

Submission by
University Education Concern Group
(Special Meeting of Legco Panel on Education, 27 Jun 08)

We would like to make the following comments related to (1) danger of government interference in universities, (2) whistleblower protection, and (3) the need to review existing policy of selectivity in allocating research funding by the UGC.

(1) Danger of government interference in universities – The case of alleged interference into academic freedom and institutional autonomy regarding the Hong Kong Institute of Education (the HKIEd case), which resulted in a thirty million dollar Commission of Inquiry in 2007, brought to light the danger of government interference that is built into the existing practice regarding appointment to university councils. A simple check of council compositions reveals that the same danger lurks in at least two other UGC-funded higher education institutions (PolyU and Lingnan), where over half of the council members (68.9% and 54.55% respectively) are government-appointed without any third-party nomination. In one case in particular, namely, the HKIEd, all external members are government-appointed. Furthermore, all Council Chairmen of the eight universities are appointed by Government, which is something that does not happen in countries where academic freedom is truly respected. Finally, the University Grants Committee is supposed to “preserve institutional autonomy and academic freedom” (“Mission Statement”, UGC), but strangely, its staff are civil servants and all its members are appointed by Government. **We think that this heavy presence of the government in university councils and the UGC stands in urgent need of thorough review.**

(2) Punishment of “whistleblowers” – the HKIEd case also witnessed the injustice of a situation in which the public was forced to pay nearly thirty million dollars for the establishment of a Commission of Inquiry, while the HKIEd Council (also drawing ultimately on public funds) appropriated the full amount to pay for their own counsel. Meanwhile, Professors Paul Morris, the former HKIEd President and Bernard Luk, the former Vice President (Academic), had to dig deep into their own pockets to obtain proper legal support for their role in the hearing. The two professors did in fact apply for their legal fees to be paid by the HKIEd, but this application was rejected by

the government-dominated Council. Despite the fact that the Commission vindicated the two professors in its official report, they were thus still effectively subjected to a huge financial penalty simply for bringing their complaints into the public realm. It is scandalous that private individuals giving witness at a Commission of Inquiry on a case involving an important public issue, i.e., academic freedom and institutional autonomy, should be punished and intimidated for their act of whistle-blowing. **We suggest a close examination of the implications of this case, with a view to strengthening legal and financial protection for whistleblowers in future, so as to secure openness and accountability.**

- (3) Policy of selectivity in allocation of research funding – the Sutherland Report (2002) recommended a policy of selectivity in the provision of support in order to create a small number of institutions that are “capable of competing at the highest international levels” (p. 6). The Report, however, also stressed the importance of a close connection between teaching and research in university education (1.16; 5.1; 5.8). Accordingly, it warned of the dangers and high costs of such a selective policy, and the importance of monitoring the situation so that these dangers could be minimized or averted (5.12; 5.31 to 5.33). These dangers include: complacency and ossification; possibility of un-nurtured or undiscovered talent in the non-selected institutions, and that of marginalized teachers losing contact with the advancing edges of their discipline. In view of these dangers, the Report reminded the institutions and, in particular, the UGC, of their responsibilities in ensuring that these twin risks of complacency on the one hand, and marginalization on the other, can be prevented so that research and teaching will not be undermined.

In the past eight years, however, this policy of selectivity has been implemented in such a way that an atmosphere of unhealthy, almost cut-throat competition has arisen among the eight UGC-funded institutions. Each institution, in order to gain greater prestige and funding in this zero-sum game for an ever bigger portion of the pie, increasingly downloads teaching functions to “instructors” – lowly-paid, new PhD holders on short term or part-time appointments. Their teaching load is so heavy that they could find almost no time to do research and writing, and therefore enjoy little prospect for academic maturation and promotion. Meanwhile, the more experienced and established professors are given fewer and fewer opportunities to teach students, so that they could be milked for research

proposals and output. This polarization of university teachers, and the emergence of “academic proletariats”, has the deleterious effect of (1) undermining the quality of university teaching in the short run; and (2) obstructing the growth and maturation of scholarship in the SAR in the long run. We envisage that, within ten years’ time, a succession problem in the universities will arise, as the cumulative effect of the failure to nurture our own young academic talent takes its toll. **We urge a thorough review of the present policy of selectivity, and a careful re-consideration of how the present situation of extreme differentiation between institutions and a proletarianization of junior university teachers can be redressed.**