditional values and ideas about a university – which are about a university run by academics for the academics, identified by Becher and Trowler (2001) as 'tribes and territories' – towards a set of more managerial-like values and ideas on university governance, which accept university governance should be guided by efficiency principles, and a greater involvement/intrusion from society on university issues. Nevertheless, some traditional values and ideas still prevail: although the Rector may be perceived as a CEO in terms of his/her duties and the power he/she is assigned, there has been a clear preference for a Rector as *primus inter pares*; the need that academics show for the existence of a governance board such as the Senate and therefore for democratic participation values, and the idea that decisions on academic matters should be taken by academics.

Data analysis reveals that the actors' perceptions on the prevailing archetype do not present two contradictory and incoherent archetypes. In fact, academics do not reject all the characteristics of one accepting in opposition those of the other. They are selectively accepting characteristics of both. Academics do not reject the idea that universities should be more efficient but simultaneously they also assume that due to its specificities universities should base their decision-making process in collegiality. In this sense, two main values seem to be assumed in the interpretative scheme of this archetype: efficiency and collective decision-making. Somehow this interpretative scheme is also the result from an organisational structure that incorporates both managerial and collegial features. Considering these results one can say that hybridism can be classified as an efficient-collegial archetype. It is our conviction that contrary to what Greenwood and Hinings (1993, 1996) defended, this hybridism does not result from a transitional phase but can, instead, be defined as a dominant archetype which will prevail in HEIs for a long time.

Table 4 briefly outlines the characteristics of the three archetypes: professional collegial bureaucracy, managerial archetype and the emergent archetype herewith named efficient-collegiality.

Table 4 – Brief characterisation of the three archetypes

Professional collegial bureaucracy	Efficient-collegiality	Managerial archetype
Main value: collective decision-making	Efficient collective decision-making	Main value: efficiency
High number of members in governance boards	Governance boards reduced but academics keep the majority of seats	Reduction of governance boards
Academics are in charge of governance roles	Academics have to share governance roles with external stakeholders	Professionalization of governance roles
Election of governance positions in highly participated processes	Mixed selection processes: election and appointment might co-exist	Replacement of election by appointment of top governance positions
Collegial governing boards where all actors have a role	Some degree of collegiality is maintained but single-person governance roles are empowered	Empowerment of governing boards / roles
External stakeholders absent or present in very small numbers	External stakeholders' presence is mandatory but not majoritarian	Mandatory participation of external stakeholders in governance boards
Collegial decision-making processes	Top-down decision processes but some degree of prevailing advisory boards where important academic matters are discussed in a collegial way	Top-down decision-making processes
Academic senate is the governance board where most important academic decisions are taken and the Rector has to abide by these decisions	Academic senate may subsist but only with advisory power	Academic senate's role ceases to exist or its power is highly diminished

6. Conclusions

Analysis of both changes occurred at governance level of the Portuguese universities that integrate this study, and changes produced at the level of the set of values, ideas and beliefs shared by the interviewed organisational actors not only corroborates the assumption of an hybrid archetype, as well as clarifies what this emergent efficient-collegiality archetype consists of.

Analysis of the changes occurred at structures and systems level has shown that both the legislation imposing change on university's governance structures and the choices made by the institutions themselves have a mix of elements from the traditional way of governing a university and new elements more in line with NPM and managerialist principles.

Considering the interpretive scheme level, we also note that elements of the old interpretive scheme still prevail and co-exist with a new set of values and ideas brought by NPM and managerialism principles. Interviewed actors show 'mixed feelings' towards changes produced by the law. They generally seem to accept them and to perceive them in a positive way. Some even consider they have not gone far enough and would like their institution to adopt more measures in line with managerialism. Nevertheless, the 'old' interpretive scheme prevails as they still consider it important to have academics making decisions on matters concerning their institution. Values such as efficiency and efficacy are very much present in organisational actors' discourse and seem, thus, to have been integrated by them.

As we can conclude from the data hereby analysed, the efficient-collegiality archetype gathers specific characteristics from both 'old' and 'new' archetype. From the 'old' professional bureaucracy archetype it keeps governing boards where academics have the majority of the seats and therefore hold decision-making power; election is still a selection method in place in some cases; collegial governing boards are still to be found with maintenance of the Academic Senate in some cases. From the 'new' managerial archetype, the efficient-collegiality shows characteristics such as reduced governing boards; mandatory presence of external stakeholders in important decision-making boards; selection methods may include appointment and election is no longer done in highly participated procedures; there is a clear empowerment of governance boards and single-person boards.

Greenwood and Hinings' (1993, 1996) archetypal theory, with its two dimensions, proved to be a useful framework not only to confirm the existent assumption of hybridism, but also and more importantly to assess and explore that hybrid archetype in the field of HE – the efficient-collegiality archetype.

Further research would be interesting in order to determine whether this efficient-collegiality archetype, with the characteristics herewith identified, is also to be found at international level.

Studies comparing other HE systems would be welcome to increase knowledge and understanding on this topic.

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Paper IV

Reforming the Portuguese public sector: a route from health to higher education

Reference

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Introduction

In Portugal, as in many other developed countries, recent public policies have been implemented under the influence of New Public Management (NPM) or managerialism.

These concepts are usually applied in reference to a package or a menu including a diversity of elements known that translate the three E's perspective: economy, efficiency and efficacy. Nevertheless NPM must be interpreted as a more general and broad movement and can not be signified as a simple and neutral management technique. Based on a technocratic and hard managerialism ideology it intends to promote the deconstruction of the welfare state (Clarke and Newman 1997; Reed 2002; Meek 2003; Santiago and Carvalho 2008) by changing state bureaucracies and professional regulation.

NPM is usually presented as a convergent and inevitable trend in public reforms intending to promote changes in the state's role. However more in deep and focused analysis reveals that in spite of its general common principles, or ideological foundations, NPM does not translate into unique, single, or common political initiatives and, as consequence, does not imply the same results. This is particularly visible in inter-country comparative analysis (Ongaro 2009; Pollitt and Boukaert 2011) but can also be noticed in comparative analysis in the same country (Ferlie et al. 1996; Kirkpatrick et al. 2005).

In Portugal, since the end of the 1990s, attempts to introduce NPM or managerialism at the rhetorical level have been developed. The new century brings with it changes in public policies intending to impose the NPM framework in public institutions. The first and most visible attempt to introduce NPM was materialized when 31 public hospitals (half of the public health supply) were reorganized into public corporations. The idea of increased effectiveness and the promise of de-bureaucratization were the main banners used to legitimize socially and politically the new hospital management law (27/2002). Major organizational changes were only noticed in higher education 5 years later with the Law 62/2007 (RJIES).

How do these legal frameworks express or materialize NPM principles? Are there any differences in the two sectors? What are the major transformations imposed to professional bureaucracies and professional regulation?

This chapter intends to contribute to develop comparative analysis on NPM by reflecting upon its implementation in health and higher education in Portugal. It starts with a theoretical overview concerning NPM and managerialism and tries to turn more explicit the route it has been defining in Portugal. The methodology is also exposed followed by data analysis and discussion. Finally a conclusion is presented with the intent to leave new questions for further research.

New Public Management – More than a Fashion

Since the 1980s in developed countries the public sector has been submitted to what is usually labeled as a 'revolutionary reform' described under the epithet of NPM or managerialism. Even if reflections upon these terms have been produced for more than three decades consensus is still absent concerning their specific nature, meaning and practical results. It seems that NPM is still a sneaky label. Nevertheless it is usually associated with a package or menu that includes: imperatives of efficiency and efficacy; an orientation to the customer who replaces the citizen; the creation of quasi-market mechanisms based on a great diversity of institutions, which deliver the service; complex relations between public and private services providers competing for resources; decentralized control and accountability for results sustaining the idea of a cascading chain of contracts between the state, the institutions and the professionals.

This package or NPM menu has been applied in countries all over the world in part due to incentives proposed by international institutions as the World Bank or OECD. The way its principles are globally exposed induces the development of a convergence idea that presents NPM as inevitable to be adopted by governments independently of their political orientation. However comparative studies reveal that it is not possible to define a single line of action in all countries (Pollitt and Bouckaert 2011). That seems to be true even when analysis is restricted to a group of more comparable countries like Ongaro (2009) does for the South European ones.

Analysis developed in the same country also reveals the same complexity. In analyzing NPM development in the United Kingdom, Ferlie et al. (1996) present four different stages or moments in its evolution: (1) efficiency drive – emphasis on efficiency and value for money; (2) downsizing and decentralization – contracted out functions and autonomous business units; (3) in search of excellence – emphasis on the importance of organizational culture change by charismatic forms of top-down leadership and (4) public service orientation – integrates private management practices with a distinct public service mission and context. More recently, Ferlie and colleagues claim the existence of a new stage (Network Governance) based on an emphasis on partnerships and networks – replaces hierarchical control by network-based modes of coordination (Addicott et al. 2006). In the same national context, Homburg et al. (2007) and Deem et al. (2007) also conclude that NPM is crafted and shaped differently in various institutional contexts. A great number of these studies are developed in Anglo-Saxon perspective. It is our conviction that knowledge on NPM could improve with analysis from other countries.

In trying to analyze NPM route in Portugal we assume the perspective that it can only be interpreted in a more broad and general context. NPM does not translate a simple management technique nor even a neutral attempt to turn public sector more efficient, as the political discourses try to present. It is part of a more general and broad movement that intends to promote the deconstruction of the welfare state (Clarke and Newman 1997; Reed 2002; Meek 2003; Santiago and Carvalho 2008; Deem et al. 2007).

In fact since the end of the 1970s, in line with economic and fiscal 'crisis' and emergence of neo-liberal ideologies, attempts to replace the dominant configuration of the state were in place.

To deinstitutionalize the welfare state idea meant also to deconstruct its main structural pillars. In this sense, the traditional Keynesian economic pillar has been dethroned by a mixed of public choice theories, based on Hayek's (2001) "philosophy of economy" and on the Schumpeter economic theories. The social pillar was replaced by the idea that civil society should be responsible for its own living conditions. Finally, NPM can be considered as the instrument used to put the Weberian bureaucratic administrative pillar in question. In fact NPM assumes that private management policies and practices are more efficient than bureaucratic rules and norms for public administration. Based on this pre assumption bureaucracy's main principles¹ are substituted by the main principle of giving managers freedom to manage. In this line, NPM can be interpreted as a tool device to introduce managerialism into the public sector. Managerialism represents an ideology translating the idea that management is a dominant value in society. According to this ideology business management principles and practices can be applied to any social and political domain. Nevertheless one must emphasize that these principles and practices are mainly associated with a hard and technocratic version of management, distant from a soft and humanistic one (Carvalho and Santiago 2010).

The administrative pillar of the welfare state integrated both administrative bureaucracy and professionalism (Clarke and Newman 1997). The professionalization of occupational groups was, in fact, straight related/embedded in welfare (Henriksson et al. 2006; Wrede 2008; Salter 2001, 2004). Professional expertise was an essential element to define professional bureaucracy (Mintzberg 1994) – characterized by being based mainly on professional self-regulation, meaning that professional autonomy was embedded in collegiality and trust.

Since professional expertise was associated with *public ethos* professionals were assumed as those more able to protect and assure welfare to citizens. However, the new political and institutional framework (helped by the emergence of public denounces of professional misbehavior) announces a new professionalism.

In the welfare state occupational groups were socially accepted as professionals based on their expertise, acknowledged by a higher education credential (Freidson 1977). A fundamental step in all professionalization processes was to assure the need of this expertise to successfully accomplish the task ascribed to the group in the social division of labor (Johnson 1972).

Adding to this there was a privileged relation professional groups had with the state (Larson 1977) that assured their different status and privileges based on monopoly and control processes (Parkin 1979; Murphy 1988). This allowed professions autonomy and self-regulation (Freidson 1986, 2001). With NPM this relation has been questioned and a new professionalism is emerging.

¹ The bureaucratic main principles are: system of supervision and subordination; unity of command; extensive use of written documents; training in job requirements and skills; application of consistent and complete rules and assign work and hire personnel based on competence and experience.

The new professionalism assumes that professionals must be externally controlled throughout competition and market. Instead of state and public ethos principles the new professionalism is expected to assume efficiency and economic results as the main principles to take decisions in public services. Under this context, professionals are now expected to perform their work under predefined quality standards and to be accountable to consumers/clients.

The lack of consensus in NPM definition is also extended to its practical results and real implications. Empirical studies reveal positive and negative outcomes. It seems undeniable that there is now a greater consciousness of costs and choices and more public organizations working more efficiently (Freiberg 2005) but NPM objectives are far from being fully accomplished.

In imposing market and managerial values NPM is destroying traditional public values like social equality, integrity and equity, welfare and social justice (Diefenbach 2009). Concerning internal structures and processes NPM proposes more flexible structures, less hierarchy and faster decision-making processes. But, empirical studies reveal that these attempts are, on the contrary, imposing new forms of centralization and concentration of power (Pollitt 1993; Courpasson 2000; Carvalho and Santiago 2010). The new NPM structures and processes, because based on standards and procedures, are also increasing bureaucratic formalization and routines, leaving less time for professionals to do the 'real work' (Hoggett 1996; Kirkpatrick et al. 2005; Carvalho 2012). This tendency, along with new systems of professional controls based on complex processes of performance management and measurement systems, lead professionals to increasingly complain about stress, burnout and lack of motivation (Kirkpatrick et al. 2005; Barry et al. 2006).

In the same line, it is not consensual that NPM can directly transform professionalism. If some authors assume as an evidence the decline in professionals autonomy and dominance (Freidson 1988; Allsop and Mulcahy 1996; Harrison and Ahmad 2000; Reed 2002; Deem et al. 2007), power to exercise control (Freidson 1994), and in their capacity to self-regulate their work (Macdonald 1995), others defend, instead, the agency processes developed by professionals who, in group or individually, try to avoid the threats from NPM/managerialism by adopting strategies that allow them to maintain or even increase their power and status within institutions (Ferlie et al. 1996; Exworthy and Halford 1999; Kirkpatrick and Ackroyd 2003; Kirkpatrick et al. 2005; Salter 2004; Carvalho and Santiago 2009).

NPM – The Portuguese Way

There are different welfare state models. Attending to Portuguese singularities the country is usually characterized as a member of the South European Welfare Model (Ferrera 1996). The reasons for including Portugal in this group are related with such factors as the late emergence of welfare state, the lower economic development, low GDP and low wages.

Even if the emergence of the Portuguese welfare system is recent, it does not mean that the welfare crisis is not present in the political and social discourse. In fact, under the influence of the

economic and fiscal environment as well as of the international institutions Portugal has been, at least in the rhetoric discourse and political initiatives, assuming the NPM and managerialism discourses (Santiago and Carvalho 2008; Carvalho and Santiago 2010).

Only in the 1960s, far later than in other European countries were the first steps taken towards a modern state-run welfare system. However, the services this system provided were incomplete, irregular, and woefully underfunded. In 1973 a higher education reform was implemented (Veiga Simão reform) that, inspired by OCDE reports, created a binary system and allowed the development of the system to other geographic areas. Health and social welfare programs were only established only after the April 1974 democratic revolution (known as the carnation revolution). At this time, a National Health Service (NHS) was created (the 1976 Constitution established several social rights ranging from education and health care to housing and cultural goods).

After this first period, which can be characterized as the momentum of the institutionalization of the welfare state, four other moments can be identified in public policies: The retreat in the welfare principles (1980-1995); Approaching the market ideology (1995-2002); Corporatization and approaches to liberalization (2002-2007) and Consolidating a new framework (2007-2010).

The Progressive Withdrawal of the Welfare State (1980-1995)

One key dimension of this second period was that the core principles supporting policies aiming at developing a welfare state started to be mitigated. Changes introduced in the Portuguese Constitution in 1986 and 1989 expressed a distance from the principles that framed the first democratic Constitution passed after the 1974 revolution, based on the idea of providing care as a free, public and universal service. To some authors this early retreat in the NHS principles resulted in an absence of its incomplete materialization (Campos 1996; Pereira et al. 1997). In fact, the Portuguese health system has always lived together with other subsystems, mainly with special health care insurance schemes for certain professions and voluntary health care insurance. However, it is only fair to recognize the undeniable advancement of the health status of the population, including the dramatic decline in infant mortality and the increase by 4.5 years in life expectancy (OPSS 2002).

In health three important political initiatives were developed during this period: The creation of five regional health administrations, the start of a decentralization effort that was never completed (due to the absence of autonomy over budgets), and the passing of the basic Law of Health (1990). The main innovative element in this law was the inclusion of private providers in the framework of the national health system.

In higher education this period is defined by the normalization of the system (Amaral et al. 2002) and by the emergence of private institutions assuming the system as integrating simultaneously public/private institutions.

It was also in this phase that the autonomy law was created (Law 108/88) that allowed HEIs freedom to establish their statutes with scientific, pedagogical, administrative, discipline and financial autonomy (Amaral and Carvalho 2004).

Approaching the Market Ideology (1995-2002)

In this period the welfare state crisis rhetoric started to be assumed (Tervonen-Gonçalves and Lehto 2004) and claims for adopting private initiatives increasingly found a favorable audience in government actors and professional groups.

The notion of health as a collective and social good was still dominant but this was mainly visible in the political concerns with public health care. In practice, attempts to provide hospitals with more autonomy and managers with more managerial freedom over budgets and staffing resulted in a first experience of private management in a public hospital in 1993. This experience was extended to other three hospitals through the end of the decade.

In Higher Education, the humboldtian philosophy, based on the academic's knowledge logic, remains, until the late 1990s, the main frame of reference and the organizing principle of HEIs' power structures and academic activities and tasks (Santiago and Carvalho 2004; Santiago et al. 2006; Carvalho and Santiago 2008). But, at the end of the 1990s market and managerial pressures over HEIs become more explicit (Santiago et al. 2006; Santiago et al. 2008; Carvalho and Santiago 2009); and the enterprise model emerged, in the governmental discourses, as a kind of ideal-type to lead reforms in higher education institutions governance and management.

In the beginning of the new decade a new law was approved (Law 26/2000) which decreased the HEIs autonomy to create and change their teaching programs. Since then, public HEIs were submitted to the same state control as the private ones (Amaral et al. 2002).

Corporatization and Approaches to Liberalization (2002-2007)

In different public sectors this was the period when public policies were more aligned with NPM and managerialism.

In health, the reform agenda that began in 2002 had as one of its main intents to increase the role of the private sector in the NHS. Several measures were implemented such as initiatives aimed at reducing surgical waiting lists and a few changes in primary health care centers. However, it was in the hospitals' organizational structures and management that major changes

were introduced. In fact, in this period a growing wave of NPM initiatives found its way into hospitals when 31 traditional public hospitals were transformed into corporate organizations – state enterprises hospitals. The idea of increased effectiveness and a promise of de-bureaucratization were the main banners used to pass the new hospital management law (27/2002, 8th November). As a consequence of these changes annual hospital budgets became based no longer on historical spending and plans but, instead, on performance contracts negotiated with the Ministry of Health, followed by attempts to formalize an ‘accountability culture’. Private human resource strategic management policies were allowed, meaning an introduction of increasing mobility among services and numerical flexibility in the recruitment procedures (individual and fixed term contracts). In 2005 when the socialist party assumed the government, these hospitals changed from previous SA (anonymous society) to EPE (public enterprises) (DL n° 93/2005). This change maintained the private management and governance model for hospitals but it turned more difficult for hospitals to become private entities.

Two other significant changes occurred in health in this period: one was the ministry restructuring with a downsizing process that eliminated 22 middle structures; the other was the primary health restructure with a great administrative or management decentralization of primary health centers.

In Higher education one of the major incentives for transformations was the Lisbon Strategy or Lisbon agenda that established a growing plan for European economy until 2010 based on knowledge economy. Under this context, the emphasis on the HE contribution to the knowledge society/economy (the importance of the vocational programs for the new ‘post-Fordist’ market labor and of knowledge transfer to the industrial and service actors) became a current topic in the governmental discourses and science policies.

But, more important in this phase was the emergence of a new Higher Education Act (Law 62/2007) that imposed a new HEIs governance and management model, which represents both a rupture with the previous one, rooted in the collegial tradition, and a moving to the ‘enterprise/entrepreneurial’ culture. This law is known as the RJIES (Juridical Regime for Higher Education Institutions). This set of transformations in the public institutions power architecture calls for ruptures in the traditional alliance (Musselin 2008; Bleiklie and Michelsen 2008) between the bureaucratic and the collegial regimes, in place since the 1974 Portuguese democratic revolution; and can produce important potential changes in professionals.

Consolidating a New Framework (2007/2010)

Since 2007 one can say that the previous initiatives to promote ruptures with the welfare state were deepened and consolidated. The legal framework expanded NPM to professionals. With the Law 12A-2008 the statute for all public servants changed and they started to be defined as workers in public duties. Those who were previously in a secure position maintained their status but all the

newcomers established a contractual relation with public organizations based on the individual contracts.

In health new national plans for ending surgery waiting lists, combining private and public hospitals, were implemented, and a great emphasis was put on services quality with the creation of the Department of Quality in Health in the Ministry.

In higher education the Decree-Law 205/2009 (for universities) and Decree-Law 207/2009 (for polytechnics) changed the academic career that had been unmoved since the end of the 1970s (Decree Law 448/79 - university career; and Decree Law 185/81 – polytechnic career). Even if this new statute maintained its hierarchical nature (with more or less the same career paths) it changed the entrance that started to be based on PhD and introduced the non-tenured figure.

Methodology

Having this general context as framework this paper intends to analyze recent changes in the legal framework of health and higher education in order to understand how NPM and managerialism have been implemented in Portugal in a comparative perspective.

The chapter intends to contribute to understand: how legal reforms intend to change the main characteristics of bureaucratic structures; how are these changes followed by transformations in professionals' regulation, and, if organizational and professional legal changes are similar in health and in higher education.

Table 5.1 Content analysis dimensions and categories

Dimensions	Categories	
Internal organization	Structures and Processes Changes in governance and management bodies.	Organizational values and norms Norms and values elected as the main principles to sustain organizational structures.
Professional framework	Professional regulation Changes in the relation between professionals and public institutions.	Locus of decision making Changes in professionals' participation in decision-making.

To accomplish these objectives a qualitative study was developed sustained in semi-structured interviews and document analysis. Interviews were developed with nurses and academics working in public institutions (even if some had a foundational statute). It is important to reveal that, in the two groups, only professionals with leadership roles were selected. In the nurses cases this included nurses director and ward manager, in academics interviewees were deans, vice-rectors (the same as vice-chancellors) and rectors (the same as chancellor). Professionals with managerial duties are not only the first to deal with public reforms narratives as they are, usually, leaders of their professional groups and, in this sense, have a greater probability to

influence their dominant norms, values and professional practices. Data scrutiny was based on content analysis of the narratives of 83 nurses in 10 hospitals and 56 academics in 4 universities and 4 polytechnics.

Data was collected in two different stages. The first, corresponding to nurses interviews in 2006 and the second, interviews with academics in 2009. Professionals agreed to do the interview in their working place with the promises of anonymity and that their identity would be protected and non-element that could identify the cases included in quotations.

Document analysis was applied to the main legal pieces intending to promote transformations in Higher Education (Law 62/2007) and Health (Law 27/2002 and Decree-Law 93/2005).

Both interviews and document analysis were submitted to content analysis 'closure process'. Four main categories, out of two dimensions, were used based on theoretical framework and, simultaneously, in data gathered from the legal documents. The two dimensions considered were internal organization and professional framework.

The first intends to capt the changes the legislator intends to promote in hospitals and higher education institutions organizational archetype and the way professionals perceive them. The second has the purpose is to analyse the meaning attributed to professionals in these legal documents, as well as their own perspectives over changes in place in the organizational micro field. Each of these dimensions is subdivided into two main categories as can be seen in the previous Table 5.1.

In the next section, the selection of findings will be presented and discussed.

Comparing Changes in Internal Organization and Professional Regulation in Health and HE

As mentioned previously it was in the beginning of the new century that NPM started to be applied in the Portuguese context. First in health, and, then, in higher education, different legal initiatives have been directed by the NPM ideological context being hegemonic in the Portuguese government policy agendas for public services. To analyze how NPM and managerialism ideological principles and organizational strategies intended to change state bureaucracies and professional regulations in health and higher education it is important to start with the analysis of the new legal framework. Different legal documents (Law 27/2002; Decree-Law 93/2005 and Law 62/2007) were examined based on the two previously referred dimensions (internal organization and professional framework) and four categories of analysis: structures and processes; organizational values and norms; professional regulation and shifts in the locus of decision making. The main conclusion of this analysis is exposed in Table 5.2.

Table 5.2 Changes in internal organization and professional frameworks in health and higher education

Categories		Health	Higher education
Internal organisation	<i>Structures and processes</i>	Transformed in public enterprises (Public organizations with private management) Governance and management bodies: Administrative Council, Chief Financial Officer (<i>Fiscal único</i>) and Consultative council Hospitals organized as unity cost centers	Academic, cultural, scientific, pedagogical, discipline, patrimonial, administrative and financial autonomy HEIs can opt for a public or foundational statute – public organization (with private management) Governance and management bodies: General Council, Rector or President; Management Council; Chief Financial Officer and, for Foundation Board of trustee
	<i>Organizational values and norms</i>	Management rhetoric of economic efficiency Concern with service quality but with efficiency and an excellent use of available resources	Maintenance of the traditional HEIs mission but emphasis on economic utility of knowledge Employability as a new concern Emphasis on the continuity of students' social action
Professional framework	<i>Professional regulation</i>	Professionals submitted to public domain statute but possibility for individual contracts Remuneration allied with performance appraisal and efficiency indicators	The 'public interest' is mentioned as a professional value Emergence of the non-tenured designation and establishment of the relation or proportion between tenure and non-tenure staff. Defines the number of academics in full time for each institution Employment stability is defended. Stipulates similar rules for professionals working in public and private institutions Institutions must report costs with human resources each 3 months
	<i>Locus of decision making</i>	Care services and management are concentrated in professionals with guarantee of autonomy and discipline power over their colleagues Clinical directors have the power to define their services objectives, mission and performance appraisal and are accountable to the Administration Council	The Rector or President is responsible for administrative and financial management and for the efficient use of resources Their action is regulated by external audits and by the General Council Strategic decision-making concentrated at the top in the General Council Intent to restrict collegial power. Reconfiguration of the traditional scientific and pedagogical bodie

Important changes have been coercively imposed by these legal frameworks both to Hospital Institutions and Higher Education Institutions. There were some common NPM assumptions that lead the transformations imposed to these institutions, namely: changes in the legal statute translating attempts to create a market driven institutional environment; increases in financial and countable controls and restrictions in collective bargaining and concentration of power.

Nevertheless there are important differences in the legal pieces that must be evidenced. It was in the hospitals new management and governance law that changes were imposed in a more coercive way and the managerial rhetoric more embedded in the economic rationality. In opposition in HE changes in the locus of decision making were more evidenced putting in question the professionals' culture and traditional autonomy.

These differences seem to be also producing distinct impacts on professionals in health and higher education. Nurses perceive the hospital environment as more economically oriented:

People with management responsibilities, anyone (being a, b or c) always think: 'I'm here to manage the hospital in an efficient way'... (Interview 74, Hospital I).

For me the main differences in the hospital is that before we had already some concerns with the results but the main concern was to do the best for the patient; today the first and most important concern/value is the hospital's profit (Interview 9, Hospital A).

Academics also perceive changes in the organizational environment but tend to justify them by external pressures.

(...) The university's strategy, which is more managerial, is more oriented to financial issues. The pedagogic and training issues, which should be the aim of the university, are not taken into account in the same way (...). These issues have to be more present in the university policies and strategies. (...) the management issues have been limiting our action (Interview 7, University A).

In what concerns the institutional imposition on the structuring of the internal organization, in both sectors, the route was opened to a more flexible organization at the operational level and to a greater concentration of power in the top. These changes translate transformations in the institutional configuration more in line with the private law. Hospitals were coercively transformed into public enterprises with the main objective to leave health costs out of public expenditure. With this new statute hospitals still belong to the state but are ruled by private law.

On the contrary, in higher education the possibility for HEIs to be transformed in public foundations (ruled by private law) was given to their own decision. In this context, HEIs, more than hospitals, had the opportunity to decide if they wanted or not to transform their legal status and assume new governance and management models. In higher education the legislator seemed to be conscious that change could not be imposed from outside, especially because HEIs, more than hospitals, were conceived as "knowledge intensive organizations" (Deem et al. 2007); were organized around collegiality and had a high tradition on autonomy and collective decision making (Miller 1995; Kogan and Bauer 2000; Santiago and Carvalho 2004). In fact, the prototypical

characteristics of HEIs as “knowledge intensive organizations” were still acknowledged in law that maintained all different types of autonomy (academic, cultural, scientific, pedagogical, disciplinary, administrative and financial). In this context HEIs had also more freedom to decide on their internal structure.

Concerning governance structures the organizational system imposed to universities included: the: General Council (in charge for approving planning, budgets, creation and extinction of basic units and for of the rectors/president election), Rector (for universities) or President (for the polytechnics); Management Council (in charge for administration); Chief Financial Officer (Fiscal Único) and, in the Foundation regime the board of trustees (Conselho de Curadores). Nevertheless the law also allows for the existence of other governing consultant bodies, namely an academic senate or even others. The governance and management bodies at the middle level are defined by internal legal norms and rules meaning that each can define different structures in the basic units.

For hospital institutions the law imposes the existence of three governance and management bodies, namely: the Administrative Council (in charge for administration, planning, and operations), Chief Financial Officer (Fiscal único) and Consultative council (integrates professionals designated to advice to the administrative council).

The creation of the figure of Chief Financial Officer as well as the reference to external audits in both sectors is the expression of one of the main NPM principles: the accountability straight linked to the accounting and financial control and supervision.

Operational decentralization to basic units seems to be more evidenced in health since hospitals are incentivized to work as Responsibility Centers (Centros de responsabilidade integrada).

As referred in other national contexts (Kirkpatrick et al. 2005; Diefenbach 2009) in Portugal professionals (in health or in higher education) do not recognize great success in the changes in organizational structures and processes. In fact the attempts to decentralize and turn processes of decision making more quick are perceived, on the contrary, as imposing more centralized and slow processes to take decisions.

[There are several institutions calling hospitals to account] They call us to account, they ask for responsibility. They ask for the same things, they ask for the same maps. Presently, there are four organizations to which we continuously have to report. It is therefore a very theoretical independence. (Interview 3, Hospital C)

At the same time the increasing use of technologies and bureaucratic procedures to increase control over processes and professionals answering to accountability imperatives are creating a greater workload in both sectors.

Now, the workload has been increasing. Everything needs to be registered, everything needs to be justified... I'm starting to do a lot of work at home (Interview 48, Hospital E).

(...) the bureaucratic exigencies have increased dramatically. Since we started to have a quality system there are a lot of procedures to do (applications, formularies, etc.). Things are so confused. (...) it was better to have improvisation. (...). Problems were solved with the same effectiveness (Interview 23, Polytechnic XZ).

8 Among others, through the figure of the Chief Financial Officer *Fiscal Único*

Even if in both systems there is the same tendency to turn organizational structures, rules and procedures more flexible and more in line with private management, the reference to private organizational values and norms is also distinct in the two legal frameworks. The principles of economic rationality are more present in health. Along the legal text one can find several references to efficiency and efficacy in the use of resources. An example of this is Artº 5º when it refers to the management principles that must be accomplished: “b) To guarantee to users the delivery of care with quality and a rigorous control of the resources used” or “d) To finance the activities in accordance with the valorization of the acts and services that are effectively accomplished, based on a predefined price by common accord with the NHS”. These management principles translate a new conceptualization and legitimation for public health services.

The references to the traditional public service ethos or to the patients’ welfare is almost absent without a clear reference to the rational use of available resources.

These changes are having some impact on professionals’ subjectivity and professionalism. It was possible to find in a few nurses discourses an almost integral incorporation of management language.

One of our main goals is to combat the waste of money, manage resources in an efficient way and, most of all, to satisfy our customer (Interview 27, Hospital C)

However, this new discourse does not seem dominant since there is also another relevant group who is denying the ‘intrusion’ of a managerial discourse in health.

I think that now people are more concerned with profitability than with care and I don’t agree with it. People talk a lot about resources and economy and less about caring. I think we are concentrating in efficiency, because ‘it has to be’...and the other side is also made but with a minor emphasis. (Interview 82, Hospital J)

The RJIES seems to plunge in a little different ideological underpinning since there is emphasis on the traditional HEIs’ mission and in public service ethos. An example is artº 106º defining independence and role conflict: “1. Members of HEIs’ governing and management bodies are exclusively in service of the public interest of their institutions and are independent in exercising their roles”.

Nevertheless there are also references to the possibility of creating economic value from research knowledge materializing a tendency to approach HEIs to market oriented research that was already mentioned in other studies (Santiago et al. 2008).

Interviews with academics seem also to reveal the same denial of extreme positions. The interviewed tend to recognize the need to create mechanisms to turn HEIs more efficient but maintaining their traditional values.

An enterprise is an enterprise, a university is a university and a rock is a rock, they are distinctive things. And the fact that we should do our best to manage efficiently a university does not mean that a university is an enterprise (Interview 12, University X).

The same ambiguity is also visible for students. On the one hand HE is defined as an important instrument for equal opportunities affirming public support to students’ social action. In this context it is possible to read in the artº 20º: “In its relation with students, the state assures the

existence of a social action system that favors the access to higher education, and a well succeeded frequency to students in an economic disadvantaged position by positive discrimination”.

On the other hand, enhancing students' employability is identified as HEIs responsibility inducing the idea that students should be trained for the labor market or for a specific profession assuming their role simultaneously as 'heirs' and 'consumers'. In fact, even if there are no explicit references to students as consumers or clients there is an idea that the trust relation between students and teachers is broken since the figure of the students' provider (Provedor do Estudante) was created for the first time.

Somehow the maintenance of legal support to students' welfare can be justified by the strong power students always had in the Portuguese HE system. In fact, there is a great tradition of social movements from students (Estanque 2008, 2010) and in recent history higher education ministers were removed from their post due to students' contestation. This may also be the justification for the support to students unions (artº 21).

The changes in internal organization (both in structures and processes and in norms and values) have the ultimate intent to change professionals, their position in institutions, their professional culture and ethos, the way they behave, in a word their professionalism.

Professionals have been usually referred as one of NPM preferred targets (Dent et al. 2004; Exworthy 1998; Ferlie et al. 1996; Fitzgerald 1994; Pettigrew 1992; Salter 2004; Wrede 2008; Carvalho and Santiago 2010). In both sectors there is a great change in professionals' regulation. For the first time, changes in health and HE legal frameworks allow institutions to employ their staff directly and to determine terms and conditions of employment. In this sense the standardized employment practices that traditionally dominated in these areas, as in all the public sector (Farnham and Horton 1996) came to an end. Along the legal documents analyzed there are always references to at least two different groups: public employers with a collective contract and public employers with an individual contract. Only the first group was able to obtain full time employment, job security and conditions of standard salary bands (Farnham and Horton 1996). The others, even if performing the same tasks, do not have a perspective of a job-for-life having, instead, a salary and career prospects linked to line managers' perceptions of their performance. The changes in professional regulation are in line with Baileys' perspective that "(...) the most dramatic change in the public sector (...) has been the redefinition of the concept of equity from one based on notions of the "going rate" and a "rate for the job" to one based on the labor market and individual performance criteria" (Bailey 1994: 133).

Nevertheless there is a tendency in higher education to externally regulate the deregulated professionals. Meaning that Law 62/2007 presents explicit norms for the equilibrium that all institutions must have between the tenure⁹ and non-tenure staff, makes the apology of employment

⁹ The Law distinguishes, also for the first time, between tenure and full time professors.

stability and stipulates the existence of similar working conditions for those in public and private institutions.

More than the employment conditions a particular point in professional bureaucracy was professionals participation in decision-making that assumed a collective character. In both sectors there is a deconstruction of this principle; however it was much more evidenced in higher education. In health, at the top level, professionals see their role limited to a consultant position, but, at the middle, there is a strong concentration of power in the clinical directors that start to be accountable for the management and organization of their service. Clinical directors must now define the objectives of their services, the resources they need and the criteria they defined for performance appraisal. The delivery of care and yhe resources management is concentrated in professionals being legally assured their autonomy in the accomplishment of their work and in discipline issues. The increasing power of doctors in management duties is particularly felt by nurses.

We have lost the team spirit. Our director is no more seen as a leader (...) now he is mainly seen as the one in power (Interview 57, Hospital G).

In higher education, with the creation of the new organization and management bodies, namely the General Council, new actors are included in the decision-making process that withdraw some of the power professionals had. The general council has between 15 and 35 members, from these 15% are elected students, at least 30% are invited external members – stakeholders (public figures from cultural, professional, economic and social life) and the others are representatives of teachers or researchers and also one from the administrative staff. Diverse competencies are assigned to the council – approval of the HEI budget, long-term programming and annual accounts; supervision of financial activities and performance of its services; promotion of cooperation of society in HEIs financing, but, one of the most important, is the rectors' election that previously was made by universal suffrage among all university members.

Theb decision making based on collegiality is also deconstructed at the middle level. For basic units the law defines a one nominal (uninominal) body with executive power – the director or unit president. A collegial body can be created by the institution but it can only have 15 members being the majority (60%) teachers, researchers and students. The director has symbolic competencies (representing the unit), academic (responsible for the academic and pedagogical issues), professional (discipline duties) and management (to do the budget and financial report).

Even if the discourses of academics interviewed are not homogeneous, there are some cases (even if a minority) that tend to accept changes in collegiality.

This is the moment for big changes and we need them. They are inevitable. There was something in collegiality that was linked to corporatism (...). We must be more efficient (...) universities have a tradition of slowness (...). The rectors decisions were a complex 'business' because a lot of academics were consulted before its definition and implementation (...) Now it must be different (...). It is not possible to implement changes in another way (...). However, they have to respect people (Interview 21, University Z).

Others reinforce its importance seeing it as a way to control the centralization of power in deans.

I think [collegiality] is not a bad thing because a Director can do whatever he wants. This body is needed in order to impose some limits. (Interview 20, Polytechnic Z)

Based on the analysis of legal documents one can say that even if in higher education there seems to be a concern with professionals regulation allowing for some security in employment relations there is a clear tendency to transform HEIs from 'academic communities' to 'management organizations' (Harley et al. 2003). In trying to restrict the collegial decision making and concentrating the power in one person (who can be appointed by the rector) – the unit director or president – there is a tendency to organize and manage HEIs like private organizations as if they could be classified as integrated organizations (Carvalho and Santiago 2010), or as 'complete organizations' (Enders et al. 2008). The analysis reveals that NPM is distinct in different public sectors. In the Portuguese case in health there is a great emphasis on changing organizational norms and values turning these institutions more managerial while in higher education the emphasis is great on changing the locus of decision making with professionals decreasing their participation in strategic decisions for the institutions. Changes in professional regulation seem to be those more common to both sectors. In this context Freidson (2001) asserts that professions have been weakened while others sustain that we may be assisting to a deprofessionalization process (Oppenheimer 1973; Derber 1982; Hall 1975). However as there is no linear way for NPM and managerialism to be introduced in public sector one can not expect that the effects would be the same in all different professional groups.

Even if NPM has been introduced in Portuguese public sector under the same ideological and social context, its approach is not unique. While in health there is a more technocratic approach emphasizing efficiency and value for money, translating a neo-taylorism perspective (Ferlie et al. 1996) in line with a hard version which is imposing changes coercively to institutions and actors; Higher education intends to promote a shift away from the traditional bureau-professional way of management maintaining some core values of professional regulation and HEIs traditional missions. In this sense it is more aligned with a soft NPM version near the fourth Ferlie et al. (1996) model: Public service orientation.

These results are somehow surprising. The strong emphasis of law in health in economic and managerial language is justified because this is one of the sectors that represent a high percentage of expenses in the public budget. These differences in law seem to have some echo in professionals. Health professionals interviewed seem to be integrating the new language more uncritically than academics. One of the reasons for this difference may be related with the presence of distinct professions in hospital institutions that may tend to focus more on inter-professional power relations than in the organization.

Conclusions

NPM and managerialism have been a popular object of study for the last decades in social science. However, important doubts still remain concerning the specific use of the two concepts. This chapter reveals that comparative analysis is particularly valuable to enrich the discussion and provide insights valuable to understand NPM.

In describing the specific route NPM has been developing in Portugal it is almost evident that there are differences between distinct public sectors. These differences are evidenced when one looks at the legal documents promoting major reforms in health and higher education.

From the content analysis of the legal documents it is possible to sustain that the traditional bureaucratic way of organizing public institutions has given way to a more rational one. However analysis of interview discourses does not allow the same conclusions. Interviewees refer to increased workload, centralization of power and increasing bureaucracy.

There are also important differences between sectors concerning organizational values and norms. Law in health put a strong emphasis on substituting the traditional public ethos by the private management values and norms and, at the same time, interviewees' discourses also confirm a tendency for health professionals to assume more these new values in their discourses.

Concerning the professional framework there are also important differences. Professionals in higher education have softer changes in law and there is not a total deregulation of professionals' labor market. In both sectors there is an increasing concentration of power in professionals with managerial duties but this is particularly evidenced in higher education where collegiality seems to be coming to an end.

To conclude one can say that the way NPM has been introduced in health and higher education is not similar in Portugal and the same is also true of its impact or practical consequences. These differences are justified by the particular characteristics of the two sectors but also by the distinct weight they have in the national public budget.

Changes in structures and processes as well as in organizational values and norms are aligned with the efficiency purpose. In this sense using the Ferlie et al. (1996) models one can say that this is an efficiency driven model. In higher education NPM a softer dimension is revealed. The traditional HEIs mission is generally maintained, there are important changes in professional regulation (namely with the emergence of the tenure figure) but, at the same time, a concern in regulating the unsecure positions; the major changes are developed in internal structures and processes and in the locus of decision making with clear attempts to restrict collegial bodies and the decision-making processes. In this sense one can say that the HE model is near the Ferlie et al. (1996) orientation to public service model since there are important concerns with efficiency and rationality but public ethos is also referred as an important device.

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Paper V

Managing the unmanageable: perceptions on institutional change of a Portuguese university foundation

Abstract

The Law 62/2007 led to governance and statutory changes in Portuguese HEIs. Among others, universities were given the choice to either remain public institutes or become a public foundation operating under private law. University foundations had greater expectations in terms of enhanced financial and administrative autonomy. Nevertheless, the analysis of this reform cannot be dissociated from the economic crisis and political changes that the country underwent during that period. This paper is based on the study of a Portuguese university that became a foundation and a series of interviews with key system and institutional actors. Additionally, the study considered the analysis of legal documents that provide a better understanding of the change process. It also attempts to illustrate how actors perceive changes created by the law, namely whether interviewees' expectations on the law and its unfolding were fulfilled. Bearing this in mind, the following research questions are addressed: how are these changes in HE legislation interpreted and lived by academia? How do actors perceive reforms in the sector? Ultimately, the analysis points to a mismatch between interviewees' expectations and the effective changes induced by the law to HEIs.

Keywords

Institutional change; Portuguese higher education; RJIES; university foundation; governance and management

Reference

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Introduction

Portuguese HE has been reforming since the mid-1970s. However, since the late 1990s, as in most European countries, the pace of change has accelerated due to the massification and internationalisation of the sector and legislative reforms that nationstates are enforcing on their higher education (HE) systems.

In a scenario of growing globalisation and Europeanisation, the construction of competitive knowledge societies placed increasing attention on the economic side of HE, viewed now as essential to promote national competitive economies and for individual life changes (Barr 2009, 201). Simultaneously, and increasingly more, HE has become a market-determined process, replacing the near monopoly enjoyed by the state (Varghese 2009). In turn, changes in HE should be framed alongside with modifications in the public sector, namely from the social-political context of growing contestation towards the welfare state and its bureaucratic-professional regime (Clark and Newman 1997). An environment of distrust and discontent was fertile for the neoliberal culture and the New Public Management (NPM) credo appeared as a kind of recipe for steering public organisations in a more professional and responsive way (Bruckmann and Carvalho 2014).

Portugal is not an exception to the rule. Throughout the 1990s and 2000s the country embraced NPM ideology and practices. The financial crisis that started in 2008 led to a decrease in public funding and the emergence of austerity measures triggering reforms in HE systems including Portugal¹. Change started to be prepared in 2005 when a new government came into power with parliamentary majority and commissioned the OECD to evaluate the national HE system. Outcomes of these international assessments were a series of HE reforms that emerged in 2007, of which the new legal framework for HEIs (RJIES – Law 62/2007 of 10thSeptember) is highlighted as the legal basis of discussion in this paper.

RJIES reflects NPM ideology, as well as OECD recommendations. Indeed, Law 62/2007 is the perfect example of managerialism, as can be seen by the following measures: a) an increase in tuition fees, b) the loss of public servant status for both academic and non-academic staff, c) non-applicability of public accountancy rules to the institutions, d) changes in the institutional organisation, e.g. a reduction in the number of the constituent elements of the governance bodies, a change in their composition by means of a greater intervention by civil society, including external stakeholders in HEIs' governance bodies, e) a shift from a collegial model of governance to a more managerial one accompanied with an increasing professionalisation of institutional management and stronger leadership, f) the possibility given to universities to become public foundations under private law, and initiatives for transforming the funding system into performance-based funding.

¹ In 2011 Portugal received external economic support provided by three entities: the European Financial Stabilisation Mechanism (EFSM), the Security Financial Stabilisation Fund (SFSF) and the International Monetary Fund (IMF).

Bearing this in mind, the following research questions are addressed in this paper: how are these changes in higher education (HE) legislation interpreted and lived by academia? How do actors perceive reforms in the sector? Based on a case-study of a Portuguese university that became a foundation, the paper attempts to illustrate how actors perceive changes brought by RJIES, taking into account adverse external environment, namely the present financial crisis in the country.

The next sections provide a conceptual and theoretical framework based on shifts in governance, usually referred in the literature as NPM (Clark and Newman 1997; Pollitt 2003), followed by a contextualisation of the Portuguese HE system and the methodological approach used. The last parts are devoted to discuss the main findings and conclusions.

Governing Change

Salamon (2002, 37) refers that (new) governance theory has to deal with differentiated and complex societies, which arise due to a variety of factors: the growing fragmentation of political power, the increased complexity of public problems, the recent scepticism of the government, the preoccupation with efficiency and improving performance as the major criteria for public action and, more recently, concerns regarding financial constraints. To deal with such complexity, governments have been reinvented, have moved towards models closer to self-regulation and self-governance (Salamon 2002) and have then elaborated on several tools to cope with a multiplicity of scenarios, actors and problems. Nevertheless, despite the advantages these tools have (e.g. more autonomy in allocating new talents and resources to the tasks of public problem solving) they have the disadvantage of perverting public purposes and fairness criteria (*ibid*). It is amidst this fundamental rethinking of governing societies that liberal economic theories gained strength. In turn, reforms have been legitimised by market mechanisms, usually referred in the literature as NPM/new managerialism and managerialism (Reed 2002), impacting the institutional restructuring of HE as part of the public sector.

Although there is no clear consensus in the literature as to what NPM actually means (Pollitt 2003), there is a general discourse that the old bureaucratic public administration archetype was no longer suitable to govern the increasing complexity of societies. As such, it should be substituted by a more economic model, able to reduce wasteful public spending, to create greater transparency and accountability in government affairs, and to steer public services more efficiently (Kersbergen and Waarden 2004, 145). In turn, this efficiency would be achieved through the implementation of private-sector discipline. By advocating that private sector values and practices, as well as management tools, should also be adopted by the public sector, NPM "(...) has become a normative model, one signalling a profound shift in how we think about the role of public

administrators, the nature of the profession, and how and why we do what we do” (Denhardt and Denhardt 2000, 550).

In Reed’s (2002) conceptualisation of NPM, one of its structural elements is this generic narrative of strategic change, aiming at establishing a distinctive organisational form that allows for “change to happen” through practical control technologies (2002, 164-165). In this way, managerialism pushes universities towards increasing competitiveness by means of growing accountability measures, stronger emphasis on national and international quality assurance mechanisms and pressures for institutional efficiency.

This new governance rationale, enforced by management through contracts, controls, regulations and their cultures (Reed, 2002), impacts on professionals’ working practices and in the organisation of their work. Whether the nature of academic work has not changed significantly, the culture and environment where it is building in is now rooted in performance assessment exercises, contracts based on productivity goals and incentives for competition, where efficiency and accountability became dogmas in HEIs’ life. In fact, following NPM ideology, there have been trends for increased job insecurity among academics with substantial devaluation of tenure positions and replacement of the “public employment” condition (public servant) by the “institutions’ employment” contracts (Amaral, 2007).

In Reed’s words, the strong faith on market mechanisms and competition to solve “bureaucratic rigidity and professional intransigence” attempted thus to weaken the regulatory structures of professional elites (2002, 166). Professional academic work is then regulated through the design, implementation and monitoring of various control mechanisms with the purpose of auditing it in relation to various externally-determined performance measures (2002, 171), so that more competitive and entrepreneurial institutions emerge (Clark, 1998; Pinheiro and Stensaker, 2013).

Hoping to understand how the academia of a university foundation perceives legislative changes imposed to its governance model within the present financial crisis, the idea of “shared governance” might bring some light into the discussion. This is because a common observation is that a move from the “republic of scholars” ideal towards the “stakeholder organization” model of governance has occurred within HE and yet, another one is about to come or “to consider moving back”: shared governance (Shattock 2002, 240). The idea is to include a greater diversity of actors in decision-making processes (top management administrators/managers, senior academics, external stakeholders, senior and younger researchers, non-academic staff and students) instilling on them proactive and responsible behaviours. Nevertheless, from the literature review and data collected, shared governance, as a pure model of governance, exists only theoretically. On the other hand, it seems that the ideology (and practices) of shared governance, albeit with less diversity of actors, were also present during collegial times. Hence Shattock’s words when he referred that another move in HE governance is about “to consider moving back”. As such, it is possible to talk about hybrid models of institutional governance, with a mix of elements from all these forms. This coexistence of traditional collegial powers with stakeholders’ guidance and

managerial self-governance was evidenced in previous studies on Portuguese HEIs (Santiago and Carvalho 2004). As Lima (2012: 299) explains “(...) there is a certain degree of hybridism and some tension deriving from the clash between the collegial-participative model of governance (political system and organised anarchy) and the managerialist pattern (tight coupling and hyper-bureaucracy)”.

By collegiality we refer to the governance model usually called professional bureaucracy (Mintzberg, 1979) where decision-making is shared by equals - academics - who take management roles only temporarily and have relative autonomy in time, teaching and research management (see also Tapper and Palfreyman, 2010).

Governance and Management Reform in Portuguese HE

Portugal has a binary HE system since the early 1970s, composed of university and polytechnic subsystems, with a total of 40 public institutions (14 universities, 1 public university institute, 5 police and military institutes, and 20 polytechnics) and 94 private institutions (38 within the university subsystem and 56 within the polytechnic subsystem) (DGES, 2012).

The 1974 revolution marks a turning point in Portuguese HE, enabling what was an elitist system to evolve into one of mass HE (Amaral and Carvalho, 2003). The first Portuguese Constitution after the 1974 Revolution was drawn in 1976 and some of its principles came to shape Portuguese HE. Among these, we highlight explicit protection of university autonomy and free (of charge) access to HE. The Portuguese Constitution set out scientific, pedagogic, administrative and financial autonomy for universities (Amaral and Carvalho 2003). There was, however, no specific law setting out autonomy to universities by that time. Autonomy Law came to be a reality in 1988 for universities (Law 108/88) and in 1990 for polytechnics (Law 54/90). Since then, Portuguese HEIs are considered to have a high degree of autonomy, and apply a collegial governance model (Amaral and Carvalho 2003). However, collegiality has been challenged since 2005. According to Amaral (2007), by this time, several problems could be identified in Portuguese HE: a lack of clarity in the binary system, a network of HEIs as well as a high number of HE programmes without any coherence and with little or no demand at all, some HEIs in deep financial crisis, low equity in accessing the system, an ineffective quality assessment framework, low international competitiveness, the absence of effective state regulation, a mismatch between supply and demand and between demand and the labour market's needs.

It is in this scenario that the 2007 legislative reforms emerged, influenced by NPM ideology and consequently by the OECD's country review team suggestions. Examples of OECD recommendations in Law 62/2007 refer to an increase in tuition fees, the loss of public servant status for both academic and non-academic staff, non-applicability of public accountancy

rules to the institutions, changes in the institutional organisation and reform of the legal status of universities to self-governing foundations (OECD 2007, 141).

The most striking change introduced by Law 62/2007 is the possibility given to HEIs to opt for one of the two possible institutional models: the traditional public institute or public foundation under private law. University foundations assume a hybrid entity. As such, hybrid organisations relate differently with the state: instead of the traditional hierarchical model, a university foundation uses (quasi-) market mechanisms, e.g.: contracts to set objectives, target agreements and multi-annual budgets (Palandt 2003). So far, only three HEIs made this choice, but two more have internally approved to become a foundation recently.

Another important change introduced by this law concerns the institutions' governance and management models. Until recently, Portuguese HEIs organisational structures were based on collegiality with amply participated management and governing boards. Now they are faced with a power concentration in three governing boards (instead of the four to five they used to have) to which a restricted number of representatives is elected from the several university bodies that constitute it. External stakeholders, whose presence in HEIs was greatly increased (as recommended by the OECD), which might bring changes in the way these institutions have been acting so far. This is a drift away from the bureaucratic model that had characterised the governance archetype of the Portuguese University. From a governance pattern ruled by academics, a new model emerges in which professionals have to share the power of decision on university management issues with external stakeholders, coming from different realities outside academia.

The new governance and management model imposed by RJIES shows not much difference between the two possible institutional models. Public institute HEIs and foundational model HEIs share the main management bodies: general council, rector and management board. Foundation institutions have an extra governing body: the Board of trustees (Brückmann and Carvalho 2014). Besides the governing bodies imposed by RJIES, HEIs may choose to have others, but these can only be of consultative nature (e.g. the academic senate). The presence of external stakeholders in top governing bodies was made mandatory by RJIES. At least 30% of the general council members must be external. Nevertheless, academics still hold the majority of seats (>50%), and students secure $\geq 15\%$ of seats. The presence of non-teaching staff is optional. The Board of Trustees is composed exclusively by external members appointed by the government under proposal of the HEI.

The advantages of the foundational model, as presented by its proponents, were, among others:

- Possibility of getting additional financing, including from private sources;
- Multi-annual state financing through contracts, enabling greater financial predictability and stability;
- Flexibility in personnel recruitment and management;

- University foundations get to avoid the public accounting regime, prior supervision by the Court of Auditors and public tenders in public contracts;
- Efficiency and competitiveness gains in what concerns management (Moreira 2011).

With RJIES, the university foundations signed a multi-annual contract with the government, which should last no less than 3 years and 5 years maximum, establishing the goals to be achieved and the penalty in terms of financing, in the event of default by the institution (Amaral 2007). Indeed, this new form of control - performance-based funding - reveals that public funding for HEIs has changed not only in quantity, but also in nature and form (EUA 2011). There is a considerable decrease in public funding from all sources: government, private sector and households. Simultaneously, the forms in which funding is provided to HEIs has been accompanied with growing accountability requirements.

Research Approach

In order to approach our study object, we combined document analysis and interviews. Data consists of face-to-face semi-structured interviews to key actors of system and institutional levels during the year 2012. Actors were carefully chosen due to their roles and degree of involvement in the study object, both at system and institutional levels. System level interviewees are HE policy makers and at the institutional level we picked top-management actors (university's rector and vice-rectors), middle-management actors (heads of departments and polytechnic schools), academics and administrative staff. Supplementary inputs were obtained through literature review, document analysis and theoretical discussions to set the study in context in relation to the influence of NPM in recent reforms of Portuguese HE.

The University analysed here became officially a foundation in 2009, allowing us some comparison throughout different periods of its life path. This institution is also exceptional in its organisational structure: not following a traditional faculty arrangement, basic units are organised around university departments and polytechnic schools in a matrix structure. The polytechnic is considerably smaller than the university, which explains fewer interviews from this subsystem. Departments have similar levels of scientific and pedagogical autonomy as classical faculties. However, with respect to administrative and financial issues, their autonomy is more restricted, being under university's central administration. University's departments and polytechnic schools' basic common governance bodies are the Director, the Executive Board and the Unity Council (Conselho de Unidade). Collegiality is present in the University through scientific and pedagogical management councils and through advisory bodies as the ethics boards, the cooperation council and the disciplinary committee.

Institutional level interviews were conducted at the Physics, Languages and Engineering Departments and at the Nursing and Management Polytechnic Schools (i.e. soft and hard

disciplines), with the objective of grasping different realities across disciplinary fields as well as a variance in professionals' ambitions and concerns.

The perceptions quoted here aim at clarifying on the level of action – system (**S**) and institutional. System level interviewees provide complementary realities of the country and the HE system. Institutional actors were then classified according to the type of institution they work in, university (**U**) / polytechnic (**P**), and on their main role (Table 1). The following identification is used:

- Top-management (**Utm/Pm**): Rector, Vice-Rectors, Pro-Rectors and external members;
- Middle management (**Umm/Pmm**): Heads of Departments and Polytechnic Schools;
- Academics universities / Polytechnics' lecturers (**Ua/PI**), and
- Administrative staff (**Ut**).

The numbers placed before the letters indicate different interviewees. Some actors may “accumulate” more than one role, e.g. a top management actor who works in close cooperation with the Ministry and lectures at the university. These interviewees are identified with a *. However, only their main activity is explicit.

Table 1 – Interviewees' Sample

System Level		Institutional Level					
		Type of Institution	Top Management	Middle Management	Academics / Lecturers	Technostructure (Administrative staff)	Total
Portugal	6	University	5	4	6	3	19
		Polytechnic	-	4	3	-	7
Total							31

Content analysis was carried out through thematic coding with the help of qualitative data analysis software Atlas.ti 7. Two dimensions (Schreier 2012) were selected: the first discusses why and how RJIES emerged and the second dimension explores actors' perceptions on the institutionalisation of the foundational status.

Change is understood here as the result of the implementation of Law 62/2007, in a period of historical financial difficulties for the country, being thus intrinsic to policy making (Saarinen and Välimaa 2012).

The new legal framework for HEIs – why and how?

The implementation of RJIES mixes with the national environment of political and economic crisis, a fact that cannot be dissociated from the law itself and its unfolding. As acknowledged by interviewees, regardless of their role, this scenario eased up change, both at system and institutional levels.

“It is obvious that during crisis moments, situations get complicated but also opportunities for change are created. People in situations of need are more willing to change and that needs to be taken into account to do the necessary changes” (4S).

Alongside with the national context, RJIES was also *sponsored* by OECD’s feedback, a fact that provided legitimacy for reform (Kauko & Diogo 2011; Torgal 2012), as confirmed by most system and middle management actors:

“Almost all the reforms of the former Portuguese HE Minister are dictated by OECD studies” (4Utm).

“In Portugal it is evident that there is a direct influence when Portugal makes changes based on studies of committees and/or groups of organisations as the OECD” (6S).

Data shows that interviewees perceive the government’s discourse on the need to shift HE governance and HEIs *modus operandi* to be aligned with the European Commission’s discourses that urge HEIs to *modernise*, i.e. to professionalise management, which also provided legitimacy for reform. In fact, the Bill (Government of Portugal 2007) presented the reform as an unprecedented opportunity for HEIs that would take place in parallel with the modernisation of knowledge societies. Interviewees pointed to the critical and charismatic role of the previous Minister of HE in coercing change by inflicting severe financial constraints on HEIs. Along these lines, the *weak* social and economic context of Portuguese HE allowed for introducing changes in the way HEIs are steered and funded that otherwise would be troublesome to accept.

A paradoxical aspect emerges when we confront interviewees’ discourse about RJIES with the 2007-2009 scenario, when the Law was drafted and implemented. RJIES was adopted in 2008 despite pressures to amend it with all opposition parties having voted against it and the National Council of Education, faculty members, staff and student unions and HEIs disapproving it. Nevertheless, in 2012, system level interviewees, as well as top-management and some middle-management respondents showed overall satisfaction with the law. This might be due to the fact that interviews were conducted in a university that adopted the foundational status. Indeed, some interviewees even regret that the original idea of RJIES, which was “much more tough”, was not taken to its final potentialities.

“If the initial project would have gone forward, it would have taken more into account a greater participation of the external society in HEIs’ management bodies. Then, there were of course some vested interests – sort to speak – and the law became what it is. In my opinion, from the political point of view, this was what was possible to do” (4S).

However, it was also mentioned that the restrictions HEIs face in terms of fiscal policy do not allow for an accurate analysis of the changes brought by RJIES as the law was held back in its implementation. Succinctly put, whereas those interviewees supporting RJIES acknowledged that this was not the best time to assess the potentialities of such a legislative instrument, those opposing to the law questioned its value and legitimacy, especially in the current environment of crisis.

The positive aspects of RJIES that gathered general consensus were: it aligns the statutes relative to public and private institutions, it updates legislation concerning public and private universities’ and polytechnics’ autonomy and fairer quality assurance, and the presence of external members in HEIs’ governance bodies. RJIES is perceived as being a necessary tool for a different type of management, gathering several elements of Portuguese HE in one single document that were previously scattered in different legislative pieces.

“Initially, we all applauded RJIES due to a very simple question: it placed public and private institutions in the same legal situation” (3S).

Consecutively, more critical interviewees were also consensual when complaining about the nature of RJIES. The law was perceived as too extensive, too cumbersome, and too much prescriptive, not allowing HEIs to do anything without previous consultation and approval. Another critic points to the legislator, who did not take account for the diversity of the national institutional landscape, i.e. RJIES did not consider universities that integrate polytechnics. As such, it is unclear how these institutions should arrange their governance structures. The university of this case-study chose to set up a single set of mandatory governance bodies as demanded by the law (namely a single general council) for both the university and the polytechnic schools.

Both system and institutional level actors expressed distressing views on the fact that they spend a lot of time and energy (trying) to understand and contextualise RJIES within the national legislative framework:

“What I think is the less productive aspect – and that is not only related to HEIs but mostly to the country – is that rectors, presidents and their teams spend a lot of time (for almost no return for the institution) trying to understand RJIES regarding to the laws of the country. We spend a lot of time to know what can be done or not, whether it’s legal or not, etc. (1S)”.

By arguing that RJIES was motivated by a privatisation agenda, interviewees believe that the foundational status could lead to an even greater reduction of state funding based on arguments that universities are able to sustain themselves. Furthermore, most faculty members foresee a significant reduction in academic endeavour as well as lower participation in decision-making by researchers, students and staff. They also anticipate an excessive concentration of power in universities’ general councils and in sole proprietorship positions, i.e. rectors, polytechnics’ directors, deans/departments’ heads.

Towards this scenario, the great majority of interviewees (including external members) look at RJIES as a “lost opportunity” of doing something simple, but quite oriented and practical, which simultaneously would allow and demand HEIs to be more transparent and accountable. The result of this hybrid situation is a document perceived as reflecting the Portuguese society: afraid of creating a total (and necessary) rupture with the past, legislators tried to find a balance which would please everyone without causing too much discordance and/or insurgency.

“I can imagine how challenging it must be, trying to make a system that without implementing major disruptions, requires external individuals in governance bodies. So we stood midway between other models: in England, boards are composed solely by externals, and here we have a mixed situation in the general council where the participation of external members is not dominant, but allows for some openness”(3Ut).

Thus, the same way interviewees see RJIES as an ambiguous law, the composition and mission of the general council was also criticised due to its hybridity:

“The law was made pending a bit to the right and tending a bit to the left... What happened, then? One couldn't define what a general council is. Is it a strategic body to guide the university or a supervisory body of the rector? There's this ambiguity. If it's meant to be a strategic body, there are few external members; if it's a supervisory body of the rector's team, they are too many. There shouldn't be so many watchdogs for the rector, right? (...). But as I said, there wasn't a rupture, a breaking point so that a very well defined and clear body could emerge” (5Utm*).

This allows us to conclude that it is not possible to separate cultural factors from the way political processes are designed and implemented. Thus, some of the criticisms to the legislation and to the way RJIES has unfolded are mostly critics to national politicians, to the way processes are conducted, and to the lack of perspective and uncertainty the country presents. What seems to be common in the literature (Varghese 2009) and in interviewees' discourses is the need of *opening* the university to the civil society. As such, the majority of respondents welcomed this change; even if the “cut” with the previous governance model is not always clear. This allows us to infer that changes' outcomes are accommodated with old elements of previous reforms and policies. This might also be explained by the fact that interviewees guide their interpretations and actions through different norms, rules, values and belief systems (Peters 2005). Such diversity is then translated in the way actors operationalise change. Now, it remains to know, as Tapper and Palfreyman (2010) ask, whether it makes sense to retain the idea of collegiality in such context, as NPM pressures for more efficiency and accountability have overthrown collegiality.

Institutionalising the foundational model in the actual economic context

The perceived increase of institutional autonomy in terms of financial and human resources management that university foundations seemed to enjoy is what pushed universities to adopt this new institutional model. Additionally, the perspective that obtaining lump-sum funding through multi-annual contracts would enable greater financial predictability and stability appeared quite

enticing for HEIs, especially during uncertainty moments. Therefore, as highlighted during interviews, being a university foundation became a hallmark, a kind of quality and innovation label for universities, a sign of progression and adaptation to the “new times”. As such, in the following years, opinions changed and “(...) *those who were fierce opponents during the campaign period started to pay more attention and aimed at internally revising this process*” (5Ua). These positive perceptions are based on the requirements that (only) excellent and/or very good HEIs fulfil, e.g.: solid self-financing capacity which should be increased by raising institutions’ own revenues (university foundations need to obtain at least 50% of external revenues) and scientific soundness which should be proved through the number of accredited 3rd study cycles, the qualifications of the faculty and development of top-level research (Law 62/2007). Those advocating the foundational model, evoke technical arguments, increased flexibility and streamlining management processes, i.e., *managerialism* per excellence. Nevertheless, it is important to refer that for most interviewees it is not clear what is a “public foundation operating under private law”.

“Even from the legal viewpoint, it was never well defined what is a public foundation operating under private law, and therefore one cannot clearly understand which influences and changes this brings for institutional management, hiring processes, etc.” (3Pmm).

This situation not only implies on their legal and administrative procedures, but also on decisions and activities that are carried out. Considering that the foundational status is the main difference and ‘originality’ of RJIES, it seems problematic whether, within a university foundation, institutional level actors do not feel acquainted with the changes such status entails and/or do not know if the foundational status is effectively in place.

“We don’t really know how things are, if we’re still a university foundation or not, and if the others who wanted to become a foundation still want that” (2Ua).

This creates uncertainty and hinders institutions’ possibilities and freedom of manoeuvre. Simultaneously, one needs to remember that the Law 62/2007 appears in a moment of change also for public administration, namely with respect to the rules of hiring staff, funding issues, etc. In this way, in the last two years, university foundations have been increasingly more included in the state domain, like other public institutions. Consequently, regarding financial and accountability issues (and almost 5 years passed) different institutional actors perceive that the university foundation does not exist:

“In practice, the foundational regime is suspended, except for aspects related with assets. This means that regarding financial management, university foundations are again in the perimeter of the state budget and therefore they have to check the rules, standards and all requirements as any other university. So, according to the Finance Ministry, from the financial management viewpoint, universities were left with very little difference in relation to other institutions” (4Utm).

Thus, whereas on one hand granting independent legal status is one mean of giving greater autonomy to institutions, making them legally responsible for the operationalisation of their mission and tasks does not exclude institutions from an indirect state administration. It is argued that by presenting the foundational status as the ideal governance model for HEIs, the government intends to increase its control over HEIs by appointing the board of trustees under rectors/presidents proposals.

Linked with the ambiguity loaded in the term *public foundation under private law* is the climate of uncertainty and instability that creates anxiety to people working in academia. Even the most enthusiastic interviewees, i.e. top-management actors, showed their concerns regarding the durability of Law 62/2007:

“The problem of RJIES is that we don’t know if it is to stay or not. Actually, this is always a problem in Portugal: how long it will last?” (1PUtm).

These feelings about the stability of the system and the endurance of RJIES are certainly not unfounded. Shortly after interviewees were conducted, the new government elected in 2011 announced the abolition of the foundational system and its replacement by a model of “enhanced autonomy” (Bill 275/201, 3rd July 2013). Nevertheless, at the present, university foundations continue to operate as such, and this new status was not enforced. Additionally, the overlap of obligations between public administration institutions and foundations raised complaints towards the fact that the specific nature of HEIs was not taken into consideration when drafting RJIES:

“Changes in public administration and instruments designed for public administration in general were brought into universities without taking into account that public institutions are different from General Directorates and these instruments do not work in HEIs and they never will! This wounds autonomy! Basically, there’s a fundamental disrespect towards the nature of the institution and its autonomy” (6S*).

Considering the cumbersome nature of RJIES, the changes in public administration that had an impact on HEIs and the bill to amend RJIES has so far only brought more confusion and suspicion towards the Ministry’s intentions, which makes the interviewees’ disillusionment with the foundational status understandable. They accuse both the Government and the Minister of making excuses to not fulfil their obligations and promises.

This context of change, historically unique in the country, raises many questions regarding the foundational status, namely how a university foundation operates in such a political and economic instable environment. Interviewees envision a situation where a supposed increase of autonomy without the necessary resources will lead to a greater dependency on the state or other external organisations that have the power to provide the necessary resources the university needs. Additionally, there is a general feeling from both types of HEIs’ actors that despite less state intervention and more financial autonomy, the institution is losing its freedom of manoeuvre. The main rationale for this, “*regardless of RJIES, this complete subversion to the financial system is what apparently forces universities to lose much of their autonomy*” (1Pmm). Thus, on one hand, more institutional autonomy could relieve the state’s burden and encourage universities to develop different survival strategies, but on the other hand the economic crisis swapped these premises:

“We feel that there isn’t autonomy: there is autonomy when there is money, but when one speaks about funding, it disappears” (4Umm).

Concurrently, another question surfaces: how can a tool like RJIES be useful if economically sound universities, like the one analysed in this study, lose financial autonomy and risk being treated similarly with other public institutions and universities that are not so careful with their finances? Furthermore, institutional interviewees also mentioned that this situation perverts/

invalidates RJIES' character of fairness, one of its major strengths – as all HEIs are treated the same way in terms of financial issues. This leads us to wonder whether it is possible to assess or even talk about fairness criteria in a scenario involving the whole country and almost all sectors of activity.

The loss of autonomy appears as the main concern and critique for middle management interviewees and academics who feel tied up in their role, both as managers and/or academics. Indeed, these findings corroborate the idea that more targeted funding has given governments increased steering power over universities, which in turn can hinder HEIs ability to act more autonomously (EUA 2011). If institutional and financial autonomy are considered crucial prerequisites to successfully overcome the crisis by allowing universities the freedom to allocate their funds strategically (*ibid*), what happens when institutions are constrained by this “blurred” financial autonomy?

The change in the traditional organisational forms of the university represents the political hybridism of the country. It is a clear example of steering from a distance, where the government attempts to control public institutions by transforming them into foundations with an *agency* character. Reed (2002) also described this phenomenon as the “centralisation of decentralisation”.

Interviewees referred that these times certainly do justice to the expression: “necessity is the mother of invention” (4Umm), but such flexibility and adaptability cannot be enhanced for longer in an environment of constant financial suffocation for HEIs. In this scenario, it is easy to predict a race for the commercialisation of universities' activities and consequently to resemble them, even more, to entrepreneurial organisations. It is believed that this possibility would be easier to achieve within the foundational model. Data reveals extreme positions on this subject according to interviewees' roles. While external members (e.g. board of trustees) support the idea that universities should seek their own revenues and conduct research that generates income, on the other extreme, some academics and middle management actors strongly manifest their disagreement with such a transformation. They advocate that “*managing a university is not like managing a bank or a supermarket*” (5Ua). Associated with this discussion, most institutional level interviewees criticised the immense increase of administrative and bureaucratic workload (paradoxically, the reason why a new *entrepreneurial* model of governance needed to be implemented):

“It's the main complaint from the faculty: the increasing bureaucracy and workload... there're so many things that a professor and a director of a programme is required to do. Everything needs to be computerized (...). In the end, a person spends hours and hours filling time-sheets” (6Utm).

Some respondents went further and lamented that the increase of bureaucracy is the most visible change brought by RJIES:

“But it is curious that, with few exceptions, I don't feel huge differences with respect to the management of the academy as a whole. I mean, there are different governance bodies for different purposes, but in my daily activities, I don't feel these differences. I feel that what has changed more is the increase of the bureaucratic burden. But... I don't know if I can connect this to RJIES” (1Ua).

It is worth to note that some of the criticisms and/or dissatisfactions with RJIES and with HEIs *modus operandi* are not necessarily related to the law. As aforementioned, the reform in public administration included HEIs, and therefore, changes in human resources management and performance assessment exercises that enforced managerialism practices also apply to academia. University foundations were spared neither from the economic crisis, nor from the changes affecting the public sector. Thus, interviewees feel that due to their specific nature, HEIs should not be treated as other public administration agencies. In this scenario, control technologies might have the disadvantage of perverting public purposes.

Managing the *unmanageable*?

The latest national HE legislative reforms are aligned with international trends and combine managerialism with OECD and EU recommendations and pressures for an efficient use of public resources. We believe this represents a changing pattern in HEIs dynamics, where one finds a mix of old and new elements of governance models. This goes much in line with the historical and cumulative nature of institutions, making change slower but also more possible (Peters 2005).

This case-study exemplifies that institutional reform tends to be imposed from outside. Wishes to change the universities *status quo*, combined with international pressures and a crisis environment, legitimised decisions from international organisations that advocate more professional and entrepreneurial management for HEIs. Subsequent adjustments in universities' mission also reflect a change in the way HEIs are viewed by their environments and how the economic rationale assumed greater importance, obliging institutions to be creative in order to survive. This paper suggests that although the economic crisis has provided momentum for change, it also hindered the implementation of RJIES (in public foundations). On the other hand, the success of its implementation was also determined by actors' beliefs, willingness and sense of obligation towards the Ministry orders and institutional leaders' commandments. Naturally, it can be argued that it is challenging to assess the impact of RJIES due to the difficulty in separating its implementation from financial constraints. This obstructs the "interesting possibilities" that the law could bring. In turn, funding shortages perverted control technologies as performance assessment exercises and impacted on human resources management. Additionally, salary cuts and freezing hiring and career progression were applied to the whole public sector, and university foundations were not spared from austerity measures. This is probably the reason why some actors feel that there are no big differences when comparing the foundational model with the previous one, which allows for the belief that university foundations do not seem to be in (much) better conditions than their counterparts that chose to remain as public institutions.

Especially disquieting is the feeling of losing institutional autonomy, which, among other consequences, curtails institutional leaders' behaviour due to uncertainty. Uncertainty moments that last too long harm institutional autonomy as it seems challenging to govern an institution in

such terms. It might be that NPM, also visible in the changes introduced in university foundations' governance bodies, works strategically to comply with this scenario, although bureaucracy is perceived as having increased.

The influence of managerialism within HEIs is also notorious in the shift from a collegial model of governance to a more managerial one, which might lead to a loss of academics' participation in decision-making processes and more hierarchical decisions. Indeed, the majority of respondents believe current decision-making is far more top-down than it used to be and they shared the opinion that there is an increasing professionalisation of institutional management. We can thus observe a hybrid logic underlying not only in the HE sector, but also regarding public administration in general.

In conclusion, budgetary constraints are perceived as having prevented university foundations to enjoy what seemed to be the advantages of the foundational model and which led universities' preference when adopting this status. RJIES had the magic wand of gathering in one document several aspects that were scattered in different legal documents, but it dashed all the expectations in terms of increased (financial) autonomy, and institutional actors see that institutions went back to the state perimeter. Though unevenly, the economic crisis affected all scientific areas and faculties/departments had to reinvent their activities in order to manage the unmanageable.

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Paper VI

Convergence or Divergence in university institutional governance reforms? Comparing Napoleonic states

Abstract

This paper fills in the debate about convergence or divergence in higher education organizational change, analysing university institutional governance reforms and their implementation in two Napoleonic states (Italy and Portugal), a cluster of countries under-researched in comparative perspectives in HE governance literature. We develop a multi-level analysis, first addressing how international concepts have been translated into national laws ('Gelmini' reform in Italy and RJIES in Portugal); second assessing how all state universities in both countries implemented them by analysing their new statutes. Our findings show that both states preserve traits of their previous institutional governance model. Past features shape the way countries respond to the transnational model of legitimized university governance thus policy alternatives that prove feasible at a given point in time are limited by the historical-institutional context. Consequently, the concept of organizational allomorphism explains the current pattern in HE institutional governance reform better than both convergence and divergence.

Keywords

Higher education reform; Organizational change; Allomorphism; Italy; Portugal.

Reference

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Introduction

Higher education (HE) in Europe has undergone remarkable transformations over the last two decades. Common ground for the reforms was the idea conveyed by governments and international organisations that higher education institutions (HEIs) were ineffective, inefficient and over-bureaucratized (Enders et al. 2011). Consequently, the traditional European continental model of governance based on strong state regulation and academic self-governance has been put into question.

Reform trajectories seem inspired by a common archetype which entails a shift from universities being loosely-coupled organizations (Weick 1976) into being 'more complete' strategic organizational actors (Krücken and Meier 2006; Whitley 2008; Seeber et al. 2015) endowed with autonomy linked to greater accountability. Accordingly, many of the same ideas crop up repeatedly in European HE governance reform (Degn 2015). Nonetheless, national HE systems receive the same inputs very differently, leading to dissimilar interpretations and implementation (Bleiklie and Kogan 2007; Paradeise et al. 2009). Thus, while some scholars argue that HE policies and systems are becoming more similar over time (i.e. Krücken and Meier 2006; Pinheiro and Stensaker 2014), others point towards complex mixture of convergence and divergence (i.e. Vaira 2004; Dobbins forthcoming). Advocates of the convergence thesis stress diffusion of international scripts such as New Public Management (NPM) -usually promoted by international institutional carriers (OECD, IMF, and World Bank)-, Europeanization, and concepts such as policy transfer and policy learning. On the other side, supporters of divergence thesis consider more relevant local translations, path dependence, and complexity of HE change. This paper fills in into this debate, analysing how HE reforms in Italy and Portugal redesigned internal power distribution and reshaped university institutional governance and management structures.

Though several comparative studies have already been published on this topic, they compared reforms mainly against what is happening in English-speaking countries and early-reformer nations in North-Western Europe such as the Netherlands (e.g. Kehm and Lanzendorf 2006; de Boer, Huisman, and Meister-Scheytt 2010). Instead HE governance structures in South Europe are still under-researched in comparative perspectives. These countries are identified under the cluster of 'Napoleonic states' due to the common features of their public administration traditions¹, being largely based on a bureaucratic organization model and on formal regulations which require compliance and are difficult to modify even when they become obstacles to change (Ongaro 2009; Pollitt and Bouckaert 2011). Such features distinguish them from other clusters of countries with common administrative tradition (Anglo-American, Germanic-continental, or Scandinavian countries).

¹ Similar administrative traditions may be defined as 'a historically based set of values, structures, and relationships with other institutions that define the nature of appropriate public administration within society' (Peters 2008).

Given the distinctive features of their public administration traditions and the low representation of Napoleonic states in HE institutional governance reform comparative studies, this paper fills the gap assessing whether there is convergence among national HE policies and university organizational responses in two Napoleonic states: Italy and Portugal. They present a unitary national regulation of their own HE system and reformed the regulatory structure for state university institutional governance just few years distance each other (Law 62/2007 or RJIES in Portugal and Law 240/2010 or Gelmini reform in Italy). We develop a multi-level analysis: first addressing the decision-making at country level, namely how international concepts have been translated into the new national laws by policy-makers, since national policy still plays a relevant role in shaping university governance structures (Kretek, Dragšić, and Kehm 2013); second we analyse how individual state universities within both countries translated the HE law requirements since the university statutes, besides being local adaptations of HE laws, provide for local interpretations of certain provision (Kretek, Dragšić, and Kehm 2013; Donina, Meoli, and Paleari 2015a or previous paper). The focus will be on the strategic apex of university institutional governance: the university leadership (rector) and the main governing bodies (Administrative Board in Italy; General Council in Portugal).

Our findings evidence that both Italy and Portugal preserve traits of their previous institutional governance model, suggesting that past features shape the way Napoleonic countries are responding to the current transnational model of legitimized university governance. The historical-institutional context influences indeed policy alternatives feasible or acceptable at a given point in time. Therefore the concept of organizational allomorphism (Vaira 2004), which points out that though there is a common archetype to aim to, institutions adapt and translate it in different declarations, explains the current pattern in international HE institutional governance reform better than both convergence and divergence.

The remainder of the paper is organized as follow. Next section presents the theoretical perspective on HE organizational change and the theories supporting them. Then the international institutional governance archetype is presented, detailing common trends in European governance reforms. Following sections present the sample and methodology employed and how the institutional governance model has been modified in all state universities of both countries, highlighting convergent and divergent features. Lastly, the discussion and conclusion section assesses whether convergence or divergence is in HE organizational change both within Napoleonic countries and with respect to the international archetype.

Theoretical perspective on Higher Education Organizational Change

University organizational change is an issue highly debated in the HE literature (Vaira 2004; Jungblut and Vukasovic 2013; Pinheiro and Stensaker 2014). Worldwide reforms demand universities to take up new tasks to respond to the new global social, political, economic and

demographic challenges (Pinheiro and Stensaker 2014; Paleari, Donina, and Meoli 2015). However, at the same time, they are deeply infused with values inherited from their history, and are still embedded in a national regulative system, which shapes their governance and organizational arrangements (Vaira 2004; Kretek, Dragšić, and Kehm 2013). Consequently, national contexts deserve particular attention when influence and impact of global concepts are investigated since common ideas are exposed to local translations.

In this context, institutional theory and its various branches evidence two main and opposed interpretations concerning the direction of changes. On one side, convergence thesis stresses homogenization processes and isomorphic change; on the other side, divergence thesis emphasises different, pluralistic, and localised responses. The former is based on a narrow vision of organizations as passive recipients of external ideas within a field, while the latter sees organizations as more active players, which absorb selectively institutional pressures from the external environment (Pinheiro and Stensaker 2014). Among these two mutually exclusive explanations of responses to supra-national institutional pressures, Vaira (2004) provides a third theoretical framework that accounts for both homogenization and heterogeneity: organizational allomorphism. This section presents the theoretical perspectives supporting the three directions of organizational changes within the HE sector.

Convergence

Convergence thesis identifies a homogenization trend among HEIs in the different countries. Its roots are in neo-institutional theory (Vaira 2004) and core concept is organizational isomorphism (DiMaggio and Powell 1983). The most important assumption of this vision is that institutions converge to similar responses when they are subject to the same institutional pressures. As both internationalization and Europeanization processes (i.e. Bologna process) and changes in world polity toward neoliberalism create a common operative framework for the HE sector, supporters of convergence vision state that a tendency to isomorphism is among universities.

In this context, international institutional carriers develop supranational polity, establishing and legitimizing particular concepts, strategies, and recipes for HE and university organizational structures, which affect nation-state policy. This process is pointed out also by the branch of neo-institutionalism labelled as ideational institutionalism (Hay 2001). It focuses on the role of ideas as source of influence in the policy-making process and its assumption is that ideas function as a filter through which policy-makers set their preferences, strategies, goals, and spaces for action (Degn 2015). Consequently, a process of travelling, diffusion, transference, and borrowing of the same policy ideas occurs across national borders. In the HE sector, mainly NPM ideas have been influential. They were initially developed in the Anglo-Saxon context, but international supporters (OECD, World Bank) spread them, assuming that the same reform agenda could be used to improve HE sector performance almost everywhere.

Notwithstanding the virtues of neo-institutional perspective and institutional isomorphism to explain the macro-structural process influencing the pathways and contents of ongoing changes, they present also drawbacks. Ongaro (2009) evidences that NPM ideas sometimes are not well-adaptable to other administrative traditions and they pose significant challenges in particular to Napoleonic states. These countries borrowed some elements from the NPM toolkit, but they have followed NPM ideas only in limited and selective ways (Kickert 2007; Donina, Meoli, and Paleari 2015b or first paper of the collection). Moreover the neo-institutional perspective is founded on a linear, top-down, and sometimes deterministic causal explanation (Vaira 2004), which neglects other important factors such as organizational context and actors' action. Consequently, convergence thesis has been put under scrutiny and criticized, as explained below.

Divergence

According to divergence scholars, neo-institutional theory underestimates local responses, which reshape the global trends in the face of cultures, histories, needs, practices, and institutional context (Christensen, Laegreid, and Wise 2002; Howlett 2014). Consequently, both countries and individual organizations can differ in how they respond to the same institutional pressures. Hence several theories questioned convergence thesis, accounting the relevance of national and local-organizational agencies in adapting international concepts into national reforming policies and institutions' organizational restructuring. This section presents the main theories which account for policy divergence: historical institutionalism and institutional theory from policy sciences, translation theory and strategic approach from organization analysis.

Historical institutionalism considers that policy formulation usually occurs within the confines of the existing governance mode and policy legacy. Hence policy designers face an already existing policy mix and new policy must take into account these legacies (Thelen 2003) which both restrict the number of options considered feasible and influence the choices that can be made (Howlett and Rayner 2013). The leeway that policy designers have is influenced indeed not only by institutional pressures, but also by the specific historical and institutional context (Christensen, Laegreid, and Wise 2002). Institutional theory presents the same concepts labelling them as path dependency, incremental change and layering. According to institutional scholars, change is typically limited and incremental (unless 'punctuated change', namely when a major external shock or the accumulation of significant pressures provide possibilities for an abrupt radical change; Baumgartner and Bryan 1993). Though the possibilities of change other than limited, gradual, and incremental are scarce, Pierson (2004) observes that the slow accumulation of small changes over time may lead to a more profound type of change even in the absence of strong external pressures. Streeck and Thelen (2005) identify indeed several mechanisms through which change may occur even within path dependency: layering (creation of new policies and structures without eliminating the old ones), drift (unplanned adaptation), replacement (discovering and activating

alternative institutional forms that did exist before, but were considered deviant), conversion (formal reform, with replacement or elimination of an existing policy), and exhaustion (institution gradually loses its purposes and, though formally still in place, it ultimately breaks down). In brief, historical institutionalism entails not that change is absent, but only that institutional past constraints the range of possibilities given the resiliency of policy arrangements. Thus national institutional arrangements, specific cultural features, and policy legacies shape HE policy decisions and organizational structures.

Two further perspectives from organizational analysis challenge isomorphic change and stress divergence: translation theory and strategic approach. They point out that isomorphic change overshadows and underestimates the degrees of freedom and strategic manoeuvring that organizations enjoy in the face of institutional constraints. Thus, even if countries and organizations share and face the same institutional and environmental pressures, they respond in different ways, of which isomorphic response is only one of the possibilities. While strategic theory emphasises the centrality of agency, which can cause different responses in organizational behaviour, structures and pathways to change, translation theory, originating from ideational institutionalism, presents human sensemaking, interpretation, and translation as core concepts (Latour 1987; Czarniawska and Sevón 2005), which replace diffusion and transference to highlight the dynamic travel and transformation of ideas. In accordance with historical institutionalism also, translation theory suggests that ideas construct some forms of path dependence, which influence the possible trajectory of any new idea that is inserted or emerges into a policy field. Therefore, analysing the process by which ideas spread and travel over space and time, Czarniawska and Sevón (2005) suggest a dynamic relationship between old and new ideas, where new ones derive meaning from already existing concepts. Thus, even if organizations face isomorphic pressures, the adaptation and subsequent diffusion (institutionalisation) of a specific structural design are influenced by the translation process, namely by the way the organization and its actors in an active and creative manner receive, select, make sense of, interpret, combine, re-construct, implement, discard parts of, and combine the new ideas with the cultural repertoires available in the context of action. The local translation process gives rise to unique combinations that can be related to the original ideas only in a very loose way.

In summary, according to divergence thesis, localization processes are at work and drive to heterogeneity both across and within national boundaries inasmuch both national law and local-organizational agencies (universities) adapt the supra-national model.

Allomorphism

Divergence theories are well-suited to analyze the micro-level dynamics, and useful to address the way countries and individual organizations relate to environmental and institutional pressures. However they have the drawback to blur wider dynamics, which neo-institutionalist approach

fruitfully tackles. Consequently, Vaira (2004) proposes the concept of organizational allomorphism as a framework of analysis to account for both isomorphic pressures and local responses, blunting their mutual exclusivity. This concept points out that, though organizations adapt or translate the same institutional archetype in different declarations, a common pattern which structures the organizational arrangements and behaviour is recognizable.

Applying this concept to HE organizational change means that, while international institutional carriers exert pressures over national policy-makers to incorporate the same archetype and imperatives regarding university governance structures, they are combined with national and local policy and governance arrangements (localization process). This entails an articulation and adaptation of the broad institutional archetype, first, in the coercive pressures exercised by nation-state via policy-making and, second, in the local governance structures by individual universities, which in turn decline the national archetype in variants of the same pattern. Since the international archetype is adapted and articulated into both national reforming policies and the latter into institutions' organizational restructuring, three different levels of embeddedness are co-present: international, national, and local-organizational.

The International Institutional Governance Archetype

HE reforms across Europe re-arranged public university internal governance structures and redesigned power distribution according to a new organizational archetype. It envisages that institutional leadership and university board play a stronger role in university governance. Consequently, reforms gave more authority in central decision-making to the rector and university board with respect to the tradition collegial governing bodies (academic senates) (Kretek, Dragšić, and Kehm 2013), modified existing university board, in some cases establishing new ones (de Boer, Huisman, and Meister-Scheytt 2010), and prompted the development of HE management as a distinct profession. The new institutional governance archetype features are indeed (Kretek, Dragšić, and Kehm 2013; Donina 2014):

- Verticalization of decision-making powers
- Professionalization of HE leadership and managerial positions
- Replacement of elective method with appointment for managerial roles
- Introduction or empowerment of governing boards' formal decision-making powers
- Weakening and subordination of academic senate
- Reduction in board size to streamline the decision-making process
- Mandatory and majoritarian participation of lay members into the main decision-making bodies

We detail below the patterns in European HE reforms regarding the dimensions that are considered in the analysis of Italy and Portugal.

1. Decision-making power allocation: Rector and University Board powers

Formal powers/authority are of utmost importance for governance framework since it affects the role of university leadership and governing bodies. In some countries, HE laws provide for detailed description of governance bodies, assign decision-making powers to university leadership and governing bodies at every level of public universities, establish recruitment procedures, frame the composition of collegial governing bodies and appointment practices for leadership and management, while other legislations are rather vague (e.g. Norway) (Kretek, Dragšić, and Kehm 2013; Musselin and Teixeira 2014). However, even when decision-making powers are defined by law, roles and functions may differ considerably from country to country (de Boer, Huisman, and Meister-Scheytt 2010). Despite dissimilarities, common reform patterns across countries are recognizable and scholars identified some core functions which HE laws assign to university leadership (rector) and university governing board in the majority of the cases.

Rectors in the traditional collegial governance model had little official powers. New policy design strengthened university leadership giving them greater formal authority to act with freedom from central steering, so as being able to adapt institutions to the changing needs and expectations more rapidly (Krücken 2014). Among the strengthened powers devolved to university leadership, in some governance configurations, rectors are involved in the selection of organizational unit heads (faculty deans; de Boer, Huisman, and Meister-Scheytt 2010) and/or university board members (Kretek, Dragšić, and Kehm 2013).

Reforms increased also the formal authority of university boards, which now are expected to perform tasks formerly Ministry's prerogative, being ideally key actors on par with the university leadership. Kretek, Dragšić, and Kehm (2013) identify core functions that HE laws assign to university boards in the majority of cases. They are usually involved in decisions regarding structural/developmental/strategic planning as well as budgetary allocation, and in the selection/appointment and supervision of university leadership, though in the most of the cases they cannot dismiss the rector or any member of the rector team. The degree of involvement in the various tasks varies from the right to comment on a plan or a proposal made by the rector or the Senate, to full authority, to veto. Formal authority of university boards in Europe is instead low or non-existent in decisions related to the appointment of academic staff, on teaching programmes, and on regulations related to student admission.

Simultaneously to the strengthening of formal decision-making powers of university boards, academic senates are losing their authority and frequently are being subordinated just to advisory functions, especially in strategic decision on structural planning, university development, and budgetary allocation. However, in some governance configurations, they are still involved in the board members selection process.

2. Rector: Selection method

In the traditional continental European governance model, institutional leadership was weak. S/He was an academic elected as a *primus inter pares* from among university academic community. In the new international organizational archetype, appointment replaces election as selection method for university leadership and university board is often involved in the selection process. However, in most cases, university leaders are not accountable to their board as the latter cannot dismiss them as a consequence of poor performance or misbehavior (Kretek, Dragšić, and Kehm 2013). Moreover, a professionalization of university managerial position occurred in some countries such as England (Taylor 2006; Kim 2008) and the Netherlands (Donina 2014).

3. University Board: Size, Composition, and Rules for board members selection

University board configuration in terms of size, composition and rules for selection of its members matters for university governance practice, affecting the board role (de Boer, Huisman, and Meister-Scheytt 2010; Kretek, Dragšić and Kehm 2013; Donina, Meoli, and Paleari 2015a or previous paper of this collection).

Collegial governing bodies in the continental governance model were defined according to democratic values and rules. Board members were elected by all academic constituencies (including non-academic staff and students), who were indeed directly involved in university politics. External members were instead not compulsory and, when represented, they were just a minority. Regarding board size, collegial bodies were extensively participated, being countries wherein they reached even more than 100 members (i.e. Portugal; Bruckmann and Carvalho 2014).

Reforms across Europe profoundly redesigned university governing boards, establishing even new bodies in some cases. Nevertheless still today no dominant university board model is recognizable, but common trends are identifiable. University boards became smaller, lay member presence is now mandatory almost everywhere and majoritarian in most HE systems. There are even countries wherein university boards are composed by law exclusively by external members (i.e. the Netherlands and Austria; de Boer, Huisman, and Meister-Scheytt 2010). However there are also cases wherein laws provide for just specific or minimum minority quotas for lay members (and students as well). At the same time, new ways to choose board members were provided for. Again, selection procedures differ noteworthy among countries and universities (see de Boer, Huisman, and Meister-Scheytt 2010; Kretek, Dragšić, and Kehm 2013; Donina, Meoli, and Paleari 2015a or previous paper). While in some regulations, the university leadership or the Ministry are charged to select and appoint board members, in others cases the academic senates are involved

in the selection process. Even election continues to be a mechanism of choice in some regulations, while co-optation is provided for in others. Finally, a professionalization of board members has occurred in several HE systems, being envisaged a preliminary selection of compliant candidates.

Table 1 New institutional governance archetype

Governance archetype
Verticalization of decision-making powers
Professionalization of HE leadership and managerial positions
Replacement of election with appointment for managerial roles
Introduction/empowerment of university boards' formal decision-making powers
Reduction in board size
Lay members: majoritarian mandatory participation into university board
Weakening and subordination of Academic Senate

The previous analysis, summarized in Table 1, as well as highlighting the presence of common trends across countries, evidence that most European public universities are still embedded in national regulative systems, which considerably differ each other. Consequently, national contexts still today deserve particular attention when university governance and organizational arrangements are investigated.

Sample

Italy

The Italian HE system is a unitary system constituted by both state and private universities, but without vocationally-oriented institutions (those awarding ISCED 5b degrees). State universities are 662, of which 5 small institutions specialized in doctoral training are allowed to organize their governance and management structures according to their own rules, thus they are excluded from this analysis. Private HE sub-system is instead constituted by further 29 universities, 18 traditional and 11 long-distance learning universities.

In the academic year 2013/14, students enrolled in state universities were about 1.5 million, while private universities enrolled about 150 thousand students, two third in traditional universities and one third in long-distance learning institutions.

² Including i) Polytechnics which in Italy are technical universities -the only difference with traditional university is that they are specialized in fields of engineering and architecture- ii) one university specialized in sports training iii) two university for foreigners and iv) five small institutions specialized mostly or exclusively in doctoral training.

Portugal

Since the 1970s the Portuguese HE system is a binary system, constituted by both universities and polytechnics (vocational track). It comprises both state and private institutions. The public sub-system includes 14 universities (of which one long-distance learning university), 32 polytechnics and 4 military and police academies, while the private sub-system accounts for 29 universities and 42 polytechnic institutes.

In the academic year 2013/14 there were about 300 thousand students enrolled in public institutions, two-third enrolled in the university sub-system and one-third in the polytechnic sub-system. Private institutions account for a total number of 60 thousand students, three-fourth into universities and one-fourth in polytechnics³.

The features of the sample in terms of student size - enrolled students in bachelor and master degree programs - are summarized in Table 2.

Table 2 Bachelor and Master students per university in 2014

	Italy	Portugal
Number of institutions	61	14
Average number of students	25,006	12,102
Std. Dev.	21,065	11,541
Max	104,344	42,986
Min	1,090	2,210

Methodology

Considering just those universities which have to comply with the new legal requirements, this paper provides a multi-level analysis of the Italian and Portuguese state university institutional governance reforms by developing intertextual and qualitative content analysis methods (Weber 1990; Bardin 2009). First, we compare the regulations as provided for by the national laws (respectively 'Gelmini' reform and RJIES). Second, since the practical implementation of regulations and university governance reforms is a key challenge particularly in Southern European countries (Estermann, Nokkala, and Steinel 2011), we assess how all state universities in Italy and Portugal revisited their own governance structures complying with the new rules by inspecting every university statute. We cross-check them against the respective national laws going into details of the three dimensions presented in the former section.

³ Data retrieved from PORDATA, July 2015.

Comparing Italian and Portuguese HE Governance Reforms

This section, after a brief introduction on the historical features of the Italian and Portuguese university institutional governance models, presents how they have been reformed and how state universities in both countries revisited their statutes in accordance with the new laws.

Country-level: National regulation

The university traditional governance model in both countries was the collegial model typical of Napoleonic countries. Institutional governing bodies in both systems were by law the rector, the academic senate, and the university board, while a further governing body, the university assembly, was foreseen by the former Portuguese law (Law 108/1988 or university autonomy law). Collegial governing bodies were composed of elected academics (professors and researchers), non-academic staff, and students and officially held powers. In Italy, bi-cameral dynamics between administrative board and academic senate (which presented large-scale isomorphism in composition with absolute majority of academic staff) characterized the decision-making process, while in Portugal the university assembly was in charge of most important decisions. The latter was extensively participated, reaching even more than 100 members in some cases, and with equality between academic staff and student representatives. The rector authority instead was weak. S/He was elected as a *primus inter pares* among university full professors in both systems. In Portugal the general assembly was in charge of the election, while in Italy s/he was elected directly according to a weighted voting system wherein academics (professors and researchers) had the absolute majority of the votes, but also non-academic staff and students cast a vote. His/Her term could be renewed according to the HEIs' statutes in both systems. One difference regarded the academic senate's composition: while Italian academic senates were composed of only internal representatives directly elected from the three university estates (academics, non-academic staff, and students), in Portugal even lay members could be included (up to 15% of senate members), though their presence was not mandatory and rarely they were appointed.

In this context, Law 62/2007 (RJIES) in Portugal and Law 240/2010 (Gelmini reform) in Italy established the new legal frameworks for internal governance and management structures. Both legislations define details of governance bodies, decision-making powers, and other relevant procedures for state universities of their own countries. Although literature on HE policy explains the reforms according to different public management reform narratives (Neo-Weberian narrative in Italy [Donina, Meoli, and Paleari 2015b; first paper of the collection]; NPM in Portugal [Bruckmann and Carvalho 2014]), the new regulations present many similarities about institutional governance. Both reforms, for the first time, gave state universities the possibility to choose between two different institutional models (public institute or foundation, where the new foundation model is a

hybrid model as it establishes that institutions remain in the public realm but under private law). The rector in both HE systems is the governor and external legal representative of the university, is responsible for institution's political and strategic management, has powers of proposal and coordination about the teaching and research activities, fulfils both operational and managerial tasks, drafts and presents strategic and financial budget plans and the annual reports to the university board. Both reforms weaken the collegial governance model, reducing the powers of the academic senates (not anymore compulsory in Portuguese universities), while empowering the university boards (the reformed Administrative Board in Italy and the new established General Council in Portugal), which are now responsible for university's strategic orientation and financial decisions. Moreover, new regulations impose size and compositional requirements to the university boards (Table 3): a minority mandatory participation of lay members (20% in Italy, 30% in Portugal) is provided for the first time in both legislations, which also establish the same minimum quota for students (at least 15% of board members). Finally, non-academic staff representation is not anymore compulsory in both countries.

Table 3 Board size and compositional requirements by law

Compositional requirement	Maximum Size	Minimum Size	Rector	Academic staff	Lay members	Students
Gelmini Reform	11		Yes		≥ 20%	≥ 15%
RJIES	35	15	No	> 50%	≥ 30%	≥ 15%

However, there are even divergences between the two legislations. Italian universities present greater leeway regarding board composition, being only minimum quotas for external members and students, while the Portuguese law imposes also a minimum quota of 50% for academic board members. A second divergence regards board member selection criteria. In Italy the reform introduces the concept of professionalism for board members (they should be selected based on individual skills, either 'managerial experience' or 'cultural-scientific competencies'), while no detailed regulation is imposed about which mechanism should be employed to select them, apart from students who are elected by law. Instead, in Portugal RJIES makes no reference to professionalization of board member, but prescribes the democratic selection method: academics, non-academic staff (when present), and students are elected by their peers using a proportional representation system. Once elected, internal members co-opt the external ones. Another major difference regards university board size. Both legislations make them smaller, but Italian universities are more restricted, being the main governing body limited at a maximum of 11 members. Instead Portuguese institutions have greater leeway regarding board size: it can be composed of from a minimum of 15 to a maximum of 35 members.

Even regarding the other collegial governing bodies there are divergences. Both systems reduce the academic senate powers, but while in Portuguese universities it is not anymore a compulsory body and, when existent, has only advisory functions, in Italy it is still compulsory and

maintains by law formal decisional powers regarding academic matters. Moreover in Portuguese HEIs the Management Board becomes a mandatory governing body, responsible for the administrative, asset, financial, and human resources management. It is chaired by the rector and composed of a maximum of five members appointed by the same rector (including the vice-rector and a director). Finally Portuguese universities which choose the foundation model have one extra mandatory board, the Board of Trustees, which is composed by five external members appointed by the government upon suggestion of the institution.

Other major differences regard the rector. While in Italy s/he is ex officio a board member and can chair it, as well as the Academic Senate, in Portugal s/he is not anymore board member by law (although s/he can attend the meetings) and general council chairman is elected from the same council among the external members. Another difference regards the rector's selection criteria. S/He continues to be elected in both systems, but according to different procedures. In Italy s/he continues to be directly elected from the whole academic community according to a weighted voting system wherein academic staff hold the absolute majority, while in Portugal an indirect elective system is in place: s/he is elected by the General Council, wherein elected academics are the absolute majority. Moreover both reforms enlarge the pool of potential candidates for rector office. However, while in Italy s/he can be chosen only from among full professor working at any Italian university, in Portugal s/he can be now elected even from among candidates coming from abroad. Furthermore, a major innovation of the Italian reform regards the rector mandate as now s/he is in charge just for one non-renewable 6-year term, whereas in Portugal s/he continues to be elected for a 4-year term and may run for a second mandate. Finally, the power to dismiss him/her is introduced in both systems. However, while in Italy the motion of no-confidence is proposed by the academic senate and has to be approved by the rector's electorate, keeping in this way him/her accountable to the academic community, in Portugal the General Council has the right to dismiss the rector (the decision taken by the councils needs a two-third majority in both countries).

University-level: Reform implementation

Turning on how individual universities implemented the reforms, most of the universities in both systems rearranged internal governance and management structures in a conservative way, converging towards similar choices. External board members presence into university board was limited at the minimum threshold imposed by law (or even below: only three universities respected minimum law requirements in Portugal, while in Italy one institution is below the law threshold). Within the Italian context, just one university (University of Trento) gave to external members majoritarian representation (rector and students are the unique other board members), but it is a very peculiar governance case even within Italy: it is also the only Italian university wherein the rector cannot chair the board by statute, being the chairman selected from among the lay members

appointed by the Province⁴ (local authority). Another peculiarity of University of Trento is that it is the only Italian university wherein rector candidates are subject to a preliminary selection by an on-purpose evaluation committee.

Student members presence as well is limited just to meet minimum law requirements in every institution in all state universities of both countries (or again even below in many Portuguese universities: only 8 of the 14 Portuguese state universities respected the minimum threshold). As a result, despite different law prescriptions, universities in both countries present similar choices regarding board composition (Table 4). Finally, most institutions allow the presence of non-academic staff into the board: only two universities in Portugal and four institutions (apart from Trento) in Italy exclude them by statute.

Table 4 Board size and compositional requirements according to university statute

Italy				
	Average	Std. Deviation	Maximum	Minimum
Size	10.0	1.1	11	7
Lay members	25.7%	8.4%	77.8%	18.2%
Students	18.1%	3.2%	22.2%	9.1%
Portugal				
	Average	Std. Deviation	Maximum	Minimum
Size	25.6	6.6	35	15
Lay members	28.1%	2.1%	33.3%	26.1%
Students	15.2%	1.8%	17.4%	12.0%

Regarding board member selection criteria, while in Portugal it is mostly prescribed by law, it varies greatly among Italian universities. Typically, the senate or a dedicated committee makes a preliminary evaluation of applicants' profiles and proposes a pool of candidates from which nominees are chosen. For the selection among eligible candidates, most institutions abandon the elective method in favour of an appointment-based system (for both internal and external members) wherein the choice is performed by either the rector, the academic senate or through the involvement of both bodies. However, there are even 11 Italian state universities which maintained the elective method (see Donina, Meoli, and Paleari 2015a or the second paper of the collection for an in-depth analysis).

Looking at the university board dimension, it converges to smaller size in Italy, ranging from a minimum of 7 (choice made by 4 institutions) to a maximum of 11 seats (adopted from 24 universities), while there is greater divergence in Portugal thanks to the leeway left to institutions by

⁴ University of Trento is the only state university in Italy wherein the public funding to the institution does not come from the central government, but from the Province (which is granted a special statute within the Italian state).

the reform. General council size in Portugal ranges from a minimum of 15 (option taken only by the University of Açores) to maximum 35 members (choice made by three institutions).

Finally, another major difference regards the possibility to become a foundation. While no Italian institution undertook this choice, it was taken by three Portuguese universities (Aveiro, Porto, and ISCTE-IUL; see Bruckmann and Carvalho 2014 for an in-depth analysis). The Portuguese foundation model was expected to give HEIs more autonomy in terms of how they can manage funds, real estate, and human resources, but autonomy expectations were dashed due to the financial constraints imposed by the government because of the economic crisis.

Discussion and Conclusions: Assessing Napoleonic state reforms against the international institutional governance archetype

Supra-national institutional carriers are pushing countries to adopt a similar institutional archetype in HE governance structures, favouring an organizational isomorphism among universities in Europe. This paper, developing a multi-level analysis which considers simultaneously the three different levels of embeddedness (international, national, and organizational), shows however that Portugal and Italy, two countries belonging to the same Napoleonic administrative tradition, diverge in several aspects with respect to the Anglo-Saxon-driven international archetype (see Table 5). Both national policy-makers and individual universities adapted it, translating the global pressures into national policy and local institutions' organizational restructuring.

In accordance with the international archetype, both reforms introduced for the first time the compulsory presence of external members into the university board, but - contrary to what is typical in the Anglo-Saxon and Northern European countries - lay members are just a minority. Another peculiarity of both Napoleonic countries is that the rector continues to be elected (directly in Italy, indirectly in Portugal) from among the academic community, while the international governance archetype would suggest a top-down selection process through appointment. The governance archetype concepts are indeed blended and combined with the inherited national policy-making and governance structure in a process of local translation and adaptation. As a result, the extent of penetration of the international governance archetype is patchy, it being implemented only selectively in Southern European countries. Due to these peculiarities, governance structures of state universities in Napoleonic countries are a mix of elements drawn from the traditional collegial model combined with a more managerial-like mode of governing universities. Nevertheless our analysis shows that even Napoleonic countries are picking concepts from the organizational archetype prompted by international carriers. As a consequence, the organizational allomorphism perspective with translation and adaptation of global concepts explains better than both convergence and divergence the worldwide HE organizational change.

Table 5 Italian and Portuguese institutional governance model compared to the international archetype

Governance archetype	Italy	Portugal
Verticalization of decision-making powers	In some universities, Rector involved in the selection of Administrative Board members	In some universities, Rector involved in the choice of the directors of organisational units
Professionalization of HE leadership and managerial positions	No. Elected among full professors	No. Elected among full professors
Replacement of election with appointment for managerial roles	Elected from academic community	Elected from General Council
Introduction/empowerment of university boards' formal decision-making powers	Empowerment of Administrative Board	Introduction of the General Council
Reduction in board size	Yes, maximum size: 11 members	Yes, maximum size: 35 members
Lay members: Majoritarian participation into university board	Minoritarian mandatory participation	Minoritarian mandatory participation
Academic Senate: Weakening and subordination	Decisional power just about academic matters. In some universities, still involved in the selection of Administrative Board members	Not anymore compulsory and just with advisory role

Focusing just on the two analyzed countries, the traditional governance model looks more resilient in Italy, where academic senates maintain formal decisional powers on academic matters by law, and the rector chairs the Administrative Board in almost all state universities. However, Italy presents a stronger break with the past (in most universities) with regard to how internal board members are selected, being them now appointed by the rector or academic senate rather than directly elected from among university estates, as instead still happens by law in Portugal. Portugal maintains also greater collegiality in decision-making through larger university boards.

Concepts from historical institutionalism and institutional context help to explain dissimilarities in the reform trajectories. In fact, the specific features inherited from the past are shaping the responses both at national and at organizational level. The two countries preserve traits of their own previous institutional governance model (i.e. directly elected rectors in Italy; larger board in Portugal). This 'conservative' approach evidences a resiliency to change of the HE systems due to the necessity of reaching consensus both in the legislative process and in reform implementation. Hence our findings confirm the new policy design theory assertions according to the leeway that policy designers have is influenced by the historical-institutional features and that the policy alternatives that prove feasible or acceptable at a given point in time are limited by context-dependent features. Implication for policy-makers and global carriers of new policy ideas is

that it is not possible to lay down a unique global archetype. The proposed reform trajectories have to be congruent with the governance modes in particular jurisdictions and sectors since the policy mix is slowly built up through a gradual process of incremental changes. Therefore, when global carriers ask for reforms, they should take into account the country-specific historical features since social actors and institutions are resilient to change, try to preserve their traditional characteristics and to resist government efforts to shape their behaviour.

Another important result is that the same global governance archetype develops very differently in different administrative traditions. If public management and HE scholars focus only on states in the same or few administrative traditions, similarities are more apparent, but they could overrate convergence practices just because they leave out from the sample countries in those administrative traditions which do not fit within the proposed 'global' model. A suggestion for future research on HE reforms, institutional governance, and advocates of global convergence thesis in the HE sector is indeed to take into account in their comparative studies also Napoleonic states and Southern European countries to assess whether the convergence is effectively global or just limited to cluster of countries within few administrative traditions.

A potential limitation of the paper is that the analysis is limited just at two Napoleonic states, not the whole sample of countries in this administrative cluster. However, if future research confirms in other Napoleonic states the identified governance peculiarities (elected rector, presence of lay members just as a minority into the university board, etc.), it will strengthen the result that countries in this administrative tradition are following NPM principles only in limited and selective ways regarding HE governance reforms.

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Part III – Conclusions

Conclusions

Triggered by the curiosity aroused by a reform law promising to change, as never before, the Portuguese higher education landscape, the research resulting in the published studies included in this thesis had, as main purpose, to understand what did the 2007 reform change indeed at the level of the governing structures of public universities, and whether the governance reorganisation imposed onto public universities met the expectations of Law 62/2007. The reform brought by RJIES (the acronym for the new legal framework for higher education institutions) was a highly debated one by academics, by the society, by the media, and at the level of the council of rectors of Portuguese universities. It was an unavoidable theme of debate for some months, until the law was finally passed, in 2007. Like all reforms – in this case, one that was being imposed by the government – opinions varied on the benefits and disadvantages such a reform could bring to higher education institutions and there were those in favour and those against the law. Even today, 10 years after, there is a lack of consensus on the benefits of the foundational model.

In terms of the research, however, the interest was not to discuss and come to an opinion on whether this was a good governance reform for public higher education institutions. Our research focus was centred on considering this reform within the framework of public sector reform narratives already present in other advanced capitalist countries, namely new public management and neo-liberalism narratives, and discuss whether similar characteristics were evidenced, which could help understand what triggered the reform and its outlines. From this perspective, comparative studies with another country (Italy) and another sector within the same country (health) have been carried out. Simultaneously, the intent to understand the way institutions change to conform with the law led us to listen to the opinion of key actors involved in the process, as we know from institutional theories how much the involvement of the actors, and their willingness towards change or lack of it, may influence the final outcome of an organisational reform.

After this brief account of what motivated the research, it is now important to remind the general aims and the specific goals that were set out in the published papers comprising this study (and summarised in the report). Then we will proceed with the main conclusions reached after analysis of the empirical data collected. Finally, reflection will be done on what can be considered as some limitations of this study and some hints on what could be further developments and therefore opportunities for future research.

General aims and specific goals of the research

The research work of the 2007 Portuguese reform first aimed at addressing the general questions presented below:

1. *What led to a reform like the one set out by the RJIES?* Although our research focus was not centred on the level of system analysis, framing the study in new public management

and neo-liberalism narratives led us to a literature review on issues that helped make it clearer what were the drivers for change and what has triggered the Portuguese government, in place at the time, to go ahead with such a reform. A comparative study on changes in health and in higher education enabled to frame changes in the higher education legal framework within the public administration reforms in Portugal.

2. *Where does this reform stand in the context of European higher education?* One of the studies herewith included is a comparative study with Italy – a country that has also undergone reform somewhat later than Portugal, but only three years apart. Once again, although not part of our specific goals to analyse reform at European level, we would have been short if we had not given some account of it, especially due to the effort the European Union has been developing to create a European Higher Education Area. This is again done at the level of literature review, except for the case of the paper comparing reform processes in Portugal and Italy, where empirical data was collected and analysed. The comparison with other countries is a relevant element to understand if the drivers for change actually result in more convergence between European countries.
3. *What resulted from the implementation of the law?* For the purpose of answering this question, the legal statutes set out by each of the six institutions under study were analysed and the possibility for the existence of national organisational convergence discussed.
4. *Did institutions meet the law's expectations in their reorganisation of governing and management structures?* Analysis of the legal statutes referred to above was then crosschecked against Law 62/2007.
5. *How did actors perceive one of the more iconic changes in the governance model of higher education institutions promoted by RJIES – the presence of stakeholders?* Content analysis of the interviews enabled us to approach this question, as interviewed actors were specifically asked about how they perceive the presence of external members in important decision-making boards, such as the general council and the board of trustees.
6. *Does the result of this reorganisation at governance level stand for a new archetype of institutional governance, specifically in public universities?* We assess this question by considering the characteristics of the traditional organisational model of universities as set out by Mintzberg (the professional bureaucracy) (Mintzberg, 1979), and by looking at the overall characteristics recognised by the literature as those describing the resulting organisational model after reforms were implemented.
7. *What characterises the new governance model that resulted from the reform process?* Considering the findings enabling us to answer the previous question, we made use of the archetype theory and its two main dimensions (structures and systems, and interpretive scheme) to establish the elements that characterise the hybrid archetype resulting from the implementation of the law.

Based on our main research questions, which framed the studies herewith presented, specific goals were set out as follows:

- To compare governance models in foundation universities and public institute universities.
- To analyse the convergence / divergence degree of these new models with the political expectations of the RJIES.
- To identify and characterise typologies of the different higher education institutions' governance and management models resulting from the reform. Therefore, to analyse the evolution of the traditional university governance archetype to the expected managerial archetype, and above all to characterise the resulting hybrid archetype.

Summarising key points of research

Considering the purposes of this thesis and the results obtained from it, it is fair to say that this research met the goals it set out to study. The main conclusions of the overall study will be now presented not per paper, as this is already part of each of the published studies, but in an integrated way, considering the research as a whole single project. Conclusions will be presented considering the above-presented research goals that led our research.

Foundational model vs public institute model

One first point to consider is that out of a universe of 14 public universities, only three chose to become a foundation university – in a first stage, as presently two others have become foundations, and a third one is internally discussing the possibility. From there we can conclude that the majority of public higher education institutions chose to remain on known territory, refusing the new model of running the organisation set out by the foundational model. This refusal might be linked to perceived uncertainties the new model entailed, in spite of the features that have attracted those institutions that have chosen it: less state control on higher education institutions, more autonomy in getting and running their own funds, greater autonomy as well regarding financial, assets and human resources management, and multiannual contracts signed with the government.

One fact this research makes possible to establish is that regarding the comparison between foundation universities and public institute universities (considering our sample of six higher education institutions) no significant difference is to be found, at governance level of analysis, which could be related to the choice of the institutional model. Apart from the obvious difference, which is imposed by the law – the existence of a board of trustees in foundation universities – no other difference found can be associated to the institutional model. Regarding this issue, it would have been legitimate to expect to conclude otherwise. The whole reform introduces into public higher education institutions governance structures that are more in line with a managerial model of running an organisation instead of the traditional bureaucratic and collegial model. When referring to these new structures and to those aspects perceived as advantages, interviewees make use of key words for new public management and managerial reform goals, that seem to be institutionalised in their discourse: faster and more efficient decision-making processes because of

less people taking part in it; the same efficiency is mentioned when referring to the empowerment of single person boards, such as the rector and the director / president of organisational units (such as faculties, schools and departments). Higher education institutions choosing to become foundations did so to benefit from a greater degree of autonomy this institutional model was granted by law. They have also this governing structure constituted exclusively by external members appointed by the government, on suggestion of the institution. One could have expected these universities to be more daring in terms of rejecting the traditional collegial model – by choosing to have less represented governing bodies, less members per governing board, less collegial boards, and more external members with a business origin. The analysis of the composition of top governing structures does not, however, show that options such as these just named are to be found more in foundation universities when compared to universities that remain in the public institute model. Out of the three foundation universities, for example, two have chosen to keep the academic senate (an optional advisory board), which is the most collegial of all the governing structures that public higher education institutions may keep.

The same is true of those universities that chose to remain public institutes. It is possible to find both traditional characteristics of the collegial model along with more managerial options taken by these institutions when compared to foundation universities. Those options are totally unrelated to the institutional model they chose. This leads us to consider that other factors played an important role in decision-making about how to reorganise governing structures: an institutionalised culture of collegiality among the majority of actors, and top decision-making key actors not willing to take their institution in that direction and therefore not promoting discussion around it, for example.

Convergence / divergence degree with the political expectations of the law

Following what has just been said in the previous point and as a result from the analysis done to the legal statutes of all six universities and the options they took in terms of governance reorganisation, it became clear that there is more divergence to be noticed than convergence with what were the expectations of Law 62/2007. The RJIES is, as we have seen, a very restrictive law, leaving not much room for decisions to be made by higher education institutions themselves. Nevertheless, some degree of freedom in that regard is still present: institutions had to constitute all the boards that were mandatory, but could opt to have or not have some other boards of advisory nature. Mandatory boards composition was also a choice to be taken by higher education institutions within some parameters set out by law. The choice of the rector ceased to be made solely by choosing someone belonging to the institution: national and international candidates, from inside the institution or from outside, all are now possible candidates to the post. The way middle manager positions (directors / presidents of organisational units) are chosen was left to higher education institutions and the law further opened the door to other methods rather than election. The presence of external members is mandatory in top decision-making boards (general council and board of trustees), but the choice of who these members should be is left to the institutions themselves.

The present study was based on the assumption that the 2007 reform complies with the main characteristics of new public management and neo-liberal narratives, as we have already approached in the report and in the papers. The RJIES is, in this context, assumed as the instrument that has introduced into Portuguese higher education, a reform that meets these narratives' requirements. We can therefore assume that Law 62/2007 intended to transform the traditional collegial and bureaucratic model of running a public higher education institution into a more managerial one, bringing into these institutions elements and practices more in line with those of the private sector. In that sense, and considering the options taken by the majority of the six universities of our case study, we conclude that, generally speaking, they could have gone further in the direction of managerialism than they did. Let us draw on empirical data to have a clearer picture of this.

All six universities chose to have advisory boards, of various natures (cultural, disciplinary, cooperation, ethics,...). There is even a board of directors that, in most cases, is not formally constituted and present in the statutes (except for Nova de Lisboa). Only one university does not mention the existence of such a board, which informally and regularly meets with the rector. We can claim that five out of the six universities felt the need to have a board where all organisational units' directors / presidents would be able to discuss matters with the rector, and would not feel away from decision-making centres. Regarding the academic senate, only two chose not to have that board – which might indicate an intention to move away from the traditional collegial model. All others have chosen to keep the senate, which is the most represented board in academia, therefore the collegial board *par excellence*.

As to the mandatory boards composition, our attention was focused on the general council. This is a board that, by law, has to have between 15 and 35 members. There we can see that no university chose to have the minimum figure possible. Two come closer with 19 and 21 members each. One university reaches the maximum number of members possible; and another one is very close with 33 members. Knowing that the international trend on that matter is to have very reduced boards such as the general council, once again we can claim that the universities under study did not choose the managerialist path by reducing as much as possible the number of members of their general councils. Still regarding general council composition, we see quite conservative options in what regards the number of external members, which rarely reaches the minimum percentage imposed by the law (30%). This shows an academia not yet ready to give up on having the power to decide on matters that concern them and their institution. Although interviews show that, generally speaking, external members' presence is rated positively and is welcome – again the word 'efficiency' is mentioned by many interviewees when asked about the benefits of the presence of external members –, academics still feel their voice is the voice of decision.

Regarding the choice of the rector, the RJIES made it possible for the candidate to come from the institution itself or from another institution, both national and international. However, none of the six universities chose a rector from outside their institution, although there were candidates

in these circumstances in some cases. All rectors in place were already members of their university.

Selection methods have also changed in what regards organisational units' directors / presidents. They used to be chosen collegially by their colleagues; they can now be selected by a selection committee or even be appointed. That was the choice of two universities thus moving away from a democratic and representative election method traditional in universities.

As to the president of the general council, who has to be an external member, and their professional background (we refer to the group of first presidents), we could have expected a greater choice of representatives from the business world, but the choice was varied and only two universities chose a president of general council with business background.

Empirical data shows that broadly universities took more conservative options, thus moving away from what could have been the law's expectations: to transform university governance into a more managerialist model, in line with OECD recommendations and with what had happened in other European countries in similar reform processes.

A similar change process is also to be observed at the level of the organisational units that constitute public universities. Our research shows that departments, schools and faculties also tend to maintain some degree of collegiality in their governance structures. There is therefore a similar change path at central and unit level.

If we consider convergence / divergence among the universities themselves, then we have more convergence than divergence, as we have just seen, with similar options being taken by all of them. Drawing on DiMaggio and Powell's institutional isomorphism, this convergence can be explained by all three mechanisms identified by the authors: coercive because it is a top-down imposed reform (governmental law), mimetic, as institutions tend to mimic what other institutions in their field do, and normative because reorganisation was also influenced by academics' professional norms and values (DiMaggio & Powell, 1983).

Apart from those changes discussed above, we can now concentrate on how the mandatory presence of external stakeholders in top decision-making boards is perceived both by themselves as well as by university actors. Again we can conclude for the evidence of convergence among the universities, as generally the external stakeholders' presence is positively rated by most of the interviewees. As it stands out from the interviews, there was a general perception that public universities' governance was lacking insight from outside, an issue that is now addressed by the introduction of external members in top decision-making structures. Academics further perceive the presence of external stakeholders as an element that will help increase efficiency in decision-making, something they considered to be a problem of the traditional governance model. It is also important to highlight the general idea conveyed by interviewees that the presence of external stakeholders is seen as a two-way opportunity, bringing benefits both to the institutions and to the external stakeholders, as they have a unique opportunity to see from the inside how a university really works and the problems they have to deal with.

In this regard, the generalised acceptance of external stakeholders in top decision-making boards can be assumed as a convergence with the law's expectations. This is, however, to be considered with caution as all interviewees hold governance / management positions in their institutions and have therefore direct interaction with the external stakeholders.

Traditional university governance archetype vs. efficient-collegiality archetype

Another of our goals was to analyse the evolution of the traditional university governance archetype to the expected managerial archetype, and verify the assumption, confirmed by the literature, that the reforms undergone by higher education institutions have resulted in a hybrid archetype. Above all we aimed at characterising that resulting hybrid archetype, which we chose to name the 'efficient-collegiality archetype'.

For that purpose we made use of Greenwood and Hinings's archetype theory and its two main archetype dimensions (Greenwood & Hinings, 1993, 1996). This approach not only made it possible to confirm the assumption of a hybrid archetype as a result of the Portuguese reform (both at structures and systems level, and at the level of the interpretive scheme), as it made it possible to explore that hybrid archetype and understand what it consists of.

Both the analysis of the changes occurred at the level of the governing structures implemented according to the RJIES (structures and systems level) and the changes produced at the level of the set of values, ideas and beliefs held by the interviewed organisational actors (interpretive scheme) show a mix of elements from the traditional university governance archetype and an archetype more in line with new public management and managerialism reform narratives. At structures and systems level higher education institutions have now, as we have seen, relevant transformations in their boards, which become: less representative, smaller (fewer members), more empowered, more inclusive with the presence of external members, and a general concentration of decision-making powers. Interviewed organisational actors give an account of mixed feelings towards the changes: they rate them, overall, positively, some even consider they could have gone further, and values such as efficiency and efficacy are present in their discourses and appear to have been integrated in professional narratives.

The efficient-collegiality archetype shows, thus, the following characteristics:

- Reduced governing boards;
- Mandatory presence of external members in the most important decision-making boards of the universities
- Selection methods include now also appointment and choice done by selection committees, besides election
- Election is no longer done in highly participated structures
- There is a clear empowerment of governing boards and of single-person boards

These characteristics contrast with the traditional university governance archetype, but still incorporate some of its elements.

Archetype theory, which is not very commonly used in higher education studies, proved to be a possible and useful theoretical framework for research work concerned with institutional change in this field. Its two main dimensions (structures and systems, and interpretive scheme) enabled a twofold, comprehensive analysis that made it possible to identify and clarify the efficient-collegiality archetype, as we chose to name it.

Limitations of the study and thoughts for further future research

Although we consider that the study has met the aims and goals we had set out to reach, this doctoral research, as all other research projects, has some limitations.

Looking at our research study and the methodological options we took there are issues that we can consider now as limitations and that could have been done otherwise. Interviews were done to actors with governing and management positions: rectors, presidents of general council, directors / presidents of organisational units and administrators. There is, therefore, a perspective that has not been considered here, but that it would be important to take into account in future similar research studies: that of academics with no governing or management positions. The closest we get to them is by interviewing directors / presidents of organisational units, because they belong to that unit and because they were like their colleagues 'simple' teachers and researchers. We considered their perspectives to be the closest we could have to academics' perspectives, but nevertheless it can be seen as a limitation not to have interviewed academics.

The universe of Portuguese public universities being rather small (with 14 institutions), we could have considered them all – as is the case with the study where Italian and Portuguese public higher education institutions are compared – instead of choosing to do a case study with six public universities. By analysing all the public universities we could have now a broader picture of what is happening in terms of governance model in the Portuguese public universities scenario and make more general conclusions on the topic, which a case study does not allow to do. Nevertheless, the case study allows to understand a particular phenomenon more in-depth.

In spite of the above identified limitations, this study gives an important and original contribution to knowledge in the field of social sciences and organisational studies, in that it contributes for a better understanding and clarification of how higher education institutions adapt to change, when change is induced by governmental decision (a new legislation imposing it) and by external factors (massification of higher education, changes in knowledge production modes, pressures from society that take higher education institutions to a greater interaction with external actors). It further contributes to clarify the hybrid archetype that results from reform, which although identified by various authors, had not yet been subject to specific characterisation. And it does so by making use of the archetype theory, in its two main dimensions (structures and systems, and interpretive scheme).

It is our belief that the present studies could further be useful for decision-making on governance practices in higher education, both at the level of the institutions themselves, as at a

higher level of decision on higher education policies (governmental policy). An increased knowledge on how higher education institutions adapt to government induced change and factors determining how change is actually implemented might help policy decision making, both at national, as well as international level.

The key points of the research summarised and some limitations identified, it is now pertinent to refer a few issues that could lead to further future research and which the present studies have opened the way for.

Enlarging the study sample would be a useful research path to take. As stated above, analysing how all 14 public universities reorganised themselves in terms of their governance model, enables the researcher to assess whether the efficient-collegiality archetype is a reality in all of them. Since 2008 / 2009 some statutes might have undergone revision and analysing the present situation would be a way of assessing present evolution patterns of the governance archetype. These further studies on governance archetype change could also shed some light on how important are still 'academic tribes and territories' on the adoption of a more managerial governance model vs collegial governance.

It would also be important and interesting to take research out of Portugal and assess whether the efficient-collegiality archetype, as we identified it, with the same characteristics, is also present in the European context. Further comparative studies, considering other higher education systems, would be welcome to increase and develop knowledge on this topic.

Another research line that would be important and interesting to undertake would be to focus on the academics and try to understand the effects produced by the changes promoted by the RJIES at the level of the governance structures both in their work, as well as in their subjectivity.

Finally, and on the other, it would be interesting to follow the internal discussion process in public universities around the possible adoption of the foundational model, in order to analyse institutional change from another point of view: analysing the negotiations occurring at micropolitical level leading to change stemming from inside the institution.

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Appendix

Interview guideline

A. Reception of the reforms in Higher Education

1. Do you consider that the reforms introduced by the RJIES to the Portuguese higher education system were necessary?
2. In your view, which purposes were behind the HE reform promoted by the RJIES?
3. Can you describe how was the decision process, in your institution, about the institutional model to be adopted, that is the choice between the foundational model and the public institute model, both foreseen by the RJIES?
4. Which are, in your opinion, the most significant changes that have occurred in your institution as a result of the implementation of the RJIES?
5. Public and private HEIs compete increasingly for students, for funding and even for reputation. Do you consider that the present legislation regulating higher education allows institutions to operate in an effective way in this new competitive environment?

B. Change in the relation between HE and the state

6. Do you consider that the relation between HEIs and the state has changed after the RJIES in what concerns the degree of control of the state over the activities developed by the institutions? In what way?
7. The institution you work in has opted for the foundational / public institute model. In your opinion does any of these models enjoy more autonomy when compared to the other, that is, is less subject to state involvement in the institution's activities?

C. Changes at governance and management level of HEIs

8. RJIES calls for significant changes at governance and management level of HEIs. How do you perceive changes occurred at governance and management level in your institution?
9. And in your opinion which positive and negative aspects result from these changes?
10. Do you consider that the RJIES has drawn together the university public management model and the enterprise private management model? Which are the gains of this *rapprochement*?
11. What implications do you consider that this new university governance and management model has on the process of democratic legitimacy of the boards?
12. One of the aspects the RJIES came to change, and that is entirely new in the Portuguese higher education landscape, was the introduction of members external to HEIs in their governance and management bodies. How do you perceive the participation of external members in the most important decision-making boards of your institution?
13. The universities that have chosen the foundational model have, in their governance structure, a Board of Trustees. How do you perceive the introduction of a board of this nature, whose members are external to the institution and appointed by the Government, and not elected by the institution?
14. How did your institution operationalise the way the General Council works? (so that it may play the role assigned to it by the RJIES)

15. In doing so, do you consider that your institution managed to ensure that there is *strategic coherence* and a good degree of connection between the various decision-making levels, (between the General Council and the Rector, and between these and the unit Director)? Can you give examples?

16. The external members who are now part of and even preside the General Council may not have (or did not have), at first, a deep knowledge about the institution, its problems, its general functioning and about its members. Do you think there has been a good integration and involvement of these external members in you HEI in order to soften those “shortfalls”? What measures were taken by your institution in that regard?

17. Beyond those governance and management bodies included in the statutes and regulations of your institution, is there another one or others that you find relevant to mention? What is / are its roles? (boards informally established but that have an important role on institutional decision-making)

[question only addressed to ISCTE-IUL]

The Schools of ISCTE-IUL have an Advisory Board constituted only by external personalities. Can you tell me about the reasons underlying this option?

18. What impact do you consider the RJIES had on the collegial nature of the previous model?

19. Do you consider that the changes occurred at the level of representativeness in governance and management boards have favoured streamline of decision-making processes? Can you give an example?

20. At the level of Departments/Faculties (organisational units) of higher education institutions an empowerment of the individual leadership of the Director or President is likewise to be noticed; and the existence of a collegial board is optional. How do you perceive changes in the role of the director of faculty / school / department?

D. Impact of the RJIES in the life of members of the academic community

21. In the exercise of your duties what has indeed changed after the implementation of the RJIES in your institution?