
11 Lithuania

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11.1 THE NATIONAL AND HIGHER EDUCATION CONTEXTS

National Context

Lithuania is the largest and the southern most of the three Baltic countries. To the north, it shares a border with Latvia; Belarus is to the east and Poland to the south, and the enclave of Kaliningrad which belongs to Russia, is located in the west on the shore of the Baltic Sea. Since 2004, Lithuania has been a member of European Union (EU) and NATO. In 2015, it joined the Euro zone and in 2018 became a member of OECD.

Lithuania is a high-income country (World Bank, 2020b). The percentage of people at risk of poverty and social exclusion was about 27 percent of the population in 2019, which is above the average of 21 percent at poverty level in the EU (Eurostat, 2020). Trade in goods and services similar to the other two Baltic countries contribute about three-quarters of Lithuanian GDP, with industry contributing 26 percent and agriculture 3 percent (World Bank, 2020b).

Even though Lithuania is the most populous of the Baltic countries, the size of its population has decreased over the past three decades by about one million to 2.8 million people in 2018 (World Bank, 2020b). Reasons for such population decline are the same as those for its neighbors – negative birth rates and emigration (Hazans, 2016). These negative demographic trends are projected to put at risk the very development of higher education systems in the countries of the 2004 EU accession round, including Lithuania (Mizikaci, 2007).

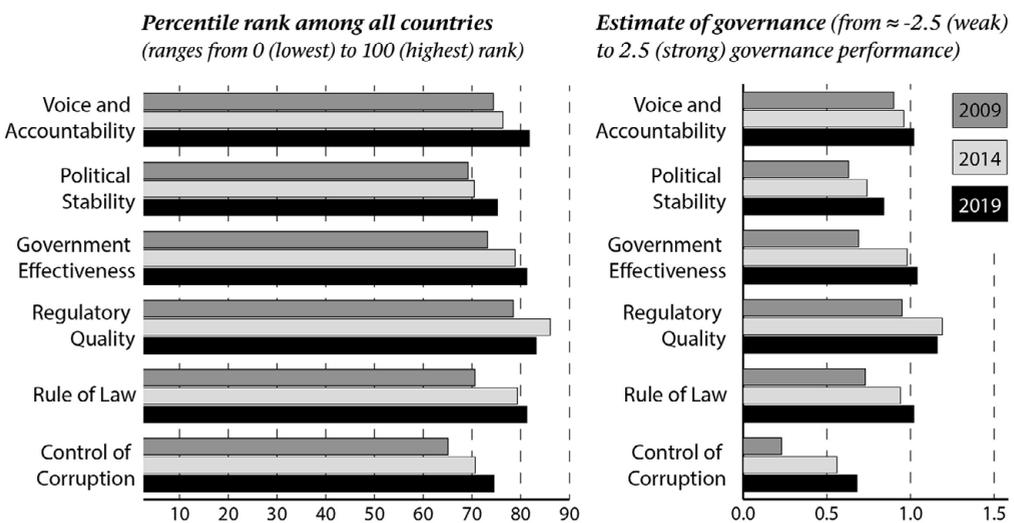
In terms of the political system, Lithuania is unitary semi-presidential representative multiparty democracy. It is the only of Baltic countries where

the state president is elected in a popular vote (Auers, 2015). The president is elected for five years and can serve no more than two consecutive terms. While the president of Lithuania has more domestic powers than the Estonian and Latvian counterparts, their main domain of influence is in foreign affairs. Presidential powers in Lithuania are countervailed by the powers of the parliament called *Seimas*, which is elected every four years. The president appoints the prime minister, who is the head of the government. The prime minister needs to be confirmed in the parliament and then he or she can nominate the government ministers for the presidential appointment.

The national governing context according to the World Bank’s Governance Indicators project is described below. Not just as compared to other countries in the post-Soviet context, but globally, its governance indicators are very high, all above the 70th percentile. However, it has seen its percentile drop across the complete set of indicators, including by approximately 10 percentiles for control of corruption and the rule of law (Figure 11.1).

The Global Competitiveness Index of the World Economic Forum (WEF) regarding public sector performance ranks Lithuania 49th out of 141 countries with a score of 56.1 out of 100. Its burden of regulations ranking was 85th in 2018–2019 (Schwab, 2019). The future orientation of the government is ranked 37th. The Skills pillar is ranked 82nd, with a score of 48.5 out of 100 for the skillset of graduates and ranking of 124th on the ease of finding

Figure 11.1 Worldwide governance indicators for Lithuania



skilled employees indicators. Regarding corporate governance, which arguably is different from public University governance, WEF ranked Lithuania 37th. Taken together, the context for University governance, while strong overall, is (1) slipping downward and (2) seems to struggle with the output of its education for workforce needs. This is likely related to the population decline more than to the quality of education.

Shape and Structure of Higher Education

In 2020, there were nineteen universities and twenty-two colleges in Lithuania enrolling 104,000 students (Statistics Lithuania, 2022). There was a change compared to earlier years when the University sector consisted of fourteen public and eight private universities that offered bachelor's degrees and higher, and thirteen public and eleven private colleges that awarded professional bachelor's degrees, enrolling about 150,000 students in total (Leisyte, Rose & Schimmelpfenning, 2018).

Similar to many other countries of the region, Lithuania has a dual track tuition policy (Johnstone, 2006) where students are admitted to publicly funded or tuition-free places based on the results in their University entrance exams, while other students are admitted to tuition funded places (Eurydice, 2019). The grades received during studies determine whether the student continues to receive free higher education. In addition to this approach in distributing funding to students, there are also targeted grants for specialties demanded in the labor market but with limited interest among students, state subsidized student loans, merit-based scholarships to excelling students who have not been admitted to the state-funded places at universities, and social scholarships for various groups of students such as students with disabilities or students who have lost a guardian parent.

The largest University in Lithuania is Vilnius University. It is also one of the oldest universities in Europe, dating back to the sixteenth century. Other major public universities are Vilnius Gediminas Technical University, Kaunas University of Technology, and Vytautas Magnus University.

Higher Education Governing Context

Based on political agreements between Soviet Moscow and Germany – the Molotov–Ribbentrop Pact – Lithuania together with the other two Baltic countries was annexed by Soviet forces in 1940. This commenced the

restructuring of the universities according to the Soviet vision for the sector (Leisyte, Rose & Schimmelpfenning, 2018). It included separating teaching and research activities into two different institutional domains and redesigning higher education institutions to align the social fabric of higher education with the tenets and needs of the Soviet state, which aimed to control all dimensions of higher education activity. In this process, academic freedom and autonomy were eliminated.

By 1990, Lithuania had one University and twelve other specialized higher education institutions. At this time, however, the sector of higher education had already begun to change due to democratic currents seeking to weaken the totalitarian state. A highly visible testimony to this process was the reopening of a liberal arts Vytautas Magnus University, previously eliminated by the Soviet regime. The regaining of national independence in 1990 brought next major transformations of higher education sector in Lithuania.

The first decade of this development was marked by the focus on reestablishing institutional autonomy. The state retained two steering instruments – the funding of higher education and the demand for a certain type and number of graduates (Leisyte, Rose & Schimmelpfenning, 2018). Simultaneously, the higher education sector was expanding, creating debates about the recognition of newly established private universities, some of which eventually became part of the system. The decade that followed 2009 was marked by an increasing shift toward market-based University management. Nevertheless, academic elites have still retained considerable influence in University governance decisions.

The contemporary Lithuanian higher education system is characterized by a state supervision model (Leisyte, Rose & Schimmelpfenning, 2018), where universities enjoy a high degree of organizational autonomy. The European Universities Association (2017) has ranked Lithuania 5th in organizational autonomy (high at 82 percent), 14th in financial autonomy (medium high at 73 percent); 10th in staffing autonomy (high at 83 percent); and 23rd in academic autonomy (medium low at 44 percent).

11.2 GOVERNING BODY PROFILE

Governance Overview

The Law on Higher Education and Research (Seimas, 2009) stipulates that a University leadership structure includes the Council, the Senate, and the rector. According to the law, a University may establish additional

management bodies as necessary in a procedure stipulated by the statutes of the University.

The Council approves the procedure for organizing the election of the rector of the University, which needs to take place in an open competition, and decides about the appointment and dismissal of the rector. The Council is in charge of assessing administrative staff and other University's employees, approving the internal rules of universities. The Council can rule only if two-thirds of the members of the Council are present. The University rector can participate in the meetings in an advisory capacity. In most questions, the Council needs to consider the input from University Senate.

The law stipulates that the University Council should consist of nine or eleven members. One member is nominated by students. Three or four members of the Council are nominated by the academic staff. Four or five members who are not affiliated with the University are selected in the procedure laid down by the Senate. From these candidates, one is selected, appointed, and recalled in accordance with the procedure laid down by the representation of students. The remaining three or four members are selected through an open competition. The members of the Council, except those selected by students, are elected separately taking into account the different interests of the University. The chairman of the Senate announces the final composition of the Council.

The Council is elected for five-year term at least one month prior to the end of the term of the incumbent Council. When assuming the duties, newly elected members of the Council are expected to sign a pledge that they will work in the interests of the University and the public and pursue this work in good faith. The new Council elects its chair from the members by a simple majority vote. The chairman can be elected only from among the Council members not appointed by students or University staff. The Council members are paid for their work in this capacity according to the University's statutes.

The University Senate governs University's academic affairs and is regulated by its own rules and procedures. It determines the procedures of studies, approves new study and research programs, and submits proposals to the rector for financing these programs and adjusting the University structures as necessary. The Senate evaluates the implementation results of new research programs, approves the internal study quality assurance system, and controls its implementation. The Senate establishes qualification requirements for the positions of lecturers and researchers. It also convenes meetings of the academic community at the University to discuss important issues stipulated

in the statutes of the University. The Senate offers its perspective to the Council on the candidates for the University rector's position and on the range of other questions concerning the management of the University decided by the Council. Based on the recommendation from the rector, the Senate sets the amount of tuition. The Senate also determines the total number of student places, taking into account the possibilities to ensure the quality of studies, research, and art activities.

A term on the Senate lasts for up to five years. Members of the Senate are representatives of the University's academic staff. University's administration representatives participate in the Senate *ex officio*. Student-appointed representatives in the Senate must comprise at least 20 percent of the Senate membership. Student representatives are appointed to the Senate by the student representation body at the University. Also, at least 20 percent of the Senate needs to be senior academic staff with the rank of professor and chief researcher; 20 percent need to be associate professors and senior researchers. Up to 10 percent of Senate members can be representatives of other higher education and research institutions; they have an *ex officio* role in the Senate. The rector of the University is also an *ex officio* member in the Senate.

The Rector represents the University and acts on its behalf. The rector manages and organizes the activities of the University and implements the strategic plan of the University. The rector plays a role in hiring University personnel and signing off on matriculating students. The rector is responsible for managing University finances and setting fees that are not directly related to the implementation of a study programs. The rector publishes the annual University activity report approved by the Council and submits to the Senate and the Council the University's strategic development plans.

The election of the rector is stipulated in the procedure established by the University's Council. The Council announces a public competition for the position of the rector. The rector is elected if at least three-fifths of all members of the Council vote for them. The Law on Higher Education and Research (Seimas, 2009) stipulates that the rector must be a person of impeccable reputation and pedagogical and managerial experience, who holds a doctoral degree or is a recognized artist. On behalf of the University, the chairman of the Council signs the employment agreement with the rector. The rector is elected for five years for a maximum of two consecutive terms. The rector can be removed from the office by at least two-thirds vote if a majority of the Council does not approve the annual activity report of the University submitted by the rector.

The Case of Vilnius University

Vilnius University is governed by the Senate, the Council, and the rector (Supreme Council of the Republic of Lithuania, 1990). A member of the Senate cannot simultaneously be a member of the Council, and vice versa. They need to resign from one of these bodies if they are elected or appointed to the other one.

The Vilnius University Senate is responsible for ensuring academic freedom at the University and is tasked with the supervision of the Council and the rector. The Senate rules by issuing resolutions to the University. The powers of Vilnius University Senate are in line with those described in the Law on Higher Education and Research (Seimas, 2009). The statutes of Vilnius University also stipulate the power of the Senate, with a two-thirds majority of the votes of all Senate members, to pass a vote of no-confidence in the rector. The final decision on the recall of the rector rests with the Council not later than within two months from the no-confidence vote in the Senate.

The Vilnius University Senate is elected for four-year terms and consists of no more than fifty-one members, excluding the rector; the number of Senate members needs to be divided by five. Two-fifths of the Senate members shall consist of persons representing the areas of biomedical, physical, and technological sciences; two-fifths shall be persons representing the areas of social and humanitarian sciences and arts; and one-fifth will be representatives of the University's students. The student representative to the Senate is appointed or elected under the procedure established by the students' representation organization at the University. Other Senate members are elected by the University's academic staff by a process of secret voting. Schools of the University need to elect their senators according to the representation quotas, but not less than one Senate member each. At least half of the elected Senate members need to be professors or chief researchers and at least one-fifth need to have the rank of associate professor and senior researcher. Elections at schools are considered to have been held if at least two-thirds of its personnel eligible to vote have participated in the election of senators. To be elected to the Senate, candidates need to receive the majority of votes of at least half of the voters participating in the elections. In the event where several candidates receive an equal number of votes, the eldest candidates are elected.

The first meeting of the newly elected Senate is chaired by the eldest Senate member participating, who is presented by the chairman of the Central Electoral Commission that organized the election of the Senate. During this meeting, the permanent new chair of the Senate is elected in a secret ballot

with a majority of votes. The chairman of the Council, vice-rector, pro-rectors, chancellor, and heads of core academic units and the University branch offices are entitled to participate at Senate meetings with the right of advisory vote. Resolutions of the Senate are adopted by a simple majority of the participating Senate members, except in cases when two-thirds to make a decision are required. In the event of a tie, the Senate member chairing the meeting shall have the casting vote. At the request of at least one-fifth of all Senate members, voting by secret ballot may be called.

The Vilnius University Council, together with the Senate, is responsible for ensuring the autonomy of the University and monitors the compliance of the University's activity with the University mission, objectives, tasks and principles of activity, general academic interests, and requirements for openness and accountability to society. In line with the national regulations, Vilnius University Council is responsible for electing the rector. Also in line with the law (Seimas, 2009), based on a proposal from the rector and after consulting the opinion of the Senate, the Council submits to the government its decision concerning any changes in the University assets that are owned by the state; making management decisions on other assets based on the rector's proposal and in consultation with the Senate. In the same manner, based on a proposal from the rector and after consulting the opinion of the Senate, the Council approves the tuition and other fees charged by the University, as well as the total number of students at the University, taking into account the capacity to ensure the quality of studies, research, and artistic activity. These procedures are well in line with the version of the Law on Education and Research (2009) prior to 2016, when the law was amended giving this decision-making power to the Senate. The University has significant autonomy across a range of domains.

Vilnius University Council members are elected for five years and consists of eleven members. The composition of the Council corresponds to the stipulation in the Law on Education and Research (2009) presented earlier. Candidates to the Council need to be of good repute, show good understanding of the mission of the University in their work, foster the values of the University, and promote the quality of the institution. Neither the president of the Republic of Lithuania, members of Seimas and the government, nor civil servants of political (personal) confidence may stand for election or be elected to the Council. Each member can serve in the Council for no more than two consecutive terms. No member of the Council is eligible for candidacy for the position of the rector at Vilnius University. The first meeting of the newly elected Council is chaired by the eldest Council member participating, who is

presented by the chairman of the Central Electoral Commission. The chairman of the Council is elected from Council members in the first meeting by the majority of all Council members voting by secret ballot.

The work of Vilnius University Council members is compensated based on the actual hours worked and applying coefficients applied to the official hourly salary of the rector. The hourly rate for the chairman of the Council equals that of the rector, the deputy chairman of the Council receives 85 percent and a Council member 50 percent of the rector's hourly salary.

The Vilnius University rector is the head of the University and shall be officially addressed as "Your Magnificence" (Supreme Council of the Republic of Lithuania, 1990). The rector acts on behalf of the University and represents it, is responsible for the implementation of the mission and objectives of the University, and manages the University's finances and assets. The rector participates in the Council meetings with the right of advisory vote and submits proposals to the Senate and the Council concerning the management of the University. Competencies of the Vilnius University rector align with those stipulated in the Law on Higher Education and Research (2009). The rector is elected for five years for no more than two consecutive terms. A candidate for election to the Vilnius University rector position needs to have a degree in science or art, managerial experience, impeccable reputation, and at least for five years out of the last ten be elected as full professor at a University. Candidates not employed at Vilnius University at the time of their nomination have the right to stand for election to the position of the rector. The election takes place as an open competition in the procedure established by the University's Council. Once candidates are nominated, the chairman of the Central Electoral Commission submits the application documents of all these registered candidates to be discussed by the Senate. After discussing the candidates, the Senate presents its conclusions on their suitability to take the post of the rector and only then the Council votes by secret ballot to elect the rector of the University. The Rector is elected if at least seven out of eleven Council members vote in favor. If there are several candidates and votes split, voting is held in several rounds for candidates who have received the majority votes. The rector, once elected, appoints their leadership team consisting of pro-rectors and a chancellor.

Commentary

Although the University governance model in Lithuania represents the balancing of power between the academic oligarchy (Clark, 1983) and

stakeholders outside the ivory tower of academia, the majority of power remains with the representatives of academia.

The rector of a University does not have to come from the academic circles of the specific University. However, the rector must demonstrate highly esteemed academic credentials to be considered for the post. When appointed, the rector needs to lead the University toward achieving its strategic goals while balancing the interests of all parties at the organization. The rector reports to the University Council, which is the institutional governance body in charge of hiring and firing the rector. The University Senate is also a body to which the rector needs to be sensitive given that the Senate presents its own evaluation of the rector's performance to the Council.

The Senate is a University governance body composed of the representatives of the academic community. The Senate members can come not just from its own University but also from other educational or research institutions. The Senate members external to the University have their posts *ex officio*. The rules that regulate the procedures of how the Senate members are elected are likely to vary across higher education institutions. Yet, in all cases, this body needs to represent the diversity of academic ranks, with an emphasis on more senior members of this community, and also includes students. The Senate, thus, represents the arm of academic oligarchy, although its members may come from not one single institution.

The Council is a collegial University governance body that includes members of the University and other stakeholders not affiliated with the University. The profile of about 40 percent of the Council's members selected from outside the University will depend on their selection procedure set by the University's Senate. Thus, the academic community of the University has the final word in determining the diversity of perspectives in the Council.