

# Higher Education in Ukraine in the Time of Independence: Between Brownian Motion and Revolutionary Reform

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## Abstract

The article explores major milestones in reforming higher education in Ukraine, applying the methodology of case studies. It analyzes political and social conditions that influenced the process of reform. The author pays particular attention to the concept of university autonomy, its development and implementation in Ukraine, considering legal and institutional efforts. The impact and experience of some leading institutions like Kyiv-Mohyla Academy is discussed. The author concludes that the task of ensuring comprehensive university autonomy is of a political nature. This is the only reliable instrument for raising of quality of Ukrainian higher education.

**Key Words:** University autonomy, quality assurance, Law of Ukraine “On Higher Education,” reforms, Kyiv-Mohyla Academy.



The goal of this article is to identify major milestones and relationships between the main tasks involved in reforming Ukrainian higher education. Such a task can be accomplished on the condition that one understands the nature and process of reforms. On the one hand, I am called upon as a scholar to conditionally maintain an “objective” position. However, I have persistently been a participant of events, so my view is somewhat biased by my position within the process, rather than that of an outside observer. This determines my research methodology: case studies. Each case will correspond to a certain time period, political situation, available opportunities and, therefore, differences in how tasks were set and how realistic it was to achieve successful results.

Since the collapse of the Soviet Union in 1991, higher education in Ukraine has been constantly undergoing significant change. Two main time periods can be identified: before and after 2005. Prior to the Orange Revolution (2004), changes were chaotic and mainly aimed at the survival of higher education institutions during the transitional period, which was accompanied by a severe economic crisis. This period was more reminiscent of Brownian motion than a defined reform agenda. Starting from 2005, the concept of university autonomy has gradually become dominant in Ukraine's higher education discourse, and so today, changes, one way or another, are viewed in terms of whether they further this paradigm.

A global agenda-related rhetoric prevails in today's Ukraine, with the state and development of many (if not most) sectors being compared in the first place, to their counterparts in the European Union. After the Revolution of Dignity (2013–2014), Ukrainian society became increasingly integrated into international contexts, and as a result, academic integrity, numerous violations of which are a constant reminder of the slow pace of reform implementation in the higher education sector, has been increasingly discussed. In this article, we will examine the course higher education reform in Ukraine has taken over the period of state independence, with the aim of identifying its main achievements and failures, as well as the reasons desired progress has been prevented.

### Shaping the Concept of University Autonomy

Since the very beginning of Ukrainian independence, it was not clear what exactly should be done to reform the higher education system. Although isolated from global trends, Ukrainian universities still felt part of a competitive Soviet system, which, however, suddenly ceased to exist with the collapse of the Soviet Union. An illusory notion gained popularity, according to which it was believed that if the “best achievements” of the Soviet heritage (i. e. centralized, state-led management of the higher education sector) could be maintained and modernized, they could be harnessed to serve the newly-established Ukrainian state. In such a context, the conceptualization of university autonomy in Ukraine was delayed for at least 14 years. The following factors influenced the process:

- 1) The collapse of the Soviet system of higher education and scientific research in the late 1980s.
- 2) The chaotic nature of changes implemented in the system of Ukrainian higher education during the 1990s and early 2000s.
- 3) Globalization, in particular, the need to shift from Soviet to modern Western concepts, which was accompanied by a lack of agreement as to reform priorities, typified by endless discussions as to relevant “models” of higher education systems in other countries that Ukraine should follow.
- 4) The Orange Revolution (2004), which led to the creation of the Consortium for University Autonomy in 2005.
- 5) Negative reaction of the Ukrainian academic community to the attempts by Dmytro Tabachnyk, Minister of Education and Science (2010–2014), to establish an authoritarian “Russian style” management system for higher education in Ukraine.
- 6) The Revolution of Dignity (2013–2014), enabling the adoption of the Law “On Higher Education” in 2014, based on the concept of university autonomy.

The Soviet system of higher education and academic research had certain advantages, which could be attributed to the pre-Soviet borrowings from the Russian and Austro-Hungarian empires and total militarization of the country. The latter demanded a certain level of development of engineering skills and knowledge, and

advancement in the natural sciences. The humanities, sociology, and political science were fully subordinated to the imperatives of communist propaganda. The system was inflexible and unsustainable. As one could expect, it actually ceased to exist during Gorbachev's perestroika, when targeted central funding was cut.

However, Soviet-era practices, which fostered educational superficiality, self-isolation, corruption, the tolerance of plagiarism, and an underestimation of the importance of integrating higher education with academic research, proved intransigent. Nevertheless, systemically, Ukrainian higher education changed in the 1990s. During this period "reforms" reflected two distinct priorities. First, higher education institutions needed to survive after having been abandoned to their own fate by the state. Second, the discourse of the "market" meant that society's understanding of the goals and tasks of higher education was transformed. If it was a business like any other, so education surely had to yield money.

Ukraine witnessed the rise of a huge number of new "universities." This process was engendered both in the opening of new private institutions with numerous branches, and in the changing status of former Soviet institutions. Former Soviet-era technical schools, having changed their titles to "colleges" but without proper systemic reform, reincarnated themselves as higher education institutions. Considering also the conservatism of most state officials involved in education and university administrators, their limited experience of life beyond the Soviet bloc and ignorance of English, one can understand the phenomenon of total misconception<sup>1</sup> that plagued discussions at the time regarding the agenda of necessary reform.

Ongoing terminological confusion still plagues discussions among university leaders in Ukraine and is a cause of various misunderstandings. The fact is that a philological translation from one language into another is not enough when we deal with different political languages often based on differing civilizational realities. Ukraine joined the Bologna Convention in 2005. However, for a long period thereafter the country made few real attempts to change post-Soviet higher education practices, focusing instead on non-essential formal and bureaucratic aspects. Nevertheless, regular reports to the international community on its quasi-involvement in the Bologna process were produced.

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1 I have already tried to describe this phenomenon using the examples of the concept "public" in the Ukrainian language (it is translated into Ukrainian via terms that reflect the contrasting of the state with the public sphere per se, whereas in English it stresses the affinity between both meanings) and "leadership" (in Ukrainian universities, the rector is a leader with a charismatic personality, while for the Western English speaking tradition leadership is a team notion to be realized at all levels of management); and also the difference between the words "state" and "society" (unlike English, in Ukrainian these words are not used as synonyms, as the Ukrainian post-totalitarian reality assumes the state has its own certain interests which are different from the interests of society), see Serhiy Kvit, "Reform in a Time of Cholera," in *Battlefront of Civilizations: Education in Ukraine* (Kyiv: Vydavnychiy dim "Kyievo-Mohylianska akademiia," 2015), 150–52.

This fact outlines an important feature of post-Soviet society, in which laws and official regulations are not as important as their practical application. For reformers, therefore, it is always important to seek a balance between formal change and actual possibilities for their embodiment. For example, the English word “implementation” in the context of a new law means both approval by parliament and enforcement by the relevant authorities. That is, both meanings are synonymous. In Ukraine, however, the adoption of a law is one political task, and its further implementation is a completely different one. We have a number of laws and policy acts that were originally approved but never actually implemented in practice.

The signing of the Bologna Declaration proved to be of exceptional significance for Ukraine, as it marked the start of two parallel processes: formal harmonization of regulations and eventual integration with European institutions, and simultaneously, discussions and disputes over the agenda of higher education reform aimed at realizing a Western vector. At the same time, these processes did not result in coming closer to Western standards in the daily life of Ukrainian universities immediately. Appeals to pride in Ukrainian traditions of higher education were common during this period. Implied were Soviet totalitarian traditions that had, in fact, collapsed together with the previous system. Most importantly, such traditions did not presume viewing universities as integral parts of civil society—i. e. as platforms for freedom of speech and free-thinking.

Post-Soviet “language games” turned into a bad joke during the Yanukovych regime (2010–2013) when humanities policy became the responsibility of Dmytro Tabachnyk, then Minister of Education and Science of Ukraine. The latter vulgarized discussions around the concept of university autonomy: in some cases broadening it to include everything that it was not, and in others, narrowing the idea of autonomy to include only the possibility for higher education institutions to issue their own (non-state) diplomas. Tabachnyk deliberately evaded discussions over the substance of comprehensive university autonomy—an idea that received significant dissemination in Ukraine thanks to the efforts of the Consortium for University Autonomy.

### **Case No. 1. Agent of Change: The National University of Kyiv-Mohyla Academy**

The experience of NaUKMA as an agent of change in higher education is of particular significance given the general lack of such agents in Ukraine. For various reasons, neither students, nor their parents, nor academic community members, nor employers, nor universities themselves as institutions, and, what is more, not even university rectors have traditionally played the role of change agents in Ukraine.<sup>2</sup> Grounded in 400 years

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2 This is not about conspiracy or evil intent. Existential reality leads Ukrainian rectors to understand their task as maintaining the survival of their institutions. From the perspective of the state, rectors bear full and virtually sole responsibility for the institutions they lead, and therefore they have exclusive authority, including informal power. As a result, rectors rarely

of history, yet lacking a Soviet heritage, Kyiv-Mohyla Academy was reincarnated in 1991 as if from scratch.

Virtually all innovative changes in Ukrainian higher education during the period of Ukrainian independence were first implemented at NaUKMA and thereafter spread, more or less successfully, across the whole system. These include the first Bachelor's, Master's, and PhD programs, freedom to choose academic courses and groups of courses (program minors), cross-discipline Master's programs, regular anonymous student surveys of the quality of teaching and learning, and perhaps most significantly—entrance testing, the success of which fostered the establishment of external independent testing throughout the country. Finally, one should mention the significance of English having been adopted as the second working language at NaUKMA, and the university's corruption-free environment.

The activism of Kyiv-Mohyla Academy in the struggle for university autonomy was motivated in large part by the institution's need to survive under extreme conditions, rather than by some unique agglomeration of progressive views within its walls. Since the early 2000s, the state bureaucracy reacted to its own previous chaotic practice of issuing licenses to newly-created institutions of higher education in the 1990s, that had resulted in declining quality of higher education, by launching a drive to unify higher education institutions, thereby threatening NaUKMA with dissolution. Some of the innovations instituted by NaUKMA, such as two-year Master's programs, were declared financial violations<sup>3</sup>; others, such as entrance testing, were largely vulgarized.<sup>4</sup> Repeated attempts were made to disavow English as the second working language and to deny university status to NaUKMA because of its "insufficient" number of students.

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delegate. The present frequently-used term "rector feudalism" arose during discussions of the working group that drafted the new law "On Higher Education" (2012–2014), to denote one of the main risks involved in the implementation of university autonomy in practice.

- 3 The state periodically reminded the administration of Kyiv-Mohyla Academy of the accountability for "excessive" spending of public funds (which amounted to accusations that could lead to criminal charges of "non-targeted" expenditures), i. e. why should Master's students be taught for so long, not just one year?
- 4 When introducing nation-wide External Independent Testing (EIT), launched by the Decree of President Viktor Yushchenko of July 4, 2005, the rationale of this project listed the successful example of the admission tests at NaUKMA. Paradoxically, NaUKMA's experience was aggressively rejected at the same time. The EIT project was seen as an instrument for combating corruption, which was conceptually insufficient and even erroneous to some extent. The main task of Kyiv-Mohyla admission tests was not to overcome corruption (a derivative effect), but to develop autonomy (by creating one's own contingent of students motivated to study at that particular university). The undoubtedly positive effects of EIT in combating admission-related corruption should not overshadow the temporary nature of this project in the context of implementing university autonomy and creating a pool of high-quality universities. As for Kyiv-Mohyla Academy, EIT has brought abolishment of its own admission tests and a dramatic drop in the admission requirements for its applicants.



Thus, by promoting the project of university autonomy, Kyiv-Mohyla Academy was in fact defending its achievements in hopes that these could be preserved and eventually disseminated across the entire Ukrainian system of higher education.

Yet, the main contribution of NaUKMA to overall improvement in the Ukrainian higher education system was its example of university spirit, and its unique internal culture of mutual respect, honesty, transparency, tolerance, and respect for independent thought coupled with universally enforced strict quality requirements. Kyiv-Mohyla Academy served as an independent tribune sheltering various civic movements with differing opposition agendas, in particular, those opposing political censorship, negation of the Holodomor, or oppression of the Ukrainian language. In 2004, the university community actively supported the Orange Revolution and in 2013–2014 the protests that came to be known as the Revolution of Dignity. These mass events eventually also contributed to the promotion of autonomy as a higher education reform project.

The Kyiv-Mohyla Academy case is important due to its demonstration of institutional capacity as being key to implementing self-regulation and the power of critical thinking. It demonstrates how a non-numerous but active university community that fosters freethinking, initiative, and leadership can achieve great success in fulfilling its public mission. This case helps to shape a “boutique” vision of a university when a unique brand becomes the basis of reputational capital.

## **Case No. 2. Consortium for University Autonomy (2005–2010)**

Even before the Orange Revolution (2004), the President of Kyiv-Mohyla Academy, Viacheslav Briukhovetskyi, submitted a formal proposition to then President of Ukraine, Leonid Kuchma, to introduce university autonomy as a national policy. However, that proposition never received a response. Then in 2005, NaUKMA's president offered this idea to a meeting of university rectors. The newly-elected President of Ukraine, Viktor Yushchenko (2004–10), attended that event and asked to submit a draft Resolution for his approval in a couple of days. The relevant document was submitted to the President's Secretariat in time, yet a Decree was never issued.

In the same year, 2005, a meeting with Viktor Yushchenko, Ivan Vakarchuk, Rector of Ivan Franko National University of Lviv, and Borys Gudziak, Rector of the Ukrainian Catholic University was held to discuss ideological and organizational development of the university autonomy project. The President of Ukraine verbally supported this project, and afterwards it received financial support from the International Renaissance Foundation that lasted for 5 years. A Consortium of Ukrainian Universities was established for its implementation.

Eight universities of different forms of ownership from various regions of Ukraine joined the Consortium. Listed geographically from West to East, these were the private Ukrainian Catholic University (Lviv), Ivan Franko National University of Lviv, Yurii Fedkovych Chernivtsi National University, the National University of Kyiv-Mohyla Academy, the private University of Economics and Law “KROK” (Kyiv), Oles Honchar

Dnipro National University, V. N. Karazin Kharkiv National University, and Donetsk National University.<sup>5</sup>

The reaction of Ukraine's state bureaucracy to the activities of the Consortium was not helpful. Instead of rallying around the question of how university autonomy can be implemented, representatives of virtually all branches of government sought arguments in favor of the impossibility of implementing this reform. Thus, one of the then deputy Ministers of Justice stated: "According to the legislation, Ukrainian universities are already autonomous and self-governing, so I do not understand at all what is being talked about."

Another example of intransigence: during a seminar at the University of Cambridge (UK), devoted to university autonomy issues, the Vice Rector of this university said to Ukrainian delegation members: "In order to implement any important project, three things are necessary—the right people, traditions, and trust." An official from the President's of Ukraine Secretariat, the person who was formally curating the project of university autonomy, responded by saying: "Trust? Such a concept does not exist in Ukrainian legislation."

Still, the Consortium revealed sufficient flexibility and initiative. The concept of comprehensive university autonomy was developed to include academic, administrative, and financial autonomy. The experience of the United States, Great Britain, the countries of continental Western Europe, and Canada was studied. The Consortium contributed to implementing sociological research, publishing and expert activities, preparing the legal background, lobbying the government, and promoting university autonomy in the media.

For Ukraine, those steps were largely in line with the adaptation of the norms of the Bologna process. The consortium proposed two models for university autonomy implementation: the first was to be experimental, wherein Consortium members would take responsibility for five-year activities in an autonomous environment so that later, based on the results, necessary amendments to legislation could be made and relevant practices would be disseminated to all Ukrainian universities.

The second model was based on a special agreement on autonomy to be signed between an individual higher education institution and the Ministry of Education and Science, involving a commitment by the institution to ensure transparency and accountability for all its activities and making its full reporting openly available via the Internet. Since both proposals were finally rejected because of the alleged impossibility to implement them under the existing legal framework, the need for a new Law "On Higher Education" became clear.

The Consortium for University Autonomy ceased its activities in 2010, the same year when Viktor Yanukovich came to power (2010–2014). However, thanks to the Consortium, the idea of university autonomy was disseminated and became extremely popular in society. The idea was discussed in the press, in the rhetoric of various political

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5 From time to time, some new members hoping for additional budget funding would appear in the Consortium and disappear as their illusions faded away.

forces, in expert circles, in student environments, and, what was extremely important, in Ukrainian universities themselves.

### Case No. 3. The Struggle For a New Law “On Higher Education” (2010–2014)

After Viktor Yanukovich came to power, an interesting situation developed. Control over humanities policy was transferred to Dmytro Tabachnyk,<sup>6</sup> the odious Ukrainophobic “intellectual,” who was selected to head the Ministry of Education and Science. On the other hand, the Committee for Economic Reforms under the President of Ukraine developed the “Program of Economic Reform for 2010–2014” entitled “A Prosperous Society, a Competitive Economy, and an Efficient State” — a document that was authored with the help of Western experts.<sup>7</sup> Rhetorically, the section dedicated to higher education reform was progressive. After all, no alternatives to university autonomy exist in the West.

The political regime of the Party of Regions had no intention of implementing the published reform program, using it instead to divert attention from its actual kleptocratic intentions. Yet, for some time this document allowed supporters of university autonomy to pressure representatives of the political forces in power to their own temporary advantage, while anticipating a new mobilization of society. Later, an intense struggle unfolded to push a new Law “On Higher Education” that was to be based on the concept of comprehensive university autonomy — precisely the same concept that had been developed in previous years by the Consortium for University Autonomy.

As Minister, Dmytro Tabachnyk liked the idea of adopting a new Law “On Higher Education.” His draft law was presented to the Council of Rectors of Kyiv region in November 2010. It is interesting that almost all of the rectors who attended this meeting spoke against that bill, but when it came time to vote, only Kyiv-Mohyla Academy voiced its position “against,” while the other participants of the event supported the idea of “taking the document as a basis for further development.” A representative from the Ministry of Education assured the gathered leaders that this draft would be adopted by the Verkhovna Rada of Ukraine before the start of 2011.

That draft law rejected university autonomy and strengthened the rights and powers of the Ministry itself through more than 100 provisions. Critics came to call the text of a draft law “on the Ministry of Education” not on higher education. Its intent

6 Dmytro Tabachnyk acted as a thinly veiled Kremlin agent, denying not only university autonomy, but also the sovereignty of the Ukrainian language, Ukrainian history, and the existence of a separate Ukrainian people.

7 Committee for Economic Reforms under the President of Ukraine, *Zamozhne suspilstvo, konkurentnospromozhna ekonomika, efektyvna derzhava: prohrama ekonomichnykh reform na 2010–2014 roky* [A Prosperous Society, a Competitive Economy, and an Efficient State: The Program of Economic Reforms for 2010–2014], accessed June 2, 2010, [http://www.president.gov.ua/docs/Programa\\_reform\\_FINAL\\_1.pdf](http://www.president.gov.ua/docs/Programa_reform_FINAL_1.pdf).



was to implement the so-called “Russian style” of administration in Ukraine’s higher education sector, with its rigid centralized system concentrated around the presidential power vertical. However, Ukrainian social realities dramatically differed from the Russian context. While in March 2010 only the Ukrainian Catholic University supported Kyiv-Mohyla Academy’s call to protest against the appointment of Tabachnyk, by the end of the year mass protests termed the “Anti-Tabachna campaign”<sup>8</sup> and “Against the degradation of education” spread across Ukraine.

In 2011 the Ukrainian academic community was able to lobby a stop to Dmytro Tabachnyk’s draft law, blocking its submission to the Verkhovna Rada four times and once even managing to have it removed from the agenda of the Parliament’s session. Public protests against the provocative activities of the Minister of Education had a damaging effect on the government’s reputation. As a result, in early 2012, Prime Minister Mykola Azarov created a working group to formally prepare a compromise draft law to be based on three documents that had already been submitted to the Parliament. In addition to the “ministerial” one, these included a draft law from Yurii Miroshnychenko, MP and Representative of the President in Parliament, and a draft law from Arsenii Yatseniuk, MP and Lesia Orobets, MP — both from the opposition.

The newly created working group was headed by academician Mykhailo Zhurovskiy, Rector of the National Technical University of Ukraine “Kyiv Polytechnic Institute.” It worked very fruitfully during 2012 with meetings held primarily at Kyiv Polytechnic — a fact that resulted in the institutional awakening of one of Ukraine’s largest universities. This awakening had far-reaching consequences not only in the framework of developing the Law “On Higher Education”: the Revolution of Dignity in Kyiv in 2014 was institutionally supported not only by Kyiv-Mohyla Academy, as had been the case with previous protests during the Orange Revolution, but also by Kyiv Polytechnic Institute and Kyiv Borys Hrinchenko University.

It was in the framework of the working group that representatives of the academic environment, experts, leaders of student and various non-governmental organizations, including international ones, trade union representatives, and employers — altogether about 100 institutions and organizations — united their efforts for the first time. Anyone could contribute using the Internet or regular mail facilities.<sup>9</sup> All of more than 4,000 proposals were seriously discussed. Controversial provisions were adjusted under a consensus-based principle,<sup>10</sup> so as to avoid discarding a stakeholder and prevent splits within the working group.

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8 The name of this protest campaign included a dual meaning, using the name of Dmytro Tabachnyk and a word corresponding to the meaning of “tobacco.” Tabachnyk himself was an avid smoker.

9 “Zakonoproekt ‘Pro vyshchu osvitu’ [The Draft Law ‘On Higher Education’],” National Technical University of Ukraine “Igor Sikorsky Kyiv Polytechnic Institute,” August 28, 2012, <http://kpi.ua/12-03-07>.

10 The principle of consensus was the only possible, but not the best way out of the situation. In particular, it conserved some Soviet norms: the degree of Doctor of Sciences in addition to the PhD degree (as insisted by the National Academy of Sciences of Ukraine). Also, some populist

In the second half of 2012, the Cabinet of Ministers of Ukraine approved the concept of the future Law “On Higher Education” developed by the working group and later, in December, the draft law itself. However, the October 2012 parliamentary elections resulted in the formation of a new government in which Dmytro Tabachnyk remained in office, while more opponents of university autonomy entered the new government. Oleksandr Lavrynovych, a former deputy leader of Narodnyi Rukh (People’s Movement of Ukraine) and a close associate of Viacheslav Chornovil, who then betrayed the national-democratic cause to become the newly-appointed Minister of Justice after 2012, even accused the working group of “reanimating Stalin’s norms” (regarding the creation of an independent National Agency for Higher Education Quality Assurance).

By the beginning of 2013, new draft laws “On Higher Education” were registered in Parliament: (conventionally) “from the majority” and “from the opposition.” The draft law from the working group was registered separately. It should be noted that conceptually the bills from the opposition and the working group were similar. The same experts often worked on the basic principles of the two documents.

Later, as a result of negotiations between representatives of the working group and opposition authors, the (now former) opposition’s draft was withdrawn, and a single document from the working group was further promoted. It was adopted by the Verkhovna Rada of Ukraine on July 1, 2014 after the victory of the Revolution of Dignity.<sup>11</sup>

#### **Case No. 4. Implementation of the Law of Ukraine “On Higher Education”<sup>12</sup>**

In order to have an idea of the main obstacles to the implementation of this law, one must understand the context of the decision-making process in the Ukrainian government in early 2014.

The Soviet planned system had not been completely demolished in 1991. It continued to exist in the rhetoric of politicians and the behavior of Ukrainian public administrators. After the collapse of the Soviet Union, the Ukrainian state failed to define its priorities, and so did not develop an independent strategy for its further development. Accordingly, the political elites of all former Soviet republics continued to copy the Soviet style of governance. Yet, it was Russia that remained the real heir to the communist system: it had the necessary resources to implement authoritarian

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statements were included: a student scholarship at the subsistence level (as insisted by student activists).

11 Law of Ukraine On Higher Education, No. 1556-VII, July 1, 2014, <https://cis-legislation.com/document.fwx?rgn=72719>.

12 In more detail: Serhiy Kvit, “Implementing Ukrainian Law in Higher Education: Successes and Challenges,” in *The Research Initiative on Democratic Reforms in Ukraine*, comp. Olenka Bilash (Edmonton: University of Alberta, 2020), 3–16, [https://www.ualberta.ca/canadian-institute-of-ukrainian-studies/centres-and-programs/ulec/ulec-news/ridru\\_publication.pdf](https://www.ualberta.ca/canadian-institute-of-ukrainian-studies/centres-and-programs/ulec/ulec-news/ridru_publication.pdf).

policies. Against that background, Ukraine and other post-Soviet countries for a long time simulated a kind of “mini-USSR” or “mini-Russia.” This could be felt especially sharply in the area of financing education and research.

Although after 1991 the Ministry of Economic Development (the heir to the Soviet State Planning Committee) had been most influential in estimating financial priorities of the Ukrainian government in the education sector, later the Ministry of Finance took the lead. This transference occurred due to a catastrophic lack of funds: education and science were funded under a residual principle, receiving whatever was left after other priorities had been satisfied. Since the very beginning of Ukrainian independence, education and research were traditionally not seen as attractive targets for investment in the future of the nation, but rather as necessary expenditures that the state budget had to bear.

The situation changed in 2015, a year after the Revolution of Dignity. The then Minister of Finance Natalia Jaresko dismissed one of her deputies who had over the years skillfully fulfilled an informal duty to oppose reforms and had continuously searched for opportunities to “optimize” (cut) educational expenditures. After that event, the long-term rift in the relationship between the Ministry of Education and Science and the Ministry of Finance was overcome. This episode illustrates not only the importance of staff issues. It is about an attempt to resolve the problem of systematic lack of communication, the introduction of dialogue and interaction, and changes in decision-making methods.

Still, many obstacles—both subjective and objective—remain on the path to implementing the 2014 Law “On Higher Education.” Among the most significant, the following are identified:

- 1) Post-Soviet values that are prevalent among a large number of Ukrainian politicians who do not understand the importance of education and research for the future of the country.
- 2) A fragmentary approach to educational reforms that ignores the context of other changes and processes taking place in Ukrainian society and national economy.
- 3) Established post-Soviet practice followed by a considerable number of public officials who believe that the state must “control” universities.
- 4) Conservatism of university communities—a large part of university rectors in particular.
- 5) Extreme conservatism of the leadership of the National Academy of Sciences of Ukraine, who resist any changes.<sup>13</sup>
- 6) Fundamental lack of funds due to the economic crisis and circumstances of the Russian armed aggression and protracted war.

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<sup>13</sup> Such conservatism, in particular, rejecting the integration of scientific research and higher education is the main threat to the development of the Ukrainian research sphere, as it feeds the desire in political circles to eliminate the system of research institutes at the National Academy of Sciences of Ukraine so that the available property and land plots could be commercially used later (without any relation to science).

In the process of implementing various provisions of the Law “On Higher Education,” Ukrainian universities gradually obtained real academic autonomy. The regulatory burden was significantly reduced. Institutions of higher education gained the ability to establish their own uniqueness and to manifest this in appropriate organizational forms that relate to their educational processes (by creating educational programs, by unique methods of learning and teaching); they can now institute their own academic quality assurance systems and deepen international cooperation.

More than 30 so-called “mandatory academic subjects” — Soviet-era relics that contradicted the principles of autonomy — were canceled in 2015; the rules for awarding academic degrees were changed; opportunities for academic mobility and student self-governance were expanded; work began to develop new standards of higher education; and important steps were taken to ensure openness and transparency of university activities. The first legislative initiatives were introduced to change the funding system for higher education, so as to move away from the Stalinist system of “state order”<sup>14</sup> and to introduce the concept of block (basic) funding.

However, the movement towards financial autonomy of Ukrainian universities remains blocked. The relevant amendments in education-related legislation were not extended to the legislative norms and regulatory framework governing financial relations with the state. For example, universities still have to approve their staff lists with the Ministry of Education and Science. Also, in practice, the use of banking services is made artificially complex in favor of the State Treasury. In other words, the autonomy of Ukrainian institutions of higher education remains incomplete: the state continues to interfere in their operational processes and blocks attempts to improve self-regulation.

Most importantly, higher education institutions cannot capitalize on their academic uniqueness. Therefore, heads of many universities often view academic autonomy as a problem: if earlier they could simply follow instructions from the Ministry of Education and those received from political leaders, now they increasingly must take on responsibility for “free navigation.” Accordingly, the implementation of some important norms of academic autonomy, for example, the creation of structured PhD programs<sup>15</sup> or introduction of genuine choice of academic subjects is mostly formal, accompanied by a great conservative inertia.

### **New Tasks. “The Roadmap of Higher Education Reforms” (2018–2019)**

Gradually, higher education reform has become deemphasized in the Ukrainian political agenda. The following explanations for such a trend are proposed:

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14 Serhiy Kvit, “An Illogical Way of Funding Universities,” *University World News*, May 27, 2012, <http://www.universityworldnews.com/article.php?story=2012052314121089&query=kvit>.

15 Considerable progress of regional universities in implementing such reforms should be noted, in particular, Zaporizhzhia National University can be mentioned as a good example of developing contemporary PhD programs.

- 1) Simultaneously retaining focus on multiple important reform projects is problematic for the Ministry of Education—after 2016, the emphasis switched from higher education reform to the transformation of Ukraine’s primary and secondary school sectors. As the experience of neighboring countries from the former so-called socialist camp that have now become EU members proves, it is best to have two ministries of education: one (tentatively) responsible for higher education and science, and the other for public education.
- 2) Ukrainian politicians lack the skills and traditions necessary to make important decisions based on scientific research and professional expertise.
- 3) A large number of higher education institutions that offer a low quality of learning and teaching are able to consolidate in effective lobbying to conserve the status quo.
- 4) Attitudes toward higher education as a social project in times of economic crisis. When it is problematic for young people to find good jobs, the number of HEI is huge and their quality, on the contrary, is low, such a context does not enable an agenda of quality assurance and the fostering of academic integrity.

Reforming universities means building their capacity to assure their own quality, but unfortunately, not all universities are capable of accomplishing such a task.<sup>16</sup> And so again we return to the vicious circle: why has little qualitative improvement taken place in Ukrainian universities? Because most are incapable of reforming themselves. Why are Ukrainian higher education institutions still uncompetitive internationally? Because they have not undertaken qualitative improvement.

The key to exiting this vicious circle is the implementation of real financial autonomy. Its blockage perpetuates the notion that the state continues to bear formal responsibility (in fact, it bears no responsibility at all) for the quality of universities. In reality, the state continues to control universities by interfering in their operational processes.

Universities will be able to take responsibility for their own quality, including what concerns academic integrity, and improve their own reputations, only if they have the full set of instruments to do so. First of all, they require the financial and economic tools necessary for their own development. The Ukrainian state does not trust universities and continues to control them, which in fact contradicts national interests. If these interests include the creation of high-quality (autonomous and responsible) universities, important for the development of an innovative economy, human capital, and civil society, then higher education institutions must be allowed to do so.

In order to draw attention to the goals of reforms in higher education, the “Roadmap to Higher Education Reform in Ukraine”<sup>17</sup> was elaborated with the support

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16 The progress of Sumy State University in developing its internal system of education quality assurance should be praised.

17 Serhiy Kvit, “Dorozhnia karta reformuvannia vyshchoi osvity Ukrainy [The Roadmap to Higher Education Reform in Ukraine],” *Osvitnia polityka*, March 23, 2018, <http://education-ua.org/ua/>



of the International Renaissance Foundation. This document demonstrates that if comprehensive university autonomy is implemented, first, the system by which higher education is funded will change. Second, the number of Ukrainian universities will decrease and their quality will grow. Third, they will establish close relationships with national industries and the labor market. Fourth, their financial state will be strengthened: salaries and material and technical facilities will be improved. Fifth, and quite importantly, a generational change of rectors and other educational managers will occur. Sixth, the role of the Ministry of Education and Science will become that of an intermediary rather than controlling or directive body—i. e. the Ukrainian Ministry will come to approximate its EU counterparts.

In sum, the importance of reputational capital for the success of higher education institutions will increase, in the first place as a result of decentralization, self-regulation, and self-governance. This will also contribute to internationalization and the development of concentrated research priorities in Ukrainian universities, particularly through the integration of higher education and research. It is this logic of movement towards autonomous and responsible university activities that will form the basis for genuine quality assurance and academic integrity.

It should be noted that this case considers only the main tasks of reforming higher education, not yet covering the VET sector. Unfortunately, the expansion of discussions of systemic reform priorities has become overshadowed by secondary arguments as to whether scholars should be required to be proficient in English at a B2 level and whether their research should be published in peer-reviewed journals; similar peripheral debates center on whether one should fight plagiarism when adherence to principles of academic integrity is considered by many Ukrainian HEIs primarily as an additional burden rather than as a means of developing their own unique culture and competitive reputation.

### **Case No. 5. National Agency of Higher Education Quality Assurance (2019–2020)**

The idea of creating a National Agency for Higher Education Quality Assurance (NAQA) provoked heated discussions during the preparation of the draft Law “On Higher Education” by the Zhurovskyi working group in 2012. The main problem was the status of this new institution. The legal system of post-Soviet Ukraine does not foresee the creation of a non-political public authority; no alternative to NAQA members being state officials was therefore foreseen.

However, such politicization is unacceptable from the point of view of The Standards and guidelines for quality assurance in the European Higher Education Area (ESG-2015)—an EU regulation that became part of Ukrainian legislation after

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articles/1159-dorozhnya-karta-reformuvannya-vishchoji-osviti-ukrajni. Also in English: Serhiy Kvit, “A Roadmap to Higher Education Reform via Autonomy,” *University World News*, March 16, 2018, <http://www.universityworldnews.com/article.php?story=20180316092127837>.

the signing of the Ukraine-EU Association Agreement. If NAQA becomes a state institution that formally conforms to Ukrainian law, it will no longer be an independent organization according to ESG-2015.

NAQA is responsible for the accreditation of educational programs, institutional accreditation of HEIs, accreditation of dissertation defense councils, accreditation of independent quality assurance institutions, academic integrity issues, internal university quality assurance requirements, academic degree requirements, national university rankings, etc.

The first attempts to create NAQA took place in 2015 and 2016. Several members of the Agency, elected in conformance with the original selection procedure, were in fact deemed ineligible according to the provisions of the Law “On Government Cleansing” (Lustration Law) of 2014; others were accused of violation of academic integrity and corruption, as well as involvement in political games that became an obstacle to the real launch of NAQA.

In 2017, changes to the Law “On Higher Education” were adopted, requiring selection of NAQA membership through an international selection committee rather than through elections by congresses of university leaders (in reality—university rectors). The new membership (21 persons) was selected and approved in December 2018, and the first NAQA meeting was held in late January 2019.

During the first year and a half of its activity in 2019–2020, NAQA successfully implemented the provisions of the Law on Higher Education (2014) and the ESG-2015, built mutual trust in the academic environment, completely abandoned the previous paperwork-heavy system of accreditation, transferred all procedures online, and overall made all processes open to the general public. NAQA also selected and trained 2,528 experts, 329 members of Sectoral Expert Councils (for 29 SEC), 35 trainers, and 62 Secretariat staff.

During the 2019–2020 academic year, NAQA completed the accreditation process for 909 study programs. The breakdown of quality grading was as follows:

- about 1%—exceptional 5-year accreditation (level A);
- about 62%—5-year accreditation (level B);
- about 35%—conditional one-year accreditation (level E);
- about 2%—denials of accreditation (level F).

In this short time, NAQA became a full member of the International Network for Quality Assurance Agencies in Higher Education (INQAAHE), the Network of Central and Eastern European Quality Assurance Agencies in Higher Education (CEENQA), the International Center for Academic Integrity (ICAI), and gained affiliate status in the European Association for the Quality Assurance of Higher Education (ENQA).

During the lock-down caused by the COVID-19 pandemic, from March to September 2020, NAQA organized more than 540 site visits using videoconferencing technology<sup>18</sup> in order to continue its educational program quality assurance activities.

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18 Mychailo Wynnyckyj, “Crisis Has Shown Virtual Quality Assurance Can Work Well,” *University World News*, July 6, 2020, <https://www.universityworldnews.com/post.php?story=20200706101702976>.

Progressive approaches to building online accreditation procedures have aroused the interest of relevant agencies in the United Kingdom, Saudi Arabia, and other international partners.

For the first time, NAQA has posed important questions to the Ukrainian higher education community regarding quality assurance. During this short period of time, Ukraine's external quality assurance system has become fully correlated with the approaches of the European Higher Education Area, and internal quality assurance in higher education institutions is quickly following this reform example.

At the initiative of NAQA, starting from 2019, the decisions of accreditation agencies that are part of the European Quality Assurance Register for Higher Education (EQAR) are recognized in Ukraine. This creates international competition in the accreditation of educational programs, and the possibilities for institutional accreditation of Ukrainian universities—an area that NAQA has not yet become involved in due to undercapacity.

Unfortunately, NAQA's activities are gradually losing the support of the Ukrainian government, which treats education reform as an unnecessary problem. The fashion for political populism seems to threaten to return higher education policy away from the revolutionary reform agenda adopted after 2014, back to the Brownian motion of the previous period.

The implementation of the concept of comprehensive university autonomy is also under threat due to the authoritarian style of management of the current leadership of the Ministry of Education and Science of Ukraine. The introduction of financial autonomy for Ukrainian universities (radically changing the post-Soviet economics of higher education) is now off the table. Furthermore, the latest policy steps of the Ministry of Education and Science threaten the very principle of academic autonomy of Ukrainian universities.

It can be said that the Ministry of Education and Science not only does not want to continue the reform launched after the Revolution of Dignity; the current team is nothing less than incompetent and unable to understand the content and purpose of educational reforms. According to the monitoring of the implementation of the Association Agreement with the EU, Ukraine fulfills only one (the third of eight) obligations set out in this document. This point concerns quality assurance in higher education. The achievements of NAQA were recognized as "advanced" in the face of all others that received a failing grade.<sup>19</sup>

In today's Ukraine talk of strengthening comprehensive university autonomy and instituting independent external quality assurance has become unpopular in state circles. Instead, there are attempts by the government to displace reformers

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19 "The Agreement is Five Years Old. What Has Ukraine Done? Ukraine and the Association Agreement with the EU. Monitoring of the Implementation, 2014–2019," *Ukrainian Center for European Politics*, July 16, 2020, <https://cutt.ly/QgWlPrj>. In 2020, in preparation for the publication of this Monitoring for 2014–2019, the success of NAQA in ensuring the quality of higher education for 2019–2020 was noted. At the time of publication of this article, the full text of the Monitoring has not yet appeared on the website of the Ukrainian Center for European Politics.

from influential positions, discredit the higher education reform agenda, and restore personal political loyalty as the arbiter of career and institutional advancement.

In these circumstances, NAQA continues to fight for its institutional independence. After the identification of academic plagiarism in the publications of the acting Minister of Education and Science of Ukraine Serhiy Shkarlet, attacks on NAQA, using such methods as manipulative press releases, the use of official power to pressure rectors, and pressure by court decisions, intensified. However, all efforts to control NAQA's activities have been unsuccessful. NAQA has established itself as an exemplar of a strong, well-intentioned, effective, professionally independent institution.

Interestingly, at the end of September 2020, two public documents appeared almost simultaneously: "A Collective Appeal by Members of the Academic Council of 'Chernihiv Polytechnic' National University" (September 28), prepared in the Soviet style of an "appeal by workers," and ENQA President Christoph Grolimund's letter to the Speaker of the Ukrainian Parliament and the Prime Minister of Ukraine (September 29).

The first document denied even the possibility of academic plagiarism in the publications of Serhiy Shkarlet (who was formerly rector of that university) and appealed to the government to investigate the legality of NAQA's activities. The latter supported NAQA's policy of the implementation of ESG-2015 in Ukraine, the convergence of Ukrainian higher education with the EHEA, the independence of NAQA, and cited Ukraine's commitments under the Association Agreement with the EU.

On October 1, EQAR President Karl Dittrich addressed a similar letter of support for NAQA's independence to acting Minister of Education and Science of Ukraine Serhiy Shkarlet. Finally, on November 5 the European Students' Union adopted a "Resolution on the Acting Minister of Education and Science of Ukraine Serhii Shkarlet"<sup>20</sup> emphasizing, in particular, the importance of NAQA's independence, academic integrity issues, and the involvement of students in decision-making in higher education.

The ESU also denounced the growing authoritarianism of the Ministry of Education and Science of Ukraine. As we can see, NAQA received substantial international support. However, we understand that education reform is the sole responsibility of Ukrainian society itself.

## Conclusion

The task of advancing Ukrainian higher education reforms in the direction of ensuring comprehensive university autonomy is of a political nature, and must be returned to the political agenda of contemporary Ukraine. This idea was developed over a long term and became fundamental to the success of reform efforts when the opportunity to implement them arose. It must not be allowed to die.

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20 "BM79: Resolution on the Acting Minister of Education and Science of Ukraine Serhii Shkarlet," European Students' Union, accessed November 23, 2020, <https://www.esu-online.org/?policy=bm79-resolution-on-the-acting-minister-of-education-and-science-of-ukraine--serhii-shkarlet>.

The concept of comprehensive university autonomy requires the existence of a professionally independent NAQA. Only autonomous universities can be universities of high quality and integrity. Continuing the practice of state patronage, interference, and control has proven to be extremely harmful, while the logic of the successful decentralization policy pursued by the Ukrainian government after the Revolution of Dignity has proven the viability of the comprehensive university autonomy agenda.

The Ukrainian political class and civil society must reconcile a shared vision of Ukraine's future with all the political rights and freedoms of a democratic society, good governance, and a strong economy. It is necessary to start by joining forces to create a modern system of education and research, where the upbringing of national leaders capable of changing the country and taking responsibility for their important decisions comes to the fore.

Ukraine needs a decisive break with Soviet political culture and practices of social interaction. This is possible only if the approaches to national education change: from the ideal of a competent task performer to a leader who is able to develop the culture of an organization, field, nation-state, and globally. One last note: the success of educational reform is directly related to the ability of Ukrainians to defend their own independence in times of uncertainty and anxiety.

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