

Analysis of the Formulation Process of the Degree Law from the Perspective of Multi-source Flow Theory

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Abstract: This article adopts a policy perspective of multiple sources and analyzes the process of formulating the Degree Law from three aspects: problem source, policy source, and political source. The sharp increase in the number of degree awarding units and personnel, the revocation of degree points, and disputes over degree awarding standards have converged into a source of problems. The policy source is formed by the convergence of different efforts from experts, scholars, degree committees, and national legislative departments. The governance philosophy and public sentiment of the ruling party constitute the political source. The coupling of the three major sources and streams ultimately opened the "policy window" through the governance philosophy of the ruling party and the key to public sentiment in the political flow, making the Degree Law open to public and opening up a new process of Degree Law.

Keywords: Multi-source Flow Theory; Policy Process; Degree Law.

1. Introduction

The degree method is an important guarantee for the progress of education and the growth of talents. Since the promulgation of the Regulations of the People's Republic of China on Academic Degrees (hereinafter referred to as the "Academic Degrees Regulations") in 1980, China's legal system for academic degrees has matured from its initial establishment. With the continuous reorganization and change of the pattern of higher education in China, many new problems and new situations have emerged in the specific practice of the "Regulations on Academic Degrees", which can no longer meet the needs of practice.[1]Over the past 20 years of revision and improvement, from the revision of the Regulations on Academic Degrees to the proposal of the Draft Law on Academic Degrees, and the formal promulgation of the Law on Academic Degrees, the policy agenda has been tortuous and slow. However, there is less research on the discussion of the policy agenda generated by the Degrees Act. Therefore, from the perspective of the policy process, it is of great value to study the agenda setting of the degree method. This paper attempts to analyze the process of the promulgation of the law from the perspective of the policy process from the perspective of multi-source streams, understand the motivation behind the replacement of the Academic Degrees Regulations by the Academic Degrees Law, discuss how the Academic Degrees Law has attracted the attention of policymakers and risen to the government's decision-making agenda, and sort out and analyze the factors that triggered and promoted the opening of the "policy window" in the process of policy promulgation. The study of the policy process of the promulgation of the degree law will help to further improve and supplement the degree law and clarify its value.

2. Theoretical Basis: The Relevance of the Theory of Multi-distance Flow

Kingdon proposed a multi-source flow analysis theory that was different from the traditional policy agenda based on a

modified form of Cohen's "trash can model" in 1984. On the basis of the previous four streams, namely, practical problems, solutions, participants and decision-making opportunities, Kingdon further penetrates ambiguity into his summarized theory of three streams, namely, the source of problems, the source of policy, and the source of politics. The source of problems refers to the problems that have received the attention of policy entrepreneurs and need to be solved by policies. Not all issues will be on the radar of the policy agenda. There are specific conditions for an issue to be put on the decision-making agenda, which may be a change in the problem indicator, the emergence of a "focus event", or a social issue that policy entrepreneurs are concerned about driven by relevant feedback in the implementation of the policy. And the focus of the policy stream is to solve this problem. When a problem arises, the policy community will discuss it and come up with relevant policy recommendations or alternatives. The term "political stream" refers to changes in other factors that need to be considered in the process of translating policy proposals or alternatives into policies, such as public opinion, stakeholder group games, and the ideology of the ruling party.

In Kingdon's view, these three streams usually operate independently, and at a certain time, the convergence of the three streams opens the window of policy, so that the problem is finally transformed into policy, rather than the result of a single factor. [2] When the "window of policy" opens, policy entrepreneurs come into play to bring issues to the forefront of the policy agenda. Since Kingdon's theory of multi-stream is based on the political environment in the United States, scholars consider the suitability of the theory to the policy decision-making process of other countries. On the one hand, in the literature review on education policy, the multi-source flow theory has been used to explore public policy in the field of higher education, as well as policy agenda setting, policy formulation, policy change and termination. This shows that it is feasible to use the multi-source flow theory to analyze policies. On the other hand, multi-source stream analysis is known for its analysis of how the policy agenda is established and studied in the implementation phase, focusing on

revealing the possibility of accidental social or political events opening the "policy window", which provides us with a perspective on the policy process.[3]Therefore, it is appropriate for this paper to explore the policy process of the Academic Degrees Law under the theoretical framework of multi-source flow from the perspective of multi-source streams.

3. Coupling Logic: Multi-source Flow Analysis of the Degree Law

3.1. Analysis of the Source of the Problem

Not all issues on the policy agenda will come into the minds of policy entrepreneurs. Why do some issues get attention while others don't? Much depends on the judgment of the problem. Dey said that deciding which issues will be policy issues is even more important than deciding which ones will be solutions.[4] And how to judge whether it can become a policy issue? Kingdon summarized it into three aspects: first, whether the problem indicators have changed, secondly, whether there are focus events, and finally, whether there is relevant policy feedback to get the attention of relevant personnel. It is with the help of problem indicators, focus events or policy feedback that the source of problems enters the eyes of policy entrepreneurs, and is thus put on the policy agenda. This article will sort out the history of the promulgation of the Academic Degrees Law and explain the reasons for the promulgation of the Academic Degrees Law from three perspectives: problem indicators, focus events and policy feedback.

3.1.1. Problem Indicator: Increase in the Number of Degree-awarding Institutions and Students

As the first education law in the People's Republic of China, the importance of the Regulations on Academic Degrees is self-evident. However, it cannot be ignored that with the development of social, political, economic and cultural development, the scale of education in China has changed. In 1999, China's higher education began to expand, and the number of graduate students in China also increased. In 2005, China's graduate student enrollment reached nearly 370,000, ranking among the top in the world.[5] There has been a tremendous increase in both the number of degree-awarding units and the number of degrees awarded. In the past 30 years, especially since the beginning of the 21st century, China has undergone tremendous changes. During this period, the gross enrolment ratio of tertiary education in China reached 15%, and according to Martintro's measurement of the stages of tertiary education, China has entered the stage of popularization of higher education. Since 2002, the gross enrolment ratio of tertiary education in China has continued to grow. This means that more and more people are looking forward to higher education, and the scope of degree management is expanding. Therefore, a new system is needed to regulate degrees.

3.1.2. Spotlight Event: Degree Point Revocation

In the context of the popularization of higher education, China's degree authorization points are also expanding. But a 2016 report showed that nearly 600 degree points would be revoked. 175 colleges and universities have given up on the degree points they have spent a lot of financial, material and human resources to apply for. Whether in terms of the number of revocation points or the strength of the number of university degree points, this notice has aroused widespread

attention. And according to the list of degree authorization points added and revoked by universities published by the Academic Degrees Committee of the State Council in 2018, the number of degree authorization points revoked by universities far exceeds the number of additions. And compared with 2016, the number of degree revocations has shown a significant growth trend. The deep-seated reason behind the trend is also the dilemma and problem faced by the degree system.

Generally speaking, the expansion of the number of degrees has put pressure on the healthy development of the degree system. In response to the call of the state, colleges and universities have taken the initiative to optimize the discipline structure of their own institutions. This hot spot and difficult point also reflects the shortcomings in the development of degrees in China. How to better cope with the dynamic adjustment of degree authorization points, evaluate degree points and further promote the construction of China's degree system are in urgent need of new policies and measures to escort them.

3.1.3. Policy Feedback: Controversy over Degree Awarding Criteria

The degree system in our country is administered by the state. Since the implementation of the Regulations on Academic Degrees, with the development of society, there have been some changes in the standards for awarding degrees as the focus of the study of the degree system. Due to the scope of authority of the right to set standards for the awarding of degrees in colleges and universities, and the lack of specific documents or legal norms, many degree-awarding institutions make their own claims in practice. Under the relevant requirements of the Academic Degrees Regulations, institutions formulate their own rules for the awarding of degrees, and fill in many specific requirements. The standards for awarding degrees are not uniform, which in turn affects the quality of degree awarding. In order to further unify the standards for degree awarding, improve the quality of degree awarding, and promote the development of the degree system, it is necessary to revise the previous Academic Degrees Regulations.

And as usual, only the amendments to the Academic Degrees Ordinance will not solve these problems. In order to better improve China's degree work and standardize the construction of China's degree system, it is urgent to introduce a new degree law.

3.2. Policy Flow

When issues are included in the decision-making agenda, the relevant actors in society form different policy recommendations. These stakeholders are referred to as the policy community, and the convergence of the different proposals put forward by these people is called the "policy soup". The main concern of the policy stream is those feasible policy opinions in the "policy soup", so as to finally form a policy plan to finally solve the problem. Not all policy opinions will be followed. After all, recommendations that are not operational are unlikely to be reviewed and adopted for implementation, and recommendations that are inconsistent with the values of policymakers are generally rarely considered. [6] At the same time, the formulation of options or the formulation of policy recommendations is not a one-step process. On the one hand, policy plans or policy proposals need to be constantly proposed, discussed, and revised and then put forward repeatedly. On the other hand,

these policy proposals or proposals do not necessarily gain the trust of the majority of the population. During this period, some professionals tried to "soften" the policy opponents and the public to accept the bill.

3.2.1. Experts and Scholars - Advocates of Content

Experts and scholars are important guarantees for China's academic degree and graduate education, and they are advocates of the content of the Academic Degrees Law. In a speech commemorating the 10th anniversary of the implementation of China's Regulations on Academic Degrees", some scholars pointed out: "Practice has shown that only by recognizing that degree and graduate education requires a high degree of academicity, and resolutely relying on peer experts under the guidance of correct guidelines and policies, can this work be done well." [7] The Regulations on Academic Degrees is the first education law in New China, which has laid the legal foundation and institutional guarantee for the establishment of China's degree system. However, with the continuous development of the scale of higher education in China and the continuous development of the degree system, the "Regulations on Academic Degrees" cannot meet the needs of reality. More and more scholars are aware of the limitations of the Academic Degrees Ordinance. For example, some scholars have pointed out that from the perspective of legal effect, there is currently no degree law in China with second-level effect.[8]Prior to this, some scholars questioned the issue of names, arguing that the Regulations of the People's Republic of China on Academic Degrees did not have an accurate level of validity.[9]

Some scholars believe that there are two main reasons: on the one hand, the positioning of the Academic Degrees Committee of the State Council as an administrative body is inconsistent with the role of an advisory and deliberative body; On the other hand, the responsibilities of the education sector are not clearly defined in the Higher Education Act, and there are gaps in this part.[10]

Between 2002 and 2016, the Academic Degrees Ordinance failed to enter the legislative process. Some scholars have pointed out that there are two main reasons for this situation: first, the regulation, as a basic system regulating the development of higher education, has not faced a crisis of legal confidence; Second, there are no major legal obstacles to the use of policy tools in the process of degree management.[11]

After recognizing the limitations of the Regulations on Academic Degrees and understanding the reasons for the failure of the Academic Degree Law, more and more scholars have devoted themselves to actively making suggestions and suggestions, and have continuously shown in their own research results that the introduction of the Academic Degrees Law plays an important role in the development of China's degree system.[12][13]It also actively carried out research and drafting of draft laws, and actively participated in legislative researchers. It is the continuous dedication of these experts and scholars that provides a foundation for the follow-up academic degree committee to promote the legislative work.

3.2.2. Academic Degrees Committee - Promoters of Work

The Academic Degrees Committee of the State Council is the body responsible for leading and managing the degree work. With the expansion of the scale of higher education in China, the people's understanding of education and degrees is also deepening, and it is more urgent to receive higher quality education and obtain higher quality degrees. The Academic

Degrees Committee pointed out that the Regulations on Academic Degrees can no longer fully meet the practical and practical needs of reform, and must be revised, and the degree system in China should be regulated in the form of the Academic Degrees Law.[14]

3.2.3. The National Legislature - The Dominant one

According to China's legislative procedures, after the draft of the Academic Degrees Law is drafted, it needs to be deliberated by the Legislative Affairs Office of the State Council before it is finally submitted to the Standing Committee of the National People's Congress for a vote. Therefore, the national legislature plays a leading role in the introduction of the draft law on academic degrees. In 2021, the Ministry of Education issued the Draft Law of the People's Republic of China on Academic Degrees (Draft for Comments) and solicited opinions from the public. China's degree law has ushered in a major breakthrough.

3.3. Political Streams

Political currents are made up of factors such as public sentiment, interest groups, political parties, or ideologies, and it is necessary to build consensus among public sentiment, organized political forces, and the government. In the policy agenda of the Academic Degrees Act, the ruling party's governance philosophy and public sentiment form a political stream.

3.3.1. The Ruling Party's Philosophy of Governance

The rule of law has always been an important way to govern the country in our country. After the Third Plenary Session of the 11th CPC Central Committee, China embarked on a historic process of building the legal system. China has begun to comprehensively advance the overall goal of governing the country according to law. Education, as a major plan of the country and the party, is also responding to the overall goal of governing the country according to law. That is, to improve education laws and regulations, comprehensively promote administration according to law, vigorously promote the management of schools according to law, and improve the supervision system and supervision and accountability mechanism. Among the education laws and regulations that need to be improved is the Regulations on Academic Degrees.[15]

3.3.2. Public Sentiment

In Kingdon's view, public sentiment refers to a large number of people who hold the same views around an issue or think with the same ideas. And public sentiment changes in a visible way, and this change in sentiment can have a significant impact on the policy agenda. In the era of the rise of new media, public opinion, a product of public sentiment, is more likely to influence policy agendas. It has been proven that when people's voices are heard on the policy agenda, it can have a significant impact on subsequent policies.

4. The Opening of the Policy Window

The policy window is an opportunity to bring attention to their particular issues. The policy window may open because of the emergence of key events, or it may open because of influencing factors in the political stream. Through the analysis of the three streams in the policy agenda of the draft degree law, it is found that the political streams play a more important role in the overall policy agenda.

After entering the era of popularization, the scale of higher education in China has been expanding, and the number of

people receiving education has also risen sharply. There is also a growing interest in degree-granting work. Incidents related to degree controversies continue to attract people's attention and promote the improvement of the degree system. Especially today, with the development of information networks, once there is a controversial issue in the awarding of degrees, it will be widely discussed by the public. What this shows is that there is a lack of specific measures in the Degree Regulations on how to address these specific measures related to the awarding of degrees, and new laws are needed to fill these gaps and regulate the degree awarding system. All of these are based on the ruling philosophy of our ruling party and are all in response to our country's governing philosophy.

To sum up, after the coupling of the three major streams of problems, policy and politics, the Academic Degrees Law finally opened the "policy window" through the governance philosophy of the ruling party and the key to public sentiment in the political flow, so that the Academic Degrees Law was finally solicited and implemented by the society, opening a new process of the Academic Degrees Law.

5. Conclusion

Through reading the relevant literature, the author finds that there is a lack of literature that analyzes the introduction of the degree law from a policy perspective. The multi-source stream is more suitable for analyzing the policy introduction process, so the author tries to write from the policy perspective of multi-source stream. This paper attempts to clarify the specific process of the promulgation of the Degree Law by sorting out the content of the existing documents related to the promulgation of the Degree Law. To a certain extent, it has roughly restored the policy agenda for the introduction of the draft policy on the degree law. However, due to the limited ability and experience of the author, the collected literature is not comprehensive, and may not be able to fully show the specific and detailed policy promotion process and elaborate on it in detail. It is hoped that other professional scholars will make a more appropriate and complete analysis of the agenda from the perspective of how far and far or other policy perspectives.

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