

Redefining University Governance – A Response to the Report of the Working Group on University Governance of the Institute for Governance of Private and Public Organizations

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The Institute for Governance of Private and Public Organizations (IGPPO) created a Working Group on University Governance in December of 2006, with a mandate “to propose principles of sound governance that would be relevant and effective in the context of Quebec universities”. The outcome – a report released in September, 2007¹ – has been denounced by our provincial organization, the Fédération québécoise des professeures et professeurs d’université (FQPPU), as an unbalanced document advocating excessive concentration of power in a handful of external members (referred to as “independent” members throughout the report) on university boards of governors. The McGill Association of University Teachers (MAUT) and the Concordia University Faculty Association (CUFA) are in complete agreement with the excellent analysis provided by Pierre Hébert, Cécile Sabourin and the FQPPU Executive in their paper “*Who ‘owns’ the university? Certainly not a new managerial oligarchy*”². Their title speaks volumes.

The FQPPU analysis does not address, however, the IGPPO report’s purposeful disregard of the current governance structures of universities. It is important to note that the report is not titled “The University Board of Governors” - it is called "Report of the Working Group on University Governance", implying that the authors will begin by acknowledging the principles of governance that characterize universities. Curiously, without any justification, they choose not to. This is unfortunate since in Quebec, in Canada and in North America, universities are founded on a relatively well-defined system of shared governance with a long tradition. The fundamental feature - bicameral governance based on a senate and a board of governors - is essentially ignored in this report. Indeed, the concept of a strong and effective university senate as central to the mission of the university is entirely missing from the IGPPO report – the very idea of a senate is viewed as either a paradox or a challenge and it is dismissed without further discussion. The fundamental role of collegial governance is never mentioned.

According to the IGPPO report, the board of governors would ideally consist of about 15 members, 10 of whom would be external. The board would control the hiring and compensation of senior management, with definitive power over their subsequent objectives and actions - principally strategic planning and the establishment of performance measures for teaching and research. Operationally, the board would function with just three powerful committees – audit, governance/ethics and human resources – composed exclusively of external members. No representatives of the university community would be allowed. Elected members from the university faculty, staff or students would be relegated to a small minority on the board, marginalized and denied equal participation.

The power of the human resources committee would be immense – hiring, directing, evaluating and rewarding senior management, and defining salary policy for all employee groups. In the IGPPPO concept of a university, directives would flow from the board through a central management unit that is chosen, monitored and backed by the board to oversee the functioning of different sectors - the board being the authority “with ultimate decision-making powers”. The academy would lose its power to participate on search and selection committees for key academic administrators - it could do no more than suggest candidates, a pointless exercise. Search committees would be composed solely of external board members with no representation from the university community - a process that would completely transform the administration of the university.

As pointed out by the FQPPU Executive, the strengthening of the external (read “business”) component on the board of governors reinforces the trend towards commercialization of the university. This is particularly apparent in the last section of the report, headed "Good governance requires accountability and transparency". The title strikes us as appropriate for the conclusion of a report on governance, and one would expect a recommendation that the senate and board jointly account for what has been done in terms of the mission of the university. Instead we are presented with a very narrow idea of accountability coupled with a view of transparency that is completely contrary to the openness one expects in a university. In a novel interpretation of transparency, the report argues that external observers at board meetings would violate accountability, reduce effectiveness and should thus be excluded. In addition, there is no direct mention of the senate, only a reference that the board must ensure that the "other decision making bodies" demonstrate accountability. Accountability is reduced to a system of reports that include data and indicators to “assess the quality of teaching” and “evaluate research activities and performance." How does one measure the quality of teaching by a few indicators? Are there generally accepted measures to allow direct comparison of research activities and performance among institutions? Such a reductionist notion of accountability trivializes the university's mission.

In an IGPPPO university, faculty and staff are directed by “management”, and conform to a variety of performance indicators. Management, in turn, is directed by the board. The vital roles of senate – involving the entire university community in decision-making, fostering free debate and exchange of ideas, promoting transparency – are completely ignored and its power is minimal. There is no emphasis on the unique environment that constitutes a university, no recognition that it differs fundamentally from a corporation, that it is a community and *not* a company. Not once did the IGPPPO report discuss the concept of academic freedom and indicate how it would be recognized and protected in this corporate-based design. It is a design to be rejected, in the strongest possible terms.

1. http://www.igopp.ca/en/Publications/30_IGOPP%20University%20Final%20Report-Nov%2028.pdf

2. <http://fqppu.org/bibliotheque/prises-de-position/lettres-ouvertes/20071/a-review-of-the-report-on-quebec-university-governance-who-owns-the-university-certainly-not-a-new-m.html>

A review of the report on Quebec university governance :

*Fédération
québécoise
des professeures
et professeurs
d'université*

Who « owns » the university ? Certainly not a new managerial oligarchy

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In December 2006, the Institute for Governance of Private and Public Organizations set up a working group with a mandate to propose principles of healthy governance for the university sector. This group submitted its report in September 2007. Briefly, it deals with the nature of the board of governors and the method of nominating the chief administrator – the rector, usually – of the university. In the current context of a public debate *urbi et orbi* on governance and the Minister of Finance's Bill unveiled in *Le Devoir* on Thursday, October 11, the importance of such a report is obvious.

La Fédération québécoise des professeures et professeurs d'université (FQPPU) recognized from the outset the need to reexamine the governance practices in use in universities. This report, however, produced by a group of people directly involved in the top administration of the universities, promotes a tendentious concept of « governance »; it proposes model practices for universities based on principles which urge a greater concentration of power in the hands of a new « managerial class », the application of which would consolidate their takeover of the universities.

FQPPU finds document astonishing, and certain parts of it even stupefying. The following is the federation's opinion on several principles underlying this report (or which are absent from it) and hence, on the recommendations which result from them.

A rachitic university « mission »

The report's opening statements concerning the relationship between university mission and governance are difficult to argue with : the indissoluble linking of teaching, research and service to the community, respecting the individual character of each institution. But that's not saying much, because while lip service is paid to the matter, the manner is lacking. In short, nowhere does it affirm that this mission is carried out within an institution defined as a public service and characterized, in its functioning, by collegiality, and where teaching and research are founded on a respect for academic freedom.

The *Report* then goes on to link university autonomy to that portion of its revenues controlled by the board of governors. Universities, having no freedom to set tuition fees and receiving a major part of their funding from the government, would have, according to the *Report*, an autonomy limited by the rules set by public authorities. FQPPU agrees with this interpretation, but on the condition that university autonomy is confirmed and the inalienable role of the university as a *public service* is reaffirmed, that is, as institutions oriented towards the community, and not towards certain small groups.

Given their essential public service role, universities should be accountable not only for their budgetary matters, but also for their decisions regarding teaching, research and service to the community. Accountability, whatever one thinks of it, does not have just a pecuniary meaning. In other words, the modes of university governance must hold administrators responsible for their decisions, not just the budgetary ones, but also those concerning ideological and intellectual orientations. A university in good financial health, but in thrall to private enterprise, should declare bankruptcy... culturally.

A dangerous concentration of power

It is undeniable that the board of governors constitutes an important seat of decision-making power, all the more reason why its composition should reflect adequately all those who actively participate in the aims of the university. Instead, the *Report* states without elucidation that « good governance » emerges from the « clear and distinct

responsibilities of the administrator and his team who manage the institution ». This kind of governance thus limits itself to a « fair balance between the responsibilities of the board and those of the administration. » We topple here into a simplistic concept of the relations of power between two entities, the manager and his team, who reserve for themselves sole authority over the institution. Concentration of power equals « sound governance » ?

Once it is established that power is the central focus of the *Report*, the resulting principles are those that favour its concentration in the hands of a new oligarchy of managers. From a definition of independence to the exclusion of those most involved with academic work, everything converges on placing management in the hands of a « nobility », good representatives of the sector they come from, that of business and upper level management.

A narrow vision of independence

The *Report* goes completely askew when it equates the idea of independence of the members of a board of governors with their provenance from outside the institution, basing their reasoning in this equation on a law applying to crown corporations. From there, the working group constructs arguments in favour of a majority of independent members, read external; as well, abolishing all executive committees, they recommend setting up three committees – one each for auditing, governance and ethics, and human resources – on which *only* external members are eligible to serve.

Such a view of independence contains at least two barely hidden faults: illusion and exclusion. *Illusion* because, in joining the university board of governors, « independent » members do not leave behind their experience, personal values, and the values of the sector they come from, which is normal ; but it adroitly omits the fact that they also bring the interests of their sector of origin. And *exclusion*, since those who are involved on a daily basis, and who have a clear interest in contributing to the good functioning of the university, are immediately suspected of taking sides. A philosophy professor would be less independent than the president of a foodservice company ? The example is, of course, fictitious.

The majority representation of outside members on university boards of governors

and, as proposed by the working group, their exclusive participation on key administrative committees in the university, would accelerate the proliferation of private sector business practices in the universities. To complete the picture, it only remains to push external candidates as university administrators, and to achieve this, to control the nominating process by consulting the right people, but leaving the final choice solely to the board of governors. That is exactly what the report proposes...

Transparency made opaque

The report unblushingly states that the « practice of allowing observers with or without voice, but no vote, is not compatible with sound governance. » By contrast, elsewhere it calls for a complete and transparent rendering of accounts. How can a call for the power to take decisions free from any scrutiny of those most affected in the future of the university be compatible with the need for transparency ?

Let us delve deeper into the opacity of this transparency. The report proposes that, in choosing a top administrator, « the most complete confidentiality » would guarantee recruiting the best candidates. We must have misread... Transparency would be ensured by closed-door sessions, in institutions with only one mission, but also with values to sustain, such as collegiality ? Spot the error.

The report ends with a discussion of accountability, the star of these fireworks imported by managers to bring light to academic dark places... The finale condenses all the current trends concerning accountability applied to human endeavour. According to their principle of accountability, it involves applying indicators, quantitative or qualitative, to assess the quality of teaching and judge one's research activity and performance. That's not all : the board of governors must appraise the results against the institution's strategy and comparable university institutions. This so-called rendering of accounts embodies what FQPPU has denounced for years now : an erroneous notion of university performance and an exacerbated competitiveness.

Knowledge is, at its birth, neither a product nor a service ; it is a quest for truth, whether in engineering, medicine or philosophy. Afterward comes, if applicable, what is dubiously called the « valorization » of research findings (read : their commercialization). However, performance indicators in teaching and research, which administrative bodies are supposed to apply, are nets which will catch only that

which can be counted. Moreover, we dare not think what administration this exercise will lead to in the case of professors already overloaded with evaluations and forms.

As for comparisons between universities, it can only be understood as part of a competitiveness which has already profoundly altered the academic environment. Competitiveness is a strategy designed to imitate the methods of the business world and to attract more money (read : students) in institutions otherwise underfunded. The consecration of this ideology (which it is) within the purview of administrative bodies will plunge universities deeper into a maelström in which they risk destruction.

Who « owns » the university ?

As a prerequisite to any reflections on university government, we raise the question of academic liberty, more precisely, university autonomy with regard to external powers; academic freedom, freedom in research and teaching, collegiality, and, the keystone, a definition of the university as a public service. We endorse independence, but that of the spirit rather than that of function. We believe in transparency, sustained by collegiality. We subscribe to imputability, in its sense which goes beyond a mere accounting. Finally, we support the idea of performance, combined with respect for the demands of knowledge.

Everything in this report concurs in promoting the idea that the university belongs to an oligarchy of top administrators ; the reality is much more complex. The university is, we believe, or at least must continually strive to be, an environment which pays ecological respect to all its « species ». Professors, lecturers, students, support staff, administrators, all must contribute, according to their peculiar responsibilities, towards the realization of the university ideals.