

Views Of Educationists Regarding Khyber Pakhtunkhwa Higher Education –A Practice Of Maladministration Of 18th Amendment

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Abstract: This study aimed to identify the views of educationists regarding Khyber Pakhtunkhwa Higher Education. There are many hurdles in the implementation of 18th Amendment regarding higher education in Khyber Pakhtunkhwa. This was a qualitative study in which interview was used as tool for data collection. The participants were Vice-Chancellors, University teaching faculty, officials of the Higher Education Commission, officials of the Higher Education Department comprising a total of 14 participants. A purposive sampling technique was used for the selection of participants. The data were analyzed with the help of thematic analysis. The findings of the study revealed that after the 18th Constitutional Amendment, federal and provincial governments confronted each other on the establishment of PHEC. Other provinces established a PHEC in their provinces. While Khyber Pakhtunkhwa was unable to establish a PHEC. It was revealed that Governor/Chancellor has no authority to impose a ban on the appointment of faculty. Respondents stated that the selection of Vice-chancellors VCs is against the true spirit of provincial autonomy. It was concluded that the Khyber Pakhtunkhwa government lacks the political will to establish a PHEC. Secondly, the difference in political standpoint is also a major reason for not establishing a PHEC. After the 18th Amendment, national educational policy 2017 is illegal. Khyber Pakhtunkhwa, as a province, has the potential in terms of trained human resources for higher education, but the government is not ready to utilize their services.

Recommendations developed from the results of this current study include establishing a PHEC in the Khyber Pakhtunkhwa as has been done in other provinces. Khyber Pakhtunkhwa may frame their educational policy. Local academics/ intelligentsia may be considered for the appointment of VCs. HEC and HED should simplify the funding process without affecting the autonomy of universities. The federal government may increase the budget for PHEC. So, PHEC could provide more funding to universities. The PHEC may have a more financial role rather than an administrative role regarding universities. Khyber Pakhtunkhwa government may show the political will to establish her own PHEC. Local intelligentsia (Khyber Pakhtunkhwa domicile holders) may be appointed as VCs. Finally, selection criteria for VCs may be revised to accommodate candidates from both the natural science as well as social science background.

Keywords: Educationists, Amendment, Higher Education, Educational policy, VCs, PHEC, Intelligentsia.

1. Introduction

1.2. Purpose of Study

This study identifies the views of educationists about hurdles in the implementation of 18th Amendment regarding Higher Education in Khyber Pakhtunkhwa.

1.3. Significance of the Study

This study would contribute to the field of Higher Education and would provide the Higher Education developers with a current level of hurdles in present scenario. The results of this study may be a guideline for analysis of these hurdles. This study also identifies the views of different educationists regarding Higher Education. This study may be used a guidance for solution of hurdles existing in the development of higher education in the province.

1.4. Objective of the Study

To identify the views of educationists about hurdles in implementation of 18th Amendment regarding Higher Education in Khyber Pakhtunkhwa.

1.5. Research Question

What are the views of educationists about hurdles in implementation of 18th Amendment regarding Higher education in Khyber Pakhtunkhwa.

2. Literature Review

The 18th Amendment empowered the provinces to bring devolved Federal Ministries into the provincial domain. However, the pro-center mindset resisted decentralization due to the loss of control over fiscal, physical, and human resources. The issue of provincial capacity building was also raised. The decentralization was ended. For instance, the number of functions performed by the dissolved ministries were 301. Functions assigned to other ministries were 207. Functions devolved to provinces were 94. So, less

than 1/3 of the functions devolved to the provinces. The following section deals with Higher Education with respect to the 18th Amendment and challenges/ hurdles between the Center and the Provinces.

The 18th Amendment introduced Article 25 A, which made education free and compulsory for all children between the ages of 5 to 16 years. The Provincial Governments of Sindh and Punjab enacted the necessary legislation. Whereas, the provinces like Khyber Pakhtunkhwa and Baluchistan resisted due to centralist tendencies. The abolition of the Concurrent List empowered Provinces to legislate and have a say in the curriculum, syllabus, policy, Centre of Excellence Standard of Education, and Islamic Education (Rana, 2020).

After the passage of the 18th Amendment, Sindh and Punjab decentralized Higher Education and established their own PHEC in 2013 and 2015 respectively. However, there were certain obstacles in implementation (Jamal, 2021). The issue of HE and the establishment of the PHEC was raised in the Prime Minister's office, Functional Committee, and the CCI. The ex-Federal Minister and former Chairperson, Dr. Atta-Ur-Rahman and Marvi Memon appealed in Sindh High Court for a stay order against the establishment of the PHEC (Khan, 2015). An objection was raised regarding provincial resources, funds, and the structure for the PHEC. According to Article 146, the provinces have the right to receive their own shares from the Center. The issue was discussed in the Senate upper house of Parliament. The Senate referred to the Functional Committee for a report. The report of the Functional committee stated that the 18th Amendment empowered provinces to establish a PHEC. The province would amend the HEC Ordinance 2002. The provinces would frame policy for Higher Education. The Center would transfer shares/resources to the provinces (Hussain & Kokab, 2012).

The chairperson of the 18th Constitutional Committee, Senator Main Raza Rabbani cleared the ambiguity on the question of devolution of HE and PHEC during the meeting of CCI. The chairperson stated that the Implementation Commission of the 18th Amendment decided to devolve HEC. So, in the light of the 18th Amendment, the provincial governments have the responsibility to get their financial shares from the central government. The provincial government extended financial support, technical resources, and enacted the necessary legislation for the establishment of the PHEC. Currently, 80% of the universities come under the administrative control of the provinces (Rabbani 2011; Hussain & Kokab, 2012).

3. Methodology

3.1. Research Design

Sample	Number
Vice-Chancellors serving and Ex- VCs both	04
University teaching faculty	04
Officials of Higher Education Department	02
Officials of Higher Education Commission	04
Total	14

3.4. Instrument

A self-developed interview guide was the tool used for data collection in this current qualitative study. The interview guide is like a cheat-sheet for the interviewer, containing a list of questions and topic areas that should be covered in the interview. Usually, the interviewer will have a prepared set of questions, but these are used only as a guide, and departures from the guidelines are not seen as a problem but are often encouraged (Silverman, 2013).

3.5. Data Collection

This was an exploratory type study and single method design was used. This was a qualitative study and interview was used as tool for data collection. Thematic analysis was used for data analysis.

3.2. Population of The Study

Population of the study were the educationists i.e., Vice-Chancellors, officials of university teaching faculty, officials of HEC Islamabad, officials of HE Department etc.

3.3. Sampling & Sampling Technique

Purposive sampling technique was used for qualitative interviews. According to Ritchie et al., (2013) in purposive sampling, members of a sample are chosen with the purpose to represent a location or type with the criterion. Using purposive sampling, the research population was categorized as under:

This current study used a qualitative research technique that involved conducting intensive individual interviews with a small number of respondents to explore their perspectives on the idea, program, or situation (Marvasti,2004).

3.6. Validity & Reliability of the Instrument

Validity

The worth of trust in qualitative research has been criticized due to its pliable, research method, and subject nature (Guba & Lincoln, 1981). The issues of validity have been extensively debated in qualitative research (Creswell, 2007). The

leading question for a qualitative researcher is to satisfy the readers that the research is correct and the conclusions drawn are valid (Robson, 2002). So, this study discussed the issues of validity. Thus, a careful strategy was employed to gather correct data as pointed out by Neuman (2007). The researched was called on to address the research question which approved qualitative data collected for this research (Gray, 2004).

The discussions with the participants were held in the local language. Thus, matters related to the study were openly discussed. This enhanced the quality and credibility of data and helped the researcher in comprehending regarding 18th Constitutional Amendment and Higher Education with respect to the provincial higher education commission in Khyber Pakhtunkhwa. Similarly, the long engagement in the field enhanced researchers to work jointly with researched to get correct information (Creswell, 2007). This research is composed of qualitative research, a social constructivist approach, which explores the perceptions and experiences of the participants related to the topic of 18th Constitutional Amendment with respect to Higher Education in Khyber Pakhtunkhwa. Therefore, it is significant to note the aim of this study was to develop an in-depth understanding about the role of provincial government with respect to provincial higher education in Khyber Pakhtunkhwa.

Reliability

The reliability of a research instrument identifies its emancipation from misconception. Similarly, regarding this study, reliability was ensured by engaging in data collecting methods which produced consistent data during the interview process; where questions were according to the main topic under the exploration and data collection procedure was consistent and well found. The approach of data collection and generation also contributed to reliability. The researcher transcribed and translated each

interview carefully. Similarly, the researcher read the material carefully many times. It is worth to mention earlier researcher conducted interviews with different experts during the pilot stage at a different time and found consistency in responses.

3.7. Data Analysis

Generating data from the field of research was intensive labor and time-consuming in terms of producing reports regarding the researched. Similarly, transcription of data was carried out from field interviews. So, the researcher tried to produce the most accurate and reliable data. Thus, the collected data was analyzed with the help of thematic analysis. Thematic analysis is the most common method of analysis in the qualitative method of analysis drawing on the implicit and explicit ideas related to the data. It seeks to answer the research questions by identifying, analyzing, and reporting patterns within data. The thematic analysis was comprised of six steps including, Step 1: Deal with familiarization with data i.e., reading and rereading the transcripts. Step 2: Generate initial codes, during this step data is organized systematically. Step 3: Search for themes, the codes are organized in broader themes. The data is explained relevantly. Step 4: Review themes, at this stage identified themes, are altered. Relevant data according to themes is gathered. Step 5: Define themes, during this phase themes and subthemes are related to the main theme. Step 6: Writing-up, this is the reporting stage of thematic analysis (Braun & Clarke, 2006).

4. Results & Discussion

4.1. Summary of Findings

The collected data were analyzed through Braun & Clarke's thematic analysis model 2006. This section is based on data collected from vice chancellors.

1) Role of HEC and provincial government/
HED in funding to universities

The respondents said that HED has no role in funding. It only issues instructions and guidelines. Some said that HED is only restricted to projects. Others said that HED is the body which acts as a bridge between government and universities.

2) Universities' response/ coping strategies
after funds/grants reduction

The respondents said that funding to universities were decreased due to certain reasons. e.g. economic conditions of country, lack of uniform fee structure, incompleteness of transitional phase of 18th amendment, HEC reluctance for releasing funds etc.,

3) Reasons of tug of war between provinces
and Central Higher Education
Commission

The respondents answered that there is disagreement between federal government and provincial government on this issue of authority.

4) Education policy is the mandate of
provinces and Status of NEP 2017

The respondents said that compilation of education policy is the mandate of provinces. The education policy 2017 is a controversial document while some respondents said that it is a legal document until the completion of transitional phase.

5) Inability of universities in revenue
generation and survival in hard areas

The respondents said that universities are places of learning not earning. Government may support universities in this regard.

6) Reason for a ban on appointments of
faculties

The respondents said that there is ambiguity regarding authority of imposing ban on appointment of faculties.

7) Collection of data from universities by
HED

The respondents were of the views that collection of data from universities is a clear interference in the universities autonomy while others said that it depends on intention of government.

8) Views regarding Vice-Chancellors
selection in the context of provincial
autonomy

The respondents said that the existing selection policy for VCs is correct while others said that equal share may be given to both social science and pure science background candidates.

4.2. FINDINGS OF THE STUDY

The key findings are as under;

1.Higher Education Commission pays salaries to TTS faculty only and that's too is disproportion and having no uniformity. The provincial government also provides funds to universities upon the request of universities through Higher Education Department for the developmental and research purpose.

2.Higher Education Department is an administrative and coordinative body for universities. Similarly, HED has a role as a coordinating body in funding concerning developmental projects.

3.The economic condition of the country and the austerity policy of the government resulted in funds reduction. The improper fund utilization in universities, lack of capacity building, and non-completion of projects in universities resulted in funds reductions. Similarly, an increase in the number of universities multiplied the financial burden. Thus, universities were led to the financial crisis which is beyond their capacity.

4. To overcome the financial encumbrance, universities, either increased the fee ratio

collected from students in different categories or increases the number of seats, which resulted in a huge burden upon parents.

5. After the 18th Constitutional Amendment, provinces showed varied responses to the establishment of PHEC. Sindh and Punjab took initiative on establishing their own PHEC. While Khyber Pakhtunkhwa and Baluchistan remained passive about the establishment of PHEC.

6. National Educational Policy (NEP) 2017 is not the mandate of the Federal Government after the 18th constitutional amendment. However, as far as the prolonged transitional phase is concerned, the Federal government has no other choice but to direct.

7. After the 18th constitutional Amendment, educational policy is the prerogative of provinces. Similarly, local, national, and international needs should be kept under consideration while framing educational policy. However, provinces seem to be disinterested in the formulation of educational policy.

8. The universities partially adopted a provincial policy regarding pay scale and appointment. The pay scale and promotion policy for supporting staff are alike. However, the appointment procedure of teaching faculty in universities is different as compared to colleges.

9. Universities are seats of learning rather than earnings. The universities should be linked with industries to increase the income of universities. The Federal and Provincial governments may enable the universities to stand on their feet.

10. Both central and provincial governments may focus special attention on newly established universities in hard areas. Similarly, HEC needs to increase universities' share in hard areas. The universities too need to apply different tactics and principles of financial management to proportionate the expenses.

11. Governor/Chancellor has no authority to impose a ban on appointments of faculty under the 2016 university act. The Governor/Chancellor may look at the need of the universities in case of new departments, due promotions, and other relevant issues.

12. The collection of data from universities by HED engaging a monitoring unit, is interference in autonomous status, however, if such data is needed for the up-gradation process, it can be acquired by HED directly.

13. The existing selection process of Vice-Chancellors is against the true spirit of provincial autonomy. The local experts have the potential to run universities. They might be given chances. However, if competency lacks in certain conditions, meritorious circles are engaged beyond the global grip.

14. The Chief Minister is the best option to decide about university affairs, keeping in view the approval from the cabinet and other parliamentary forums like standing committees on Higher Education.

15. The appointment process of VCs is correct. However, candidates from natural sciences get higher scores due to recognized global impact factors and the social sciences and Arts and Humanities are completely ignored despite administrative skill and vision.

17. The centralist mindset is reluctant to implement the 18th Constitutional Amendment in true spirit. They resist decentralization drive. The current provincial government in Khyber Pakhtunkhwa also opposes the execution of the 18th Amendment, although the first phase is completed in the previous government. The second and third phases are in abeyance.

18. The provinces have the potentials and trained human resources to deal with Higher Education. The main hurdle is the lack of political will and

interest of current provincial and federal governments.

19. The government of Khyber Pakhtunkhwa has the potential to deal with the transition of the 18th Amendment. However, there are differences in political ideologies which halt the transition of the 18th Constitutional Amendment. Similarly, the current political setup in Khyber Pakhtunkhwa believes in a strong center/federation.

20. The difference of political standpoint leads towards different action of the government. Awami National Party, Pakistan People Party (PPP), and its coalition passed the 18th Constitutional Amendment under which provincial HEC was mandatory. However, currently, no plan is in the process to establish PHEC.

21. There seems some hidden and unseen forces sabotaging the 18th Amendment. They resist PHEC establishment. Non-establishment of PHEC is due to the incompetency/ compellation of the provincial government in Khyber Pakhtunkhwa.

23. The provincial government is trying to establish a council instead of the Provincial Higher Education Commission. So, the council will deal with management, monitoring, and evaluation of Higher Education in Khyber Pakhtunkhwa.

25. If Khyber Pakhtunkhwa's government will come into pragmatics, the local experts can make the dream true to establish a PHEC.

4.3. Conclusion

The study sought to gain a rich thick understanding of the perceptions and experiences of participants. This section discusses the conclusions developed from the results of thematic analysis of data collected. Keeping in view the objectives, research questions, and

findings of this study, the following conclusions was drawn by the researcher.

HEC and the provincial government, through HED, provide funding to universities. Funds are provided for developmental, non-developmental, and research purposes. The funding to universities is disproportionate and not free from political influences. After the 18th Constitutional Amendment, the role and importance of provincial HED have increased. HED has more role in terms of administration, coordination, monitoring, and funds provision to universities. Due to the 18th amendment and austerity policy of the federal government, funds have been reduced to universities. Funds reduction has negatively affected universities and affected standards of education and research. Universities were advised to devise strategies to increase their revenue. Efforts were made to link academia and universities, however, there are fewer success stories. Due to funds reduction, the survival of new universities and universities in hard areas are at stake. It is the need of the day that federal and provincial government should increase funding to universities. university is foundation stone or an educated society that can produce leaders who can govern ethically and well.

After the 18th Amendment, education was decentralized, and provinces were empowered to establish their provincial higher education commission. However, the process did not go smoothly, and federal and provincial governments confronted each other on authority. Provinces like Punjab and Sindh showed political will and implemented the 18th amendment in true spirit. They established provincial HECs of their own. The case of Khyber Pakhtunkhwa is different, they have not made any concrete steps for the establishment of PHEC. It signifies that the current Khyber Pakhtunkhwa government is not interested to decentralize higher education in Khyber Pakhtunkhwa.

Difference of views is observed regarding the legality of national education policy 2017. The views about whether NEP 2017 is legal or not, the arguments were divided into 50-50. Though universities are autonomous bodies and decide their matters on their own, the Chancellor was seen as exercising authority coercively. The role and authority of the governor/ chancellor are viewed differently by different stakeholders. The Governor cannot legally impose a ban on appointments in any condition. However, if nepotism is not held accountable, the Chancellor may succeed in doing so.

The Vice-chancellors are selected by an academic search committee. The existing eligibility criteria are open for all Pakistani nationals. If it is viewed from the 18th Amendment spectrum, the existing selection process of VCs is not in line with the 18th amendment. The criteria may be changed. If it is, only Local (KP domiciled) experts/ academics may be appointed as VCs with the existing selection criteria, candidates from natural sciences have leverage and more chances of selection. Therefore, the selection criteria may be revised to accommodate candidates from social sciences backgrounds as well.

Pakistan People's Party and Awami National Party had passed the 18th Constitutional Amendment and were in favor of creating strong federating units/provinces and decentralized education to provinces. The current PTI-led provincial government has a different standpoint and supports a strong federation/federal government. Here comes the interplay of political standpoint and establishment of PHEC. The Pro centralist mindset does not want true implementation and decentralization of higher education. They do not have any political will to establish PHEC. It is pertinent to mention that K.P has the potential as well as qualified, trained, and experienced expertise who can establish and manage PHEC. However, the problem lies on the part of the government. The findings of the study

suggest that the government has no intention to establish PHEC and does not want to utilize the services of the local qualified, professional and experienced individuals in higher education. It can be concluded that political/ ideological differences between previous and current governments are the main reasons accountable for the non- decentralization of higher education and non-establishment of PHEC.

4.4 RECOMMENDATIONS

This section deals with the recommendations developed from the perceptions and experiences of the participants about hurdles regarding the Higher Education in Khyber Pakhtunkhwa province post passage of the 18th Constitutional Amendment. The federal government may decentralize Higher education to provinces in true spirit as it has been shown successful in several multi-racial and multi-lingual countries.

- There should be clear-cut jurisdiction for Provincial Higher Education Department.
- HEC and provincial HED should simplify the funding process without affecting the autonomy of universities.
- The KP government may provide special grants to newly established universities.
- Provincial HED may have a more financial role rather than an administrative role regarding universities.
- Khyber Pakhtunkhwa government may keep their political difference aside regarding PHEC.
- Khyber Pakhtunkhwa government may show the political will to establish their own PHEC like Sindh and Punjab.
- Khyber Pakhtunkhwa government may utilize the services of the local intelligentsia for PHEC.
- Khyber Pakhtunkhwa government may frame its educational policy keeping in view local needs and international standards.

- Unnecessary imposition of the ban on appointments in universities may be avoided by Governor/Chancellor.
- Local intelligentsia (Khyber Pakhtunkhwa domiciled) may be appointed as VCs
- Selection criteria for VCs may be revised to accommodate candidates from both social sciences as well as natural sciences backgrounds.

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