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SCHOOL OF EDUCATION

FACULTY OF HUMANITIES

THE UNIVERSITY OF THE WITWATERSRAND

Title of the thesis

The role of university council structures, systems and cultures in bringing about effective university governance in a comprehensive university

A thesis submitted to the School of Education, Faculty of the Humanities, of the University of the Witwatersrand in the fulfilment of the requirements for the degree of Doctor of Philosophy in Education

FELIX OMAL

STUDENT NUMBER 396259

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ABSTRACT

This study provides an analysis of the role of university councils in Historically Disadvantaged Institutions (HDIs) in bringing about effective governance. It adopts a case study approach of a single institution which became a comprehensive university following the Higher Education post-1994 transformation agenda in South Africa. The study explores the role of systems, structures and cultures of university councils in promoting effective university governance. It arises from widespread concern about poor university governance which has resulted in no less 10 institutions being placed under administration in the post-1994 democratic era.

This study used a range of theoretical and methodological approaches. The theoretical approaches involved the use of the following concepts as an organizing framework: "structures of university councils", "systems of university councils", "cultures of university councils" and "empowered individuals" or "groups of individuals". The methodological approaches involved data collection within a sequential-exploratory mixed methods research interpretive paradigm and the positivist research paradigms. The process of data collection involved; the use of institutional documents, interviews with 19 different members of the university council and study surveys with available 17 university teaching staff, 48 university non-teaching staff and 255 university students. The process of data analysis involved the use of content analysis, descriptive and inferential statistics.

The results of this study show that the institutional structures of the university council are business oriented in organization although strongly characterised by institutional stakeholder relationships. This has led to effective governance practices being tied around forms of stakeholder propositions such as increased sectoral deployment of constituency cadres to champion particular stakeholder interest at the university council.

The results of this study indicate this has led to conditions and instances where the systemic due processes of the university council are prone to stakeholder control. This is due to instances of unpreparedness for general council and committee meetings an outcome of sectoral deployment of individuals who have little if not no idea of the due processes at the systems level of the university council and reliance on informal stakeholder constituent networks as a mode of trust governance. This has led to less sovereignty for critical autonomy to check on strong stakeholder configurations at the university council leading to reproduction of dormant stakeholder interests.

At the cultural level of the university council the results of this study show that to respond to these conditions the university council has become stakeholder managerial driven. The university council cultural governance actions as governance role practices are strongly stakeholder enthused. The implication of governance stance has caused contestations between the less empowered institutional stakeholders represented at the university council and the university council over practices that are seen as perpetuating marginalisation of the less empowered institutional stakeholders represented at the university council. As a result it has led to adoption of partisan modes of stakeholder institutional governance practices like caucuses, stakeholder deployment, protest, and unionisation.

This thesis as a recommendation makes a case through an emerging model of university governance known as the *structural-systemic-cultural university governance model*. This model suggests that for the university council to be able to provide effective university governance in such comprehensive institutional contexts, it should take in consideration the following:

At the structural level, governance should be characterised by practices that recognise the place of the university council in decision-making process in the university institution, governance capacity-building, networked committee regimes, effective representation and utilisation of delegated institutional governance spaces. At the systemic level, governance should be characterised by practices that value stakeholder contribution, support well-informed of committees of council, well informed constituents, accountability and compliance engagement as part of the core due processes of the university council. At the cultural level, governance should be characterised by practices that appreciate accessible governance spaces, accommodativeness, negotiated positions and shared accountabilities as part of the primary bases that characterise institutional culture of the university governing council.

Key words: university council, structures, systems, cultures, effective university governance, comprehensive university

DECLARATION

I FELIX OMAL, declare that this thesis is my own unaided work. It is submitted for the degree of PhD in Education at the University of the Witwatersrand, Johannesburg, and School of Education. It has not been submitted before for any other degree or examination in any other university.

Signed place date

…… ….. ……. ……

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Table of Contents

ABSTRACT 2
DECLARATION 3
ACKNOWLEDGEMENTS 4
GLOSSARY 12
LIST OF TABLES 13
1.1. Introduction to the study 15
1.2. Background 16
1.2.1. Structural grounds 16
1.2.2. Systemic grounds 17
1.2.3. Cultural grounds 18
1.2.4. The institutional governance transitions and change 18
1.2.5. Focus of the study 23
1.3. Operational definitions 24
1.3.1. University council 24
1.3.5. University senate 25
1.3.6. University institutional forum 25
1.3.7. Comprehensive university 25
1.4. Aims of the study 27
1.5. The rationale 29
1.6. The theoretical approach adopted in the study 30
1.7. The methodological stance adopted for the study 31
1.7.1. Validity and reliability of the study 31
1.7.2. Limitations of the study 32
1.8. Thesis statement 32
1.9. Structure of the thesis and chapter outlines 32
CHAPTER 2: THE UNFOLDING OF THE HIGHER EDUCATIONAL INSTITUTIONAL CONTEXT 35
2.1. Introduction 35
2.2. Colonial inheritance of university governance 36
2.3. How university governance was exercised during the apartheid era 39
2.4. The state of university governance in the post-apartheid era 43
2.4.1. Cooperative governance 45
2.4.2. Institutional responses 51

2.4.3. What was happening at Venda University? 53
2.4.3.1. The underpinning discourses for effective university governance 54
2.4.3.1.1. State strategies with cooperative governance in practice institutional level 54
2.4.3.1.2. The market strategies 55
2.4.3.2. The restructuring strategy for effective university governance 56
2.4.3.2.1. The recovery plan 57
2.4.3.2.2. The new campus development plan 57
2.4.3.2.3. Designing an institutional vision and mission 57
2.6. Conclusion 64
3.1. Introduction 65
3.2. Conceptual framework 67
3.2.1. The conceptions of university governance 67
3.2.2. Origins of university governance 69
3.2.3. Fundamental values of the university 70
3.2.4. Models of university governance 71
3.3. The nature of effective university governance 76
3.3.1. Effectiveness 76
3.3.2. Efficiency 78
3.3.3. Participation 79
3.3.4. Leadership 79
3.3.5. Responsiveness to the Environment 80
3.4. The international perspectives to university governance 81
3.4.1. Less state regulation [boards of universities] and more university autonomy 81
3.4.2. Greater power to university governing bodies 82
3.4.3. Institutional leadership 85
3.4.4. Increased state influence through performance-based funding contracts 85
3.4.5. Enhanced co-operation with society 86
3.5. University governance in the African context 86
3.5.1. Post–democracy university transformation in South Africa 87
3.5.2. The governance of merger 89
3.6. Literature review synthesis 90
4.1. Introduction 92
4.2. Structures of the university council 94
4.3. Systems of the university council 95
4.4. Cultures of the university council 95
4.5. Empowered individuals or groups of individuals 96

4.6. Effective university governance 98
4.7. Conclusion 99
CHAPTER 5: RESEARCH METHODOLOGY 100
5.1. Introduction 100
5.2. Epistemological orientation 100
5.3. Research approaches 106
5.3.1. Case study 106
5.3.2. Description of population and sampling 107
5.4. Research methods 108
5.4.1. Document analysis 108
5.4.2. Semi-structured Interviews 111
5.4.3. Survey 112
5.5. Reflections on data collection and Empirical challenges 114
5.5.1. Challenges related to assessing interviewees 114
5.5.2. Challenges related to accessing document information 115
5.5.3. Challenges related to confidentiality 115
5.5.4. Challenges related to accessing sites for the study 116
5.5.5. Challenges related to interviewee responses 116
5.6. Data analysis 116
5.6.1. Analysis of documents 116
5.6.2. Analysis of interview data 118
5.6.3. Analysis of survey data 121
5.7. Issues of reliability and validity in the study 125
5.7.1. Complementarity 125
5.7.2. Triangulation 126
5.7.3. Development 127
5.7. The reliability test of the survey instruments study 127
5.8. The limitations of the study 128
5.8.1 Ethical considerations 130
5.9. Conclusion 131
6.1. Introduction 132
6.2. Institutional structures 134
6.2.1. University governance 135
6.2.2. The university council complexity 141
6.2.3. Roles 144
6.2.4. Becoming a member of the university council 161

6.2.5. Institutional governing body modelling 167
6.2.6. Knowledge and skills competence 173
6.2.7. The committees of the university council as teams 175
6.4. Conclusion 181
7.1. Introduction 184
7.2. The due process system 186
7.3. Accessibility 188
7.3.1. The SRC 189
7.3.2. University senate 191
7.3.3. The university unions 192
7.3.4. University convocation 193
7.3.5. University management 194
7.3.6. The crucial moments of the actual due processes 195
7.4. Engagement 197
7.4.1. Connecting with committees of council 198
7.4.2. The university council meetings 201
7. 5. Stakeholder implementation 217
7.5.1. The relationship between the university council and senior management 217
7.5.2. The relationships between the committees of council and senior management 222
7.5.3. The relationships between the university council and feeder points 224
7.5.4. The relationships between the committees of council and feeder points 226
7.5.5. The relationships between the senior management team and feeder points 227
7.6. Conclusion 231
8.1 Introduction 233
8.2. Culture 234
8.2.1. Why institutional cultures of the university council? 236
8.3. Trust relations between the university council and institutional stakeholders 237
8.3.1. The different institutional governance structures 238
8.4. Performivity 246
8.4.1. The role of the human resources office 246
8.5. Planning 248
8.5.1. The place and role of the directorate for institutional planning & quality assurance 249
8.6. Auditing 250
8.6.1. The roles and responsibilities of the internal audit office 251
8.6.2. The roles and responsibilities of the finance office 251
8.6.3. The place and roles of the risk and security office 251

8.7. Reporting 253
8.8. Benchmarking 254
8.8.1. Excellence recognition awards for the best students in leadership and social responsibility 255
8.8.2. Development of the vice-chancellors excellence in teaching awards 255
8.8.3. Development of the vice-chancellors student's academic excellence awards 255
8.8.4. Standardising teaching and learning 256
8.9. Collective leadership 257
8.9.1. Leadership at the general assembly of the university council 259
8.9.2. Leadership at the different committee levels of the university council 261
8.9.3. Leadership at the Individual level of different members of the university 262
8.10. Institutional responsiveness 266
8.10.1. Collaborations 267
8.10.2. Institutional positioning in the local environment 274
8.10.3. Rural excellence 279
8.11. Institutional diversity 282
8.11.1. Institutional choice and opportunity 283
8.11.2. Enhancement of knowledge diversity 285
8.12. Internationalisation enterprises and spaces 286
8.12.1. International relations 287
8.12.2. Internationalization of the curriculum 287
8.12.3. Recruitment of international students 288
8.12.4. Scientific visits to other countries and other HEIs 288
8.13. Listening to the others 293
8.13.1. University support staff union and the university council 293
8.13.2. Teaching staff worker union and the university council 294
8.13.3. The relationship between the senate and unions 294
8.14. Conclusion 298
9.1. Introduction 299
9.2. Participatory university governance 301
9.3. Adaptive engagement within Institutional cosmologies 303
9.4. Informed consensus 304
9.5. Constituency residence 306
9.6. Utilization of delegated institutional governance spaces 307
9.7. Representative skilled-based working communities of practice 309
9.8. Valuing stakeholder contribution 310

9.9. Shared accountabilities 313
9.10. Efficient due process 315
9.10.1. Institutional compliance 316
9.10.2. Institutional relevance 317
9.10.3. Selection 318
9.10.4. Effective management 318
9.11. Networked committee regimes 319
9.12. Engagement and recognition of constituency input 323
9.13. Accessible governance spaces and engagement 326
9.14. Conclusion 328
CHAPTER 10: CONCLUSION 329
10.1. Introduction 329
10.2. Recap 329
10.3. In response to research question one 329
10.4. In response to research question two 330
10.5. In response to research question three 331
10.6. In response to research question four 332
10.6.1. Structures of the university council 332
10.6.2. Systems of the university council 337
10.6.3. Cultures of the university council 341
10.7. Theoretical reflections 344
10.8. Methodological reflections 346
Appendix 1 382
Appendix 2 383
Appendix 3 384
Appendix 4 387
Appendix 7 394

GLOSSARY

CHE	Council for Higher Education
CHET	Centre for Higher Education Transformation
CTP	Committee of Technikon Principals
CUC	Committee of University Chairs
DoE	Department of Education
DVC	Deputy Vice-Chancellor
EPG	Empowered Participatory Governance
HDI	Historically Disadvantaged Institution
HDU	Historically Disadvantaged University
HE	Higher Education
HEC	Higher Education Corporation
HEI	Higher Education Institution
HEQC	Higher Education Quality Committee
HES	Higher Education System
HWU	Historically White University
ICT	Information Communication Technology
NCHE	National Council for Higher Education
NDP	National Development Plan for 2030
NEPI	National Education Policy Institute
OCED	Organization of Commonwealth Nations for Economic Development
PQM	Programs and Qualification Mix
QA	Quality Assurance
SACS	South African College
SADC	Southern African Development Community
SAUVCA	The South African Universities Vice-Chancellors Association
SPSS	Scientific Package for Social Scientists
SRC	Students Representative Council
UDUSA	Union of Democratic University Staff Associations
UNISA	University of South Africa
UNIVEN	University of Venda

LIST OF TABLES

Tables 1 & 2: The Cronbach's Alpha reliability coefficient for the university non-teaching staff survey instrument

Tables 3 & 4: The reliability coefficient for the university staff survey instrument

Table 5: Analysis of patterns of missing value

Table 6: Responses as the perceptions and beliefs of university students and staff of what they think of the university council as the major decision-maker in the university

Table 7: Responses as the perceptions and beliefs of university students and staff of what they think of existing university council structures enabling effective representation and contributing to debate

Table 8: Responses as the perceptions and beliefs of university students and staff of what they think of the university council providing institutional structures which enable selection of their own representatives to the university council

Table 9: Responses as the perceptions and beliefs of university students and staff of what they think of the different subcommittees of the university council working harmoniously

Table 10: Responses as the perceptions and beliefs of university students and staff on what they think of vivid representation on university committees of council where students and staff affairs are handled

Table 11: Responses as the perceptions and beliefs of university students and staff on what they think of the university council recognising their participation and input in decision-making

Table 12: Responses as the perceptions and beliefs of university students and staff on what they think of the university council is well informed through its subcommittees on institutional matters presented to it for action

Table 13: Responses as the perceptions and beliefs of university students and staff on what they think of their representatives to the university council keeping their constituents informed and solicit constituent views whenever appropriate

Table 14: Responses as the perceptions and beliefs of university students and staff on what they think of the university council using viable audit process to monitor institutional practices

Table 15: Responses as the perceptions and beliefs of university students and staff on what they think of whether the university council follows appropriate disciplinary hearings and grievances

Table 16: Responses as the perceptions and beliefs of university students and staff on what they think of the apparent university council structures and systems making it possible for a wide range of university staff and students to participate in the leadership of the institution

Table 17: Student profile at a glance (as adopted from the University of Venda)

Table 18: Responses as the perceptions and beliefs of university students and staff on what they think of the university council and its subcommittee processes supporting a culture of public debate and tolerance which accommodates differences and competing interests

Table 19: The perceptions and beliefs of university students and staff on what they think of external stakeholders having confidence in the institutional values which guide the university council governance structures and systems

LIST OF FIGURES

Figure 1 The organizational structure of the University of Venda

Figure 2 Conceptual framework

Figure 3 Pie charts showing percentages of missing variables

Figure 4 The structure of the university council

Figure 5 The different phases of due process at the university council

Figure 6 The different governance practices of the university council

Figure 7 The proposed model of effective university governance

CHAPTER 1: SETTING THE SCENE

1.1. Introduction to the study

The issue of university governance has been a topic of great interest for researchers and policy makers in the post-apartheid democratic dispensation in South Africa (Cloete & Maassen, 2002; Department of Education, 1997). It can be argued that early attempts to create democratic universities in South Africa have brought numerous challenges to the governance and administration of the institutions. Structural mergers of institutions which in many cases saw culturally diverse institutions being brought together have to a very large extent not resulted in well functioning universities. To date, since 1994, 10 of these new institutions have been brought under administration on account of reasons amounting to poor governance among others (refer to CHE assessor reports between 1990 & 2012).

This research, which is based on a case study of a single university that was placed under administration, tries to explore the nature of challenges associated with the governance of such universities in the post-apartheid era. It specifically focuses on the operations of councils as the core policy-making bodies of universities and tries to examine the ways in which they act to promote good governance and the ways in which those ambitions can become derailed resulting in the breakdown of university administration. The research was based on the assumption that three interlocking factors of structures, systems and cultures (Considine, 2000; Hall et al., 2002; Locke, 2001; Rhodes, 1997) provide a useful framework for exploring the effectiveness of university governance systems.

In pursuit of this goal, this chapter sets out to discuss the nature of the problem and to identify the specific purposes of the research. First it provides an expanded discussion of the background to the problem of dysfunctional universities, highlighting the nature and extent of the problem in South Africa. It then explores what are assumed to be the three theoretical causes of poor university governance within the universities, culminating in a formal statement of the problem for the research specifying its aims and objectives. A prelude to the conceptual framework is provided in which a suite of selected concepts are operationally defined. The chapter also provides a statement of the rationale and significance of this study, the delimitations and ends with an outline of the rest of the chapters that comprise this thesis. Henceforth, the study begins with the background discussion in order to locate clearly the

nature and extent of the problem of poor governance in post-apartheid universities in South Africa.

1.2. Background

Since 1994, a review of the Council for Higher Education documents indicates that nine historically disadvantaged institutions have experienced institutional crises of different magnitudes that have resulted into these institutions bordering on or coming under university administration. These have been particularly evident in the former HDIs as evident in the independent assessor reports of the following higher education institutions: Fort Hare, 1999; University of Transkei (Unitra), 1998 and subsequent Green Paper by Habib, 2001; University of the North, 1997; Mangosuthu University of Technology, 2008; Tshwane University of Technology, 2010; University of Limpopo, 2007; University of KwaZulu-Natal, 2011). According to the CHE reports from 1990 to 2012, the prevalent university council dsyfunctionalities across former HDIs in the post-apartheid South African state can be categorised as into three dimensions: structural, systemic and cultural causes.

1.2.1. Structural grounds

The structural causes of the university council dysfunctionality emerge from fragile stakeholder relationships (University of the North, 1997; Mangosuthu University of Technology, 2008; Tshwane University of Technology, 2010; University of Limpopo, 2007; University of KwaZulu-Natal, 2011). The independent assessors reports present aspects of institutions whose university councils have not carried out their mandate effectively, and whose relationship with vice-chancellors, and management had all but broken down. Instances are reported in which university councils have abdicated their responsibility for governing to powerful interest groups, or, in the case of one institution, to the Vice-Chancellor. Instances are reported of weak linkages between structures of governance and stakeholder groups were reportedly wielding influence inappropriately outside the bounds of properly constructed Institutional Forums. This was either through co-option in terms of patronage, factionalism, or through inappropriate attempts to dominate the governance process and to marginalize university senates. The senate was more of a passive sea-anchor than a propeller of change, and by weakly developed sub-structures for effective delegation of responsibilities. In addition across these universities governing bodies there were instances of large executive committees of council that mirrored council, and therefore its parent problems. That only acted in emergencies and in regard to routine administrative matters, its

primary function was as a clearing house for recommendations from senate and other committees of council prior to their consideration by full council. Council was not cooperating with senior executive leaving the university council with no practical ability to implement its policies (University of the North, 1997; Mangosuthu University of Technology, 2008; Tshwane University of Technology, 2010; University of Limpopo, 2007; University of KwaZulu-Natal, 2011). Reference is made to the struggles of other governance structures such as institutional forums in defining the roles they ought to play in deepening institutional transformation (Hall et al., 2002).

1.2.2. Systemic grounds

In addition from the independent assessors reports described from the CHE from 1990 to 2012, the systemic causes of the university council dysfunctionality emerge from grappling with the formal mechanisms and procedures of formal governance (Hall et al., 2002). The independent assessor reports indicate instances of reported difficulties in clarifying and filling gaps in policy, decision-making, and implementation process, occasional errors in the formal requirements of cooperative decision-making, an apparent predominance of attention to administrative, rather than academics and students (University of the North, 1997; Mangosuthu University of Technology, 2008; Tshwane University of Technology, 2010; University of Limpopo, 2007; University of KwaZulu-Natal, 2011). Instances are reported of a fledging system of delegated authorities, fledging committee system, some councillors wanting to be involved in the day to day running of the institution, a lack of clear agendas for council meetings, control over councils work as exercised by secretary of the university council, a generally weak grasp of the due processes at the level of formal governance, infrequent meetings of council and committees of council, progression of issues appeared to be slow and haphazard, with an inappropriate action taken at various times by various parties. No adherence to institutional strategy (University of the North, 1997; Mangosuthu University of Technology, 2008; Tshwane University of Technology, 2010; University of KwaZulu-Natal, 2011). Instances of cronyism within university councils have been reported that led to subversion of due processes as well as to corruption **(**University of the North, 1997; Mangosuthu University of Technology, 2008; Tshwane University of Technology, 2010; University of KwaZulu-Natal, 2011). Instances of blatant ignoring of many of the university rules, selection processes and appointment of handpicked individuals to senior managerial positions (Habib, 2001: 14). These individuals were empowered to bypass structures and

ignore normal rules, processes and procedures required for transparent governance. The result was a collapse of important operational structures that serve as checks and balances in the management of public institutions (Habib, 2001: 14).

1.2.3. Cultural grounds

Furthermore, looking at the independent assessors reports within the same period from 1990 to 2012, the cultural causes of university council dysfunctionality can be depicted as emerging from the reliance on micropolitics of patronage for institutional survival (University of KwaZulu-Natal, 2011; Habib, 2001: 14). The independent assessor reports present incidents of university councils failing to provide strategic leadership, governance duly influenced by the personality and abilities of the vice-chancellors and of the vice-chancellor and other senior members of the executive regarding the university council as consecutive and unwilling to change **(**University of the North, 1997; Mangosuthu University of Technology, 2008). Instances of external members of council appointed from sectors that had vested interests in the institution, allegations of race-based appointments (promotion and employment of white candidates to the exclusion of black ones), mismanagement of students' residences, vested interests and narrow political agendas have emerged in council (University of the North, 1997; Mangosuthu University of Technology, 2008; Tshwane University of Technology, 2010; University of KwaZulu-Natal, 2011). Instances of allegations of maladministration, corruption and human rights abuses and council had shown poor adherence to good governance of principles and fiduciary responsibility and claims about the unbecoming conduct of the DVC (University of the North, 1997; Mangosuthu University of Technology, 2008; Tshwane University of Technology, 2010; University of KwaZulu-Natal, 2011).

1.2.4. The institutional governance transitions and change

As a consequence of these widespread institutional governance crises across the former HDIs in post-apartheid South Africa, change was inevitable. The reconstitution of the university councils as part of the state transformation agenda was intended to bring about effective institutional governance across higher education institutions (HEIs) along the principles of co-operative governance (Kulati, 2000; Cloete, 2002; Hall et al., 2002). As part of the further transformation agenda the state implemented institutional differentiation. Despite the recasting of the different higher education institutions the university councils in some of these institutions have continued to experience incidences of dysfunctionality.

This has created institutions at risk of periodic crises characterized by specific incidents around student fees, alleged financial mismanagement and labour disputes. However, Kulati (2000) claims that these crises stem from the institutions' inability to manage the new governance dynamics effectively. CHE (2002) states that it is not clear why a process is struggling to succeed when it was meant to strengthen better performing institutions and deal with the inefficiencies of HDIs. This observation raises concerns about how the changes had the effect of exacerbating differentiation and stratification of institutions, thus reinforcing the differences which had been created by apartheid.

Internationally, the governance of higher education institutions has been a subject of much debate and controversy (Scott, 1995; World Bank, 1994; Girdwood, 1995; Turner, 1997; Van Vught, 1989; Clark, 1983a, b; Kooimans, 1993; Neave and Van Vught, 1991; Goedegebuure and Van Vught, 1994; Shattock, 1983, 1998). Sayed (2000: 477), for example, argues that underpinning these debates have been questions concerning the purpose of higher education, the tension between university autonomy and public accountability, the balance between self regulation and governmental intervention and control, and the nature of academic freedom. While these debates have strong historical antecedents, Sayed (2000: 477) further posits that they take on new meanings in times of financial austerity, governmental and societal doubts about the value of higher education in relation to economic growth and developmental priorities, and the emergence of market ideology as an approach to governance and organization of higher education. As a response to these situations, university governing bodies have had to devise institutional governance mechanisms that speak to these concerns.

Locally, in post-apartheid South Africa, over the years, these issues have become part of the local higher education debates. These debates have resonated around how universities, through their governing bodies are well positioned to deal with issues of responsiveness, promoting cooperation and partnerships and accountability due to institutional massification as raised by the Higher Education White Paper Act 101 (1997). These debates emerged in the wake of the processes of restructuring of the higher education system after 1994, where the state, under the concept of cooperative governance, positioned the university councils in all universities to lead the higher education institutional transformation.

The CHE (2005: 176) pointed out that at the system level, this meant elaborating a particular relationship between principles of public accountability, institutional autonomy and academic freedom. At the time the government would adopt a state-steering role. Using a system of

state supervision, the state would drive the transformation of HE while respecting academic freedom, being transparent and avoiding micro-management of institutions. Autonomous HEIs would work in a range of cooperative partnerships with a proactive state and with others including national stakeholder bodies, regional HE associations, student bodies, businesses, trade unions and others.

The CHE (2005: 176) further emphasised that at the institutional level, cooperative governance meant a set of institutional structures and processes which would enable differences to be negotiated in participative and transparent ways, and would support governance principles of democratisation, effectiveness and efficiency. Most critically, institutional governance would comprise a university council, a senate in a tricameral relationship plus an institutional forum (CHE, 2005: 176).

During this period of the transition in the implementation of cooperative governance, it became clear that the governance contract in principle between players did not always translate into practise. Thus, the White Paper (1997) recognized that governance arrangements involving the different institutional stakeholders in HEIs continued to be characterized by struggles for control, lack of consensus and even conflict over differing interpretations, competing priorities, and expectations of HE governance which give rise to tensions and sometimes to turmoil. The University councils of HEIs in South Africa in the post-1994 period had inherited a HE governance system that was greatly influenced by a cocktail of neo-liberal economic conditions such as managerialism and the legacy of an apartheid regime. The governance architecture of the higher education system (HES) was characterised by state interference, fragmentation and gross inequalities, and inefficiencies and ineffectiveness (NEPI, 1993; Badt & Wolpe, 1993; UDUSA, 1994). This led to the university councils during this transition time grappling on how to adequately respond to the peculiar symbolic needs of its institutional stakeholders from within and outside the system. By ‘symbolic’ it means attainment of needs and expectations above various forms of inequalities that are expected to define post-apartheid identity.

The difficulties of the different institutional stakeholders working together was due to the various institutional governance challenges that institutional massification had created about which they were ill prepared to address. Institutional massification had inversely led to categorisation of HEIs with different institutional stakeholders. They exited different formerly historically black and white HEIs. Along the line, the university councils in these

HEIs had not yet developed the institutional governance capacities to adequately respond, as expected, to these different constituent symbolic expectations. As a result, the university councils had to further grapple with differing series of institutional challenges in pursuit of the transition to transformation.

The state strategy for pursuing HE transformation was the transfiguration of the HE landscape, not the retention of institutions that were inefficient (in terms of the utilisation of state resources) or ineffective (in terms of delivery on national development goals). There were two critical factors that propelled the state to actively pursue this relatively dormant agenda that threatened to undermine the ambition for global competiveness and national development; the first factor was the dramatic decline in student enrolments in HE. This decline impacted directly on the already vulnerable historically disadvantaged institutions (HBIs), struggling with financial deficits, high failure rates, managerial ineffectiveness and poor students unable to pay for HE (Habib, 2001; Jansen, 2002a). The second factor was the dramatic incline in institutional instability during the mid-to late-1990s. Black institutions were embroiled in a vortex of student revolt, staff conflicts, managerial ineptitude, unstable councils and senates, and a general failure of the leadership of universities and technikons to effectively manage this instability (Durand, 1999a, 1999b; Nhlapo, 2000; Sunders, 1999; Skweyiya, 1998).

By 2001 in its national plan, the state, unsatisfied with the pace of the restructuring process, gave a strong signal to institutions that the transformation had been insufficient and that the period of consultation with restructuring was over. Under a post-apartheid government this was not only a political embarrassment but a development crisis (Habib, 2001). During this period, governance in three HEIs (the universities of Fort Hare, the North and Transkei) had collapsed altogether. This led to a rapid rewriting of legislation allowing the state to not only launch several commissions of inquiry but also to appoint a series of university administrators for the interim management of the unstable institutions to fulfil the governance functions of disbanded councils.

As a consequence of this predominant institutional governance unrest the HEIs had to be further restructured to meet the pressing demands of the transformation process. The most dramatic of the strategies proposed and currently being enacted, were a series of mergers and incorporations. Allied to that was another strategy, namely, the creation of comprehensive institutions (CHE, 2000). The process would comprise 11 traditional universities, six

technikons and six comprehensive universities (Asmal, 2002). This would include increasing the number of students in the system over the next 10 to 15 years, increasing the number of black and female students in underrepresented areas, setting centres of excellence and reducing the number of institutions from 36 to 22 through institutional mergers. The focus of this government strategy, from an institutional point of view, was race-blind, in that the aim was to deracialise all institutions and to create a smaller number of high-quality non-racial institutions. An unfinished institutional transformational aspect that is still an ongoing issue.

Henceforth the new system after two years of restructuring would comprise 11 universities, six technikons and six comprehensive institutions (offering both university and technikon programmes). Most of the leading universities, including the universities of the Witwatersrand, Cape Town, Stellenbosch and Natal would not be affected by the planned mergers. Some changes had been made to the initial plan. For example, the University of Venda would not merge with the University of the North and the Medical University of South Africa (Medunsa), as proposed initially. They would instead be transformed into comprehensive institutions offering technikon-type programmes as well as a range of university oriented programmes.

The official rationale for mergers was not shared by all stakeholders in higher education (HE). The process was criticised for targeting former HBIs carrying the burdens of apartheid. The others looked at it as one of the key strategies of creating the new system of South African institutions and not a collection of disparate historically white or black institutions (Asmal, 2002). This period of institutional transition perpetuated conditions that further differentiated HEIs in the South African higher education system (HES). The South African HE had traditional and non-traditional universities. The traditional universities were the formerly historically white institutions and the non-traditional universities were the formerly black institutions. As part of the continuous transformation process, today there are traditional universities, the merged comprehensive universities and universities of technology. The comprehensive universities were designed to offer both technikon-like and university courses. The universities of technology are also regarded as comprehensive universities. In spite of these institutional differentiations as part of further transformation processes, universities in this category are always faced with recurrent forms of institutional instability. The traditional gap between historically advantaged and disadvantaged is changing into a new landscape in which disparities between different types of institutions are widening.

1.2.5. Focus of the study

The 30-year-old University of Venda, formerly part of the University of the North, was formed as a result of an architect design of the apartheid project. It bears all the scars of the apartheid and post-apartheid eras typical of contested formerly historically disadvantaged higher education institutions in post-apartheid 1994 South Africa. The major university governance challenges at the University of Venda have been typical of the formerly historically black HEIs in the former Bantustan areas of South Africa (Habib, 2001; Jansen, 2002a).

It is situated in a fast growing town of 'Thohoyandou' – meaning head of an elephant in a semi-rural and semi-urban area where one has access to the comforts and attractions of both urban and rural environments in Limpopo, one of the most picturesque provinces of South Africa, on the southern side of the Soutpansberg mountains. The university draws its cultural strength from the Venda, Tsonga and Northern Sotho cultural elements that have for generations been interacting and producing new cultural dynamics in their immediate environments. In spite of the lustrous scenic landscape, the University of Venda has been in a drastic drive at institutional transformation. As part of the institutional restructuring of the university in 2006 by the university council to bring about effective governance, the university was converted into a comprehensive university from a traditional university.

These complexities in the HE institutional environments have had unique ramifications for university councils as they have introduced new dimensions of what constitutes effective institutional governance practices in particular institutional contexts and raises questions of how university councils could respond to the following issues that little is known about: Firstly, are there certain structures, systems and cultures that tend to make university councils dysfunctional and if so, does this tendency also apply to other institutional structures such as university senates and institutional forums? Secondly, what university council responses would promote effective governance practices where there is a periodic risk of governance dysfunctionality, and tensions between other university governance structures? Thirdly, why is university governance a big issue? Fourthly, why is university governance dysfunctionality still ongoing? Fifthly, could the problem be a failure of transformation? And little is known on how universities are coping. Even in cases where university administrators have been sent in, little is known about how the university councils have been able to apply themselves after

the departure of the university administrators that could be used as prototypes of effective university governance in such contested university environments.

This study seeks to explore and address these knowledge gaps by examining, critically, the institutional governance experiences of the major areas of contestation mentioned above that have between how the newly empowered institutional stakeholders in university councils in varying relationships with the university senates and institutional forums across these institutions have been able to respond to repeated incidents and episodes of institutional dysfunctionality as part of the institutional proactive processes of repositioning these institutions to bring about effective university governance.

Before proceeding it is important to define the following terms.

1.3. Operational definitions

The following concepts developed from the literature review are organizing concepts that provide an understanding of the major issues pertaining to the study.

1.3.1. University council

The university council is an institutional body of the university created by HE Act 101 of 1997 to govern a public HEI in the South African HE landscape. The university council has the following aspects;

1.3.2. Institutional structures of the university council

The institutional structures of university council are conceptualised as institutionalised agencies that have become formalised and subsequently constrain institutional processes and behaviour at the university council. They refer to the different individuals and constituent groups who are actively involved in the doing of the university council roles at the different levels and positions of the university council. Scholars utilising structural theories suggest that the most important aspect in understanding governance is to examine organizational structures such as lines of authority, roles, procedures, and bodies responsible for decision-making (Eckel & Kezar, 2004).

1.3.3. Institutional systems of the university council

Institutional university council systems are the due institutional mechanisms and procedures that guide and direct the university council in the execution of their university governance functions to the university.

1.3.4. Institutional cultures of the university council

The institutional university council cultures are the different institutional governance role practices of the university council. They show the different ways the university council is responding to the different needs and expectations of the internal and external institutional stakeholders. Culture shapes the governance process in profound ways and that cultural theory is important to understand governance (Eckel, 2003). What is good governance varies by institutional culture (Eckel & Kezar, 2004).

1.3.5. University senate

The second key governance component in South Africa's bicameral system of governance for HEIs is the senate and its subsidiary structures, such as faculty boards. As the HE Act of 1997 specifies that, "the senate of a public HEI is accountable to the council for the academic and research functions of the public HEI and must perform such other functions as may be delegated or assigned to it by the council". The vice-chancellor is the chair of the senate.

1.3.6. University institutional forum

An institutional forum is a university stakeholder forum with a sole purpose of advising the university council on issues of transformation and institutional culture (CHE, 2004: 76). The broad principles of co-operative governance are given practical expression through the interaction of each institution's council, senate and institutional forum (Hall et al., 2002).

1.3.7. Comprehensive university

This institutional type refers to the kind of higher education institution/university in the South African HE context offering both university degree-programmes and vocational work-related programmes.

1.3.8. Effective university governance

In the context of South African comprehensive universities, the term "effective university governance" shall refer to how university councils through their institutional governance mechanisms of structures systems and cultures function with university senates and university institutional forums in providing effective university governance that is fit for purpose and context as modes of effective university governance in comprehensive university environments. The attribute of effective university governance shall be measured against the goals of HE transformation mentioned in the White paper of 1997. The goals of the HE transformation of the White Paper of 1997 include the following;

1. *Equity and redress* with reference to fair opportunities both to enter higher education programmes and to succeed in them.
2. *Development* with reference to conditions that facilitate the transformation of higher education system to enable it to contribute to the common good of society through the production, acquisition and application of knowledge, the building of human capacity and the provision of lifelong learning opportunities.
3. *Democratisation* This concept implies the different conditions that facilitate the transformation of the system of higher education. It will also refer to the different ways how individual institutions are being democratic, representative and participatory; characterised by mutual respect, tolerance and the maintenance of a well-ordered and peaceful community life.
4. *Quality* with reference to maintaining and applying academic and educational standards, both in the sense of specific expectations and requirements that should be complied with, and in the sense of ideals of excellence that should be aimed at.
5. *Effectiveness* with reference to an effective system or institution that functions in such a way that it leads to desired outcomes or desired objectives.
6. *Efficiency* with reference to an efficient system or institution which works well without unnecessary duplication or waste, and within the bounds of affordability and sustainability,
7. *Academic freedom* with reference to absence of outside interference, censure or obstacles in the pursuit and practise of academic work.
8. *Institutional autonomy* with reference to a high degree of self-regulation and administrative independence with respect to student admissions, curriculum, methods

of teaching and assessment, research, establishment of academic regulations and the internal management of resources generated from private and public resources.

1.4. Aims of the study

This study seeks to explore factors that could contribute to effective university governance in comprehensive universities in South Africa by exploring the role of institutional structures, systems and cultures of university councils. It looks at the unique ways of how governing bodies of higher education institutions in particular contexts are responding to contextual institutional challenges; the contextual institutional environments influence the ways higher education institutions are governed, their processes of (strategic) goal-setting in systems and institutions, the structures and processes through which individuals/groups influence decision-making processes and modes of executing and implementing decisions. More specifically, it aims to contribute to an understanding of why and how the university governing bodies in comprehensive university contexts execute effective university governance.

Thus the overarching question addressed by the study is: In what ways does the current architecture of university councils contribute to or limit the effectiveness of governance in South African universities. This main question can be divided into four sub-questions and sub-topics:

a) What are the institutional structures of the university councils? How do the different empowered institutional stakeholders at the university council perceive these aspects as contributing to effective institutional governance practices in comprehensive universities?

b) What are the institutional systems of the university councils? How do the different empowered institutional stakeholders at the university council conceptualize these aspects as enhancing effective institutional governance practices in comprehensive universities?

c) What are the institutional cultures of the university councils? How do the different empowered institutional stakeholders at the university council conceptualize these aspects as facilitating or not facilitating effective institutional governance practices in comprehensive universities?

d) What are the forms and modes of effective university practices that could be developed from the data?

The first sub-question looks at the different institutional components that constitute the institutional governance structures of the university council. It sought to understand how the different institutional structural components of the university council have been used to bring about certain modes of effective governance in particular contexts. In particular, it explored how the activities of different institutional stakeholders at the different levels of the institutional structures are being used to deliver on expected effective university governance priorities. This question has been put forward because university councils as organizations have structures which consist of various components like size, professional bureaucracies, composition and complexity. These components have roles they play in the running of university councils as organizations. Thus this study sought to explore how these internal structures of university councils are being used to bring about effective university governance in the context of South African comprehensive universities.

The second sub-question seeks to find out the different institutional components that constitute the institutional governance systems of the university council. In particular it sought to understand how the different institutional systemic components of the university council have been used to bring about certain modes of effective governance in particular contexts. It explored how the activities of different institutional stakeholders at the different levels of the institutional systems are being used to deliver on expected effective university governance priorities. This question is of interest because university councils as organizations have systems as drivers. These systemic components of university councils have unique activities they coordinate in the running of university councils as organizations. Hence this study sought to explore how these systems of university councils are being used to bring about effective university governance in the context of South African comprehensive universities.

The third sub-question looks at the different institutional components that constitute the institutional governance cultures of the university council. In particular, it sought to understand how the different institutional cultural components of the university council have been used to bring about certain modes of effective governance in particular contexts. It looked at how the activities of different institutional stakeholders at the different levels of the institutional culture are being used to deliver on expected effective university governance priorities. This question has been considered as part of this study because university councils as organizations have organizational cultures which consist of values, beliefs, norms and ideology. These cultural components of university councils have orientations and positions

they provide that foster the running of university councils as organization. Thus this question sought to explore how these cultural components of university councils are being used to bring about effective university governance in the context of South African comprehensive universities.

The fourth question was developed because university councils in the institutional hierarchy of higher education institutions have been charged with the steering of universities. In the South African HE context they oversee the university senates and institutional forums. However, to meaningfully contribute to effective governance of universities in the context of managing this institutional relationship, they need to be built upon strong pillars of institutional effectiveness through their structures, systems and cultures that can empower them to effectively add value to their institutions. Thus this study seeks to explore the forms and modes of practices that are being used to bring about effective university governance in the context of South African comprehensive universities.

1.5. The rationale

The study of university governance has potential epistemological and theoretical significance. Epistemologically, the study is useful in three ways; firstly comprehensive universities in South Africa have complex contexts and traditions which demand effective governance practices from the governing bodies of such institutions. These universities were set up to address issues of student opportunity, mobility, diversity, accessibility, responsiveness and the strengthening of applied research. The demand for higher education has put strain on many HEI systems as they struggle to find the most appropriate ways to provide it. If they succeed in their struggle, they will address the complex demands of our developing economy: an economy shaped by local needs and the pressures of globalisation that have made knowledge, its reconfiguration and its application the keys to economic well-being (Department of Education, 2002: 24). However, it is clear that these institutions cannot achieve this mandate without coordinated partnerships, either with industry, civil society or the state. Hall et al. (2002) argue that what is currently missing in the discourse on HEI governance is the recognition of the legitimate roles of the state, civil society in steering the public HE system to bring about effective institutional governance practice, while also recognising the rights of individual institutions to autonomous governance over their central business of research, teaching and learning. The complex and diverse comprehensive university context brings with it new forms of knowledge relating to university governance.

Secondly, from a political perspective, the study will examine how university governing bodies could be equipped, through their structural, systemic and cultural frameworks, to address the challenge of setting coherent parameters for their multiple functions. It is hoped the study will contribute to policy debates and discourses on institutional governance by exploring how the state and civil society can co-operate to bring about effective institutional governance practices, despite their different agendas.

Thirdly, from a social perspective, the study hopes to help the governing bodies of comprehensive universities to evaluate how to enhance the potential synergy that comes with merging institutions. This issue poses challenges: in any merger, those university councils affected may wish to preserve some aspects of their existing institutional cultures or lose some. Moreover, any merger exercise should promote the character and ethos of the new institution. Mergers need to be handled with care and problems may manifest themselves because staff in the merging organizations have different views on many issues such as the length of the working day, duration of terms and vacation times, and attitudes towards status and authority.

Fourthly, Hall et al. (2000) claim that the National Council for Higher Education (NCHE) and the 1997 White Paper on HE provide some detail about the functions and powers of governance structures, but are silent on the role and the functions of management. Crucially they are silent about who must drive and be accountable for transformation in the South African HE system. Thus, this study seeks to contribute to this discourse on what the comprehensive university councils are doing to promote the institutional transformation processes. You have not said anything in relation to the methodological significance you signposted in the opening sentence. If there is none, then don't highlight it and then not mention it in the text.

1.6. The theoretical approach adopted in the study

The study adopts a multi-theoretical approach with emerging possibilities for theory development, and of new ways of understanding what could possibly constitute effective university governance in particular institutional contexts. Higher education environments are often changing; as a result, the use of existing theoretical frameworks may not be able to provide conclusive understanding to the ever-changing social realities in the field of university governance.

This study used the following concepts as an organizing framework: “structures of university councils”, “systems of university councils”, “cultures of university councils” and “empowered individuals” or “groups of individuals”. These concepts are developed from a multi-theoretical (pluralism) approach and a variety of competing theories/perspectives are being brought to bear on the framing of effective university governance by governing bodies. This study makes use of these organizing concepts within a unique form of a micropolitical framework developed on the work of the following writers: Blasé (1998) on micropolitics, Bourdieu (1996) on species of social capital, Foucault (1991) and his concept of “circuits of power” located within social critical sociological perspectives which foreground interests, power and power relations as mediators and sometimes drivers of human interactions (Cross & Naidoo, 2011: 518).

1.7. The methodological stance adopted for the study

The use of a multi-method approach in the study indicates the new possibilities for new ways of gathering information and knowledge in complex fields. In higher education institutions, there are different actors with multiple playing fields for decision-making. Hence research using multi-methods needs to understand and be versatile enough to appreciate the fluid and multi-dimensional aspects of the university governance processes at the university council.

The study used a sequential exploratory mixed methods research paradigm (Creswell, Plano Clark et al., 2003) in the collection and analysis of the data in a case study (Smith, 1978, Stake, 1997; Yin, 1994, 2003) of one comprehensive university. The collection of data involved the use of document analysis (Payne & Payne, 2004), face-to-face in depth interviews (Corbetta, 2003; O’Leary, 2005) and surveys (Groves et al, 2004).

A total of 331 useable survey forms were received from the students and staff from the university. The study had two separate survey instruments for the university students and the university members of staff. The survey included four major components: (a) demographic information; (b) university council structures; (c) university council systems; and (d) university council cultures measured on a 5-Point Likert-type scale (Keith & Punch, 2009).

1.7.1. Validity and reliability of the study

The use of documents, interviews and surveys within a single project provided spaces to explore useful and confirm linkages between the emerging patterns of evidence from the data. The study used theory triangulation which involved the use of multiple perspectives to

interpret a single set of data and methodological triangulation which involved the use of multiple methods to study effective university governance by university councils in a comprehensive university. The reliability test for the instrument was done using the Cronbach Alpha coefficient (Nunnally & Bernstein 1994; McIver & Carmines, 1981; Spector, 1992).

1.7.2. Limitations of the study

The study had limitations to grapple with which includes the following; the study had to deal with variations of sample sizes which had potentials to influence the study. Secondly, the researcher had to grapple with missing values in the data from the survey instruments for the university students and university staff as addressed in the methodology chapter.

1.8. Thesis statement

University councils operating in comprehensive higher education contexts are able to provide effective governance through the amicable use of their institutional governance structures, systems and cultures.

1.9. Structure of the thesis and chapter outlines

The thesis is divided into nine chapters as explained below:

Chapter 1 has provided an introduction, definition of key terms, theoretical framework, the research aims and focus of the study, an overview of the methodological framework, study rationale, the thesis statement and structure of the thesis.

In chapter 2, the thesis surveys the institutional context for the study by a setting of the scene for a clear understanding on the conditions that validate effective university governance. It develops an argument on how, at the systemic level, there are several institutional contexts that have been influential in determining the modes of effective governance by institutions governing bodies. It argues that in the South African HE sector, the state at the systemic level has and is a major actor and player in university governance arrangements with diverse institutional responses. The thesis examines the different processes that were involved at the institutional level of the restructuring for effective university governance by the university council at the University of Venda. It develops an argument that after 1994 the University of Venda experienced a series of institutional crises after which the university council at the institution level took a series of governance mechanisms to restructure and bring about effective governance.

The chapter 3 related literature is reviewed. The literature review is categorised into two major distinctions. The first categorisation is seen in chapters 2, 3 and 4. These chapters addressed foregrounding issues in a narrative upon which understanding and framing of the institutional governance structures, systems and cultures as instrumentation for bringing about effective governance are developed. The second categorisation is seen chapter 5, which basically address conceptual and theoretical issues. The second categorisation of the literature review is divided into four sections. The first section addresses the question on origin of university governance and argues that an institution history greatly determines how institutions perform in terms of effectiveness. The second part of the literature review seeks to explore the fundamental values of the university and posits that the institutional value of a university significantly influences how institutions perform in terms of effectiveness. The third part of the literature review seeks to explore the changing nature of the different models of university governance in relation to the nature of university governance in South African higher education context. The section develops an argument that the model of university governance was modelled from Britain.

In chapter 4, the thesis presents a thoughtful perceptive of the theoretical framework that was used in the study. It presents a multi-theoretical framework approach to the understanding of effective university governance.

Chapter 5 demonstrates the kind of research methodology that was used in the study. It argues for a mixed method research paradigm located mostly within the interpretative paradigm for clear understanding of effective governance.

In chapter 6, the thesis grants an indulgent perceptive of how the university council as a governing institution of the university through its institutional structures at the university council level are contributing to effective institutional governance practices in comprehensive universities. It develops an argument that at the institutional structural level of the university council, there is a strong influence by the different layers of empowered institutional stakeholders in coordinating university council activities as regards to the administration of institutional power in the hierarchies of power in the university council, regulating the size of the university council, assigning the different roles of the members of the university council, committees of the university council, the different processes of becoming a member of the university and its committees.

Chapter 7 gives an in-depth scrutinization of how the university council as a governing institution of the university through its institutional systems at the university council level are contributing to effective institutional governance practices in a comprehensive university context. It develops an argument that at the institutional systemic level of the university council, there is strong influence by the different layers of empowered institutional stakeholders in coordinating university council activities as regards to the accessibility, engagement, and systems compliance levels of the university council.

In chapter 8, the thesis reveals an insightful clarity of how the university council as a governing institution of the university through its institutional cultures at the university council level are contributing to effective institutional governance practices in a comprehensive university context. It develops an argument that at the institutional cultural level of the university council, there is strong influence by the different layers of empowered institutional stakeholders in coordinating university council activities as regards to trust, responsive epistemologies, and diversity cosmologies, institutional branding, and listening to others.

Chapter 9 gives an astute perspective of the different emerging modes of university developed from the findings of the study. It argues that there are inimitable modes of university governance practices being developed by HEIs in challenging conditions that are fit-for-purpose as best practices.

Lastly, chapter 10 provides the conclusions to the study that have theoretical, methodological and implications for further studies. It presents an emerging model of university governance known as the structural systemic- cultural model. This model of university has embedded governance practices at structural, systemic and cultural institutional governance levels of the university council that are fit-for-purpose as best practices in challenging higher education conditions like comprehensive HEIs.

CHAPTER 2: THE UNFOLDING OF THE HIGHER EDUCATIONAL INSTITUTIONAL CONTEXT

2.1. Introduction

In order to judge the effectiveness of university governing councils, it is important to understand the different institutional contexts they are operating in. This chapter explores the three dimensional regimes of institutional contexts, namely, the pre-apartheid, apartheid and post-apartheid eras and using the University of Venda as a case study, it looks at how these contexts have directed the course of effective university governance. It develops an argument that these different contexts laid institutional foundations of the modes and forms of university governance practices prevalent across the institution and adopted by the institution governing body.

The institution's contextual histories are the institutional fundamentals for institutional effectiveness upon which institutions are erected to accomplish. According to Melluci (1989), there are two divisions of context, namely, social-structural conditions and conjectural conditions. Melluci (1989: 49) looks at the differences between these two types of contexts as the division between elements of a permanent and synchronic logic of a given social structure, and elements which emerge as temporary variations of its functioning in a diachronic perspective. Since structure is not what we see daily, this implies that the structural features are long term and permanent while conjectural ones may be short term and temporary (Ndileleni & Maphosa, 2013: 176). According to Melluci (1989: 49-50), this distinction 'allows one to separate the analysis of the (long-term) pre-conditions of action from the (short-term) factors activating specific forms of collective mobilisation'. In relation to this, the University of Venda was born out of a number of historical circumstances and conditions that were at play that led to the founding as an institution for higher education.

According to Ndileleni and Maphosa (2013: 176), it is important to explore the persistence and existence of these conditions as long-term. One reason is that 'doing justice to the reality of history is not a matter of noting the way in which the past provides background to the present; it is a matter of treating what people do in the present as a struggle to create a future out of the past, of seeing that the past is not just the womb of the present but the only raw material out of which the present can be structured' (Abrams, 1982: 80). Similarly, Keane and Mier (1989: 4) state that institutions and people operate 'within the framework of

possibilities and constraints presented by the institutions of our complex societies'. Context is the environment in which higher education takes place. This environment is marked by the social, political and economic climate of a country at a particular time in the country's history (Ndileleni & Maphosa, 2013: 176). It is in this perspective that the study tries to explore the three forms of institutional contexts university governance was exercised.

2.2. Colonial inheritance of university governance

The University of Venda was set up in South Africa in 1981 after a metamorphosis of conscious historical political developments that South Africa is still grappling with. South Africa was colonised by the British who eventually founded the first universities there. The creation of universities during the colonial period should be seen in the context of decolonization, which occurred between the conclusion of the Second World War in 1945 and 1960. In the absence of credible indigenous bureaucratic elite who could have ensured that the newly independent nations would continue to remain within the West's sphere of influence, the colonial powers turned to university education as a method for creating such an elite. However, they did not have indigenous models of university education within the colonies, so they turned to models from their respective countries (Betts, 2004; Duara, 2004).

University development was thus shaped by the policies of each colonial power. For instance, the British policy was based on a metropolis/satellite or dominant/subordinate relationship. Colonial subjects were meant to serve the interests of the mother country and university education was geared toward the goal of producing graduates who would do just that. Conversely, French policy was based on assimilation. This policy aimed to leave the masses uneducated and to groom a select few as *évolués*, who were co-opted as upholders of French culture and colonial rule, and encouraged to complete their education – and to feel more at home – in Paris rather than Africa. In essence, the French colonial territories in Africa were considered an extension of France in every sphere of society including education. Belgian policy differed from the French and British and concentrated on basic education, that is, primary education, with no provision for university education except for males preparing for the priesthood (Ajayi, Goma & Johnson, 1996).

The model of university education used by colonial powers emerged out of a model heavily influenced by religious institutions, specifically medieval European Christian churches. During the Middle Ages, Western Europe was confronted with problems of underdevelopment and social fragmentation. Even so, the religious groups that founded and

shaped European universities did not articulate a clear societal mission to address these problems. Hence, there was a social disconnect between the universities and their social environment, which lead to the notion of the university as an 'ivory tower' wherein reflection becomes an end in itself (Craig & Spear, 1982).

Venda-land was the last northern frontier to be brought under colonial rule in the 1890s. Independent chiefdoms were subjected to new mode of operation since the penetration of the colonial rule. Two to three decades before the colonial subjugation, the region was deeply penetrated by missionary enterprise of the Germans and Swiss (University of Venda, 2013). Martin et al. (2002: 20) argue the first colonial universities established in South Africa, such as the South African college and the university of the Cape of Good Hope were dependent on the university of London for their emerging university governance structures whose modes of organization were influenced by Scottish universities. In these 'pre-1992 universities[1]' the university councils were the dominant decision-making authorities and the university senates were basically concerned with academic matters. But these governance institutional mechanisms were slow moving, unresponsive, traditional, rigidly structured, and collegial. This arose from the existence of strong senates with the balance of power being in the hands of professional academics, even when the council was defined as the dominant decision-making authority (Ackroyd & Ackroyd, 1999).

However in colonial South Africa, the British colonial state prior to World War 2 considered HE to be a privilege exclusive to white settler society. Governing bodies of the first colonial universities then were purely white configured. Thus the continued denial of HE to Africans made it an important demand of the broader struggle against colonial domination (Ade Ajayi, 1996). In South Africa, during the initial decades of colonial rule, the colonial state refused to provide education for Africans. Christian Missions established primary schools and later high schools which explains why the German and Swiss missionaries in Venda land could not envision opening up any universities.

However in Britain, changes in the university governance systems led to the emergence of 'post-1992 universities'.[2] In these managerial institutions, Ackroyd and Ackroyd (1999) argue that university staff was regarded as employees of a corporation rather than members of the university. These universities were established by law and their legal title is University of

[1] Pre-1992 universities are traditional universities in Britain established after1992 with traditions and histories which characterized how they are governed.
[2] Post-1992 universities are managerial universities established in Britain after 1992.

X Higher Education Corporation (HEC) in much the same way as a company might be entitled Company X plc. The corporation was the governing body, normally called a board, and it is a small body by comparison with the councils of the older universities. It is these governors who were regarded as members of the corporation. Boards were in fact made up of a maximum of 25 members, although many are smaller, with a minimum membership of 12. Membership was strictly categorised into independent, co-opted, staff and student members. It is possible that the governing bodies of these universities could contain no staff and no students, although in practice this is not usually the case. The vice-chancellor was normally a member of this body with full voting rights. In general terms, the management and governance arrangements of post-1992 universities were associated with institutions that were responsive, innovative in curricula, decisive, concerned with targets, budgets and the bottom line. They have devolved and decentralised operations by strong, central, corporate coordination and control. The balance of power was in the hands of senior managers rather than professional academics (Ackroyd & Ackroyd, 1999). At this point, it is important to emphasise that these institutional governance changes reflected in the exiting colonial HEIs prior apartheid regime as these institutions relied on the Scottish universities for their modelling of university organizational leadership and management.

Nearly a hundred years after the establishment of the first universities for whites, a university for black South Africans, Fort Hare, was established in 1916. The University of the Cape of Good Hope, the first white HEI, functioned as the administrative examining board, similar to the University of London, for the colleges of the Cape. These colleges were preparatory high schools for the colonial elite who went to Europe for university education. These early colleges inspired the establishment of universities. The South African College (SACS) founded in 1829 evolved by 1918 into a fully recognised university, the University of Cape Town. Afrikaner elites determined to establish their own university as part of their nationalist cause and conflict with the English, opened Victoria College in 1865, renamed Stellenbosch University in 1918 (Ade Ajayi, 1996; Cooper, 2001). Following the settlement of English immigrants in 1820, Rhodes University was established in the Eastern Cape. A School of Mines University in Johannesburg followed the mining revolution on the Rand. It opened in 1895, and became in 1922 the University of the Witwatersrand. The federally organized University of South Africa (UNISA) had branch colleges around the country, serving these as the examining board, and from the 1930's onwards these affiliated colleges became independent universities, resulting in the Universities of Natal, Pretoria, Potchefstroom, and

Free State (Ade Ajayi, 1996). All these institutions, save Fort Hare, served the white ruling classes.

2.3. How university governance was exercised during the apartheid era

When the Nationalist Party government assumed power in 1948 the number of black students enrolled at universities stood at a mere 4.8% (Badat, 1991: 48). This low number was typical for colonised Africa. The colonising administrations were reluctant to provide education to Africans. Eventually, primary education was grudgingly provided, yet Africans were consistently denied access to higher education. The ruling elites feared that higher education would produce anti-colonial and anti-racist resistance sentiments.

Instead of denying university education to blacks by relying on the admissions policies of the established white universities, the apartheid state embarked on a determined policy to create universities for the variously state defined ethnically classified black groups. The Bantu Authorities Act of 1959 played a critical role in matters of governance of the interior and affairs of homelands. The white establishment of the National party designated the region a homeland, a home and the land for the exclusive use of the land for the Venda people. This implied that Venda people would not have access to any other land in the republic as their home (University of Venda, 2013). These new universities, the 'bush colleges', were designed to serve as valuable instruments in the over-arching 'grand apartheid' political project based on the creation of pseudo independent states in the African 'tribal' reserves (Horrell, 1968). The University of the North was created for Sotho, Tswana, Venda, Tsonga speakers and the Transvaal Ndebele (Horrell, 1968). The University of Venda was set as a branch of the University of the North on 18 February 1982, one of the last universities to be established in South Africa. The apartheid government made no settlement grant available for the erection of buildings and the purchase of essential equipment for the smooth operation of a university. The University of Venda opened its doors in 1982 in the buildings on the ground of the Dimani Agricultural High School in the Tshivhase territory (University of Venda, 2013).

According to Horrell (1968: 119), the architecture of the black universities was revealing. It 'consisted of a balance between new, modernist buildings that, in the context of historical deprivation would attract new students and certainly impress their parents, and tactically designed to prevent, undermine and control possible student protest. The Administration buildings assumed prominence, almost always near the entrance of the university, but also

providing a strategic space from which to assert its panopticon-like eye throughout the campus' (Horrell, 1968: 119). The senior positions at the institution were given to faculty from the Afrikaans universities or high-ranking civil servants in the Department of Bantu Affairs. 'At the University of Venda the majority of staff were white, the vice-chancellor and principal was white, the registrar academic, the registrar finance, the registrar administration were white, the director personnel, the director public relations and development were white, the assistant director technical services, the assistant registrar finance, the assistant registrar and planning were white, the university librarian was white, all heads of departments and deans of faculties were white, only a few junior lecturers and teaching assistants were black (University of Venda, 2013: 4). Generally, the entire teaching staff came from the Afrikaner institutions.

Most of the teaching faculty and staff tended to be politically conservative, card-carrying members of the ruling party, and vigilantly displayed a policing, authoritative, and demeaning attitude towards the students. The key personnel in the University Council and senior management level were entirely white. They appeared to the students as the direct representatives of the state on the campuses. Black academics were in a difficult position. Occupying positions of some respect in apartheid-created institutions, they were caught in the middle between the growing radicalisation of students and the watchful eye of the university management. Besides, they had their own struggles and frustrations as black academics in deeply discriminatory university contexts. Some identified with the political demands of the students. Others were passive participants, as is always the case in such situations, wanting to get on with their jobs without getting involved in 'politics'. The more militant black consciousness activists looked upon this group suspiciously, unless they took a visible stand against the university authorities or identified with the emerging student and community politics (Badat, 1998; Van den Berghe, 1987; Horrell, 1968: 119).

The emergence of the black universities marked an important change in the characteristics of white domination. There was a break with the historical exclusionary practice of ignoring black demands for access to higher education and relying on the elitist white universities (all of which patterned themselves on the British elitist model of higher education) to admit qualified black candidates. These practices resulted in an insignificantly small number of black students in higher education, a small minority that, despite its heroic efforts, could hardly make a major social, political and cultural impact on the black community experience.

The new colleges broke the institutional foundations of this type of narrow elitism. A 'mass-based' elitism unfolded, an elite that was more likely to impact on the community at large followed the increased numbers of black students in universities with black students from different backgrounds and different parts of the country. Interestingly, the De Wet Nel Commission to draw up the Separate University Bill consciously worked with the notion of creating an elite that would identify with its own ethnic group, what Horowitz calls 'ethnic entrepreneurs' (Nkomo, 1984: 60) The commission saw the role of the black universities as encouraging each student 'to play an active part, and train them in all facets of the process of development of the life of their group. The students should be the pioneers in the whole process of civilizing the 'ethnic group concerned.' (Nkomo, 1984: 60) The elite that eventually did take form distanced itself vehemently from all notions of ethnicity (especially at the political level), and instead embraced the idea of a larger community, the undivided oppressed group.

By the early 1970s the established black universities in the Transkei, Bophuthatswana, and Venda Bantustans were forecasted to legitimatise, reproduce, and constitute, especially among the elites, identities and social relations of race and ethnicity. If successful, this project would divide the black majority into many minorities, weakening both the physical majority and the political, moral argument for democratic majority rule in an undivided South Africa. The racial differentiation of universities comfortably replicated the racial organization prevailing in society. Society resembled an inflexible hierarchical structure, modelled like a pyramid with a minority classified as whites at the top and a large majority of blacks categorised by state policy into Africans, Coloured and Indian "groups" at the bottom. The Coloured and Indian groups were deliberately and controversially positioned to constitute what Van den Berghe calls "middle-man minorities" (Van den Berghe, 1987). Notwithstanding the verbal claims of administrators at the English language universities to have opposed apartheid policies, the application of racially restrictive admissions criteria established by state policy and vigilantly policed at university level helped produce universities for Whites, Africans (divided into separate language groups), Indians, and Coloureds.

Like other historical black universities in South Africa, the University of Venda was set up to serve black people particularly Venda speaking people. It was intended to be a Venda homeland institution to train and upgrade teachers' academic qualifications, to provide an educated elite with managerial skills necessary for the emergence of entrepreneurs who could

establish manpower needs to assist the development for the Venda homeland in the fields of agriculture and business – "shumela venda" translated as work for Venda. Venda was also a developing state which needed administrators and civil servants. By then civil servants were recruited from the ranks of the teaching profession. It was felt that specialised training in law and public administration was required for the orderly functioning of the state and society (University of Venda, 2013). While the low numbers of black students at the white universities dropped further, the development of the "bush colleges" increased the number of black students studying for higher degrees. Against the background of calls to boycott these institutions at first and despite the courageous sacrifices of certain individuals refusing to support "apartheid institutions", black students slowly and anxiously filtered into the new black universities. The students, given their poor schooling preparation in the natural sciences, the availability of many more programmes in the humanities and education fields and in many cases no programmes in the natural sciences at all, concentrated in the humanities and education fields (Badat, 1998: 3).

In the eight years between 1960 and 1968, student numbers increased by 91 at Fort Hare, 524 at the University of the North, 327 in Zululand and 513 at UWC. Essentially to legitimise the apartheid project, the ironic effect was that more black students were taking HE degrees than anytime previously (Badat, 1998; Van den Berghe, 1987; Horrell, 1968: 119). Although starting at a very low figure in relation to the white student population and in relation to the proportion of blacks making up the total South African population the black student population increased with each year after 1960 (actual number, relative to the total student population). Interestingly, if one accepts the claim by Cooper and Subotzky (2002) that South African higher education experienced a "revolution" in black student admissions to higher education institutions in the 1990's with increases from 32% in 1990 to 60% in 2000, the increases between 1960 and 1968 at the bush colleges will also constitute something of a "revolution" because at the University of the North, Zululand and UWC, black student numbers increased by 83% over the period.

The state succeeded in steering students to the universities designated for the ethnic group to which they were classified (Badat, 1998). The state was apparently aware of the danger posed by the increased numbers of black students entering universities. It suspected the possibility of student protest. The looming contradiction here is best comprehended in terms of the ideological trade-off that existed. There certainly was the goal, value and hope that the new institutions would inculcate an intense ethnic identity and consequent identification of

students with their ethnic "homelands". This was too important a need, almost a structural imperative of the political order. Yet also evident was the caution and worry of political cooperation and mobilization across institutions, which the state sought to prevent by repressing dissent at every turn. It located these universities in rural settings, far from centres that might attract students to critical cultural and political activity. The idea was to keep a distance from "politics", to have students narrowly focus their attention on their studies without them asking broader questions about apartheid society; the state assumed that political activism was only really attributable to the urban context. Interestingly, as a consequence the University of the North was located 18 miles from Pietersburg, the main urban centre in the then Northern Transvaal (Horrell, 1968). The University of Venda as when it broke up from the University of the North was set up rural location in Thohoyandou in Vhembe district of the Limpopo province 30 miles from Pietersburg (University of Venda, 2013).

2.4. The state of university governance in the post-apartheid era

In 1994, South Africa's first democratically elected government inherited a HES characterized by racial divisions and inequities. The country's 36 universities and technikons (technical colleges) had been intended, in the terms of apartheid's social engineering, to provide different and unequal educational opportunities across four major racial categories. Further distinctions had been drawn between English and Afrikaans media of instruction, and by ethnic division, with institutions founded to serve nominally independent "homelands" (Bunting, 2002; Cooper & Subotzky, 2001).

South African universities had emerged as sites of renewed struggles to overcome the ethos and structures inherited from the apartheid educational agenda. Immediately after 1994, HDIs began experiencing sporadic outbreaks of similar institutional crises. Black institutions were embroiled in a vortex of student revolts, management ineptitude, unstable university councils and senates, and a general failure of the leadership of universities and technikons to effectively manage this instability (DoE, 1998 1999, 2000). Under a post-apartheid regime this was not only a political embarrassment but development crisis (Habib, 2001). This led to a rapid rewriting of legislation allowing government to not only launch several commissions of inquiry but also appoint a series of administrators for the interim management of these unstable institutions.

The CHE (2004: 175) argues that after 1994, two key themes can be discerned with respect to developments in HE governance that were consistent with policy imperatives which emerged at this time, namely, responding to the twin challenges of social and economic transformation, and globalisation. First, HE governance had to be transformed in order to break the apartheid mould, and this was done in order to meet newly formulated national goals of equity, democratisation, responsiveness and efficiency. Second, South African HE governance had to be re-integrated with global trends. While these priorities co-existed, changes in South Africa were driven in the first instance rather by local political considerations than by neo-liberal economic policies. This is in contrast to HE reform movements in many other parts of the world – for example, the Americas, Europe, and Asia – where quasi-market approaches have been chosen as a means to achieve alignment of accountability and control over HE (CHE, 2004). In these countries, HE has been deregulated and resources competitively allocated, using mechanisms such as incentives and performance funding.

Consequently, the need for the new government to create a single, national, integrated system of higher education was acute. Bearing in mind the political realities on the ground that the state was grappling with how to achieve these goals, it had to devise ways of how best it could be involved in the HES through various mechanisms ranging from state control, state supervision, state interference and state intervention. As a consequence, a shift from state control to state supervision had to be promoted because of a belief that HE would perform better with the state in a supervisory rather than controlling role. In South Africa, however, the market was not relied onto correct the injustices and imbalances of apartheid, nor was there a belief that change at individual institutional level would result in a coordinated, equitable and efficient system. Instead, transformation was to be driven by stakeholder participation under the auspices of a supervising state (CHE, 2004; Moja & Hayward, 2000).
In this early phase of South Africa's social, political and economic transformation, the touchstone for achieving consensus was the notion of a social contract between all stakeholders, whether the system in question was education, housing, health and welfare, or the other major domains in which the state has a primary interest. The goal was the suspension of sectoral interests in the broader cause of reconstruction and development, thus seeking to resolve the campus conflicts that were disabling HE across the country. The Commission also wished to move forward rapidly in transforming institutions, and in

instilling improved management practices without violating academic principles (Moja & Hayward, 2000).

2.4.1. Cooperative governance

Hall and Symes (2005) argue that the National Commission conceptualised cooperative governance as a version of the 'state supervision' model already well tried in a number of other countries. In this model, the government is 'an arbiter who watches the rules of the game played by relatively autonomous players and who changes the rules when the game no longer obtains satisfactory results' (NCHE, 1996: 199). Hall and Symes (2005) observe that the National Commission shaped this approach to take account of particular characteristics of the South African HES, including weak integration, poorly developed planning and regulatory structures, and low levels of mutual trust. This philosophy of cooperative governance was recognised in the government's baseline policy and legislation for the governance of higher education – the 1997 White Paper and Higher Education Act (Republic of South Africa (RSA), 1997a, b). The White Paper emphasised that the goals and challenges of South African higher education – and higher education transformation—must be pursued within a social justice frame and following a cooperative process. In pursuing cooperation and partnerships in governance, the White Paper cited the need to:

> … reconceptualise the relationship between higher education and the state, civil society, and stakeholders, and among institutions … The principle of democratisation requires that governance of the system of higher education and of individual institutions should be democratic, representative and participatory and characterised by mutual respect, tolerance and the maintenance of a well-ordered and peaceful community life. Structures and procedures should ensure that those affected by decisions have a say in making them, either directly or through elected representatives. It requires that decision-making processes at the systemic, institutional and departmental levels are transparent, and that those taking and implementing decisions are accountable for the manner in which they perform their duties and use resources. (RSA, 1997a, sections 1:13, 1:19)

Hall and Symes (2005) observe that the White Paper made it clear, however, that this emphasis on reconceptualised relationships did not mean that all participants in governance had equal authority and responsibilities. In this respect, Hall and Symes (2005) posit that the 1997 policy was already a departure from the National Commission's perspective of the previous year. At the system level, Hall and Symes (2005) further argue that cooperative governance was rather to be understood as a system of delineated powers and constraints that

remained hierarchical, while incorporating checks and balances designed to preserve the degree of institutional autonomy necessary for academic freedom in teaching and research. The principle of academic freedom was seen as one of the primary checks of the system: as a fundamental right of the South African constitution, academic freedom signified 'the absence of outside interference, censure or obstacles in the pursuit and practice of academic work' (RSA, 1997a, section 1: 23).

Hall and Symes (2005) note that the 1997 policy and legislation were clear that the state, in the form of the Minister of Education, is at the head of the hierarchy of authority and responsibility. The White Paper specified that the government should have a 'proactive, guiding and constructive role' in HE (RSA, 1997a, section 3:7). Hall and Symes (2005) say that it was also clear that this role justified direct intervention in the interests of ensuring transformation or preventing mismanagement: 'there is no moral basis for using the principle of institutional autonomy as a pretext for resisting democratic change or in defence of mismanagement.' Hall and Symes (2005) argue that indeed, the policy specified that the state had an obligation to intervene in such circumstances, in the interests of public accountability: 'institutional autonomy is therefore inextricably linked to the demands of public accountability' (RSA, 1997a, section 1:24).

Hall and Symes (2005) note that the White Paper interpreted public accountability as comprising three imperatives. First, institutions must account for their expenditure of public funds. Second, universities and technikons must make public the results they have achieved in spending public money. And third, institutions should demonstrate how they have met national policy goals and priorities (RSA, 1997a, section 1: 25). Hall and Symes (2005) argue that taken within the context of a commitment to cooperative governance and institutional autonomy, this meant that the minister cannot intervene on a whim; intervention could only be justified on fiduciary grounds, or if a public higher education institution is evidently not pursuing the policies for tertiary education which form part of the government's mandate.

The White Paper is explicit about this and says:

> … it is the responsibility of higher education institutions to manage their own affairs. The Ministry has no responsibility or wish to micro-manage institutions. Nor is it desirable for the Ministry to be too prescriptive in the regulatory frameworks it establishes. Diversity and flexibility are important aspects of institutional responses to varying needs and circumstances. It is only in extreme circumstance that the Minister of Education, as the responsible representative of the elected government of the country, would

> consider intervening in order to assist to restore good order and legitimate governance and management in an institution. (RSA, 1997a, section 3:33)

At the system level, this meant elaborating a particular relationship between principles of public accountability, institutional autonomy and academic freedom. First, government would adopt a state steering role – i.e. instead of controlling all aspects of HE from the centre, it would delegate to the institutional level authority over inputs and resource use, while demanding accountability for outputs. Hall and Symes (2005) argue that the 1997 Higher Education Act provided the minister with a number of instruments with which to steer the tertiary sector. The major consultative mechanism is the Council on HE and, in particular, its annual consultative conference. The minister determines, in consultation with the Council on HE and with the concurrence of the Minister of Finance, policy on the funding of public HE, and allocates public funds to public higher education on a 'fair and transparent basis' (RSA, 1997b, section 39). Hall and Symes (2005) reasoned that the minister may investigate the affairs of an institution directly if there are indications of 'financial or other maladministration of a serious nature', factors that 'seriously undermine the effective functioning of the public HEI', or, more generally, if such a direct investigation is in 'the interests of higher education in an open and democratic society' (RSA, 1997b, sections 44, 45, 47). Hall and Symes (2005) further argue that the 1997 Act also gave the minister more extensive powers to establish a higher education institution, to 'merge two or more public higher education institutions into a single public higher education institution', or to close an institution after consultation with the Council on HE (RSA, 1997b, sections 20, 23, 24). Hall and Symes (2005) lamented that while policy and legislation established the minister as the head of the system of higher education governance, linkage between autonomous institutions and the state does not take the form of direct accountability to the minister, or to Parliament.

Hall and Symes (2005) argue that, as a consequence, the University and technikon Councils, as the supreme governing bodies of institutions, were made accountable more broadly to civil society and Councils retain their linkage to the state through their fiduciary role. Hall and Symes (2005) posit that while the Act required that 60% of Council members be external, and that up to five be ministerial appointees, individual institutions are thereafter given considerable latitude to determine from which constituencies external members are drawn. External members of Council reflect a range of backgrounds, equity profiles, competencies and perspectives, but do not act on Council as mandated stakeholder representatives. To this

extent, South Africa has followed the tradition of the English-speaking world, vesting trusteeship in lay members of governing boards that represent the public interest.

Cooperative governance, then, was established as a form of state supervision that relies on a political mode of coordination based on the participation of diverse stakeholders within a hierarchical system of authority, and with formal constraints on the exercise of power (Cloete, 2002). Using a system of state supervision, the state would drive the transformation of HE, while respecting academic freedom, being transparent and avoiding the micro-management of institutions. Autonomous HEIs would work in a range of cooperative partnerships with a proactive government and with others – including national stakeholder bodies, regional HE associations, student bodies, business, trade unions and others.

Hall and Symes (2005) posit that over the years, it is clear that the Ministry did not regard cooperative governance as a success. The Plan asserted that 'voluntarism … has failed to encourage institutional collaboration', and that policy has been undermined by the competitiveness of individual institutions (RSA, 2001b, sections 1.3, 6.4). Hall and Symes (2005) laments that this viewpoint was expressed in the context of a string of legislative interventions in the preceding years. The 1999 Higher Education Amendment Act had allowed for the appointment of an Administrator to a higher education institution if an audit of its financial records, or the report of an Independent Assessor, were to reveal 'financial or other maladministration of a serious nature at a public higher education institution or the serious undermining of the effective functioning of a public higher education institution'. Hall and Symes (2005) laments that initially limited to an appointment for two consecutive six-month periods, a further amendment in 2001 allowed an Administrator to be appointed for two years or more (RSA, 1999, section 6; RSA, 2001a, section 15). Other amendments had allowed the minister to direct the policy and practices of an individual institution by direct intervention.

Hall and Symes (2005) notes that the Higher Education Amendment Act of 2000 allowed the minister to 'determine the scope and range of operations' of a university or technikon 'in the interests of the higher education system as a whole'. More specifically, Hall and Symes (2005) laments that an additional amendment in the following year allowed the minister to define 'the physical location of an institution ...where the institution carries out its teaching and research activities' (RSA, 2000, section 2; RSA, 2001a, section 24). Lest there be any ambiguity, the National Plan made the state's position quite clear: the Ministry will not …

hesitate in certain limited circumstances to intervene directly in the higher education system in order to ensure stability and sustainability … Equally, the ministry will not hesitate to intervene to ensure the implementation of national policy and transformation goals should this prove necessary … The Ministry is acutely aware of the delicate balance that requires to be maintained between institutional autonomy and public accountability. It is committed to maintaining this balance. The Ministry believes that the solution to finding the appropriate balance must be determined in the context of our history and our future needs. The Ministry will not however, allow institutional autonomy to be used as a weapon to prevent change and transformation (RSA, 2001b, section 1.5).

CHE (2005: 176) states that while formal responsibility for higher education, and for the allocation of resources, would remain with the national Department of Education (DoE), a statutory Council on Higher Education (the CHE) was established. CHE (2005: 176) claims that the CHE was conceived as an independent, expert body to give strategic advice to the Minister of Education on matters of higher education policy, in order to support the effective transformation and development of the system. CHE (2005: 176) reasons that this special role was seen to make the CHE the logical locus of responsibility with respect to external quality assurance (QA), alongside state responsibility for planning and funding the system. It can be noted that this conception of the CHE combined two intermediary bodies proposed by the NCHE: an advisory council and a HE forum, so 'collapsing' expertise and institutional interests into one body. In addition, the location of QA responsibility within the CHE – which links it tightly to policy development processes – is unlike other national systems.

As cooperative governance was implemented, it became evident that agreement in principle between actors did not always translate into unity in practice. At system level, the state, through the *National Plan* in 2001, gave a strong signal that in its view voluntary initiative on the part of institutions to transform had been insufficient, had yielded little, and that the period of consultation with respect to institutional restructuring was over. This prompted it to adopt a stronger version of state steering than the cooperative governance model had premised. Accordingly, the *National Plan* marked a new watershed in policy development as it turned the spotlight firmly upon policy goals and change implementation strategies, including a revised funding framework to place an emphasis on student throughput, rather than enrolments; central determination of institutional programme and qualifications mixes for funding approval, subsequently given effect through the Programmes and Qualifications

Mix (PQM) exercise of the DoE in 2002; regional-level programme collaboration and rationalisation; and restructuring through a process of mergers and incorporations.

Additional indications of a stronger steering model being adopted by the state became apparent in a series of amendments to the *Higher Education Act* (every year since 1999) which gave the minister powers, for example, to appoint an administrator in troubled institutions (1999), to determine the seat of an institution (2001), and to set limits on institutional capital expenditure and overdrafts (2000). Hall and Symes (2005: 200) argue that before 1994, the claim to legitimacy for government policies in higher education rested on meeting the interests of the white minority. Governance arrangements directed student participation, resource allocations and research funding to this end, and defied international trends. After 1994, the legitimacy of government policies has been founded in a discourse that stresses the interests of all South Africans. Shifts in governance arrangements, that in turn frame policies for increasing equitable participation in higher education and for achieving outputs considered appropriate for a developing economy, reflect an interpretation of the appropriate relationship between the state and individual institutions.

The defining trend in governance over the past decade has been a systematic increase in direct state control over higher education. For many, this has been counter to expectations. Many educational institutions had been focal points of opposition to the apartheid state through the 1970s and 1980s and many believed that the post-1994 higher education sector would be shaped around the model of the liberal South African university, with a high degree of institutional autonomy (particularly in the use of funds and the determination of the curriculum) and a national Department of Education that would apply a light hand in steering the public higher education system.

These expectations are reflected in the work of the National Commission on Higher Education (NCHE) set up soon after the first democratic government of 1994, and reporting in 1996. The National Commission introduced the key concept of 'cooperative governance', seeking broad participation with commonly held objectives. Cooperative governance was intended as a system in which autonomous HEIs would work in a range of partnerships with government and other stakeholders. Given the assumed willingness of partners to set aside vested interests for the common good of public higher education, contested issues would be broached through negotiation rather than conflict. Soon after the publication of the National Commission's report, however, government began to move away from the stakeholder

concept, and to buttress, via legislation, its primary role in steering the higher education system. The central aim was institutions could gain conditional institutional autonomy if the university councils did effectively govern the institutions sufficiently well and if the university councils failed to govern the institutions well institutional autonomy would be waived.

2.4.2. Institutional responses

CHE (2005: 176) claims that institutions reacted to these developments with trepidation, believing they detected intensification in the degree and scope of state steering which impinged directly on guarantees of institutional autonomy. CHE (2005: 176) points out that among some stakeholders the emphasis of policy appeared to be moving away from democratisation, equity and redress in favour of an emphasis on efficiency and responsiveness. CHE (2005: 176) further observes that at the institutional level, failures of 'unity in practice' were evident and a range of reasons were advanced for this. Firstly, it seemed there might be two distinct notions about democratic priorities in institutional governance. One view held that the priority was to increase the participation of previously excluded groups in institutional governance structures. The other held that the role and functions of governance structures themselves must change to support transformation. Secondly, even though the *White Paper* and *Higher Education Act* provided some detail on the functions and powers of governance structures such as the council, senate and the institutional forum, they were silent on the role and functions of management; and, crucially, on who must drive and be accountable for transformation. Finally, neither the NCHE nor the *White Paper* predicted that there would be an almost immediate demand for efficiency in the higher education system – given that immediate massification did not occur and enrolments actually dropped after the mid-1990s. Efficiency improvements in response to this pragmatic reality required strong measures to reduce expenditure, led to staff retrenchments, and generated conflict in a number of institutions in the late 1990s. These implementation problems did not completely hinder the transformation of institutional governance structures; in addition, governance capacity-building efforts within the sector, such as those implemented for the DoE by the Centre for Higher Education Transformation (CHET), the South African Universities Vice-Chancellors Association (SAUVCA) and the Committee of Technikon Principals (CTP) provided much-needed support in some cases. By 2001, HEIs had by and large restructured their primary governance structures in line with new legislative requirements and thus accomplished representative structures. In a number of institutions the

restructured councils had played central roles in the appointment of vice-chancellors within institutions.

On the other hand, some developments had been less positive and ran the risk of marginalising academic, student and staff participation. Choices made by HEIs to reconfigure their senates tended to be uneven, and there was an uneasy sense that the central role of the academic sector in governance was being eroded. The implementation of institutional forums had been slow and/or ineffective and, across the board, there appeared to be a lack of clarity and some tensions regarding the functions, role and accountability of the major governance structures. As an example, there was some contestation around the appropriate role of the institutional forum, with some stakeholders believing it should adopt the kind of direct role in policy-making that was played by the 'broad transformation forums' convened as a support to legitimating council governance prior to 1994. The Act in fact stipulates an *advisory* role and not an authoritative one for institutional forums. In three HEIs (the universities of Fort Hare, the North and Transkei) governance had collapsed altogether, prompting the minister to request a report in each case by an independent assessor, and followed by the appointment of an administrator to fulfil the governance functions of disbanded councils.

Key reasons for governance collapse in these cases included:

- Council failed in its fiduciary role and exhibited weakness by abdicating decision-making power inappropriately.
- Stakeholder groups wielded influence inappropriately and outside the bounds of a properly-constructed institutional forum – either through co-option in terms of patronage, or through inappropriate attempts to dominate the governance process.
- Senates were marginalised.
- The relationship between council and executive management broke down, with significant attribution to failures or abuses by senior leadership, with the breakdown being largely attributed to the failures or abuses of senior leadership (CHE, 2005).
- In May 2001, the Minister of Education requested the CHE to initiate an investigation and advise him on the state of cooperative governance in HE. Commissioned research culminated in a policy report by the CHE in May 2002. In essence, the investigation concluded that the vision and principles underpinning cooperative governance needed to be reconceptualised in order better to align with practice; and that consistent good governance at institutional level needed to be promoted through specific revisions to

the policy and legislative framework, as well as continued capacity-building efforts (CHE, 2005).

2.4.3. What was happening at Venda University?

The strong winds of change started in September 1992 when the university Council started taking decisions which made life difficult for both staff and students. The university Council expelled the white vice-chancellor, suspended the registrar academic and the director public relations and the situation on campus was tense. There was a serious boycott by staff, followed by a march to the government to demand the resignation of the university Council. Community based structures such as the African National Congress, the Pan Africanist Congress, the Azanian Peoples Organization, the Parents Committee, the South African Council of Churches, the South African National Civic Organization and many other external structures were approached to intervene. In 1993 a meeting, later called the Broad Transformation Committee, decided that the university Council should be dissolved and the Committee would become the interim governing structure. Its mandate was to see to it that a new transformed university Council is put in place and that all other existing campus structures be transformed. The Broad Transformation Committee was disbanded in 2000 to make way for the Institutional Forum (University of Venda, 2013).

With the advent of democracy in 1994, and with a new leadership at the helm, University of Venda embarked on a process of accelerated transformation. The new vice-chancellor addressed the low research output, almost unemployable graduates and putting the university on the international map. Management was also faced with the challenges of linking the university to the socio-economic condition of its own environment, without which University of Venda would not survive the rationalisation of tertiary institutions in South Africa envisaged by the national government. The middle of 2005 marked a crisis that left the institution with a leadership vacuum without a vice-chancellor and a deputy vice-chancellor (University of Venda, 2013). The university Council appointed an interim management team to take charge of the university's affairs. The mandate of the new team was to help the university reach consensus around academic direction, heal the divisions among the institution's community and to revise the institutional operational plan for ministerial approval and implementation.

2.4.3.1. The underpinning discourses for effective university governance

The university council, considering its institutional position and circumstances, had to choose the best option to following to bring about effective governance. The following options for the restructuring of the university were deliberated upon.

i) State strategies with cooperative governance in practice
ii) The market strategies.

2.4.3.1.1. State strategies with cooperative governance in practice institutional level

In order to drive the institutional restructuring process to achieve the desired goals the university council needed the cooperation of all stakeholders affiliated to the institution. CHE (2005: 176) points out that, at the institutional level, cooperative governance meant a set of institutional structures and processes which would enable differences to be negotiated in participative and transparent ways, and would support governance principles of democratisation, effectiveness and efficiency. The university council had to devise ways on how best to work with the different stakeholders from the senate and institutional forum.

Most critically, institutional governance would comprise a university council and a senate in a bicameral relationship. The university council would fulfil fiduciary and oversight responsibilities in the public interest, and would include external members in order to do so effectively. The senate, comprising a majority of professional academics, would be accountable to the council for the academic and research functions of the HEI. An institutional forum would be constituted as a representative stakeholder.

Hall et al. (2002: 32) argue that, in particular, the principal stakeholders must take appropriate roles: government as one of the stakeholders involved at the University of Venda "had to exercise its powers in a transparent, equitable and accountable manner and in a discernible pursuit of the public good", and had to take into account "the social, cultural and economic needs and concerns of all potential (direct and indirect) beneficiaries of higher education" (Hall et al., 2002: 32). The state was expected to permit "the maximum degree of practicable autonomy" and show a "commitment to consultation and negotiated solutions to problems" through taking a "proactive, guiding and constructive role" (Hall et al., 2002: 32). The managers of institution were expected to show "a willingness to interact and establish relationships with a wide range of partners" (Hall et al., 2002: 32). They had to be responsive to national and regional needs, and had to promote a favourable institutional environment.

The Staff members, that is, the teaching and non-teaching staff at the institution, were expected to exercise responsibility by showing "dedication to the values of higher education and a readiness to serve these values with academic integrity, in a spirit of independent and critical thinking" (Hall et al., 2002: 32).

The academic work had to "be open to scrutiny and will be voluntarily subjected to the measures of quality assurance that prevail in the system" (Hall et al., 2002: 32). The university staff at the institution "would give priority to the different learning needs, the academic progress and the personal well-being of all the students entrusted to their educational care and guidance". Students "have legitimate expectations and demands which should be met while recognizing that the potential benefits of higher education offer a privilege which carries its own responsibilities. Students "would have a role to play in the facilitation, and orderly continuation and transformation of academic programmes" (Hall et al., 2002: 32). In addition, external stakeholders would have legitimate interests in higher education. Such external stakeholders would comprise "all the sectors and segments of a civil society that is knowledge-driven and knowledge-dependent" (NCHE, 1996: 1177-1178).

2.4.3.1.2. The market strategies

The University of Venda is faced, as are all South African universities, with the challenge of becoming a viable entity that is driven by a business model that fits the university's specific strategic objectives. This includes not only financial viability but also academic excellence in strategic areas that will lead to the attraction of high quality students and staff who will increase academic throughput resulting in greater subsidy income. As a public institution, the University of Venda is a custodian of assets that include land, buildings, equipment, tuition fees, central and local government funds, private donations and other resources entrusted to its management. However, this custodian role goes beyond due diligence, efficiency and effectiveness in managing resources. It also includes strategic planning, redeployment and investment through the process of achieving its ideal size and shape in terms of national and institutional imperatives and goals. Resource optimisation means making decisions with a long- term, often multi-generational, perspective.

The market strategies are based on a business case model for universities. It is grounded in the captivating rationale of corporate efficiency, in reaction to the criticisms that public universities are poorly managed or fiscally inefficient and on the assumption that modelling

on corporate governance can redress these deficiencies (Duryea & Williams, 2000; Mingle, 2000).

2.4.3.2. The restructuring strategy for effective university governance

In July 2005 the university Council at the University of Venda adopted a decisive turn-around strategy for the university and appointed an interim management to deal primarily with the then prevailing leadership crisis. The state of degradation of the physical infrastructure exacerbated the low morale of the campus community. The physical campus was in a shocking state of disrepair as a result of neglect and poor maintenance over many years. The hostels were unfit for human habitation and the ICT infrastructure was weak and run down.

This strategic plan was being guided by both internal imperatives (new vision and mission and the statute of the University of Venda) and external imperative, including the Limpopo Province Growth and Development Strategy and legislative imperatives like the Constitution of the Republic of South Africa (1996), The South African Qualifications Authority (SAQA) Act (1995), the White Paper on Science and Technology (1996), the Higher Education Act (1997), the Education White Paper 3: A Programme for the Transformation of Higher Education (1997), the National Plan for Higher Education (2001), the National Student Financial Aid Scheme Act 56 (1999), the Human Resource Development Strategy (2011), the Education White Paper 6 on Inclusive Education (2001), the Restructuring of the Higher Education System in South Africa (2002), the new Institutional Landscape for Higher Education in South Africa (2002), the Higher Education Qualifications Framework (2007) and the Higher Education Amendment Act (2008). This strategic plan is committed to grow the university into a quality driven, financially sustainable comprehensive university. The objective of this strategic plan is to firmly position the University of Venda as a catalyst that promotes the growth and development strategy of the region and the nation as a whole. The University of Venda's turnaround strategy was made up of four legs:

i) The recovery plan
ii) The new campus development plan
iii) Designing an institutional vision and mission
iv) The restructuring of institutional governance mechanisms.

2.4.3.2.1. The recovery plan

This involved substantial infrastructural renovation and renewal following the 2006 grant from the minister in the amount of R159,7 million which was spent on ICT infrastructure and development and on infrastructural renovation of buildings and services. The recovery plan actually comprised two distinct but related parts – a management plan to address the need for a new vision and mission and to deal with the systemic management problems and the physical renovation of the campus, including the ICT system (University of Venda, 2014)

2.4.3.2.2. The new campus development plan

In essence, the University of Venda student numbers doubled between 2000 and 2005. The total headcount enrolment in 2000 was 5,162 students of whom 19% were first time entering undergraduates and 8% postgraduates. In 2005 the headcount enrolment was 10,497 of whom 29% were first time entering undergraduates and 8% postgraduates. In fact, between 2002 and 2004 the first time entrants grew by an average of 38%. The University of Venda Campus was built for a student headcount of about 5000. So by 2005 it was already 50% under-resourced in terms of carrying capacity. Renovating the physical campus was therefore only one part of the solution. The University required new lecture theatres, additional academic and administrative accommodation, and more library space. Once it was agreed with government that the University of Venda's headcount enrolment should be 10,500 students, the University submitted a new campus development plan to the minister in June 2007 and a grant of R207 million was made available for the new infrastructure projects. (University of Venda, 2014)

2.4.3.2.3. Designing an institutional vision and mission

In the role out of its plan of action in 2006, the university council as part of its turnaround set out to design an institutional vision that would drive the institution. It came out with a vision statement 'To be at the centre of tertiary education for rural and regional development in Southern Africa'. In order to actualise this, the university council came out with a mission statement entitled 'as a comprehensive institution, the University of Venda offers a range of undergraduate and postgraduate qualifications in fields of study that is responsive to the development needs of the Southern African region, using appropriate learning methodologies and research (University of Venda, 2014).

2.4.3.2.4. Restructuring of institutional governance mechanisms

As part of the restructuring plan of the university, the university council engaged in series of measures aimed improving university governance practices in the university. These included the following;

- **The restructuring of the university council**

The restructuring of the university council was in line with national restructuring of all higher education institution governance's structures, systems and cultures as expected from the Higher Education Act (1997). This would also mean that each university council in every university restructure its own committees of the university council. The purpose of the restructuring of the committees of the university council was aimed at bringing efficiency and effectiveness to the university council in its discharge of its governance role to the university.

- **The restructuring of other stakeholder institutional structures**

The institutional restructuring process would require the university leadership restructures its major other institutional governance bodies for effective university governance as per the demands of the post-1994 transformation agenda for HE. The focus would be on the restructuring the university senate and institutional forum.

- **The restructuring of the university senate**

The university senate would advise the university council on all academic activities, enabling it to control and manage all activities of the university. The university relates with all the university staff through their staff structures in their various categories–academic, administrative and service staff representatives. The university senate has a code of conduct and a code of ethics to guide relationships between the university staff members and the university.

- **The restructuring of the institutional forum**

The institutional forum set up by the university council could advise the university council on various activities as requested. The functions of the institutional forum were to advise the university council on issues affecting the institution, including-the implementation of the Act and the National Policy on Higher Education, race and gender equity policies, the selection of candidates for senior management position, the code of conduct, mediation and dispute resolution procedures, the fostering of an institutional culture which promotes tolerance and respect for fundamental human rights.

The members of the institutional forum were elected from internal and external constituencies. These constituencies were represented by three of their members in the forum. The following constituencies had members in the institutional forum; the university council, the university management, senate, academic staff, administrative staff, service staff, university convocation, Student Representative Assembly and other three additional members. All the participants in the university forum were expected to act on behalf of their constituencies.

- *Implications for the restructuring of the university senate, institutional forum and the university council*

The restructuring of the other major institutional governance bodies by the university leadership would have diverse institutional governance implications that the university leadership within its institutional contests would have to grapple with in trying to bring about effective university governance. These would include the following:

- *Leadership governance*

The university council would take the full leadership responsibility of providing effective university governance to the university. This would involve being in charge of the financial health of the University. In order to attain this task, university council would have to develop and determine its own institutional governance structures, systems and cultures to facilitate the processes of providing effective university governance. The head of the university council would not be the vice-chancellor instead a university council chair the council proceedings.

- *Regulated university senate*

The university senate would not be in charge of the leadership governance of the university. Instead, its roles would be restricted to guiding the university council on matters relating to academic leadership and excellence at the university. The reduction of the institutional governance power would imply that the university senate would not direct the university council on what to do to bring about effective governance at the university. Instead, a participatory institutional governance strategy would have the university senate send its representatives to the university council to contribute to debates in the university council on issues relating to academic governance in the university. The institutional governance structure, in terms of its composition, roles, and other terms of reference, would be determined by the university council through the university statue. The vice-chancellor would lead the university senate. As the leader of the university senate, the vice-chancellor would be

well acquitted with the activities of the university senate and be in a position always to have the wishes of the university senate in the university council.

- *Advisory*

The university council would set up an institutional forum at the university. The activities of the institutional forum would be restricted to advising the university council on institutional matters of transformation. The moderation of the institutional governance powers would imply that the institutional forum would not direct the university council on what do to bring about effective governance at the university. However the regulation of the institutional governance powers of the institutional forum has been a contested issue with the institutional forum demanding more institutional powers in the university.

According to Hugo (1998: 15) "the main problem following in the wake of the establishment of transformation forums is their relationships with exiting university councils and senates". The request for institutional governance power is due to the need from different institutional stakeholder members of the institutional forum to be directly involved the leadership governance activities at the different senior leadership levels in the university. Hugo (1998: 15) argues that the state has made it clear that these forums cannot take the place of exiting governing bodies:

> Even if the representitivity and legitimacy of governing bodies are contested by some stakeholders [an acutely understand version of reality], such bodies must continue to exercise all their statutory responsibilities, including the management of the institutions financial affairs and staff appointments, while the contested issues are being negotiated in the institutional forum [letter from Minster Bengu, 21 April 1996]

This contestation often plays out at the university council with the different members of the institutional forum wanting to exert more gratuitous weight on the university leadership and to act on its perceived interest constituent ideologies and modes of institutional governance.

2.5. Restructuring of the management structure

2.5.1. The new organizational design

An appropriate senior management structure would be necessary to support the transformation from a standard university to a comprehensive university. This included not only financial viability but also academic excellence in strategic focus areas that will lead to

the attraction of high quality students who will increase academic throughput resulting in greater subsidy income.

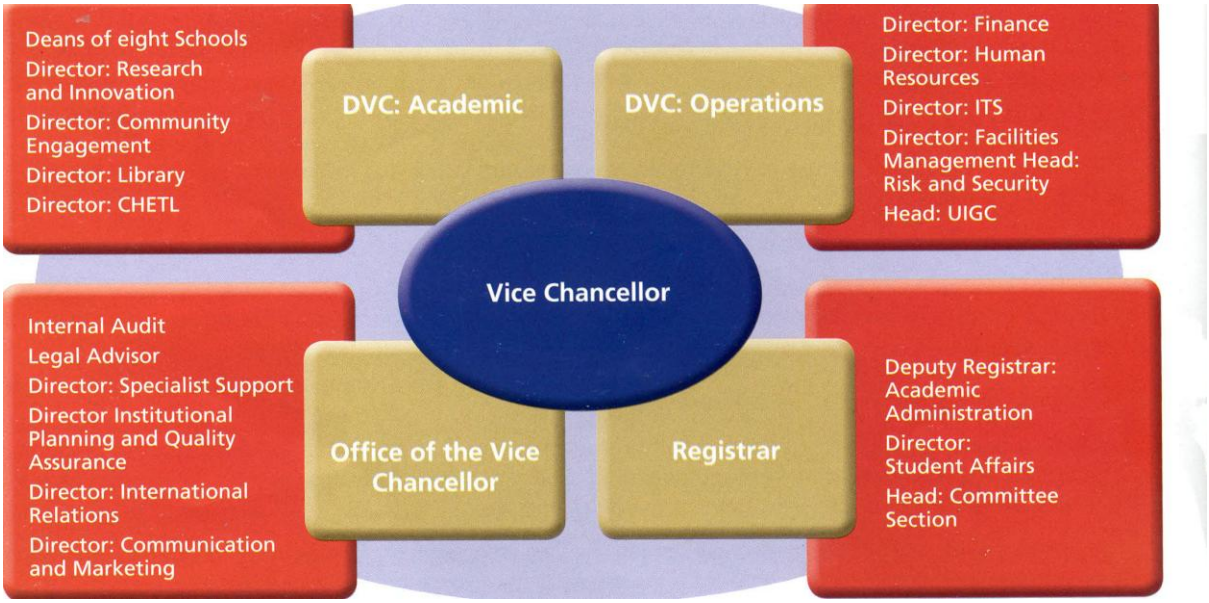


Figure 1: The organizational structure of the University of Venda, as adopted from the University of Venda (2014)

As mentioned earlier, as a public institution, a university is a custodian of assets that include land, buildings, equipment, tuition revenues central and local government monies, private donations, and other resources entrusted to its management. However, this custodian role goes beyond due diligence, efficiency, and effectiveness in managing resources. Based on the above premise and the need to create an effective cost efficient institution a top and senior management structure was approved by Council. This was expected to assist the university council achieve its goals of effective university management. Thus in order to be able to meet the university governance performance goals of the university, the council developed an organizational structure that would spearhead the governance and leadership of the institution

2.5.2. Implications of the restructuring of the management structure

The restructuring of the university management structure would the following institutional governance implications to the university context.

2.5.2.1. The rise of performance management

The concept of performance management in HEI refers to the overall mission or higher ends the institution aims to achieve. Performance management was introduced as a system or package of formal and informal mechanisms with a sole aim of meeting the institutional visions and goals of effective institutional transformation; effectiveness, efficiency, equity and redress development, quality, democratisation, academic freedom, and institutional autonomy. These performance mechanisms introduced were tightly coupled, that is, they were highly interdependent and logically related through all the institutional governance structures, systems and cultures. However, the process of attaining this is an on-going process of unfinished business of institutional transformation. Franco-Santos et al. (2014: 19) argue that performance measures are a means to better understand the extent to which higher ends are achieved. Means should not become ends especially when means are a poor reflection of ends. When this happens, dysfunctional behaviours that might not be immediately visible are likely to occur. There is no such thing as one size fits all regarding performance management (Franco-Santos et al., 2014: 22). At the University of Venda, the senior management and the university council had to design their own performance systems taking into consideration their history, context, location, size, culture and resources.

2.5.2.2. Dependence on the top-down approach for institutional change

In order for the university council to realise its objectives of bringing about institutional transformation as institutional effectiveness it had to create an efficient senior management team to spearhead the process. The senior management team had to guide the university council by taking the lead, participating and coming up with a management strategy from the development and recovery plans to assist in the bringing about a much desired institutional turnaround. The emergence of managerialism as a weapon of institutional transformation at this time was inevitable as the university management had to grapple with the issue of reducing state funding on one hand and pressing institutional needs as per the goals of institutional transformation that if not meant would gravitate and, complicate institutional

governance at the university. As a consequence, this has continued to raise questions of what extent are institutional management approaches suitable for the post–apartheid higher education legacy contexts.

According to Trow (1994), there are two management approaches, namely, soft and hard management styles that could be applicable to the higher education field that the senior management faced at that time. Soft management attempts at applying management techniques in order to run institutions more efficiently and effectively but still see HEIs as distinct from businesses, and governed by their own norms and traditions. Similarly, Middlehurst and Elton (1992: 253) are of the view that HEIs can be business – like (in the way they run a number of their operations) without having to become businesses. This is contrasted to the hard approach to managerialism where institutional management has to resolve to reshape and redirect the activities of their institutions through funding formulae and other mechanism of accountability imposed from outside the academic community, management mechanisms created and largely shaped, for allocation to large commercial enterprises (Trow, 1994: 12).

Kulati (2000) argues that histories have thus shaped the approaches to managerialism with the South African HEIs. The regulation of HEIs by the state raged from weak supervision to state control. Similarly, the way institutions were governed and managed largely mirrored their role and relationship to the apartheid state. Former HDUs like the University of Venda had to make use of the highly centralised and autocratic management practices inherited from the apartheid and forge a way forward in terms of transforming these management tendencies.

The structural location of the University of Venda located in a distant rural town of Thohoyandou in the Limpopo province a project of the apartheid machine gave birth to structural conditions and complexities associated in terms of being a Bantustan university. Consequently, the university management had to forget ‘management as usual’ of ‘even the management styles of HWU institutions if ever they were or have to survive in the higher education field. Habib (2001: 12) postulated that in similar circumstances the senior management would have to innovate, specialise, and reorganize and thereby create a niche market for the institution that would enable it to survive as a an equal academic player in the new completive higher education arena in the post-1994 South Africa.

Habib (2001: 12) further observes that in similar circumstances the senior management would have to bear in mind that structural conditions that make HDUs are prone to crises, but they do not make the collapse of these institutions inevitable. A skilled leadership management team, according to Habib (2001: 12) with an appropriate vision, managerial ability, and political will may indeed avert institutional crises and collapse. Such a management leadership would have to understand the structural constraints confronting the institution and chart a strategy to overcome these structural constraints. In the case of the University of Venda, Habib (2001: 12) could say that the senior management would have to establish an institutional vision to restructure the institution in way that would enable them to overcome the legacy of poor public perceptions of its academic programs, and, just as importantly free it from servicing only academically disadvantaged and financially poor students. A skilled leadership, as noted by Habib (2001: 12), would have to legitimate itself and unite the various constituencies on the university campus behind this strategic vision, thereby creating an institutional spirit that would promote cooperative governance.

2.6. Conclusion

In conclusion the stage was set, in the post-1994 post-apartheid era, the state of university governance at all the former HDIs and HAIs had to change. The pre-conditions of 1994 had adversely affected the state of university governance in South Africa. The state as a significant stakeholder in education had sufficient grounds to justify its interference. But it's important to note that some of these conditions still persist and continue to haunt the various HEIs in spite of the various forms of state interventions. As a consequence, this has led to contestations between different institutional stakeholders externally and internally over issues of institutional autonomy, academic freedom versus the essence of continuous state interventions in the governance of HEIs as per the goals of HE transformation.

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CHAPTER 3: DEBATES ABOUT EFFECTIVE UNIVERSITY GOVERNANCE

3.1. Introduction

The previous chapters generated a chronological discussion of the role of various institutional stakeholders in higher education. These chapters explored the effect of their activities in university governance processes and particular governing bodies' comprehension. The literature review presented in this chapter emerges from the previous chapters organized around the question of the role of university councils in bringing about effective governance across HEIs grappling with various forms of institutional governance instabilities.

In addressing this question the review discusses firstly, the different conceptual meanings and usage of the following concepts as used in the university governance process; origins, values, models of university governance, university council structures, systems and cultures, empowered individuals / members of the university council, effective university governance.

Secondly, it explores the changing nature of university governance and the institutional responses to these perspectives in the following HEI contexts: internationally, on the African continent and in South Africa.

The literature review argues that in complex HEIs effective governance by the university council is possible through making use of the institutional histories, values, and the model of university governance adopted by that council at institutional and individual levels through its structures, systems and cultures.

Universities, since their inauguration, had to grapple with varying kinds of institutional governance crises. Across the different HES in the different parts of the world these events are institutional realities that governing bodies have to respond to. In the UK Higher education system there is a growing debate among public universities about how to deal with governance crises with severe ramifications to the institutions, students and staff (Trackman, 2008: 77). Similarly, in the post-apartheid South African HE era several HDIs have experienced a vortex of institutional governance crises that persist until at present in different magnitudes. Most universities face crises of confidence in governance at some stage in their evolution (Filler, 1965; Lazerson, 1997; Hines, 2000). According to Trackman (2008) in the UK, US, the British Commonwealth the major governance challenges emerge from having

large governing bodies wrestling with interest groups, financial exigencies owing to state cutbacks or declining local or international enrolments and dysfunctional units within well–governed universities. Many problems arise simply because public universities are constantly in a state of flux and metamorphosis that is in the nature of academic life (Millett, 1978; Corson, 1979; Beach, 1985; Barnett, 1994; Kezaz, 2004). South African HEIs have not been immune to institutional governance crises. In the post-apartheid South African HE era, the major causes of institutional instabilities have been caused as a result of conflict and contestations between the different institutional stakeholders at the senate, institutional forum and the university councils (Hall et al., 2002, Kulati, 2000). Thus how university governing bodies' response to such contextual institutional challenges is fundamental to how effective governance can be attained.

Trackman (2008: 65) argues that frequently perceived governance crises prompt governing bodies to make exaggerated changes in governance models in order to produce radical different results. For instance, such overreaction may protract bad governance practise, as when glitches in personnel and financial systems lead to micromanaged financial systems in which every transaction is scrutinised for irregularities; deficiencies in the management of personnel prompt overzealous reaction; exaggerated efforts at public disclosure, rendering accountability in the public interest into an exuberance that misunderstand the significance of transparent compliance on the public record.

Governance problems may be exacerbated, as when governing bodies over respond to crises or clash over the management of those issues. Equally troubling is the problem of universities dealing secretly with fissures in their governance structures, seeking to shut down the source of the fissure with an incomplete solution rather than dealing with it directly. The result all too often is a lack of openness in applying a governance model to a particular case or an unwillingness to recognise the need to apply that model at all (Mortimer, 1971; Carnegie Commission on Higher Education, 1973, 1982). In the post South African HE, the persistence of these governance crises have led to a series of state interventions to avert the institutional governance breakdown. However, little is known of the successes of the models of state intervention. As result, it has affected the rate and progression of institutional transformation effectiveness.

Hence a one size fits all model of governance does not exemplify good practise (Young, 2003; Edwards, 2006). Conversely, governance problems may be comparable at different tertiary institutions but there is need to avoid replicating bad practise while trying to benchmark good practise (Trackman, 2008: 66). Modelling new governance structures at universities require a sustained commitment to identifying what an institution was, what it is and what it might become (Trackman, 2008: 66). Such modelling ordinarily should be conducted within the framework of a strategic planning exercise, including preparing stakeholders for prospective change (Trackman, 2008: 66). Modelling should be politically informed. Every model of governance has political ramifications that need to be considered without becoming captive to them (Gilmour, 1991b; Trow, 1998; Gallagher, 2001; Pusser & Ordorika, 2001). In the South African HE system there have been steps to introduce transformative models of effective university governance across all HEIs. As a result, the onus to bring about effective institutional governance in each HEI as part of the state policy of institutional transformation processes has been to given the governing bodies in the institutions. However, for the different university governing bodies to bring about effective university governance the following institutional aspects must be considered: institutional histories, values, governance structures, systems, cultures, agencies and context. These concepts as used in the governance process are explored in detail below.

3.2. Conceptual framework

The conceptual framework is aimed at exploring the roles of the different concepts and their usage that is crucial in understanding and contributing to the processes of effective university governance in comprehensive university contexts.

3.2.1. The conceptions of university governance

The concept of university governance has been a subject of study for more than three decades, but the literature has not been conclusive in identifying an authoritative theory of governance (Allan, 1971; Corson, 1960). Richardson (1974: 347) argues that 'there is nothing that can be properly regarded as an accepted theory of college governance.' Reviews of literature on governance generally concede that the term governance is used in a variety of ways and meanings (Rhodes, 1997). According to Kennedy (2003: 67), " … governance is about power and authority, who has it and who does not and in whose interests it is used". More specifically, " … governance is the manner in which power and authority is exercised in organizations in the allocation and management of resources. It involves the enactment of

policies and procedures for decision-making and control in directing or managing organizations for effectiveness" (Carnegie, 2009: 8). However this thinking of governance is subjective as governance is more than just how institutional power is exercised within institutions.

Locke (2001) argues that good governance at university council level rests on three key issues, namely, policy, procedures and oversight. In turn, this requires a well-developed and well-maintained policy framework and architecture of audit committees and oversight procedures for performance, finances, planning and processes. Thus Locke (2001) posits that governance is the process, structure and relationship through which council oversees the functioning of the management, while management strives to achieve the goals of the institution. However, Hall et al. (2002) argue that while such elements are clearly important in any effective system, it seems inappropriate to reduce the complexity of HE management to such a narrow concept. Hall et al. (2002) would appear to prefer Marginson and Considine's (2000) approach to evaluating governance in Australian HE. Governance, they reason, encompasses internal and external relationships, and the intersections between them. Institutions such as universities and their councils are doubly structured, by internal configurations of power, and by their intersection with outside interests.

The concept of good practice in HE governance refers to those actions that are fit for institutional purpose and broadly compatible with professionally recognised standards and practice. In the United Kingdom (UK), the CUC (2004) reasons that the HE sector should be talking about "good principles" and the need for "good process" whenever seeking to review and refine practice. The CUC (2004) identifies four notions of what constitutes good practice in governance. Thus: (i) good practice in governance requires compliance with legal and regulatory requirements of government funding bodies and other stakeholders; (ii) good practice is defined by an agreement on standards and approaches to governance by relevant professional bodies; (iii) good practice is contextual; and (iv) good practice is held to be broadly synonymous with the best practice of relevant comparators. The CUC (2004) concedes that any attempt to define and identify good practice can pose difficulties. The CUC (2004) strongly suggests that there are considerable differences in how good practice in governance is understood and interpreted. Nevertheless, the CUC (2004) emphasizes that there is a general consensus that good practice is closely related to the idea of "fitness for purpose". This implies that what is effective and "fit for purpose" for one HEI may be unsuitable for another. The diversity of universities and their organizational structures,

systems and cultures within them make it nearly impossible to prescribe a one size fits all approach to governance. It follows that there is no absolute "good practice" solution to all governance issues.

3.2.2. Origins of university governance

At this point, the study explores the origins of university governance bearing in mind that the South African HES was based on the Anglo-Saxon model system; this suggests that there are some useful lessons to be learnt from British experiences in HE.

Mora (2001: 97) argues that history of university governance can be broadly divided into three periods. The original university came into being in the Middle Ages and remained largely unchanged until the end of the XVIII century, when the Enlightenment and the French Revolution ushered in the modern university system, which was destined to serve the liberal Nation-State. This system has survived until very recently and what is happening now is the birth of a third model, which could be termed the universal university model.

3.2.2.1. The old university (from the Middle Ages to the enlightenment)

Mora (2001: 97) reports that medieval universities were autonomous corporations of students and masters. They were governed by internal rules set by the academic community itself and protected from the outset by Pope Gregory IX's bull. Despite their autonomy, Mora (2001: 98) indicates that there already existed councils made up of non-academics who dealt with cases of conflict between masters and students. The universities were self-financing, depending for their income on their properties or contributions from students.

3.2.2.2. The modern university (the University of the Liberal Nation-State)

Mora (2001: 98) observes that in Europe the start of the 19th Century was characterised by rise of the Enlightenment and formation of scientific academies and societies; these factors had profound effects on universities. Mora (2001: 98) further notes that this period saw the emergence of the Humboldtian system and the Napoleonic and the Anglo-Saxon models of university governance, each with its own aims and institutional goals. Modern universities are, to a large extent, direct descendants of the archetypal universities of the Middle Ages.

The structure and practices of the medieval university were drawn from the established institutions of the day; the church, the monastery and the guild. From the church was borrowed the idea of the supra-national organization above and beyond parochial interests; a

hierarchy in the form of a chancellor, a rector, a dean; rituals such as convocation; and colourful dress in the form of academic gowns. From the monastery came the idea of separateness: an institution insulated from the practical world, a self-governing community making its own rules and developing its own way of life. From the guild came the concept of a community of individuals bound together by an oath of mutual support and common obedience to elected officials and with authority to select its own members (Ross, 1976: 13).

Thus without a clear understanding of HEI's history, governing bodies may struggle to effectively govern. On the other hand, little is known about how different university governing higher education systems across the world have been able to acknowledge this reality in trying to provide institutional governance therapies to institutional instabilities they are constantly faced with. In spite of this, institutional histories, on a useful note, reveal a lot about institutional values, beliefs and perspectives in the local societies there are located, cultures, systems and governance structure.

3.2.3. Fundamental values of the university

Universities are built upon cherished traditions and values that are treasured over years. According to the Humboldt traditions, universities are supposed to promote teaching and research while remaining autonomous (Boulton & Lucas, 2011). Universities continue to grapple to meet almost irreconcilable demands: to be practical as well as transcendent; to assist immediate national needs and to pursue knowledge for its own sake; to both add value and question values (Barnet, 2011). Such conflicting and unbounded expectations have yielded a wave of criticism over public accountability and responsiveness (Castells, 1991; Logue, 2007). Universities are meant to be producers not just of knowledge but also of inconvenient doubt (Barnet, 2011). Increasingly, universities are being caught in soul search to explore if they have in fact done well enough to raise the deep and unsettling questions necessary for any society. As societies are immersed in a culture of excessive market materialism (Clark, 1998; Ferlie et al., 2009; Olssen & Peters, 2005) debates have emerged whether universities in their research, teaching and writing have done justice to expose the patterns of risk, denial and economic irresponsibility (Bok, 2003; Washburn, 2005). Without a clear understanding of the core values of HE it is a difficult task to steer towards effective governance in such complex changing times in HE.

A dilemma for governing bodies, Boulton and Lucas (2011) concede, is how to uphold these values while at the same time responding to increased demands for public accountability thus introducing a new range of issues that could constitute effective university governance. In addition to changing demands across HEIs, these institutions have had to reinvent themselves in order to be responsive, compliant and positioned. As a consequence, university governing bodies have found themselves to be cosmopolitan and entrepreneurial in their governance approaches in order to survive the changing times of the higher education environment. However, little is known about how far universities and their correspondent governing bodies are willing to go to keep on adjusting their institutional governance values to meet the ever changing demands of the different institutional stakeholders in the HE field. Nowadays, fundamental values of university education have changed or have been reinvented along these lines to claim their institutional spaces in society; a question that strikes the very existence and relevance of university education in a particular context.

3.2.4. Models of university governance

Institutional values strongly influence the model of governance adopted by any HEI. In this section, the study explores models of university governance of particular relevance to South African universities. Trackman (2008: 64) argues that whatever the virtue of a governance model may be in abstract, its functional value hinges on how it is applied in a particular context. The development of particular models of university governance across HEIs are closely linked to a host of factors like institutional histories, values, funding regimes and relationships between different stakeholders located in societies with interest in higher education establishments like the state, business, unions, and faith/ religious movements.

3.2.4.1. Collegial model of university governance

One of the oldest forms of university governance is the collegial mode of governance. This model of university governance is based on the assumption that universities should principally be governed by their academic staff (De Boer & Goedegebuure, 2003: 215). In its ideal form, the model is based on a state-university partnership. On the one hand, academic ‘‘oligarchy’’ is synonymous with the self-regulation of academic affairs by the academic and scientific community in concert with external self-governing bodies (Clark, 1983: 140). On the other hand, the state, through the university councils, remains a potent actor. Thus, the supreme degree of autonomy called for by Humboldt is now constricted by universities’ political affiliation with and financial dependency on the state. However, the protection of

academic freedom and funding by the state enables universities to establish principles and rules of their own without being subject to external design (Olsen, 2007).

In recent times there have been strong debates about the ability of this model of university governance to effectively respond to changing challenges of higher education like institutional instabilities. Debates about collegial modes of coordination in the international scene have covered many topics such as staff participation in institutional governance (Moore, 1975; Strohm, 1981; Gilmour, 1991a; Lee, 1991; Trow, 1998; Miller, 1999). These debates also covered the suitability of academics to lead universities (Pfnister, 1970; Scott, 1995) and examined institutional autonomy, academic democracy (Dewey, 1966; Hall & Symes, 2005; Coaldrake, Stedman & Little, 2003; Keller, 1983), as well as tenure, collegiality, diversity, appointments, the role of staff in building governance structures and finally, strengthening relationships with important constituencies and stakeholders such as unions and students (Plante & Collier, 1989; Kermerer & Baldridge, 1981; Newman & Bartee, 1999; Ramo, 1997, 2001). However, this model of university governance has lost its significance in being able to adequately handle the rapid demands to HE.

This model of university governance is faulted for being slow characterised by inefficiencies and its associated problems of institutional implementation at different levels of the university governance process (Moore, 1975; Strohm, 1981). Consequently, little is known of how this model of university governance in use by the university leadership organizations has been able to be reinvented by the different institutional stakeholders to sufficiently respond to different institutional governance crises university governing bodies have to grapple with.

3.2.4.2. The state-centred model of university governance

Every university leadership habitually would like less state involvement in the running of its university activities. Drawing on Clark's (1983) and Olsen's (2007) classifications, this model conceives universities as state-operated institutions. According to Olsen (2007), the rationale of a state-centred HE system is the implementation of pre-determined national objectives. The state directly coordinates all or most aspects of university council governance in HEIs. University councils are subject to the formal administrative control of the state and granted relatively little autonomy. The state plays the role of a 'guardian' (Neave, 1996, 1998a, 1998b, 2003, 2004) and actively influences internal matters, most notably quality assurance, efficiency and university-business relations (Neave & van Vught, 1991). Most

university councils in HEIs in Africa are state-driven with strong ramifications for institutional practice (Teferra, 2003).

In the HE literature, there are strong debates about the underlying principle for this model of university governance in bringing about effective university governance. Debates on the influence of the state in university councils have focused on issues of institutional autonomy, academic freedom, funding regime politics, staff unionism, student governance, modes of coordination and regulation in terms of state control, steering and intervention (Neave 1996, 1998a, 1998b, 2003, 2004). This model of university governance is strongly opposed in the HE field. Unfortunately, some HES are strongly dependant on the state for institutional survival (Neave, 2004). The state is the biggest funder of HE which places it in powerful position to dictate and strongly be tempted to influence what happens in the university under the premises with ambivalent notions such as 'cooperative governance', 'university transformation', 'value for money', 'accountability', 'stakeholder confidence', 'transparency', 'compliance' and 'conditional autonomy'. This unclear stakeholder behaviour exposes what is little known about the real intentions of the state in the governance of universities. As a result, little is known on how different universities' governing bodies, through their institutional governance operations, are coping, accommodating and grappling with these uncharted relationships without losing the sole essence of being a university.

3.2.4.3. The market-oriented model of university governance

This model of university governance is one of the main models of governance that universities have adopted to sustain their activities in the changing HE environments. Market-oriented models are based on the premise that universities function more effectively when operating as economic enterprises within and for regional or global markets (Marginson & Considine, 2000). University management sees itself in the role of a producer and entrepreneur offering academic services to students. This "entrepreneurial" university model and related notions of corporate governance have come to dominate current discourse (Clark, 1998). Ideas based on New Public Management and private enterprises (for example performance-based funding) enjoy a high status while the forces of competition are intended to enable rapid adaptation to new constraints and opportunities (Ferlie et al., 2009). Unlike in Humboldt systems, information and knowledge are not ends in themselves. Nor are they a public good. University governance is viewed as a commodity, investment, or strategic resource (Olsen, 2007).

In the university governance literature, there have been prolonged debates about the extent to which universities' core business of learning, teaching and research has been overrun and modified following the market ideological approaches to management and governance. Debates about this market-oriented model of governance have centred on performance-based funding, productivity, decision-making, efficiency, accountability regimes, competition and quality (Dimond, 1991). As such, there is much debate about the dangers of treating education as a marketable commodity and at the same time displacing academic distinctiveness in the pursuit of corporate efficiency (Clark, 1983; Bok, 2003; Washburn, 2005). This has led to a lot of uncertainties that have created doubt about the adoption of market -oriented approaches to institutional governance.

3.2.4.4. Trustee governance

Trust governance is not directly concerned with stakeholder representation in governance. Rather, it refers to the manner of governance specifically governance through trust relationships between a trustee board that acts in trust for, and on behalf of trust beneficiaries. This trustee model is articulated structurally through the mechanism of trust duties. In effect, trustee boards have the fiduciary duty to discharge their trust with the utmost good faith towards the beneficiaries of that trust (Jackon & Crowly, 2006). The fiduciary duties of the board and its individual members include exercise of the highest levels of diligence in protecting the trust such as disclosing any factors that might constitute a conflict of interest with that trust (Chait, Holland & Taylor, 1991). Advocates of trustee governance envisage it as providing the assurance that university governors will act for and on behalf of, the university and in the diligent discharge of public trust (Trackman, 2008: 66). Also, trustee governance has particular appeal to those who see university governors as having an *in loco parentis* responsibility towards university students (Trackman, 2008: 66). In reality trustee models of governance remain vague. They also tend to work around the edges of university governance (Trackman, 2008: 66).

3.2.4.5. Stakeholder governance

This model of university draws its inspiration from the distrust developed from the other models of university governance notably the market driven model. A stakeholder model of governance identified variously with collegial and representative governance occurs when governance is invested in a wide array of stakeholders including, among others, students, academic staff, alumni, corporate partners, government and public at large (Baldridge, 1982;

Hill, Green & Eckel, 2001; Longin, 2002). Distinguishable from faculty governance, it invests governance in multiple representatives not limited to academic staff. Differentiated from corporate governance stakeholder governance conceives of governance authorities as broadly representative as distinct from professional and business-focused boards and the stakeholders mandate extends beyond the efficient management and fiscal responsibility of corporate governance boards (American Association of University Professors, 1966; American Federation of Teachers, 2002).

At its most inclusive, Stakeholder governance provides for wide participation by internal and external stakeholders in decision-making beyond the appointment of representatives of a range of stakeholder groups (Alfred, 1985; Gilmour, 1991a; Floyd, 1994; Lapworth, 2004; Currie, 2005). The problem with stakeholder governance is in determining which stakeholders ought to be represented on governing bodies, the manner of their representation and the extent of their authority. At its polarising, stakeholder governance regresses into an ineffective talking shop in which stakeholders falsely assume that they are responsible to the constituent interests that elected or nominated them rather to the university as whole (Alfred, 1985; Gilmour, 1991a; Floyd, 1994).

Despite these deficiencies, public universities generally employ some form of stakeholder governance notably having nominated members of academic staff, students or government representative on their boards. However, they diverge significantly in the composition of those boards, as well as in the authority accorded to disparate stakeholders (Baldridge, 1982; Wolvin, 1991; Leatherman, 1998; McCormack & Brennem, 1999; Baldwin & Leslie, 2001; Gerder, 2001; Tierney, 2001; Gayle, Tewarie & White, 2003). But not so much is known as to why this form of university governance is resented by university leadership in particular institutional contexts while often preferred by others in varying institutional contexts.

3.2.4.6. Amalgam models of governance

This model of university governance is one of the new creations to university governance. Amalgam models of university governance include some combination of academic staff, corporate, trustee and stakeholder governance (Birnbaum, 1991). The amalgam model usually involves a readiness to experiment with innovation in university governance, such as providing for extensive consultation on public interest decisions, varying from equity in admissions to environmental protection. The strengths of the amalgam model of governance are that it is able to incorporate the strengths of different governance models to suit the

specific needs of the university (Dearlove, 1997). However, little is known about how this mode of university governance is being practised. In conclusion, the type of model of governance used by a university council will have a major bearing on that council's effectiveness as a governing body in its HEI.

3.3. The nature of effective university governance

In this section, the emphasis is on the nature of effective university governance. The nature of effective university governance, as previously mentioned, is closely associated with how the different HEIs apply their institutional histories, values and model of governance as an institutional response to their dissimilar institutional challenges. As a result, this review of literature on the nature of effective governance is aimed at the categorisation of different institutional governance challenges that confront HEIs world-wide that university governing bodies have to respond to. According to Kezar and Eckel (2004: 371-399), these aspects are grouped into five subject categories: effectiveness, efficiency, participation, leadership and responsiveness to the environment.

3.3.1. Effectiveness

Effectiveness is the value of achieving a quality decision and is based on competence. It is a reflection of competence and results in good organization (Birnbaum, 1988). Cornforth (2001: 218) reports that widespread concerns about the performance of non-profit boards have led to a growing 'practitioner oriented' literature. Herman (1989) mentions a number of widely agreed prescriptive standards for boards. These include processes such as regular review of the composition of boards and the skills needed, systematic and rigorous board recruitment, information and training for new board members, encouragement of board member participation, and regular reviews of board performance and board member commitment of time.

However, Cornforth (2001: 218) notes that this prescriptive, practitioner-oriented literature has been criticised from two directions. Herman (1989) and Cornforth (1996), for example, have suggested that the gap between prescriptive standards and reality is often as large as to be perceived as unrealistic. Others have criticised the lack of empirical evidence to support these prescriptive models (Jackson & Holland, 1998). As such, there is no defined model of university board composition that is best suited to all institutional contexts. The resort to institutional board prescription by institutions is evidence to this.

Cornforth (2001: 218) reports that since the late 1980s there have been some empirical studies examining non-profit board performance, most notably Chait et al. (1991), Bradshaw et al. (1992), Green and Griesinger (1996), Herman et al. (1997), Jackson and Holland (1998) and Herman and Renz (1998). Nevertheless, Cornforth (2001: 218) concedes that these studies have been concerned with the relationship between three variables, namely, board characteristics, board performance/effectiveness and organizational effectiveness. The conclusions differed quite widely in terms of the board characteristics they focused on, how board performance was measured and the empirical approach taken. Bradshaw et al. (1992) focused on the relationships between board structures and processes and board performance, and between board performance and organizational effectiveness. Chait et al. (1991) sought to identify board competencies or behaviours associated with board effectiveness. Six broad competencies were found. Subsequently a Board Self-Assessment Questionnaire (BSAQ) was developed to assess those competencies. Jackson and Holland (1998) examined this instrument's reliability, validity and sensitivity, and its relationship with organizational effectiveness. Green and Griesinger's (1996) study focused on the relationship between board performance and organizational effectiveness. Herman et al. (1997) examined the relationship between recommended board practices and board effectiveness and between board effectiveness and organizational effectiveness. Herman and Renz (1998) examined the relationship between various factors including board effectiveness and prestige and organizational performance. These studies indicate that of the unpredictable and less known emerging relationships between institutional board performance and institutional effectiveness that institutions are beginning to realise in the institutional governance literature. There are several institutional factors beyond board performance that are instrumental to institutional effectiveness.

Kezar and Eckel (2004) state that several conditions are critical to effectiveness: clarification of roles (Berdahl, 1991; Mortimer & McConnell, 1979; Schuster, 1994), and lateral coordination, informal communication (Lee, 1991), redundancy of function (Birbaum, 1988; Argyis, 1994; Senge, 1990), reward structures (Dill & Helm, 1988; Gilmour, 1991; Mortimer & McConnell, 1979), composition of the governance groups, and leadership, clearer structures for committees (Birnbaum, 1988), promotion and tenure standards that de-emphasize service on most campuses (Gilmour, 1991), appropriate composition and expertise (Dill & Helm, 1988), joint framing of issues and agenda (Lee, 1991; Dill & Helm, 1988), consultation (Mortimer & McConnell, 1979; Dill & Helm, 1988; Lee, 1991; Schuster et al.,

1994), trust or a sense of accountability (Lee, 1991; Schuster et al., 1994), norms and values (Eckel, 2000), agreement on expectations/values and adherence, leadership or leadership, interpersonal dynamics, and group process, group motivation/interest and committee membership (Lee, 1991; Schuster et al., 1994), knowledge of individuals (Dill & Helm, 1988), collective bargaining and shared governance (Baldridge, 1982; Gilmour, 1991; Lee, 1991). However little is known about how institutions are practising these notions to generate institutional effectiveness. In addition, these studies date back several years indicating the need for replication as higher education is often changing.

3.3.2. Efficiency

Efficiency is the value of obtaining greater outputs (results) with fewer inputs (resources) and doing so with dispatch, avoiding the delays and quagmire of endless committees and meetings that are often viewed as the curse of traditional academic governance" (Schuster et al., 1994: 195). In governance scholarship, Kezar and Eckel (2004) claim that efficiency has been a primary focus because management processes are constantly being scrutinized for their speed and organization. They state that several conditions are critical for effectiveness: size of the governance structure/process and complexity (Birnbaum, 1988; Cohen & March, 1986; Lee, 1991; Mintzberg, 1979, Dill & Helm, 1988; Schuster et al., 1984), composition and clear understanding of the role of governance bodies (Dill & Helm, 1988; Lee, 1991; Dill & Helm, 1988; Gilmour, 1991; Mortimer & McConnell, 1979). The lack of adequate secretarial, administrative and financial support has been related to less efficiency (Gilmour, 1991; Schuster et al., 1994). Surprisingly, the literature suggests that efficiency is not a particularly important requirement, and that some levels of inefficiency enhance decision-making effectiveness (Weick, 1979; Birnbaum, 1988: 195). Scholars have identified key conditions that affect efficiency because structural studies place a great emphasis on this area. Yet scholarship suggests that efficiency is not a particularly important principle, since some level of inefficiency enhances decision-making effectiveness. The relationship between efficiency and effectiveness needs more study to be sure that valuable learning or institutional knowledge is not lost (Kezar & Eckel, 2004: 371-399).

3.3.3. Participation

Several studies have examined the relationship between participation and successful governance (Kezar & Eckel, 2004: 371-399). Participation is the process of "inclusiveness, reaching out to internal and external stakeholders, and involving them in the processes that yield strategic decisions" (Schuster et al., 1994: 195). Over the years, many restructuring efforts have attempted to increase or limit participation, the latter being related to need for efficiency. In some studies, participation was found to promote satisfaction among those involved in the process; it was a positive outcome of a successful process (Birnbaum, 1988; Williams et al., 1986). In some studies, greater participation was found to lead to greater effectiveness (Weick, 1979). One problematic finding is that the term "participation" is open to wide interpretation by different individuals or groups (Birnbaum, 1988; Williams et al., 1987). At one institution participation might mean having representatives with advisory involvement on a campus wide committee, yet on another campus it might mean all faculty having voting privileges. It is hard to generalise about what level of participation will make the process effective, successful, or lead to satisfaction. Also, faculty satisfaction with governance is related to knowing that participation is effective (Dimond, 1991).Thus, participation alone is not adequate. Being able to see that input has been taken into consideration is necessary for involvement to be considered worthwhile (Lee, 1991; Dimond, 1991).

3.3.4. Leadership

There is conflicting evidence about the importance of leadership in imposing effectiveness and efficiency within the governance process (Kezar & Eckel, 2004: 371-399). Cohen and March (1986) and Birnbaum (1988) suggest that senior leadership plays a lesser role than commonly believed but can be influential in certain circumstances. In particular, at the higher levels, among presidents, leadership is diffused by other conditions and factors (Kezar & Eckel, 2004). However, neither of these studies examined middle– level leadership among chairs, deans and faulty (Kezar & Eckel, 2004: 371-399). Schuster et al. (1994) confirmed, empirically, what many people suspected for years: thus, leadership or leadership style significantly shapes governance in terms of both effectiveness and efficiency. Schuster et al. (1994) examined leadership more collectively across the institution and looked at formal and informal leaders, rather than just positional leaders. Gumport and Dauberman (1999) found that presidents and other campus leaders felt it was their role to lead the reshaping of

governance processes and were beginning to play a larger role in this exercise. At present, there have been few studies on the effect of leadership, and the evidence is mixed (Kezar & Eckel, 2004: 371-399).

3.3.5. Responsiveness to the Environment

The term "environmental responsiveness" refers to the "process of identifying elements in the external environment, and accommodating the elements that have a legitimate role in influencing postsecondary education" (Schuster et. al., 1994: 195). Kezar and Eckel (2004: 371-399) present evidence suggesting that HE takes longer to respond to its environment than some groups or individuals find acceptable. The work by Weick (1979) and Birnbaum (1988) on loose coupling is instructive. Thus, loose coupling allows for adaptation by individual units rather than the whole institution; it can accommodate the needs of those units and can allow changes to happen without creating precedents binding the whole institution.

Earlier studies of responsiveness are consistent with later research in the 1990s showing that redundancy and loose coupling allow greater organizational learning, flexibility, and ability to respond to external conditions, leading to improved decision-making (Senge, 1990). More recent work by Gumport and Pusser (1999) shows that state systems and institutions have responded to external concerns in recent years with restructuring efforts such as adopting year-round calendars, distance learning initiatives, and new forms of assessment. Yet, these studies do not explain how a campus might be more responsive to the environment or what campus governance mechanisms were responsible for effective response to the environment, with the exception of the loose coupling of Weick (1979) and Birnbaum (1991).

Some studies have focused on ways HEIs might shape external influences. Mortimer and McConnell (1979) and Alpert (1986) examined the ability of faculty senates and other internal bodies to influence external factors and found out that they had minimal ability to impact legislators and other external forces that affect campus decision-making. The RAND Corporation (1998) studied how long organizations took to respond to external changes and concluded that response time was too slow. Yet, their assumptions about the timing of decisions was neither well explained nor adequately supported. Most scholarship has focused on how higher education responds to external environment, yet few studies have focused on ways institutions might shape external influences. Mortimer and McConnell (1979) examined the ability of faculty senates and other internal bodies to influence external forces and found out that they had minimal ability to impact legislators and other external forces that affect

campus decision-making. This is another gap in understanding that needs more scholarship since these studies took place in the 1970s and early 1980s and the findings may no longer be valid.

With much transformation experiences in the higher education sector many problems have emerged that are central to the university governance question. The above-mentioned aspects are the main university governance challenges that university governing bodies are grappling with to bring about institutional effectiveness. This has led to different institutional responses at international, regional and local levels as perspectives to address these emerging governance challenges.

3.4. The international perspectives to university governance

The OECD (2003: 65) urges that the patterns of university governance across HE environments have constantly been evolving. In his discussion of general trends in university governance, Dill (2001) urges that patterns tend to be regional and global, rather than locally specific, despite the fact that traditional HE systems have evolved within the framework of nation states (Dill, 2001). These evolving patterns are result of globalization (Gibbons, 1998; World Bank, 1999; Stromquist & Monkman, 2000; Maassen & Cloete, 2002; Olssen & Peters, 2005; Carnoy, 1999), neo-liberalism (Singh, 2001; Jansen et al., 2007; Carnoy, 1999; Nussbaum, 2002; Kenway et al., 2004), knowledge economies (Kogan & Hanney, 2000) and social democratic (Becher & Trowler, 2001; Gill, 2000), 'supra-statism' and modelling (World Bank, 2002; King & Kendall, 2004; Kruss & Kraak, 2003), regulation and accountability (Vogel, 1996) as drivers of transformation across higher education. In response to these circumstances, governance of universities has taken on different dimensions across the Europe, Americas, Asia, and Africa. The ramifications of these drivers to university governance include.

3.4.1. Less state regulation [boards of universities] and more university autonomy

The OECD (2003: 62) urges that, in general, universities in OECD countries enjoy considerable freedom to determine their own policies and priorities in a wide range of their activities. The OECD (2003: 62) further observes that in some aspects, autonomy is particularly widespread – for example, in most OECD countries institutions are responsible for setting academic structures and course content and the employment of academic staff. On

the other hand, central authorities commonly have control over certain other features of HE, in particular, borrowing funds or setting tuition fees or indeed allowing fees in the first place.

Despite the broad trends in official policy and government legislation to give greater autonomy to higher education institutions, the OECD (2003) suggests that these changes have often been accompanied by new mechanisms for monitoring and controlling performance, quality and funding. In particular, states have sometimes introduced new funding mechanisms based in large part on university performance on pre-determined indicators. Greater operational autonomy has generally been closely connected with strengthened external assessment of the performance of universities. This has particularly been so in European countries like the Netherlands and Denmark, as well as in Japan and Korea, where state control has generally been strongest. States have generally required universities to accept some form of external quality assessment as a prior condition to relinquishing direct state control (Brennan & Shah, 2000).

In these ways, the OECD (2003) points that the price for universities of being given freedom to hire their staff, run their administration, structure their programmes and manage their budgets can be a stricter system requiring them to account for their outputs or outcomes, as well as new controls on inputs through task oriented contracts or indicator-oriented resource distribution. The justification for some form of continuing government intervention usually involves arguments that: (i) higher education produces wider social and economic benefits than those captured directly by the individuals involved, and that therefore without government subsidy there would be under-investment in higher education; (ii) equity considerations necessitate steps to ensure that low-income students are not disadvantaged; and (iii) students, employers and the wider society need to have confidence in the quality of higher education qualifications (McDaniel, 1997).

3.4.2. Greater power to university governing bodies

The European Commission (2005: 7) states that the governance of universities in Europe was for long being modelled after the ideal model of the university envisaged nearly two centuries ago by Wilhelm von Humboldt which sets research at the heart of university activity and it the basis of teaching. Today, the European Commission (2005) observes that the new trend is away from these models and towards greater differentiation. The heterogeneity can be seen between countries because of cultural and legislative differences, but also within each

country, as not all universities have the same vocation and do not respond in the same way and at the same pace to the current changes (European Commission, 2003).

The European Commission (2005: 8-12) notes that in Europe the decentralized collegial decision-making system, within universities is in the process of being replaced by managerial self-governance. As top-down regulation by states decreases the European Commission (2005: 8-12) urges the university leadership is strengthened and academic self-governance or *shared governance* appears to be the main loser of all the changes in governing universities across Europe. However, up till now, academic self-governance stays alive in a more informal way, as consensus is still sought by rectors and deans (traditional organizational academic culture) (Schimank, 2005). However in Estonia, Latvia, Lithuania and Finland academic self-governance has up till now been strongly protected by law (European Commission, 2005: 8-12).

The OECD (2003: 71) urges that these circumstances have had two main effects on internal governance: a strengthening of the power of executive authorities within the university; and an increase in participation on governing or supervisory bodies by representatives and individuals from outside the university. In most countries, there have been efforts to reinforce the executive authority of institutional leaders thus key common elements have been a transfer of power to the rector, vice-chancellor and other leading administrative figures, and a loss of authority and decision-making power on the part of traditional participatory and collegial bodies (OECD, 2003: 71).

However, the OECD (2003: 71) explains that the strategies and structures chosen to implement these developments vary widely. The OECD (2003: 71) urges that reinforcing the general loss of faculty power, the increased weighting of "external constituencies" and outside interests has contributed to the strength of executive authorities. Looking at England's HE system, the OECD (2003: 71) notes that in the "new" universities (mainly former polytechnics) the main governing body is a board of governors which generally comprises about 25 members, the majority of whom are external; there is also generally an *Academic Board* which comprises academic staff only. In the "old" universities the main governing body is generally a Council of 25-60 members, the majority of whom are external, and a senate comprising academic staff only (OECD, 2003: 71). They have a small executive board, the OECD (2003: 71) is of the view that half of whom are from outside the university with experience in industrial, commercial or employment matters. They are strengthened with

the power of the Chief Executive, a subordinated academic board to the board of governors in all aspects and to the Chief Executive in some respects (OECD, 2003: 71). Although the "old" universities were not affected by the 1988 Education Reform Act, the report of the National Committee of Enquiry into Higher Education in 1997 made recommendations about governance which have, in the main, been adopted by them (OECD, 2003: 72).

Australian university governing bodies are constituted on the basis of a mixed stakeholder-expertise model (OECD, 2003). They comprise *ex officio*, appointed and elected members, and range in size from 15 to 22 members, of which a majority must be external (OECD, 2003). The ex officio members are the vice-chancellor (as the chief executive officer of the institution), the chancellor (an external member appointed by the governing body) and in most cases, the chair of the academic board or equivalent (OECD, 2003). Academic and administrative staff elect three, four, or five members between them, and students elect between one and three members (OECD, 2003). There may be designated alumni or convocation members, appointed or elected, depending on the university's enabling Act (OECD, 2003). Other external members may be appointed either by the governing body itself or by an external authority such as the governor or Minister for Education in the relevant jurisdiction, usually, but not always, on the basis of recommendations or nominations by the university governing body (OECD, 2003). The university governing body is most commonly called the Council, although the terms senate or board of trustees are also used (OECD, 2003: 72).

Recent Dutch legislation, particularly the 1997 University Modernisation Act, split leadership between a rector with executive responsibility and a president of the supervisory board drawn from outside the university. This is comparable to the American model of university president and chairman of the board of trustees (Neave, 2001). The OECD (2003: 71) notes that recent Austrian governance reform has similarities to the Dutch reforms. Focusing on Sweden, the OECD (2003: 71) states that the governing board has a majority of external representatives from business, industry and regional authorities. Furthermore, the OECD (2003: 71) states since 1997, the chair of the governing board is no longer the vice-chancellor but "a well-qualified and experienced external personality" who is not employed at the institution and is appointed by the government.

The OECD (2003) explains that part of the aim of bringing external representatives into higher education governance has been to include more people with industrial or commercial experience and thereby hopefully strengthen links to the economy and improve internal efficiency. Other external members have been from local or regional government to reflect greater regional interests in funding, and in the contribution of the higher education institution to local economic and social development (Eurydice, 2000).

3.4.3. Institutional leadership

The OECD (2003: 72) urges that crucial aspects of the development of more powerful executives in HE are the processes by which they are appointed and the qualities of the individuals concerned. As pressure mounts, the OECD (2003: 73) posits that to make institutions more accountable, to develop better linkages with the wider society, and to raise external funds, their leaders need to be more than outstanding academics. In many countries, the OECD (2003: 73) states that the tradition has been to elect university leaders to ensure that they represent the constituency – especially the academic one – of the university.

Although election of university leaders still continues in a number of countries, the OECD (2003: 73) predicts the trend seems to be moving towards appointment, often by a board with a majority of external members. The OECD (2003: 73) urges that legislative changes in Austria, Denmark and Norway introducing new appointment systems, represent recent examples of this trend. In Norway, however, appointment remains an exception from normal procedure and has only been used to date in state university colleges and institutes of the arts. The OECD (2003: 73) urges that the change towards appointment rather than election is a crucial part of the redefinition of the relationship between the chief executive and others within the institution. The OECD (2003: 73) is of the view that an appointed rather than elected chief executive may find it easier to implement major changes that cut across vested interests.

3.4.4. Increased state influence through performance-based funding contracts

In spite of the deregulation policies throughout Europe, the European Commission (2005) claims that states still retain influence on university development. Where instruments available to the state to influence/regulate universities are concerned, performance-based funding contracting is *'hot'* (European Commission, 2005). Almost everywhere notions like

'development-contract'; 'performance-based contracts', 'management by objectives', 'contractualisation', 'performance-based agreements' permeate the European HE landscape. Elsewhere, in Estonia, Ireland and Latvia universities greatly appreciate their institutional autonomy and were fully prepared to accept the need for additional accountability measures in return (European Commission, 2005: 8-12).

3.4.5. Enhanced co-operation with society

The European Commission (2005: 8-12) urges that universities across Europe are – more or less – held responsible to society for their role in terms of autonomy and accountability). It further explains that university cooperation with each other and with the private sector (industry) is enhanced (joint research) and supported by governments in all countries (public-private partnerships and/or funding). Knowledge exchange and technology transfer are instruments commonly used to link up with society (European Commission, 2005: 8-12).

3.5. University governance in the African context

In the African HEI context, a multiplicity of actors is at play that characterise the landscape with similar contextual HEI governance responsiveness. Divala (2008) argues that the legacies of colonialism, global economic and state hegemonies have influenced the state of university governance structures, and systems in most HEIs across the continent. Altbach and Teferra (2003: 4) argue that most HEIs on the African continent have similar governance approaches to higher education in terms of structures, cultures and systems inherited from their colonial (mostly European) masters. However, Mitterlman (1994: 144-149) states that the adoption of neo-liberal economic policies by mostly state-controlled HEIs in post-independent African states has not improved the health of governance structures and systems that is over stretched with high demand yet let down by weak value for work, reduced state funding, poor service delivery with negative consequences in terms of brain drainage or scientific mobility (Logue, 2007: 75). This poses questions of what constitutes effective university governance practice across HEIs on the African continent. The different HEIs on the African continent have reacted differently to path of trends as forms generating forms of effective university governance in their particular institutional contexts.

3.5.1. Post–democracy university transformation in South Africa

The HE sector in South Africa has not been immune to these trends in the developed world, and has simultaneously been affected by specific national, regional and local factors. This section presents a review of studies that have explored the nature of the South African HE system.

The Council for Higher Education (CHE) (2004: 174) claims that the governance of HEIs in developing countries has been strongly influenced by models from the West. In particular, the traditions of European nations greatly influenced the configuration of HEIs in the colonies of these countries; South Africa was no exception. The National Education Policy Investigation (NEPI) (1993) outlined in detail some of the key problems of the inherited system of HE in South Africa. In respect of governance, the key legacy of apartheid HE has been the lack of coordination between the various segments of the HE system. Other legacies include state interference in the affairs of HEIs to pursue the apartheid ideology, lack of system-wide planning and coherence and finally, lack of representation and participation in the governance of the system at both the national and institutional levels. All these issues were marked by gross racial and gender imbalances. The HE system lacked transparency and legitimacy and was to a large extent not accountable to the needs of society and to the various stakeholders within, and outside the system (NEPI, 1993; UDUSA, 1994; Badat & Wolpe, 1993).

After 1994, the CHE (2004: 176) argues that two key themes can be discerned concerning developments in HE governance. These are consistent with policy imperatives which emerged at this time; namely, responding to the twin challenges of social and economic transformation, and globalisation. First, HE governance had to be transformed to break the apartheid mould and to meet newly formulated national goals of equity, democratisation, responsiveness and efficiency. Second, South African HE governance had to be re-integrated with global trends. Although these priorities co-existed, changes in South Africa were driven by local political considerations rather than by neo-liberal economic policies. This is in contrast to HE reform movements in many other parts of the world – for example the Americas, Europe, Asia – where quasi-market approaches have been chosen as a means to achieve alignment of accountability and control over HE. In these countries, HE has been deregulated and resources competitively allocated, using mechanisms such as incentives and performance funding (CHE, 2004: 174-176).

Consequently, the need for the new government to create a single, national, integrated system of higher education was acute. Bearing in mind the political realities on the ground that the state was grappling, with how to achieve these goals, it had to devise on how best it could be involved in the HES through various mechanisms ranging from state control, state supervision, state interference and state intervention (CHE, 2004: 174-176). As a consequence, development from state control to state supervision had to be promoted, because of a belief that higher education would perform better with the state in a supervisory rather than controlling role. In South Africa, however, the market was not relied upon to correct the injustices and imbalances of apartheid, nor was there a belief that change at individual institutional level would result in a coordinated, equitable and efficient system. Instead, transformation was to be driven by stakeholder participation under the auspices of a supervising state (CHE, 2004: 174-176).

In this early phase of South Africa's social, political and economic transformation, the touchstone for achieving consensus was the notion of a social contract between all stakeholders, whether the system in question was education, housing, health and welfare, or the other major domains in which the state has a primary interest. The goal was the suspension of sectoral interests in the broader cause of reconstruction and development, thus seeking to resolve the campus conflicts that were disabling higher education across the country. The Commission also wished to move forward rapidly in transforming institutions, and in instilling improved management practices without violating academic principles (Moja & Hayward, 2000).

In the South African context, the transformation processes between 1990 and 1996 that introduced changes in higher education institutional governance structures and systems were dominated by considerations of social justice rather than by technical considerations of accountability, efficiency, and cost recovery that were leading states in other parts of the world to adopt quasi-market models (Hall et al., 2002). As a consequence, South Africa's new HE policies were cast within a political philosophy that came to be known as co-operative governance in the NCHE. At the institutional level, henceforth university institutional structures had to be reconstituted on cooperative governance principles and values (NCHE, 1997; Kulati, 2000).

Thus, effective institutional governance practices, according to the White Paper (1997), had to be based on the recognition of the existence of different institutional interests, and the inevitability of the contestation among them. In order for co-operative governance to work, HEIs had to create structures and facilitate processes that enabled differences to be negotiated in participative and transparent ways (NCHE, 1997). Thus, in terms of the White Paper (1997), the main governance structures in HEIs were the university council, the senate and the institutional forums. Hall and Symes (2005) argue that university councils were seen as the supreme governing bodies of institutions more accountable to civil society and university councils had to retain their linkage to the state through their fiduciary role.

While the Act required that 60% of council members be external, and that up to five be ministerial appointees, individual institutions are thereafter given considerable latitude to determine from which constituencies external members are drawn. To this extent, South Africa followed the tradition of the English-speaking world, vesting trusteeship in lay members of governing boards that represent the public interest (Hall & Symes, 2005; Hall et al., 2002). However, the process of change was an uneasy marriage as university councils in formerly historically disadvantaged institutions during the mid-to late 1990s had to grapple with a series of institutional governance crises, accelerated dysfunctionality, managerial ineffectiveness, and increase in institutional instability (Habib, 2001; Jansen, 2002a).

3.5.2. The governance of merger

The CHE (2005) acknowledges that one of the critical governance challenges currently facing HE is the effective governance of mergers and incorporations. Experiences of mergers and incorporations earlier commissioned by the state illustrate that "the origins, forms and outcomes of mergers are conditioned by, and contingent on, the specific forms of interaction between institutional micro-politics, on the one hand, and governmental macro-politics, on the other, especially in turbulent or transitional contexts" (Jansen, 2002: 157). In other words, the CHE (2005) concedes that the quality of the relationship between the state and individual HEIs has an important bearing on the outcome of mergers. This is consistent with the finding of the CHE (2005) that good governance requires the parties to negotiate all elements of a merger. Mergers require customised solutions, as there is unlikely to be any "one-size-fits-all" pattern (Hall et al., 2002).

In response HE governance had to be further transformed in order to break what seemed to be the apartheid haunted past, and in order to meet newly formulated national goals of equity, democratisation, responsiveness and efficiency with a new institutional governance framework. The strategy for pursuing these goals was the reconfiguration of the HE landscape, *not* the retention of institutions that were inefficient (in terms of the utilisation of state resources) or ineffective (in terms of delivery on national development goals). The most dramatic of the strategies proposed and currently being enacted, were a series of mergers and incorporations. Allied to that was another strategy, namely, the creation of comprehensive institutions (CHE, 2000). The process would comprise 11 universities, six technikons and six comprehensive universities (Asmal, 2002). The official rationale for mergers was not shared by all stakeholders in HE. The process was accused of targeting former historically disadvantaged institutions carrying the disadvantage of apartheid while others looked at it as one of the key strategies for creating the new system of South African institutions and not a collection of disparate historically white or black institutions (Asmal, 2002). Today we talk of traditional universities, merged universities and comprehensive universities. The only difference is that comprehensive universities were designed to offer both technikon-like and university courses.

3.6. Literature review synthesis

There are several factors and issues responsible for effective university within particular institutional contexts by institutional governing bodies. However several models of university governance scarcely take into consideration of these aspects. As result most university governance models generated are either prescriptive or there is difficulty in their application by other HEIs. The literature review has explored these aspects across different governance dimensions and has identified several gaps in governance knowledge that this study seeks more understanding by proposing a model of university governance that incorporates these issues.

From the examined studies mentioned above, the study acknowledges that there have been several researches done to explore the different structural, systemic and cultural specific roles of university governing bodies in different contexts of HE using different theoretical perspectives. However the problem with these studies is that they have not holistically explored these concepts. This is further compounded with several studies focussing much attention on structural aspects of university governing bodies at the neglect of the institutional

systemic and cultural aspects of university council governing bodies that are pivotal in securing effective university governance practices (Kezar & Eckel, 2004).

Kezar and Eckel (2004) argues that institutional structures have always overlapped and informed many areas of the governance scholarship yet structures alone have marginal effect on institutional effectiveness. At times, the focus again has emphasised more on systems and structures then sideling other approaches such as human, social cognition and cultural theories (Kezar & Eckel, 2004). Less is known on the use of structures, systems and cultures within complex micro political frameworks holistically to create a richer understanding of the university governance processes.

As a result, this has created gaps in knowledge and understanding about the university governance process and how these processes can work together holistically to bring about effective university governance. Little is known about the informal university governance processes at an individual level and collective level that operate between the structures, systems and cultures of the university council. A majority of studies on human dynamics have focussed on documenting demographics or characteristics of individuals involved (Gilmour, 1991; Pope & Miller, 1999; Reyes & Smith, 1987). These studies do little to help address effectiveness or responsiveness on the environment. There is virtually limited scholarship on the interaction of the various subunits such as faculty senates, and governing bodies (Kezar& Eckel, 2004).

In the South African higher context there is virtually remote work done to explore how the university is working through its structures, systems and cultures within a micro political framework with the university senates and institutional forums to bring about effective university governance. Thus this study is set to fill this gap by trying to provide a more holistic approach using multi-theoretical approach to the university governance process in comprehensive university contexts. The study explored actions at institutional and individual levels at the level of the university council to draw working examples of how the activities of individuals at this level of university governance does influence and bring about the much desired progressive changes as good governance practices and will examine whether these are fit for institutional purpose and broadly compatible with professionally recognised standards and practice.

CHAPTER 4: CONCEPTUAL FRAMEWORK

4.1. Introduction

The literature review chapter provided a conversation of a number of factors that are responsible for effective governance across various higher education contexts. This theoretical framework chapter is constructed around generated concepts from the literature view. Stoker (1998) describes the concept of a theoretical framework as an organizing framework which provides a language and frame of reference through which reality can be examined. This study looks at effective governance of universities and their restructuring process as part of the transformation of society taking place in the newly established democratic order (Cloete & Maassen, 2002; Sayed, 2000; Dlamini, 1995; Moja & Hayward, 2000).

This study used the following concepts as an organizing framework: "structures of university councils", "systems of university councils", "cultures of university councils" and "empowered individuals" or "groups of individuals". These concepts are developed from a multi-theoretical [pluralism] approach and a variety of competing theories/perspectives are brought to the framing of effective university governance by governing bodies. This study makes use of these organizing concepts within a unique form of a micropolitical framework developed on the work of the following writers: Blasé (1998) on micropolitics, Bourdieu (1996) on species of social capital, Foucault (1991) and his concept of "circuits of power" located within social critical sociological perspectives which foreground interests, power and power relations as mediators and sometimes drivers of human interactions (Cross & Naido, 2011: 518).

These organizing concepts rooted in the conflict of social action shall be used as analytical tools to explore how:

i) University councils have unique governance pact between different stakeholders represented at the university council to bring about effective university governance in comprehensive higher education environments. Reference will be made to the work of Rousseau (1987) and particularly his notion of the *social contract.*
ii) Complex institutions, especially university councils, are composed of individuals or groups with different forms of social capital. In this study, they are viewed as

empowered constituencies. Reference will be made to Bourdieu and his work on species of social capital.

iii) These empowered constituencies possess different dimensions of individual and collective assets such as power, funds, public favour, influence and followership. Reference will be made to the work of Bourdieu in this field and Robert Putnam works on social capital (Putman, 1995).

iv) The notion of how these empowered constituencies in university councils could bring about forms and modes of practices that could constitute effective governance. The notions of how they are in position to devise strategies through structures, cultures, systems characterized by preference for certain forms of institutional regulation, internal organization and leadership. Reference will be made to the work of Foucault and particularly his notion of "governmentalisation of the state" and "circuits of power" (Foucault, 1991, 1980: 96–99).

v) Interactions between individuals and groups in university council have ways of influencing how power is used to bring about effective university governance.

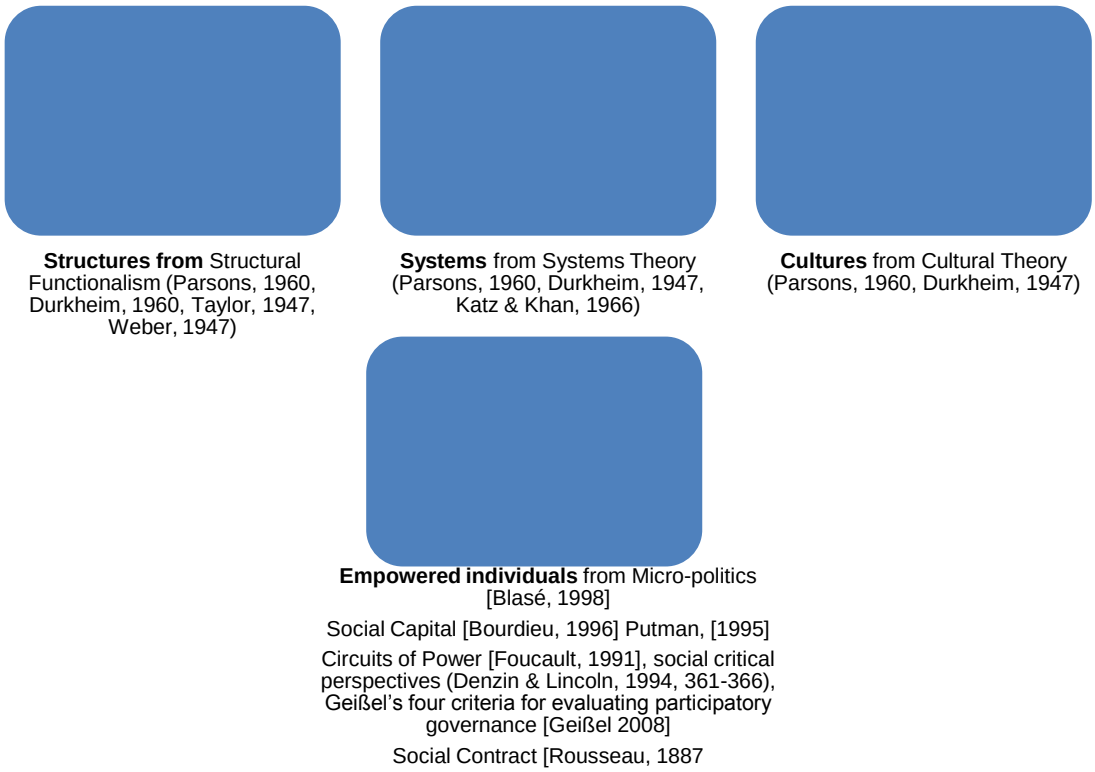


Figure 2: The conceptual framework

4.2. Structures of the university council

The concept of structures of university councils is coined from the structural functionalist perspective of organizations by works of earlier theorists (Parsons, 1960; Durkheim, 1960; Taylor & Fayol, 1947; Weber, 1947). Through such structures, incumbents of individual positions are linked directly or indirectly, with all others in the organization (Alvarez & Robin, 2000; Blau, 1955). The university council as an organization has its structural framework and functions. From the structural perspective, it is argued that the existence of an organization is to serve certain functions as legalized through the establishment of such organization. In the university council there are several structural elements created such as committees to ensure the proper functioning of university council. Rules are made to facilitate the conduct and relationships among these structures in order to accomplish certain ends. Structural theory posits that goals and policies are set at the top level and organizational functioning is guided by the goals and policies (Gayle, et al., 2003). In addition, the focus is on core processes, strategic planning, and organizational rationality. Bureaucracy is always referred to define organizational structures such as lines of authority, roles, procedures, and bodies responsible for decision-making although it is also argued that structures should be defined in a broader sense, and not limit them to bureaucracy (Kezar & Eckel, 2004). It is also argued that, for any governance process, a structural form can be designed and implemented to improve effectiveness and achieve ideal functioning (Kezar & Eckel, 2004: 375-376). Kezar and Eckel (2004) add that structure can be managed or changed more directly and it influences social interaction. However, along the process of governing, especially in decision-making, conflict is undeniable and many acts are regarded as politically motivated due to the existence of diverse groups.

Council structures are conceptualised and formalised and that constrain processes and behaviour: for example; size, clarity of roles/job descriptions, complexity, composition, bureaucracy, quality of communication, decision-making processes, coordination, consultation, institutional vision and goals, ability to manage conflict, working relationships. Scholars using structural theories suggest that the most important aspect in understanding governance is to examine the above-mentioned organizational structural components (Kezar & Eckel, 2004). This study used these different attributes of the structural functionalist perspective within a micropolitical framework to look at the extent to which structures of university councils contribute to effective governance in South African comprehensive universities.

4.3. Systems of the university council

The concept of systems of university councils is drawn from the systems perspective of organizations by the early writers (Parsons, 1960; Durkheim, 1947; Katz & Kahn, 1966). Systems theory is used to investigate any objects that work together to produce some result and it focuses on structures, relationships, and interdependence between elements. University councils, as with all organizations, have systems as drivers. Using this perspective, university council systems are conceptualized in terms of a simple input-output model. The main outputs of the boards are the various functions the university board performs. Garratt (1996) mentions five broad roles of councils as strategic, and policy-making: external accountability and relations with stakeholders; supersizing management; stewardship of the organizations resources and board performance. The main inputs are the board member's skills/experience, the time they are able to devote to their role, council selection, induction, and council review performance. These inputs are transformed into outputs through the board's structures and processes. Council systems are conceptualised as processes that have become formalised and that subsequently constrain council processes and behaviour. The systems perspective within a micropolitical framework of organizations shall assist in exploring the extent to which the different components in systems of university councils can contribute to effective governance in South African comprehensive universities.

4.4. Cultures of the university council

The concept of culture of university councils is to be examined using the cultural-organization perspective discussed in the teachings of Parsons (1960) and Durkheim (1947) Organizational culture is a system of assumptions, values, and interpretive frameworks that guide and constrain organizational members as they perform their roles and confront the challenges of their environment. University councils have cultures that have become formalised and that subsequently constrain council behaviour; for example, beliefs, norms and ideology that influence a council member's participation, responsiveness, effectiveness, performance and leadership. The cultural perspective within a micropolitical framework of organizations shall assist in exploring the extent to which the different components in cultures of university councils can contribute to effective governance in South African comprehensive universities.

4.5. Empowered individuals or groups of individuals

The concept of empowered individuals or groups on university councils is drawn from Geißel's (2008) four criteria for evaluating participatory governance: "effectiveness, legitimacy, yielding social capital and yielding civic skills" (Geißel, 2008: 233; Geißel, 2009: 403). Regarding the first criterion, effectiveness, the core question for Geißel was whether participation "advances or impedes desirable outputs" (Geißel, 2008: 235). Geißel concentrates on "input-legitimacy (participation of affected stakeholders), throughput-legitimacy (process of participation – transparency and fairness), and deliberative legitimacy (rational and non-hierarchical participation") (Geißel, 2008: 234). Geißel notes that participation can boost "binding" as well as "bridging social capital" (Geißel, 2008: 236). Civic education by participation could lead to the transformation of egoistic interests and encourage participants to enhance their regard for common welfare (Geißel, 2008: 235; Geißel 2009: 406). Here, Geißel identifies three major groups of participative innovations: elements of direct democracy, "co-governance (for example, participatory budgeting) and deliberative procedures" (Geißel, 2008: 229). Her analyses show that these different forms of participation have different effects on "effectiveness, legitimacy, social capital and civic skills" (Geißel, 2008: 243ff). Geißel indicates that the different forms of participation do not stringently promote the four criteria of democracy; hence participation can build up social capital but eventually only between elites. Civic skills can be enhanced by participation, and egoistic interest might be transformed, but this transformation might also fail to appear (Geißel, 2009: 404).

This concept is also developed from Walk's (2008) notion of participatory governance which emphasises the maximization of participation, which involves the identification of relevant stakeholders and of the criteria for inclusion/exclusion from the decision-making processes; the examination of decision-making powers and structures; the identification of the various interests involved and the identification of conflicting interests; the identification of power structures and hierarchies; the identification of structures of communication and negotiation; social learning (identification of emancipatory processes); and an appraisal of whether or not democracy is promoted (Walk, 2008: 118).

This study also made use of Fung and Wright (2003) work on empowered participatory governance which is characterized by three principles: 'a focus on specific, tangible problems', the 'involvement of ordinary people affected by these problems and officials close

to them'; and 'the deliberative development of solutions to these problems' (Fung & Wright 2003: 15, 24). 'Equity of power', as noted by Fung and Wright, which is the central enabling condition for EPG. This concept relies on the commitment and capacities of ordinary people to make sensible decisions through reasoned deliberations and empowered because it attempts to tie action to discussion. This raises the question of the extent to which 'agency', at the individual level and within a micropolitical framework is able to contribute to effective university governance in comprehensive universities in South Africa.

Social contract theory has its origins in the works of Thomas Hobbes (2003) [1690], John Locke (1994), [1668], and Jean-Jacques Rousseau (1978) [1762] who considered how man would behave in a world devoid of laws or government – a 'state of nature'. In his 1651 work '*Leviathan*', Hobbes posited that in the state of nature, humans would be ruled by self-interest and greed, and life would be 'nasty, brutish, and short'. Each would simply take whatever he or she wanted, seeking power and satisfaction, and the result would be unending civil war – 'a war of all against all'.

Both Hobbes and Locke contended that in order to have safe and stable lives, rational beings in this 'state of nature' would enter into an agreement (or 'social contract') to create a sovereign government to regulate their lives and world. Rational beings would be willing to give up part of their liberty in exchange for a system of law which would make their lives much more stable and secure. From this perspective, it is clear that University councils in HEIs have unique governance pacts and contracts between different stakeholders represented at the university council to bring about effective university governance in comprehensive higher education environments.

Micropolitical concepts assume that there are always 'scopes of action' within organizational structures. The structuring of interactions within these scopes of action takes place less through formal rules than through various kinds of mechanisms. The term "micropolitics" embraces those strategies that individuals and groups in organizational contexts use their resources to further their interests (Blasé, 1998: 545) by altering the behaviour of others or influencing them. Micropolitical structures and processes are characterised by coalitions (Selznick, 1957; Bacharach & Lawler, 1980) rather than by rules, by influence rather than power, and by knowledge rather than status.

The social critical perspectives help to bring out hidden assumptions, underlying accepted but problematic cultural practices. It strives to highlight the sense of frustration and powerlessness that non-privileged groups feel with respect to their opportunities to realize their potential, and to provide insight to guide them towards greater autonomy and ultimately emancipation (Denzin & Lincoln, 1994: 361-366).

4.6. Effective university governance

In the context of South African comprehensive universities, the term "effective university governance" shall refer to how university councils function with university senates and university institutional forums. The attributes of effective university governance are drawn from the White Paper of 1997 on the goals of higher education transformation which include the following: *equity and redress* with reference to fair opportunities both to enter higher education programmes and to succeed in them, *development* with reference to conditions that facilitate the transformation of higher education system to enable it to contribute to the common good of society through the production, acquisition and application of knowledge, the building of human capacity and the provision of lifelong learning opportunities, *democratisation* with reference to the governance of the system of higher education and of individual institutions being democratic, representative and participatory and characterised by mutual respect, tolerance and the maintenance of a well-ordered and peaceful community life, *quality* with reference to maintaining and applying academic and educational standards, both in the sense of specific expectations and requirements that should be complied with, and in the sense of ideals of excellence that should be aimed at, *effectiveness* with reference to an effective system or institution that functions in such a way that it leads to desired outcomes or desired objectives, *efficiency* with reference to an efficient system or institution which works well without unnecessary duplication or waste, and within the bounds of affordability and sustainability, *academic freedom* with reference to absence of outside interference, censure or obstacles in the pursuit and practise of academic work, and *institutional autonomy* with reference to high degree of self-regulation and administrative independence with respect to student admissions, curriculum, methods of teaching and assessment, research, establishment of academic regulations and the internal management of resources generated from private and public resources.

4.7. Conclusion

Though there are competing theoretical frameworks, this study used as a theoretical framework, as a lens to understand how at institutional and individual levels of the university councils within a unique micropolitical framework effective governance could be attained by the university councils in South African comprehensive universities. Individually the different theoretical frameworks mentioned above have limitations which minimally affect the university governance processes. Hence, a combination of these different theoretical frameworks within a single multi-theoretical framework provides relevant frameworks. These multi-theoretical frameworks are useful because they are able to provide rich lens and ways of understanding different contextual institutional challenges that are ever new and unfolding within higher education contexts that often challenge and render the current university governance models of institutional effectiveness irrelevant.

The relationship between this theoretical framework and the methodological framework used for this study is important to emphasise. This theoretical framework assisted in the making of methodological decisions on what kind of approaches and steps that could be used in the processes of data collection and analysis.

CHAPTER 5: RESEARCH METHODOLOGY

5.1. Introduction

The previous chapter provided a multi-theoretical framework as thinking devices to the understanding of the research question. This chapter as a response examined the research methodology that underpinned the study. A research methodology is a systematic way of arriving at an understanding of a social reality in a particular field of study. Fundamentally, it entails the different procedures by which a researcher goes about his or her work of describing, explaining and predicting phenomena in a field of study (Brewer & Hunter, 2005; Bryman, 2007). It is also defined as the study of methods by which knowledge is gained. Its aim is to give the work plan of research (Collins, Onwuegbuzie & Jiao, 2007; Creswell & Plano Clark, 2007).

This chapter begins by explaining the purpose of the study. It then proceeds to explain the sequential exploratory mixed methods research paradigm chosen, and justifying the location of the study within the interpretive paradigm and the positivist research paradigm. This motivation is followed by a presentation of different procedures used in selecting participants, and a description of the sampling and the instruments used in the study. This chapter also explains data collection procedures and describes the qualitative and quantitative analysis methods to be used to analyse the data. Finally, the chapter addresses the reliability, validity, triangulation and ethical considerations of the study.

5.2. Epistemological orientation

The purpose of the study is to understand how university councils through their structures, systems and cultures can bring about effective university governance in South African comprehensive universities. Considering the nature of the research question as suggested by (Brewer & Hunter, 2005; Bryman, 2007; Collins, Onwuegbuzie, & Jiao, 2007; Creswell & Plano Clark, 2007; Krathwohl, 2004; Newman & Benz, 1998; Rao &Woolcock, 2003; Tashakkori & Teddlie, 1998), the study has strong mixed methods research components which explore mixed research questions with interconnected qualitative and quantitative components or aspects. This study was set to understand the lived experiences and actions of actors such as university councillors and representatives in the university councils and

explore how these actions can be attributed as modes and forms of effective university governance in a comprehensive higher education institution.

To collect this kind of required information, the researcher used a mixed method Sequential exploratory design involving aspects of a descriptive phenomenological-based approach located within the interpretive paradigm and surveys located with the positivist research paradigm. The Sequential exploratory design consists of two distinct phases: qualitative followed by quantitative analysis (Creswell et al., 2003). This kind of mixed method research design was used for the following reasons.

Firstly, a salient strength of the qualitative research as part of the sequential exploratory research design employed for the study is that its focus is on the contexts and meaning of human lives and experiences for the purpose of inductive or theory-development driven research. It is a systematic and rigorous form of inquiry that uses methods of data collection such as in-depth interviews, ethnographic observation, and review of documents. Qualitative data help researchers understand processes, especially those that emerge over time, provide detailed information about setting or context, and emphasize the voices of participants through quotes. Qualitative methods facilitate the collection of data when measures do not exist and provide a depth of understanding of concepts. The interpretive paradigm emphasizes inductive thinking, an exploration of complex issues in depth and breadth, building of models and theory, using descriptive materials from different types of data collection and analysis (Johnson & Onwuegbuzie, 2004).

Qualitative research is usually based on the interpretive research paradigm (Nudzor, 2009). Interpretivism holds that realities are constructed, seek subjective perceptions of individuals (Cantrell, 1993: 84) and focus on gaining understanding. Interpretive research relies on first-hand accounts, tries to describe what is being examined in comprehensive detail and presents its findings in such a way as to evoke the original experience and the insights arising from it (Henn, Weinstein & Foard, 2006). According to Cantrell (1993), interpretive researchers are keen to understand the meaning people make of daily occurrences and how they interpret them within the contextual social and natural setting. The interpretive perspective is based on the philosophical doctrine of idealism which maintains that what we perceive is the creation of the mind, and that we can only experience the world through our personal perceptions, coloured by our preconceptions and beliefs (Nudzor, 2009).

The interpretive paradigm as part of the sequential exploratory research design was chosen for this study, as a phenomenological-based approach. Thus, the researcher concurs with other interpretivists that the social world can be examined through methods that seek to understand an individual's subjective experiences and human relationships, and behaviours within that social world. Epistemologically, the researcher argues, along with Glaser, Barney and Strauss (1967) and Measor (1985), that phenomenological approaches are based on personal knowledge and subjectivity, and emphasize the importance of personal perspective and interpretation.

The interpretive paradigm was of use to the researcher as it enabled him to initially, understand and interpret university council members' experiences of institutional governance and describe how these affect institutional practice as this would triangulated through the survey research part of the study. The researcher feels that this depth of understanding assists in the interpretation of what the participants' experiences mean to them.

Garza (2007) argues that phenomenological approaches are dynamic and undergoing constant development as the field of qualitative research as a whole evolves. The researcher's view is that a descriptive empirical phenomenological approach (Giorgi, 1985; 1994; Giorgi & Giorgi, 2003) is best for this kind of study. This approach generates comprehensive descriptions which then provide the basis for a reflective structural analysis to portray the essences of the experience. The first step is to collect original data in the form of 'naïve' descriptions obtained through open-ended questions and dialogue. Afterwards, the researcher describes the structure of the experience based on reflection and interpretation of the research participant's story. The aim is to determine what the experience means for the people concerned.

The strength of a phenomenological approach is that it allows a researcher to bring to the fore the experiences and perceptions of individuals from their own perspectives. By adding an interpretive dimension to phenomenological research, the researcher can use the approach as the basis for practical theory, allowing the researcher to inform, support or challenge policy and action (Plummer, 1983; Stanley & Wise, 1993).

The researcher supports Moustakas (1994) who argues that studies of human experiences are not amenable to quantitative approaches; the best approach should focus on meanings and essences of experience rather than measurements and explanations. This approach should enable the researcher to obtain descriptions of experience through first-person accounts in

conversations and interviews. The researcher further agrees with Moustakas' (1994) observation that this approach should help to obtain a view of experience and behaviour as an integrated whole.

However qualitative research has been accused of knowledge produced might not be generalizeable because it is difficult to make quantitative predictions and even more difficult to test hypotheses and theories with large participant pools. As a result, it might have lower credibility (difficult to replicate). It generally takes more time to collect the data when compared to quantitative research. Data analysis is often time consuming and the results are more easily influenced by the researcher's personal biases and idiosyncrasies (subjectivity) (Bryman, 1994).

The researcher agrees with Spindler's (1982) advice that the perceptions are a reality in the minds of people being interviewed and this reality may be different to another person's. Marshall and Rossman (1999: 57) argue that one cannot understand human actions without understanding the meaning that participants attribute to those actions. The interpretive paradigm is thought be appropriate for this research as part of the mixed methods because it allows the researcher to grasp the subjective meaning and beliefs of university council members on institutional governance processes, rather than imposing his view of the world on participants.

The researcher agrees with McMillan and Schmacher's (2010) argument that in sequential exploratory mixed method research design, the quantitative portion of the study assists in enabling to explore relationships found in the qualitative findings using in-depth information from the interviews. As such, the greatest part of the study is developed from the qualitative approaches to obtain a more detailed perspective on university council members' perceptions which are intangible and therefore cannot be measured in another way and using the quantitative approaches the study sought to explore relationships that were forming from within the patterns of evidence in the qualitative data that could be used to as emerging forms and modes of working effective governance in such comprehensive university contexts.

Secondly, quantitative research is a mode of inquiry used often for deductive research, when the goal is to test theories or hypotheses, gather descriptive information, or examine relationships among variables. These variables are measured and yield numeric data that can be analyzed statistically. Quantitative data have the potential to provide measurable evidence, to help to establish (probable) cause and effect, to yield efficient data collection procedures,

to create the possibility of replication and generalization to a population, to facilitate the comparison of groups, and to provide insight into a breadth of experiences.

However the positivist research is accused of failing to recognise the difference between social and natural world (Schutz, 1962). Secondly, positivist research is accused of being too superficial (Spindler, 1982: 8). Thus, Carr and Kemmis (1986) argue that from the interpretative perspective, social reality is not something that exits and can be known independently of the knower. Positivism fails to recognise the importance of the interpretations and meanings that individuals employ to make their reality intelligible. Positivist research is accused of reliance on instruments and procedures which hinders the connection between research and everyday life (Cicourel, 1982). It has also been accused of rely on analysis of relationships between variables which creates a static view of social life that is independent of people's lives (Blummer, 1956). Rather, it is a subjective reality the constructed and sustained through the meanings and actions of individuals.

In spite of this criticism of positivist research, the use of only qualitative research methodologies would not generate sufficient data that would be able to answer the research question posited in this research. The positivist research, as a second part of the sequential exploratory research design, was used because the nature of the research question required the researcher to explore, through the research surveys, the perceptions of what the university students and university staff conceive of the university council at the university through its structures, systems and cultures as contributing to effective university governance in comprehensive university contexts.

Thus the researcher concurs with Bryman (2006a) who says that this kind of sequential exploratory mixed research methods adds methodological value through completeness to the study by providing more comprehensive understanding of the university governance process in comprehensive contexts. Further still, the use of this sequential research methodologies as suggested by Bryman (2006a) enabled the researcher to use qualitative data to generate hypotheses and to confirm using quantitative analysis to test them within a single project.

Thirdly, because of the stealth nature of the research question under investigation the researcher was posited to use the data from the qualitative phase of the study to develop the quantitative phase to answer questions that were arising from the qualitative phase (in which case the qualitative phase was given priority). Thus the researcher concurs with Greene et al. (1989) and Bryman (2006a: 258) that in such cases this research approach is inevitable as it

assists in complementarily enabling one to discover and understand overlapping and possibly different aspects of phenomenon; yielding and enriched, elaborated understanding of that phenomenon.

Subsequently, navigated by the research question, the research strategy was to collect data in a three sequential phrases explicitly; in the first phase the researcher had to do a thematic analysis of documentary sources to come up with general initial themes answering the major research question. In the second phase, the emerging themes were then used to construct semi-structured interview protocols. In the third phase the themes emerging from the thematic analysis was again used to construct survey protocols for students and staff at the institution.

Fourthly, the researcher sides with Greene et al. (1989) and Bryman (2006a) that this research method assists in instrument development as in this case the researcher had to carry out two phases of thematic analysis of data to construct the interview research instruments and survey instruments for the university students and the university staff from the university as part of the study. In the first instance a thematic analysis of documentary sources was done to come out with general initial themes answering the research question. In the second instance the emerging themes were then used to construct semi structured interview protocols. In the third phase the themes emerging from the thematic analysis was again used to construct survey protocols.

Combing the two methods, therefore, offers the possibility of combing these sets of strengths, and compensating for the weakness. In mixed methods studies, investigators intentionally integrate or combine quantitative and qualitative data rather than keeping them separate. The basic concept is that integration of quantitative and qualitative data maximizes the strengths and minimizes the weaknesses of each type of data. The idea of integration separates current views of mixed methods from older perspectives in which investigators collected both forms of data, but kept them separate or casually combined them rather than using systematic integrative procedures. One of the most difficult challenges is how to integrate different forms of data.

Thus mixed methods researchers use and often make explicit diverse philosophical positions. Greene (2007), for example, argues that these positions often are referred to as dialectal stances that bridge post-positivist and social constructivist worldviews, pragmatic perspectives, and transformative perspectives. To deal with the tensions created by their

different beliefs Greene (2007) notes that mixed methods research represents an opportunity to transform these tensions into new knowledge through a dialectical discovery. Similarly, Morgan (2007) and Tashakkori and Teddlie (2003b: 20-24, 2003c: 677-80) posit that a pragmatic perspective draws on employing "what works", using diverse approaches, giving primacy to the importance of the research problem and question, and valuing both objective and subjective knowledge. This is substantiated by Mertens (2009) who argues that transformative perspective suggests an orienting framework for a mixed methods study based on creating a more just and democratic society that permeates the entire research process, from the problem to the conclusions, and the use of results. All studies draw upon one or more theoretical frameworks to inform all phases of the study. Mixed methods studies provide opportunities for the integration of a variety of theoretical perspectives. In this study a multi-theoretical approach was used to provide a rigorous and in-depth analysis with the hope of making a small but significant contribution to the theory of governance.

5.3. Research approaches

This sub-section briefly discusses the research methods that were used to collect and analyze the field data. In particular, it indicates the descriptive empirical phenomenological methods of document analysis and interviews that were used to collect and analyze the qualitative data.

5.3.1. Case study

This study adopted a case-study method. According to Cohen and Manion (1997), the interpretive, subjective dimensions of educational phenomena are best explored by case study methods. Further, Merriam (1998: 27) describes a case study as an "intense, holistic description and analysis of a single instance, phenomenon, or social unit". Scholars like Stake (1997) and Creswell and Park (2007) argue that even though case studies have not found the solutions for education problems, researchers and others have appreciated their deep self-referential probes of problems. In spite of this, a case study, according to MacMillan and Schumacher (2006), selects cases with the purpose of improving understanding of the phenomenon observed.

In this study, one comprehensive HE institution in South Africa was selected for the study. The selection criteria was as follows: the university was threatened with administration but was able to recapulate out of it; the university was formerly a historically disadvantaged

institution; has a functional university council with a history of governance tensions; has experienced recurrent institutional crises; has a strongly stakeholder-driven university council and finally they should be formed as a result of mergers of HEIs post-1994 or converted from technikon to university status to offer both technikon-type programmes as well as a range of university-oriented programmes.

These criteria, according to Patton (2002), should allow selection of cases rich in information for study. Case studies are sometimes criticised for the questionable validity of generalisations. Moreover, there is a perception that it is difficult to define boundaries of the cases, and there are problems in negotiating access to study settings and allowing for the effect of the observer (Denscombe, 2003). Although case studies usually provide little basis for scientific generalizations, their outcomes can be generalised into theoretical propositions (Yin, 1994).

5.3.2. Description of population and sampling

In this sequential exploratory research, two sampling techniques were used. In the second phase of the study, purposive sampling was used because the researcher wanted to collect relevant information that could answer the research question. Most of this information was collected from members of the university council. Purposive sampling is a procedure in which a researcher selects a sample believed to be most appropriate for the study and more representative of the population than a convenience sample (Patton, 2002; Parasuraman et al., 2004). Bowling (2002) rightly notes that a purposive sampling method is a deliberate method of selecting participants for research; because they have relevant knowledge.

In the second phase of the study all the members of the university council that constituted the parent sample were purposively selected and these included the following as participants for the study: the vice-chancellor of the university, any three experts designated by the university council, five persons appointed by the minister, one person appointed by the premier of the Limpopo province, two persons elected by the senate from among its members, two persons from the university convocation, two person designated by the donors, one academic employee of the university other than members of the senate, elected by the academic employees, two students of the university elected by the students representative council, one member of the services employees of the university elected by the service employees, one person designated by the Thulamela Municipality and other persons not exceeding six in umber designated by such bodies as may be determined by the university council.

In the third phase of the study, convenience sampling was used to collect information from university students and the university staff of the university. Convenience sampling is a non-probability sampling technique where subjects are selected because of their convenient accessibility and proximity to the researcher (Bryman, 2008). Convenience sampling as non-probability sampling technique is often criticized for sampling bias and that the sample is not representative of the entire population causing systematic bias from sampling bias (Bryman, 2008). Another significant criticism about using a convenience sample is the limitation in generalization inference making about the entire population (Bryman, 2008**).**

5.4. Research methods

The study used a multi-method approach to collect data in the case study comprehensive university. "Multi-method means that multiple strategies are used to collect and corroborate data from a single data collection strategy." The methods that were used in the study were;

1. Document analysis
2. Face-to-face in-depth interviews
3. Surveys.

5.4.1. Document analysis

The use of documentary methods refers to the analysis of documents that contain information about the phenomenon we wish to study (Bailey, 1994). Payne and Payne (2004) describe the documentary method as the techniques used to categorise, investigate, interpret and identify the limitations of physical sources, most commonly written documents whether in the private or public domain. A document is an artefact which has as its central feature an inscribed text (Scott, 1990).

The researcher used primary documents and secondary documents in the public domain. Primary documents refer to eyewitness accounts produced by people who experienced the particular event or the behaviour we want to study. On the other hand, secondary documents are documents produced by people who were not present at the scene but who received eye-witness accounts to compile the documents, or have read eye-witness accounts (Bailey, 1994: 194). Documentary sources provide what Scott (1990) characterises as *mediate access* as opposed to *proximate access*. Mediate or indirect access becomes necessary if past behaviour must be inferred from its material traces, and documents are the visible signs of what

happened at some previous time. This is in contradistinction to proximate or direct access whereby the researcher and his sources are contemporaneous or co-present and the researcher is a direct witness of the occurrences or activities (Scott, 1990).

In the first phase of the study, the researcher accessed the public audit reports and gazettes from independent assessors of case higher education institutions in South Africa. These documents were reviewed and they provided the kind of information that was needed to answer the questions that this study seeks to address. The researcher then carried out a thematic document analysis to identify emerging themes.

The researcher, bearing in mind the research question, was guided by documentary framework designed for handling documentary sources (Scott, 1990: 1-2) to ensure that documentary sources are useful. These are authenticity, credibility, representativeness and meaning.

5.4.1.1. Authenticity

Authenticity refers to whether the evidence is genuine, reliable and dependable. The researcher, therefore, has a duty and a responsibility to ensure that the document consulted is genuine and has integrity. This is in the same way that an interviewer must be sure of the identity of the interviewee or the participant observer must be sure of being in the right place and that the activities observed are not stage-managed for onlookers, but the 'normal' activity of the people involved. There are, however, many instances where documents may not be what they purport to be. According to Platt (1981), circumstances may arise that necessitate a close scrutiny of a document. Having established the authenticity of a document, the researcher must also authenticate the authorship, that is, verify that the name inscribed on the document is that of the author (Scott, 1990).

5.4.1.2. Credibility

Credibility refers to whether the evidence is free from error and distortion. According to Scott (1990) the question of credibility should concern the extent to which an observer is sincere in the choice of a point of view and in the attempt to record an accurate account from that chosen standpoint. On the question of credibility, that is, whether the documents consulted were free from distortion, the researcher can only say that all the documents the researcher used were prepared independently and beforehand. None of the documents were produced for my benefit. The researcher therefore believes that they were sincere and could not have been

altered for my benefit or to mislead me. The question of credibility also applies to my respondents. The researcher believes that the views that these people expressed were made honestly regardless of the fact that they could have erred in fact or in judgment of the situation.

5.4.1.3. Representativeness

The question of representativeness applies more to some documents than to others. Representativeness refers to whether the evidence is typical of its kind, or if it is not, whether the extent of its atypicality is known.

5.4.1.4. Meaning

Meaning refers to whether the evidence is clear and comprehensible. The ultimate purpose of examining documents is to arrive at an understanding of the meaning and significance of what the document contains (Scott, 1990: 28). However, what documents contain can have either a literal or *face value* meaning, and an interpretative meaning. According to Scott (1990) the literal meaning of a document gives only its face value meaning, from which its real significance must be reconstructed. On the other hand, in an interpretative understanding, the researcher relates the literal meaning to the contexts in which the documents were produced in order to assess the meaning of the text as a whole. Another important point to be considered in the use of documentary sources is how to decide which inference to make from a document about matters other than the truth of its factual assertions (Platt, 1980). Language, whether written or spoken, subtly orders our perceptions of situations, and thus also constructs and creates social interaction. Social texts do not merely reflect or mirror objects, events and categories existing in the social world, but also actively construct a version of those objects, events, and categories (Potter & Wetherell, 1987).

The purpose of accessing this information was to identify and understand the major emerging issues and processes of university council governance in such contextual environments. The main themes were used to construct interview protocols, to be used to conduct interviews with university council members. Document analysis is an important part of the proposed study as it uses material that is readily available in the public domain. The researcher can use a perspective differing from that of the author of the document (Verschuren & Doorewaard, 1999).

5.4.2. Semi-structured Interviews

In the second phase of the study, the researcher used semi-structured interviews to obtain in-depth responses in relation to the issues that emerge from the documents analysis. During the interviews the researcher covered a list of key themes, issues, and questions (David & Sutton, 2004). In a semi-structured interview, the order of the questions can be changed, and additional questions can be asked, depending on the direction of the interview (Corbetta, 2003). O'Leary (2005) observes that semi-structured interviews are neither fully fixed nor fully free and are perhaps best seen as flexible. He explains that such interviews generally start with a defined questioning plan, but proceed in a conversational way that may see questions answered during the flow of the conversation. During semi-structured interviews, the researcher can explain or rephrase the questions if respondents are unclear about the meaning.

The researcher felt that semi-structured interviews positioned the study in a more productive space to address the research question during the study. These interviews allowed a flexible approach so that the researcher was able to note items to be covered during the interview, although most of it was not covered according to a strict format as laid out in the interview protocol. Smith & Osborn (2003) state that interviews should be tape recorded and transcribed verbatim, as there is no other way the interviewer can document everything said in sufficient detail to allow a thorough analysis afterwards. These authors explain that this technique allows interviewers to focus on participants rather than on note taking. However, interviewees may be more reluctant to take part or to reveal their true thoughts through this recording technique (Mason, 2002).

D'Cruz and Jones (2004: 60) indicate that when research relies on in-depth interviews for data collection, the number of informants is usually restricted so that the researchers can cope with the volume of data which is usually in text (word or language) form. Reid and Smith (1989: 213) point out that gathering data from in-depth interviews is very time-consuming. The researcher is well aware that to collect data using a phenomenological approach requires long interviews. During this time, interviewees were treated with respect as knowledgeable partners whose time is valued (Engel & Schutt, 2005: 295). The interviews lasted between 30 to 60 minutes for each of the council members in the university.

During the study, interviews were tape recorded only after obtaining the permission of participants. And on several occasions the interview tape recorder had to be switched off at the request of the interviewees and then switched on again on the consent of the interviewees. The researcher used a portable voice recorder that was small and could not make the respondents feel uneasy or raise suspicion. The researcher felt that the merits of relying on recording devices during interviews far outweigh the demerits. This view is supported by Patton (2002) who posits that the tape recorder is vital for accurate data collection and allows the interviewer to concentrate on the interviewee even though it does not eliminate the urgency for taking notes.

To ensure consistency, the researcher had to develop an interview protocol (Yin, 2003; Creswell, 2005), which was based on the information gained through the review of literature collected during the documentary thematic content analysis. The interview protocol contained a list of key themes and questions that were covered during the interview sessions. A total of 19 interviews were carried out from the members of the university council: 11 internal members and 8 external members of the university and from 20 external and 11 internal members of the university council. The interviews were carried in the following procedure: (i) the researcher had to introduce himself to the participants and to explain the general nature of the research and how the interviews had to be conducted; (ii) researcher had to explain the purpose of recording the interviews and then reassured respondents of confidentiality and that the recordings would be stored in a safe place; (iii) the researcher had to ensure that the issues of anonymity, motives and intentions and how the information would be used; and (iv) the interviewee were asked to read and sign consent forms before interviews were started. Although some of the interviewees struggled to read the consent form and I had to read it for them and even explain it in way they would understand before the interview would proceed as planned.

5.4.3. Survey

The word survey refers to the study of a population through observation of its members, as it has been carried out for ages in censuses. In modern times, most surveys use a sample of members to measure population characteristics, as in this definition by Groves et al. (2004: 4), which says, “the survey is a systematic method for gathering information from (a sample of) entities for the purpose of constructing quantitative descriptors of the attributes of the larger population of which the entities are members” (Groves et al., 2004: 2). The population

under study may include the inhabitants of a town or a country, or the members of a specific category like teachers or left-handed tennis players, etc. The point is that the study does not observe social interactions or communications between persons or institutions in a given population, but only characteristics of the individual members involved. In terms of the dataset, the distinguishing feature of survey research is not the technique of data collection nor the characteristics of the data (per se), but "the rectangular variable by case matrix structure of the data set" and the consequential form of analysis by column inventory and consequential analysis "by matching variation in one variable with variations in other variables" (De Vaus, 2002: 3-7). As in the definition provided by Groves et al. (2004) quoted above, in general methodology, the word survey only covers quantitative studies that primarily aim at describing numerical distributions of variables (for example, prevalence rates) in the population. In the case of sample surveys, statistical representativeness of the sample, data quality and precision of estimates (confidence limits), are the main issues in quantitative surveys. Pinsonneault and Kraemer (1993: 77) defined a survey as a "means for gathering information about the characteristics, actions, or opinions of a large group of people".

In this study, a survey, as part of the data collection process, was used because the study was aimed at understanding students and staff's beliefs and perceptions about the nature of university council institutional structures, systems and cultures as forms and modes of effective university governance in comprehensive universities in the South Africa higher education context. Kraemer (1991: xiii) identified three distinguishing characteristics of survey research. First, survey research is used to quantitatively describe specific aspects of a given population. These aspects often involve examining the relationships among variables. Second, the data required for survey research are collected from people and are, therefore, subjective. Finally, survey research uses a selected portion of the population from which the findings can later be generalized back to the population.

In survey research, independent and dependent variables are used to define the scope of study, but cannot be explicitly controlled by the researcher. Before conducting the survey, the researcher must predicate a model that identifies the expected relationships among these variables. In this case, the survey was developed from the connections and similarities that were emerging from the patterns of evidence in the qualitative data after a thematic content analysis of the interview transcripts. Thus in order to explore the strengths and weakness of

the connectivity in the emerging patterns of evidence in the qualitative data a survey was carried out by the researcher.

The survey is then constructed to test this model against observations of the phenomena. In contrast to survey research, a survey is simply a data collection tool for carrying out survey research. McIntyre (1999: 74) argues that surveys are capable of obtaining information from large samples of the population. They are also well suited to gathering demographic data that describe the composition of the sample. Surveys are inclusive in the types and number of variables that can be studied, require minimal investment to develop and administer, and are relatively easy for making generalizations (Bell, 1996: 68). Surveys can also elicit information about attitudes that are otherwise difficult to measure using observational techniques (McIntyre, 1999: 75). It is important to note, however, that surveys only provide estimates for the true population, not exact measurements (Salant & Dillman, 1994: 13).

However, as noted by Pinsonneault and Kraemer (1993), surveys are generally unsuitable where an understanding of the historical context of phenomena is required. Bell (1996) observed that biases may occur, either in the lack of response from intended participants or in the nature and accuracy of the responses that are received. Other sources of error include intentional misreporting of behaviours by respondents to confound the survey results or to hide inappropriate behaviour. Finally, respondents may have difficulty assessing their own behaviour or have poor recall of the circumstances surrounding their behaviour.

5.5. Reflections on data collection and Empirical challenges

This study was carried out at a time when higher education institutions in South Africa are familiar with institutional audit reports and assessor's reports that have often highlighted the institutional readiness. These institutional reports and publications are available in the public domain and, as a result have generated constructive engagements and responses within the field.

5.5.1. Challenges related to assessing interviewees

During the course of data collection it was not easy and rather difficult to assess the required interviewees as earlier anticipated. Negotiating access in such challenging environments required movement to distant places that were convenient for the interviewees as most of them did not reside anywhere near the university premises. Other interviewees simply could not be available for the interviews in spite of advance arrangements. Some of the

interviewees were cautious of the interviews and were not willing to be part of the interviews as they cited previous studies they had participated in and were victimized.

In the course of administering the survey forms to the university students and staff at the university, the most challenging aspect was that most the students and non-teaching teaching staff did not have time to participate in the survey. Most the survey forms from the university teaching staff were not received. Some students could take the survey forms and simply disappear since a great number were not residing on the campus. Tracing these kinds of students became problematic.

5.5.2. Challenges related to accessing document information

During the course of the study, the assessment of documentary information depended on what the institution considered sensitive that could be not be available to the public domain without authorization from the vice-chancellor's office. Not all information about the university council and its activities are readily available to the general public. The researcher was only able to access information that is available on the university website and CHE websites about the university and the information made available to me on the express permission from the university vice-chancellor's office.

5.5.3. Challenges related to confidentiality

This was one of the critical issues the researcher had to grapple with during the processes of data collection. The permission letter from the vice-chancellor's office made it clear to the respondents that as they participate in the interviews they should not speak information that could put the leadership and management of institution, and the institution itself into disrepute and tarnish the image of the institution. The researcher had to bear with the respondents as they had to navigate between positions of neutrality and giving me the information that was useful to my study in their speech as they replied to the interview questions the researcher presented them with from the interview schedule on effective university governance by the university council in the institution. On several occasions the researcher would be requested to switch off the tape recorder by the interviewees and then turn it on again on their request. In addition, the researcher often had to rephrase and panel-beat the interview questions to get what the researcher could consider useful as per answering my research questions during the interview processes as it was clear on certain aspects that the respondents could not provide useful information.

5.5.4. Challenges related to accessing sites for the study

The study was initially planned to involve a pilot university and two comprehensive universities. However, as the fieldwork process unfolded, in one of the planned sites for the study, interviews could not take place because the institution in question was just going into institutional administration as an administrator had being appointed by the minister of education. In the other institution, a rather unique scenario emerged, planned interviews could not take place because the institution in question had just got a new vice-chancellor a new university council had just been constituted barely less than a month and the university vice chancellor had not even met with the members of the university council then. In these fluid circumstances, a fieldwork decision had to be made by the researcher so that the study could not collapse. The institution which was planned as a pilot site for study with similar institutional characteristics as in planned sites for the study located in a rural distance was converted into a the major site for the study.

5.5.5. Challenges related to interviewee responses

During the interview processes, some responses from the interviewees on some of the interview questions did not yield what the researcher thought could be useful as expected. The researcher had at times rephrase the questions to try to get some kind of rather new interesting information which could have been never accessed through the normal structured-interview questioning processes.

5.6. Data analysis

During the course of study the researcher analyzed data through the following processes.

5.6.1. Analysis of documents

Qualitative analysis is a systematic process of selecting, categorising, comparing, synthesizing and interpreting data to explain the phenomenon of interest (White, 2005: 168). Creswell (2002) adds that, in qualitative research, the researcher takes a voluminous amount of information and reduces it to meaningful categories, patterns, or themes, and then interprets the information. In this study, the researcher used the framework developed by (Miles & Huberman, 1994) in the analysis of the document sources for the study.

In the first phase of the documentary qualitative data analysis the researcher had to analyze official council and assessor’s reports and documents, public and government reports, and

gazettes of universities available in the public domain. The researcher had to look out for patterns of experiences and perceptions of university council members based at those universities emerging from or having experienced an institutional governance crisis.

A thematic analysis then took place based a comprehensive review of professional and research literature with a purpose of identifying the major underlying themes. The researcher had to go through the organization and analysis of data checking and regarding every statement relevant to the topic as having equal value. The first analytical step before coding involved a close reading of the documentary sources. This first step was drawn from grounded theory techniques a practise that (Miles & Huberman, 1994) built upon in arguing for systematic procedures in qualitative analysis. The first reading gave the researcher an initial sense of issues arising from the qualitative data. Reading the documentary sources also gave the researcher the opportunity to interact, in a relatively unmediated way, with the data as a whole. It assisted in understanding fragments of data in context, a practise central to qualitative data analysis. It helped in granting the researcher the opportunity to listen to the respondents' voices rather than simply hearing 'chords'. It gave the researcher the sense of the spirit of the text before imposing codes on it.

Miles and Huberman (1994: 58) recommend that documentary sources be read for regularly occurring phases and with an eye to surprising or counterintuitive material. In line with this recommendation, the documentary sources were read more than once so as not to lose alternative narratives to what emerged as predominant experiences and perceptions of effective university governance through structures, systems and cultures of the university council in comprehensive university contexts.

After reading the documentary sources the researcher proceeded to code the data. Coding involves assigning unique labels to text passages that contain references to particular categories of information (Miles & Huberman, 1994: 56). This process of selecting a bit of information and assigning it to a category entails data fragmentation (Dey, 1993: 62) and contributes to data reduction (Miles & Huberman, 1994: 11; Fielding & Lee, 1998: 41). Codes bring together selected data and identify emerging themes (Miles & Huberman, 1994). Coffey and Atkinson (1996) note that coding helps one organize, manage, interpret and retrieve meaningful segments of data. Codes are partly analytical as they link various segments of text to a particular concept. Miles and Huberman (1994: 69) talk about first-level coding, a process of naming and classifying the results in a working set of codes. At this level

codes are descriptive but Miles and Huberman (1994: 57) suggest they can also be interpretive.

Following Miles and Huberman (1994: 58), codes were developed from the central questions and by paying attention to codes emerging from the data. Multiple codes were developed for single segments of text. Unlike first level coding, second-level or pattern is a meta-coding process (Miles & Huberman, 19: 69). Miles and Huberman (1994: 94) note that first level coding is a device for summarising segments of data' (1994: 94) while pattern codes are explanatory or inferential codes, one that identify an emerging theme, configuration or explanation'.

The next phase of coding which was second–level coding involved two steps: identifying clusters and hierarchies of information and second, deeper level of analysis during which the researcher was able to identify patterns and relationships in the data. It summaries and reduce data and convert it into an easily retrievable form (Miles & Huberman, 1994: 51-54). These summaries included evidence in the form of quotations from the data and a weighting of such evidence based on the number of occurrences across documents of a single code (in other words, how many respondents were saying the same thing?), on patterns of repetition among respondents when talking about a topic, on unusual disclosures and on consistent silences. Creswell (2002) is of the opinion that qualitative data analysis is primarily an inductive process of organizing the data into categories and identifying patterns and relationships. Common themes were defined and used to develop a textural description of the experience. The researcher was of the that view that it is essential to follow a process of organizing and analyzing the data to facilitate the development of individual textural and structural descriptions, developing a composite textural description, developing a composite structural description, and then producing a synthesis of textural and structural meanings and essences. The emerging themes from the analysis of the documentarily sources were used to construct and develop an interview protocol to conduct interviews with university council members in the case study.

5.6.2. Analysis of interview data

In this study, after conducting all interviews, the recordings were converted into text. The process of transcription was carried out by two persons. One person, a research assistant skilled in the local language of the Venda to address the translations that could not be handled

by the researcher who did not understand the language; the rest of the transcriptions that were in English were handled by the researcher himself.

Smith and Dunworth (2003) and Miles and Huberman (1994) note that the researcher transcribes interviews word for word even though this is a time consuming process and that interviews need to be transcribed by the researcher in person to ensure complete familiarity with the content. However, in this case of language barrier the researcher had to improvise to get the transcriptions done in time. Even after translations from the local language the researcher still had to re-read the texts to ensure that information was not lost in the process of translation or added in. A thematic analysis then took place based a comprehensive review of professional and research literature with a purpose of identifying the major underlying themes. The researcher had to go through the organization and analysis of data; checking and regarding every statement relevant to the topic as having equal value.

The first analytical step before coding involved a close reading of the documentary sources and/interview transcripts. This first step was drawn from grounded theory techniques a practise that (Miles & Huberman, 1994) built upon in arguing for systematic procedures in qualitative analysis. The first reading gave the researcher an initial sense of issues arising from the qualitative data. Reading the transcripts/documentary sources gave the researcher the opportunity to interact, in a relatively unmediated way, with the data as a whole. It assisted in understanding fragments of data in context, a practise central to qualitative data analysis. It helped in granting the researcher the opportunity to listen to the respondents' voices rather than simply hearing 'chords'. It gave the researcher the sense of the spirit of the text before imposing codes on it.

As mentioned, careful reading and re-reading of the data is needed to identify themes (Rice & Ezzy, 1999). In this case the researcher had to read interview transcripts and data several times to create themes or categories for common responses. The researcher had to use actual statements of the respondents to demonstrate how they construct their world and the meanings. Words are strong conveyors of meaning, perhaps stronger than statistics (Neuman, 2000). The researcher felt that the use of direct quotations from the data collected could make the research more meaningful to the audience, since these reveal insights into the actual setting to which the audience may relate their experience. Miles and Huberman (1994: 58) recommend that documentary sources or interview transcripts be read for regularly occurring phases and with an eye to surprising or counterintuitive material. In line with this

recommendation, the documentary sources and interview transcripts were read more than once so as not to lose alternative narratives to what emerged as predominant experiences and perceptions of effective university governance through structures, systems and cultures of the university council in comprehensive institutional contexts.

After reading the interview transcripts the researcher proceeded to code the data. Coding involves assigning unique labels to text passages that contain references to particular categories of information (Miles & Huberman, 1994: 56). This process of selecting a bit of information and assigning it to a category entails data fragmentation (Dey, 1993: 62) and contributes to data reduction (Miles & Huberman, 1994: 11; Fielding & Lee, 1998: 41). Codes bring together selected data and identify emerging themes (Miles & Huberman, 1994). Coffey and Atkinson (1996) note that coding helps one organize, manage, interpret and retrieve meaningful segments of data. Codes are partly analytical as they link various segments of text to a particular concept. Miles and Huberman (1994: 69) talk about first-level coding, a process of naming and classifying the results in a working set of codes. At this level codes are descriptive but Miles and Huberman (1994: 57) suggest they can also be interpretive. Each transcript was read and coded in its entirety as far as possible to ensure the integrity of the transcript.

Following Miles and Huberman (1994: 58) codes were developed from the central questions and by paying attention to codes emerging from the data. Multiple codes were developed for single segments of text. Unlike first level coding, second-level or pattern is a meta coding process (Miles & Huberman, 194: 69). Miles and Huberman (1994: 94) note that "first level coding is a device for summarising segments of data while pattern codes are explanatory or inferential codes, one that identify an emerging theme, configuration or explanation".

The next phase of coding which was second–level coding involved two steps: identifying clusters and hierarchies of information and second, deeper level of analysis during which the researcher was able to identify patterns and relationships in the data. Summaries reduce data and convert it into an easily retrievable form (Miles & Huberman 1994: 51-54). These summaries included evidence in the form of quotations from the data and a weighting of such evidence based on the number of occurrences across interviews of a single code (in other words, how many respondents were saying the same thing), on patterns of repetition among respondents when talking about a topic, on unusual disclosures and on consistent silences. The researcher also agrees with Creswell (2002) that qualitative data analysis is primarily an

inductive process of organizing the data into categories and identifying patterns and relationships. Common themes were defined and used to develop a textural description of the experience. The researcher's was of the that view that it is essential to follow a process of organizing and analyzing the data to facilitate development of individual textural and structural descriptions, developing a composite textural description, developing a composite structural description, and then producing a synthesis of textural and structural meanings and essences. The emerging themes from the analysis of the interviews were used to construct and develop a survey protocol to conduct survey with the university students and members of staff at the university in the case study.

5.6.3. Analysis of survey data

The study used an analytical framework by Moser and Kalton (1971) in the analysis of the survey data. This analysis framework involves four procedures namely; coding, editing, electronic data entry and cleaning.

5.6.3.1. Coding

The first step in the analysis of the survey data involved data coding is the process of summarising survey answers into meaningful categories to identify patterns (Moser & Kalton, 1971). The coding process for survey analysis involved defining a coding framework with assigning values. Moser and Kalton (1971) notes that coding frames assist in identifying the categories of answers and the coding process should not be delegated but it has to done by somebody familiar with the data. In this case, the researcher did the construction of the frames himself since he was critically involved in the data collection processes. The researcher had to assign numeric labels next to each question item to facilitate data entry.

5.6.3.1.2. Participants

A total of 331 useable survey forms were received from the students and staff from the university.

i) The number of university students who participated in the study survey was 255.
ii) The number of university teaching staff who participated in the study survey was 17.
iii) The number of university non-teaching staff who participated in the study survey was 48.

5.6.3.1.3. Instruments

The data was gathered by means of a paper and pencil survey. The study had two separate survey instruments for the university students and the university members of staff. The survey included four major components: (a) demographic information; (b) university council structures; (c) university council systems; and (d) university council cultures.

5.6.3.1.4. Demographic information

The demographic information covered of the survey instrument for the university student's name of the institution, course, year of study and the nature of the students in terms of gender, race and residence. The demographic information covered by the survey instrument for the university staff involved: name of the institution, nature of the staff, nationality, gender, race and residence.

University council structures: In this component the participants were asked to indicate their perceptions of university council structures and processes as contributing to effective university governance on the following item scales; recognition of the university council as the highest decision-making body in the university, the different subcommittees of the university council work harmoniously, the exiting university council structures enable effective staff and student representation and contribution to debate, the university council provides structures which enable students and staff to select their own representatives to the university council, student and staff representation vividly reflects on university committees were student and staff affairs are handled. These item scales were on a 5-point Likert-type scale of [5 for very strongly agree; 4 for strongly agree; 3 for neutral / disagree or agree; 2 for strongly disagree; 1 for very strongly disagree].

University council systems: In this component the participants were asked to indicate their perceptions of university council systems and processes as contributing to effective university governance on the following item scales; staff and student representatives to the university council keep their constituents informed and solicit constituent's views whenever appropriate, the university council recognises student and staff participation and input in decision-making, the university council follows appropriate process for staff and student disciplinary hearings and grievances appeals, the university council uses viable audit processes to monitor institutional matters presented to it for action. These item scales were on

a 5-point Likert-type scale of [5 for very strongly agree; 4 for strongly agree; 3 for neutral / disagree or agree; 2 for strongly disagree; 1 for very strongly disagree].

University council cultures: In this component the participants were asked to indicate their perceptions of the university council institutional cultures as contributing to effective university governance on the following item scales; the apparent university council governance structures and systems make it possible for a wide range of staff and students to participate in the leadership of the institution, the laid out university governance structures promote negotiations and communications among different university constituents to be carried out in an open environment of good faith and civility, the university council and its subcommittee processes support a culture of public debate and tolerance which accommodates differences and competing interests, the external stakeholders have confidence in the institutional values which guide the university council governance structures and systems. These item scales were on a 5-point Likert-type scales of [5 for very strongly agree; 4 for strongly agree; 3 for neutral / disagree or agree; 2 for strongly disagree; 1 for very strongly disagree].

Codes used

Codes that were used for the university students in the survey study:

Course [vocational courses ….. 1; Non-vocational courses ….. 2]

Year of study [First year ….. 1; Second year ….. 2; Third year ….. 3; Fourth year ….. 4; Postgraduate students ….. 5]

Students [local students ….. 1; international students ….. 2]

Residence [off-campus ….. 1; on-campus ….. 2]

Gender [male ….. 1; female ….. 2; gay ….. 3; lesbian ….. 4; transgender ….. 5]

Race **[**black …..1; white ….. 2; Indian ….. 3]

Unfilled spaces ….. [6].

Codes that were used for the university staff in the survey study:

University staff [teaching staff ….. 1; non- teaching staff ….. 2]

Gender [male ….. 1; female ….. 2; gay ….. 3; lesbian ….. 4; transgender ….. 5]

Race [black ….. 1; white ….. 2; Indian ….. 3]

Nationality [South African ….. 1; non-south African ….. 2]

Residence [nationals ….. 1; non-nationals ….. 2]

Unfilled spaces ….. [6].

5.6.3.2. Editing

The second step in the analysis of this survey data involved data editing. Data editing is the process through which survey instruments are reviewed to detect and correct errors (Moser & Kalton, 1971, 417). The process of editing consists of checking that the information collected is complete, accurate and consistent. Completeness does not mean that all questions must have answers. As a matter of fact, it is likely that not all question items will apply to all respondents and that even if a question is applicable, not all respondents will be able or willing to provide an answer. Accuracy implies checking that all recorded answers are easily identified.

5.6.3.3. Electronic data entry

The third step in the analysis of the survey data involved electronic data entry. The researcher had to develop a data entry form using SPSS. The first stage of survey data analysis after the data entry using SPSS format, involved the use of descriptive analysis. It involved the use of frequency distributions, means and standard deviations (variations). In relation to the research questions, one, two and three descriptive data analysis was done to show the frequency distribution of each variable across the survey groups of respondents in the study. It showed the responses of the university students and staff on each of the variables in terms of percentages. Keith and Punch (2009) observe that the use of descriptive statistics assists a researcher to keep closer to the data as was in this case.

The next stage of the data analysis involved the use of correlations to explore if there are any relationships amongst the data. Using a Pearson moment correlation coefficient all the theme items on the survey instruments were correlated against each other in this process. The researcher was interested in seeing if there are emerging relationships, the strengths of these relationships and what this means as modes of effective governance. The researcher was of the view that use of a Pearson moment correlation coefficient at this moment is to confirm the relationships that existed within the qualitative or rather were emerging from within the qualitative data as confirmed using the quantitative research method through a Pearson moment correlation coefficient. This kind logical framework was suggested by Rosenburg (1968) on how to work through any survey data, stressing the logic of the analysis and he argues the central feature of this approach is the clarification of the meaning of the relationships between the variables. However this proved an enormous adventure. This study henceforth did not use the Pearson moment correlation coefficient in the development of data

that could be included in the write up of this thesis. This would be used to produce deeper analysis for publications in the coming future.

Thus in order to answer research question four, the researcher had to look for emerging themes [a process of further content analysis] between the data that were considered as a basis for looking at these as emerging forms of effective university governance.

5.6.3.4. Data cleaning

The last step in the analysis of the survey data drawing from this analytic framework involved data cleaning. Data cleaning enhances the quality of the data. Moser and Kalton (1971) warn that if the data cleaning processes are done well it would introduce errors in the final data, destroy evidence of poor-quality data and significantly change the data collected. Nevertheless, Moser and Kalton (1971) emphasise that if conducted properly data cleaning could bring about the following; improve or at least retain the quality of the data collected, make the data more user friendly for analysis, increase the credulity of the data collected. The data cleaning process for the study involved determining issues of validity, reliability, missing data (analysing missing values from the study).

5.7. Issues of reliability and validity in the study

The value of scientific research depends on the ability of individual researchers to demonstrate the credibility of their findings (McMillan & Schumacher, 2006). Silverman (2004) states that reliability and validity are two important concepts to keep in mind when doing research. Bush (2007: 92) supports Scott and Morrison's (1999: 208) definition, which states that a measure is reliable if it provides the same results on two or more occasions, assuming that the object being measured has not changed. Validity is used to judge whether the research accurately describes the phenomenon that it is intended to describe (Bush, 2007: 97).

5.7.1. Complementarity

As part of improving the reliability of the study, the use of documents, interviews and surveys within a single project provided spaces to explore useful and confirm linkages between the emerging patterns of evidence from the data. In this case from the responses of the members of the university council similar responses on issues could be seen that also produced similar perceptions from the students and university staff on issues of particular

interest to them. These kinds of relationships within the data were explored that could provided a more insightful understanding of the responsive specifics of modes and forms of effective governance that were being developed from institutional structures, systems and cultures of the university council within a comprehensive South African higher education context. In addition this aspect agrees with Bryman (2006a: 609) notion of completeness. This aspect suggests that the researcher could bring together a more comprehensive account of the area of enquiry in which one is interested if both qualitative and quantitative aspects are used. Likewise the use of these approaches by the researcher within a multi-method research enabled the researcher to discover overlapping and possibly different aspects of phenomenon yielding and enriching elaborated understanding of that phenomenon (Bryman (2006a: 258).

5.7.2. Triangulation

One method is used to validate or improve the consistency of findings of the other method. In this case, quantitative analysis was used to validate the findings for the qualitative study. Triangulation refers to the use of more than one approach in the investigation of research questions in order to enhance confidence in the ensuing findings (Creswell & Clark, 2007). Triangulation not only seeks the use of different data-gathering techniques and methods to investigate the same phenomenon but also includes the comparison of different data sources (Donoghue & Punch, 2003). Denzin (1978) identified four basic types of triangulation data triangulation, namely, investigator triangulation, respondent triangulation, theory triangulation and methodological triangulation.

The study used theory triangulation which involved the use of multiple perspectives to interpret a single set of data, methodological triangulation which involved the use of multiple methods to study effective university governance by university councils in a comprehensive university. Bush (2002) points out that respondent triangulation involve using the same instrument to collect data from different participants. In this study the researcher interviewed across section of members of university council from different stakeholders and the researcher sought to check the responses for comparison.

5.7.3. Development

As part of improving the reliability of the study was the use of information from the first phase of data collection from documentary sources and the initial first phase of thematic analysis of these sources guided by the research question to develop into the second phase of the data collection using interviews and thematic analysis of the interviews to come out with themes used to generate scale items for the survey and hypotheses and using quantitative research to test them within a single project.

5.7. The reliability test of the survey instruments study

The reliability test for the instrument was done using the Cronbach Alpha coefficient. Nunnally and Bernstein (1994), McIver and Carmines (1981) and Spector (1992) discuss the reasons for using multi-item measures instead of a single item for measuring psychological attributes. They identify the following: first, individual items have considerable random measurement error, i.e. are unreliable; second, an individual item can only categorize people into a relatively small number of groups (an individual item cannot discriminate among fine degrees of an attribute); third, individual items lack scope. McIver and Carmines (1981: 15) say, "it is very unlikely that a single item can fully represent a complex theoretical concept or any specific attribute for that matter".

George and Mallery (2003: 231) provide the following rules of thumb:

> _ > .9 – Excellent, _ > .8 – Good, _ > .7 – Acceptable, _ > .6 – Questionable, _ > .5 – Poor, and _ < .5 – Unacceptable.

Tables 1 & 2: The Cronbach's Alpha reliability coefficient for the university non-teaching staff survey instrument

RELIABILITY

Case Processing Summary

		N	%
Cases	Valid	255	99.6
	Excluded[a]	1	.4
	Total	256	100.0

a. Listwise deletion based on all variables in the procedure.

Reliability Statistics

Cronbach's Alpha	Cronbach's Alpha Based on Standardized Items	N of Items
.679	.687	20

Tables 3 & 4: The reliability coefficient for the university staff survey instrument

Case Processing Summary

		N	%
Cases	Valid	63	98.4
	Excluded[a]	1	1.6
	Total	64	100.0

a. Listwise deletion based on all variables in the procedure.

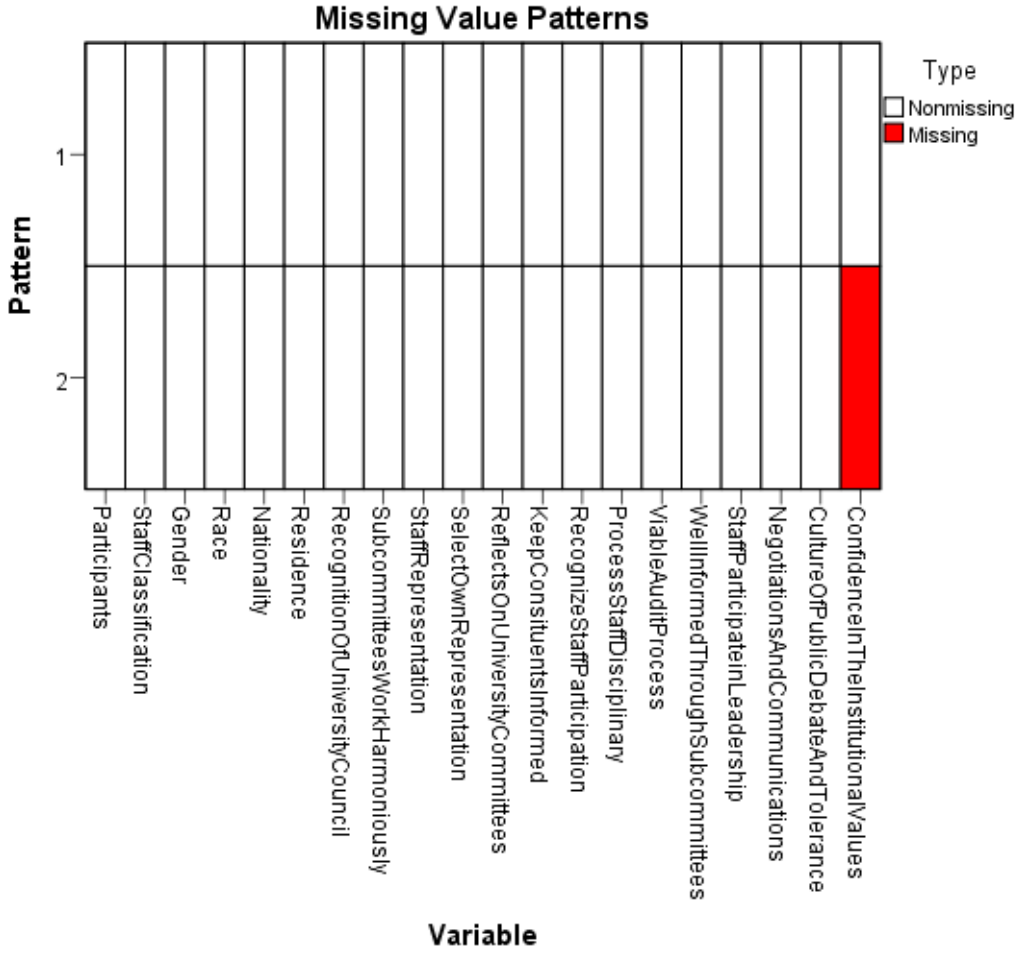
Cronbach's Alpha	Cronbach's Alpha Based on Standardized Items	N of Items
.858	.823	19

5.8. The limitations of the study

The study had limitations to grapple with which include the following: the study had to deal with variations of sample sizes which had the potential to influence the study. For example, more university students than university teaching staff and non- teaching were part of the survey. As a result, the researcher had to carry tests of homogeneity subset on the data such that the variations of sample sizes are taken into consideration in the use of the data.

Secondly, the researcher had to grapple with missing values in the data from the survey instruments for the university students and university staff. The effect of size was calculated to see how it affects the different data sizes, effect of missing data on the data. The eta squared (Howell, 1997; Huck, 2009) used to calculate the effects size to see the effect of the different data sizes on the data, effect of missing data on the data.

Table 5: Analysis of patterns of missing values



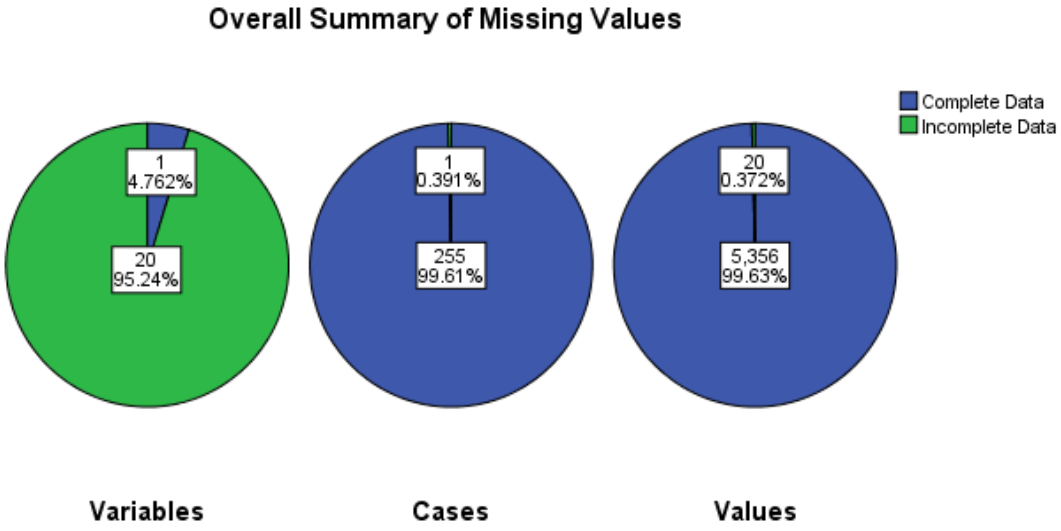


Figure 3: Pie charts showing percentages of missing variables

5.8.1 Ethical considerations

Blaxter et al. (2001) argue that the conduct of ethically-informed research should be the goal of all social researchers. Any research has the potential to impact on the lives of others and therefore consideration must be given to recognise and protect the rights of human beings (Cohen & Manion, 1994). It is the responsibility of the researcher to ensure that ethical standards are adhered to. Measures were taken, in the planning and conducting the study, to ensure that the rights and welfare of each subject are protected, and that nobody was harmed or hurt in any way during the research process. In particular, the researcher observed several ethical safeguards, including privacy, self-determination, anonymity, confidentiality and informed consent. Firstly, before the study began, the researcher obtained ethics clearance from the University of the Witwatersrand's ethics committee to ensure that the research was ethically acceptable (refer to Appendix 1). Secondly, a letter requesting permission to conduct research was accompanied by a consent letter for participants (refer to Appendix 2). It was addressed to the head of the higher education institution vice-chancellor of the university.

Thirdly, a consent letter that sought the participants' consent to participate in the study was made available to the participants with a brief outline of the research to be undertaken, which included the opportunity to decline or to ask any question regarding the research, including ethical concerns (refer to Appendix 6). Fourthly, each interview began with an ethical conversation about confidentially, and results storage. The participants were assured that the tape recording would be heard only by the researcher and that it would be destroyed after the research was completed. The interviewees were also told that they could withdraw from the research process at any time. At the conclusion of each interview, the participants were free to ask questions and listen to the recorded interview. For the ethical reasons to protect participants' identities codes were invented to conceal the identities of the members of the university council members who participated in the study. Fifthly, a letter requesting permission to conduct research accompanied by a consent letter for participants was obtained. It was addressed to vice-chancellor of the university (refer to Appendix 7).

5.9. Conclusion

In conclusion, the research methodology chapter has demonstrated how the study was carried. In the results of the study are presented through the processes of historicization and concept of genealogy as ‘eventalization’ (drawn from the archaeology of knowledge by Foucault, 1972). Genealogy as a method of analysis searches in the maze of dispersed events to trace discontinuities, recurrences and play where traditional historiography sees continuous development, progress and seriousness. Therefore, Foucault sees genealogy as an 'eventalization', a method that can attribute different dimensions to the ways traditional historians have dealt with the notion of *the* event. Eventalization begins with the interrogation of certain evidences of our culture on how things should be: “making visible a singularity at places where there is a temptation to invoke a historical constant, an immediate anthropological trait, or an obviousness which imposes itself uniformly on all” (Foucault, 1972). The emphasis of this approach is to according to Foucault’s way is to focus on a particular problem and then try to see it in its historical dimension; how this problem turned out to be the way we perceive it today a stance this study as adopted.

The results of this study are developed from the fore grounding issues discussed in chapters 2, 3, 4 and 5. In particular chapters 2, 3 and 4 are central to the understanding of the results of this study. Chapters 8, 9 and 10 are a continuation of the study results analysis and discussion that began in chapters 2, 3 and 4.

CHAPTER 6: THE RISE OF A DOMINANT BUREAUCRACY THROUGH THE STRUCTURES OF THE UNIVERSITY COUNCIL

6.1. Introduction

This chapter is provides a response to the continuation of the discussion in chapters two, three four and five of the study. These previous chapters demonstrated higher education environments that necessitated particular institutional governance responses and initiatives as effective governance by HEI governing bodies.

This chapter analyses the relationship between institutional governing structures and effective governance in HEIs. Using a case study of the governing body of the University of Venda, this study looked at how its different governing structures have been used to bring about effective university governance within the context of the post-1994 South African HE transformation. It examined the dissimilar relationships between the different components of the institutional governance structures of the university council and different empowered institutional stakeholders represented at the university council. It argues that the different components of the institutional governance structures of the university council are highly politicized through the legitimatization of stakeholder interest leading a reductionist understanding of the value of structure to meaningful contribute to effective university governance. To achieve this, this chapter is divided into six sections each looking at the different facets of the institutional structure of the university council.

i) The first part begins with definition of institutional structures of the university council. It looks at institutional structures of council as institutional governance spaces and sites. It explains the purpose of institutional structures of university council in terms of university governance.
ii) The second part explores the university council complexity in which it explores the hierarchical nature of the university council.
iii) The third part explores the different roles of particular individuals in the university council. It argues that the different roles of the chairperson and deputy chairperson, vice-chancellor, secretary of the university council, chairpersons of committees of council and individual members of council are instrumental for the university council to successfully discharge its role of bringing about effective governance in a comprehensive university.

iv) The fourth part of the chapter looks at the institutional modelling of the university council. In the institutional model of the university council it argues that the size of the university council, its composition and the skills and knowledge competences of the members of the university council is vital for it council to successfully discharge its role of bringing about effective governance in a comprehensive university.
v) The fifth explores the different processes of becoming a member of the university council and what it means to become a member of the university council. It argues that different processes of how individuals become members of university council tend to be-cloud their positions in the university council.
vi) The last part explores the structural component of the university council, the notion of the committees of council as teams. It argues that the relationship between the committees of council and participation in the committees of council is significant for the university council to deliver on its mandate of effective governance.

Post-1994, the South African state was in a period of transition to transformation. During this period the state through its White Paper of 1997 would, as part of the transformation process, expect the system of education to be transformed. As a consequence the university governing bodies would be expected to champion the individual transformation of HEIs. This would require the different governing bodies to taking charge of the leadership and governance of these HEIs. This process would oblige the university governing bodies to understand their governance function; what they are supposed to do to bring about modes of institutional effectiveness based on guidelines of institutional transformation laid down in the White Paper of 1997.

The White Paper of 1997 categorically states that it is the responsibility of HEIs to manage their own affairs. The transformation of councils through a participative democratic process involving recognised stakeholders is a critical first step in creating strategies for the transformation of institutions. Transformed councils that enjoy the support and respect of all stakeholders will then be able to play an effective role in establishing the necessary policies and structures for the transformation of institutions (White Paper of 1997, 3.35). However, the White Paper of 1997 did not lay down how the different university governing bodies would go about the different institutional governance processes of bringing about institutional effectiveness as part of the transformation of these institutions. As a consequence, each HEI would be expected to, based on their institutional conditions and readiness, creatively use the guidelines of the White Paper of 1997 to initiate the kinds of *institutional governance*

structures at the university governance levels that they would prefer to work with and that are fit- for-purpose as best practices.

6.2. Institutional structures

Bau (1974: 12) defines structure as "the distributions, along various lines, of people among social positions that influence the role relations among these people". Ransom, Hinings and Greenwood (1980: 3) have a slightly different perspective on organization structure. They conceive of structure as a "complex medium of control which is continually produced and recreated in interaction and yet shapes that interaction: structures are constituted and constitutive". This approach emphasizes that an organization's structure is not fixed for all time. Rather, it shapes what goes on in an organization and is shaped by what goes on in an organization. This point highlights the fact that organizations are by nature dynamic. Their structure is constituted by the interactions that take place within it. The structure does not yield total conformity, but it also prevents random behaviour. Meyer and Rowan (1977) and Kamens (1977) have a total different view of structure. They view structure as a myth created by social demands. Meyer and Rowan's approach is that structure is the practices and procedures defined by the prevailing rationalised concepts of organizational work which are institutionalised in society.

In this case, the researcher considers structures of the university council as institutional governance spaces and sites institutionally made available by the university council to enable it to fulfil and serve its institutional governance vision and purposes enshrined within the core purposes of the university in that locality. Looking at the university council of the University of Venda, its institutional governance structure is composed of the following components with various functions attached to each. The function and meaning of each component is fundamental to institutional transformation in relation to effective governance.

i) University governance
ii) University council complexity
iii) Roles
iv) Becoming a member of the university council
v) Institutional governing body modelling
vi) The committees of the university council as teams.

6.2.1. University governance

The analyses of the official documentary sources from the institution reveal that the university council as an institutional structure of the University of Venda is legally accountable for the health and effectiveness of the HEI (University of Venda, 2011). The university council's major role is to provide institutional governance to the HEI within the framework of national higher education policy; the Higher education Act, 1997 Act 101 of 1997, for auditing the implementation of policy and financial affairs of the institution. This aspect is depicted from the response members of university council that:

> … role of the council is only to take decision and make to ensure that the decision taken has been implemented. [R3]

However, it is important to distinguish between management and governance roles of the university leadership at the university council. The CUC (2009) Guide for members of Higher Education Governing Bodies in the UK (Part II General Principles of Governance, Para 1.5) states that 'the governing body has a duty to enable the institution to achieve and develop its mission and primary objectives of learning, teaching and research. This responsibility includes considering and approving the institution's strategic plan, which sets the academic aims and objectives of the institution and identifies the financial, physical and staffing strategies to achieve these objectives.' Further, 'the governing body should regularly monitor ... the performance of the institution against its planned strategies and operational targets' (Para 1.6). Effective governance is best achieved on clarity of these institutional concepts as seen in the response:

> It is important to distinguish between management issues and oversight issues; you know council is not here to manage crises that arise on campus. Management is here to per se for that. Council is here to provide oversight, council should make sure that there are policies, in place that builds with issues but that might emerge on campus now that is the function of council as far as other issues like you know strikes, whatever this are the issues that fall under management of course you know there is no way that you can totally divorce council from disruptions of academic progress you know so the principal is the line, has a line a direct line to the chairperson of council in terms of briefing her about what is happening and when there is a need council might come maybe for, we have a serious policy position that we need me to change or to take or maybe to because council has to see the implementation of policies also so if there is a dilemma that needs the attention of council comes in but usually for in terms of calm management is capable of dealing with those things and management does that we don't necessarily have to call on council when there are issues involving some strikes ... [R.10]

It seems from this finding that there is a clear difference between governance and management though blurring the implication that if the disruption is very serious or takes an exceptional form, council may be called on. Management at the institution is restricted to the institutional responses and dealings with the day-to-day issues and aspects of the institution by the senior management at the institution. The notion of governance implies three characteristics: (a) regulation, steerage and control within the context of a given (social, political, economic, institutional) order; (b) it can be described and analysed as "a set of practices whereby independent political and/or economic actors coordinate and/or hierarchically control their activities and interactions. Governance structures are therefore formal and informal institutional devices through which political and economic actors organize and manage their interdependencies" (Hirst & Thompson, 1997: 362); and (c) these structures ultimately serve to enhance or promote the legitimacy and efficiency of the social system by way of organizing negotiation processes, setting standards, performing allocated functions, monitoring compliance, reducing conflict, and resolving disputes (Hirst & Thompson, 1997: 362). It is the role of the university council to exercise governance at the institution.

The results of this study further indicate that the university council has delegated the running of the day-to-day issues of the university to the senior management team led by the vice-chancellor. The tripartite roles of the vice-chancellor as head of the university senate, head of the senior management team at the university and member of the university council positions him to always act in the interests of the university council that appointed him. The university council is depending on the vice-chancellor to implement what has been agreed upon by the university council.

However, the kind of university council's responsiveness to institutional matters has meant and seen the university council stretching its presence through micromanagement to get urgent matters done as there is a thin line between management by the executive management and governance by the university council. The temptation to micro-manage is due to less understanding by both the more empowered and the less empowered institutionalised members from internal institutional stakeholders of the university council. Not everyone who comes to the university council is well familiarised with governance operations and activities of the university council. The more empowered institutionalised individuals of the university council from external professional organizations who understand how the university council operates tend to prefer a separation between management activities and governance roles by

the university council. This difference in understanding has led to contestations perpetuating already exiting divisions within the different institutional stakeholders represented at the university council.

In such instances, when a dominant university council forces the university senior management to act on its agreed institutional strategy for the university without giving the senior management the positional management autonomy then it becomes problematic. This makes the senior management not to be innovative and hence complacent. The end product is an institution that grapples with institutional progressive change. On the other hand, a modest and fragile university council that is easily enthused by the senior management and the different empowered stakeholders may not be in position to perform. This is because it may not be able to critically engage and apply independent thinking in strategic debate on critical issues affecting the university. Thus, in such circumstances, the chairperson of the university council may perhaps think of ways of how to be independent and not allow the university council be driven by partisan thinking from the overbearing institutional different stakeholders. This is emerges as seen in this response:

> I'm not a micro-manager by my very nature and I sometimes find that universities micro-manage too much, they get to bogged on to too much detail you know … [R.6]

The tendency to micromanage in such contexts is often justifiable as seen in this response:

> ... but because of the history of the institution and them working so well it has gone to what I call the extreme now which is the micro bit of it … [R.7]

As the university council tries to legitimatise its roles of university governance oversight, there is a resolve to counter the negative past institutional nostalgia that is still entrenched in the institutional memory that drives the university council to perform to make things work. The concept of the 'negative past institutional nostalgia' is derived from the work of Dlamini (2009), Bank and Mabhena (2011), Moiloa (2012) on the notion of nostalgia which is preoccupied with the question of figuring out how to explain the good memories that people have of what has come to be consensually regarded as history that condemned those very same people to suffering. Worby and Ally (2011) argue that if nostalgia is a symptom of being stuck in and out of time, a form of repetition, then South Africans have a choice to make: they may embrace and celebrate the symptom, as Dlamini (2009) does, or they may seek ways to free themselves from its temporal loop. The latter choice, Worby and Ally

(2011) suggest, may require embracing what Akbar Abbas (2011) has called an "effective politics of disappointment". This not a sentiment that propels one to take refuge in the past because one fears the future or because one has been let down by its unfulfilled promise. Dis-appointment rather allows history to give rise to that which we could not anticipate (Worby & Ally, 2011). The University of Venda has a complex historical inheritance. There are several forms of political struggles, suffering and pains that characterised the formation of the university. Though struggles and pain define its institutional memory, they should not define its institutional inheritance. Inheritance is something valuable inspirational that one inspires to become or learn from. Institutions can choice what to inherit that define its legacy, branding and space. This is not denialism, or neglect of historical facts. However this raises the question of whether HEIs cannot learn from what can be considered as institutional immorality. As a result the invisible tendencies to micromanage stems from these aspects that redefine the observance of what can be considered as efficient due processes in the university governance processes.

However, the university council may not know when it is crossing the line because, as mentioned earlier, there is a thin line between the two. In addition, there are different forms of micromanagement that range from being acceptable to unacceptable depending on institutional context. Institutional context is closely associated with institutional histories, ideology, institutional endowment and availability of contextual institutional governance skills. This aspect begins to emerge as seen from one of the responses that:

> We inherited something that is on the verge of being revamped I mean credit must be to those guys I think they did a quite very well because they are the ones who oversaw the transition from one vice-chancellor to another to the empty now we came in there when the university stable there's there was a new vice-chancellor things were in place. [R.5]

As a consequence, there is a build up of implacable pressures especially from the less empowered members represented at the university council to speed up institutional transformation initiatives. In these tense HE environments, university governing bodies in the former HDU have to live with stakeholder anxiety from different angles especially from those less empowered institutionalised stakeholders pushing for unsettled issues of transformation at HE which has placed governing bodies always in tight spaces to govern. The processes of making things work is what at times meanders into micromanagement by the university council. However this is not micromanagement per say but the unforgiving

dynamics and mechanisms of reconciling these issues into the thin line between governance and management.

Table 6: Responses as the perceptions and beliefs of university students and staff of what they think of the university council as the major decision-maker in the university

	University students	University staff
Strongly disagree	20 (7.8%)	6 (9.4%)
Disagree	32 (12.5%)	1 (1.6%)
Neither disagree nor agree	73 (28.5%)	5 (7.8%)
Agree	81 (31.6%)	17 (26.6%)
Strongly agree	47 (18.4%)	35 (54.7%)
No selection	2 (0.8%)	
Total	255 (99.6%)	64 (100.0%)

Table 6 shows that 20.3% of university students do not consent to the proposition that the university council is the major decision-maker at the university, 28.5% of university students do not understand whether the university council is the major decision-maker at the university or not, 50% of university students consent that the university council is the major decision-maker at the university. What is clear from these findings is that, of those who participated in this study, more university students at the university recognise the university council as the major decision-maker.

Table 1 also shows that of the university staff who participated in this study on this aspect, 11.0% of the university staff do not consent to the proposition that the university council is the major decision-maker at the university, 7.8% of the university staff do not understand whether the university council is the major decision-maker at the university or not, 81.3% of the university staff consent that the university council is the major decision-maker at the university. From those who participated in this study, more university staff than university students recognises the university council as the major decision-maker at the university campus.

The results of this study seem to indicate that there is a difference in perception concerning the activities of the university council as perceived by the university students and university staff. The differences in perception may possibly be related to the different understandings associated with the institutional governance roles, obligations and activities of the university

council to the university by the different groups of institutional stakeholders. In addition, these differences in perception may possibly enlighten the emerging generative kinds of indigenous meanings to effective governance being crafted locally by these different institutional stakeholder representatives to the understanding of university governance processes. That is ways of doing things or getting things done to make things easier at the university council without violation of the institutional due processes at the university council.

These results confirm finding from earlier studies such as Ackroyd (1995) and Dearing et al. (1997) which indicate that the lack of understanding of the role of the university council is due to the limited access of university students and university staff presence in the university governance processes at the university council level. The levels of restricted access that happens at different levels of the decision-making process at the university council shows that the university governance arrangements are systemically being structured more after neo-liberalism imperatives that tends to exclude certain stakeholders deemed contentious from the a corporate governance perspective of bringing about effective governance.

The cause argument being that, as Kiel (2010: 6) states, "the elected staff and student members, while arguably being more informed about the sector, are often seen as having a biased view in relation to strategic issues and sometimes lack the wider experience of corporate governance and expertise to add significant value to strategy debates". However as more students become aware of the usefulness of being part of the governance processes at the university campus it could create sites for more calls for more student and staff voices at the university council. However, it is not clear how increased student and staff engagement and participation at the university council would bring about effective university governance. The central idea emerging here is that the university council is in charge of providing institutional oversight. This activity is understood differently by the less empowered and more empowered institutionalised members of the university council. As result, in strong stakeholder HE driven environments, the university council should always enlighten the less empowered institutionalised members of the university council of the unique function of the university council in relation to the core business of the university which is teaching, learning and research enshrined within institutional stakeholder symbolic expectations.

6.2.2. The university council complexity

The second component of institutional governance structure that the university council at the University of Venda has been able to use to bring about institutional effectiveness as part of the institutional transformation process is the notion of council complexity. Rainey (2010: 20-21) argues that organizational complexity is measured in terms of the number of subunits, levels, and specializations in an organization. Researchers break down this dimension further into sub-dimensions (Hall & Tolbert, 2004). Organizations vary in horizontal differentiation or the specialized division of labour across subunits and individuals. Rainey (2010: 209) argues that the degree of centralisation in an organization is the degree to which power and authority concentrate at the organization's higher levels. Some researchers measure this dimension with questions about the decision-making authority. To measure horizontal differences, some researchers have simply counted the number of subunits and individual specializations in an organization (Bau & Schoenher, 1971; Meyer, 1979). Vertical differentiation refers to the number of hierarchical levels in an organization-its "tallness" or "flatness".

The evidence from this study indicates that the institutional structure of the university council at the University of Venda is hierarchical in nature with the chair of the university council at the top, the deputy chairperson of the university, the vice-chancellor, the secretary to the university council, chairpersons of the different committees of the university council and the different members from the different stakeholders of the university. This is shown in Figure 4.

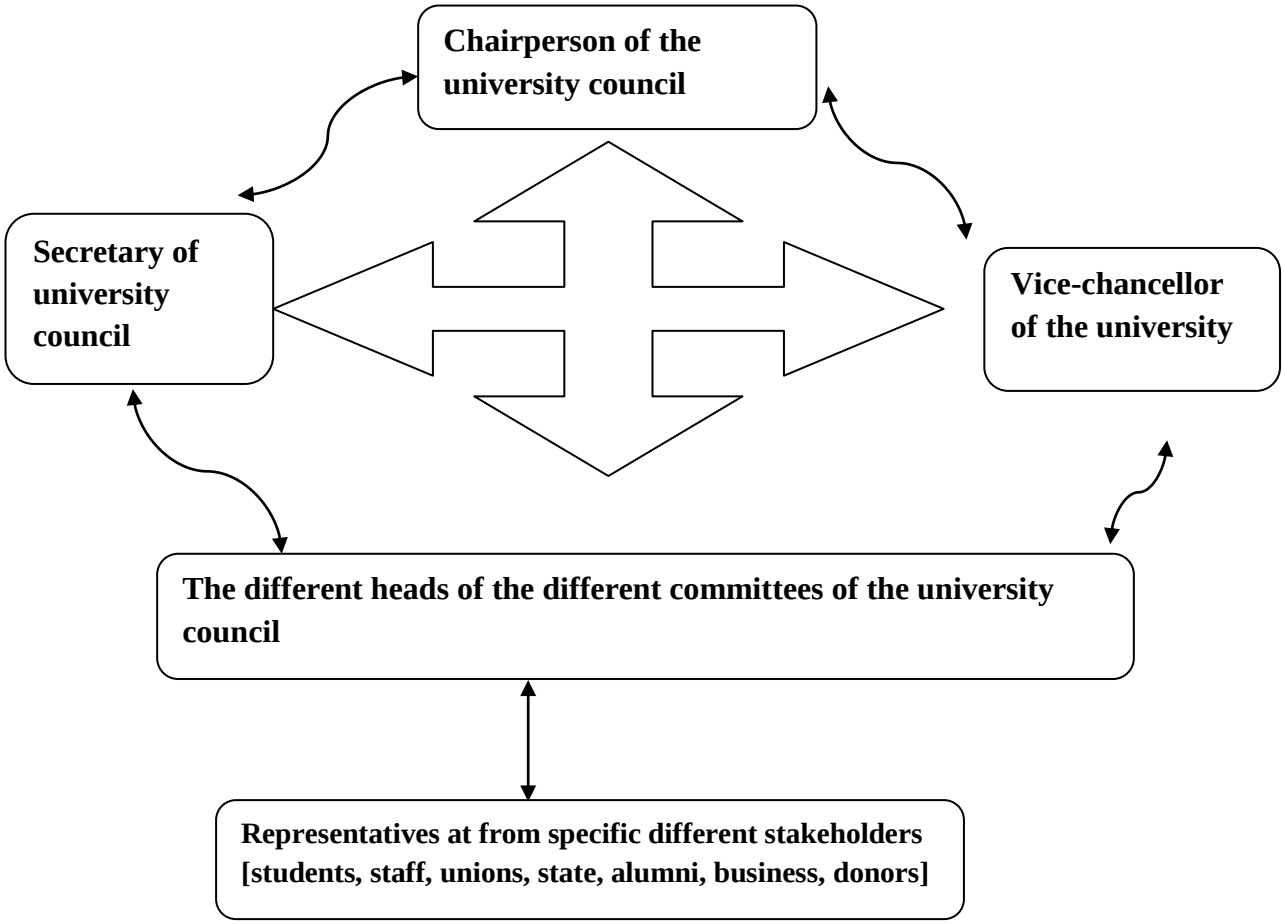


Figure 4: The structure of the university council

This kind of hierarchical structure implies that configurations of these institutional governance spaces of the university council are developed from the corporate model of board of governance from a business perspective which might not necessarily be appropriate to universities. This kind of model of institutional governance places a profound responsibility upon the chairperson of the council to guide the university council in its oversight role at the university. The chairperson of the university council is positioned in such a way to constructively engage with the different empowered stakeholders in the university council to ensure a fruitful contribution and engagement of all constituents on issues presented at the council. The institutional governance challenge with this model of governance is that the less empowered members of the university council, like representatives from university students, teaching and non-teaching staff, have little influence at the university council in comparison to the more empowered members of the university council from professional bodies that have a deeper understanding of governance process; a precedent that could potentially have a negative effect on its effectiveness in such HE environments.

The less empowered members of the university are known not to occupy higher positions within the university council because they are perceived to have less understanding of the university governance process. In addition their understanding of the university governance is perceived to be different from the understanding of the more empowered members of the university council. The understanding of the less empowered members of the university council is driven by the stakeholder model of university governance while that of the more empowered members of the university council is driven by the corporate model of university. As result this has led to contestations between the less empowered members of the university council and the more empowered members of the university council.

The chairperson of the university council has more institutional positional power within the university council than other members of the university council. The other members of council with less institutional positional power within the university council can mobilize council influence through forming different ideological alliances within the university council to get whatever they want from the university council; a precedence that is common around stakeholder moderated university governing councils that university governing bodies have to grapple. In strong stakeholder governing bodies, to attain effective governance, the leadership quality of the chairpersons at the different levels of university governance at the university council could make the difference especially with the ability to get the different institutional stakeholders to see their stakeholder interests and needs within the institutional core business of teaching, research and learning. This could potentially add value to the institution as the chairperson of council and chairpersons of the different committees of council in their different meeting sessions are able generate critical debate and reasoning on institutional issues placed before them for deliberation with the representatives of the different institutional stakeholders. This indicated in one of the responses that:

> … the chair and deputy chair allows the management to row they are the rowers and the chair, deputy chair and the council are the guiders, the over sight and as long as we stay with an over sight it will work and I think that's what the chair and the deputy chair have added … [R.7]

Negotiating between need for increased participation, consensual decision-making and the institutional challenges facing the institution places demand upon the governance process at the university council. Oftentimes the university council aims at making decisions that permit effective governance environments to flourish which may not necessarily be consented to by all the institutional stakeholders within and outside the university. Thus, an independent

functional university council in these fluid times in the HE governance system has to have a versatile governance capacity capital to be in position to navigate the issues of appeasement and disappeasement in order to be able to deliver to the institution.

The central idea emerging here is that the structuring of the university council in this particular organizational pattern is to legitimatize its institutional governance ideologies. These institutional governance ideologies are aimed achieving institutional transformation as part of the processes of effective governance. As a result within these contested governance spaces and sites, the ability to provide governance leadership rests with chairperson of the university council. However the practice of governance by the chairperson within the institutional hierarchies of the university council can either make the university council fail or succeed in fulfilling its mandate of effective governance.

6.2.3. Roles

As part of the diverse processes of bringing about institutional transformation through effective governance, each university council within HEIs were expected to ensure that the goals of this change agenda enshrined in the White Paper of 1997were observed. This would require that the different institutional governance roles that individuals within the university council occupied were transformed as a way of bringing about effective governance in such stakeholder driven HE environments.

From the organizational theory perspective, a role is the part an individual is expected to play in given status (Taylor, 1947). The results of this study show that in the university council there are different roles given to particular individuals or groups of individuals to perform for the successful functioning of the university council as a unit in generic terms and to particular personalities. Every institutional role carries with it institutionalised positional council power before the different members of the university council. However, the use this institutionalised positional power in the different governance levels within the university council apparatus is critical for effective university council to the university. The following persons in the university council perform the following roles assigned to them by the university council:

i) The role of the chair and deputy chair of the university council
ii) The role of the chancellor in relation to the university council
iii) The role of the vice-chancellor in relation to the university council
iv) The role of the secretary of the university council

v) The role of the chairpersons of the committees of the university council
vi) The role of individual members of the university council.

6.2.3.1. The role of the chair and deputy chair of the university council

The effectiveness of any university governing body is strongly associated with the kind of its governance leadership. Chait et al. (1991) argue that the crucial role of the chair of the university council requires a challenging task between leading the university council in undertaking their defined primary responsibilities whilst maintaining a separation from, but good relations with, the head of the institution. The results of this study indicate that the chairperson is the head of the university council with a deputy chairperson. The chairperson has been chairing the council assemblies as per the university council agenda set for the assembly meeting. In the absence of the chairperson at the university meetings, the deputy chairperson has had to chair university council meetings. As one member of the university council says:

> If you don't have an effective chairperson everything collapses and I think we are lucky here not only the current chairperson but even the pervious chairpersons of our councils they have been quite effective people, people who seem to know what they are doing … [R.8]

Subsequently, this aspect points to the need for determining what makes an effective chairperson. The university council can perform as far as the chairperson the university is able to create governance conditions using networks of influence, trust, resource and relationship that enable the individual members of the university council to do the work of the university council. The creation of these suitable governance conditions is a symbiotic relationship between the chairperson of university council and chancellor of the university, the chairperson of university council and vice-chancellor, the chairperson of university council and the university secretary, the chairperson of university council and chairpersons of the different committees of council, the chairperson of university council and individual members of the university council.

This finding agrees with studies by Chait et al. (1991) who argue that establishing an appropriate balance between the chair of the university council and the head of the institution is considered critical, with the chair of the university council having considerable authority in determining how a governing body influences the head of the institution. This result seems to imply that there is a cordial relationship between the head of the university and the head of

the university council. This cordial relationship has been instrumental in the restructuring for effective governance. This was a governance social reality during the difficult times preceding its inception the university went through as it has helped in creating complimentary governance environments between the university leadership at the university council level and the university senior management. This aspect is seen emerging in the response from one of the interviews:

> … now when we had it in these crises sometimes the chairperson or the chairperson, the vice chairperson will come and address the community and explain what is the stand of the, what is the situation how is the council is leading, is interpreting the situation and what are the things which are being put into place so. [R.15]

This result further agrees with Chait et al. (1991) who warned, 'an overly passive chair might allow the head of the institution to take too dominant a role, with a governing body only acting as a rubber stamp, whereas a proactive chair has the opportunity to ensure the governing body plays a key role in helping shape and influence key strategic decisions'. Hence, Kiel (2010) argues that the chair of the university council is the leader of council and asserts that it has been a longstanding principle of corporate governance that the chair of the university council occupies their position as *primus inter pares* or first among equals. Kiel (2010) is of the view which is strongly confirmed from the evidence emerging from this study that the chairperson is not the leader of the university, but the leader of the university council and the vice-chancellor is the individual who is leading the university, reporting to the university council. From the evidence emerging from this study as depicted from one of the responses:

> There is a very cordial relationship which in my view works well for the university but the same applies to the council you know with regards to the university management and the vice-chancellor in my view the relationship thereof. [R.13]

This result seems to imply further that a good working relationship between the university principal and chairperson has been vital in getting the university council act efficiently and respond whenever there is issues that demand the university council's attention within a short time. In addition, these findings support Chait et al.'s (1991) observation who strongly suggests that 'the skills of a chair are important for fostering teamwork between members of the university council both within and outside meetings'. Chait et al. (1991) asserts that this is not just about chairing meetings (although that is important) but also about creating an

appropriate atmosphere within the university council, committees of council and between members of the university council. The ‘the chair can either 'make or kill' an effective governing body’. The results of this study agree with recommendations from the committee of vice-chancellors (2004) about the responsibilities and duties of chair of university councils in universities. The results of this study further indicate that the university council has had the chair of council comply with recommendations for proper functional ability at the university.

Evidence from this study confirm as speculated in the committee of vice-chancellors (2004) recommendation that the chair of the university council is responsible for the leadership of the governing body and ultimately to the stakeholders for its effectiveness. It’s important to emphasise here that not much attention in university governance research is being given to the role of the other functionalities within the university council as most studies (Chait et al. 1991; Kiel, 2010) tend to privilege the relationship between the vice-chancellor and the chairperson of council. The central idea here is that chairperson of council is the symbolic driver of institutional legitimisation and the processes of doing it can either make or fail effective university governance from the university council. The chairperson of council does not work alone and the effectiveness of the role is a result of exceptional forms of governance and team relationships at the general university council and committees of council.

6.2.3.2. The role of the chancellor in relation to the university council

Irrespective of the governance structures that are in place, governing bodies only work well when the key players involved want them to work well. In the post-1994 HE, as part of the roles of ensuring that institutional governance structures are transforming the university councils in these institutions had to select their own chancellors. A university chancellor is a titular head of the university (White Paper, 1997, 26:1).

From the results of this study the role of the chancellor has evolved in different ways at this institution with the chancellor being the former vice-president of South Africa. Evidence from this study indicates that the chancellor has not been able to attend the university council meetings due to the nature of his work. However, while the chancellor has been the ‘ceremonial head of the institution’, evidence from this study indicates that it is the vice-chancellor who administers the university on a day-to-day basis. This seems to suggest that the chancellor was appointed for ‘reputational reasons’. Kiel (2010) argues that the role of the chancellor is central to good governance and apart from presiding over important responsibilities like graduations and other public events of the university, the chancellor of

the university is seen as one utilising his extensive networks in the national government and beyond in the interest of the institution. However little is known in the post-apartheid South African transformation of HEIs what these individuals are actually doing that is beneficial to these different HEIs.

The role of the university chancellor in the leadership of the university is an ancient one that dates back to the beginning of universities in England. With time this role has evolved with changes in the higher education field. Hence there are different reasons for the appointment of certain types of chancellors of particular universities in different environments. The university chancellor, as part of leadership of the university, has important roles to perform for the university within the university council and outside the university council. This aspect however differs from university to university depending on the university statues. From the results of this study, the university chancellor is not the chair of the university council. The university chancellor does not participate in the university council meetings. The university chancellor is only informed of the university council activities. This move is not new as in several university councils across the world universities; university chancellors no longer chair university councils. They have become ceremonial with celebrity status in higher education institutions, leaving the vice-chancellor to do the day to day running of the university.

The university chancellors come with social capital that they bring to the institution. Thus, in the former HDIs the kind of university chancellors chosen is important. These kinds of university leaders have extensive networks as a result of distinguished careers in areas of politics, law, education, business, public sector and the arts. Thus, utilising these networks in the interests of the institution can be an important aspect of the chancellor's role within and outside the university council. The university chancellor should be in close contact with the vice-chancellor, the chair of council and the university secretary for effective governance to manifest from the university council. The vice-chancellor needs to draw governance inspiration from the chancellor of the university. The chancellor should be a mentor to the vice-chancellor, a person with whom the vice-chancellor can discuss difficult issues, seek views and ensure that the relationship between the vice-chancellor and chair of council is cordial. This because the chair of university council is not the chancellor of the university and the chancellor of the university does not attend council meetings.

Part of the reasons why the vice-chancellors across the former HDIs often experience unprecedented university governance altercations at this level is because they are regularly alone. They are confronted with different institutional demands from different stakeholders at the same time which makes it rather complicated to amicably relate with them. To avoid instances of stakeholder patronage and privilege the vice-chancellors tend to exclude themselves from precarious stakeholder driven contestations. Though the university statue states that the chair of council is the leader of the university council, for the sake of enhancing effectiveness, it's important that the relationship between the chancellor, vice-chancellor and chair of university be very visible and robust. Thus, in such instances the place of the chancellor as part of the institutional leadership is important in providing the institutional confidence to the various institutional internal and external stakeholders that are difficult to please. Thus in strongly contested HE environments, for effective governance the university chancellor needs to stand with and behind the vice-chancellor at crucial moments of governance dilemmas especially when dealing with symbolic issues concerning the institutions strategy and being responsive.

6.2.3.3. The role of the vice-chancellor in relation to the university council

The university's positional status in the academic world is known by the academic quality of its past reputation and fame of its vice-chancellor. As a consequence, the success of the university council in delivering on its institutional mandate to the university is closely dependent on what this positional status and image projects of the university that affects university rankings within its institutional competitors. In the post-1994, the governance roles, choices and the processes of how individuals became vice-chancellors across HEIs was and is still is a crucial indicator of the rate of institutional transformation taking place as required by the White Paper of 1994.

Evidence from this study shows that the vice-chancellor is in close contact with the chairperson of university council in comparison to the chancellor of the university since the chancellor does not really attend council meetings but is only briefed on what is happening at the university council and the institution in general. The chairperson of the university council discusses with vice-chancellor difficult issues, seeks views and ensures that the chancellor, as the leader of the university, is informed of all emerging significant issues. This is seen from one of the responses that:

> … professionally speaking you know to enable council to function because management issues the person who is in charge of those management issues is basically the principal, and the principal is a feeder to the chairperson of council on issues even before the meetings they sit and they discuss the agenda they go through the agendas of that the co briefs the chairperson of council before the meeting starts. [R.14]

The evidence emerging from this study presents a picture of the university council missing the fellowship of the chancellor of the university at the university meetings due his commitments to the national government. This poses a symbolic university governance issue where, as it is not clear, who guides the vice-chancellor apart from the chairperson of the council. Quite fascinating it is also not clear who guides the chair of the university council. On the other hand, the chancellor needs to play a more involved role in the council other than ceremonial duties. The results of this study thus agree with Kiel (2010) who argues that consequently, what is emerging is that the relationship between the chancellor and vice-chancellor is invisible based on respect and excellent communication, while avoiding circumstances where the relationship becomes too distant so as to be counterproductive. Negotiating these multiple accountabilities between chancellor, the chairperson of the council, council assembly and the university is one of those paradoxical issues the vice-chancellor has to grapple with.

The evidence emerging from this study indicates that since the university council appointed the vice–chancellor it has continued to hold him accountable for the management of the institution. The vice-chancellor as a member of the ex-officio in the university council has been working hand in hand with the chair of the university council across the different committees of university council. This is demonstrated in one of the responses that:

> There is a very cordial relationship which in my view works well for the university but the same applies to the council you know with regards to the university management and the vice-chancellor in my view the relationship thereof. [R.16]

These results seem to suggest that the relationship between these individuals has been useful for the university in terms of getting appropriate decisions that would make the work of the vice-chancellor easy. The results of this study also show that the deputy vice-chancellors as part of the ex-officio team in the university council through their portfolios have been providing advice on senior management aspects pertaining to the university in conjunction with the vice-chancellor. This is said by one member of the university council who thinks:

> But another very important aspect is the relationship between the CEO which at this university is the principal and the chair of council you know that has to be, there has to be some sync you know or some synergy between the two. Because once you have a broken relationship between the two you know nothing will work no there has to be a very cordial and very effective relationship between the two. [R.10]

The results of this study further agree with Kiel (2010), Chait et al. (1991) and the committee of vice-chancellors (1985) about the specific responsibilities of the head of the institution in relation to governing body business. The evidence from this study also suggests that there is compliance with the Higher Education Act 101 of 1997 by the university council as regarding the principal's role to the council and vice versa. The central idea emerging here is that the university principal is there for the sake of the university council to legitimatise the intentions of the university council for the university and its constituents. However, the forms of interface between the roles of the university principal at the university council level and at senior management level as best practise is fundamental in terms of institutional strategy for effective governance practice.

6.2.3.4. The place of the vice-chancellor working team in relation to the university council

As stated earlier, the university vice-chancellor is in charge of the day-to-day management of the university and it is clear that the university principal (vice-chancellor) cannot accomplish all these administrative duties as an individual. Thus the ability of the university principal in any university governance arrangement to deliver on the institutional plan as mandated from the university council depends on the quality of the core team that works with the his office. Evidence from the institutional documents available in the public domain indicate that the university principal has a senior executive working group that works with this office to provide managerial leadership to the university (University of Venda, 2011). The team is led by the vice-chancellor who reports to the university council. This advisory team does attend university council meetings as resource personnel, and as an institutional governance structure. Most of this senior management team are part of the different committees of the university council as 'resource persons'. The working group is drawn from the divisions in the DVC academic portfolio, DVC operation portfolio, the vice-chancellor's office portfolio, and office of the university registrar portfolio. This group meets as often as directly by the vice-chancellor office. Though this executive task group team is often invisible it is the core group with and behind the vice-chancellor's office.

The vice-chancellor's group performs a series of activities that enable the university principal to lead the university that is habitually not known by the different institutional constituents at different levels of institutional governance. The effectiveness of this working group in relation to university council tasks is seen in their ability to work with the university principal to come up with institutional strategies to address institutional issues/ challenges within specific time periods that promote the smooth running of the institution. This group has influence and its meetings are both formal and informal as decided. Their discussions have appropriate structure and order, and the members of the group listen to each other ideally and are committed to thinking beyond issues and consider the broader needs of the institution. The group is able to work with complex issues and arrive at well-considered conclusions vital to the institution. In order to work, the group ensures that there is consensus and engagement as depicted in this response:

> ... when we differ on issues we differ in the office then we sort out the issues So that when we go to council we speak with one voice it does not only apply to me, it applies to all members of senior management if we have issues that we differ about we discuss them here you know, it helps because you cannot go to council as management and start arguing amongst yourselves you know and council members are sitting there wondering what's happening here, you know what are these people bring to us as a recommendation because they seem to be divided. [R10]

However, at times this group grapples with slow implementation of decisions especially where the time to consult is too limited and over reliance on the leader to take key decisions (Bensimon & Neumann, 1993). The university council does not regulate the activities of this group as it is the vice-chancellor's office endorsement. As a result, there is a risk of duplication of roles as this group is capable of doing the work of other committees of the university council like the executive committee of council and other management groups within the university like the senior management team of the university. However in the former HDIs little is available in governance literature of the successes or failures of these groups in bringing about effective governance.

6.2.3.5. The role of the secretary of the university council

The place of university secretaries in HE literature is a phenomenon that has not been well investigated. Kiel (2010) states that, historically, university secretaries were senior administrators who had reporting lines and responsibilities direct to the university council as well as to the vice-chancellor. Kiel (2010) goes on to argue that this role had been diminished

in responsibility and stature. In extreme examples, Kiel (2010) further notes, the role of the university secretary has been reduced to minute taking, with the individual not playing a significant part in advising the university council and taking a very proactive role with respect to governance. In spite of this, with the rapid changes in HE, increasingly university leadership administrators are finding it difficult to cope with increased workload with lots of paperwork. As a result, there is tendency to rely on specialised administrative secretaries in the university governance processes.

The results of this study indicate that the university council and the university as an institution did not have a university secretary for some time. The secretary to the university council handles the administrative needs of the council. However, at the time of the interviews and study the office was vacant. The work of the secretary to council was being done by interim university council administrator. The previous university secretary had been dismissed. As such there has been governance vacancy for some time and the university council was making efforts to find a suitable replacement. This is seen in one of the responses:

> Actually I am not a member I am simply assisting the university registrar who is the secretary to the university council. But in the absence of the University registrar I have taken the responsibilities of rendering secretarial services to council but I am not a member of the university council but simply a council administrative assistant. [R.1]

These findings seem to suggest that the multiple roles of being a university secretary, despite its importance, are not well understood yet it is challenging. Despite this course of events at the institution, the results of this study confirm Kiel's (2010), Chait et al.'s (1991) and Committee of vice-chancellors' (1985) recommendations on the roles of the secretary of the governing body of a university as being crucial in the operation and conduct of the governing body, and in ensuring that appropriate procedures are observed. The university secretary has a complex set of responsibilities that have grown in importance in recent years, in line with the increasing emphasis on governance in the higher education sector. The secretary is responsible for managing the quality of information presented to the governing body and for safeguarding standards of good governance. This responsibility is fundamental to the good governance practice expected of HEIs.

The ability of the governing body to operate effectively is not solely dependent on the governors themselves. The committee of vice-chancellors' (1985) recommend that the university secretary should play the following key roles: managing governing relationships between the chair of council and the head of the institution and between the institution and the governing body, induction of new governors, and planning and management of the meetings of governing bodies, provide guidance about council responsibilities and regulations to which they are subject and on how these responsibilities should be discharged, provide legal advice to or obtaining it for the university governing body, and advising it on all matters of procedure. In the former HDIs little is known of how the university secretaries carry out these roles as good governance practices. In spite of the varying interpretations of this governance role and position, the establishment of such council positions with full cooperation and understanding of the different university interest stakeholders represented at the university council is crucial for effective working of the university council to discharge its governance duties to the university.

Chait et al.'s (1991) further advance that the university secretary to the governing body should be appointed to that post by the university governing body. In the former HDIs this has been an institutional governance challenge that the different university councils have had to grapple with. Normally the university secretary combines this function with a senior administrative or managerial role within the institution. The governance challenge with this role play /combination is that the university secretary does often gets entangled into operation managerial aspects thus rubbing shoulders with other different interest stakeholders that has made it difficult for the university secretary to execute this role to the university council without being compromised. The separation of the two functions in such instances is vital for effective university governance in strongly stakeholder contested governing bodies.

Irrespective of any other duties, Chait et al.'s (1991) and committee of vice-chancellors' (1985) believe that the university secretary may have within the institution, when dealing with governing body business the university secretary will act on the instructions of the university governing body itself. In addition, in carrying out his/her role as university secretary to the governing body, the university secretary should be solely responsible to the university governing body and should therefore have a direct reporting link to the chair of the university governing body for the conduct of governing body business (Committee of vice-chancellors, 1985).

In the strongly stakeholder contested HEIs, it is incumbent on the university governing body to safeguard the university secretary's ability to carry out these responsibilities. It is important that the university secretary also both consults and keeps the head of the institution fully informed on any matter relating to university governing body business (Committee of vice-chancellors, 1985). It is good practice for the chair of the governing body, the head of the institution and the university secretary to the governing body to work closely together within the legal framework provided by the university statutes and regulations as laid down by the institution.

If this is not possible because of inappropriate conduct by one of the parties involved, it is the responsibility of the university governing body to take appropriate action. If there is a conflict of interest, actual or potential, on any matter between the secretary's administrative or managerial responsibilities within the institution and his/her responsibilities as a university secretary to the governing body, it is the university secretary's responsibility to draw it to the attention of the university governing body. If the university governing body believes that it has identified such a conflict of interest itself, the chair should seek advice from the head of the institution, but must offer the secretary an opportunity to respond to any such question (Committee of vice-chancellors, 1985).

At the moment what seems to emerge is that role of the university registrar to the university council is not well implicit. As a consequence, the onus is with the university council to advice the vice-chancellor to re-position and critically rethink of ways of how the university registrar does not get entangled in activities that are outside his or her jurisdiction for effective governance from the university council.

6.2.3.6. The role of the chairpersons of the committees of the university council

Effective university governance practices at the university council are a deliberate continuous process of distributed leadership governance practices. Thus, as a result of gradually greater workload at the university council, it has become an increasingly challenging task to lead and do the work of the university council single handedly. The results of this study indicate that the interface between the chair of council, vice-chancellor and chairperson of committees of council is important for the university council to deliver on its assignment. The chairpersons of the different committees of council lead these task groups designed by the university council for specific purposes and are expected to report back to the university council at every meeting. The chairpersons are expected to be competent within their fields of

specialization which they are expected to apply to tasks delegated to them for the university council. The results of this study further imply that in addition to superior skills at chairing committee meetings, the chairpersons liaise with the vice-chancellor, the chairperson off council and the university secretary in determining the agenda for council meetings. The chairpersons, in consultation with the vice-chancellor, also take the lead in reviewing the role, composition and performance of both council and council committees. This is seen in one of the responses that:

> I think that's very important that synergy and also the synergy between the council and the chairpersons of committees is very important you know now if you have a runaway chairperson of committee it becomes very difficult for council to function because the chairperson he is the link between the committee and the council in terms of providing reports submitting reports, speaking to reports at council meetings and so forth. [R.17]

Thus, the effectiveness of the university council is closely associated with how the different chairpersons of committees of council are providing leadership to the different committees of council. The results of this study further indicate that the complexity of issues facing university council means that much of the detailed work is best performed by committees of council. The interface between the chairpersons of committees of council and the university principal becomes critical. The chairpersons were specifically chosen to provide skilled leadership in tackling technical institutional issues that demand skilled competences and time for delivery within specific time periods.

Looking at the committee structures of the university council shows considerable diversity in the types of committees of council formed to assist the university council in undertaking their duties. This is depicted in one of the responses that:

> … I think that's very important that synergy and also the synergy between the council and the chairpersons of committees is very important you know now if you have a runaway chairperson of committee it becomes very difficult for council to function because the chairperson he is the link between the committee and the council in terms of providing reports submitting reports, speaking to reports at council meetings and so forth. [R.17]

The results of this study further imply that committees are formed for a specific purpose or needs at a point in time, but then continue on well after the specific need has passed without regular review of their role or efficiency. This is seen in one of the responses that:

> … and the same applies to the chairpersons of committees and management you know there has to be this synergy or a very sound working relationship and now if you have a weak link in terms of this you'll see that the function of the functioning of council become, you know gets compromised so those relationships are very crucial. [R.17]

The position of the chairperson of a committee of council carries with it organizational power constructed around the level of skill and experience competences. The challenge with this institutional governance arrangement is that the more empowered members of the university council most often external members of council from professional bodies in comparison to the less empowered members of the university are often given the opportunities to lead the different committees of the university council. This is because the external institutionalised stakeholder members of the university council are often seen as having a deeper understanding and maturity of the university governance process which places them in better position to lead the process. As a result this has often not gone well with the less empowered stakeholder members of the university council who view this as perpetuating already exiting marginalisation.

Consequently, these leadership positions demand that the chairpersons must be ready to work with groups of individuals irrespective of the diversity, bound by skills and vision to accomplish the task set before them by council. As much as the chairpersons are the supervisory eyes of the university council in the different committees of council, they ought to bear in mind that the failure of the leadership at the committee levels of the university council greatly affects the university council ability to deliver on its mandate to the university. Thus, it is the onus of the chairpersons of the different committees of council to create suitable governance conditions at the different committees of council that are able to generate effective institutional governance practices.

6.2.3.7. The role of individual members of the university council

In line with internationally recognised best practice the university governing body will typically have a lay majority. The results of this study indicate that the university council largely comprises members from different stakeholder groups, many of whom are either elected or appointed by a particular stakeholder. The results of this study also show that the academic staff representatives at the university council are there to represent academic participation in the process of university governance at the institution. The student representatives at the university council are there to represent student participation in the

process of university governance at the institution. The administrative staff representatives at the university council are there to represent support and administrative staff participation in the process of university governance at the institution. The university convocation representatives at the university council are there to represent alumni participation in the process of university governance at the institution. The university donor representatives at the university council are there to represent donor participation in the process of university governance at the institution. The academic senate representatives at the university council are there to represent senate participation in the process of university governance at the institution.

The results of this study seem to imply that the rationale for selection of independently appointed members is critical to ensuring that the university governing body is able to draw on a wide range of experience and skills and that it is informed by the interests of external communities. This ensures that the balance in decision-making rests with experts drawn from wider interests and relates to the longer-term objectives for the university. This balance guards against the possibility of decision-making being unduly influenced by any short term or vested interests which might be held by those members of the university governing body drawn from the empowered institutional stakeholder constituents.

The independent members of the university council drawn from professional organizations have brought a wide and necessary range of skills and experience to the university council and their number has included strong representation from business and industry, which gives it a particular bias. Typically, institutions will seek to appoint a range of members of council which enables it to draw upon a significant body of legal, financial, human resource, public service, third sector and leadership expertise. This makes these groups of individuals more empowered institutionalised members of the university council in comparison to the less empowered members of the university council from the other different stakeholder groupings perceived as having less understanding of the university governance process. Their role in particular is to ensure that all key proposals are rigorously informed by experiences wider than those of the academic community itself constructively debated and effectively decided.

However, looking to industry and business for solutions to the university governance problems at the university council is a risky venture because running a university like business delegitimatises the university from its pursuits of its core business of teaching, research and learning. As a result, at times this has led to uneasiness between the less

empowered members of the university council and the more empowered members of the university council. This is because the influence of the less empowered members of the university council is restricted in comparison to the more empowered members of the university council. The more empowered members of the university council have more influence in terms of social net works of deliberation, articulation, affluence, influence, trust and relationship that they are able to use to achieve their interest at the expense of the less empowered members of the university council.

In spite of this, the results of this study further support the CUC's (2009) recommendations that each governing body should have a number of specialist committees reporting to it and with delegated authority to take forward action in key areas such as finance, audit, employment matters, and estates. Whilst these smaller groups, necessarily, tend to draw heavily upon the specific expertise of individual members of university council, many institutions include elected or appointed staff and student governors as members of key committees of university council. When appointing members of the university from amongst staff members or from the body of former students, consideration is given to the range of skills required by the university council and those members of staff who may be appointed from the senate or academic council, for example, are usually high-performing academic staff who have demonstrated the relevant level of expertise and experience.

In addition to possessing a suitable set of skills dependent on the needs of the individual institution at any given point in time, the results of this study agree with CUC's (2009) recommendations which expects university members of university council to be able to question intelligently, debate constructively, challenge rigorously and decide dispassionately, and they should listen sensitively to the views of others, inside and outside meetings of the university council. The need for members of the university council is to be able to decide dispassionately and requires that they act in the best interests of the institution as a whole, with this obligation to take precedence over any duty a member may owe to those electing or appointing him or her. The CUC's (2009) recommendations require all members of the university council to prioritise the longer-term considerations of the university and its many stakeholder communities over the immediate preoccupations of the institutions management, staff and students. The CUC's (2009) recommendations further require members of governing bodies to conduct themselves at all times in accordance with the accepted standards of behaviour in public life, which embrace selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

However, from the results there is a clear indication that these are the issues of ethical governance compliance that empowered members of the university council from their institutional constituents that manifests in the university council boardrooms are essentially grappling with that and have in time past and present that watered the seeds of university council dysfunctionality cross most HDUs in the post- apartheid South Africa.

Table 7: Responses as the perceptions and beliefs of university students and staff of what they think of existing university council structures enabling effective representation and contributing to debate

	University students	**University staff**
Strongly disagree	36 (14.1%)	6 (9.4%)
Disagree	42 (16.4%)	9 (14.1%)
Neither disagree nor agree	69 (27.0%)	19 (29.7%)
Agree	82 (32.2%)	27 (42.2%)
Strongly agree	25 (9.8%)	2 (3.1%)
No selection	1 (0.4%)	1 (1.6%)
Total	255 (99.6%)	64 (100.0%)

Table 7 shows that of the students who participated in this study on this aspect, 30.5% of university students do not consent to the proposition exiting the university council structures enable effective student representation and contribute to debate, 27% of university students do not understand whether exiting the university council structures enable effective student representation and contribute to debate or not, 42% of university students consent that exiting the university council structures enable effective student representation and contribute to debate. What is emerging is that of those who participated in the study more university students at the university seem to agree that existing university council structures enable effective student representation and contribute to debate.

Regarding the views of the staff who participated in the study on this aspect, 23.5% of the university staff do not consent to the proposition that exiting the university council structures enables effective staff representation and contribute to debate, 29.7% of the university staff does not understand whether exiting the university council structures enable effective staff representation and contribute to debate or not, 45.4% of the university staff consent that

exiting the university council structures enable effective staff representation and contribute to debate. What is emerging is that of those who participated in this study more university staff at the university seems convinced that exiting the university council structures enable effective staff representation and contribute to debate.

As earlier mentioned earlier, what is emerging here is that there is discrepancy between the activities of the university council as perceived by the university students and staff. The differences in the results seem to suggest that the university staff have more understanding of the university governance processes at the university council in comparison to the university students. The less understanding of the university governance processes at the university council disempowers the already disempowered less empowered members of the university council as result of their less understanding of the university council being driven by interest. This perpetuates a process of less participation and contribution to critical debate in the university council to the detriment of effective university governance. The results of this study agree with other studies (Keil, 2010) that the lack of sufficient understanding of the role of the university council in the university campus by the students is due to the current changes in university governance trend of limiting students and staff presence in the university governance processes at the university council level. Thus as way of bringing about effective university governance the university council should innovate and rethink of ways of how to closely engage with the institutional constituent structures instead increased mere representation at the university council. The processes of engagement should include a continuous process of skill professionalization of the less empowered members of the university to be to develop capacity to increase their level of critical engagement to be able to participate effectively in the university governance processes of change and debate in these strongly stakeholder driven HE environments.

6.2.4. Becoming a member of the university council

The unique process of how different individuals of society become part of the university council provides a clear understanding of how effective, as part of the different processes of the post-1994 institutional transformation mandate, the university councils are doing in delivering on their mandate of effective university governance. It is important to emphasise that these process are guided by the university statute. The evidence from this study indicates that the university council has institutional mechanisms of how individuals get selected to

become members of the university council and eventually members of specific committees of the university council. These include the following:

i) Becoming a member by nomination
ii) Becoming a member by co-option
iii) Becoming a member by constituency election.

6.2.4.1. Becoming a member by nomination

To nominate applies the act or an instance of appointing an individual to office. In the university council there are categories of persons who got in the council through this process. The finding of this study shows how that individuals serving in the capacities of the chairperson and deputy chairpersons of the council were nominated to the university council through this process as indicated in the interview responses below:

> I was invited to serve at the university council … I was requested to represent the commission at the university council. [R.13]

This seems to imply that the mechanisms of how the chairperson and the deputy chairperson of the university council are selected demonstrates the level of university autonomy On the other hand, concerning the selection of chairpersons of committees, the results of this study indicate that they are usually nominated and the person is approved by the council. To become a chairperson of committee one must first become a member of the council at the institution. And depending on the skills and experience an individual possesses, a person nominated to this position is highly skilled in the field and is expected to work with the other members of the committees on the tasks assigned to them from the task and report back. The mechanisms of becoming may not be participatory but what is merging is that the council is looking at skills and competences to provide the necessary leadership needed in the university council.

6.2.4.2. Becoming a member by co-option

In the university council another method in which individuals have become members of council has been through the processes of co-option. To co-opt implies to elect as a fellow member of a group into a position or office of choice? Looking at the hierarchical structure of the university council, the processes of how the vice-chancellor, deputy vice chancellors, legal advisor and university secretary have become part of the university council shows how

the university council entails to govern the university. The evidence from this study shows that the vice-chancellor and his two deputies by virtue of their ex-officio positions in the university management were 'co-opted' to become involved in the university council This depicted in one of the responses from the interviews:

> I became a member of council by virtue of my position as a legal advisor to the office of the vice-chancellor and principal you see the vice-chancellor is full member of council and need felt by council a long time ago that they need specialist specialised advice especially in legal issues and some border issues concerning policies and government issues. [R.10]

The results of this study agree with findings from other studies on the methods of selection of vice-chancellors and their deputies on becoming members of the university council. University leaders are often by nature of their position co-opted into the university council. The method of 'co-option' into the university council is not democratic in nature but emphasises the premise for efficiency. The university council wants to ensure whatever it decides on shall be implemented and this sole responsibility is coordinated from the vice-chancellor's office.

However, on the other hand, studies by Deem et al. (1995) and Pettigrew and McNulty (1995) argue that in higher education the place of the university registrar has not received sufficient attention as most studies have focussed on the role of the vice-chancellor and chairperson the university. The results of this study indicate that the university Registrar an ex-officio secretary to the university council by virtue of his ex-officio position in the university management is expected to become involved in the university council. However, at the time of the interviews for the study the university did not have a university secretary.

Evidence from this study show that the previous university secretary had been dismissed and the role was being done by an interim council administrator under the supervision of the vice-chancellor's office. Right now a new university secretary has been appointed on merit after the selection process mediated by the university council selection committee. This finding confirms findings by Llewellyn (2009) and Chait, et al. (2005) about the importance and appointment of university secretaries in universities councils. The presence of the university secretary confirms earlier suggestions that the university council is more of an institutional businesslike corporation that could require management of the information as part of the governance process. A university secretary has been regarded, for the most part, as a 'backstage' participant in higher education governance, contributing from behind the scenes,

sometimes in governing body meetings even without formally being a member of the governing body and able to use formal and informal mechanisms to exert influence in close working relationships with the head of institution and the chair. As a result, and despite the importance of the role, not all aspects of its influence might be immediately visible or, for that matter, well understood within the wider higher education community.

In addition, evidence from this study indicates that in the university council, individuals become members of committees through cooption. To become a member of particular committee of the university council, members of the university council are given options to choose or be seconded to which committees of council they would like to participate in however, emphasis is laid on members of the university council being in possession of relevant skills, knowledge, competences to meaningful contribute and participate in a particular committee. However not all members of the university council participate or are part of certain committees of the university council. But the ex-officio team is actively involved in all the committees of the university council. However as one member of the university council maintains:

> The selection of committees is done very democratically you know people are asked to volunteer and normally you volunteer on to structures which you have a good understanding or people think you do have a good understanding. So that is done upfront and normally you, most cases you match skills with the function … [R.9]

Furthermore, concerning individuals of particular competence deemed critical for proper the functioning of the university council, the evidence from this study also demonstrates that other individuals from different occupations and organizations have become members of the university council through co-option by the university council due to their specific skills, knowledge, competences in commerce, industry, law, local traditional authority, health and any other sectors as deemed necessary that are required by the council. In addition, other persons have become members of the university council as result of being appointed by the minister, and university donors. The evidence from this study seems to portray the need to attain efficiency by the university council through establishing performance driven teams within the university council to speed up the technical details that require investigation and consultation before the council acts on them for the institution.

6.2.4.3. Becoming a member by constituency election

As part of its way of having particular individuals becoming part of the university council, the university through its university statue has laid out mechanisms through different particular interest groups and individuals of useful competences could be incorporated into the university council. The evidence from this study indicates that the representatives from the different constituencies he academic and non-academic staff, students, and university convocation and service staff are sent to the university council from their constituencies. Constituency representatives are participatory elected and sent to the university council governing to champion their constituencies' issues and interests. On the contrary, evidence from this study tells of how individuals are appointed to council with little understanding or even a misunderstanding of their role and responsibilities as council members. As a consequence, members of the university grapple with reconciling their positions and meaning of what it means to member of the university and representing their constituencies. As one council member relents:

> once you're a member of council you become one of the people who have got stewardship over the university and therefore the interests of the university becomes paramount as a whole it has kind of or happen that you know in some of the committees you know I would say you know because somebody else had encouraged or brought whoever else on to council the expectation would be that that person would actually served the interest of the people or the person who kind of pushed them to serve on council instead of looking at this person as being part of a university council, looking at the interest of the whole university instead of looking at the interests of a specific group that has come on board. [R.8]

The arrangements instituted in place for the selection into university council seem to indicate that there is space for institutional and external stakeholders to participate in the university governance process. However, the university council is grappling with attempts by dominant interest groups reproducing themselves in the university council. This is because the different processes of becoming a member of the university council perpetuates a deliberate process of disempowerment of the already disempowered institutionalised stakeholder members of the university council and more empowerment of the already institutionally external stakeholder empowered members of the university council. The same process further makes the already more empowered members of the university council well positioned in terms of being able to easily acquire and initiate networks of influence, trust, resource allocation and relationship in comparison to the less empowered members of the university council.

Table 8: Responses as the perceptions and beliefs of university students and staff of what they think of the university council providing institutional structures which enable selection of their own representatives to the university council

	University students	University staff
Strongly disagree	17 (6.6%)	9 (14.1%)
Disagree	27 (10.5%)	4 (6.3%)
Neither disagree nor agree	32 (12.5%)	3 (4.7%)
Agree	76 (29.7%)	26 (40.6%)
Strongly agree	102 (39.8%)	20 (31.3%)
No selection	1 (0.4%)	2 (3.1%)
Total	255 (99.6%)	64 (100.0%)

Table 8 shows that of the students who participated in this study on this aspect, 17.1% of university students are not satisfied with the proposition that the university council provides institutional structures which enable selection of representatives to the university council, 12.5% of university students do not understand whether the university council provides institutional structures which enable selection of representatives to the university council or not, 69.5% of university students consent that the university council provides institutional structures which enable selection of representatives to the university council. What is seemingly clear is that of those who participated in this study, more university students at the university seem satisfied that the university council provides institutional structures which enable selection of student representatives to the university council.

Regarding the views of the staff who participated in the study on this aspect, 20.4% of the university staff is not satisfied with the proposition that the university council provides institutional structures which enable selection of representatives to the university council, 4.7% of the university staff do not understand whether the university council provides institutional structures which enable selection of representatives to the university council or not, 71.9% of the university staff consent that the university council provides institutional structures which enable selection of representatives to the university council.

As earlier mentioned, what is emerging here is that there is discrepancy between the activities of the university council as perceived by the university students and staff. The differences in the results seem to suggest that as earlier mentioned the university staff has more understanding of the university governance processes at the university council in comparison

to the university students. The less understanding of the university governance processes at the university council disempowers the already disempowered less empowered members of the university council as result of their less understanding of the university council being driven by interest. This perpetuates a process of less participation and contribution to critical debate in the university council a detrimental to effective university governance. These results of this study on this aspect agree with other studies (Kiel, 2010) of the lack of sufficient understanding of the role of the university council in the university campus by the students is due to the current changes in university governance trend of limiting students and staff presence in the university governance processes at the university council level.

The issues emerging from the discussion seem to indicate that the university council is keen on who should become part of the university council at the time of repositioning the institution as a comprehensive university. However, the different processes of becoming a member of the university council should not perpetuate a reductionist understanding of institutional transformation conditions as models of effective institutional governance that could affect the sole purpose and meaning of a university.

6.2.5. Institutional governing body modelling

As part of the ways of implementing cooperative governance in the post-1994 HE dispensation, the type of university governing body is a crucial indicator of institutional transformation a prerequisite for institutional effectiveness. As a result, there have been different ways governing bodies were being institutionally restructured by their universities to meet the demands of the transformation process. Oftentimes these institutional restructuring innovations are designed to suit the institutional needs of the institution. The results of this study indicate that at the University of Venda, the university governing body has the following features that speak of the nature of the institutional governing model. These include the following:

i) Size of the university council
ii) The composition of university council
iii) Knowledge and skills competence

6.2.5.1. Size of the university council

The size of the university council is important in determining how effective a university council can be in the exercise of its oversight function to the university. Fielden (2008: 37) argues that the size of a governing council can influence its flexibility, responsiveness, and general operating efficiency. The results of this study present a similar picture of the current trend in reduction in size of university councils worldwide. The results of this study imply that the university council is grappling with discountering its own institutional nostalgia as part of the process of attaining institutional transformation and trying to benchmark itself against international university governance best practices. The concept of institutional nostalgia implies learning and making sense of past struggles. As a result, the kind of model of university governance being developed ought to be able to provide redress and yet be competitive locally and internationally. This has created contestations between the different institutional stakeholders on issues of prioritization, effectiveness and efficiency that have placed a serious governance challenge to the university council.

Findings from this study indicate that the university council is composed of 60% external members and 40% internal members. However, there are 12 internal members and 18 external members that constitute the university council at its meetings. The evidence from this study about the size of the university council further seems to imply that the university council is modelling itself as institutional corporate body. Hence, there is that contestation between a stakeholder driven university council and corporate-like business driven university council as such contestations have emerged and do exit to reduce the size of the university council. Findings from this study further indicate that there is an impression of stakeholder groupings involved in the institution are striving to increase their level of participation and involvement in the university council creating contestations for governance spaces at the university council for representation. From the interview response you see:

> Most of the members are the external members and is also stated in the King report 3 that members of the council are not supposed to be like internal but it happens that way…However there have been instances where the university council during some of it sessions having to demand neutrality on issues of conflict of interest and in such cases internal members of the university council would be asked to excuse themselves for the other members to have fair judgment on such decisions. If we are inside there are some cases where

> we find that in the council will ask all the internal members to get out for them to make a decision ... [R.9]

Evidence from this study further indicate, one of the issues to emerge from the findings of this study is that the university council is grappling with members of council's tendencies of acting as if they are delegated by the group that they represent. This constituent thinking is contrary to what is expected of the individual members of the university council. The inability to overcome one's individual conscience for the collective conscience makes it difficult for the university council to reach decisions especially on issues that could be involving particular constituents closely represented on the university council. There is a strong societal drive to own the processes of decision-making by different constituents represented and others who wanted to be represented at the university council. This because societies and beyond where universities are situated argue that universities should be implicated in the social challenges facing the societies. Thus from this implication, in return the universities would innovatively respond through various ways in applied research, institutional partnerships and being relevant to the societies they are located rather than other the issues of how many should be on the university council at particular period of time.

These findings match observations by Eckel and King (2006: 11) who speak of a worldwide trend towards smaller and leaner governing councils. In a number of countries, the number of governing councils members has ranged from fewer than ten (for example, Austria, Cambodia, Chile, Malaysia) to 50 or more (for example, Argentina, Brazil, Spain, University of Chicago). For the United States, the mean size of public governing boards is 10 members, whereas the mean size of private boards is 30 members (Eckel & King, 2006: 11). A number of British universities, for example, have recently gone through the exercise of reducing the size of their board. In recent years, Scottish universities governing bodies have reduced in size as part of a wider move towards modernising governance and meeting the standards of best practice as specified by the CUC Guidelines and the recommendations of the 1997 Dearing Report. But the idea of 'best practice' is itself ideological.

The move towards smaller and more responsive governing bodies is consistent with international trends in university governance, where a smaller number of members and a majority of non-academic (lay) members are increasingly favoured. Although some countries, such as Denmark, Australia, and New Zealand have suggested an even greater reduction in the size of university governing bodies, Scottish universities believe that the current size

allows a sufficient balance between their need to react flexibly to financial and regulatory challenges, the need to involve a university's numerous stakeholders (including staff, students, and wider communities) and the need for a sufficient range of lay members with the necessary range of relevant expertise to govern effectively. The trade-offs, of course, are between breadth of representation and cost-efficiency, and between diversity and homogeneity in viewpoints. But in general, efficiencies in costs and decision-making would seem to argue in favour of board numbers in the range of 15 to 20 members. The central tenet emerging here is that it is not on now many individuals should comprise the university council. The issue of numbers tends to prejudice efficiency imperatives at the cost of value for institutional context, histories, societal relevance and values.

6.2.5.2. The composition of university council

The quality of the composition of the particular groups of individuals that comprise the university council is important in determining how effective the university council shall be able to deliver on its mandate of institutional oversight to the university at a particular period of time. Thus inappropriately composed university councils over a period of time are prone to dysfunctionality because they may lack the skilled capacities and expertise to periodically innovatively respond at local and international levels to institutional challenges.

Documentary evidence from this study indicates that the university council as an institutional governance structure at the University of Venda consists of people in accordance with University of Venda statue of 2009 (University of Venda, 2011). It is composed of different constituents represented at the university council meetings. These representations are specifically selected to be present at the university council. They include the following: the principal ex-officio, vice-principal ex-officio, deputy vice-chancellors ex-officio any three experts with specific competences designated by council, chairperson of the Institutional Forum, five persons appointed by the minister, The president of the student representative assembly and one other member of the cabinet elected by the SRC cabinet, one person appointed by the premier of the Limpopo province after consultation with the minister, two persons elected by the senate from among its members, two persons elected by the university convocation, two persons designated by persons who, in terms of the statute are donors, one academic employee of the university other than members of the senate, elected by the academic employees, one member of the administrative employees of the university elected by the administrative employees, one person designated by the Thulamela Municipality, other

persons, not exceeding six in number designated by such bodies as may be determined by the council, the university registrar an ex-officio secretary to the university council [section 16.4(a-n) of the University of Venda statue].

The findings of this study further indicate that the university council is diversely composed of the individuals from different groups namely; the university students, academic staff, non-academic staff, the state, business, local traditional authorities, local government at municipal and province level, the university convocation, the university foundation. This seems to imply that the composition of the university council is stakeholder-based, diverse, and participative proactive, demanding and representative though to some it is seen as 'empowering spaces' though to some are disempowering for instance on issues of: contestation around micromanagement, interest and institutional strategy. This aspect is implied in this response from one of the interviews that:

> … there are some expectations that these people want to achieve and the way they see things is not the way the Council operates … [R.10]

Further, the findings of this study indicate that the university council is grappling with mitigating the interests and demands of its stakeholders and the interests of the university at the same time. The members of council are expected to serve as trustees of the public interest in the institution at the governing body. However the evidence from this study confirms the sentiment that the diversity of the university council has created a breeding ground for interest driven agendas at the university council and it is one of the challenges the council is grappling with as an organization to redress. The council is also coming to terms with how to reconcile council member's positions as representatives of different constituencies and being a member of the university council. The contestations that the institutional governing body is always periodically grappling with is not a form of institutional failure but is due to the unfulfilled eagerness to see the university do more to be relevant to the local societies it is located. In order for the university council to soar above these occurrences the university council needs to innovatively dig deeper within its institutional constituent structures. The purpose should be to reconcile between the heterogeneity of skills and competences from these members of council versus their interest driven ideas from the same members in relation to local and international imperatives in the HE field in the positioning of the university through institutional strategy.

Evidence from this study further indicates that the institution has a university council that is black dominated with a white minority, with majority being of South African residents / citizens and a little significant presence from the SADC region. However the majority of the members of the university council do not reside around the university vicinity with an exception of the students, staff, members senior management team [ex-officio] like the vice-chancellor and deputy vice chancellors. But there are other external members of the university by position of their work experiences/jobs in the local district and municipality have homes around the university.

In addition, the results of this study indicate a picture of a university council that is male dominated. The ratio of 1:2 of female members of the university council is less than the male members of the university council. Further still evidence from this study further indicates that in the university council there are Christians [Catholics, Protestants and born again believers], and traditional authorities. This seems to show a multi-religious dimension to institutional practice. Yet, again, most of the members of the university council are able to speak a variety of languages. There are a significant number of members of council fluent in Tshivenda, English, Tsonga, Zulu, Xhosa, Northern Sotho, Shona, and Swahili which presents a fascinating multilingual dimension to institutional structural governance practices. The major language spoken by most members of the university council is Tshivenda, though English is the universalizing language at the university council. On the other hand findings of this study indicate that the quality of composition of the university council has been questioned. These differences matter in the context of showing the extent of institutional transformation from the different institutional governance stakeholder standpoints though it may have little significance of how the university council goes about its work of attaining institutional effectiveness as seen in the response from one of interviews below:

> ... I'm seeing, the only weakness is how can you selecting these members of council to make sure that you select people with such feeling about the nation and their role ... [R.9]

It is important to note here that the inclusion of certain stakeholders in the university council whose role, relevance and contribution is not clear but owe to institutional histories, culture and context is a constant struggle that a resilient visionary university leadership will always have to live with in trying to bring about the much desired transformative institutional effectiveness. Institutional transformation in this context is achieved when there is inclusion of the different institutional stakeholders into the university governance process. Though

within these groups there are individuals who have little to no understanding of the university governance processes at the university council, their presence and value is basically ceremonial. This disempowers the general university council through inclusion of individuals who may not be able to contribute to critical debate and reason a recipe for pockets of weakness within the university council. As a consequence, a fundamental choice by the members of the university council to utilise these ever unfolding moments of reckoning between reconciling interest motivation of empowered constituent stakeholders and the cordial value of the core business of the university is fundamental for bringing about institutional effectiveness within the light of the much desired institutional transformation.

6.2.6. Knowledge and skills competence

Across strongly stakeholder driven HE environments, university councils are in better position to provide effective university governance if they are able to get right their skills blending at the university council level and its committees of council. Fielden (2008: 37) argues that a more important consideration than the size of the university governing body is the blend of skills, experience and motivation among members and the method of their appointment.

Our findings show that the university council members have got an average of age of 45 years and above which shows a mature approach to institutional governance by the university council. There are council members who have been in the university council for longer time than others. This seems to imply that the university council is more comfortable working with more mature and experienced individuals within its ranks. The preference for more maturity at the university council level is a demonstration of a university council that is opting for a more pragmatic heterogeneity cautious approach to its institutional governance challenges. Experienced members of the university council do understand the institutional subterfuge and memories the institution is grappling with and are there to ensure that past lessons are not repeated by the excesses of managerial ascendancy and taking advantage of institutional stakeholder popular sovereignty. As part of the structural component of the university council, the results of this study on this aspect seems to suggest that skilled members of the university council are expected to bring to the university council mechanisms for institutional vision, leadership, managerial capabilities and political will that is able to bring about institutional stability.

The members of the university council have had formal training experience at recognized universities in South Africa and outside South Africa. This could suggest that there is a wealth of social capital in the form of wide variety of degree qualifications ranging from degrees in commerce, management, accounting, ICT, Law and science that members of council bring to the university council at the university. For a member of the university council to become a member of any of the committees of the university one has to have the right skills, competences and knowledge experiences to meaningfully contribute and participate. The option for skilled heterogeneity across members of the university council deconstructs institutional governance as reliance on skilled leadership to legitimatize itself to unite the various institutional diverse constituencies behind its strategic vision for the institution. However not all members of the university council are conversant with university council deliberations which affects input on expected issues at council deliberations. This aspect is depicted from one of the responses given below:

> ... the challenges I was having was when you are going to sit there for the first time. You don't know how to raise issues in the council and how to bring on the debates. The inability to meaningfully participate in spite of one's skills and competences … [R.8]

On the contrary, the university council is endowed with a variety of skills that are at its disposal. The members of the university council bring to the university council a work experience of more than 10 years plus from their fields of specialization and competence training. However in spite of such a diversity of skills you have members of the university council who are not familiar with how the university council operates and its plenipotentiary obligations to the university. This is a contradiction considering the wide range of skilled expertise from the qualifications of the members of the university council. This aspect is seen as one member of council maintains:

> Quite often you'll find that council members do not have time nor expertise to communicate / can make meaning full contributions and therefore what happens is that something that should take very short time will take the whole day because other people do not understand and others have not read things. … [R.6]

These findings of this study on this aspect illustrate that the lack of adequate preparation for university council meetings posits an institutional governance challenge for the council as unprepared members cannot meaningfully contribute to critical debate on crucial aspects affecting the institution. If the university council is to benefit from its ranks it has to rightly

blend the right skills with right tasks at the committee level of the university council. As a result, the university council has put in place mechanisms to familiarise its members how things are done there. This is to redress miss presentation and conflicts of representation from sectarian purism by members of the university council and add to meaningful debate in the council. This could also imply that appointment processes at the university council must be consistent with achieving this optimal skills mixture amongst the members of the council. Institutions which externally advertise governing body vacancies for lay members of the university council find that this process consistently delivers highly motivated candidates more closely matched with the skills required by the governing body. Any move towards a greater use of election by one or more subset of stakeholders, or to a less open and competitive appointment process for the appointment of lay members of the university council is likely to compromise universities ability to achieve the necessary and evolving mix of skills and experience that governing bodies require.

6.2.7. The committees of the university council as teams

An effective university council is a product of a dynamic committee system that actively supports the university council to perform its institutional oversight functions. In spite of the time they take to carry on particular tasks assigned to them, university councils cannot effectively perform their roles without the technical knowledge and expertise from these specially designed committees of council.

6.2.7.1. Size of the different committees of the university council

Kevin (2008) argues that a committee is a group of persons appointed or selected to perform a function on behalf of a larger group. In a sense, the larger body entrusts a smaller subset of members to do something for them. Often defined in organizational by-laws or statutes, committees serve very specific functions within organizations. Typically, they are headed by a committee chair and are composed of individuals representing different points of view, different organizational components, or different constituencies. On the other hand, Nwachukwu (1988) describes a committee as a device for achieving coordination of activities and sharing information among various departments and divisions of an organization. He further states that committee decisions help to promote better coordination in an organization. In addition, Ikenwe (1998) argues that the primary motive of instituting the committee system in institutional governance has grown out of the motive concern for democratizing decision-

making in those institutions and a recognition of the need for more broadly based decision-making as universities become more complex.

6.2.7.2. The relationships between the committees of council and the university council

The effectiveness of a university governing body is closely associated with how it relates with its committees that do most of its laborious work. The results of this study show that the university council as an organization has nine committees of council. These committees of the university council are seen to be doing the 'spade work' to enable the university council effectively deliver on its mandate to the university. As one university council members maintains:

> I think the committees they are the ones who are doing the lot of work. Remember council only meet four time per annum, only four times you know and those are several meetings per annum and for the work to happen the council depend on its committees which also meets four times so the work of the council is derived from the work of the committees, but if you have dysfunctional committees you will have dysfunctional councils because you know when you meet as a council you must be approving what the committees have already work through because you know in my view committees must go into detail while council at large will just provide an oversight and approval. [R.7]

Committees of council, as teams, are composed primarily of people from a similar functional background. Such teams may be excellent at specific tasks but is less able to envision a strategy that involves greater aspects in relation to institutional practices. In spite of this, the committees of council are to assist the university council work effectively. Each of these committees of council has its own terms of reference. The terms of reference cover areas of ethics, disclosure of interest and confidentiality, meetings and terms of office. These committees of meet four times per year prior to the university council meetings and submit reports for consideration at each ordinary council meeting and make appropriate recommendations to council. All committees are chaired by external members of council. The university council has the following sub0committees:

i) Executive committee of council
ii) Executive management remuneration committee
iii) Appeals committee
iv) Audit committee
v) Finance committee

vi) Senate

vii) Human resource committee

viii) Student's affairs committee

ix) Tender committee.

The configuration of these committees of council agrees with Kiel (2010) inspection of Australian universities which portray a considerable diversity in the types of committees of council formed to assist in undertaking duties of university councils. In addition, these results from this study agree with Kiel's (2010) observation that often committees are formed for a specific purpose or need at a point in time, but then continue on well after the specific need has passed without regular review of their role or efficiency. At this institution terms of reference specify how long the committees of council should exit and how long members of these should continue to function in these committees of council.

The results of this study seem to further imply that the effectiveness of the committees of council is equated to the usefulness of the university council in the institution. The university council relies on its numerous committees of council to prepare it to provide an oversight. The reliance of its designed committees of council is to assist on technical issues of university management that the ordinary members of the university council may not be familiar with due their nature of skills, knowledge competence and training. The university council may choose to establish special committees to help the university council carry out its detailed work. While these committees cannot assume university council responsibility, the committees of university council play supporting roles, as top performance teams. This aspect is depicted from of the responses that:

> … you see these are committees of council now to me for as long as these committees are effective council will be very much, will operate very effectively because council there are issues that council itself cannot interrogate this issue should be interrogated at committee levels and as far as this university is concerned I can say our, the committees that have been appointed from where I stand they are quite effective you know you look at the chairpersons of these committees they are people who seems to be qualified for these positions and you also have in other committees. [R.16]

Further still, the results of this study on this aspect continue to agree with Kiel (2010) who argues that looking at the complexity of issues facing university councils means that much of the detailed work is best performed by committees of council.

Table 9: Responses as the perceptions and beliefs of university students and staff of what they think of the different subcommittees of the university council working harmoniously

	University students	University staff
Strongly disagree	32 (12.5%)	6 (9.4%)
Disagree	55 (21.5%)	8 (12.5%)
Neither disagree nor agree	93 (36.3%)	22 (34.4%)
Agree	64 (25.0%)	20 (25.0%)
Strongly agree	8 (3.1%)	7 (10.9%)
No selection	3 (1.2%)	1 (1.6%)
Total	255 (99.6%)	64 (100.0%)

Table 9 indicates that of the university students who participated on this aspect, 34% of university students do not that consent to the proposition that the different subcommittees of university council work harmoniously, 36.3% of university students do not understand whether the different subcommittees of university council work harmoniously or not, 28.1% of university students consent to the proposition that the different subcommittees of university council work harmoniously. This seems to indicate that of those who participated in this study more university students at the university agree to the proposition that the different subcommittees of university council work harmoniously.

Regarding the views of the university staff who participated in the study on this aspect, 21.9% of the university staff do not consent to the proposition that the different subcommittees of university council work harmoniously; 34.4% of the university staff do not understand whether the different subcommittees of university council work harmoniously or not; 35.9% of the university staff consent to the proposition that the different subcommittees of university council work harmoniously. This seems to indicate that of those who participated in the study more university staff at the university agrees to the proposition that the different subcommittees of university council work harmoniously. But there is a large proportion who do not understand them.

The results from this study attest to the proposition that the different subcommittees of university council work harmoniously. As earlier mentioned, what is emerging here is that there is a discrepancy between the activities of the university council as perceived by the university students and staff. These results agree with other studies (for example, Kiel, 2010)

that the lack of sufficient understanding of the role of the university council in the university campus by the students is due to the current changes in university governance trend of limiting students and staff presence in the university governance processes at the university council level. It is not helpful to limit the number of university students and staff representatives at the university council. Limiting these institutional stakeholder numbers at the university council perpetuates already exiting forms of inequality and marginalisation which are recipes for institutional stakeholder contestations.

To address these governance trends, the university governing bodies should bear in mind that most institutional governance challenges across the former HDIs are interconnected. Thus as a way of bringing about a holistic cohesive approach in addressing these issues the university council should consider thinking of ways of how to make sure it's different committees of council liaise with each other on issues facing the institution that are presented to them. The institutional governance processes of interconnectivity should include; governance networks and partnerships based on agreed institutional governance understandings around common issues to form a common institutional governance front.

6.3.7.3. Participation in the committees of council

As part of the ways of implementing the cooperative governance across the university council it has been the dispensation of the university council to ensure that there is sufficient participation by all the different institutional stakeholders in the different processes of the university council. The university council is expected to be representative however the dimension of representation varies. The results of this study reveal that not all members of the university qualify to be part of particular committees of council. This is seen in one of the responses:

> ... The structures in the council are like in the national government in the national parliament. There are standing committees on finance etc ... even in the council it has been divided there are committees on tender, finance, IT and stuff like that. Unfortunately I don't sit on any of those committees but I will always be present when there is reporting and there in questions if I have one … [R.2]

Participation in committees of council is tied to particular skills and competences a member of council possesses. These results agree with observations by Kiel (2010) who argues that there are several valid reasons why many university councils to date have not undertaken a major role in strategy. Some councils have not comprised enough people with the in depth

knowledge and understanding of the sector to make a major contribution to strategy. Elected staff and student members, while arguably being more informed about the sector, are seen as having a biased view in relation to strategic issues and sometimes lack the wider experiences and expertise to add significant value to strategy debates. The need of relevant competences should not be used as justification to exclude certain stakeholders like the university students and staff in the university governance processes at the different committees of council. Thinking on how to empower these disempowered institutional stakeholders with the necessary institutional governance acquaintance is crucial for effective university governance. This is because it would position them to perform better and generate institutional confidence for other external stakeholders on the university council for instance the state, business and industry professional organizations representatives. Henceforth, the professionalization of the members of the university council should be lifelong experience because of the ever-changing conditions in the higher education field that demand constant responsiveness.

Table 10: Responses as the perceptions and beliefs of university students and staff on what they think of vivid representation on university committees of council where students and staff affairs are handled

	University students	**University staff**
Strongly disagree	20 (7.8%)	6 (9.4%)
Disagree	27 (10.5%)	6 (9.4%)
Neither disagree nor agree	70 (27.3%)	15 (23.4%)
Agree	96 (37.5%)	26 (40.6%)
Strongly agree	33 (12.9%)	10 (15.6%)
No selection	9 (3.5%)	1 (1.6%)
Total	255 (99.6%)	64 (100.0%)

Table 10 shows that of the university students who participated in the study on this aspect, 18.3% of university students do not consent to the proposition that in the university council there is vivid valid? representation on committees of council where students and staff affairs are handled; 27.3% of university students do not understand whether in the university council there is vivid representation on committees of council where students and staff affairs are handled or not; 50.4% of university students consent that there is vivid representation on committees of council where students and staff affairs are handled. This seems to indicate

that of those who participated in the study more university students at the university there relative consensus that there is vivid representation on committees of council where students and staff affairs are handled.

Regarding the views of the university staff who participated in the study on this aspect, 18.8% of the university staff do not consent to the proposition that in the university council there is vivid representation on committees of council where students and staff affairs are handled; 23.4% of the university staff do not understand whether in the university council there is vivid representation on committees of council where students and staff affairs are handled or not; 56.2% of the university staff consent that there is vivid representation on committees of council where students and staff affairs are handled. This seems to indicate that of those who participated in this study more university staff at the university is of the view that there is vivid representation on committees of council where students and staff affairs are handled.

As earlier mentioned, what is emerging here is that there is discrepancy between the activities of the university council as perceived by the university students and staff. These results agree with other studies (Kiel, 2010) that the lack of sufficient understanding of the role of the university council in the university campus by the students is due to the current changes in university governance trend of limiting students and staff presence in the university governance processes at the university council level. In spite of this, as ways of bringing about scopes of effective governance the university council should consider ways of involving the different institutional stakeholders like university students and university staff on certain different committees of university council where they vivid presence would lift stakeholder confidence in the university governance processes at the committee level of the university council.

6.4. Conclusion

As mentioned above, there are several initiatives the university council at the University of Venda has taken as part of its transformation efforts at bringing about effective governance. These aspects were taken after consideration of the institutions context, histories, ideologies and ambitions. Thus current university council governance structures at the institution are a reflection of these aspects. This has implied the following:

Firstly, the concept of ‘structures’ as ‘governance knowledge’ as used in the institutional governance structures at the university council is important because it has provided to the understanding of the university governance challenge the useful notions of enabled functionality, order, skills identification and right placement, specialisation of tasks, conditions and spaces to express views and abilities. However the different components of the institutional governance structures of the university council as discussed in this chapter are highly pollicised and are there to legitimatise the vision and ambition of the university council for the university in this region and beyond. Politicalisation of stakeholder symbolic expectations has led to polarisation of the core governance value of structure. On the contrary, the processes of responding to these issues are the unfinished business of grappling with the empowered stakeholders in the university governance process.

Secondly, from the results of this study, the institutional structures of the university council are business oriented in organization, nature, size, composition and function-ability. This has led to contestization of all institutional governance issues being tied around interest between the different institutional stakeholder groups that different processes of politicalization has created within the governance process. The increased politicalization of the different of the institutional governance structures of the university council through stakeholder interest has affected the magnitude of these institutional governance mechanisms to meaningful contribute to effective university governance. The different interest groups have different understandings of the university governance processes at the university council. The less empowered members of the university council from the university students, teaching staff and non-teaching internal stakeholder constituencies view university governance process from stakeholder model of governance. While the more empowered members of the university council from the professional organizations understand the university governance process from a corporate governance perspective. This has brought different meanings to the significance of cooperative governance as initially envisaged by the state to try to bring about generative modes good governance across the different HEIs.

Thirdly, the university council has tended to follow the corporate way of running the university council. It believes and trusts more in the external members of university council from the different professional skilled organizations than the internal members of the university council from the internal institutional stakeholder constituencies represented at the university council. As a consequence the apparent different components of the institutional governance structures of the university council empower more the already empowered

members of the university council from the professional organizations with more social networks of skills, interest, trust, resource allocation and influence. On the other hand they perpetuate the disempowerment of the already disempowered members of the university council from the internal institutional stakeholder constituencies – the university students, university staff, and non-teaching university. This is evident from the differences in perceptions between the different institutional stakeholders on issues of affecting effective governance.

CHAPTER 7: THE UNIVERSITY COUNCIL AND ITS INSTITUTIONALISED UNIVERSITY GOVERNANCE SYSTEMS

7.1. Introduction

This chapter is proceeding from the effects of the different institutional governance restructuring processes discussed in chapter 4 of the thesis. The university council had to restructure at different levels its institutional systems of university governance. This chapter analyses the main relationships between the different due processes as the institutional systems of the university council and the different empowered institutional stakeholders represented at the university council. The chapter specifically argues that in the post-1994 HE dispensation, as part of the processes of implementing cooperative in comprehensive HEIs, university councils operating in these contexts are able to bring about modes of effective university governance by making use of its different relationships with the different institutional stakeholders at the different levels of the institutional due processes of accessibility, the engagement process and the stakeholder implementation of the university council. To achieve this, this chapter is divided into three sections each looking at the different facets of institutional systems of the university council.

i) Firstly, university council accessibility which entails the representative-consultation mediums (feeder points) of the university council which includes the university governance structures established by the university statue; the senate, senior university management, SRC, the university convocation, the University of Venda foundation, the teaching and non-teaching staff unions grouped under institutional forum. The chapter argues that the university council consults with these institutional governance structures through receiving information from them on university campus issues that they are championing pertaining to the university through the different committees of the university council.
ii) Secondly, the engagement processes of the university council include the committees of council meeting and, the university council meetings. At this stage, the chapter observes that whatever is received from these institutional consultative governance structures is prepared through the working committees of the university council and presented to the university council for oversight. However, oversight on urgent

matters maybe done by the committees of council and the university council is informed at the next meeting.

iii) Thirdly, the system compliance as part of the dual process of the university council which proactively looks at the institutional working relationships between the different institutional stakeholders represented at the university council. The chapter notes that whatever the university council has provided oversight on has to be implemented and the onus for effective implementation of university council resolutions depends on the effective relationships between the following institutional governance structures; the intersections between the university council and senior management, the committees of the university council and senior management, the university council and feeder points.

In the post-1994 HE dispensation, part of the demands of the White Paper of 1994 were that the university governing bodies were to bring about the speedy transformation of these HEIs. The university governing bodies were to be guided by the concept of cooperative governance instituted by the state to guide the transformation of the HEIs within the society. However as already mentioned the state did not tell how the individual HEIs would go about the process. Hence the onus has been on the different individual HEIs to come up with peculiar relevant working institutional governance systems to bring about effective institutional governance. As a result, in the post-1994 era, several HEIs governing bodies have been grappling with several governance options from different HE systems parts of the world.

In professor Fafunwa's words as quoted by Yesfu:

> The main problem of African universities seems to be that they have taken so much pride in maintaining themselves as carbon copies of foreign institutions and systems, that they show little or no regard for their own milieu. African universities, he says are caught between the old and emerging new social and economic systems in Africa. It is essential that they cease to be the poor seconds of metropolitan institutions that they have been up till now, and evolve a system that is uniquely suited to their environment, if they are to respond to the changing needs of the African society. (Yesfu, 173: 39)

From this affirmation, the responsibility of developing effective university governance tools is in the hands of the institutional leadership. They are expected come up with working indigenous systems of institutional governance mechanisms that are able to address the institutional needs within such institutional contexts with a possibility of benchmarking these fit-for purpose governance practices. However, this raises questions of how long the

university leadership shall stop trying to make itself a 'carbon copy' of adopted foreign HEIs and systems; how conscious is it of its own local environment and the importance of factoring this into the HE governance mechanisms and procedures and what they understand as indigenous HE governance systems and then how well they work.

At the University of Venda, as the evidence from this study indicates, in compliance with the requirements of the White Paper of 1994 to bring about an effective turnaround, the university leadership had to design a due process procedure that would assist the university council in providing effective university governance. These locally designed institutional governance systems had to be contextually relevant in terms of speaking to its institutional higher education environmental needs of being internationally competitive and benchmarked.

7.2. The due process system

Spirkin et al. (2011) define a system as an internally organized whole where elements are so intimately connected that they operate as one in relation to external conditions and other systems. An element may be defined as the minimal unit performing a definite function in the whole. Every system is something whole. Every system forms a whole, but not every whole is a system. We usually call the parts of a system its *elements.* If in investigating a system we wish to identify its elements we should regard them as elementary objects in themselves. In order to ensure that there are forms of effective governance, the university council relies on the different aspects of its institutional due processes as the institutional university council system.

Brown (1954) defines a due process as referring to institutional mechanisms that provide a framework within which organizations can continuously confirm that their actions and transactions are supported by the policies, procedures and management decisions making methodologies. The concept of due process implies following rules and principles so that an individual is treated fairly and uniformly at all times. It also means fair and equitable treatment to all concerned parties. Due processes require organizations to develop and implement an effective system of controls, policies and procedures to prevent and detect violation of policies and laws.

However, the different due processes that each individual HEI within their institutional contexts, histories and ambition adopt, must be within or comply with the guidelines set by the White Paper of 1994 that encourages cooperative governance which requires the different

institutional stakeholders at the different levels of institutional governance to work together as part of the transformation processes. This was because post-1994 led to the emergence of new institutional stakeholders with new symbolic needs within the different institutional contexts as part of transformation demands that governing bodies within the different HEIs have to meet as part of the different processes of bringing about effective university governance. Thus the different due systems being developed by the different HEIs were expected to assist the university governing bodies to achieve this.

The results of this study show that the university council as part of the due processes is responsible for the governance of at university, whereby the university council operates as a collective to assure institutional health and effectiveness (Higher Education Act 101, 1997 of the institutional statue of the University of Venda). The institutional due systems at the university council are its bureaucratic-surveillance mechanisms and techniques as policies and procedures that make possible for it deliver on its mandate and vision of institutional effectiveness for the university. This is picked in one of the responses that:

> … there is no way people can deviate because as soon as you deviate you will have to report and this report on quarterly basis you will have to explain why you deviated and what motivated you and still have to write a motivation for the deviation of which I don't think people want to write motivations all the time. [R.11]

As a result, the extent to which the university council is able to bring about viable modes of effective university governance depends on its unique ways of proficiencies in collaborating with its different institutional stakeholders in following it's laid out due process procedures in carrying out its governance function to the university. The due processes at the university council operate in three ways, namely:

i) Accessibility
ii) Engagement
iii) Stakeholder implementation.

These institutional due processes of the university council are illustrated in Figure 5.

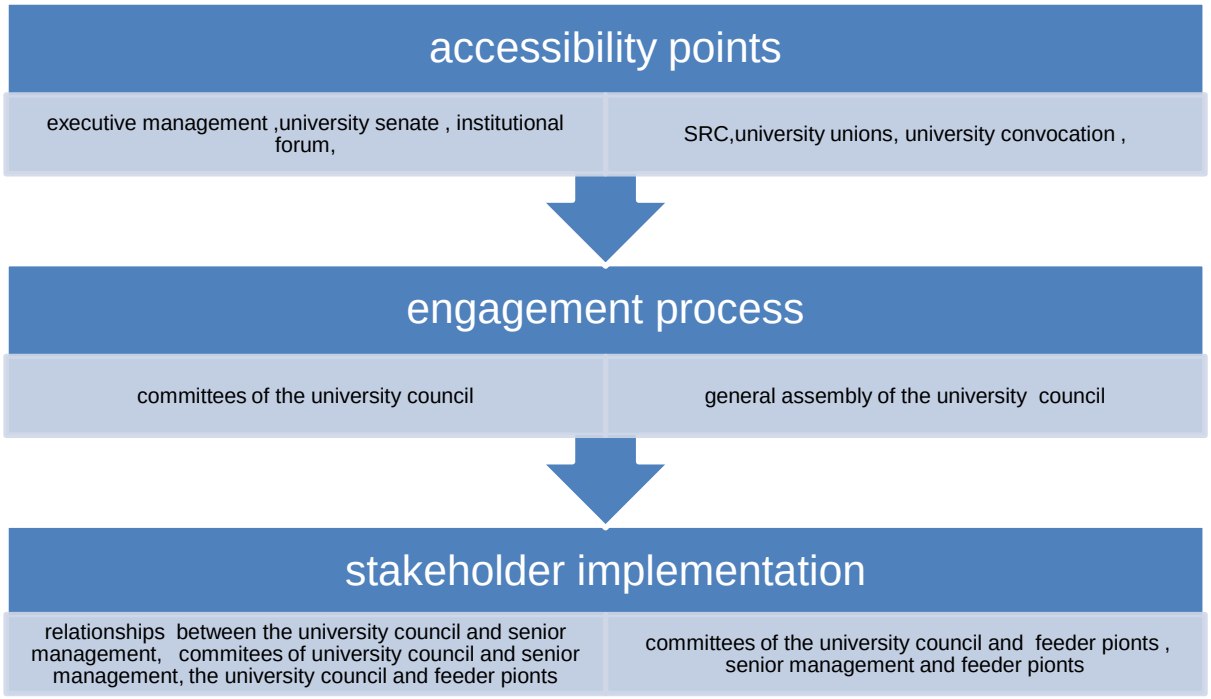


Figure 5: The different phases of due process at the university council

7.3. Accessibility

Accessibility at the university council entails the feeder points from which the university council receives credible institutional information from the different institutional stakeholders within and outside the institution. The purpose of this information is solicit stakeholder views perspectives that could contribute to decision-making processes at the university council to enable it deliver on its institutional mandate. The different representative feeder points of the university council include the following:

i) The SRC
ii) University senate
iii) The university unions
iv) University convocation
v) University management.

7.3.1. The SRC

This group of institutional stakeholders represented at the university consist of the less empowered members of the university council (the university students). The major cause of the disempowerment of this group is that they are perceived as having little understanding of the university governance process at the university council in comparison to other institutional stakeholders represented at the university council. The contribution of the student representative council in the university council as a system of the university council is an ongoing debate in the higher education literature. The effectiveness of the SRC in the university council has been questioned on the grounds that that the representatives to the university governing body are often biased and struggle to contribute to debate. However, the thesis of this argument needs further scrutiny. For an ongoing process of capacity building towards institutional effectiveness from a developmental perspective, the university council should try to refrain from self-fulfilling prophecies that project the student governance bodies as often as expected to contribute little to the HE governance debates since they are often not familiar with the university council proceedings.

The review of institutional documents available in the public domain, indicate that the SRC is expected to send two representatives to the university council and the SRC is belligerent during the university council meetings (University of Venda, 2011). This approach to institutional governance has often resulted in tension between the SRC and the leadership at the university council over approaches to student issues. The university students on the campus expect their SRC representatives to speak the mind of the university students. However, this is a task that the SRC representatives are grappling with on a daily basis as there an enormous student body with diverse needs cannot be met single handedly. This is depicted in the following response:

> … if its is fees the student will be consulted so by the time things get to the council these guys in case are familiar with the issues that are serving there now remember … [R.14]

However, little is known if the different categories of students on the university campus, for example students with disabilities, international students, postgraduate students, non-resident students, to mention but a few, actually attend SRC meetings and contribute to institutional issues affecting their academic performance. This is depicted in one of the responses below:

> … I went to the university council to represent the students. We students affairs have a student cabinet, schools councils, the minister of education from

> the guild cabinet communicates with these ones. When I come from the university council I account to the SRC … [R.2]

This response indicates that there is an elaborate structure of student accountability body. However, this is not often the case as these representatives go to the university council and are expected to work as collectively with the institutional governance system. The differences in ideological mindsets[3] have often led to misunderstandings between the students on the university campus, the different student organizations, the student representatives and the university council. As much as having different viewpoints on governance issues is healthy, there is need to have a governance consensus if symbolic expectations within the institutional plan for the university are to be attained. This is depicted in one of the responses given below:

> … the problem which the previous SRC cabinet which I am not experiencing[I don't have presently] used to have was that in the cabinet we are from different political organizations. There was that ideology of us being in the cabinet carrying the mandate of our political organizations. Obviously Jacob Zuma and Helen Zilla will never agree. Even when Jacob Zuma is right. You will bear with me we only serve for 12 months. You only realize you have spent eight months fighting and you have delivered nothing fighting for things that even don't exit. When you miss the meeting, students are not represented decisions have been taken that come back and affect us … [R.2]

These responses may seem to imply the university council has a reticent contact on the institutional aspects concerning the different interactions and experiences between the student's body and its interactions with external political affiliations. The different institutional student governance structures are so attached and driven alongside external political affiliations. The risks and challenges with this arrangement is that in literature little is known of the extent of how external political affiliations affect students understanding of their role in the student's leadership in the university council. It is important to note that at these interfaces expose and introduce student institutional governance structures to the winds of patronage and the processes of privileging that defeat the spaces for individual development of critical debate and independent thinking amongst other university students of dissent; an important ingredient for grassroots development of effective democratic institutions in post-apartheid South Africa.

[3] Ideological mindsets refer to the different political imitations of thinking, presentation of ideas, behaviour, and singing, chanting and talking copied from the affiliations with the different political groupings in the country of South Africa [paraphrased from Moiloa, 2012].

7.3.2. University senate

This group of institutional stakeholders represented at the university consist of the moderate to the less empowered members of the university council. The major cause of the disempowerment of this group is that the university senate has reduced influence in university leadership as a result of changes in HE trends of university leadership worldwide. The university senate contributes vigilantly to staff issues presented at the university council. The results of this study speak of a university senate that is empowered. This empowerment is a function of its close association with its teaching staff union. The vice-chancellor as the chair of senate participates in senate debates and whatever senate agrees upon to be presented to the university council, the vice-chancellor is fully aware of these issues. The senate representatives to the university are expected to speak the mind of university academics on the academic matters the major co-business of the university. This aspect is depicted in one of the responses given below:

> … as much I am representing senate but once I'm there I'm a member of council and I am just give input on the issues isn't it the issues will be brought from senate to council, those issues that I was part of the issues that are brought to the council, I cannot go there and start isolating myself to say, but what it's something that if it's debatable I; will support or support through. [R.4]

As much as the role of the university senate to the university council is to contribute meaningfully to the council deliberations, sometimes the university senate does not agree with council decisions and the reactions of the senate to these decisions is left to the university senior management to grapple with. In such circumstances, academic matters get less attention as other issues pertinent to the university staff carry the issues of the day's deliberations. Whenever, the university senate feels that it is not being heard especially on staff welfare, senate issues find their way through staff unions. The tendency to run to the institutional unions of the worker is that these unions are believed to have a significant amount of group influence that is able to draw the attention of the university council and the senior management of the university. As a result this has made the university senate look weak in comparison to the university staff unions. This aspect is seen to be depicted in one of the responses that:

> … I see that in every person who sometimes some individuals is there attend with the feeling that it's like parliament on or two individuals well think there are here at council to the constituencies which elected them … [R.9]

However, the differences on what to bring to the university council from the university senate, the senate committee to council tries to present to the council a strong case and back deliberations on these aspects. The value of an empowered university senate to the university governance is important because it is able to advise the university council on academic issues that the university council may not be aware of through critical academic engagement. However this is possible if the university council listens to the advice of the university senate at critical moments.

7.3.3. The university unions

This group of institutional stakeholders represented at the university council consist of the less empowered members of the university council. The major cause of the disempowerment of this group is that they have a rather different understanding of the university governance processes at the university council that manifests as less understanding in comparison to other institutional stakeholders. The place of university unions in university management has often caused a lot of anxiety on the part of management as they are often seen as being able to boldly confront the university management. This aspect is depicted in one of the responses:

> In my view is still shackled in the past and we have arranged a workshop for because all the time when you ask them something they don't want to give a response and oh! by the way we need to go back and consult not understanding that they have been empowered by whoever has given representation to take decisions on behalf of, and sometimes I think institutional forum not just in the University of Venda, but sometimes it seems there is sense that their job is just to make the vice-chancellors life difficult maybe or just to be seen difficult. [R.14]

As a consequence, a lot of attempts been done to limit the presence and influence of the institutional unions in institutional governance. A move other institutional stakeholders would not dare due to institutional ramifications. The results of this study indicate that the academic staff, administrative staff and service staff have grouped themselves into unions to coordinate their voices to the university council. This is shown in one of the responses given below:

> … you know a lot of issues that will serve at council will have gone through a particular consultation process with this structures so for example if you talking about

> salary increment the remuneration the negotiation of the increment the union is consulted … [R.14]

The university management confer with university unions because this is stipulated in the Labour Relations Act and is there a recognition agreement at the university on issues of staff welfare in the build up to the university council meetings. Often the fruitfulness of the consultations carries on into the university council meetings with university council having to grapple to make decisions that would conciliate these groups. The institutional input of these constituencies to the university council has often been imbued with controversy. This is depicted in one of the responses:

> As soon as you start to unionize your councils you are diving into dangerous waters and even then, I think in terms of the corporate governance it's not recommended unions have their role to play but not in governance structure because they are governance structures that can be consulted … our statute does not allow us an that's why uneven through in many years ago was on the brink of some problem but today it has been stable because we are very careful not to mix union issues with governance issues otherwise you are in trouble … [R.14]

As much as the university unions are not seen as institutional governance structures by the university statute as they would like to, they are looking for proactive opportunities to participate actively in the governance of the university at the university council level. The reliance on these forms of organizations by the students and teaching and non-teaching staff to voice their concerns to the university management shows this is an emerging governance mechanism that the less empowered stakeholders feel or become more empowered to draw meaningful attention to particular stakeholder concerns. It also shows that the other means of reaching out and communication by the university council to these constituencies are not having significant impact in addressing institutional aspects that could be affecting these university communities.

7.3.4. University convocation

This category of institutional stakeholders in the university council consists of moderate to the more empowered members of the university council. The impact and influence of this group in the university council is dependent on how the university council is able to reap the different networks of influence, power, resource allocation, connections of trust where these alumni would be allocated in the different organizations in the society and beyond.

The university convocation plays the following roles at the university: it acts as ambassadors for the university; co-operates in supporting strategic goals of the university; unites alumni, friends of the university, parents and students, in an effort to establish and maintain friendship at grassroots level; helps attract and assist prospective students to attend at the University of Venda; advises the institution in its dealings with various publics; maintains close ties with their alma-mater, and fosters a feeling of loyalty; assists and support the university in increasing its academic standards; participates in the governance of the university; contributes towards institutional advancement through funding (University of Venda, 2014).

The executive committee of the university convocation as part of the university council its contribution to the university council has included administering the affairs of the university convocation, discussing and on behalf of convocation, state its opinion on any matters relating to the university or to the convocation, including matters that may be referred to it by council; and administering such funds as may be allocated to it from time to time by council. The university has sought the opinion of the university convocation on issues of university governance at the university especially in the transformation of the university as part of the turnaround strategy.

7.3.5. University management

This category of institutional stakeholders in the university council consists of moderately empowered members of the university council in relation the external members of the university council. The participation of the senior university management in the vice-chancellor's office in the university council has been crucial as the university council depends on their insight to understand what is happening in the university. The university management which does the actual operations management of the university makes submissions to the university council via the committees of council of its strategic plans which include all institutional aspects of the university. The preparation for these submissions involves consultations with the different stakeholders the university staff and students on various institutional aspects.

The inherent challenge with this institutional governance system of stakeholder governance is that the above different institutional stakeholders perpetuate a continuous reductionist understanding to the university governance process in relation to the core purpose of the university. As a result, this kind of stakeholder governance behaviour is reflected at the

different levels of the systems understanding to the university governance process. The different institutional stakeholders have mixed views of the university governance processes which tend to affect how they participate as earlier mentioned in chapter 8.

7.3.6. The crucial moments of the actual due processes

The actual due process of the university council as the results of this study indicate begins with the committees of council preparing for the university council meetings. This process involves through receiving critical information from the above mentioned university council representative feeders points, institutional directorates, and school divisions/ facilities through the university secretary attached to the vice-chancellors office that report to them. The different committees of council are given institutional matters from the different institutional administrative feeder structures that represent different institutional collectives from the vice-chancellors office at the university. The different committees of council process this information through a consultative process and preparation within their committee meetings in advance before university council meetings.

The committee documents are then sent to the university secretary who further prepares this information as council agenda for the university meetings within the year. The results of study in this case seem to imply that this information is made available to all members of the university council in advance for the council meetings as council institutional reports for debate, oversight, and engagement by the university council assembly. This aspect is depicted from one of the responses:

> … there is no general member of the public which communicate directly with the council. For example if the director student affairs wants to make an issue he has to go the students affairs committee and discuss with them and present the issue to the university council. [R.2]

However, this seems to suggest that not all information is made available to the university council. Some issues get left behind at the different levels of the processes of preparation for the council meetings. As a consequence, the university council is accused of not really reaching out and being accessible. Thus to attain value for the effectiveness through the institutional governance structures it is important try to understand what these institutional governance structures are really saying from their subjective contextual view points. It may not really be contributing to the expected bigger picture of the institutional strategy but the university council should be able to innovatively devise ways to listen to what could be seen

as new emerging ways of stakeholder thinking. This aspect is depicted in the following responses:

> … what it is there in the ground because as I have said the council is to rectify to approve or disapprove those kinds of things and usually they don't see what is happening at the ground. They don't know they, our concern even when you try to raise them they will say this are not the right platform you're not supposed to raise it here so I think it would be good for the council sometimes maybe to have a day or two were they can invite everyone and they can listen to what everyone is saying … [R.10]

In such situations the perceptions of university students and staff on what they think of the university council recognising their participation and input in decision-making is vital for how the university is in position to provide effective university governance.

Table 11: Responses as the perceptions and beliefs of university students and staff on what they think of the university council recognising their participation and input in decision-making

	University students	**University staff**
Strongly disagree	31 (12.1%)	11 (17.2%)
Disagree	43 (16.8%)	7 (10.9%)
Neither disagree nor agree	71 (27.7%)	13 (20.3%)
Agree	33 (12.9%)	15 (23.4%)
Strongly agree	33 (12.9%)	18 (28.1%)
No selection	1 (0.4%)	
Total	255 (99.6%)	64 (100.0%)

Table 11 shows that of the number the university students who participated in the study on this aspect, 28.9% of university students do not consent to the proposition that the university council recognises their participation and input in decision-making; 27.7% of university students do not understand whether the university council recognises their participation and input in decision-making or not; 42.7% of university students consent that the university council recognises their participation and input in decision-making. This seems to indicate that of those who participated in the study more university students at the university are of the view that the university council recognises their participation and input in decision-making.

Regarding the views of the university staff who participated in the study on this aspect, 18.8% of the university staff do not consent to the proposition that the university council recognises their participation and input in decision-making; 23.4% of the university staff does not understand whether the university council recognises their participation and input in decision-making or not; 56.2% of the university staff consent that the university council recognises their participation and input in decision-making. These results of the study seem to indicate that of those who participated in the study more university staff at the university is of the view that the university council recognises their participation and input in decision-making.

However, these results of the study seem to indicate that more university students than university staff do not consent that the university council recognises their participation and input in decision-making. More university students than university staff do not understand whether the university council recognises their participation and input in decision-making. More university staff than university students at the university is of the view that the university council recognises their participation and input in decision-making.

The differences in perception between the university staff and university students demonstrate the unique ways the activities of the university council are understood. The process of determining what is most useful for the university is not clearly understood by the different constituents at the university council. As much as the university council may be open to receive what the different groups demand, it can provide oversight over what is most beneficial to the university. Thus in these complex stakeholder HEI environments in order to avoid antagonizing the different institutional stakeholder over unmet stakeholder demands, the university council over a process of time ought devise ways of reaching compromises on the institutional processes of meeting these symbolic needs.

7.4. Engagement

The second place of the due process at the university council involves engagement at the committee level council and the university council meeting. The processes of engagement involve a procedural synthesis of the information received from the different constituents represented at the university council. It involves the following activities:

(i) Connecting with the different committees of council
(ii) The university council meetings.

7.4.1. Connecting with committees of council

The engagement processes at the different eight committees of the university council is a cognitive and technical evidence-based process to provide sufficient grounds for the university council to provide oversight on institutional matters presented at the university assembly. Evidence from the documentary information made in the public domain indicates that this process of institutional governance at the level of the committees of council is crucial for the oversight at the university council level (University of Venda, 2014). The committees of council compose of highly skilled personnel in preference to interest representation. The reliance on the committees of council shows how council believes in competence and expertise as applied to its institutional matters. This is depicted in the one of the responses:

> … all the paper all has been done by the committees and all that is taken now is council as decision you have agreed with, we agree with this can you rectify it … [R.14]

The results of this study seem to show that the university council through these explicit procedures, it has put in place specific governance structures to run the explicit procedures to deliver on required tasks as pertains to the university institutional demands. The committees of council review and make recommendations on the core activities about the university which the university council lacks competence. The different activities of the committees of the university council may not be participatory but are done to the satisfaction of the university council. The committees of council depend on the council in their operations as they have to report back of their activities. The committees of council are aimed at bringing about efficiency. The different committees of council have different terms of service depending on their areas of speciality. They operate on a delegated institutional authority based on competence to perform on the required tasks of the university council. The university council does not interfere with the activities of the committees of council unless they deviate from their terms and references. This is shown in the following response:

> … we have actually agreed that we delegate to this committee the power to take decisions on behalf of council and they come for rectification. Some universities are unable to perform because they want to take every single decision for example if its tender committee, our tender committee they take decision so if we want something done there is a building that needs to go up this month we call a tender committee they take a decision we start we don't wait for council but because council has also entrusted its self to this committee and they will abide by the rules and guidelines and remember our

> council will still go back and confirm did you actually follow the correct rules and guidelines … [R.14]

These explicit terms of reference guide how the committees of council labour to comply with the tasks assigned to them by the university council within a required period. The university council is accountable for due diligence and in most circumstances the university council is not expected to delegate this responsibility to any entity, unless to its committees of the university council as enthused in the university statues. This has put a lot pressure on the university council to meet as often as possible. However the university council as an assembly in its calendar has fewer meeting times in the year. This is expressed in the response given below:

> … It's impossible to get council; council sits only for times a year. Members of council, these are people who have volunteered their time they are not employed of the university. So you know they give off their time, they have their full time job elsewhere as this is not like an executive board that you find in private entities. I am sure you know how the council is constituted these are external people and it only meets for times in a year if you expect that council to meet four times in a year to take important decisions there will be a problem but apart from that, that they would be just they will be overwhelmed with information that comes to them … [R.14]

Evidence from the documentary information made in the public domain seem to imply that the university council has appointed committees to help carry out the due diligence function of governance (University of Venda, Annual Reports of, 2011 2012 2013, 2014). The committees of council have specific authority laid out in their terms of reference. Each of the committees of council as part of the due process has specific dates and times of meeting and reporting aback to the council. This is seen in the responses that:

> The committees do meet and at each council meeting there is a report given by the chair of that committee on the meetings that they had or the workings that they had. [R.8]

The committees of council are expected to consult and apply their individual skills as a team and come out with committee reports that are submitted to council administrator in the absence of the secretary of the university council to be prepared for the council meetings. These documents are made available to all members of council in advance to enable productive engagement and oversight by the council.

Table 12: Responses as the perceptions and beliefs of university students and staff on what they think of the university council is well informed through its subcommittees on institutional matters presented to it for action

	University students	University staff
Strongly disagree	21 (8.2%)	5 (7.8%)
Disagree	23 (9.0%)	2 (3.1%)
Neither disagree nor agree	74 (28.9%)	16 (25.0%)
Agree	86 (33.6%)	25 (39.1%)
Strongly agree	43 (16.8%)	15 (23.4%)
No selection	7 (2.7%)	1 (1.6%)
Total	255 (99.6%)	64 (100.0%)

Table 12 illustrates that of the number of university students who participated in the study on this aspect, 17.2% of university students do not consent to the proposition that the university council is well informed through its subcommittees on institutional matters presented to it for action; 28.9% of university students do not understand whether the university council is well informed through its subcommittees on institutional matters presented to it for action or not; 50.4% of university students consent that the university council is well informed through its subcommittees on institutional matters presented to it for action. These results show that of those who participated in this study more university students at the university are of consensus that the university council is well informed through its subcommittees on institutional matters presented to it for action.

Regarding the views of the number of university staff who participated in the study on this aspect, 10.9% of the university staff do not consent the university council is well informed through its subcommittees on institutional matters presented to it for action. 25% of the university staff do not understand whether the university council is well informed through its subcommittees on institutional matters presented to it for action or not. 62.5% of the university staff consent that the university council is well informed through its subcommittees on institutional matters presented to it for action.

Confidence in the due process at the committee level of the university council depends on how the work of committees of the university is well understood internally and externally by the institutional constituent stakeholders. The differences in perception between the university staff and university students demonstrate the unique ways the activities of the university council are understood as earlier mentioned in chapter 8. The differences in understanding should not be used as criteria determine the levels of participation in the university governance processes. Instead it should be seen as opportunities for individual transformation in terms of professional development as a lifelong process of learning. At the committee level there is limited participation by external constituencies. This is because the different external members of the university council are believed to be more empowered than the internal members of the university council. They bring to the university council professionalism and neutrality. However, little is known about how this is accepted by the less empowered members of the university council who may possess similar empowerment.

In spite of these differences between the members of the university council due to their differential social capital possession, the effectiveness of the committees of council is seen in the time they take, quality of work done, consultation, preparation, efficiency from the quality of the recommendations they prepare for the university council in relation to the institutional vision laid out the university council in their terms of reference. As a result, stakeholder integrity, trust and value is brought to the different due processes of the university council through the different processes the different decisions go through before they reach the university council for oversight.

7.4.2. The university council meetings

The most critical event at the university council, as the results of this study indicate, is where the due process takes place, which is at the university council meetings which usually take place four times in a year. The preparation of the university council is an ongoing process that takes place throughout the year. The preparation involves information synthesis with members of the university council preparing in advance for these meetings. In demonstration of due diligence, each individual member of the university council is expected to function as a critical part of the university council itself which entails having an independent interrogative mindset at council meetings. Each university council member is presented with council documents in advance of two weeks for discussion and debate and in the council sessions they are expected to have read the documents thus productively contribute to the

robust debates in the council. The university council expects individual members of council to have familiarised themselves with the council documents, before they present themselves at each university council meeting. However evidence from this study shows often times members of the university attend council unprepared due to having less time for individual preparation for the university council meetings. This aspect is shown in one of the responses from on e of the interviewees in the study:

> … if these members, interest is solely focused to the university but that is not so because these are members who have interests outside there. They either do not have more time to invest time on the university issues and therefore what counts is when there is meeting is around then they will involve themselves but you know that little is bit. I think if we can pick that and make sure that people devote much time and also may be to find out whether these people are not sitting in so many boards apart from being members of council at the university and how much time will they devote to this maybe would improve … [R.5]

This leads to less critical debate at council which unfortunately is detrimental to institutional effectiveness. The meetings at the university council chambers are closed to the public but the results of this study indicate that they are quite busy. However this process raises anxiety as different institutional stakeholders begin to question the rationale of blocking out the public from the crucial meetings on issues that affect their well-being. However, in the South African HE context, little is known as to why university council meetings should be held in closed doors. The effectiveness of the university council meetings depends on the following aspects:

(i) University council charter
(ii) University council standing orders
(iii) Conduct of the university council business
(iv) University council quorum
(v) The university council agenda
(vi) Quality of the university council minutes
(vii) Quality of university council papers
(viii) Medium of communication during the university council meetings
(ix) Decision-making at council
(x) Familiarisation of members of the university council
(xi) Motivation of the members of the university council.

7.4.2.1. University council charter

The university council charter is the legal institutional instrument under which the university council operates (Higher Education Act 101, 1997) of the institutional statue of the University of Venda). It describes the manner in which the university council members are selected and empowers them to act in all matters on behalf of the university. The university council statues are adopted by the members of the university council and are amended as the need arises. They enumerate the constituent units of the university council, their powers and responsibilities. The statutes also describe the types of individuals that serve on the university council. The results of this study indicate not all members of the university council are familiar with this aspect. As a way of bringing about effective university governance it is imperative that the university council makes sure that all members of council understand how the university council does operate.

7.4.2.2. University council standing orders

The effectiveness of the university governing body to deliver on its leadership role to the university is closely dependant on the efficient meanings, interpretations and implementations of the university council standing orders. Evidence from the documentary information made in the public domain indicates that the university council standing orders set out how the university council and its committees conduct their business and discharge their obligations under the university council statues and other regulations and guidance applicable to the university (CHE, 2012). However some of these guidelines seem complex to new members of the university council which has led some not knowing what to do during the university council sessions even at the different committee levels of the university council.

The university council during its sessions even at its committee levels may resolve to depart from or vary these standing orders at any time by a simple resolution at university council meeting or committee meetings properly constituted and held in accordance with its standing orders. The university council standing orders are held by the university secretary who is responsible for the publishing or otherwise making them available.

7.4.2.3. Conduct of the university council business

In order for the university council to able to provide effective university governance there is need for the university council to ensure that the members of the university understand how the university council works. Evidence from this study indicates that most of the members of the university council are not familiar with university council proceedings in spite their level of skills and competences they bring to the university council.

In these circumstances, it is the role of the chair of the university council to ensure that the members of the university abide by the standing orders of the university council during the university council and the different committee meetings. The chair of the university council at the general university council meetings should ensure that all the different processes involved in the decision-making are following. At the different committees of the university council it is the responsibility of the chairs of committees to do so. The essence of these rigorous due processes are to ensure that the end products of these university governance process have lasting effective institutional positive influence in terms of institutional strategy and performance at different levels of the implementation of the decision-making processes in the university.

During the university council sessions, the results of this study show that the members of the university council presenting reports under the university council agenda will draw the attention of members of the council to the more important items or recommendations which raise matters of principle or which require discussion and to items which involve business requiring the Seal of the University. After this has been done, members of the council are given the opportunity to raise matters in connection with any other item or items on the report. If no further questions are raised, it is assumed that the report has been accepted and all the recommendations contained therein approved. The chair of the university council will give members of the council the opportunity to raise any questions with regard to any of the items on the agenda. No resolution may be rescinded or altered in the term in which it is passed or in the term immediately following, nor may any resolution which has been rejected be moved again in the term in which it was rejected or in the term immediately following, unless the notice of the proposal to rescind or alter a resolution which has been passed, or to re-introduce a rejected proposal, be signed by an agreed number members of the university as sulphated in the standing orders of the university council. The chair may require that any

motion or amendment shall be put in writing and signed by the mover before a vote is taken. During the course of the meetings, the chairperson of the council ensures that the issues are satisfactorily dealt with and ensures that the university council meetings do not go out of focus. This is seen in one of the responses that:

> … in terms of decision-making its very much a democratic, collective decision-making, matters are put on the table, they are debated at council and if we feel that there's a conflict of interest we do ask staff to leave and we deal with the matter and we are very open. [R.10]

These results seem to imply that the emphasis is on the transparency accountability in the due process. At the university council meetings there is close engagement characterised by critical reviewing of information, discussion of trends and implications, asking questions, and finally decision-making. This aspect is depicted in one of the responses that:

> … one it was stated at council and two the council in question interacted with that, debated it, looked at the faults and then secondly your institutional subcommittee was tasked at working on this one and subsequently at the end of, the following council meetings these representatives was presented and challenged so council had its, what do you call it, its hand on the lid or finger on the pie whatever you call it. Council did not go back and defend it and say we did not do this, they are wrong we're corrected where it had to be corrected I think that was the nice bit of council and putting mechanisms to ensure that the correction is executed and remains … [R.13]

The extent to which the process is democratic is not well-known. However, the members of the council speak of the process as fairly democratic as seen at the equal opportunities during the council meetings for critical engagement and questions on issues that are not clear. This aspect is depicted in one of the responses:

> We had one particular council member who was like 'renegade'. You know just challenge things because it's good to challenge them and he always given the opportunity the whole council would agree on something he says he doesn't agree the he was given an opportunity to write an opportunity report and it is filled to say council approved but I so and so did not agree with this so everybody was given that opportunity … [R.14]

The main issue that is emerging here is that there is consultative debate, engagement, and negotiation in the due process with all the members of the council at the meeting. This is depicted in the following response:

> … there are codes of conduct that governs the council members either as chairperson or deputy chairperson or even just an ordinary member, I might

> differ with you in terms of principles but that doesn't make us enemies. It's just that on certain issues we didn't understand and agree, but we have to move on for the sake of good governance … [R.12]

As part of the due process, the council monitors the activities of the committees such that their productiveness that could make the work of the council effective. The monitoring of the committees of council is done by having at least having members of the ex-officio involved in all the committees. However little is known why this so. This is seen in of the responses that:

> … so I think that there is nothing wrong in having council members chair the different subcommittees of council and ensure that the message from council philosophy and the ethos of council is carried through in the execution in those subcommittees. [R.9]

These results of this study seem to indicate that there is an emphasis in the coordination of the leadership in the due process, independence and external neutrality at council in the due process. This is seen in of the responses that:

> … my thinking is that an Exco must assist the council in the day to day running when not there, and should not be there all the time so Exco needs to be a quite smaller body the Exco there are very big one and as a result of that Exco manages to spare itself quite into different spheres of the university you find that every chair of a subcommittees is a member of Exco… [R.12]

However, the university council at the institution does not delegate its due diligence accountability to any other body, whether individual or a committee or task force without the full authorisation of the university council. The university council carries out its activities with due diligence as a group at its university council meetings. These university council meetings do occur four times a year unless there are crises or issues that special meeting may be called. The due process of governance happens when the university council is together at its meetings. It is important to note that university council meetings exist to do governance, the university council's work and doing governance means assuring the health and effectiveness of the university which means due diligence.

At the start of each fiscal year, the university principal and university council ex-officio team meet to draft a due diligence outline for review, adjustment and endorsement by the university council. This outline schedules the due diligence activities throughout the board meetings of the fiscal year. The university council chair and university principal and ex-

officio team use this outline to help develop the university council meeting agendas, institutionalize critical work, and anticipate issues.

7.4.2.4. University council quorum

The effectiveness of the university council to deliberate and contribute to effective university governance depends on the university council's ability to properly constitute the right quorum whenever it is needed. The university council quorum refers to the minimum number of members of the university council entitled to attend and vote who must be present at the university council meeting to make valid decisions at the university council general meeting. This characterisation is seen in one of the responses that:

> … we are always having a quorum with people participate vibrantly … [R.14]

The results of this study indicate that university council meetings have always had a sufficient council quorum to enable the university council make decisions on crucial intuitional issues confronting the university. The presence of a full university council quorum shows members zeal for participation, responsibility, accountability and confidence in the university council governance processes. The chair of the university council holds the powers to call for the meetings of the university council as the need arises. The success of the university council meetings depends upon how the chair of the university council conducts these sessions.

7.4.2.5. The university council agenda

The agenda for each university council meeting held is important for the effective governance by the university council. The council only meets when the agenda is defined and made available to the members of the university council. In order to ensure that all the different institutional stakeholders are heard, it is important that all these groupings participate in the development of the council agenda for the different meetings held in the year. The results of this study indicate that university council agenda is determined by the chair of council, the university clerk, and the chairpersons of the different committees of council in consultation with vice-chancellor of the university. This aspect is shown in one of the responses from the interviewees:

> … if the university principal doesn't want things to be discussed in the university council. It never be brought to the university council because he don't want it the chairperson doesn't want things to, that's why the

> relationship between the chairperson and the university principal at the university is very important. [R.15]

This aspect suggests that not all that is prepared by the different committees of council gets sent to the university council for deliberations. This aspect is further depicted in one of the responses:

> You will get an issue which is supposed to be attended by the university council that is will never brought to the council it will be discarded somewhere else then you will just see that things are happening, if you happen to say it but if you didn't see it nobody discuss it with you will never know ... [R.16]

It is the role of the university secretary to ensure that university agenda for each university council is prepared in time and is made available to the participating members of the university council. These preparations are to ensure maximum input, participation, and debate critical thought on challenges facing the institution so that the university council at the end of each session is able to make recommendations that will bring about the desired institutional changes.

7.4.2.6. Quality of the university council minutes

In order for the university council to be in position amicably discharge its institutional mandate of providing effective governance, the university council ought to ensure there is quality in the recording council proceedings. This aspect is depicted in one of the interviewees:

> No its very difficult to say because you know we will attend a meeting after attending the meeting all decision that has been taken we will never see them except in the next meeting when we are dealing with the minutes of the previous meeting … how the information is disseminated amongst the members of the community I don't know how the information is disseminated to the students except the SRC and the secretary of the SRC will be there in the council so I am of the opinion that he will take whatever we discuss which affect the students because the way in which the council operates all decisions somehow or other they will affect the life of the students … [R.16]

Before the university council sessions, the university secretary should ensure that all the audio visual equipment, and any other communication support facilities are available, useable whenever needed and all the members of the university council are familiar with communication gadgets. Evidence from this study indicates that the university council

boardroom has fully functioning audio equipment and ICT to make possible the university governance processes at the university council meetings as indicated below:

> So the recording is there we know that whatever we are, there is committee section that is with issues of recording and also sending us information about the agenda or, everything to do with the council. [R.7]

The ability to record whatever is said and agreed upon during the council sessions is important for several reasons; firstly it ensures consensus among the members of the university council for the next council meetings. This removes time wasting and enables the university council to follow up on institutional issues that have been raised that need further deliberations or demand immediate due attention of the university council. Secondly, it ensures that the different institutional stakeholders have an opportunity to access issues that were deliberated upon that could be crucial to their well-being. This is because not all institutional stakeholders are in position to attend the university council meeting sessions according the university council statues. Thirdly, it fosters the university council in the development and making of decisions on critical issues debated upon by the different members of the university council.

7.4.2.7. Quality of university council papers

The general public is able to have trust in a particular university governing body if it is able to access and engage with university council publications available on issues that confront the institution and how the institution is responding to these debates in the public domain. This aspect is depicted in one of the interviewees:

> No its very difficult to say because you know we will attend a meeting after attending the meeting all decision that has been taken we will never see them except in the next meeting when we are dealing with the minutes of the previous meeting how the information is disseminated amongst the members of the community I don't know how the information is disseminated to the students except the SRC and the secretary of the SRC will be there in the council so I am of the opinion that he will take whatever we discuss which affect the students because the way in which the council operates all decisions somehow or other they will affect the life of the students … [R.16]

At the university council meetings there are different council papers/ reports presented from the different committees of council. The proceedings of the university council are recorded and kept by the university clerk assisted by the 'committee section' of the university council. The committee section is an administrative office set up under the jurisdiction of the

university clerk by the university council to assist the university clerk in the administration of the university council secretarial workload.

The activities of the university council though carried out in closed doors are of interest to every institutional stakeholder. This is because the decisions made by these groups of individuals directly or indirectly determine stakeholder confidence, faith, trust, multiple accountabilities and relationships at different levels between different interest actors. Consequently, every institutional stakeholder closely monitors the activities of the governing body. The responsibility to ensure that all the affected institutional stakeholders from within the institution and external are informed of the university council recommendations and initiatives lies squarely with the university secretary. However some higher education institutions do not want to expose their institutional weaknesses in the public domain. As a result, certain university council documents may not be readily available to the public.

7.4.2.8. Medium of communication during the university council meetings

In order for the university council to able to provide effective university governance the university council needs to ensure that the medium of communication during the university council and committee sessions is equally understood by all the members of council involved. Evidence from this study shows that almost all communications during the university council sessions emphasize on the use of English as a major language of communication. In addition, during the different committees of the university council meetings the medium of communication is also English.

7.4.2.9. Medium of communication during the meetings of the different committees of the university council

Evidence from this study shows that communications during the committee sessions of the different committees of council emphasize the use of English as a major language of communication. This is based on the skill-base diversity within the different committees of council.

The inclination for use of English as a standard language of communication indicates the drive at internationalisation within the local context. The use of English at this major decision-making body at the university reflects the institutional initiatives at repositioning the university within the other local and international higher education institutions. However, not all institutional stakeholders are familiar with the university council deliberations being

carried out in the English even at the different committee levels of the university council. There are certain institutional governance issues that the different institutional stakeholders that could best express in the local languages considering their historical contexts and expectations. This could be a limiting factor as it could affect critical input and debate on important issues. Hence as a way of speeding the different communication processes at the university council and at the different committees of council, is it expedient that the university council standardises ways of communication at the university council and committee level of the university council. The different ways of communication and understanding should be able to accommodate the different language needs of the different institutional stakeholders that could impinge on their levels of critical input at the different levels of the university council deliberations.

7.4.2.10. Decision-making at council

In order for the university council to be able provide effective university governance it must be able to arrive at decisions that are suitable and address the institutional challenges facing the institution. This aspect is depicted from one of the interviewees:

> It's very difficult to get a decision sometimes you force, you know a decision when other people, even if they are voting in appositive manner you could see them that no but they are voting positively but he is voting against there is no smooth running issue in the council. [R.16]

The ability to make good decisions is dependent on the information made evadible to the different members of the university council. Thus the chain of information processing is important from the university arrive at effective decision-making a recipe for effective university governance. This aspect is depicted from one of the respondents that:

> … if I don't have the information that you have got I will make my own decision and that decision can jeopardise your life because I don't have the information which you are having. [R.16]

Evidence from this study indicates that decisions at the university council are arrived at through the processes of secret voting at the university council boardroom. In the university council the voting activity on motions is indicated by a show of hands unless the university council meeting determines that a ballot is to be taken. In addition, on issues that involve certain members of the university council during the council sessions these members have

asked to excuse themselves from the voting processes by the chairperson the university council.

The university council should exercise its responsibilities in a corporate manner through decisions being taken collectively by the members acting as a body. Unless authorised by university Council to do so, members should not act individually or in informal groupings to take decisions on university Council business on an ad hoc basis outside the framework of the meetings of university council and its subcommittees. The unique process of arriving at decisions that is agreeable to all the different institutional stakeholders shows how the university council is democratic, transparent and accountable in its due activities. However on the contrary, the university council meetings take place behind closed doors as result certain institutional stakeholders have tended to question the legitimacy of this governance behaviour if it's democratic and transparent.

7.4.2.11. Decision-making at the different committees of the university council

The ability for the different committees of council to come out with constructive recommendations on the behalf of the university is closely associated on how they are able to arrive at feasible decisions as a team. Evidence from this study indicates how the different committees of council try to replicate the different processes of how the university council arrives at its decisions. However the efficiency and effectiveness of these due processes is closely dependant on the different social capitals that the different heads of these committees bring to the processes at these institutional levels of the university governance process.

7.4.2.12. Time spent in university council meetings

In order for the university council to be able provide effective university governance it ought to ensure that it qualitatively uses the amount of time available to it during the council sessions and the different committee sessions productively for the good of the institution. Evidence from the documentary information made in the public domain indicates that university council only meets four times in the year (University of Venda Annual Reports, 2011, 2012 2013, 2014). However this time is limited considering the amount of work that demands the attention of the university council. In such circumstances the university council has to rely on its committees of council. This aspect is depicted in one of the responses:

> Meetings can be very short because they have gone through the document but quite often you will find that council members do not have time nor expertise to communicate or can make meaningful contributions and therefore what happens is that something that should take very short time will take the whole day because other people do not understand and others have not read things. [R.5]

Thus members of the university council need to prepare for the university council and the different committee meetings. The lack of preparation may lead to inappropriate input, delayed submission of reports, delays in reaching decisions, lack of critical debate and critical responses, popularization of institutional issues, leaving out certain issues from the different institutional stakeholders due to lack of time to properly document these issues and prepare them for the university council meetings. In summation, the university council needs see to it that the time given to the different members of the university council at the different committees of council is well spent. This is to ensure that by the time the university council convenes less time is spent on trivial issues and instead is utilised on more important issues before the university council as determined by the agenda in these meetings.

7.4.2.13. Time spent at the different committees of the university council

The effectiveness of the different committees of the university council to the tasks delegated to them from the university is determined by how healthy the use the time they spend together as a team. Evidence from this study tells of how the different committees of council have specific times set aside as per their terms of reference. However, these meetings are held under closed doors it's challenging to understand how effective these meetings are.

The secrecy of these closed meetings is bound to raise stakeholder anxiety over stakeholder accountability and transparency in the different due processes involved. In such instance effective governance in such strongly contested stakeholder HEIs is a possibility if ever the university negotiates terms of participation as part of the different processes of institutional transformation. But it's vital to bear in mind that participation is tied to being able to contribute to debate based on skill expertise and have the core purpose of the university above constituency interest.

7.4.2.14. Familiarization of members of the university council

In order for the university council to be able to provide effective university governance it ought to ensure that its members of the university council are well trained on how institutionally function in the university council. Kiel (2010) states that often people have been appointed or elected to university councils without an appropriate understanding of their roles, responsibilities or, indeed, nature of contemporary university governance. This is especially so for elected members of council who may come to the university council with an ill-conceived notion of their roles (Kiel, 2010: 18). Evidence from the study indicates that when new members of the university council join the university governing council they are often not familiar with how the university council does operate. This aspect is depicted in the response below:

> … this is my first time being university council member but I have learnt a lot I was, I'm a member but I was on a learning curve as well. [R.11]

On the other hand, the university council is faced with members of the university not having sufficient time to prepare for and attend to the university council meetings due to much commitment outside the university in their places of employment and businesses. This aspect is depicted below in one of the responses of the interviewees in the study:

> … if these members, interest is solely focused to the university but that is not so because these are members who have interests outside there. They either do not have more time to invest time on the university issues and therefore what counts is when there is meeting is around then they will involve themselves but you know that little is bit. I think if we can pick that and make sure that people devote much time and also may be to find out whether these people are not sitting in so many boards apart from being members of council at the university and how much time will they devote to this maybe would improve … [R.5]

This state of unpreparedness disempowers the university council as governing organization of the university such that it affects the ability of the university council to effectively govern the institution. Therefore, the chairperson's interpersonal skills are very important to carrying out the work of the council. An effective chair of the university council will have unique abilities to ensure that controversial issues are fully discussed while at the same time ensuring that timely decisions are made. Hence the professionalization of the university council through

continuous training is important because it assists the university council to able to properly function in its roles.

7.4.2.15. Motivation of the members of the university council

In order for the university council to be able to derive value from the quality of the mix of the members of the university council, it is important that the university recognise the need to motivate these group of individuals to perform much better at any given opportunity they meet at either the level the university council or at the different committees of the university council. The results of the study indicate that the university council provides allowances for its different members of the university council whenever they are performing the duties assigned by the university council. The disbursement of these allowances is coordinated by the committee section of the university council.

There have been several debates of whether members of the university council should be paid or not. On the other hand, there is view that service to the university council is a means by which members of the university council can contribute back into the community. There is a long tradition of council members not being paid and that to change this tradition represents one aspect of the undesirable corporatisation of the university council and its activities. On the other hand proponents of paying university council counsellors point to the changing nature of careers in modern society. They note that it's common for people in their 40s and on to move from managerial positions to governance positions. For many of these people, this governance career is also their means of livelihood. In so much the debate of whether to pay members of council is still going on, considering the university council workload and time available to accomplish the tasks assigned its useful for the university motivate these groups of individuals through subsided rates with market values. This is because there are strong demands upon higher education institutional leadership to respond and deliver on the demands of different stakeholders at different levels of the communities they are located and beyond. Thus if the university council must deliver on these symbolic expectations from the different institutional stakeholders, there is need for the individuals involved in these institutions of governance at this level to be properly remunerated. If the members of the university council are properly motivated to perform through intrinsic and extrinsic rewards, there is a strong possibly that the university council can accomplish its mandate for the university contexts they are located.

Table 13: Responses as the perceptions and beliefs of university students and staff on what they think of their representatives to the university council keeping their constituents informed and solicit constituent views whenever appropriate

	University students	University staff
Strongly disagree	33 (12.9%)	9 (14.1%)
Disagree	49 (19.1%)	7 (10.9%)
Neither disagree nor agree	60 (23.4%)	11 (17.2%)
Agree	78 (30.6%)	20 (31.3%)
Strongly agree	32 (12.5%)	17 (26.6%)
No selection	3 (1.2%)	
total	255 (99.6%)	64 (100%)

Table 13 of the results of the study indicate that of the university students who participated in the study on this aspect, 32% of university students do not consent to the proposition that their representatives to the university council keep them informed and solicit their views whenever appropriate; 23.4% of university students do not understand whether their representatives to the university council keep them informed and solicit their views whenever appropriate; 43.1% of university students consent that their representatives to the university council keep them informed and solicit constituent their views whenever appropriate. The results of the study seem to imply that of those who participated in the study there is a relative consensus that more university students at the university seem satisfied that their representatives to the university council keep them informed and solicit constituent their views whenever appropriate.

Regarding the views of the university staff who participated in the study on this aspect, 25% of the university staff does not consent to the proposition that their representatives to the university council keep them informed and solicit their views whenever appropriate; 17.2% of the university staff do not understand whether their representatives to the university council keep them informed and solicit their views whenever appropriate or not; 57.9% of the university staff of the university staff consent that their representatives to the university council keep them informed and solicit constituent their views whenever appropriate.

The differences in perception between the university staff and university students demonstrate the unique ways the activities of the committees of the university council and its general assemblies are understood. These differences consequently manifest in the inherent

difficulties in understanding of the different due processes of the university council. This is responsible for weakened participation and critical contribution to debate during the council and committee sessions. In addition it is responsible for less regard of the due processes of the university council in preference for other forms of governance engagement like 'caucusing', 'consultative constituency' which evolve around sectoral tendencies. These peculiar forms of stakeholder behaviours are highly regarded and trusted by the different institutional stakeholders especially from the less empowered members of the university council. Thus as much as the university council may be open to receive what different groups demand but it is in better position to provide oversight over what is most beneficial to the university. Thus the effectiveness of the council deliberations in making this clear to the different institutional constituents depends on host of issues such participation and engagement of the council members.

7. 5. Stakeholder implementation

At the university council this is the third place where the due process takes place and this mechanism entails working relationships between the university council and senior management; the committees of council and the senior management. The notion of system compliance implies the different processes of what the university council has agreed upon are to be implemented within the required time periods established by the university council. These different institutional processes involving diverse relationships with different institutional stakeholders are important for the university council for institutional effectiveness.

i) The relationship between the university council and senior management
ii) The relationships between the committees of council and senior management
iii) The relationships between the university council and feeder points
iv) The relationships between the committees of council and feeder points
v) The relationships between the senior management team and feeder points.

7.5.1. The relationship between the university council and senior management

The processes by which universities are governed are subject to codes imbedded in universities governance frameworks. These processes are intended to help universities govern. The university council is responsible for the university compliance and it has put in place procedures for compliance through the institutional laws, regulations, rules and

standards. The university council has set directorates to monitor, evaluate and establish quality assurance activities and mechanisms within the institution as part its efforts to bring about efficiency thus effectiveness in the institution. All this needs to have been set out much earlier.

In order for whatever the university council deliberates and decides on, there are mechanisms to implement these decisions. Thus the relationship between the university council and senior management is critical. The vice-chancellor's office operates a team of senior executives an 'executive core' that make it possible for the university principal lead the management of the university. The results of this study indicate that the university council appointed the university principal and expects him to work in partnership with the university council. The university council adopts policies that define the role and scope of authority of the university council, the relationship between the university council and its university principal in relation to the university. The university council is depending on the university principal for clarity and interpretation on operational institutional matters which largely has depended on the relationship the council chair and the vice-chancellor. This is depicted in one of the responses that:

> There is an excellent working relationship between first of all the chairperson and the vice-chancellor have always had very good relationships with the way they manage council I think it's because of their maturity the wisdom they have and the skill … [R.14]

These results suggest that the vice-chancellor provides leadership and support which enable the university council to carry out its governance responsibility. However, at times the senior management has had to ensure that it is in agreement with the university council. This aspect is shown in the response from one of the interviewees below:

> … that is where you will find people boxing but not real boxing you know boxing by words And then at the end of the day we day a resolution because this decision or resolution must have to obtained anyhow ... [R.16]

Disagreement with the university council is bound to affect the implementation of the university council resolutions. As consequence these two groups of individuals need to try as much as possible to be in agreement. This aspect is addressed in the responses from one of the interviewees:

> … but sometimes we made very difficult resolutions between because the relationship between the management and the council is there but it's not always there because we as council members will want to get things done another way but you get mangers wanting it to be done on the other way because maybe they have some other information which we don't have ... [R.16]

This has involved assuring that there is effective communications, working with committees, and asking the university council if it is satisfied with the due diligence process. The university principal helps the university council carry out its due diligence at the university council governance level by providing information, analyzing trends and implications and responding to critical questions posed by the university council. The process of due diligence by the university council is limited to the university council governance level in the university. The university council carefully carriers out its scope of due diligence without trespassing on the scope of responsibility of the university principal and senior management at the university.

> … let's say the management and the structure and usually the management they have the powers and sometimes they know that if they say something especially if you know much about how council work you can end up like just approving some of the things without knowing the what are the implications so those are the challenges that we are having that one sometimes need to be strategic to make sure that you voice your concern or the issues that you want the council members to know and sometimes they can call you to an order that what you are saying but what is important is that they know what is happening … [R.11]

There are many issues that happen on the university campus demand the attention of the university council. However it is the jurisdiction of the senior management team under the leadership of the vice-chancellor to respond on the behalf of the university council. That is why the relationship between the vice-chancellor and the chairperson of the university council is crucial. The vice-chancellor and his team need the confidence and backing of the chairperson of the university council to justify their actions on crucial issues before the university council. However, the relationship should of one that does not encourage patronage.

As much as members of the university council would want to spend more time on the university campus to familiarise themselves with campus life the results of this study indicate that a great majority of them don't reside around the university. The different members of the university council have several work obligations outside the university. This lack of

understanding on what is happening in the university manifests in the university council deliberations which disempowers the different process of decision-making. Hence if the university council is to attain institutional effectiveness, it is not only crucial that it grants the senior management delegated authority to manage the operational aspects of the university and report to the university council, but it must find innovative ways of knowing what is happening on the university campuses from the different perspectives of the daily lived experiences of students, parents, staff and other external entities that are part of the university community. This is not micro management per say but an ownership process of campus visibility and interfaces that builds institutional confidence and interdependence to provide leadership on the behalf and absence of the university council in the senior management before the different stakeholders. This aspect is depicted in one of the responses that:

> Our council largely I am not saying that is 100% but largely tries to get away from operational issues which would affect the performance … [R.14]

The university principal at the university council is responsible for ongoing due diligence at the management level. In fact, management leads/does almost all of this due diligence as part of management work. Then management engages the university council (and appropriate committees and task forces) in fulfilling the university council's level of due diligence. However the senior management in spite of the fact that they are implementing council decisions, it cannot act on issues presented to it from university students and staff unless it is within council recommendations. The processes of decision-making at times causes tension between affected stakeholders as indicated in the response below:

> … what it is there in the ground because as I have said the council is to rectify to approve or disapprove those kinds of things and usually they don't see what is happening at the ground. They don't know they, our concern even when you try to raise them they will say this are not the right platform you're not supposed to raise it here so I think it would be good for the council sometimes maybe to have a day or two were they can invite everyone and they can listen to what everyone is saying. [R.12]

This seems to imply that the due processes in higher education institutions are often contested governance spaces. The different processes of contestation provide the spaces and opportunities for expression though it may take long. The university council is not afraid of the contestations of its due processes but it has put in place institutional structures to interface and arbitrate with these contestations. The senior management on the behalf of the university council has 'governance platforms and clouds' to engage with different stakeholders on

institutional matters that affect them before they reach the university council. The notion of 'governance platforms' and 'clouds' implies the opportunities for engagement and conversation of issues that are not clear to the different institutional stakeholders through the different institutional governance structures. However, the regulation of these 'spaces' through the university statutes is important to avoid their stakeholder politicalization that may become counterproductive to the institution.

Table 14: Responses as the perceptions and beliefs of university students and staff on what they think of the university council using viable audit process to monitor institutional practices

	University students	University staff
Strongly disagree	24 (9.4%)	5 (7.8%)
Disagree	29 (11.3%)	7 (10.9%)
Neither disagree nor agree	95 (37.1%)	11 (17.2%)
Agree	70 (27.3%)	32 (50.0%)
Strongly agree	34 (13.3%)	8 (12.5%)
No selection	2 (0.8%)	1 (1.6%)
Total	255 (99.6%)	64 (100.0%)

The Table 14 shows that of those who participated in this study on this aspect, 20.7% of university students do not consent to the proposition that the university council uses viable audit process to monitor institutional practices, 37.1% of university students do not understand whether the university council uses viable audit process to monitor institutional practices or not and 40.6% of university students consent that the university council uses viable audit process to monitor institutional practices. The results seem to suggest that of those who participated in this study more university students at the university are of the consensus that the university council uses viable audit process to monitor institutional practices.

The table shows that of those who participated in this study on this aspect, 18.7% of the university staff does not consent to the proposition the university council uses viable audit process to monitor institutional practices; 17.2% of the university staff does not understand whether the university council uses viable audit process to monitor institutional practices or not 62.5% of the university staff consent that the university council uses viable audit process

to monitor institutional practices. The results seem to suggest that of those who participated in this study more university staff at the university is of the view the university council uses viable audit process to monitor institutional practices. The relationships between university council and senior management are significant for the effectiveness of the due process at the university. The senior management under the leadership of the vice-chancellor is expected to interpret and implement whatever the university council under the leadership of the chairperson of the university council has agreed upon. However the differences in understanding on how this relationship should operate by the different stakeholders outside and within the university often have led anxiety.

7.5.2. The relationships between the committees of council and senior management

Times of institutional changes in institutions tend to generate grounds for conflicts to proliferate. Thus particular decisions about students, teaching staff and non-teaching staff are understood as requiring special knowledge, expertness, or professional judgement. In complex institutional contexts judgement of individual cases involving university students affiliated and not, unionised teaching and non-teaching staff is highly sensitive to all sorts of influence. Thus the quality of effective governance delivery from the university council largely depends on its structures and systems in place to regulate the institutional processes. As consequence this puts a lot pressure on the university council and its senior management to adequately respond. In most cases, the university council finds itself turning to its committees of council and the senior management to work out useful immediate solutions. This is because the university council only meets four times in a year and it quite challenging for it to meet daily or quite often as the senior management may wish. Thus the role of the committees of council becomes important to act as an 'immediate solution' in the absence of the university council. This aspect is depicted in the response:

> … the council sitting all these hours it's impossible so the committee system is good … [R.14]

The results of this study indicate that the university council has an executive committee of council with terms of reference to make decisions on behalf of council on matters of an urgent nature, provided that any such decisions are ratified by the council at its next meeting. The relationship and interactions between the Exco and the executive management team from the vice-chancellors office plays a significant role on what gets done at the university. Most of the members of the senior executive management, by virtue of being ex-officio are part of

the executive committee of council. The greater part of the year the university council is not at the university which leaves the executive management team to meet with Exco.

However, this closeness has brought with it unconscious tendencies of micro-management. Thus for effective management by the senior management team on university council resolutions, the senior executive of committee of council should give opportunity and permit the senior management to respond and act on the agreed resolutions by the university council or even by the senior executive committee of council on the behalf the university council as shown below. This aspect is revealed in the following response:

> …but I think sometimes there are some committees of external Council members that are not able to differentiate governance issues with management issues and sometimes they are starting to get into operational management issues which can be recipe for problems many times we go back and say hey we don't think this is really is your area but sometimes there is a bit of contestation here is it or not so back to point you asked earlier it is very good but I think this needs it come out but there are sometimes standards to cross that boundary and getting into management operational things and one committee that I can mention is the audit committee which in my view has sometimes asked questions we provide answers but have though hold on here this doesn't look like governance it looks more like somebody either doubting what management has said or want to, so for me it has been area mentioned … [R.14]

The senior management team under the leadership of the vice-chancellor often times in difficult contexts require presence of the senior executive committee of council under the leadership of the chairperson the executive committee of the university council. This because with the Exco is easily assembled from outside the university and the senior executive management always available on the university campus, certain decisions that are important to the institution have been taken on the behalf of university council from which university council would be informed at the next meeting in the year. This is depicted in the response:

> My thinking is that an Exco [executive committee of council] must assist the council in the day to day when not there all the time so Exco needs to be a quite smaller body the Exco there are very big one and as result of that Exco manages to spare itself quite into different spheres of the university you find that every chair of a subcommittee is member of Exco. It's quite unique, it's quite good but you then begin almost to create a new sub council when you do that but its working I can't, when something is working don't break it. [R.7]

The relationship between the committees of the university council and the senior management is important because these committees of council are able to do work of the university council in its absence. The professional expertise that the committees of council make available to the senior management at their management level whenever called upon in the absence of the university council has empowered the senior management effectively to respond and remove delay in the decision-making processes. However the leadership at these levels is not participatory in the sense it doesn't involve certain institutional stakeholders like the university staff and student who would be affected by these decisions. Perhaps as a way of being participative and yet efficient, the university council could involve institutional stakeholders depending on their level relevant expertise and professional maturity at the committee level of the university council as chairpersons of committees. However the university council innovatively should desist from sacrificing skills and expertise for patronage in the placement of an efficient professional officialdom at the different levels of the committees of the university council in its dealings with the senior management. The issue of patronage is very important – see if you can flesh it out a bit.

7.5.3. The relationships between the university council and feeder points

The relationship between the university council and its different feeder points is crucial for effective university governance. This because most of the different decisions being made directly and indirectly affects them. This aspect is shown in the response from one of the interviewees:

> … there is good relationships amongst council members, the service staff go and sometimes put on throe some a little hand grenades on the table which explode and you have to deal with it, we keep on telling guys that when you are in council you are council member you are not representing your constituency and don't bring operational a matters to council and when you put things to council it must be documented it must be part of the documentation and so on you just cannot make wild allegations. [R.15]

There are different institutional governance forums set up by the university council where different stakeholders engage with the university council. This is because at the university council meetings there are fewer opportunities to engage with different constituent stakeholders. The challenge has been with the university council not being able to regulate the activities of its institutional stakeholders. The institutional stakeholders left on their own, 'doing their own things' and has led to these institutional structures at times being blindly

counterproductive to the institutional strategy of the university in the pursuit of their constituent interests. This aspect is seen emerging as depicted in the response below:

> … so usually when I think of the committees I rarely think of the Institutional forum. Institutional forum at uneven is dysfunctional I must be honest with you it's one of those committees I think that where created as vehicles of transformation … [R.14]

As a way of generating effective governance practice, the university council should innovatively get involved in whatever the institutional governance structures at their different levels are doing to understand their perspectives and partner on how the vision of the institution is being actualised. Engaging patronage at these governance levels enables the university council to bear with stakeholder subjectivities which positions them to reach symbolic compromises on unrealistic and realistic expectations. It's important that the university council in handling these issues it is in constant consultation with senior management to avoid instances of going beyond what the institution cannot afford a recipe for institutional instability. This issue is raised in the response below:

> … there are certa in decisions that affect employees directly we will then send a communiqué to the university and say the last council meeting the policy was remuneration and whatever was approved and policy on performance management is approved, these policies of human resources have been approved so we, when we send a communiqué to the whole university any where we don't do this is we, when we send an email its only those who have access to email university staff email but our expectation is that the support staff or service staff their representatives will go and they do actually meet them and give them feedback … [R.14]

However, the different stakeholders have their own 'caucus' meetings as institutional governance structures where they meet and deliberate on all their institutional grievances and other related matters. The university council has minimum effect on whatever is discussed in these structures it has set up. The seeming autonomy granted to these structures to exercise their liberties at these institutional governance levels and not at university council board meetings as left these constituencies with a sense of marginalisation. This aspect is seen emerging in the response below:

> On that meeting I don't know how he was feeling on that moment because when he came back obviously there was no way the we would accept that decision taken …[R.3]

The interactions between the university council and these institutional council governance structures at this governance level is to show that council is adhering to what is being said to it to do by the different institutional stakeholders although at times it seems to suggest that often the university council does not know what is happening at these levels. Understanding the leadership context of the institution and the major decision-makers at the university is useful for effective governance on the behalf these institutional stakeholders. The level of participation in the decision-making process at this level shows that the university council does communicate with the different institutional governance grass root structures even though the institutional response due processes takes time to address the emerging issues and which generates impatience and eventual conflict over what was expected is not achieved with the different institutional stakeholders in the institution. Henceforth the university council is better positioned to handle this is as good governance practise if it takes it as its own initiative to constructively engage with the different constituent patronage and try to moderate their symbolic expectations within the institutional strategy.

7.5.4. The relationships between the committees of council and feeder points

The interactions between the different committees of council and the different feeder points of the university council demonstrate the institutional spaces available for communication between the university and the different stakeholders. It is at this level that the different stakeholders need to make their case strong in documentation for council deliberation. This is because the university council is positioned in its role to respond to what is presented to it from its committees of council because it's well investigated since the feeder points never engage with them at the council meetings. However, this governance 'site' and 'driver' is not readily used and understood by the different stakeholders.

The chairpersons of the different institutional governance structures should take advantage of the unplanned breaks, moments and intervals during the university council meetings to productively engage with the heads of the different committees of council and the external stakeholders represented at the university council to understand how decisions affecting them are prepared. The different committees of council are there to assist the different institutional stakeholders get heard through the right procedures of the university council. However they

cannot act and prepare for the university council to provide oversight on what they are sure of or not well informed. Therefore, as good university governance practise the chairpersons of the different institutional constituent structures and of the different of committees of council should keep abreast of each other symbolic expectations and try to build these aspects into the institutional strategy of the institution as way of bringing about institutional effectiveness over time.

7.5.5. The relationships between the senior management team and feeder points

In order for the senior management to be able to successfully implement the different recommendations from the university council they need to have on their side institutional feeder structures that understand what needs to be done within the required time constraints and specifications. There are different mechanisms of the due processes being carried out by the senior management through its institutional policies on different aspects of the different institutional stakeholders for example accountability, human resources, student enrolment, disciplinary issues procedures. Each of these is under the jurisdiction of different committees of council were these matters are handled. In these different institutional spaces where these procedures are implemented the levels of participation by the affected stakeholders like the university staff and university students are critical for effective governance.

The implementation at the management level is supervised by the senior management. Often times the feeder structures 'want to tell' the senior management on what to be done and this has caused a lot of friction as senior management doesn't expect to get advice from these institutional formations. This aspect is seen emerging as depicted in one of responses from the interviewees:

> …is that unions are always there to represent people, workers now in representing workers as the unions they prove that their work is to make sure management complies with the acts of the country because problems that we are having today are there because managements, mangers doesn't want to comply because if mangers are complying there won't be any crisis at the grassroot levels. [R.14]

Instead, if these institutional formations have anything to say to the university management they are expected to work through the institutional forum to voice their concerns. The institutional forum then would through the specific committees of the university dealing with these aspects prepare presentations for the university council deliberations.

As a good governance practise for the university council to be able to have the senior management implement its council resolutions, must be empowered to design institutional structures that would support the implementation of the university council resolutions as part of the institutional strategy. Thus the communication between these institutional structures and the senior management at the university is fundamental. The decisions of the senior management are informed by the university council recommendations that incorporate the unique needs of the different stakeholders at the university. The confrontations between the senior management and the feeder points of council can be minimised when feeder points understand the different due processes the senior management is using in going about enforcing what the university council has provided oversight on. This aspect is seen emerging in the response:

> … now what then happens in that case is that the council becomes the arbitrator and would then take a particular position many times staff often to because I think of largely. The integrity of our members any times staff and student tend to say aright this is what they have said at least it was not management but there is a time council has revised and twice what management presented I mean the salary increment we stopped at 7% council pushed it to 7.5% but they consulted with us and we said alright we can afford it bit it will impact somewhere on our budget there will be certain things we shall stop to that salary, there times where structures are really not presently. But in the past where they will strongly disagree even within council itself … [R.14]

As much as the university council may have little say on how the different governance structures may operate, whenever the empowered constituent representatives at the university council from the different institutional governance structures expect to present their grievances at the university council, it is important to realise that they are going out of order. They are not following the laid due processes and procedures of how issues should reach the university council. This is a governance issue when the different university institutional stakeholders would want to operate their structures like unions and apply the same approaches in their dealings with university senior management and the university council. This aspect is seen emerging in the response:

> … and when you are representing, or if you have sent by say academic staff when you are in council you are member of Council you should not wear the hat of the group you are representing here because that's where people have problems in council people go and say no but I am here representing support staff therefore this decision is good for the university and it takes quite a bit of mind shift for people to understand you, but we also expect that after meetings

> have been held people must go back and report and Univen it happens I know every time we come from council you will see on structure is inviting its members for a stadium to give feedback and so forth. What also happens is that remember from senate if I take senate as an example or even student affairs they raise an issue it goes to council whatever decision is taken feedback comes back to them in terms of the report from the committee section. [R.14]

This aspect is seen when dealing with disciplinary and grievance issues were the accessibility of students and staff to legal representation and fairness plays role in clearing student and staff perception of institutional governance. The institutional due processes of adjudication are often not understood by the different institutional stakeholders. This as a result created conditions for mistrust in the institutional due processes. The conditions of mistrust pose a significant trying governance challenge to the leadership of the university. As a result it is not easy to bring about effective university governance in such precarious higher environments.

Table 15: Responses as the perceptions and beliefs of university students and staff on what they think of whether the university council follows appropriate disciplinary hearings and grievances

	University students	University staff
Strongly disagree	26 (10.2%)	8 (12.5%)
Disagree	32 (12.5%)	7 (10.9%)
Neither disagree nor agree	74 (28.9%)	16 (25.0%)
Agree	78 (30.5%)	19 (29.7%)
Strongly agree	45 (17.6%)	13 (20.3%)
No selection	1 (0.4%)	1 (1.6%)
Total	255 (99.6%)	64 (100.0%)

Table 15 shows that of those who participated in this study 22.7% of university students do not consent to the proposition that in the university council the university council follows appropriate disciplinary hearings and grievances, 28.9% of university students do not understand whether the university council follows appropriate disciplinary hearings and grievances or not and 48.1% of university students consent that the university council follows appropriate disciplinary hearings and grievances. The results of this study seem to suggest that of those who participated in this study more university students attest to the proposition that in the university council follows appropriate disciplinary hearings and grievances.

The table shows that of those who participated in this study 23.4% of the university staff do not consent to the proposition that the university council follows appropriate disciplinary hearings and grievances, 25.0% of the university staff do not understand whether that in the university council follows appropriate disciplinary hearings and grievances or not and 50.0% of the university staff consent that in the university council follows appropriate disciplinary hearings and grievances.

The results of this study of this aspect seem to imply that there is consensus that the university council follows appropriate disciplinary hearings and grievances whenever it is handling grievances from the different institutional stakeholders. The emerging differences between the different institutional stakeholders may seem to stem from the politicisation of the due processes. The inherent challenges of less understanding of the due processes at the university council are responsible for difficulties and slow processes of implementing the university council resolutions. In addition, this state of affairs creates conditions that perpetuate sectoral deployment of individuals who have little if not no idea of the due processes at the university governing body. The aim of this stakeholder behaviour as a form of stakeholder governance is to safe guard sectoral interests in positions of university leadership.

In spite of the above inherent challenges of implementing cooperative governance by the university governing body in strongly stakeholder driven HE environment, the results of this study seem to imply that the university council has set up these institutional policies and procedures to guide every institutional aspect of the university. As a consequence every aspect of the university is subject to increasing watchfulness by the university council through these capillary mechanisms. The emergence of the systems of the university council is due to what Neave (1988) calls the “evaluative state”. The reliance on these organizing mechanisms is due to higher education massification and the concern on the part of the state about state expenditures that have brought about a determination to ensure value for money and accountability. Thus in order to provide effective university governance it is important that the university council provides ways of making aware the different due processes and procedures of adjudication of stakeholder grievances. The different processes of understanding the adjudication mechanisms of how the different due processes at the university operates builds institutional trust and confidence between the university and different institutional stakeholders an important ingredient for effective university governance.

7.6. Conclusion

In conclusion, from the results of this study there are useful views that the concept of systems could bring to the understanding of effective university governance. Firstly, using the words of (Yesfu, 173: 39) that effective governance system should evolve a system that is uniquely suited to their environment, if they are to respond to the changing needs of the African society. The university council in order to act in accordance with its institutional directive to the university has set up its own due diligence processes and procedures to enable deliver it on the task before it.

Secondly, the processes of implementing the due processes are not linear. There are varieties of differentiated categories of factors that affect the effective implementation of effective university governance practices across the university governance systems. A testimonial to this from the results of this study is the differing perceptions from the distinct groups of the university students and university staff as institutional stakeholders. This is a result of the lack of sufficient understanding of the different due processes at the university council. Therefore the indulgent understanding of this aspect is crucial for the achievement of effective university governance.

Lastly, the values of the different institutional systems of the university council in bringing about effective governance are seen in the supporting roles they give to the institutional structures of the university council. The institutional structures of the university council cannot function in isolation. The relationship between the structures and systems of the university council are symbiotic. The institutional due systemic processes of the university council implement or put to work what the institutional structures have innovated as governance. They come out with ways and means of how to implement the activities, plans of the institutional structures of the university council. They bring to the understanding of university governance in stakeholder driven HE environments the usefulness of the notion of due procedurality. It has often taken great amount of governance energy, perseverance and patience on the part of the university council to work with different categories of institutional stakeholders to reach consensus during the due processes. The concept of due procedurality ensures that there is compromise and negotiation, participation, accountability, fairness, confidence, transparency, between the different empowered stakeholders involved in the different processes of governance. However the different due processes of working with the differing empowered constituent stakeholders at the different levels of the university council

is an ongoing task. This would involve access and knowledge of the university governance due processes, compromise and prioritization as part of institutional strategy at attaining effective governance.

CHAPTER 8: DEVELOPING A RESPONSIVE INSTITUTIONAL CULTURE WITH THE UNIVERSITY COUNCIL

8.1 Introduction

This chapter continues the discussion began in chapter 4 of the thesis about the different effects of the institutional governance restructuring processes and specially looks at how the institutional cultures of the university council contribute to effective governance. In higher education transformation, the notions of effective governance and closely are related. Successful different restructuring processes designed by university governing bodies' emphasis the centrality of culture in attaining effective governance practices.

This chapter is divided into six sections each looking at the different facets of institutional culture of the university council.

i) The first part begins with a definition of culture. It argues that culture is an institutional governance role practice that is adopted and instituted by the institutional governing body to assist it in attaining its institutional strategy. The university council has institutional cultures that is manifesting in different forms in relation to the institutional needs facing the institution.
ii) The second part looks at trust as one of the forms of the institutional governance cultures valued by the university council. It argues that trust as an institutional cultural practice in response to institutional strategy is manifest through the different institutional governance structures (caucuses), standard routine practices, auditing, planning, benchmarking, reporting, leadership and performivity.
iii) The third part looks at responsiveness as one of the forms of institutional governance cultures promoted by the university council. It posits that responsiveness as institutional governance cultural practice in response to institutional strategy is shown through institutional activities aimed at institutional collaborations, institutional positioning in the local society and rural excellence.
iv) The fourth part looks at diversity as one of the forms of institutional governance cultures accentuated by the university council. It argues that diversity as institutional governance cultural practice in response to institutional strategy is shown through institutional activities aimed at promoting and making available institutional choice

and opportunity, enhancement of the knowledge society, cultural events and use of international spaces.

v) The fifth part looks at university council cultures as Internationalization enterprises and spaces. It argues that internationalization as institutional governance cultural practice in response to institutional strategy is shown through institutional activities like setting up of international relations office, internationalization of the curriculum recruitment of international students, scientific visits to other countries & other HEIs, visiting academics, and appropriate measures of reporting international activities.

vi) The sixth part looks at university council cultures as listening. It explores the relationships between the university support staff union and university council, teaching staff union and university council, the university senate and university staff unions, SRC, the different student organizations and the university council. It develops argument that the university council's culture of listening and consultation of institutional stakeholders within and outside the university defines its institutional strategy of bringing about forms of effective governance.

In the post-1994 transformation of the South African system of HE, one of the major tenets of the White Paper of 1994 was that the governing bodies of the different HEIs using the state's notion of cooperative governance would be able to generate relevant institutional governance cultures that facilitate modes of effective institutional governance practices across their local institutional contexts. However, the White Paper of 1994 did not enlighten how the diverse HEIs would go about the actual institutional governance processes. As a consequence the responsibility to generate the suitable institutional governance cultures was left to the university governing bodies.

8.2. Culture

The concept of culture has been used in variety of ways to inform us about life in organizations and that there are many viable modes of inquiry available to undertake an analysis of workplace culture. However, researchers have struggled to find appropriate working definitions of 'culture' (Robery & Azevedo, 1994). In the 1980s, organizational researchers across various disciplines began examining the role of culture within organizational life (Morgan, 1986; Schein, 1985; Smirich & Calas, 1982) and then connected it to effectiveness (Tichy, 1983) and central processes (i.e. leadership, governance) of the organization (Schein, 1985). Culture provides meaning and context for a specific set of

people (Bergquist, 1992; Schein, 1985). Other scholars suggest nuances to this broad definition. For example, some view it as a variable (such as corporate culture), while others see it as a fundamental metaphor for a specific type of organization (Morgan, 1986).

Culture shifted from being used as a descriptive device to becoming linked with improvement and success. Higher education followed that pattern. According to Steyn and Van Zyl (2001: 20) institutional culture is the "sum total" effects of the values, attitudes, styles of interaction, collective memories -the "way of life" of the university, known by those who work and study in the university environment, through their lived experience. As 'sum total', institutional culture has the capacity to refer to any and every aspect of experience at university, from parking to policing, from the sites and names of buildings to any and every joke told on campus (Steyn & Van Zyl, 2001: 27, 28, 42).

Within this study, the notion of culture is drawn from Peterson and Spencer's (1991: 142) definition of culture as "the deeply embedded patterns of organizational behaviour and the shared values, assumptions, beliefs, or ideologies that members have about their organization or its work". That is culture is referred to as the repeated specific goal oriented behavioural acts by an individual or groups of individuals at different levels of social reality desired at achieving certain set objectives or repeated goal oriented practices. That is culture is a role institutional governance practise. That is the different processes of how the university council uses the institutional power given to it accomplish its governance roles to the university. In this case the institutional cultural practices of the university council refer to its 'fiduciary governance roles' to the university as a HEI and how it goes about ensuring that this role is effectively achieved directly or indirectly.

From the findings of this study the notion of institutional culture has taken on new meanings in trying to provide an understanding to the university governance processes at the university council. Hence it is a sophisticated project to understand the notion of institutional culture without metaphorization at certain levels of research undertaking. As mentioned for the sake of this research enterprise, institutional culture at the university council is depicted as 'role governance practice'. The Merriam-Webster Unabridged Dictionary defines the term role as a function or part performed especially in a particular operation or process.

8.2.1. Why institutional cultures of the university council?

As mentioned in chapter 8, there is a general understanding that university governance differs from university management. University governance is concerned with the university as a whole and essentially with institutional strategic policy and the monitoring of the implementation of that institutional policy. Management, on the other hand, is more concerned with the implementation of that policy and the day-to-day operation of the university. This distinction is not always clear-cut, especially when the university council governing body interferes in management matters or a dominant senior management of the university determines strategic issues without adequate involvement of the university governing body.

From the results of this study it is clear that there are instances where the university council has ventured in university management in order to ensure that its policies are implemented. The cause of venturing into this terrain is because in these stakeholder driven HEI environments the implementation of institutional policies is often contested by different institutional stakeholders which delays the implementation processes. In order to make the different institutional stakeholders understand, the university council through its leadership is seen to be engaging the different institutional stakeholders a process of persuasion which blurs between the work of the management and the university council.

As a result, these have been grey areas of contestation between the university council and management. Thus in stakeholder-driven HEI environments the influence of the university council has to become comprehensible against resilient institutional stakeholders within the university council who habitually try to strongly sway the leadership of the university at senior management and the university council level if the university council is to able to provide effective university governance.

In regard to this from the results of this study the major functions of the university council within this institutional context as its significant role institutional governance practices include the following:

i) providing trusting relationships between the university and its institutional stakeholders;
ii) providing institutional responsiveness;
iii) ensuring institutional diversity;

iv) listening to others.

In order to ensure that the university council fulfils these fiduciary institutional governance roles as responsive cultural practices to the university, there are both combinations of governance and management mechanisms that the university council has introduced at different institutional levels of the university. This is illustrated in Figure 6.

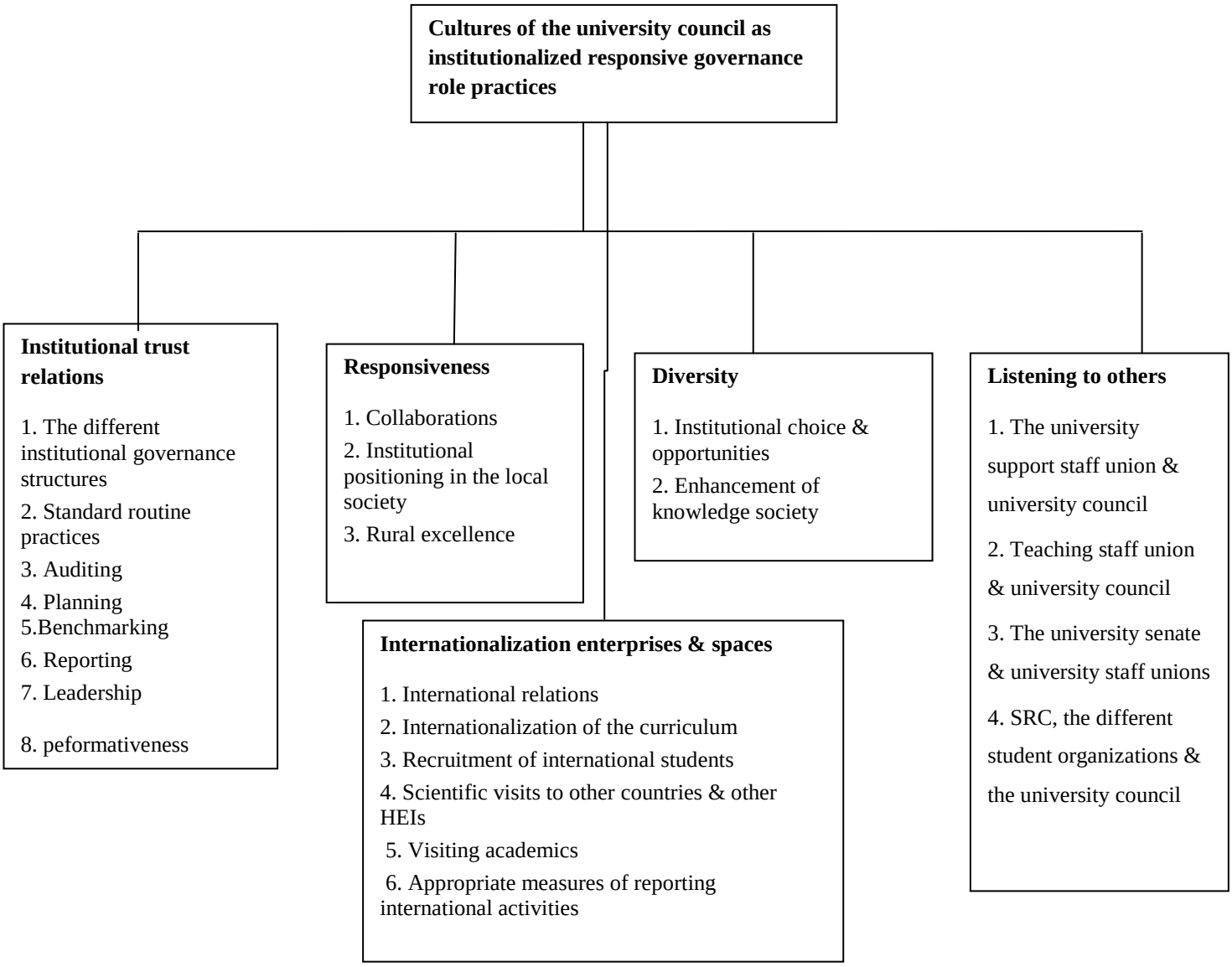


Figure 6: The different governance practices of the university council

8.3. Trust relations between the university council and institutional stakeholders

A fundamental university governance function of the university council across stakeholder driven HEI environments is to provide lasting trust relationships between the university and its institutional stakeholders; internally and externally. The core foundations of trust

conditionalities are to empower and enable the university council be in position to deliver effective university governance. Trust is a "psychological state which consists of accepting the vulnerability resulting from the positive expectations of the intentions or behaviours of the other" (Rousseau et al., 1998: 394). From an organizational perspective, trust is a collective judgment of one group that another group will be honest, meet commitments, and will not take advantage of others (Rawlins, 2008: 5). At the university council, they are different contours of trust that are at play and are important for effective university governance by the university council namely:

i) The different institutional governance structures
ii) Standard routine practice
iii) Performativeness
iv) Auditing
v) Planning
vi) Benchmarking
vii) Reporting
viii) Leadership.

8.3.1. The different institutional governance structures

In stakeholder driven HEI environments the university governing bodies are in a better position to provide effective university governance if they establish institutional governance structures. The purpose of these institutional governance structures as forums and platforms is to enable the different institutional stakeholders in their different capacities to actively participate in governance at council level which builds stakeholder trust. The university council works with the following institutional stakeholders in the governance processes:

i) The SRC voice
ii) University senate
iii) University convocation
iv) University management
v) Institutional forum
vi) Informal council caucuses.

8.3.1.1. The SRC voice

As mentioned earlier, the contribution of the student representative council in the university council as a system of the university council is an ongoing debate in the HE literature. The influence of the SRC representatives at the university council is limited. This is because there is a concern the student representatives often hold strong views against the leadership of the institution as result this affects their participation to critical debate in the university council. However, this governance access should not be restricted because increased student involvement in the university governance at the different levels of council nurtures forms of student leadership and gives institutional feedback and insight to what the university council is going from a student perceptive.

8.3.1.2. University senate insight

The university senate adds academic critical reasoning and scholarly debate to the university council on institutional matters. Therefore it is important for the university council to listen to the insight of the university senate if the university council is to gain institutional legitimacy in the university. However the effectiveness of the university senate depends on how it is able to draw the attention of the university council.

8.3.1.3. The university unions input

One of the great gains of the post-apartheid South Africa is the increased involvement of labour unions in all form of institutional governance at different levels of the South African societies. There is great reliance by different stakeholders on the labour unions to get things done where the state is not responding. Several disempowered stakeholders look to the unions as a source of empowerment to be able to stand for their symbolic expectations across the South African state. As result considering the input of the different institutional labour unions of the different institutional stakeholders grants the university council legitimacy with these stakeholders.

8.3.1.4. University convocation perceptive

The place of the university alumni in the university governance is not fully exhausted in the higher education literature. Worldwide different higher education systems and regimes have different approaches to the role of the university alumni in the university governance process. These activities range from being fully involved in the university governance processes to

being less involved. Having being part of the institution in the past, the university alumni know what is missing that needs to done to bring about more institutional performance. Thus their increased involvement in the university governance at the university council enables the university council to gain more legitimacy with the university student population.

8.3.1.5. University management view

The effectiveness of the university council is closely related to their relationship with the senior management team. Henceforth the university management does what the university council has recommended that should to be done for the university. Thus it's important that the university senior management and the university council are in constant agreement on institutional strategy if ever the university council will ever be able to provide effective university governance.

8.3.1.6. Council caucus

A caucus is a meeting of members of a group or subgroup to discuss issues and make decisions. Caucusing contexts within the representative structures of the university council are often empowering to structural populace personality, ideas and disempowering to dissent voices. That is at the different constituent governance structures of the university council individuals who are popular as a result of their value networks of relationships, the other members of the structures tend to depend on them to speak and stand for them, and are prone to lead the other members of the constituent structures. The results of this study indicate that the different representative governance structures at the university council have strong allegiance to their governance constituent structures that deployed them there. This is depicted in one of the responses:

> … unless there is another communication somehow or other before the meeting because you know people used to cocas we are very much in favour of 'caucuses' in Africa, they will cocas for an issue and then an issue will come to council and then all of us will vote not knowing that there was a discussion last night or week about the risen issue. [R.7]

The results of this study further indicate that the members of the university council were of the view that they were selected by their different constituencies and entrusted with constituency power to represent them at the university council. They bring to the university council this constituency trust as a constituency mandate and are expected to deliver on this promise. However at the university council they are expected to discharge their duties at the

university council in the interest of the university and not their particular constituencies in an ethical manner as laid down in the university statute a contradiction to their institutional constituency ideology. This is depicted in the response:

> … such a question it's very difficult because people will clique, will form a sort of without telling you, you will just see that no these people there is a clique there without knowing who is who you know … [R.7]

As a consequence, at the university council the tensions have been on how to be part of decisions that negatively affect 'your constituencies' and yet 'one is expected to give voice to the issues of your constituencies' in spite of the university statue saying the contrary on the part of the representative members of the university council. This is depicted in one of the responses:

> As a council member you are not supposed to like to serve your own interest. You have to the interest of the institution but it's so difficult because some of the people mean it happens everywhere. You find that some of the people have their own interest and they want to protect themselves, so they try to make things not to go according to the way we are supposed to run. [R.9]

In spite of differences in their symbolic expectations at the university council, members of the university council are seen as an individual group of persons entrusted to provide university governance to the university. This seen in one of the responses that:

> … this is a difficult process you know that needs to be constantly communicated to the employees to everyone, we are accountable to first and foremost to no one because we, neither are solely accountable to the minister, we are accountable to the public as well, we are accountable to our self and to the students you know so it's a whole area sometimes we get confused and I mean you do know that these days we are talking about autonomy and so forth that I mean there is a fine line between academic freedom, institutional autonomy and accountability towards public we are using public funds we are created with a mandate not for our self to sit in an office and appear like clever and theorize at the end of the day it must make sense to the public right so… [R.10]

The increased use of this informal institutional governance practices with the different institutional stakeholders indicate the modes of trust, and confidence that the different constituents groups try to build and emulate to achieve their expectations. Whatever they are not sure of or even sure of; there is tendency to consult before any action can be taken. In these informal organizational units, consensus is enforced and leadership is developed through being able to influence and persuade the rest of the members of the governance

structure. In these informal organizations, the university council cannot regulate how they go about their activities. However, this has raised concern of how these seemingly informal organizations can tend to produce more efficient modes of governance that deliver on stakeholder expectations within the formal organizations.

Table 16: Responses as the perceptions and beliefs of university students and staff on what they think of the apparent university council structures and systems making it possible for a wide range of university staff and students to participate in the leadership of the institution

	University students	**University staff**
Strongly disagree	21 (8.2%)	10 (15.6%)
Disagree	31 (12.1%)	8 (12.5%)
Neither disagree nor agree	56 (21.9%)	22 (34.4%)
Agree **Strongly agree**	92 (35.9%) 54 (21.1%)	18 (28.1%) 6 (9.4%)
No selection	1 (0.4%)	
Total	255 (99.6%)	64 (100.0%)

The results of this study show that of those who participated in this study, 20.3% of university students do not consent to the proposition that the apparent university council structures and systems making it possible for a wide range of university staff and students to participate in the leadership of the institution. 21.9% of university students do not understand whether the apparent university council structures and systems making it possible for a wide range of university staff and students to participate in the leadership of the institution or not; 57% of university students consent that the apparent university council structures and systems making it possible for a wide range of university staff and students to participate in the leadership of the institution. Of those who participated in this study more university students at the university are of consensus that the university council the apparent university council structures and systems make it possible for a wide range of university staff and students to participate in the leadership of the institution.

The results of this study show that of those who participated in this study, 28.1% of the university staff does not consent the apparent university council structures and systems are making it possible for a wide range of university staff and students to participate in the leadership of the institution. 34.4% of the university staff do not understand whether the

apparent university council structures and systems are making it possible for a wide range of university staff and students to participate in the leadership of the institution or not; 37.5% of the university staff consent that the university council the apparent university council structures and systems are making it possible for a wide range of university staff and students to participate in the leadership of the institution. Of those who participated in this study more university staff at the university is of the view that the university council the apparent university council structures and systems are making it possible for a wide range of university staff and students to participate in the leadership of the institution.

These results seem to indicate that there are differences between the different institutional stakeholders on what they think of the apparent university council structures and systems are making it possible for a wide range of university staff and students to participate in the leadership of the institution. As consequence of the inherent difficulties of the different constituents, as mentioned there is a strong dependence on university council caucusing to strengthen networks of support, advocacy and influence within the university council and different committees of council.

In these conflicting circumstances, the university council is caught up in a series of twisting trust networks that ought to be satisfied if it is to secure effective governance. Studies by Bargh et al. (1996), Meek and Wood (1997) argue that one of the major challenges facing governing bodies worldwide regards to the dilemma of whether members of governing body perceive of themselves as trustees or delegates. In the South African HE context, Kulati (2000: 182) argues that this dilemma is far from being resolved and continues to posit that, some of the differences between the institutional forums and councils and between councils and management can be traced to this dilemma. Although the legislation does specify the role and responsibility of university councils, and clearly states that representatives must discharge their duties in the best interest of the institution concerned, Kulati (2000: 182) further claims that the university councils themselves have not yet developed a level of maturity such that lay members are able to distinguish between these roles.

However from the results of this study this is not necessarily the case, by working towards meeting the symbolic expectations of the different constituencies as part the institutional strategy, the council is more positioned to provide forms of effective governance. The different ‘competing voices’ of these constituent stakeholders strongly influence the activities of the university council in relation to the university. These voices have symbolic ‘issues’ and

'stakes' that demand responses. The inabilities of the university council to respond sufficiently to these concerns are a major cause of institutional instability. Trust is built from being able to continuously meet and respond to these demands over a period of time as agreed. Knowing that whatever decision the university council would make it has the heart of the different constituencies.

8.3.1.7. Standard routine practice

The second form of trust at the university council is seen in what is known as standard routine practices also known as its institutional due processes. Standard routine practices are managerial in nature and refer to the well laid down processes and procedures of carrying assigned tasks that require scrutiny with strict codes of accountability and performance. Standard routine practices as institutional practices assist the university council to have clear well defined ways of ensuring that its activities and resolutions are regulated and followed. The different groups of the stakeholders through their council representatives bring to the knowledge of university council their symbolic needs. As a consequence, the different due processes of the university council ensure that efficient due protocols are followed to respond to these issues. This involves ensuring that the different institutional actors involved in the different levels of the decision-making processes participate and there is transparency in the different institutional due processes involved. In order to attain this institutional governance aspect the university council permitted the setting up of the following institutional governance offices:

i) The place of the university committee section
ii) The role of the university legal office
iii) The responsibilities of the university specialist support office.

8.3.1.7.1. The place of the university committee section

The university committee section of the university council is under the leadership the university secretary (University of Venda, 2013). The university council approved the setting up of the committee section to coordinate the activities of the university council. This committee was charged with ensuring all the university council communications, activities and records are managed and coordinated to prepare for meetings, distribution of council meetings to all members of the university council. The committee section unit set up under the jurisdiction of the university secretary is to ensure that the different due processes at the

university council and at the different committee levels of the university council are followed as pertains to the different institutional aspects the university council is approving for the institution.

8.3.1.7.2. The role of the university legal office

The legal advisor's office located in the vice-chancellors office as a resource person is aimed at providing legal guidance to institutional governance matters at the university (University of Venda, 2013). Often times the vice-chancellor in the university council is expected to provide credible information on the different institutional dealings with different institutional stakeholders at different levels with legal implications for the university. Thus standard routine practices as institutional cultural practices at the university council demand the support services of the university legal office attached to the vice-chancellors office to facilitate these institutional due processes.

8.3.1.7.3. The responsibilities of the university specialist support office

The office of the director specialist support located in the vice-chancellors office as resource person aims at providing technical assistance to the office of the vice-chancellor as part of process of attaining effective governance at the institution (University of Venda, 2013). Often times the university council assigns the office of the vice-chancellor certain critical institutional council tasks that pertain to the institution. In order to accomplish these tasks the vice-chancellor office works with this institutional specialist office to get the tasks done as demanded by the university council.

The results of this study indicate that the different systemic institutional due processes that the university council works with in handling institutional matters show the modes of trust that the university council exhibits before its institutional internal and external stakeholders. In a higher education environment characterised by reducing state funding, fluid stakeholder driven contexts, massification and its institutional effects, the university council has found itself having to develop and implement systemic governance mechanisms that have stringent accountability mechanisms if it is survive and provide effective governance. This is seen in one the responses that:

> … you know in everything that we do there are lots of risks and you have to, you have to be able to guard against them that they didn't over power you so there are policies at the University of Venda that are being some of them regulations coming from the department coming, from the higher education,

> coming from the act and everywhere where there should come from and also there are there is a statute for the university that also tells people on how to do their work so there is no way that people can be able to cannot guard against those risks s you have to work by the book. [R.6]

The different forms of due processes as institutional practices through which individual institutional policies are subjected to by the university council shows the amount of institutional trust invested through these systemic processes. As a result this made the university council gain more trust as evidence of institutional compliance before internal and external stakeholders. The ability to ensure trust shows that the university council is able to sufficiently provide accountability as part of its responsiveness to its institutional strategy.

8.4. Performivity

As part of the university council's systemic governance device at bringing about forms of effective governance to the university is the concept of trust built on institutional performivity. Performivity in the nutshell is about delivery on expected promises (Franco-Santos et al., 2014: 22). Performivity is inevitable and how the university council responds to the demands of the unfinished business of institutional transformation from this perspective is fundamental. In order to deliver on its institutional objective of institutional performance, the university council set up of the following unit:

i) The role of the human resource office at the university
ii) Outsourcing.

8.4.1. The role of the human resources office

The human resource management department under the jurisdiction of the deputy vice-chancellor's office operations was set up by the university council assist in sustained organizational effectiveness which requires the university to continually manage performance with a view to develop and maintain its competitive advantage and economies of scale, thus resulting in excellent performance (University of Venda, 2013).

In relation to the university council, the results of this study show that the university council has various forms of regulating the performance for its members of the university council. The different committees of the university council have terms of reference that regulate their activities. The use of these regulatory contracts at the committee level of the university council as forms of trust based on competence has been crucial for efficiency of the different

committees of council. The different committees of council have been in tight spots to deliver in order to meet council expectations within the required time.

However, little is known on whether there are evaluation mechanisms for individual members of the university council as performance evaluation which has a way of enhancing individual commitment and effectiveness to the university council. How well members of university council perform should not be left to their constituency to decide as it makes it difficult for individual members of the university council to function freely with an independent mind.

It is important to note that the issue of performivity is often alienating and causes anxiety to the different empowered institutional stakeholders. The aspect of performivity has been associated with whether members of the university council should be paid for the work they do. However, if remuneration is believed to increase individual performance of the members of the university council it is an issue the university council should consider. The empowered stakeholders at the university council have dual-obligations and roles to the university council and to their constituents. Looking at the usually bigger size and composition of the university council this poses questions of affordability and whether university council work is a full time or part time job. In deciding on the kinds of remittances for the individual members of university council, it is important that the university council makes it clear that the fulfilment of constituent expectations by the university council as part of its institutional strategy is the standpoint for the forms of rewards to the members of the university council.

8.4.2. Outsourcing

The restructuring of the university as part of it change strategies has seen the university governing body as part of its governance role practices with the university management opt for outsourcing of some of its institutional services. However the use of outsourcing has meant a lot of opposition from institutional stakeholders. According to Johnson (2001) there seem to be two imperatives underpinning the restructuring process within higher education institutions. On the one hand there is the ‘rightsizing’ conception and on the other hand ‘the core and non-core’ conception.

According to Johnson (2001) those who argue for ‘rightsizing’ are often found in historically black universities. Their argument is that these institutions, especially those found in the homelands, were sites of employment and therefore became marked by a disproportion of support service staff to academics. With the integration of these institutions, the key

challenge facing these institutions was their alignment or their 'rightsizing' (Johnson, 2001: 5-6).

According to Johnson (2001) other institutions such as the University of the Witwatersrand clearly indicate that their motivation for restructuring is based upon a distinction between the core and non-core functions within the institution. All support services, in as far as they fall within the parameters of non-core functions or activities, would need to be outsourced so that the institution is in a better position to focus upon its core activities i.e. teaching and learning (Johnson, 2001: 5-6).

These different approaches have led to different outcomes. The 'rightsizing' approach has led to large-scale retrenchments, while the 'core/non-core' approach has led to redeployment, outsourcing and still significant retrenchments. While retrenchments may characterise the restructuring process it is not necessarily always accompanied by a process of outsourcing (Johnson, 2001: 5-6).

8.5. Planning

Another significant aspect of trust as an institutional practice at the university council is institutional strategic planning. Planning practices at the university council include activities that entail clear articulation of mission and vision analysis and assessment of scope for improvement and opportunities, examination of barriers and determination of changes needed to align the current direction of the organization with strategic direction. The university council has a specific committee of council assigned to handle these aspects that pertain to the university. This committee of council work in hand with other management directorates within the university to come out with institutional plans for the university that are submitted to the university council for recommendation.

In order to reposition the university out itself the post-apartheid legacy, the university leadership had to adopt a relevant successive turnaround strategy of the university. There is a lot of trust invested in the institutional strategy to bring change and reposition a leading comprehensive university that is responsive to local needs and internationally relevant. In order to deliver on its institutional objective of institutional planning, the university council set up the directorate for institutional planning and quality assurance.

8.5.1. The place and role of the directorate for institutional planning & quality assurance

The directorate of institutional planning and quality assurance located in the vice-chancellors office was set up to promote the development of policies and procedures that support planning and quality management activities throughout the university (University of Venda, 2013). In this regard, the directorate of institutional planning and quality assurance is expected to work with the different faculties and schools on programme portfolio reviews and programme qualification mix to verify that the university's qualifications are approved by the Department of Higher Education and Training, accredited by the council on higher education and registered with South African Qualifications Authority (University of Venda, 2013).

As a consequence, a review of the institutional documents in the public domain indicate that university council expects institutional actors at the level of the senior management team of the university to come up with projective achievable strategic plans for the university for specific periods of time. The university council then uses these set targets and projections to monitor the performance of the university management in relation to what is happening in the university within these periods of time. The process of the drawing up of these institutional plans in terms of consultation of with affected stakeholders has been vital for the successful realisation of these plans in relation to core business of the university. The empowered institutional stakeholders should play significant roles in the development of institutional plans right their institutional structures to the university council level. This is because these empowered stakeholders understand the contextual issues where the university is located and are better posited to visualise how to locate the university in the bigger picture of higher education internationally.

The biggest challenge to university governing bodies is how to deal with ever changing higher education institutional contexts. However it is important to realise that the practices of translation of these development aspects into the much desired contextual constituent expectations is what the university council cannot do alone. The continuous participation of the different empowered stakeholders in the different levels of this process is fundamental. In the words of Yesfu (1973), Africanization is not an end in itself. It does not imply the rejection of all that is foreign, but a further realisation of oneself. The university, as Berque put it, is the place both for the acquisition and transmission of knowledge and for the critical understanding of nature and society. The African university must devote itself first and foremost, to the African environment and society (Yesfu, 1973: 26).

The key concept here is ‘development’ and the African university has been cast in the role of saviour of Africa (Castell, 1991). Universities, in this scenario, can should be engines of development by becoming centres and conduits of innovation and technological development (Carnoy, 1998; Castells, 1991). Institutional planning is needed to integrate institutional context and the university. The university council is expected to envision and reposition the university through the above institutional scenarios such that it is locally relevant and internationally competitive. The university leadership at the university council should champion this process. This agenda of economic modernisation is however, not the only imperative of modernisation. Singh argues that transformation has been used as much to denote the repositioning of higher education to serve more efficiently as the ‘handmaiden of the economy’ as to signify the drive to align higher education with the democracy and social justice agenda of a new polity as in south Africa (Singh, 2001: 7). This process should innovatively involve a symbolic and reciprocal relationship between the university and societal context the where university is located. The different processes of building a university are the transformation of the society where the university is located. The different networks of intellectual capital within the different committees of council make it possible for the university council to attain this. Hence it is important to strengthen the quality make up of the different committees of council in terms of skills and competences relevant to task.

8.6. Auditing

Furthermore a rather precarious form of institutional trust practice from the university council is the willingness to permit the institution to be subject to an institutional auditing. Auditing as trust is an organizational self-examination process whereby the university governing body believes that by subjecting itself and its institutional structures, systems to this process it instils a sense of ownership and agency for relevance.

On the other hand, institutional audit involves a process that institutions undertake for themselves to check that they have procedures in place to assure quality, integrity or standards of provision and outcomes across the institution. The Higher Education Quality Committee (HEQC), tasked with conducting audits of South African higher education institutions, commenced the first cycle of audits in 2004. The HEQC audit system also takes into account the need to adapt some of its criteria according to the mode of delivery in which an institution offers its academic programmes and the CHE has developed specific criteria for distance and open learning institutions. The HEQC (2007) states that Audits are a form of

external quality assurance in which institutions' self-assessments against criteria are validated by panels of experts and peers. The university council as its institutional practice to embrace and participate in these activities has put in place the following institutional units:

i) The roles and responsibilities of the internal audit office
ii) The roles and responsibilities of the finance office
iii) The place and roles of the risk and security office.

8.6.1. The roles and responsibilities of the internal audit office

The internal audit portfolio is located in the vice-chancellors office and is aimed at institutional compliance and the reviewing of the effectiveness of the institutional systems (University of Venda, 2013). The university council often times expects the vice-chancellors office to furnish the university council at its sessions with what is going on in the institution concerning particular set targets by the university council that it expects the senior management to have accomplished. As part of its driving initiative at providing institutional effectiveness, this process involves closer working relationship between the vice-chancellors office and the different institutional portfolios that the office handles. The vice-chancellors office is expected to be at abreast with every institutional activity that is taking place at the university in order to fully account before the university council at request. These institutional audits test the institution's readiness to respond and how the different sectors of the institution are performing on agree institutional targets.

8.6.2. The roles and responsibilities of the finance office

The directorate for finance established by the university council has been working alongside with the university council committee on finance an executive management committee on issues of financial management and risk pertaining to the university (University of Venda, 2013). This has included preparing regular financial reports for senior management, executive management committee of council, council and other external stakeholders (University of Venda, 2014).

8.6.3. The place and roles of the risk and security office

In post-apartheid higher education environments, HEIs are prone to a variety of institutional risks that governing bodies have to address if they are to provide effective university governance. A risk committee was set up at the University of Venda to identify all categories

of possible institutional risks that could face the institution considering its location and history. The university council adoption of a risk management strategy with a detailed framework compliance report shows the institutions readiness to respond to institutional instabilities that characterise the former HDIs.

Reviews of the institutional documents in the public domain indicate that the university council has permitted several institutional audits to determine the institutional readiness (University of Venda, 2013). There are different types of audits for example financial and quality audits which seek to reassure the state and the general public that their funds are being used efficiently and effectively, and that they are receiving educational value in return for their monetary investments. These evaluations often reveal major areas weakness and strengths that demand attention as possible indicators for institutional effectiveness (University of Venda, 2013). The willingness to engage with findings of these evaluations as often as possible shows an institutional best practice of willingness to change through responsiveness.

The HEQC (2007) states that the purpose of the audit is to assess the effectiveness of the systems that institutions have put in place to manage the quality of their core functions, identify areas of strength that should be acknowledged or commended, and areas of weaknesses that need to be addressed with different degrees of urgency. In this sense, audits are both about accountability and development. Audits focus on accountability in that institutions have to demonstrate that they have appropriate systems to take care of the quality of their core functions, that these systems function and have an effect on the quality of academic provision. But audits also focus on development as they seek to identify those areas that need improvement so that institutions can develop the necessary strategies to effect such improvement (University of Venda, 2013). Yesfu (1973) notes:

> It seems clear that the mass of Africans do not understand what our universities are about. In the absence of any real understanding there can only be toleration, not acceptance. Many people are impressed by the learning of academics. Even more they are impressed by the status and earning capacity conferred on its holder by a university degree. For this reason they patronize the universities. They visit them and show appreciation of the quality of their buildings and equipment. They show enough curiosity to watch the occasional quant ceremonies of the universities, the roles, processions and rituals. But they hardly look up to the universities to provide answers to the questions that bothers them. And when they look up to the universities on these problems the rarely get answers that they can understand or find relevant to their

> predicament … it is often suggested the universities are not interest in the questions that interest the common man. (Yesfu, 1973: 12)

The role of the empowered institutional stakeholders in the evaluation process is significant. Successful institutional evaluations is when these groups of stakeholders are subsequently involved in the process, in terms of understanding the purpose, aims and outcomes of the processes at their different governance levels (HEQC, 2007). Otherwise the stakeholder politicisation of the outcomes of the process by these empowered stakeholders would affect how the university governing should respond as a way of bringing about institutional effectiveness. Institutions do not "pass" or "fail" audits and are not rewarded or penalised accordingly (HEQC, 2007). Audits provide institutions with a unique opportunity to acquire self-knowledge. Institutions are required through the audit process to engage critically with their conceptualisation of the three core functions: the effectiveness of their systems for quality; their historical trajectories; their position within the higher education system; as well as to assess their strategies and plans for the future (HEQC, 2007).

8.7. Reporting

Another interesting institutional cultural practise of the university council as trust is the aspect of institutional reporting. Reporting as an institutional cultural practise of the university council refers to making public the yearly university activities and future plans. A review of the institutional documents in the public domain indicate that the university council has often required the senior management of the university to produce institutional annual reports on their yearly activities and plans about the university upon which the Minister of Education is given a copy of the institutional document.

The university council receives management accounts reports from its finance committee of council that have been collected from the different schools and directorates in the university. The university council is responsible for the preparation and fair presentation of the institutional financial statements in accordance with South African Statements of Generally Accepted Accounting Practice, regulations for reporting by the HEIs and the manner required by the Minister of Higher Education and Training in terms of section 41 of the Higher Education Act 101 of 1997, as amended and for such internal control as university council statements that are free from material misstatement, whether due to fraud or error (University of Venda Annual Report, 2011: 69).

However this continual process of reporting has raised questions about the ever-increasing role of the state in institutional affairs. Hall et al. (2005: 206) argue that in developed countries such as Europe and North America the case for institutional autonomy does not rest on the same arguments such as South Africa. He continues to assert that countries with developed economies have high participation rates in HE and increasingly, knowledge economies in which there is the capacity for high levels of personal investment in specialized, post secondary qualifications. The needs of developing countries, faced with massive social exclusion and their particular economic imperatives, may well be very different and recent neo-liberal trends in HE at the national well may not applicable. HEIs consequently require strong state direction in the view of the South African state (Kruss & Kraak, 2003). It is rather a complex scenario for the HEIs to limit the roles of the state in this sector considering the complex multiplicity of state regulatory networks of supervision and control in the HE sector. In the context of university councils operating in the former HDIs heavily dependent on the state for survival in the apparent competitive HE field, they must engage with their multiple accountabilities for basis for acceptable accommodative relevant working institutional autonomies.

8.8. Benchmarking

In addition another emerging fascinating cultural practice of the university council as trust is the concept of benchmarking. The process of benchmarking by the university council refers to adoption of good practices of university governance. Benchmarking is a way of finding and adopting best practices (Fielden, 1994); to the participative "the open and collaborative evaluation of services and processes with the aim of emulating best available practice" (Price, 1994); through to the global and ambitious "benchmarking is the process of continuously comparing and measuring an organization with business leaders anywhere in the world to gain information, which will help the organization take action to improve its performance" (American Productivity and Quality Center, 1993). Adriana (2012) argues that the practice of benchmarking makes it possible for a university leadership to establish a system that is able to monitor institutional performance and provide evidence-based policy decisions. This aspect is seen as depicted in of the documentary sources:

> We at Univen benchmark against best practice as part of or quality assurance strategy. Implementing the total cost to company business principle involved extensive research and benchmarking especially with RemChannel and HESA surveys. Benchmarking at national, regional, and international level has now

> become an entrenched practice in policy development, policy review, and curriculum development. (Univen Annual Report, 2011: 8)

There are different forms of benchmarking practices that the university council supports and is involved at different levels externally and internally within the institution namely:

i) Excellence recognition awards for the best students in leadership and social responsibility
ii) Development of the vice-chancellors excellence in teaching awards
iii) Development of the vice-chancellors student's academic excellence awards
iv) Standardising teaching and learning.

8.8.1. Excellence recognition awards for the best students in leadership and social responsibility

There are unique leadership activities that various student leaders champion for the betterment of the welfare of their fellow students. But oftentimes these activities are never recognised yet these aspects are crucial at enhancing modes of engagement with the different institutional stakeholders an important vehicle for enabling the university council provide effective governance. As an institutional practice that is supported by the university council, the establishment of this award is aimed at promoting and recognition of student roles as best practices in leadership participation and mobilisation at different levels of stakeholder constituent governance (University of Venda, 2011).

8.8.2. Development of the vice-chancellors excellence in teaching awards

The establishment of teaching awards as an institutional cultural practice encouraged by the university council has been important in creating institutional environments that motivate modes of effective governance. The recognition of university teaching staff activities and efforts at teaching and research has led to motivation to engage in more research led teaching at different levels of the university staff in their various university faculties (University of Venda, 2011).

8.8.3. Development of the vice-chancellors student's academic excellence awards

As a way of encouraging and promoting student performance within the institution, the university council approved the setting up of this award. The establishment of student awards are instrumental in motivating hard working students to aim higher in their different fields of

study (University of Venda, 2011). These hard working students are to be used as role models for other students who will be inspired to work harder.

8.8.4. Standardising teaching and learning

The university council approved academic plan for the creation of an academic plan and professional qualifications management that is aligned to the regional and national requirements (University of Venda, 2011). National and international benchmarked teaching and learning methods – develop procedure for benching teaching and learning methods. There are many more benchmarking practices that are being introduced within the different comprehensive universities to make them locally relevant and internationally completive. However each individual HEI must be able to place these innovations within their institutional context.

A review of the institutional documents in the public domain indicates that a significant amount of the university governance practices from the university council have a strong resemblance towards the tradition of the English speaking university governance system (University of Venda Annual Reports, 2011, 2014). Yesfu (1973: 38) argues that nevertheless, in spite of the above imitative tendencies and foreign influences, the founders of most African universities did seem to have fully appreciated the need, at least in principle to adapt them for an effective role within their local context and they philosophized accordingly. Thus it's important for the university governing bodies to work out indigenous university governance solutions to tropical governance institutional challenges facing them. The morality of application of what is not understood is a fundamental ingredient for dysfunctionality. And the stakeholder politicalization of this process in the university governance process at the university council is a recipe for ineffectiveness. This aspect is seen emerging as in this response:

> I think that's not how things are supposed to go, if there is a policy we have to apply it without looking who is involved, so we are supposed to apply, I mean that's my belief and if you are my brother and you do something wrong really why should I try to protect you if you have done something which is wrong, that's how I take things and I think maybe if we can be in that position we can also try to get rid of corruption, issue of nepotism those kind of stuff and those are the things that are really affecting us as an institution because those things are happening and as I have said things are changing and sometimes it will take long because other people they are not interested on the changes, because they also like to cover their jah! [R.8]

This poses the moral question of how to reconcile issues of international corporate effective governance practices and being relevant African HEI institution as 'best practices' for institutional effectiveness. The African indigenous Shona theory of '*nhorowondo'* states that in order to understand the essence of a given set of ideas and technologies one has to grasp its history and context (Mbigi, 1992, 1997; Mbigi & Maree, 1995a, 1995b). This type of change is about introducing new governance practices into governing bodies of HEIs from external influences and involves the intelligent copying and borrowing of knowledge, technologies and ideas from other institutional university leadership cultures, individuals and organizations, for example through university visits, benchmarking of the best university governance practices.

This is an area where African indigenous knowledge systems across HE institutional governance systems are grappling with. The question then becomes how governing bodies of South African HEIs could improve on this aspect of institutional governance learning through the intelligent borrowing of ideas and knowledge technologies from other institutional governance cultures. The key to intelligent borrowing lies in finding appropriate benchmarking practices to the South African higher education institutional contextual realities. It is also important to understand the legacies, histories and context in which these international knowledge, ideas and technologies were developed. Whatever that does not fit as appropriate best practices after consideration of particular local contexts should not be adopted.

8.9. Collective leadership

Another significant university governance function as trust of the university council to the university is provision of collective leadership. In particular across stakeholder driven HEI environments effective governance is only possible whenever the university council provides diverse opportunities and environments for the different institutional stakeholders to

participate in the different university governance processes at the university council. In addition, without regulated leadership from the university council, the different institutional stakeholders left to their own devices as constituent autonomy, is a precarious primacy to the core business of the university. Thus effective institutional governance as leadership must involve institutional governance conditions that endorse effective due processes that highlight stakeholder accountability reporting and transparency.

In setting out their strategic plan for the UK higher education sector, HEFCE (2004: 35) define leadership as "agreeing strategic direction in discussion with others and communicating this within the organization; ensuring that there is the capability, capacity and resources to deliver planned strategic outcomes; and supporting and monitoring delivery. As such, this embraces elements of governance and elements of management". Such a definition, however, offers little insight into how leadership is actually enacted in HE. Furthermore, it neglects the long and heated debate on the nature of leadership that makes it an 'essentially contested' concept (Gallie, 1955). Thus in stakeholder driven HEI environments this is a reality as there are different forms of leadership that push for institutional recognition that are often ignored.

Grint (2005) identifies four reasons that make agreement on a common definition of leadership highly unlikely. Firstly, there is the 'process' problem – a lack of agreement on whether leadership is derived from the personal qualities (i.e. traits) of the leader, or whether a leader induces followership through what s/he does (i.e. a social process). Secondly, there is the 'position' problem – is the leader in charge (i.e. with formally allocated authority) or in front (i.e. with informal influence)? A third problem is one of 'philosophy' – does the leader exert an intentional, causal influence on the behaviour of followers or are their apparent actions determined by context and situation or even attributed retrospectively? A fourth difficulty is one of 'purity' – is leadership embodied in individuals or groups and is it a purely human phenomenon? From Grint's (2005) perspective, accounts of effective leadership are more likely the consequence of rhetoric – the ability to construct and communicate a convincing and influential argument/story – than who leaders are and/or what they do. Leadership, a relatively new concept within the sector, is harder to define. Without doubt there is considerable overlap between the construct of 'leadership' and notions of 'management' and 'governance' whilst each may give a slightly different emphasis to the work of direction, control and agency within organizations they are inevitably interconnected and interdependence (Grint, 2005). In relation to this sense then, leadership is contextual

subjective phenomena. However leadership as an institutional practice of the university council points to different groups of individuals coming bound together by a leadership contract to provide decisions that are viable, useful, relevant and critical as a way of enhancing the institutional governance at the university.

In the university council, this kind of university governance leadership is revealed at the following levels:

i) The general assembly of the university council
ii) The committee level of the university council
iii) The Individual level of different members of the university.

8.9.1. Leadership at the general assembly of the university council

The significance of leadership at the university council is crucial for effective university governance. The university council brings together different stakeholders and it takes cohesive leadership to be able to work with these different groups of individuals to provide effective governance to the university. What has failed and continues to be a challenge for the former HDIs has been the kind of institutional leadership at the university council and its interfaces with other different university governance structures most especially the senior management and the institutional forums. A review of the institutional documents in the public domain indicates that it is the type of institutional leaders who have contributed immensely to this state of affairs (University of Venda Annual Report, 2011). Through 30 years, 1981-2012 the leadership of the university has benefitted from a range of leadership styles. The university has had four vice-chancellors plus three reconstitutions of the university council i.e. the first, second and third council with different leaders. However, the institutional effectiveness of these university leaders should be judged on how they have been able to chart institutional strategies across the turbulent times of the restructuring of the university towards effective institutional transformation.

Thus unless the university leadership at the university council level utilises its high level of intellectual capital, it is unlikely to provide effective university governance. Keil (2010: 15) argues that a university council possesses three kinds of social capital namely: (i) individual social capital; (ii) council social capital; and (iii) intellectual capital of the council. The individual capital comprises its human capital, which is the aggregate of knowledge, skills and experience of the individual council members, their individual social capital which

comprises their contacts and networks, and their societal capital which is the ethics and values they bring to the university council. The council social capital is the implicit and tangible set of actual and potential resources available to the council by the virtue of the network of relationships possessed by individual. Keil (2010: 15) further argues that this involves the relationships among the university council members and the relationships between the council members and the senior management team and most notably, the vice-chancellor. In the exercise of these aggregate competences in relation to the different institutional stakeholders both internally and externally, the members of the university council ought to be guided to how to effectively act and relate.

The third form of capital, which comprises the intellectual capital of the council, is termed structural capital (Keil, 2010: 15). Structural capital is the council's explicit and implicit knowledge (Keil, 2010: 15). This comprises the formal policies, council charters and council procedures that guide how it undertakes its tasks as well as the more implicit council culture, which will have developed over time and which can provide both positive and negative social norms (Keil, 2010: 15). Council structural capital comprises aspects such as council agendas, the quality of council minutes, the quality of council papers, the effectiveness by which council uses its time in meetings and the specified and documented roles that council has provided to individuals, especially the chancellor and vice-chancellor, and also the chairs of council committees (Keil, 2010: 15-16).

Council dynamics result from the interplay of the three components of intellectual capital (Keil, 2010: 15). This reflects the fact that councils are dynamic organizational forms where the interaction of individual, social and structural capital with the issues of the day can lead to different outcomes (Keil, 2010: 15). It is the dynamics of the people on the council as formed by their interaction over particular issues, problems and crises with which a council must deal (Keil, 2010: 15). What this intellectual capital model of governance demonstrates is that the issue of performance within the council chamber and relationships among council members is a complex and dynamic area. There is no simple approach to getting the correct outcomes (Keil, 2010: 15). Obviously, having a council structured in such a way that people with the right combination of skills, experience individual societal capital and social capital join the council is essential (Keil, 2010: 15). Second, having excellent structural capital with respect to council agenda, council papers, council standing orders, the council charter and the like are also critical to ensure good relationships within the council (Keil, 2010: 15). This is also where the ability of the chairperson to chair a good meeting, ensuring the right matters are

heard in the right way and seeking that elusive balance between moving the agenda forward while at the same time ensuring that all council members have the opportunity to be heard is so important (Keil, 2010: 15). The understanding and right use of these abilities is critical for effective university governance in the strongly contested HEIs. This is because the university council will be well empowered and positioned to address the different institutional challenges that could confront the institution over a period of time. On the other hand the inappropriate use disempowers and dispositions the university council to be able to effective university governance.

8.9.2. Leadership at the different committee levels of the university council

The ability of the university council to be able to provide contextually effective governance is closely associated with the amount of institutional power it is ready to give to its different committees of the university council to function as distributed leadership. The different committees of the university council consist of skilled individuals with specific competences and experiences not readily available to the university council assembly. This specialised human capital as skilled-based leadership is critical for the university council because they provide skilled advice as leadership on specific issues that the university council is handling that pertains to the university.

As part of the university council leadership process of delegation, the different committees of the university council are able to carry out the work of the general assembly of the university council in their absence. The institutional practice of the university council at this level is seen in the instance when the university council allows the different committees of council to take decisions on their behalf and report to the general assembly of their activities. The efficiency of this leadership practice is monitored by the university council when the different committees of council give account of their tasks accomplished during the feedback reporting sessions. This process highlights the institutional trust that the university council has put in its different committees of council on particular assignments.

The establishment of the different working committees of the university council is an aspect the different structural-cultural governances practices that cut across at the university council. As earlier mentioned in chapter 9, evidence from the institutional documents reveals that for the sake of managing, controlling and executing its roles, the university council has nine subcommittees of council. These committees of council meet four times in year–prior to the university council meetings and submit reports for consideration at each ordinary council

meeting and make appropriate recommendations to the university council. The different committees of council are each designed to assist the university council address meet specific institutional needs. However, the number of committees of council that the university council can afford is dependent on its needs at a particular point in time. On the other hand, it is a heavy institutional burden to have many committees of council, as this increases the possibilities of duplication of roles and arise in number of members of council. In such cases, the ability and effectiveness of the different committees of council to do more with less, and be able to deliver on the different university council mandates is closely associated with their adherence to their terms of reference, skills and competence, team leadership, and ideological composition.

8.9.3. Leadership at the Individual level of different members of the university

In addition, the ability of the university council to equally provide effective university governance is closely linked to the kind of individuals in terms of skills mix as human capital that become members of the university council and its different committees of council. This is because the kind of individual leadership practice and personality that each of these persons subject themselves to matters to the collective effectiveness of the university governance processes at the committee level and at the general assembly of the university council. Leadership is subjective, contextual and as such contested. As such the university council should be able to device ways and means of positioning contextually relevant individuals as human capital in the different institutional governance structures and processes. This is because little is known on how the different individual members that comprise of the university council and the different committees of council are able to take a stand as individuals and as a governing body on contentious issues and mitigate these interests in the implementation of the council roles in the governance oversight process.

As a result, the individual members of the university council must at all times regulate their personal conduct as members of the university council. The individual members of council must make a full and timely disclosure of personal interests to the university secretary in accordance with the procedures approved by the university council. This is crucial especially during the meetings of the university council and its different committees of council. However this aspect is difficult to enforce due to constituent allegiance. This is due to situations during university council discussions whereby the individual members of council

are torn between issues that are either affecting their constituencies and the individual consciousness. This aspect is depicted in the responses below:

> … I mean looking at the composition and there are a number of cases where of course If there is conflict of interest the one has to, he or she has to excuse himself or herself that whatever decision that is going to be taken and that compromises because at sometimes we rely on the contribution from that person … [R.5]

In stakeholder driven HEI environments this is a common social reality that the individual members of the university council from strong constituent alliances have to grapple with. The inability to speak the truth to power in such circumstances has been of one the several cardinal grounds for university council instability. As a result individual effectiveness as members of the university council is seen whenever there is practicable disclosure of any interest which they have in any matter under discussion and accept the ruling of the Chair of the university in relation to the management of that situation in order that the integrity of the business of the university council and its Committees may be seen to be maintained. This aspect is depicted in the responses below:

> … there are some cases where we find that in the council will ask all the internal members to get out for them to makes decision, because they can see that there are some conflicts and also the issue of some members of the council remember you cannot live in an island and if you are in a position and you have got your brother or relative, he/ she wants a job you can try by all means to make sure that person get in and in some case what a pity is that you find that person he or she is competent than it becomes a problem when it comes to service delivery of the institution to go forward because you are putting somebody who is not competent enough and it means that somehow you have to protect that person and that person have to protect you. [R.4]

This is not an easy process and demands rising above constituent interest and looking at the bigger institutional picture. It takes having viable communities of practise at the different levels of the different committees of council to encourage truth telling in the university governance processes at the university council assemblies. Thus social human capital links between individual council members are essential aspect in affecting the effectiveness of the university council in performing its role. In these stakeholder driven HEI environments the university council should through the leadership of chair of the university council and the different heads of the different committees of council cultivate moderations that discourage fluid relationships within and between internal and external members of university council in

stakeholder driven university councils that often are counterproductive to the core business of the university.

In post-apartheid South Africa, the social realities that where birthed as symbolic expectations to be met have created an erroneous struggle within holders of public office on how far they can go to be ethical in their dealings whenever they handle stakeholder funds. The institutional crises that characterised the former HDIs in the earlier 1990s that still persist today that have caused at least nine HEIs to come under administration is a governance testimonial to governance unprofessionalism due lack of professional development before placement. To achieve this goal, as part of the unique processes of *cultivation of moderations*, it requires the different processes of the professionalization of the university council and its different committees of council. Professionalization of the university council and its different committees of council commence with working value driven leadership behaviour in the university governance processes.

This is line with the Nolan principles for governance that every individual public servant should imitate in the performance of roles in public office. The Nolan principles for governance emphasize that members of the university council as holders of public institutional trust have a core responsibility for ensuring that the university council conducts itself in accordance with accepted standards of behaviour in public life, embracing selflessness, integrity, objectivity, accountability, openness, honesty and leadership (Buckland, 2004). The adoption of these seven principles of public life by the Nolan Committee attest to the need to counter considerable loss of public trust in the public sector in the UK because of substandard performance and the dysfunctional delivery of services and to be applied to all in the public service to address the widening gap between the public and the public service.

Though these values are borrowed from the UK governance system, they hold universal truths central to human behaviour in public office. There is strong similarity between these values and the *Ubuntu* concepts of institutional governance. The *Ubuntu* concepts of institutional governance express these aspects through folkways that define relationships between leaders and subjects in relation to the society. Society is seen as institution that everyone belongs and cannot act in ways that could bring the institution into disrepute. Individuals who went against the morality of the society had to encounter the leadership of the society and the different institutionalised due processes of social justice emphasised

public hearing, restitution, consultations, transparency and truth telling. As much, as societies and institutions may progress certain social values that characterise and steer how humanity should be institutionally governed at different societal levels do not change. It is the observance and promotion of these generational governance rituals that create conditions that could foster effective institutional governance across stakeholder driven HEI environments.

Henceforth as a structural-cultural governance practise, the university council is able to provide effective university governance whenever it minds the quality-makeup of the individuals that are sent or deplored from the different institutional governance structures to the university council as stakeholder representatives. That's why it's important that before individuals become members of council and different committees of council they need to be trained on how to conduct themselves within the institution and outside. As a holder a public office there are certain attributes expected one in public office.

The Nolan seven principles of public life clearly provide a healthy picture of how a holder of public office is expected to conduct themselves while in office and outside office. However across the former HDIs, the extent to which individual members of council are willing to subject themselves to this kind of lifestyle audit or abide by these governance codes is not known. This is because not many members of the university council are familiar with how the university council operates in the university. Thus it's a fundamental point as an institutional governance cultural practice at this individual governance level that having the right skills mix and with value- driven members of council is a recipe for the university to be able to deliver on its institutional mandate to the university.

It is important to emphasise that the university council has put in place several stakeholder governance-managerial initiatives at different levels of institutional leadership as institutional trust. These were aimed at providing viable effective governance stability as a form of institutional cultural role practice to guide the senior management team in the implementation of the university council resolutions. As much, as most the above concepts developed are borrowed from business, the struggle has been how to make these practices as 'best practices' that are participatory- democratic, relevant and yet competitive locally and internationally. This has led to contestations between the less empowered members of the university council and the more empowered members of the university council. The less empowered members prefer the stakeholder model of university governance that are supportive of their interests in comparison to the more empowered members of the university who are inclined towards use

of business models that emphasise efficiency and effectiveness in the university governance process. As a result, there are circumstances and positional placements that have led to less participation by the less empowered institutional stakeholders at sensitive governance units of the university council like the different committees of council; supervised and regulated participated by the less empowered in the university governance units; shadow micro-management of the less empowered by the more empowered institutional stakeholders. The adoption of stakeholder deployment by the less empowered as a mode of effective governance; the less trust of the less empowered institutional stakeholders by the more empowered institutional stakeholders at the university council; less regard and mistrust for the governance due processes by the less empowered and reliance on constituency consultation; less trust of the external institutional stakeholders who are usually more powerful then the internal institutional stakeholders [who are often the less empowered]; the university council listens more to the external institutional stakeholders than the in eternal stakeholders leading to more disempowerment of the less empowered.

As a result, to adjudicate these contestations the concept of trust relationships brings to the understanding of the governance processes the notion supervised relationships. This governance aspect emphasizes that whatever the university council has agreed upon that is important for the effective running of the university; co-supervision is needed to deliver on that mandate. This implies a cordial relationship between the university council and senior management. Trust involves tradeoffs that the university council has to consider in its relationships with different institutional stakeholders represented at the university council to reach modes of effective university governance across contested institutional issues.

8.10. Institutional responsiveness

Another important institutional governance function of the university council, as a cultural role practice of the university council, is the notion of institutional responsiveness. Institutional responsiveness epistemologies refer to different ways and initiatives the university council is engaging at repositioning the university through responding to the societal needs of the local community the university is located. Goddard et al. (1994) argues that there are four aspects of universities' definitions of a local community; (i) the relationship between an institution and its physical surroundings as influenced by historical and institutional context: (ii) the different scales at which attributes or impacts of the university should be measured or assessed; (iii) the different geographic scale or territory

over which the university provides different types of 'local' service; and (iv) the perceptions held by the institution and its management of the local community, which is identified in institutional missions. Thus higher education institutions are increasingly seeing their responsibility to society and the environment as a central part of their institutional strategy. In the words of Sherman (1990):

> The African university is a product of the modern world, yet the environment which inherited it is largely traditional, pre-industrial, and agrarian. It is an environment caught in change from external Forces – centuries of economic exploitation, colonization, intellectual and cultural dominance. The small modern sector resulting from these forces expanded overtime but compared with the traditional sector, it remains exceedingly small and does not integrate with it. A product of the western world, the African university was born a stranger to its own environment, and its main links were with the institutions that were strangers to this environment and with the countries to which those universities belong. Thus the African university became heir to a dual setting- the traditional African setting in which it was to be rooted, and modern western sector from which it received its orientation. How was it to make an appropriate response ? Its borrowed models were for an industrial society with an entirely different milieu and could offer no real guidelines. (Sherman, 1990: 371)

In order for universities to have their meaningful place in the local vicinity they are located, they need to appear to be locally relevant and yet maintain their competitive edge. The university council through the following initiatives has shown its institutional practice of being responsive to the local environment. These initiatives reveal at length what the university council is pushing through the different institutional stakeholders at restructuring of the university as part of the different processes at bringing about modes of institutional transformation. They include the following:

i) Collaborations
ii) Institutional positioning in the local environment
iii) Rural excellence.

8.10.1. Collaborations

Leadership Foundation for Higher Education (2011) defines institutional collaborations as agreements between two or more organizations to work together in a specific activity for mutual benefit; this can involve a wide range of institutional and legal requirements. It continues to argue that collaborations require individuals, teams and organizations to work alongside each other in the distinct environment of their collaborative venture; hierarchies of

seniority, as well as who is ultimately responsible or accountable for what, may be unclear. There are several reasons why the university council at the University of Venda has been involved in a number of collaborations with different institutional stakeholders cutting across different aspects of the university namely:

i) Knowledge creation and transfer
ii) Enhancement of student learning spaces.

8.10.1.1. Knowledge creation and transfer

The university communities around the university may relevantly benefit from the university through forms of knowledge creation and transfer. This is because universities are created for the betterment of societies they are located. But to achieve this would involve the use of forms of institutional collaborations that involve different categories of stakeholders willing to participate to facilitate the processes. To ensure the realisation of these aspects the university council has permitted the establishment of the following governance units to attain this:

i) The role of the directorate of research and innovation
ii) Univen Income Generation Centre (UIGC)
iii) HIV/AIDS and Global health research program (HAGH)
iv) University Disability Unit.

8.10.1.1.1. The role of the directorate of research and innovation

As part of the initiatives at bringing and building partnerships, the directorate of research and innovation set up in the office of the deputy vice-chancellor academic by the university council with purpose of promoting research administration and data management from the university. A review of the documentary sources available in the public domain indicate that University of Venda's research agenda not only promotes academic freedom and support the diversity of individual innovative inspirations, but also invests in strategic niche areas that address regional and global challenges (University of Venda Annual Reports, 2011, 2012, 2013, 2014).

Ecologically, the niche areas include research on exceptional diversity of biota, landscapes and land use patterns. Its rich cultural and historical heritage still requires substantial recording, transcription (oral to winter), research and dissemination to a wider audience.

Socio-economically, the area represents a microcosm of African development challenges. It is caught up in the tensions of transition and transformation, from rural to urban and from source-based to a knowledge driven economy.

The university's council strategy to establish the institution research capacity is expected to include the following initiatives and activities; Linking postgraduate enrolments to identified niche areas, building support cadre of research leaders such as postdoctoral fellows, research professors and emeritus professors, developing support and training programmes to assist staff and postgraduates to publish their research findings, leverage research funding and to participate in regional, national and international conferences, successfully competing for national research foundation research chairs, targeted fund raising to increase the current research income, developing national and global partnerships to facilitate joint research projects with HEIs nationally and regionally (University of Venda Strategic Plan Report, 2014).

8.10.1.1.2. The University of Venda Income Generation Centre (UIGC)

The university council approved the establishment of the University of Venda Income Generation Centre (Pty) Ltd to promote increases in third stream income and financial sustainability under the strategic plan of the University (University of Venda Strategic Plan Report, 2014). As part of several institutional practices, aimed at institutional responsiveness, the establishment of this centre is aimed at connecting the university community and its third stream income ventures in coordination with the different institutional stakeholders both internally and externally. The participation of the different institutional stakeholder's internally and externally in these third stream ventures is aimed at empowering these formerly disempowered individuals and communities in the different locations the university campuses are located. Empowerment encourages institutional ownership, trust and confidence in the institution from the different institutional stakeholders (University of Venda Strategic Plan Report, 2014). In addition, the university has had to collaborate with other service providers within the university locality to provide shared facilities for instance private student accommodation or provision of ICT Facilities. The partnership between industry and the university has helped in provision of access ICT facilities (internet, online, computer packages) for both university staff and students (University of Venda Strategic Plan Report, 2014).

8.10.1. 1.3. HIV/AIDS and Global Health research program (HAGH)

As part of these initiatives aimed at showing the institutional practices of the university council through institutional collaborations, this institute was set up in the office of the deputy vice-chancellor academic (University of Venda Strategic Plan Report, 2014). The university council believed that the HIV/AIDS and Global Health Research Program comprised of a multidisciplinary team of investigators drawn from University of Venda, other institutions and the community would provide and seek solutions to biomedical, social and behavioural problems with national and international relevance (University of Venda Strategic Plan Report, 2014). The impact of HIV/AIDS is prevalent in developing countries of the world and the role of universities in these institutional contexts in championing research in this area shows the universities readiness and implication for the challenges facing the communities where they are located.

8.10.1.1.4. University disability unit

As part of those of activities as institutional practices aimed at developing institutional responsiveness, the university council approved the setting up of this institute in the office of the deputy vice-chancellor academic (University of Venda Strategic Plan Report, 2014). This was because as indicated in the review of the documentary sources (University of Venda Strategic Plan Report, 2014), the university council looked at the province of Limpopo was challenged by high incidences of disabilities which are attributed to poverty, malnutrition, insufficient medical care, and lack of access to health facilities. This partly explains why the University of Venda has the highest number of students with disabilities in the country (University of Venda Strategic Plan Report, 2014). The University of Venda has since 2001 begun to move towards the institutionalization of services for students with disabilities by appointing two staff members on a part-time basis (University of Venda, 2011). This decision was in line with the Constitution of South Africa (Act 108 of 1996) section 2a(1) which state that everyone has the right to: Basic education, including Adult Basic Education and Further education, which the state, through reasonable measures, must make progressively available and accessible.

The University Disability Unit supports students with disabilities of various disabilities, including: visual hearing, physical speech impairments, chronic illnesses (for example diabetes, epilepsy), painful conditions (for example back injuries & carpal tunnel syndrome), psychological disabilities (for example bipolar disorder & severe anxiety/depression), and

temporary disabilities (for example, broken limbs) may request services for the period during which they require them (University of Venda Annual Reports, 2011, 2014).

8.10.1. 2. Enhancement of student learning spaces

The development and enhancement of the learning opportunities for the university students as been one of the various institutional cultural practices the university council has been driving as part of the turnaround strategy of the university leadership. Institutional collaborations sanctioned by the university council have been important to the university because they have assisted in the enhancement of student learning spaces through the following ways:

i) Development of institutional learning programmes/courses
ii) Information communication technology services
iii) Facilities management.

8.10.1. 2.1. Development of institutional learning programmes/courses

As part of initiatives at aimed at increasing the development of courses that are needed for the empowerment of the indigenous communities where the universities are located the university council has entered into understandings with different international organizations and universities (University of Venda Annual Report, 2011). These different memoranda of understanding are aimed at institutional advancement, for instance the agreement with the china Coal technology and engineering Group and the China University of Mining and Technology to develop a mining engineering programme, an agreement with Hochschule Ostwestasfalen-Lipe in Germany to cooperate in research and teaching activities, an agreement with the Antwerpen university in Belgium as well as an agreement with American universities through the Fulbright Commission program for South Africa. A partnership with the University of Pretoria for the development of masters programme in human rights and democratisation. The university council derives allot of value in encouraging the different schools and faculties to partner with international and local institutions for the development of learning programmes and accreditation (University of Venda Annual Reports, 2011, 2014).

8.10.1. 2.2. Information communication technology services

The university council as part of its efforts at the institutional turnaround through ICT developments at the university has done the following in this regard; at Univen there is a one-tiered support model which allows central support provided by information technology

services staff (University of Venda Annual Report, 2011). The exiting information technology organizational structure is being reviewed to address the identified deficiencies and respond to the ever-changing and increasing demands required by the increased infrastructure, staff and students. The students print and copy environments is being improved and optimised by installing networked multifunctional devices across campus in all computer laboratories. The introduction of the virtual reference system, the springerlink database and the digitisation of question papers is expected to enable students and staff to have quick access to library services via computer and the Internet (University of Venda Annual Reports, 2011, 2014).

8.10.1.2.3. Facilities management

The University of Venda was established in1982 to accommodate only 5000 students. Due to demand for access to higher education, the university was forced to double its intake which currently stands at approximately 11, 000 students, the majority of whom are from poor socio-economic backgrounds (University of Venda Annual Report, 2011). This has put immense pressure on the current infrastructure to accommodate the needs of an increased student and staff population. Urgent projects; new residences, 24-hour study centres, information technology centre, mining engineering building, science park, lecture halls, school of health sciences, campus health sciences, academic community training centre, indoor sports canter, sports field and improved sporting facilities. Medium-long term projects; lecture halls, exploratorium and natural history museum, retail centre, staff recreation centre, staff housing, new law and legal clinic, housing for visiting professors and researchers, house of prayer (University of Venda Annual Report, 2011).

These infrastructural developments at the university have greatly been supported and sanctioned by the university council as an institutional practise aimed at the institutional transformation of the university through infrastructural developments. As much as the university is located in a rural place as a project of the apartheid state and deprived of institutional infrastructural, it has been the institutional policy practice of the university council to drastically upgrade all the institutional infrastructures in the university to reposition the university as an institution of choice and excellence (University of Venda Annual Report, 2011).

Specific governance skills and responsibilities are needed when collaborations with HEIs have a commercial aspect (Leadership Foundation for Higher Education, 2011). The focus is often on how governance structures can effectively manage risk within an institutional collaboration. In commercial or third-stream funding, the Leadership Foundation for Higher Education (2011) argues that it could carry greater risks than the more conventional reliance on funding for teaching and research. These different risks carry implications for the importance and involvement of governing bodies in collaborative activities. In commercial initiatives, governance arrangements must be able effectively to monitor and control activities. This implies that there should be a separation between management and governance, as professionalised members of the university council from professional bodies, their expertise helps to monitor and control the management of these ventures/activities, and ensure it remains linked to commercialisation as well as to academic and financial strategies (Fielden, 2009).

The effectiveness of institutional partnerships depends on how well the different stakeholders are able to participate in the process. Fielden (2009) reviewed the scope of international collaborations with UK HEIs and found that collaborations occur at multiple levels: strategic collaborations requiring senior management buy-in, collaborations within a faculty or department, and one-to-one individual collaborations.

On the other hand, studies have given attention to the impact of collaborations on the flow and production of knowledge; however there has been less focus on the issues surrounding the leadership, management and governance of collaborations themselves and the impact of collaborative activity across HEIs (Leadership Foundation for Higher Education, 2011). For HEIs, external collaborations can reshape and extend the relationships and arrangements at all levels in an institution. Collaborations with bodies outside the HEI involve bringing the institution into direct contact with differing structures, cultures, terminologies and strategic thinking. Commonly, such collaborations were not provided for in the original design of the leadership, governance and management structures within HEIs (Leadership Foundation for Higher Education, 2011).

Therefore, the leadership skills, knowledge and capabilities of individuals, the HEIs' leadership and management structures and processes and the governance arrangements may not be best suited for effectively developing, leading, monitoring and mitigating risks within the collaborative activity (Leadership Foundation for Higher Education, 2011). In order to

govern and manage collaborations successfully, the Leadership Foundation for Higher Education (2011) argues that management and governance structures must work with those of the home institution, partner institutions and the new relationships and procedures involved in the collaboration itself. Complex systems of management and governance may become intertwined through the collaborations, possibly rendering existing leadership structures and institutions inadequate. Changes may be needed to enable existing leadership, management and governance to interact and align with the external governance and management structures, and the new relationships and procedures.

8.10.2. Institutional positioning in the local environment

Constant changes in HE environment have caused several HEIs to reposition themselves within their institutional contexts and beyond through adoption of competitive marketing strategies to survive. (Maringe, 2004; Maringe & Foskett, 2002; Gibbs, 2002; Nguyen & Blanc, 2011; Binsardi & Ekwulugo, 2003; Ivy, 2001). As a consequence there are competing international and local imperatives that university governing bodies are constantly grappling with how to bring about effective university governance within their institutional contexts. The notion of institutional positioning as governance cultural role practice refers to how the university is locating itself through institutional responsive practices to the local community its located. One of the successes of universities is being able to sufficiently handle and respond to the various challenges that arise because of its location (Bok, 2003; Clark, 1998; De Boer et al., 2008; Jongbloed, 2003; Marginson & Considine, 2000; Lambert, 2003; Shattock, 2004b). The historical ambiances that affected the growth of the formerly HDIs are easily addressed when these institutions begin to address these issues holistically through various forums. Thus the notion of institutional positioning is fundamental for institutional effectiveness. The university council has been pushing for institutional repositioning through the following initiatives:

i) Community engagement
ii) Engagement of community members with community-based projects
iii) Teaching of isiNdebele project
iv) The school of agriculture projects
v) Communications and marketing
vi) The Univen radio
vii) The role of foreign language versus local language indigenisation.

8.10.2.1. Community engagement

The directorate of community engagement established was to set up in the office of the deputy vice-chancellor academic because the university council was of the view that an integrated community engagement focus as one of the mechanisms through which greater emphasis on development, increased democratic participation and community partnerships could be addressed. A review of the institutional documents available in the public domain (University of Venda Annual Report, 2011) indicate that community engagement at the University of Venda entails goal-oriented reciprocal interaction, collaboration and partnerships between the university and rural communities, including on-sites for experiential and service learning. The University of Venda also recognises that there is a variety of distinguishable but interdependent forms of community, ranging from informal and relatively unstructured activities to formal and structured academic programmes addressed at particular community needs (University of Venda Annual Reports, 2011, 2014).

8.10.2.2. Engagement of community members with community based projects

There are local networks within the local communities that the university governing body has made use of that is poised to benefit the university. The university infrastructural development as part of the transformation of the institution demands more land but to access these properties the university has to involve the traditional leaders and chiefs in the institutional governance of the university. They continuous participation in the leadership at the university council level presupposes them to understand and see the needs of the university calls. In addition, the establishment of a HEI in such communities is expected to improve the lives of local inhabitants. The immediate beneficiaries of HEIs are the local inhabitants situated around these institutions. This is because part of the reasons the HEIs is set up to respond to the developmental needs of the local population.

Evidence from the institutional documents in the public domain indicate that the community expectations of the university are with respect to community development projects which will solve problems of poverty, unemployment, underdevelopment and social injustice. Increasing public participation, maintenance of social justice and technology transfer are among those community driven objectives that society appreciates (University of Venda annual reports, 2011, 2014). As result the university council has sanctioned a variety of local projects geared towards meetings certain needs of the different communities around the university.

8.10.2.3. Teaching of isiNdebele project

A memorandum of understanding was signed between the University of Venda and the Manala Royal Council. The focus was to promote the teaching of IsiNdebele and heritage archiving. King Makhosonkhe III of the Ndebele and Thovhele Tony Ramabulana Mphephu of the Dzanai Royal council attended the signing ceremony. This is a good community engagement project that has the potential to grow beyond its initial conception to interface with other forms in its lifetime. Community feedback and participation is central to what the University of Venda seeks to acquire in delivering its core mandate (University of Venda Annual Reports, 2011, 2014).

8.10.2.4. The school of agriculture projects

The school of agriculture has no less than 30 projects for example; the Muyexe National Development and Masia Royal Trust Poverty alleviation projects, framers Field Days, demonstrating new techniques in cassava, chicken pea and pigeon pea farming, the Fulfhelo Floriculture Multi- disciplinary project and the Vhembe skills development and training project in Giyani on food preservation and preparation. The Department of Plant Production in collaboration with the Agriculture Research Council-Rooderplaat Vegetable and Ornamental Plant Institute hosted farmers a Field Say at the school experimental farm (University of Venda Annual Reports, 2011, 2014).

8.10.2.5. Communications and marketing

Reviews of the institutional documents available in the public domain indicate how the institution is grappling with its geographic rural location (University of Venda annual report, 2011). The university is located far from established industries and as result it is experiencing difficulty in attracting staff with rare qualifications as part-time lectures, for example chartered accountants. Thus as part of the different institutional activities at aimed repositioning the institutional image within the local environment and beyond, the university communications and marketing office had to be located in the vice-chancellors office.

The university directorate of communications and marketing is responsible for implementing an integrated communications and marketing strategy. This strategy gives institutional identity to all communications and marketing activities. These are focus areas; the university corporate identity manual will be developed and implemented to ensure consistent application of elements contained in the recently developed corporate identity, the internal

communication processes will be aligned to the vision and mission of the university (University of Venda Strategic Plan Report, 2014).

8.10.2.6. The Univen radio

Boulton et al. (2011: 2511) argue that understanding our past, understanding the cosmos around us, understanding our social relations, our cognition, and our material selves are all parts of a nexus that is needed in a healthy and aware society, and one that is reflected in the diverse contemporary demands for literature and television and for leisure. In these changing circumstances, the place of a university radio in the university becomes paramount. Often times the university population is not aware of what is going on in the university at different levels of interactions within the different university communities and the introduction of the university radio is assist the different institutional within the university to be involved in the institutional debates in the university. Thus the Univen radio had to be located in the vice-chancellors office because Univen radio will continue to play a crucial role in informing, educating and entertaining the university's publics (University of Venda Annual Reports, 2011, 2014).

8.10.2.7. The role of foreign language versus local language indigenization

The adoption of inclusive a cosmopolitan institutional behaviour towards the internationalisation of higher education and its ramifications shows how the institutional culture adopted by the council is being used to market the institution across borders. The main medium of instruction at the institution shows what the institution wants to attain through the main institutional mechanism. The use of the English language as the main medium of instruction at the institution facilitates shared teaching, learning and research experiences between the local and international staff and students.

According to Alexander (2013: 84), the use of English as a language of tuition at tertiary level because of its *lingua franca* function among intellectuals and its global hegemony is no guarantee of educational equity. First, language speakers and proficient second- language speakers of English will continue to be advantaged vis-a-vis all others, that is, the vast majority of tertiary students. Furthermore, a Venda (a local indigenous language) dominanated university does not have to be an ethnic university. The language of tuition does not determine whether or not a university of course is racist or tribalist. It is '*what'* is taught that is '*decisive'.* Yet, Alexander (2013: 84) continues to assert that these are the corollary

absurdities of the fallacy of the ideological neutrality of the English language in our multilingual new South Africa reality.

The use of other local indigenous languages in tertiary institutions as often been met with mixed reactions. Alexander (2013: 84) argues that let the local languages be used in order to inoculate the habits of minds and the fundamental concepts and approaches of the different disciplines at the same time as the students are exposed to the relevant knowledge and registers in English which is the language of most textbooks and reference works. In this way, they get to know their disciplines in one or other local languages as well as in English. They will be able to communicate with any of their relevant constituencies in the appropriate language.

Indigenisation of language use has often conflicted with internationalisation with the regard to the use of English language. Makgoba (1999) argues that there are issues that fundamental to the total transformation of education for instance human issues touching and exercising the mind of every citizen: Who I am? Where do I come from? Where am I going? Makgoba (1999) identifies areas such as curriculum, language of instruction and philosophy which underpin the type of civilisation, culture or identity that the new education system has to chart to achieve true transformation. These are issues currently university councils are silent about. Makgoba identifies the need to provide charity on these issues in order to deliver a good and stable economically viable citizenry and vibrant democracy that will act as the driving engine for the African Renaissance. Makgoba (1999) argues that language is not simply a tool for communication but a body of knowledge in its own right. Therefore marginalising a people through language, one denies them education and consequently democracy and a large knowledge base embedded in these languages.

Knowledge is a universal common good and can be transmitted through any language therefore the use of local languages and English does not really impact. However, the use of indigenous languages in tertiary institutions in local contexts is advisable as students get to really understand the richness of their contextual embedded social realities constructed in the traditional local languages where the university is located. However it's important for university governing bodies to consider the institutional context in the wider picture of HE and decide on appropriate instruction institutional medium that would position advantageously the local institution in the global field of HE.

In considering the notion of institutional effectiveness, in relation to university positioning, the university governing bodies should ensure that they are relevant in the local communities the university is located. Universities develop faster in relation to their core business whenever the local communities are able to symbiotically benefit from the university. Universities can creatively position themselves within their university communities through establishing university collaborations. The Institutional collaborations between the university and the different community groups in which the university is located have been instrumental in coordinating relationships in the locality in order to: create greater links and capacity to promote the locality, contribute to economic regeneration or to respond to issues facing the locality.

8.10.3. Rural excellence

In their discussion on what universities are for, Boulton et al. (2011: 2509) argue that universities are socially responsible and seek to improve the common good. Their perceptions and priorities change as those of their society change around them. As much as this is of relevance to HEIs, it requires the active participation of the local population around the university at different levels of university leadership. In the South African former HDIs, governing bodies have devised ways on how to partner with local communities to craft HE spaces that embrace both the context and international paradigms. The universities created must be able compete locally and internationally. Institutions that were created as a result of the apartheid system that affected their mission and positioning in the HE field need to be given time to develop capacity, adjust their mission and agenda to be able to speak to the needs of clientele they are able to attract. They should not be pressured to operate like those that were not formerly HDIs for the case of the South African HES. This could bring new avenues of understanding how context affects knowledge production. Thus this study agrees with Boulton et al. (2011: 2509) who argues universities reconcile a transcendent mission of establishing understanding of the nature of things with a social mission of relevance to their ambient population [institutional context]. To attain this as part of its institutional practices the university council has done the following:

i) Centre for Higher Education Teaching and Learning (CHETL)
ii) Lifelong learning opportunities
iii) University library
iv) Alumni collectives

v) The Univen Foundation.

8.10.3.1. Centre for Higher Education Teaching and Learning (CHETL)

As part of its institutional turnaround strategy to improve teaching and learning at the institution, the Centre for Higher Education Teaching and Learning (CHETL) was set up in the office of the deputy vice-chancellor academic because the university council at the University of Venda was of the view that institution offers a holistic approach which would incorporate a unit that would take care of the induction of new academic staff and continued professional training and development for all academics. The CHETL is a comprehensive establishment that is expected to offer a holistic range of programmes and services on teaching and learning to guarantee continuous improvement in throughput and graduation rates (University of Venda Annual Report, 2011).

8.10.3.2. Lifelong learning opportunities

Institutional collaborations between HEIs and service providers have been useful in enabling local disadvantaged communities to participate in higher education through Lifelong learning networks and expanding training opportunities offered by the universities. This is because many indigenous communities located where the university is founded cannot afford the cost of higher education. In addition, the apartheid legacy left entire former Bantustan areas without proper access to learning opportunities (University of Venda Annual Report, 2011), As a consequence, the old generation of South Africans in these areas are basically not able to effectively participate in the today's knowledge economy. As such, the introduction of adult education and lifelong learning by the CHETL is critical in such areas as it repositions these individuals to be able to ably participate in the local economy and beyond.

8.10.3.3. University library

The University library was to set up in the office of the deputy vice-chancellor academic because the university recognised that the critical need for the effective execution of its core business of teaching, learning, research and community engagement is the effective provision and facilitation of access to information (University of Venda Strategic Plan Report, 2014). The library develops and manages local and remote access to information and knowledge resources through its professional expertise; offering a range of library and information services. Much has been achieved to deliver a modern library and information services. The library is a hybrid, exiting as both a physical and virtual entity that offers its information

resources in physical and electronic format (University of Venda Annual Reports, 2011, 2014).

8.10.3.4. Alumni collectives

The relationship between the university council and the university alumni organization is important in demonstrating the kind of institutional practices the university leadership governing body is propagating to its different institutional stakeholders. The different alumni collectives are important to the university because of the different activities they could be involved in that are critical for the institutional image, ranking and trust before the different institutional stakeholders.

8.10.3.5. The Univen Foundation

The Univen Foundation is the official alumni organization of the university. The Univen Foundation was located in the vice university chancellor's office to ensure effective interaction between the university and the different alumni (University of Venda Strategic Plan Report, 2014). A review of the institutions documents available in the public domain indicates that alumni organization has been involved in the following activities as part of its relationships with the university; it has been working towards continuously updating the university database, engaging funding activities to raise funds for the university accordance with its needs, strategic objectives and plans through the Univen Foundation, organize successful events targeted at addressing different stakeholder's needs, developing the university's website to create a more user friendly, informative and interactive platform with consistency in links and information, strengthen its student recruitment strategies to attract the best performing and better prepared students, engaging institutional activities that address some of the inherent flaws that lead towards the student intellectual capital flight to other institutions and participation in recruit drives that bring a diverse undergraduate and postgraduate students regionally, nationally and internationally (University of Venda Annual Reports, 2011, 2014).

The role of the alumni in facilitating council activities within the university has often been underestimated in preference to outside roles. Institutional alumni have been known to provide crucial roles to council as part of easing their institutional effectiveness. The alumni are familiar with the institutional challenges that are not often understood by the non-alumni. They have first-hand experiences of the institutional strengths and weakness in terms of

experiencing all the institution has to offer to both the students and staff. They can tell whatever that is not working effectively that needs to be improved. Their familiarity with institutional issues places them at an added advantage to be able to market the institution speak about the institution to prospective students, stakeholders funders and any other interested parties in the state and mass media. The successes of the alumni after graduation advertise the contribution of the institution to individual placement and success in life a vital component in institutional ranking and positioning. They also bring to the institution a sense of pride ownership, patronage, prestige thus adding value to the institutions identity within the local community the institution is located and international recognition. In stakeholder driven HEI environments, the effectiveness of institutional responsive ventures and activities like rural excellence, collaborations institutional positioning activities depends upon the perceptions and beliefs of different institutional stakeholders on what they think of the laid out university council governance structures promote participatory communications among different university constituents involved in the different process.

Drawing from Soudien's (2008) concept of epistemological hospitality that university must be open to all people. In post-Apartheid South Africa, there are diverse ways HEIs are responding to this concept. Depending on their institutional contexts, missions and ambitions it is exigent to categorise which HEI as the most institutionally responsive. The South Africa HE context is so diverse with clear differences between institutions. The differences between the institutions should be used to create rich learning environments. Historical pasts cannot be changed but they could be used to produce ways of understanding of different roles HEIs can do to create responsive citizenry that able to bring about change in societies they are located. That involves mastering the local that can be benchmarked as local and international best practices. Thus HEIs and the local contexts communities they are located are inseparable.

8.11. Institutional diversity

Institutional diversity as a governance cultural practice is an institutional wealth catalyst for bringing about opportunities for institutional effectiveness. This is because universities enrol different categories of both university students and staff every year. These groups of individuals come to the universities with differences and orientations as part of their way of life. As result interactions between the different groupings on the university campus is a difficult process of acceptance and placement within the different institutional spaces. Diversity is often defined as demographic "differences among groups of people and

individuals based on ethnicity, race, socioeconomic status, gender, exceptionalities, language, religion, sexual orientation and geographical area" (National Council for Accreditation of Teacher Education, 2008: 86), although it is often limited to race. As part of the different processes of addressing these tensions between the different institutional stakeholders that exit on the university campus, there are different activities involving different institutional stakeholders within the university that are taking place that the university council is fully aware as they depict the kind of institutional culture as practise that it desires of the institution.

These activities are aimed at:

i) Institutional choice and opportunity
ii) Enhancement of knowledge diversity.

8.11.1. Institutional choice and opportunity

The availability of equal access and opportunity for prospective students and staff to the university and its facilities regardless of their gender, socio-economic status religion, culture political affiliation and race is crucial as it shows the institutions readiness to provide knowledge to those that need it. A host of factors and circumstances make it difficult for intending students to gain access to HE. Often these factors are not of their own making while other of the own making. Thus how the university council responds to these barriers to learning is significant as a governance process. The university council should make it clear that the university is an institution of equal choice and opportunity for both students and staff regardless of their socio-economic status, religion, race and gender. The different institutional communities should not feel excluded or prejudiced in any form but rather excellence through diversity should be emphasised in all deliberations that involve different communities within the institution. Access to knowledge needs to be made available to all and should not be prejudiced or subjective that tends to privilege certain groups of individuals in the institution. The opening of institutional doors to those interested in the pursuit of knowledge for its own sake and the championing of this is a form of institutional effectiveness that the institution needs to cherish. To get to this the university council has set up as student affairs unit to facilitate this process.

8.11.1.1. Student affairs

The establishment of the student academic administration division by the university council has been useful in ensuring that the university's strategic objectives relating to its core business of teaching and learning achieved (University of Venda Strategic Plan Report, 2014). The role of the student academic administration department is firstly, to manage and coordinate the processes of admission, enrolment, examination and certification of student's. Secondly, it is charged with managing, analysing and archiving all records related to these processes. Thirdly, it is responsible for communicating all data deriving from these processes to both internal and external stakeholders (University of Venda Annual Reports, 2011, 2012, 2013, 2014).

The academic performance of students is inextricably linked to an environment outside the classroom which is conducive and speaks to the social, emotional, psychological, cultural, recreational, health and housing needs of students. The provision of these non-academic services is the responsibility of the student affair's directorate key performance indicators include; improving student governance and administration, providing well- maintained and secure residences, including creating opportunities for learning within the residences, providing a comprehensive health and counselling services including education programmes focussed on HIV/AIDS community outreach, research and continue with peer focussed programmes, providing opportunities to participate in sports at different levels across a range of codes (University of Venda Annual Reports, 2011, 2014).

The university working hand in hand with the student academic administration made reviews to ensure proper functioning of the student representative council, including the criteria for eligibility into and privileges derived from holding office in this structure, size of the budget of the student representative council and the system of monitoring and accountability of student expenditure, the establishment of a real clear separation between the functions and roles of the director of students affairs in relation to the student representative assembly budget and activities (University of Venda Annual Reports, 2011, 2014).

8.11.2. Enhancement of knowledge diversity

Universities are open to categories of individuals however the working together between the different communities is an area that institutions need to up their game. Thus Universities can no longer be considered ivory towers where knowledge is passed on to select few. Universities no longer serve the same purpose they did. They have to meet society's overall needs which are diverse and different. In order to be able to meet these needs universities will be forced to make changes to their organizational structures. As result the university council set up the following institutional units to facilitate these activities:

i) University transformation office
ii) International cultural events and festivals.

8.11.2.1. University transformation office

There are several institutional challenges that HDIs face in the contemporary higher education environments that pertain to forms of contemporary discrimination that did not exit some time ago. Thus university transformation office working different stakeholders within the university council, senate SRC, and institutional forum have been able to come up ways on how to monitor, coordinate, communicate and advise on the university's transformation priorities, objectives initiatives and activities.

8.11.2.2. International cultural events and festivals

No university operates well in isolation. On the other hand universities are, and always been products of their society, whatever the persistence of and academic discourse of intellectual virginity. Universities are socially responsible and seek to improve the common good. Their perceptions and priorities change as those of their society change around them. Universities of today are characterised by a variety of students from different backgrounds. In such HE environments effective governance is closely related to how the university leadership is able to provide opportunities and spaces that embrace this fluid diversity.

The time-tabling of regular celebrations of cultural diversity to integrate the different categories of students like international, local students, students with different sexual orientations and socioeconomic status on the university campus shows the university's leadership readiness to enhance institutional cosmopolitanism. In post-apartheid South Africa, University governing bodies in comprehensive university environments should be

able to see the richness of diverse opportunities that forms of institutional cosmopolitanism provides to the university population. University student graduates schooled in cosmopolitan HE environments are to perform better in the new workplace of today that is so cosmopolitan.

As a consequence university governing bodies have to be ready to accommodate all types of individuals that come through their gates to learn. As societies change universities should change without losing their core purpose. As Soudien (2014) says the universities should be able to disrupt themselves to respond to present realities to survive. However the different processes of how this is done should ensure that the university is able to rise above all forms of exclusion, creates new ecologies and is able prevent dormant groups from within itself from using the university to reproduce themselves.

8.12. Internationalisation enterprises and spaces

One of the major trends in HE environment has been the increased adoption of internationalisation practices. The culture of internationalisation of HE has become the norm of every university leadership governance practice. The global resonance of internationalization is simultaneously exciting and worrisome. While international engagement – for individuals, institutions, and systems of higher education – has the potential to bring with it enormous opportunities and benefits, the global playing field is inherently uneven (Altbach et al., 2009). In this context, well-resourced actors will have more options and opportunities when it comes to how (and to what degree) to internationalize.

Several benchmarking practices and initiatives have been adopted by different higher education institutions with a sole purpose of repositioning these institutions locally, regionally and internationally as centres of excellence other higher education institutions could emulate. The university council has permitted the following initiatives and activities aimed at championing internationalisation of the university:

i) International relations
ii) Internationalization of the curriculum
iii) Recruitment of international students
iv) Scientific visits to other countries and other HEIs
v) Visiting academics
vi) Appropriate structures for reporting international activities.

8.12.1. International relations

As part of the institutional practices at improving internationalisation, the university council approved the setting up of the international relations office in the vice-chancellors office (University of Venda Annual Report, 2011). A review of the institutional documents available in the public domain indicate that the University of Venda recognises the importance of mutually beneficial linkages and partnerships with key stakeholders nationally regionally and internationally, including other higher education institutions, provincial and national government, parastatals and other private sector as critical implementing this strategic objective (University of Venda Annual Report, 2011).

The directorate contributed to the growth of Univen's international partnerships in community engagement, provides support for all international members of the university community, international partnerships for capacity development, and collaboration with other South African universities in internationalisation matters (University of Venda Annual Report, 2011) Universities, particularly comprehensive universities are unique amongst human institutions in the range of knowledge they encompass. As a consequence they have the potential rapidly to restructure and recombine the skills in novel ways to address both the many trans- disciplinary issues that are becoming increasingly important and also to explore new unexpected avenues of understanding. Comprehensive institutions attract wide diverse kinds of local and international students and staff because of the range of course and opportunities for research, teaching for academic staff (University of Venda Annual Reports, 2011, 2014). The response of the university council to the presence of international students demonstrates their approach on how they intend to reposition the institution.

8.12.2. Internationalization of the curriculum

The university council approved several institutional partnerships with other international higher education institutions with sole purpose of developing and benchmarking certain learning programs that the university student population could benefit from but is not readily available in the university curriculum. For instance, the problem solving legal education with the faculty of law at the University of Maastricht in the Netherlands, academic exchange between the University of Havana in Cuba.

Makgoba (1999) states that curriculum and its underlying philosophy are the foundations of an educational system within a certain civilisation. He asserts that the curriculum systematically guides the transmission of information and knowledge, reinforces the desires to learn and to know and encourages the internalisation of knowledge acquired. He then links curriculum to the continental context by pointing out that if the curriculum is centred on Africa, the internalisation and adoption of behaviours and attitudes will be that of Africa. If it's centred on Europe or China the adoption of behaviours or attitude will be typically European or Chinese respectively. He assert that the transforming of the curriculum to become African in context is a re affirmation of the right of the developmental process of civilisation as contributors rather than debtors and to share with as well as to shape- the world in response to the vision, interpretation, energy and spirit of Africans. He concludes that South Africa should transform its curriculum to meet the needs of its specific diversity within African realities. HEIs, he adds, as beacons of light should integrate the local-specific diversity imperatives as part of their core missions and scholarships.

8.12.3. Recruitment of international students

These collaborations have assisted in the recruitment of international students from the African European counties for mainstream university undergraduate and postgraduate courses (University of Venda Annual Reports, 2011). The student exchanges between the universities across the SADC region have led to enrolment of students and sharing of degree programmes between the universities.

Table 17: Student profile at a glance (as adopted from the University of Venda)

Region	2005	2006	2007	2008	2009
SADC	52	50	185	224	320
COMESA	5	91	13	15	14
Nigeria/Ghana/West Africa	8	10	12	17	16
Other Africa	29	23	15	20	16
Asia	0	0	2	0	0
Europe	0	0	3	3	3
Total	94	181	232	279	369
% Annual increase		98	28	20	32
% Total enrolment	0.50	1.62	1.97	2.56	2.43

8.12.4. Scientific visits to other countries and other HEIs

Reviews of the institutional documents in public domain indicate that, the university principal has participated in various higher education international conferences as a way of developing regional and international standards applicable to the university; the vice-chancellors and presidents of African universities on strengthening the space of higher education in Africa, the southern African Regional universities association conference on building higher education scenarios in Lusaka (University of Venda Annual Reports, 2011).

8.12.4. 5. Visiting academics

Reviews of the institutional documents in public domain indicate that, the university has received scholars from USA, UK, Canada, Botswana, Mozambique, china, and Cuba (University of Venda Annual Report, 2011). The EUROSA Partnership promotes university staff and student mobility. The purpose of these scholarly visits is to improve the teaching and research initiatives within participating institutions. However the question remains on the extent to which university students are able to fully participate collaboratively considering their challenging institutional contexts.

8.12.4. 6. Appropriate structures for reporting international activities

The selective recruitment of fee paying international students across the national borders and international scholars shows how far the institutions governing bodies is stretching institutional resources to position itself within the higher education global markets. The presence of higher rate international scholars and students at an institution is known to positively affect institutional positioning locally and internationally (Altbach et al., 2009). However the difficulties international scholars experience in gaining work permits/visas has often affected the process. The tensions between international staff and local staff over compensation, promotion, opportunities has made governing bodies to prioritise and make compromises to bridge the differences in between the international staff and local staff at faculty and management levels. However the presence of international staff and the ability of council to attract home-grown institutional staff is apriority of the institutional management. The interactions between the international staff and local staff brings about development of different research experiences, sharing of research ideas and methodologies that either mentors or develops the local staff thus enriching the teaching and research environment at the university (University of Venda Strategic Plan Report, 2014).

As universities today cannot exist without internationalisation, there is need to consider the value of internationalisation to university education. The drive for internationalisation has been to: enhance the institutions international profile and reputation, improve the quality of its programmes, raise and as a means of regenerating badly needed income, developing energising linkages and networks and strengthening capacities to deal with the pressing global issues and challenges. As the different university governing bodies are being pushed to adjust overtime and in some cases immediately their international perspectives in response to these international trends, there is need to consider the net effects of these practices across the different higher education contests and environments. In the North, universities have become increasingly commercialised, their administration corporatized, students consumerised, knowledge commodified learning credentialised and faculty casualised (Altbach et al., 2009).

In the universities of the South, there is an emergence of these trends of. The gradual net results have been increase in contestations across various issues. Universities in the south for example in the former historical disadvantaged universities in the South African higher education environment are still grappling with a lot of unresolved historical legacy issues that internationalization practices incorrectly applied may tend to hasten indirectly. For instance the slow process of adoption of internationalisation practices due to founded institutional fears of being less empowered in the process.

As a result, Internationalization has become increasingly associated with the development of democratic principles, embodied in inclusive practices that respond to and respect the diverse learning histories, expectations, preferences and motivations of academic staff and students (Turner & Robson, 2008). Emerging conceptualizations of internationalization challenge earlier definitions that privileged westernized or Europeanized concepts and approaches (Cross, Mhlanga & Ojo, 2011), arguing that indigenous knowledge should be equally valued and not subjugated to the structures and standards of Western knowledge (Odora Hoppers, 2009). Caruana and Ploner (2011) and Hackman (2008) link equality and diversity with internationalization policies, locating internationalization within an era of globalization where culture, diversity, context and difference challenge neoliberal marketization discourses. The co-location of debates about internationalization and human rights, ethics and values ‘create a set of potent heuristics for generative theorization’ (Odora Hoppers, 2009: 602) leading to practical actions that can form the ‘foundation for a balanced and integrated university experience at the interface of global and local exposure’ (Cross et al., 2009: 76).

Therefore there is need by the university council to adopt international higher education practices that take into consideration the different institutional legacies, histories, locations, ideologies and ambitions that are locally relevant and yet internationally competitive. In this context, well-resourced actors will have more options and opportunities when it comes to how (and to what degree) to internationalize. Fundamental differences in the quality and quantity of internationalization activities and outcomes will result. In short, Altbach et al. (2009) believes that an increasingly competitive international environment has the potential to generate real winners and losers.

From the several themes discussed in chapter 10, there is strong concern how universities governing bodies have responded the issues of internationalisation, diversity, collaborations and institutional positioning initiatives. There are mixed interpretations, reactions and responses from the different institutional stakeholders on these aspects and how these aspects are perceived as at times fuelling already exiting societal social disparities.

Table 18 looks at how the university council is perceived as accommodating these institutional competing diverse complexities.

Table 18: Responses as the perceptions and beliefs of university students and staff on what they think of the university council and its subcommittee processes supporting a culture of public debate and tolerance which accommodates differences and competing interests

	University students	**University staff**
Strongly disagree	21 (8.2%)	10 (15.6%)
Disagree	29 (11.3%)	12 (18.8%)
Neither disagree nor agree	74 (28.9%)	16 (25.0%)
Agree	92 (35.9%)	19 (29.7%)
Strongly agree	39 (15.2%)	7 (10.9%)
No selection		
Total	255 (99.6%)	64 (100.0%)

The results of this study show that of those who participated in this study, 19.5% of university students do not consent to the proposition that the university council and its subcommittee process support a culture of public debate and tolerance which accommodates differences and competing interests, 28.9% of university students do not understand whether the university council the university council and its subcommittee processes support a culture

of public debate and tolerance which accommodates differences and competing interests or not, 51.1% of university students consent that the university council and its subcommittee processes support a culture of public debate and tolerance which accommodates differences and competing interests, 34.4% of the university staff does not consent the university council and its subcommittee processes supporting a culture of public debate and tolerance which accommodates differences and competing interests, 25% of the university staff do not understand whether the university council and its subcommittee process supporting a culture of public debate and tolerance which accommodates differences and competing interests or not and 40.6% of the university staff consent that the university council and its subcommittee processes supporting a culture of public debate and tolerance which accommodates differences and competing interests.

The general consensus in perception amongst the university staff and students on this aspect possibly seem to indicate that the university leadership has governance structures at different institutional levels in place that accommodate competing different interest categories. However the effectiveness of these governance structures depends on how well the different institutional empowered stakeholders are able to make use of these governance spaces to achieve their stakeholder interest. Stakeholder interests are a reflection of society expectations and demands on higher education. Therefore how the university council responds to these imperatives through facilitating creation of responsive forms of knowledge production as governance is critical for effective governance.

Although the universities are a free space to generate all kinds of knowledge, they cannot afford to remain static. Universities are reflection of the societies and their diverse forms of view. This raises questions of what it means to be a university in the South Africa context and notions of the post-1994 higher education transformation. This has complicated the role of university governing bodies in such conflicting environments. How innovatively university governing bodies respond to these imperatives will either break or redefine the notions and meanings of a university, African university and university transformation in the South African higher education context.

8.13. Listening to the others

In comprehensive university contexts characterised by a great variety of institutional stakeholders, university governing bodies are able to provide effective university governance if they avail opportunities to constructively engage and involve in the governance of the institution these constituents. The results of this study show that these constituent groups have expectations that they expect to be met. The delay to meet these expectations has led stakeholder contestations. As result these different institutional stakeholders have turned to institutional formations or unions as a way presenting their issues to any leadership. Henceforth effective governance in such HEI environments hypotheses that the university council should provide ways of listening to these dissent voices in the governance processes. As result the university council is using the instrumentality of its institutional governance structures to talk and listen to its different institutional stakeholders. This has included relationships between the following groups of institutional stakeholders:

i) University support staff union and the university council
ii) Teaching staff worker union and the university council
iii) The relationship between the senate and unions
iv) SRC, the different student organizations and the university council.

8.13.1. University support staff union and the university council

The continuous mobilisation of institutional workers into institutional unions is not new social reality in organizations. The employees in various organizations have found safety in these institutional formations against various ‘acts’ that affect them at work they feel they are not able to address as individuals. Evidence from this study indicates that the university non-teaching staff have a union. The results of this study indicate that the university non-teaching staff are free to be affiliated to unions within the institution. However the unions are not permitted to operate as institutional unions in the university council. This workers union is closely affiliated to the national workers unions in the South Africa. However their modes of actions in the presentation of their constituent issues to the university management have always been a source of concern. On the other hand, according the university statute, the non-teaching staff have a representative to the university council. But their non-teaching staff union is not represented in the university council.

8.13.2. Teaching staff worker union and the university council

There are several reasons that make the university teaching staff have teaching staff unions alongside other institutional governance structures as ways of getting heard in post-apartheid South Africa. It is not surprising in most higher education institutions that teaching staff issues get faster responses whenever their unions step in. Evidence from this study indicates that the university teaching staff have a staff union. On the other hand, according the university statute, the university teaching staff has a representative to the university council. But their teaching staff union is not represented in the university council. Not all members of the university staff are unionized. Unionized members of the teaching and non-teaching staff are often vocal and have great voice than non-unionized members. As a consequence they get easily elected in different meetings of the university teaching and non-teaching staff.

8.13.3. The relationship between the senate and unions

The working relationships between the university senate and the staff unions are ambiguous. Evidence from this study indicates that there are members of the university senate that are part of the staff union. However the approaches to issues pertaining to university staff divide these institutional groupings. Whatever the university senate finds difficult to attain concerning university staff they look to the university staff unions with their mechanisms of industrial actions to achieve results. The university staff unions do what the university senate is afraid to do and say. This constituency boldness demonstrated by the university staff union is what makes them necessarily liability you would rather live with because often you may need some sort of assistance to drive issues much quickly.

8.13.3.4. SRC, the different student organizations and the university council

The role and place of university students in the university council is an evolving issue of concern. As much there is division on their value and contribution to the university council leadership, the university students could bring a unique view to university governance at the university council. Evidence from this study indicates that the university students on the university campus have two representatives to the university council. The university student's representatives to the university council are not there to represent the views of the students but to contribute to debate in the university council from a student perspective on institutional issues pertaining to the university. However this has been contradictory as the different university student organizations feel that the presence of the university representatives in the

university council should be for the good of the all of the student population. As result the some different student partisan organizations affiliated to national political parties have resorted to the radicalisation and militarisation of the student politics as forms of student mobilisation, repositioning student's perspectives, cultivation of interest and awareness.

The notion of unionization in HE has been a contested issue for almost a century (Baldwin & Leslie, 2001; Dearlove, 1997; Geber, 2001; Lapworth, 2004; Strohm, 1981; Reyes & Smith, 1987). This is made worse when one compares the relationships between unions and governing bodies in higher education institutions. Evidence from this study indicates that the different institutional constituencies may operate their institutional unions within the institutional structures representing the demands of their university constituencies. The university statute makes it clear that institutional unions of these university constituencies shall not be part of the university council since they are already coming from and represented within the institutional structures. This is evident as seen:

> … as you start to unionize your councils you are diving into dangerous waters and even then I think in terms of corporate governance it's not recommended unions have their role to play but not in governance structures because they are not governance structures they are just structures that can be consulted … [R.14]

As a result across stakeholder universities unionisation by different institutional stakeholders is inevitable. In stakeholder driven HE environments the different university governing bodies are able provide effective university governance whenever the heed to the perceptions of university students and staff on what they think of external stakeholders having confidence in the institutional values which guide the university council governance structures and systems. This is because each of these different institutional stakeholders have different symbolic needs and expectations that motivate and drive them to want to actively participate in the different university governance processes. However the processes and opportunities of participation have been contested. These contestations at times have made the different institutional stakeholders to question if the university governing body does really cares about its institutional stakeholders.

Table 19: The perceptions and beliefs of university students and staff on what they think of external stakeholders having confidence in the institutional values which guide the university council governance structures and systems

	University students	University staff
Strongly disagree	14 (5.5%)	4 (6.3%)
Disagree	21 (8.2%)	9 (14.1%)
Neither agree nor agree	113 (44.1%)	23 (35.9%)
Agree	71 (27.7%)	17 (26.6%)
Strongly agree	35 (13.7%)	9 (14.1%)
No selection		1 (1.6%)
Total	255 (99.6%)	64 (100.0%)

The results of this study show that of those who participated in the study, 13.7% of university students do not consent to the proposition that external stakeholders have confidence in the institutional values which guide the university council governance structures and systems. 44.1% of university students do not understand whether the university council external stakeholders have confidence in the institutional values which guide the university council governance structures and systems or not 41.4% of university student's consent that external stakeholders have confidence in the institutional values which guide the university council governance structures and systems. Of those who participated in this study more university students at the university are of consensus that the university council external stakeholders have confidence in the institutional values which guide the university council governance structures and systems.

The results of this study show that of those who participated in the study, 20.4% of the university staff does not consent external stakeholders have confidence in the institutional values which guide the university council governance structures and systems. 35.9% of the university staff does not understand whether external stakeholders have confidence in the institutional values which guide the university council governance structures and systems or not. 40.7% of the university staff consent that external stakeholders have confidence in the institutional values which guide the university council governance structures and systems. Of those who participated in the study more university staff at the university is of the view external stakeholders has confidence in the institutional values which guide the university council governance structures and systems.

In such stakeholder driven HE environments, effective university governance depends on efficacy of the arbitration processes in place. Collective bargaining is a process of decision-making between parties representing employer and employee interest which imply the negotiation and continuous application of an agreed set of rules to govern the substantive and procedural terms of the employment relationship ... (Windmuller et al., 1987). The centrepiece of collective bargaining legislation in South Africa was the Industrial Conciliation Act of 1924. It made provision for the establishment of industrial councils as the core centralised collective bargaining institution that still exists. It is up to the university council ensure that the different institutional collective bargaining governance systems are in place whenever the university management has to handle union issues.

As the place of the unions in the university governance is often contested, advocates argue that it protects academic freedom, provides adequate grievance procedures, offers defence during retrenchment, ameliorates discipline-based salary disparities, provides leverage on work-life issues, and is a mechanism for retaining academic values during periods of corporatization (Dill & Helm, 1988; Dimond, 1991; Gilmour, 1991; Gilmour, 1991a; Kermerer & Baldridge, 1981). Historically, faculty unionization has also sought to promote broader social change and to provide support for those who are otherwise underserved in educational systems. While advocates argue that unionization in education promotes professionalization by helping educators control the conditions of their work, some opponents contend that it is antithetical to professionalization (Mortimer & McConnell, 1979, Plante & Collier, 1989, Pfnister, 1970). Opponents further argue that it can mitigate expert judgment, hamstring institutions, damage shared governance, and dismantle faculty status (Dill & Helm, 1988, Dimond, 1991). Some believe that it reduces institutions' abilities to keep high-performing faculty by emphasizing equality in compensation over merit (Kermerer &Baldridge, 1981, Dimond, 1991). As most HE environments are stakeholder driven, university leadership should embrace these activities in spite of the tensions they generate. Institutional unions empower the disempowered institutional stakeholders. Therefore embracing with coordinated regulation institutional stakeholder unionization activities could benefit both the different university governance bodies and the institutional stakeholders.

8.14. Conclusion

In conclusion, the concept of culture is complex. From this study, this concept of culture as an institutional governance role practise has been used to achieve various institutional governance agenda as required by particular university leadership in place. The use of this concept has been a fundamental institutional governance instrument of bringing about effective governance. In the post-apartheid South African HE system, the White Paper of Higher Education (1997) strongly hinted on the type of institutional cultures HEIs must embrace as part of the institutional transformation through cooperative governance. The implementation of these expected institutional governance cultural behaviours as best practices were placed on the jurisdiction of the different university governing councils. However how each HEI has implemented this varied from institution to institution. The institutional differences arise due to institutions histories, ambitions, and legacies, funding regimes and relationships with hegemonic stakeholders. This has implied the following:

Firstly, from this study the different institutional governance cultural practices of the university council are designed to normalise the legitimised actions, instituted by the institutional structures of the university council and implemented the institutional systems of the university council as acts of institutional effectiveness. However the processes of attaining this are the unfinished business and a work in progress of institutional effectiveness the new face of transformation that the university councils are grappling with.

Secondly, from the evidences emerging from this study, it's evident that there are activities at different levels of governance that the university council is carrying out to bring about change. This brings to framing of institutional governance the understanding of how the university council can promote change in terms of its institutional governance cultural practices to fit within particular institutional contexts. From results of this study, it's clear that the council at the University of Venda is an entrenched professional bureaucracy with a transformative progressive liberal tendency that embraces a strong afropolitian cosmopolitan humanism. However this raises possibilities of questions of the extent to which the university can use its fluid institutional governance cultures at different levels of governance to bring about the most desired institutional transformation in the former HDIs grappling with various lays of historical legacies of inequalities without changing the notions of it means to being a university within certain challenging higher educational institutional contexts.

CHAPTER 9: EMERGING FORMS OF EFFECTIVE UNIVERSITY GOVERNANCE

9.1. Introduction

This chapter comes from the proceeding chapters on how the university council through its institutional structures, systems and cultures is contributing to effective university governance. The chapter, as earlier indicated in the preceding chapters, is developed around the contested notions of how HEIs as part of the diverse processes of the post-1994 higher education transformation have to grapple with a wide range of institutional complexities associated with negotiated institutional autonomy. The university council as the highest governing body in the university has been mandated to exercise this institutional autonomy to provide institutional responsiveness as a form of effective university governance. However, the different processes of interpretations is left to the different HEIs and their institutional governance bodies to innovate workable institutional governance practices that are as fit-for-purpose as best practices that agree with goals of 1994 higher education transformation.

The major argument of the chapter is that the university council's ability to institutionally respond as effective university governance to the institutional challenges facing the institution is dependent on its ability to internalize and effectively utilize the different opportunities and spaces as institutional practices provided for by the guarantees of institutional autonomy bestowed. This institutional governance response emphasizes the development of university governance model that addresses institutional governance challenges at the structural, systemic and cultural levels of the university councils operating in strongly stakeholder contested HEIs like comprehensive universities.

This chapter posits twelve levels of sub-arguments to supplement the major argument;

i) The participation of contextually relevant stakeholders in the university governance process at the university council level shows responsiveness, accountability and trust. University councils ought to only include individuals to become members of the university council if only they have specific skills, expertise and competences of value to the university governance process at the university council level.

ii) Universities are institutions of the society and free-places for pursuit of knowledge and truth. As such they ought to embrace the local and international communities' resident around the university through providing open and fair competition for people with talent and skills to access the university.

iii) The decision-making processes at the university council should be based on informed consensus. The effective communication and consultation with the different stakeholders in the university governance at council level assists in building useful relations with external and internal stakeholders that university strongly benefits.

iv) The institutional campus environments that student and staff relate tend to motivate their stay at the institution. The availability of suitable learning, teaching and research facilities, favourable, and living conditions for both the university students and staff shows the institutional readiness to provide effective university governance.

v) The university council is positioned to act on what is presented it from the different committees of the university council for oversight and there are instances where the different universities committees of council are expected act on behalf of the university council and provide a committee feedback report the university. The university council is able to provide effective modes of university governance whenever the opportunities provided for by the university council to the different stakeholders to participate and be involved in the different decision-making process at the different levels of the university council are utilized.

vi) The presence of skilled representatives at the different levels of the decision-making processes at the university council structures ensures that quality decisions that are constituency informed and yet expertise based.

vii) There are various forms of types of institutional stakeholders located externally or internally interested in the university. The type of partnerships that the university council may endorse ought to strategically position and promote the core values of the university.

viii) The university council has shared accountabilities. The university council needs to demonstrate that they are responsively accountable to the different stakeholders that have interest in the university. The various form of value for the interest in the university need to be seen as universities belonging to the society or coming from the society.

ix) The university council needs to make use of its different institutional due processes and systems at different institutional governance levels to provide institutional oversight that guide the implementation of the different institutional policies.

x) The different individuals in the different committees of council are effective whenever there is an environment of trust built on relationships. Useful relationships at the different committees of council support expertise contacts and networks that facilitate the deliberative reasoning which is vital for effective governance process at the committee level.

xi) The university council is composed of different stakeholders and effective decision-making that provides effective university governance ought to prioritize the institutional core business of teaching and learning and research at the university. The fulfilment of the core interests of the institution is the fulfilment of the interests of the different stakeholders.

xii) The ability of the university council to constructively manage and engage with different institutional stakeholders and have agreeable implementable decisions is crucial for effective governance in stakeholder driven institutional environments.

9.2. Participatory university governance

A major component of the transformation agenda of higher education has been to increase the participation of disempowered institutional stakeholders that originally were not able to participate in the university governance process (CHE, 2000, CHE, 2004, Dlamini, 1995, Asmal, 2002, Badt &Wolpe, 1993). However the implementation has depended upon how each university governing body has been able to come out with its own governance transformation formulas that reflect and are in accordance with the demands of the transformation mandate.

In such moments effective governance is attainable when university councils make utilizable institutional governance spaces for stakeholder participation in the decision-making process. Participatory university governance is the involvement of contextually relevant external and internal empowered stakeholders in the different levels of the university council decision-making processes. However it's important to understand that each constituency structure represented at the university council has unique priorities and demands they bring to the university council decision-making process.

Several aspects emerging from the results of this study point to this governance reality and seem to imply that what the university students represent at the university council and subsequently demand of their representatives at the university council is totally different from what the university staff represent and demand of their representatives at the university council. Prior understanding of this aspect by the university council that each of the different stakeholders represented at the university council are there for representative causes is significant for effective governance.

Thus meaningful participation of university students in institutional governance is dependent on the usability capacities of information spaces and sites accessible to them apart from their student council representatives at the university council. There are several factors that have made it difficult for university students to access and constructively engage with the university council at this level. Firstly, the difficulties of a large student population accessing their student representatives at the university council stationed in the student representative's council makes difficult for university students with crucial issues from being heard and may not understand how the university council works. As result they may easily not engage with the university council even through there are institutional governance channels of articulation of student issues. Secondly within the university students the lack of trust that the student representatives are not able to articulate their issues may also explain why student body don't have faith in their institutional governance structures from the university council. As a consequence they opt for radicalisation of representation as a form of empowerment of lost agency of university student issues through partisan student organizations and the fronting of student representatives from these partisan student organizations in the SRC to articulate student issues. From this perceptive is what university students tend to understand creating new possibilities for uncertainty in HEIs.

The university staff are more familiar with how the university is governed as a consequence are very articulate in presentation of their issues at available institutional governance structures. The more familiarity of the university governance process at the university council in comparison to the university students' positions the university staff to be more attended to than the university students. This state of affairs is due to the fact that the academic staff would prefer the university to be run by the academic staff rather than an exclusive executive governing body as depicted in most literature reviews. However the increased complexity in the university governance processes with demanding responsibilities disempowers the

academic staff as they find it difficult to balance between meeting the core values of the University of Teaching Learning and Research and being effective at the governance of the university. This inability has led to the strengthening of the role of the governing bodies and marginalization of interest groups from the university councils. The presence of different groups in the university council is to assist in the contribution of knowledge and debate to the institutional strategy. The achievement of the institutional strategy is expected to encompass their constituency needs.

9.3. Adaptive engagement within Institutional cosmologies

The 1994 post-apartheid era has experienced colossal efforts by university councils to ensure that certain stakeholders especially the disempowered stakeholders a product of the apartheid era are actively involved at different levels in the leadership of these institutions (Ndileleni et al. 2013, UDUSA, 1994, Moja & Hayward, 2000, Makgoba, 1999; 1998, Nkomo, 1984). As earlier indicated the onus has been on how the different university councils conceptualize this transformation process to set up institutional governance structures as governance spaces that permit the different institutional stakeholders to actively participate in the university governance processes.

Thus effective university governance is attainable whenever the university council is able to adopt institutional governance system practices that support institutional diversity across the university. In such situations it's important that Universities bear in mind that they exit in an increasingly global context and are often confronted with equality and diversity challenges. These aspects are often a sensitive territory, reflecting the difficulties and sensitivities inherent in societies. In such contexts HEIs have to seek ways on how to be inclusive of all sections of societies, and to be responsive to staff and students from different cultures and with different needs.

Several aspects emerging from evidences in this study on issues related to diversity, trust, and participation and listening seem to indicate that the differences between the university students and university staff on this matter to attest to the fact that university governing bodies clearly are faced with a diverse student and staff population. Hence effective university governance by the university governing bodies should able be able to be seen having a kind of coherent narrative that epitomises between meeting these needs as part of its institutional strategy in terms of having diverse arrangements for diverse institutional contextual needs.

Barnett (2011) argues that the university has universalism written into it that bestrides the world. Implying that whatever, therefore it's local and its national obligations maybe the university has responsibilities that are worldwide. They are worldwide in that its activities and conservations are worldwide. Furthermore, Barnett (2011) argues that in being authentic it is alert to internal ideologies – of 'academic freedom' and 'academic community'. In being responsible, it is alert to external ideologies – of entrepreneurialism and the provision of transferable skills. In being simultaneously responsible and authentic, the university attends to its interests in teaching and learning by placing those interests in a global context. Learning becomes for example a matter of developing its students as global citizens learning becomes a matter of developing global understanding of matters of significance. At most in such stakeholder driven environments institutional effectiveness as a consequence is ensuring that every constituency represented is not only heard but gets to know how they concerns are being addressed.

9.4. Informed consensus

As part of the post-1994 HE transformation plan, cooperative governance mandated the different university governing bodies to ensure that different institutional constituents were often consulted on institutional decisions that were being made at the highest decision-making bodies at the universities (DoE, 1996, 1997, 2002; Ministry of Education, 2002; UDUSA, 1994; Makgoba, 1999; Kulati, 2000). However the different processes and mechanisms of ensuring this aspect has been placed under the jurisdiction of the different university governing bodies to come out with viable institutional governance structures and systems to actualize this governance reality. This continues to be a governance challenge as each university governing bodies is going about these institutional governance processes in reference with peculiar institutional contexts.

Several aspects of this study point to this governance phenomenon and seem to indicate that there is an emerging consensus between the representative university stakeholders on this aspect of university governance. However minimum differences between the university students may indicate that the university student body are not satisfied with institutional governance spaces by the university governing body available to them. There are several reasons why university students are struggling to meaningfully engage in the institutional governance process in comparison to the university staff. University students at the student representative council structures have not been able to meaningful draw attention of the other

university students in the governance process. As a result the university students have less contact with institutional governance process that is set to facilitate their learning at the university. University students are not familiar with the university council activities in universities. The university students are not utilising SRCs as they are supposed to be. This has meant that the university students institutionally don't see the university council at work through their SRCs. The lack of meaningful engagement of the university student is responsible for the lack of awareness of what the university council is there for the university students.

On the other hand there are several reasons why the university staff are more positively perceptive of the university governance mechanisms from the university council. The university staff are quite familiar with the institutional governance process and are as a consequence more positioned to mobilise themselves to articulate their issues. The ability of the university staff to utilise their institutional governance structures to shows how the established institutional structures of governance if properly made use of by the internal stakeholders in the university are instrumental in bringing about forms of effective university governance.

However university governing bodies worldwide across HEIs have been grappling on how best to increase student and staff participation and engagement in the university governance process. This university governance trend has been as consequence of a growing institutional governance practice to limit their presence at this level. To be able to provide effective university governance practices in such institutional contexts university councils need to reflect on what the presence of these constituencies bring to the university council that enlighten the end product of particular kinds of institutional oversight by the university council. These groups of university stakeholders are perceived as having a biased view in relation to strategic issues and sometimes lack the wider experience and expertise to add significant value to strategy debate (Kiel, 2010). Having a biased view is driven by constituency's pressure for delivery on promised expectations. Thus effective university governance is a possibility if the different institutional constituencies are fully informed on how the institution is responding to their expectations.

9.5. Constituency residence

One of the immense challenges of the post-1994 transformation was and is of how the different former HDIs would be able to fund the reconstruction of institutional infrastructure as institutional responsiveness that was a product of the apartheid architecture. Historical research indicates that several former HDIs were institutionally subjugated by impoverished institutional infrastructure as a governance control mechanism (Horrell, 1968; Badt, 1998; 1991; Badt & Wolpe, 1993; Nkomo, 1994; CHE, 2000; CHE, 2004; DoE, 2004). As a consequence these HEIs are grappling with how to respond to the new contemporary demands for student accommodation, teaching and research facilities.

The institutional environment plays significant role in how university students and staff make of the institution. Fleming et al (2005), argues that in defining the characteristics of a university and how these traits affect enrolled students, two broad yet complementary features must be investigated: The first involves the physical aspects of the college (buildings, university grounds, and the community feeling it evokes), its organizational setting, and the demographics of the students who are enrolled in the college. This involves looking at the size of the university, the university's physical surroundings as well as the student body, and seeks to know whether the university residentially based or more commuter-based? The composition of the student body can be defined by gender, race, socioeconomic status, geographic origins, and demographics, all of which are easily understood as they are both significant and readily apparent to those investigating a university environment. By determining the values, makeup, attitudes, and personality of the individuals within the student body, one can better attest to the institution's strengths and weaknesses. However, one does not obtain a "feel" for the campus environment by strictly looking at these specific characteristics. The second category of the two broad groups includes the psychological or cultural feel of the campus itself. The institution's overall feel becomes extremely important in determining the relationship that develops between the college environment and its students. Feeling is more easily defined as a campus's climate.

Several aspects from documentary evidences of this study allude to this governance fact and seem to imply that there are clear differences between the university students and staff on this aspect. This seems to indicate that there are several reasons why university students and staff consider their institutional environment as important for their success in higher education. University students in university residence tend to have favourable learning conditions in

comparison to non-resident students. University students living out of the university residence experience a lot challenges to learning while out of the university which manifests in terms of: security concerns, lack of reading time and rooms for self-study, access to the internet, and distractions from relations during times of self-study. This makes it difficult for such students to sufficiently cope the university academic calendar which affect their student performance and achievement.

These results agreed with Astin's (1968) observation that individual achievement, behaviour, self-esteem, and feelings of loneliness and alienation are often the result of a mismatch between the student and the environment. This idea is a preamble to work completed by Tinto (1975), who argued more formidably that the individual and the institution must be compatible so as to produce a successful, supportive relationship. The findings of this study agreed with Fleming et al (2005), that peer interactions, classroom environment, and physical environment are important in understanding the campus environment and its effects on student population which reflect the university goals mission, statement and its future direction. Furthermore, they provide an understanding of the college's views and vision about student learning. The development of students both academically and socially while they are members of the campus community is tantamount to the university's success. This study also agrees with Gorard et al. (2006) on barriers to widening participation in higher education and the first year student experience Harvey et al. (2006) have identified a range of issues which have been studied in connection with the problem of student retention and achievement. These include the importance of social and academic integration, the mismatch between student expectations and experiences, lack of appropriate academic study skills and the importance of student support. Thus in such institutional contexts, constituency perception of effective university governance is closely related to the physical circumstances and conditions of constituency residence within the university campus.

9.6. Utilization of delegated institutional governance spaces

In order to reflect that the 1994 HE transformation exercise was effective, the different university governing bodies were expected to have established and facilitated the setting up of different institutional structures and systems that would enable the empowered stakeholder constituents to participate in the university governance processes at the university council (Kulati, 2000; NCHE, 1996; CHE, 2000, 2004, Dlamini, 1995; Habib, 2001). As earlier indicated the aim of these governance practices were to ensure that the different institutional

stakeholders were able to have a voice and say in the various sites, spaces and opportunities where university governance was being carried out. However research indicates the emerging differences on these aspects as each HEI have different interpretation of these institutional governance processes (NCHE, 1996; CHE, 2000, 2004).

Several aspects from the documentary evidences this study emphasise this governance issue and seem to suggest that there are minimal differences between the university students and staff on the aspect of how the university council expects its committees to operate in relation to the tasks assigned to them. The effectiveness of the university council is dependent of how effective its designed committees of council are functional in relation to their delegated roles according to their terms of reference

The university councils are able to perform their roles of providing effective governance when their committees are functional. The guide for Members of Higher Education Governing Bodies in the UK (2009-2014: 25-26) suggests that every HEI shall be headed by an effective governing body, which is unambiguously and collectively responsible for overseeing the institution's activities, determining its future direction and fostering an environment in which the institutional mission is achieved and the potential of all learners is maximised. It continues to support the idea that university councils should delegate some of their powers and to allocate some of their work to committees of council. In deciding which tasks or responsibilities should be delegated to committees, the university councils should retain a formal schedule of matters reserved to it for its collective decision.

In attaining institutional effectiveness, the results of this study agree with the guide for Members of Higher Education Governing Bodies in the UK (2009-2014: 25-26) that there are key powers stationed in the university statutes that the university council may not delegate to its committees. All committees of the university council are provided with a clear remit and written terms of reference that state the extent and limits of the committee's responsibilities and authority. Committees of the university council may not to exceed their terms of reference and should be so advised by the secretary to the university council. Committees should distinguish between issues on which they are empowered to take decisions, and issues that they must refer to the university council for decision. Where a committee of the university council is acting under delegated powers it should submit regular written reports to the governing body on decisions that it has taken on the university council's behalf. Whenever the committees of the university council don't appropriate or make use of the

institutional authority delegated to them they overburden the university council. The results of this study also agree Schofield (2009) for effective delivery on institutional mandates there should exit a clear system of delegation from the university council to its committees of council with appropriate reporting mechanisms. Effective governance practices as a consequence in such strongly stakeholder environments is ensuring that the different committees of council are interdependent and understand their role to the university council.

9.7. Representative skilled-based working communities of practice

Furthermore, the post-1994 period under the state notion of cooperative governance necessitated the different university governing bodies in the unique institutional contexts to set up efficient governance structures as compliance to the goals of the HE transformation agenda. The efficient governance structures were to be comprised of locally skilled individuals from the different institutional stakeholders with understanding of the institutional contexts (Kulati, 2000; CHE, 2000, 2004; Hall, 2000). The different rationale and mechanisms for coming up with the right or appropriate composition and structure of these communities of practice as committees of council as forms of institutional efficiency and effectiveness was left to the different university governing bodies (Kulati, 2000; NCHE, 1996). As much as little is known how these established institutional governance mechanisms are successful, effective university governance still continues to be closely related to supportive representation and effective working committees of the university council.

Several aspects from the evidences in this study emphasise this governance issue and seem to indicate that there are differences between the university students and the university staff on this aspect. How the university council responds to this aspect shows how the university governing body is positioned to provide effective university governance. As indicated from the evidences in this study there is a general consensus that most university students teaching university staff and categories of non teaching university staff do not understand how the university council operates and as a result may find it difficult to effectively participate in the university governance process. In addition, these beliefs are based on the understanding and experiences that these constituencies often fail to position their constituency agenda in the bigger picture of the institutional agenda.

As a mode of providing effective governance the university council may find it useful to increase student participation in the institutional governance process and sustain the current level of the university staff participation on the other hand. Depending on their level of

competence and maturity, university students and staff should be made part of certain committees of the university council where their affairs of particular interest are being handled. The selection of members of council into the committees of the university should be transparent. This is because the involvement of crucial stakeholders in the different capacities of the decision-making processes at the university council shows a sense of belonging, ownership and trust at the governance processes.

In order for the university council to be in position to provide effective university governance in a comprehensive higher education institutional environment it must ensure that its committees of council are representatively skilled oriented. Effective representation and participation of the different stakeholders in committees of the university council particularly where constituency interests are handled brings about institutional trust and confidence in the institutional due processes at the university council. The emphasis of skill based committees of council on the other hand ensure that there is sufficient expertise to provide intellectual input and critical advice on technical matters that university council may not have the time and ability to provide within the specific time frames of the meetings. Thus in such institutional contexts, effective university governance is closely related to supportive representation and effective working committees of the university council.

9.8. Valuing stakeholder contribution

It was crucial that as part of the distinctive processes of the post-1994 HE transformation, under the state notion of cooperative governance that university councils understood that different institutional stakeholders have peculiar stakeholder interest that significantly influence their mode participation in the different university governance processes (Makgoba, 1999; Ministry of Education, 2002; UDUSA, 1994). The diverse processes of moderating the different institutional stakeholder interests as part of their contributions at council deliberations were left to the university councils to grapple with (NCHE, 1996; Kulati, 2000). University governing bodies still continue to grapple with how best to accommodate the ever new stakeholder expectations within their institutional contexts.

As a consequence the often different institutional challenges prevalent in the HE contexts have led HEIs to seek contextual institutional collaborations with different stakeholders with bigger forms of social capital to effectively respond these fluid contexts. As an amiable aim of its effectiveness, the university council has built or rather established a series of university governance pacts and collaborations that have brought different institutional stakeholders at

different critical moment to preside over institutional governance matters at the university council. These pacts overtime have stipulated that in order to attain effective university governance, the university council ought to listen and value the unique contributions and scrutiny of the different stakeholders as part of deliberations aimed at bring about effective governance at the university. Schofield (2009) argues that the ability of HEIs to demonstrate accountability is an important aspect of effectiveness from an external stakeholder perspective, and provides reassurance in a number of ways most especially when their governing bodies add value through demonstrating compliance and have thereby increased funding body confidence.

Several aspects from evidences emerging of this study speak of a difference between the university students and university staff on this governance aspect. This seems to imply that there is a disconnection between the university students and staff on this aspect. Among the university staff, in comparison to the university students, the aspect of added value that stakeholders bring to the university and them being informed of the university council proceedings is considered more crucial for effective university governance to be attained by the university council. On the other hand, this also raises governance questions of why the university students are indignant of the process in comparison to the university staff. There are several reasons that could explain why the university staff in comparison to the university students is very supportive of this aspect; firstly the university staff in comparison to the university students understands better the university governance processes. As a consequence, they have adopted better informal and formal institutional governance strategies and mechanisms of how to proactively engage at different institutional levels and forums to achieve their constituency objectives. Secondly, the inherent difficulties and inabilities the SRC representatives at the university council face in presenting the student cause. The SRC is always accused of not being able to position the students cause in the light of the bigger picture of at the institution. This is in depicted in one of the interview responses:

> They will try to explain to us it is the big picture and you see. There are doctors and professors who will take on you and it is not everything they just agree. [R.2]

The difficulties inherent in the struggles to be heard stems from the increased corporatisation with strong emphasis of managerialism of the university governance processes characterised with a push towards reduction of the size of the university governing bodies and increasing mistrust of student and staff presence at the university council.

Thus, this disconnection may indicate that the risks inherent in handling contextual stakeholders' expectations. Recognising this aspect is vital for effective delivery of effective university governance at the university by the university council. Different contextual institutional stakeholders bring different contributions and in return expect varying contributions from the HEIs. However, these partnerships are without not expected roles and obligations which institutions and stakeholders cannot divorce. In entering into partnerships with different stakeholders the university council should prioritise the core business of the institution.

The results of study agree with studies by Levitt et al. (2011) who argue that in dealing with the different categories of institutional stakeholder's as institutional partners the university council should realise that each of these institutional partners have agendas and understanding each other's purposes and aims at the university council level assists the university council to assess how they will need to compromise and the extent to which they will be able to do so to fit with their partners' approach and objectives. The study findings also support studies by Shinners (2006) and Axelrod (1984) who argue that collaborations will often involve making trade-offs. Similarly, with Huxem and Vangen (2005: 60), who argue that more pragmatically, urge caution in the craving for a clear and agreed direction to be agreed by all at the outset and suggest that in practice this rarely happens.

Understanding that effective governance at the university council involves compromises and trade-offs, the kind of due processes involved in the different levels of the university council decision-making mechanisms right from the partisan institutional governance constituencies, at the different committees of council and the general council assembly should include or seem to demonstrate participation and equity such that confidence and trust is developed, and sustained throughout the process. Trust among the different stakeholders brings about efficiency and effectiveness. The transparency and openness in the processes of decision-making ensures that even though certain decisions are taken that do not go well with certain constituency interests, because the processes were open to scrutiny and debate; cohesion is attained at least that could bring about modes of effective university governance that is accepted by at least a majority of the different stakeholders in the university council.

Huxem and Vangen (2008: 154) explain that trust is built each time a partner is perceived to meet expectations and deliver expected outcomes, without any negative effects for the organizations involved or the partnership. In addition, Huxem and Vangen (2008: 154)

further continue to supplement that trust should be reinforced and grow with each positive engagement in a partnership. However, Levitt et al. (2011) argue that in practice it is rarely this simple owing to power relations being unequal between partners and the common manipulation of collaborative agendas by those involved. Fielden et al. (2010) and Oakley and Selwood (2010) report that strong previous relationships were noted as helping to build a solid foundation for a collaboration and helping develop trust between partners. Fielden (2011) argues that trust between partners is often developed through relationships between specific individuals – so personnel changes can further damage relationships between partners. Thus effective informal interactions developed through trust mechanisms between the different members of the university council can facilitate the formation of institutional policies or on the other hand delay the process. It is worth noting that in such institutional contexts, effective university governance is closely tied to the added value different interest stakeholders bring to the university and them being informed of university council proceedings.

9.9. Shared accountabilities

In the post-1994 era, the higher education governance system continues to witness diverse interpretations how different university councils are working with dissimilar institutional stakeholders with competing diverse views and interests (Moja & Hayward, 2000; Dlamini, 1995; Habib, 2001; Ministry of Education, 2002; UDUSA, 1994). The state notion of cooperative governance was of the view that as part of the different continuous processes of transforming HE that university governing bodies were in charge of this process (NCHE, 1996; DoE, 2002; Kulati, 2000). Differences on how to work with sufficiently with the different categories of disempowered stakeholders still persists as little is known of how the different university councils in their unique institutional contexts are grappling with this social institutional governance reality.

Several evidences from the results of this study seem to show that there is a connection between the university students and university staff on this aspect. The connection may seem to demonstrate that among the university staff in comparison to the university students who took part in this study, that the university staff are more supportive of the notion that for the university council to provide effective governance it ought to proactively engage in different capacities the different institutional constituencies in the university governance processes at

the university council level. On the other hand, this also raises governance questions of why the university students are sceptical of the notion in comparison to the university staff.

There are several reasons that could explain why the university staff in comparison to the university students are more probably supportive towards this aspect; firstly as earlier mentioned the student leadership inherent difficulties in presenting the student issues at the university council as consequence has made the student population not believe that they could progressively participate and bring about institutional change that could further the student cause at the university through engagement at university council level. Secondly, the ability of the university staff to utilise the strategic advantage of the close positioning of the university senate to the university council. The proliferation of the university staff issues back and forth from the university senate to the different university staff unions has united them into formable lobbying platforms and spaces to confidently engage with the university council on university staff issues. The student leadership as depicted has adopted the same mechanisms trying to form solidarity and alliances with the different labour unions outside the university, join ranks with university staff unions at the university to try to replicate similar results. In such circumstances, the trend towards running of university student and staff issues through union approaches is what the university council is not comfortable with. Well as much as the university council is not comfortable with how these institutional constituent governance structures operate, on the other hand the institutional governance constituencies find these kinds of governance mobilisations effective.

The results of the study tend support studies by Weick, and Miintzberg (1979), Cohen and March (1986) and Waugh (2003) who argue that the net effect of these policy actions that the university management is expected to implement has led to the increased processes of institutionalization, bureaucratization, and professionalization that characterise the relationships between the university management and the university staff and the university student population henceforth changing the nature and character of institutional governance.

As such, there is a lot of emerging expectations been placed on the university council from the different stakeholders with the university council been judged along these lines on how well there are able to meet these expectations overtime. In such changing contexts, understanding this is crucial for effective university governance by the university council. These expectations have made the university council to re-examine the ways it is operating as they have to do more with less and become more responsive to its internal and external

constituencies. The university council is thus forced to drive for efficiency and effectiveness at the same time through its recommendations to the senior management at the university.

Thus in such institutional contexts, effective university governance is closely related to the culture of public debate and tolerance at the university council and constituency perception of appreciation of their input in the institutional governance processes at the university council.

9.10. Efficient due process

The post-1994 transformation experience created several demands from different institutional stakeholders pushing for these sectorial demands to be met (NCHE, 1996; Dlamini, 1995; Moja & Hayward, 2000; Habib, 2001). Of particular concern have been issues of stakeholder accountability, transparency, efficiency, welfare, salary increases, union activities, union representation in the university governing bodies and disciplinary due processes of the institutional stakeholders (Education labour rotations council, 2000). As a consequence under the state notion of cooperative governance the onus to realize adherence was left to the university governing bodies (NCHE, 1996; Moja & Hayward, 2000). But the interpretation and implementation of the appropriate due processes to follow has been a challenge to a number of university governing bodies. Thus in such institutional contexts, effective university governance is closely related to how they are able to respond. Most especially issues on different viable audit processes and constituency perception of the grievance due processes.

The use of the due processes in university affairs is pervasive and inescapable. Many factors have contributed overtime to the increased application of this legalistic and litigious environment. The stringent expectations attached to funding regimes that the different institutional stakeholder's place on HEIs have transformed how these institutions operate and govern. In order to comply with these regulatory frameworks, governing bodies in these HEIs have had to adopt efficient due diligence processes that meet these requirements and yet provide effective university governance. In this kind of environment, the due diligence is indispensable whether the HEIs are responding to campus disputes, or crafting institutional policies and priorities. University governance structures and processes are being more positioned to provide the legal and administrative frameworks within which stakeholder's expectations are fulfilled. However, not all the institutional stakeholders are satisfied with the institutional due processes at the university council. In the South African higher education

context, there have arisen questions to what extent are the institutional due processes meeting the higher education goals of transformation of institutional effectiveness.

Several evidences emerging from this study on these aspects seem to show that there are differences emerging between the university students and university staff in this respect. The differences between the university staff and students could possibly indicate the inherent inabilities of carrying out the due process; there seems to an indication that some members of the university stakeholders that constitute the university council are not familiar with due processes as a consequence they find it difficult to contribute to the process.

The inability of understanding how the different due processes of the university council work makes it difficult for effective participation by the different stakeholders. This has led to reliance on lobbying mechanisms. The different processes involved in lobbying complicate the different due processes of the university council. The use of lobbying by the different members of the university council is meant to build collective consensus on issues of institutional collective interest. However, it has instead created spaces for micro-management and marginalization. There is less critical debate and deliberations on issues as members of the university council have already aligned preconceived positions. Such situations necessitate the observance of efficient due process that could take into consideration the legitimate concerns and positions of the different stakeholders. The due process is important for effective governance by the university council because it was meant to enable the university council perform the following roles:

9.10.1. Institutional compliance

The different due diligence processes are meant to enable the university ensure there is institutional compliance. This involves ensuring that the university compliance with relevant laws and regulations affecting the university. These include assisting the university council to articulate institutional values and mission, and set standards, controls, and policies for effective university governance. It would involve ensuring that all the university programs, activities, and operations adhere to these policies; assisting the university council to define and monitor key areas of institutional performance compared to short- and long-range strategy, assess results, and assure that steps are taken for continuous quality improvement in all areas; enabling the university council ensure that the financial structure is adequate for current institutional priorities, long-range strategy, sustainability, and intergenerational

equity; enabling the university council ensure that adequate risk management is in place, for example safety and security, insurance, data back-up, vice-chancellor succession, etc.

In trying to bring about effective institutional compliance the different due process should take into consideration the institutional context these processes are being implemented. There should be balance between redress, following through the different due diligence processes and strict effectiveness. That is in the pursuit of effective institutional compliance the different due process infrastructure must be seen to be a work in processes. Knowing institutions are different especially those that inherited the apartheid legacy or are a direct product and design of this process. These processes should work with university communities in building institutional environments that uphold these values from the grassroots. Some stakeholders may not be familiar with these processes and this should not used as an opportunity to marginalise and negatively rank the institution. Effective due process need to be institutionally developed right from the different institutional governance structures/grassroots up to the university council. This is to ensure that all the stakeholders understand the different processes involved. The observance of the different due process values of trust, openness, and transparency, accountability cannot work well if simply imposed on the institution at the university council, since the decisions of the university council have to implemented by the grass root different institutional structures of the university council. If these different institutional structures at the grass root level understand the institutional importance and value institutional effectiveness by the university could be achieved.

9.10.2. Institutional relevance

The different institutional due processes at the university council are built to ensure that the HEIs are relevant to the institutional context through processes that monitor the external environment and define vision, direction, and strategy. HEIs are located in communities which have challenging needs and expectations. These communities look to these HEIs to contribute to providing solutions based on applied research to some of the societal challenges. Thus effective due processes lay down the institutional governance infrastructures in terms of leadership and management that could guide the ventures. In order to avoid failure, due stringent processes ensure effective participation in terms of voice, skills and benefits of the different stakeholders in the processes not forgetting to prioritise the core purpose and role of the university in the process.

9.10.3. Selection

Often times the processes of selection and recruitment of university staff and senior university managers is shredded with accusations of flaws. This perception is based on the less involvement of the institutional constituents in the informal of the formal due processes. Effective due processes at the university council grass root institutional structures should encourage and develop trusting relationships that mirror transparency, objectivity, accountability that reflect through the informal and formal the due processes. The due diligence processes at the university council should enable the university council determine eligibility for university council membership, assure proper recruitment of candidates, elect members and officers, and assure proper orientation and mentoring of board members. And secondly to enable the university council to hire the HEIs vice-chancellor, and appraise his/her performance and set compensation; reward competence, or if necessary, replace the individual.

The emergence of micro-lobbying techniques by the different stakeholders at the university council governance structures are aimed building formidable voice and positions during council deliberations. These formations are not retrogressive but are being developed from the ongoing trusting relationships being formed on a daily basis between the different stakeholders. These different institutional stakeholders know what they want that is best for them and the institution. Thus in situations effective due processes should be able emphasis and present a strong case that the fulfilment the core business of the institution is the fulfilment of the sectorial interests.

9.10.4. Effective management

The different due processes at the university council are meant to enable it to attain effective institutional governance through aiming for effective management. Procedural requirements at the university council level are meant to ensure consistency in implementation of council decisions. However, ambiguities inherent in efficiently implementing university council decisions, as earlier shown, indicate that less participation and understanding of certain stakeholders in the process. Thus as much as effective management practices are aimed at ensuring the effective institutional governance; it has often encountered uneasiness from the different stakeholders on the university campuses. Managerial bureaucracies instituted by the university councils in HEIs often encounter resistances on university campuses because there are characterised by less participation in the different decision-making processes. Thus

efficient due processes protocol should strive against excesses of managerialism on the university campuses. This includes making it clear that in the pursuit of institutional ranking, internationalisation and benchmarking practices through managerial practices, HEIs should consider their institutional contexts. Higher educational institutions can never be the same because of the different histories and legacies they inherit and have to develop with and through. Each HEI should adopt contextually relevant due processes that understand, reflect the uniqueness and richness of the contextual institutional environment in its operation.

9.11. Networked committee regimes

Part of the different institutional challenges that the various university governing councils in the post-1994 HE transformation are grappling with has been on how to design appropriate networked committee practices that are well able to handle the various institutional challenges that university councils often have to tackle (NCHE, 1996, Moja & Hayward, 2000, Kulati, 2000). This is based on the understanding that each committee of council is established to handle particular task designed by the university council. However these tasks have turned out to be complex such that individual committees of council have not been in position to handle such tasks through appropriate feedback to the university council (Hall, 2000). As a consequence little is known how the different universities councils in particular institutions are doing at ensure their different committees of council are cohesive and responsively efficient on institutional governance issues on institutional issues assigned to them by their respective governing bodies. Nevertheless, the establishment of relationships between the different committees of council over institutional issues confronting the university continues to be a useful mechanism the university has been looking at (Hall, 2000). Thus in such institutional contexts, effective university governance is closely related to the constituency perception of how well the committees of council are informed and their viable audit processes.

The creation of institutional autonomy combined with stronger internal hierarchies is based on the belief that institutions perform better if they are in control of their own destiny (Fielden, 2008: 18). They have an incentive to change if they can directly benefit from their actions. In these circumstances university governing bodies charged with leadership and governance of HEIs are expected to demonstrate that they are able to bring about effective institutional governance. However the workload is heavy and the governing bodies find that they cannot do all the work alone without the assistance of their own working committees of

council to do the technical wok and institutional report to the university councils. The activities of the different working committees of the university council have at times been queried by the different institutional stakeholders on how effectively they are contributing to effective institutional governance.

The quality of information that university council receives through the different committees of council and how it is communicated to the university council is paramount in influencing how they make decisions and engage in discussion at the university council meetings. However this is a product of the quality of the information that the different committees of the university council receive from the different contextual institutional governance internal and external stakeholders that is prepared, deliberated upon and prepared before being sent to the university council.

Several evidences from this study seem to point that there are differences emerging between the university students and university staff on this aspect. The inherent differences between the stakeholder groups of the university staff and university students could possibly indicate the contextual institutional difficulties of the use of the different committees of the university council. The results of this study do not support the Lambert Review (2003) report that there should be a less reliance on committees for decision-making for effective university governance. This because the role and place of the different committees of the university council in information gathering and preparation of the information the university council uses to provide institutional oversight cannot be minimised. The university council meets only four to five times in a year and this not enough to adequately get to grips with all the institutional matters and provide institutional oversight. The university council needs more time which is not readily available hence the creation of working committees of council to prepare in advance whatever the university needs to do its role becomes vital.

The results of this study on the other hand support the CUC (2009: 34) report about the role of the committees of council ensuring that the university council receives timely and accurate information for all areas for which it is responsible; that information is presented in as effective a way as possible, that there is effective communication between governing body members and senior management, that there is effective two way communication within the institution about the governing body and its work and that there is effective external communication on governance issues with key stakeholder bodies and the public at large. The results also support the CUC (2004) which argues that effective communication is important

in encouraging transparency and helping to build confidence and trust in the university council by university staff and students within the HEI.

The different committees of the university council as committees of good governance practise bring altogether a diversity of skills and professional competences to the university council.

In reference to Putman et al. (1993: 167) 'social capital is seen as comprising cultural and structural aspects, 'features of social organization, such as trust, norms, and networks, that can improve the efficiency of society by facilitating coordinated actions' and 'enable participants to act together more effectively to pursue shared objectives' (Putnam, 1995: 56). Social capital in Putnam's approach comprises cultural and structural aspects. The cultural aspects include norms of generalized reciprocity and trust. Generalized norms of reciprocity contain general courtesy and assistance without direct payment or conditions. They have long-term value but need a certain length of socialization to grow (Putnam et al. 1993: 171ff). The different communities of the university comprise members with specific technical expert skills and competences grouped together to handle specific tasks assigned to the from the university council. The bringing together of these skilled professionals at the committee level of the university council is vital in providing modes of effective university governance. This is because they handle specific institutional issues according to their professional abilities.

According to Putnam, networks can be subdivided into bridging and bonding networks. The grouping together of skilled expertise as members of the university with similar competences at the committee level of the university council brings together communities of governance practices supports Putman and Goss notion of bonding networks. Putnam and Goss define bonding networks as those networks that team homogenous people (Putnam & Goss, 2001a: 29; Roßdeutscher & Westle, 2008: 167). The ability and strength to harness this diversity to produce effectiveness at the committee's levels of the university council is dependent on leadership style, personality and character of the chairpersons of the different committees of the university council.

While at the university council level, the mixing together [coming together at the general university council meetings] of the diversity of skills from the different skilled members of the university operating from the different committees of council supports Putnam and Goss notion of bridging networks. Bridging networks as those that team heterogeneous people (Putnam, Goss, 2001a: 29; Roßdeutscher & Westle, 2008: 167). The ability and strength to

harness this diversity to produce effectiveness at the university council is dependent on leadership style, personality and character of the chairperson of the university council.

It is important to realise that bonding social capital fosters in-group solidarity and bridging social capital fosters the diffusion of information, the generation of broader identities and reciprocity (Field, 2003: 32). Hence, for effective university governance by the university council it is important that the different committees of the university council are rightly composed. The in-group solidarity between the members of the committees of university council fosters trust, teamwork and efficiency that are vital for these committees of council to deliver on the committees mandates from the university council.

The different stakeholders represented at the university council aim to ensure the whatever that gets to the university council from the different committees of the university is duly informed by their constituency concerns since they are the ones mostly affected by the university council decisions. Therefore, through the use of their different representatives on these different committees of the university council that deal with their specific constituency institutional issues, they influence the formation of council documents and eventual resolutions to work in their favour. Decisions based on subsidiary decision-making (Schmidt 1995: 949; Schubert et al., 2007: 295) can be adjusted to the specific ecological, social and cultural environment in order to avoid unexpected outcomes (Ostrom, 2005: 3). Subsidiarity in decision-making is envisaged as regarding especially the internal dimension of sustainability. The needs of a community are generally thought to be best perceived by those who suffer them, and coping strategies for dealing with problems also supposed to be best known by the actors involved. Through their different constituencies that are part of the institutional governance structures that connect with the university council, they strongly meet and devise on how best to attain their interests. These actors are aware not only of the needs to be satisfied and the hurdles to be overcome, but of the capacities and resources they have to apply on the way as well (Hagedorn et al., 2002: 18; Meinzen-Dick et al., 2002: 650; Stöhr, 2001: 41f).

Resource users (especially those of common-pool resources) that design their own rules learn over time to adjust their rules to the environment to achieve acceptable outcomes. Additionally, subsidiarity in decision-making is expected to enhance the identification of the later rule-followers with the respective rules, as well as with the resources concerned. This identification with the rules and the control over the rule-making process are assumed to

make the actors more willing to comply with the rules. Active participation and involvement in resource use is also supposed to result in a more thoughtful handling of the respective resources (Geißel, 2009: 404; Hagedorn et al., 2002: 13; Meinzen-Dick et al., 2002: 650; Ostrom, 2005: 22).

The different constituencies are interested in understanding the kind of decisions made by the different committees of the university council that get presented to the university council because the provision or use of power does not allow the institution to function effectively; the capacity to make good decisions and deliver high quality outcomes may be compromised. Effective university governance requires effective exercise of power, at the committee's level of university council and at the university council general council meetings. Thus, effective delegation at the committee level of the university council cannot be carried out without it. In spite of the different terms of reference the different committees of the university council receive from the university council if they are able to at least exercise some of the that power on behalf of the university council then they are limited, afraid or are unsure of what to do. This is often due to lack of understanding of the different due processes.

Effective university governance at the university council level should ensure that there is a system to delegate power to appropriately to the different committees of the university council since they are composed of skilled individuals, and the university council due processes should that the system is subject to regular review to ensure efficiency and effectiveness and meets the standards of the delegation. At the level of the different committees of the university council and even at the general assembly meetings of the university council the making of critical decisions vital to the institution should not left to an individual member of council but all should actively be involved in the debate and deliberation. This breeds voluntary and involuntary institutional ownership, confidence, trust and accountability.

9.12. Engagement and recognition of constituency input

A significant slice of the aspirations of the post-1994 higher education transformation continues to emphasize the need to have the different institutional stakeholders be in viable positions to contribute strongly and participate in various decision-making processes at the different levels of the university council (NCHE, 1996; Moja & Hayward, 2000; Kulati, 2000). Nevertheless, university councils still continue to grapple with this aspect as little is available how the different university councils are going about this process.

The university council is able to provide effective university governance if it ensures that its different institutional stakeholders represented in the different institutional governance structures are efficiently making use of the different university governance spaces made available to constructively engage with the university council. However the different process of ensuring that this is achieved is contested that it has caused disgruntlement between the different stakeholders.

Several evidences from this study attest to this governance position and seem to indicate that there are differences emerging between the university students and university staff on this aspect. The differences between the university staff and students could possibly indicate the inherent difficulties of being heard within the different institutional governance structures. There are several reasons why the university council struggles in accommodating the numerous voices and ensuring that all the different institutional stakeholders have room to participate on issues that could include involve them.

The limited number of the presence of different stakeholders at the university council and its committees is a structural factor. The worldwide governance trend of reducing the number of members on the governing bodies has led governance temptation to adopt this. The purpose of this was aimed at ensuring efficiency, effectiveness and quick responsiveness and reduced delays in decision-making due to inabilities to reach consensus. However to ensure that all the different stakeholders get heard in a suitable governance space, the university council should think of ways of striking a working balance between efficiency and responsiveness at all levels of the decision-making process.

There are a lot of institutional governance matters that involve risks that cannot be left in the hands of an individual bearing mind causes of the past economic crises that plunged the world. To minimise such occurrences the university council direct institutional policies which encourage the distribution of roles into work teams that work on institutional issues. The distribution of governance tasks into work teams/ groups under professional bureaucracies that are diversely composed is bound to ensure participation and effectiveness at the committee level of the university council thus making the role of the university council of providing institutional oversight a lot easy.

The role of the different due processes at the university council is to ensure that the right skilled professional stakeholders are in the right committees of the university council and the different processes of doing so are followed through. Inefficiencies are bound to arise when representative stakeholders who don't have the necessary skilled expertise are placed in the leadership positions at the different institutional governance's structures at grass root constituency governance structures [like the SRC, senate, institutional forum], the different committees of the university council and at the university council leadership.

As much as it is an on-going process, the university council should support the positioning of skilled stakeholders right from with the different institutional governance structures represented at the university council. Often the inabilities to effectively participate in the university governance processes begin at this level. The university council cannot do what the different feeder institutional governance structures are expected to do because of the constrictions of time and constituent autonomy. And what the feeder different institutional governance structures are expected to do at their constituencies cannot be done at the committee level of the university council and during the university council meetings.

Individuals with the right skills and professional abilities should be placed in the different committees of the university council. Placement into the different committees of the university council should not be based on representation but skill- based. The placement of individuals who do not understand how the university council works and how the different committees of the university council are expected to operate is bound to create room for dysfunctionality. The due processes at the university ensure that those who do not understand or are not familiar with the university council processes are given professional development training and should not be lead until they are well prepared and conversant with the university governance process at the university council. The due processes at the university council should further ensure that the legitimate concerns and interests of the different institutional stakeholders are addressed in an environment of transparency, openness, and accountability. Good due processes reduce structural, systemic and cultural ineffective governance conditions that encourage instances of patronage a symptom of university governance malfunctioning.

Thus in such institutional contexts, effective university governance is closely related to how the university council promotes negotiations among the different university constituencies to be carried out in an open environment of good civility which recognizes constituency

participation in the different decision-making processes. Nevertheless, it is been the responsibility of the university councils to ensure that there are institutional structures and cultures as governance spaces and practices that guarantee concession between the university leadership and the different institutional stakeholders on contentious institutional issues at critical moments of need.

9.13. Accessible governance spaces and engagement

Lastly, in the post-1994 HE transformation, the different categories of the empowered institutional stakeholders still continue to grapple with how to use the different newly acquired institutional governance spaces as institutional power to bring about effective university governance within their different institutional contexts. In the colonial and apartheid eras, several members of the university communities were disempowered to the extent that were not part of the university governance processes (NCHE, 1996). But in the post-apartheid higher education era, several disempowered members of the university communities are empowered able to participate. However little is available in literature of how they are participating in the different university governance processes at the university governing body level to generate modes of effective university governance.

The physical location of the university brings with it contextual stakeholders which pose unique institutional challenges. Often times the demands of the stakeholders is a reflection of the society the university is located. The external institutional environmental demands often times push the internal institutional environmental demands to respond in their favour over issues that pertain to the welfare of the university staff and students at the same time or in different phases. This explains why higher education institutions is comprised of different stakeholders and this group of constituents have often conflicted with governing bodies of these institutions over a multiplicity of institutional issues that pertain to them and the institution. As a consequence in most HEIs institutional stakeholders unions have been formed as a formable tool to confront the institutions governing bodies. These institutional stakeholder unions have been able to extract concessions from the university administrations on a number of issues. In this regard governing bodies are being forced and on the other hand being motivated to negotiate concessions with these different institutional stakeholders rather than ignore their demands.

Several evidences from this study seem to suggest that there are differences between the university students and staff on this aspect. The emergence of the differences may seem to imply the levels of dissatisfaction within the institutional governance constituency structures on the inherent difficulties of how best to access and benefit from the governance opportunities and spaces that are available for engagement with the university council.

The university council is able to reach and seek consensus from its institutional stakeholders through the different institutional governance structures established by the university statue. These are the official governance channels and forums which include the university senate, institutional forum, and the SRC. The governance challenge with other university governance structures like the university staff unions and the different partisan student's organizations not part of the institutional governance structures stipulated in the university statue is that they cannot be part of the university council and the university council is not obligated to consult with them on institutional issues. However, with regard to the university staff you find that most of the members of the university senate and SRC have strong affiliations to the university staff unions and partisan student organizations.

This state of affairs has made life difficult for the university governing body and university management especially with the unionisation of the university staff and student issues. In this kind of HE field, the university council has to devise ways on how best to regulate these constituency voices with complexities of interests/agendas within its already established university governance structures in order to be in position to provide effective university governance in such stakeholder driven HE environments.

The different due processes at the university council should ensure compliance with the delegated governance spaces at the level of the institutional governance structures. The university staff unions and student partisan organizations should make use of the already established institutional governance structures the senate, SRC, and the institutional forum to voice and channel their concerns and interests to the university committees of council and eventually to the university council. The due processes should ensure that individuals that get elected into positions of leadership in the different institutional governance structures set by the university statue is purely on agree merit institutional standards set by the university to champion the core business of the University of Teaching, Learning and Research. The due processes should ensure that the institutional constitutions that regulate the behaviour of these constituencies are observed. Hence, the university council is able to provide effective

governance in such stakeholder driven higher education environments through supporting the creation of institutional governance structures and spaces that permit access, dialogue, negotiation and communication in good faith between the university council and these different institutional stakeholders. Thus in such institutional contexts, effective university governance is closely related to the how well their representatives to the university council solicit their views whenever appropriate and how the university council promotes negotiations among different university constituencies to be carried out in an open environment of good civility.

9.14. Conclusion

In stakeholder driven HEIs, modes of emerging effective institutional governance practices can only be developed over time in consideration of the institutional agencies, histories, dreams and spaces. Hence, the ability to ensure observance of these institutional governance practices depends on how the university council is able to work with the different institutional stakeholders to generate favourable environments that support fit-for-purpose governance practices as best practise in strongly stakeholder driven HE environments.

The model of the university governance anticipated by this study takes into consideration these emerging institutional complexities. The kinds of institutional governance structures systems and cultures envisaged by the study bring to the fore the embracement of and return of lost agencies by the disempowered institutional stakeholders at the different levels of university governance processes at the university governing bodies. A proactive return that embraces; institutional repositioning these institutions in being locally relevant and internationally competitive, skill representation, equity, diversity, devised partnership responsiveness and right placement established in effectiveness and efficiency as predetermined by the post-1994 higher education transformation inspirations.

CHAPTER 10: CONCLUSION

10.1. Introduction

This chapter provides the conclusions to the study. It summarises the different institutional configurations, processes and role practices that the university governing body in a comprehensive university context has done to provide effective governance as discussed in previous chapters. It then looks at what has emerged from these institutional governance concepts that could be considered as modes of effective university governance with a focus for the possibilities of how these could be a model for effective governance by university governing bodies and recommendations for good practise in such university contexts.

10.2. Recap

The study set out to understand how the university council could work with its considerable institutional stakeholders the university senate and institutional forum to bring about modes of effective university governance in a comprehensive university context. To achieve this, it looked at the roles of the institutional structures, systems and cultures of the university council in the university governance process. Overall, this study accomplished this task through the answering of the different research questions on each of these aspects. The responses to the different research questions of this study show how the university council has been able generate what could be considered as modes of effective university governance.

10.3. In response to research question one

The research question one of this study sought to find out the extent to which institutional structures of the university council are contributing or militating against effective university governance in comprehensive university contexts. From the results of this study, the value of the different institutional governance structures of the university council at providing modes of effective university governance can be recognised through the unique conceptualisation their bring to the framing of effective university governance. The institutional governance structures of the university council are strongly dominated by the different empowered institutional stakeholders and their interests that influence their functionality.

This has made the university council to be become an institutional political space and its subsequent governance structures as political entities which are strongly stakeholder oriented. As a consequence, the different processes of how individuals become members of the university council and how they participate in the different levels of the university governance processes are strongly influenced by the stakeholders. The dominant institutional stakeholders are able to influence the composition and hierarchical nature of the university council.

This state of governance affairs in the different governance structures of the university council in the university governance processes has led to the following issues: the structures of the university council have become stakeholder managerial in nature and relations. The consequence of this transition has led to state of constant contestation between the less empowered institutional stakeholders represented at the university council and the university council. The major areas of contestation have been over the negative effects of excessive stakeholder managerialism to institutional stakeholder's interests. This has led to the following governance issues; mistrust between the less empowered institutional stakeholders represented at the university council and more empowered institutional stakeholders represented at the university council, the less empowered institutional stakeholders represented at the university council adopting partisan modes of governance behaviour as best practices like caucusing, stakeholder deployment of 'cadres' into positions of greater responsibility in the university council placements, constituency consultation, and the use of protest as governance tool to confront the more empowered dominant institutional stakeholders represented at different levels of institutional governance.

10.4. In response to research question two

The research question two of this study sought to find out the extent which institutional systems of the university council affect effective university governance in comprehensive university contexts. From the results of this study, the role of the different institutional governance systems of the university council at providing modes of effective university governance can be taken note of through the unique conceptualisation their bring to the understanding of effective university governance. This study shows that there are various due activities and processes at due moments being carried by the different deployed members of the university council that constitute as the due systems of the university council. They take place at three levels namely; due processes of accessibility, the engagement process and the

stakeholder implementation. However the effectiveness of the various due activities and processes has depended on how the university council was able to make use of the different stakeholder relationships in terms of skills, stakeholder localized indigenous knowledge expertise, experience, ideology, diversity, stakeholder interest and funding regimes.

As a result, the current state of the systems of the university council has perpetuated the following governance aspects: There are the less empowered institutional stakeholders represented at university council who have little understanding of the different due processes at the university council. There are also the more empowered members of the university council with more understanding of the university governance processes that are strongly benefiting from this using these forms of social capital to privilege particular interest ideas. The little understanding of the due processes at the university council is due to strong sectorial thinking that tends to make difficult to think through the different due processes of the university council. Such circumstances limit the level of debate at the university council and results in a limited understanding of the university council procedures, compromization of the due processes due to unpreparedness for council meetings and committee meetings. In addition to this is the regular importunate reliance on deployment as a mode of trust governance, reliance on informal constituent networks at the university council for clarity and for driving of sectorial interest. As a result this has legitimated instances of perpetuation of command and control from the university council to the senior management and less autonomy for critical autonomy to check on strong stakeholder configurations at the university council leading to reproduction of dormant stakeholder interests.

10.5. In response to research question three

The research question three of this study sought to find out the extent which institutional cultures of the university council are contributing or prohibiting effective university governance in comprehensive university contexts. From the results of this study, the function of the different institutional governance cultures of the university council at providing modes of effective university governance can be observed through the unique conceptualisation their bring to the framing of effective governance.

This study shows that the different empowered institutional stakeholders are actively involved in what the university council is trying to achieve for the university. The involvement is shown when they are able to convert and adapt their institutional stakeholder symbolic expectations and needs into institutional priories. This is because the different

empowered institutional stakeholders at the university council possess various forms of institutional stakeholder power internally and externally that is able to make the university council respond to their institutional stakeholder symbolic needs. The various forms of institutional role responses characterize the institutional governance culture of the governing body. These unique institutional governance role practices include differing trust relations, responsiveness, diversity, internationalisation, and listening to the others.

The resultant adoption of these aspects as part of the institutional governance cultural practices of the university council has led to the following governance implications: proferiation of stakeholder managerialism into the university governance process with ramifications that has caused contestations between the less empowered institutional stakeholders represented at the university council and the university council over practices that are seen as perpetuating marginalisation of the less empowered institutional stakeholders represented at the university council. Contestations between the less empowered institutional stakeholders represented at the university council and the more empowered institutional stakeholders represented at the university council. As a result it has led to adoption of partisan modes of stakeholder institutional governance that safe guard the interests of these interest categories like caucuses, stakeholder deployment, protest, and unionisation of staff and student issues. These partisan localised generative modes of institutional stakeholder governance have often been in contestation with the different university governance processes from the university council to the senior management. Thus institutional governance cultures at the level of the university council are becoming more fluid in trying to cope with every increasing institutional stakeholder demands.

10.6. In response to research question four

The research question four of the study sought to find out what modes of effective university governance could be generated from this kind of data. It was evident from the results of this study that there are several modes of effective governance that could be generated from the reflective use of the different concepts of structure, systems and culture.

10.6.1. Structures of the university council

Firstly, in order for the university council to provide effective university governance it should have structures characterised by the following possible components as emerging modes of university governance with comprehensive university contexts; recognition, governance

capacity-building, networked committee regimes, effective representation and utilisation of delegated institutional governance spaces.

10.6.1.1. Recognition

It was evident from the results of this study that, the perceptions and beliefs of university students and staff of what they think of the university council as the major decision-maker in the university is an important indicator for effective governance. The majority of the university students and staff who participated in this study were of the view that the university council is the major decision-maker in the university. Majority institutional recognition is based on a number of possible factors: (i) the university council is seen to be reaching out to the different institutional stakeholders at different institutional levels; (ii) ensuring that the different representatives of the stakeholders are fully represented at the university council and get heard; (iii) ensuring that the university council information is made available to the different constituents through their representatives and the different institutional structures are able to engage within themselves issues that are discussed at the university council that pertains to the different institutional structures; and (iv) there is an emerging desperate appeal to the university council to heed to certain constituent expectations as there is confidence in their leadership to support such a constituent representation.

Thus in such comprehensive university contexts the university council may gain legitimacy before the different institutional stakeholders whenever they appear to be heeding to the different expectations of the different institutional stakeholders at the different levels of institutional governance within the university. Thus in such cases, understanding where the institutional power lies is important for the different institutional stakeholders. An understanding of which group of the empowered institutional stakeholders exercises more institutional power to easily drive the much desired institutional transformation as part of the processes of effective governance within these institutional contexts assists the different categories of the institutional stakeholders on whom to engage in the university governance processes. The processes of working with these the major actors involved in the institutional governance processes would include collective participation, supervised participation, teamwork with a societal accountability-oriented thinking.

10.6.1.2. Governance capacity building

On this aspect it was evident from the results of this study that in order for the university council to provide effective university governance, it ought to ensure that it's exiting university council governance structures enable effective stakeholder representation and contribution to debate. The majority acceptance of this aspect to the governance process is possibly due to the need to express the unmet different constituent symbolic expectations. Different stakeholders want to be heard at all different levels of the institutional governance processes. But not all different stakeholders can attend or be part of the university council meetings and the committees of council meetings. Thus the different institutional governance platforms that the university council has made available to the different stakeholders to talk to the university council need to be enhanced. Enhancement would involve knowing what the different stakeholders at the different institutional governance structural levels are saying and thinking about what the university council is doing for the university, what to say to the different committees of the university council that gets communicated to the general assembly of the university council, the different processes of how to get heard and ensure that what is communicated gets done as part or within of the institutional strategy.

10.6.1.3. Utilization of delegated institutional governance spaces

On this aspect it was evident from the results of this study that in order for the university council to provide effective university governance, it ought to ensure that its institutional governance structures are able to select their own representatives to the university council. The majority acceptance of this aspect to the governance process is shows indications of the inadequate use of the delegated institutional power at the different institutional governance structural levels that has created a feeling of the university council of not knowing exactly what is happening within the different institutional constituency structures.

In such cases the university council is able to deliver on its role governance responsibilities when its different institutional governance structures use the delegated council powers to execute whatever the university council has agreed upon. In particular, the legitimacy of the university council is closely associated with how effective its designed committees of council are functional in relation to their delegated roles according to their terms of reference. Thus, whenever the committees of council don't appropriate or make use of the institutional authority delegated to them they slow down the university council to effectively perform.

10.6.1.4. Networked committee regimes

On this aspect it was evident from the results of this study that in order for the university council to provide effective university governance, it ought to ensure there is connectivity between the different sub committees of the university council. The majority acceptance of this aspect to the governance process is possibly due to: (i) the desire the different institutional stakeholders to participate in the university governance processes; (ii) governance issues in HE environments are often interconnected which necessitates sharing of information and teamwork.

The different committees of the university council as committees of good governance practise bring altogether a diversity of skills and professional competences to the university council. The bringing together of these skilled professionals at the committee level of the university council is vital in providing modes of effective university governance. This is because they handle specific technical institutional issues according to their professional abilities. The grouping together of skilled expertise as members of the university council with similar competences at the committee level of the university council brings together communities of governance practices. The ability and strength to harness this diversity to produce effectiveness at the committee's levels of the university council is dependent on leadership style, personality and character of the chairpersons of the different committees of the university council with visionary coordination from the chairperson of council.

While at the university council level the mixing together of diverse skills from the different members of the university operating from the different committees of council brings to the university assembly a greater social capital that places the university council in a better position to provide effective governance. The ability and strength to harness this diversity to produce effectiveness at the university council is dependent on leadership style, personality and the character of the chairperson of the university council. The weaknesses of the different committees of council can be rectified by the general assembly debates on issues emerging from the different committees of council. However, it does not replace the roles of the working committees of council to the university council.

It is important to realise that bonding social capital fosters in-group solidarity which is important for the diffusion of information, the generation of broader identities and reciprocity. Hence, for effective university governance by the university council it is important that the different committees of the university council are rightly composed. The

in-group solidarity between the members of the committees of university council fosters trust, teamwork and efficiency that are vital for these committees of council to deliver on the committees mandates from the university council.

It is also important that there is substantial distribution of university council power to committees of council if the university council to receive well researched information from the different constituent governance structures and other institutional sources. However in all circumstances there must be room for moderation and supervision in the execution of this delegated institutional power. Where the provision or use of power does not allow the organization to function effectively, the capacity to make good decisions and deliver high quality outcomes may be compromised. Effective university governance at the different committee levels of the university council requires institutional council power built on independent skilled teams-based understanding and competences. Hence effective delegation cannot be exercised without it. Effective governance at the different committee levels of the university council should ensure there is a system to delegate power to appropriately skilled individuals, and the system is subject to regular review to ensure performance meets the requirements of the delegation. It must not be that all decisions will need to be, or can be, taken by a single individual. There may also be a number of issues that require multiple decision-makers to obtain the best from individuals through appropriate empowerment.

10.6.1.5. Effective representation

On this aspect it was evident from the results of this study that that in order for the university council to provide effective university governance, it ought to ensure there is vivid stakeholder representation on university committees of council where various stakeholder affairs are handled. The majority acceptance of this aspect to the governance process is possibly due to the desire to ensure that constituent expectations are attended to.

Often times university councils are not comfortable with the participation of university student and staff on certain critical committees of council because of preconceived beliefs about the inabilities of these constituencies to position their constituency agenda in the bigger picture of the institutional agenda. But, depending on their level of competence and maturity, university students and staff are able to be part of any committee of the university council mostly especially where their affairs of particular interest are being handled. This is because this as a mode of effective governance it assists these stakeholders to understand the institutional realities and challenges that are often misunderstood, and yet pose serious

financial challenge to the institutional strategy and budget. This will eliminate unjustifiable demands from the different stakeholders from what the institution cannot afford. The understanding of the different institutional due process of what gets done for the institution instils the sense of governance ownership, trust, responsibility and stakeholder accountability.

Hence, as a mode of providing effective governance the university council may find it useful to increase student participation in the institutional governance process and sustain the current level of the university staff participation on the other hand. However, the selection of members of council from the different governance constituents into the committees of the university should be done with scrutiny and transparency. This is because the involvement of different categories of institutional stakeholders in the different levels of the decision-making processes at the university council shows as earlier mentioned a sense of belonging, ownership and trust in the governance processes.

As result in such comprehensive university contexts the university council may gain legitimacy before the different institutional stakeholders whenever they appear to be ensuring that its committees of council are representatively skilled-base oriented. Effective representation and participation of the different stakeholders in committees of the university council particularly where constituency interests are handled brings about institutional trust and confidence in the institutional due processes at the university council. The emphasis of skill based committees of council on the other hand ensure that there is sufficient expertise to provide intellectual input and critical advice on technical matters that university council may not have the time and ability to provide within the specific time frames of the meetings.

10.6.2. Systems of the university council

Secondly, in order for the university council to provide effective university governance it should have systems characterised by the following possible components as emerging modes of university governance with comprehensive university contexts; valuing stakeholder contribution, well-informed of committees of council, well informed constituents and accountability and compliance engagement.

10.6.2.1. Valuing stakeholder contribution

On this aspect it was evident from this study results that in order for the university council to provide effective university governance, it ought to ensure that it considerably recognises the different stakeholder input and contribution on critical issues. The majority acceptance of this

aspect to the governance process is possibly due to the unmet stakeholder expectations that the institutional stakeholders believe these institutions owe them and the need to bring about the desired change.

University governing bodies, worldwide, across HEIs, have been grappling with the issue of how best to value contributions from the different groups of institutional stakeholders affected by the university governance process. However, to be able to provide effective university governance practices in such institutional contexts university councils need to reflect on what the presence of their constituencies brings to the university council that enlighten the end product of particular kinds of institutional oversight by the university council. There are useful perspectives that university staff and students could bring to the understanding of the university governance processes at the university council that could benefit the university. The utilisation of these perspectives would assist the university council understand what its institutional stakeholders expect and want from being part of the university thus managing contested legitimacy.

10.6.2.2. Well informed committees of council

On this aspect it was evident from the results of this study that in order for the university council to provide effective university governance, it ought to ensure that it is well informed through its subcommittees on institutional matters presented to it for action. The majority's acceptance of this aspect to the governance process is possibly due to: (i) the recognition of the university council as the major decision-maker in the university and feedback from the different constituent representatives to the university council; (ii) the university council accused of not knowing exactly what is like or happening on the university campus.

Thus, the role and place of the different committees of the university council in information gathering and preparation of the information the university council uses to provide institutional oversight cannot be minimised. The university council meets only 5-4 times in a year and this is not enough to adequately get to grips with all the institutional matters and provide institutional oversight. The university council needs more time which is not readily available hence the creation of working committees of council to prepare in advance whatever the university council needs to do its role becomes vital.

The effectiveness of the committees of the university council is dependent on how they handle the different information from the different stakeholders before the university council

general assembly. The quality of information that university council receives through the different committees of council and how it is communicated to the university council is paramount in influencing how they make decisions and engage in discussion at the university council meetings. However this is a product of the quality of the information that the different committees of the university council receive from the different contextual institutional governance internal and external formations (governance structures) that is prepared, deliberated upon and prepared before being sent to the university council that is crucial for effective governance.

10.6.2.3. Informed consensus

On this aspect the results of this study indicate that in order for the university council to provide effective university governance, it ought to keep its constituents informed and solicit constituent views whenever appropriate. A strong awareness among the different stakeholders represented at the university council on this observation is a clue of stakeholder demand for active participation for institutional delivery on symbolic expectations.

However a great majority of the different institutional constituents' stakeholders do not know how the university council operates. Thus in such comprehensive university contexts the university council may gain legitimacy before the different institutional stakeholders whenever they appear to be informing and constantly seeking the public views on institutional strategy at different due moments of decision-making at the university council. Well researched bodies of knowledge about decisive institutional needs/challenges that is made available to the university governing body for oversight and not withheld or taken advantage of by the different categories of the empowered institutional stakeholders within particular institutional contexts at vital moments of institutional need is key for effective university governance as part of the institutional transformation process.

10.6.2.4. Accountability and compliance

On this aspect the results of this study was able to reveal that, in order for the university council to be able to provide effective governance it ought to use viable audit process to monitor institutional practices. The majority acceptance among the different stakeholders represented at the university council on this aspect to the governance process is possibly due to: (i) more stakeholder accountability regimes for stakeholder funding (ii) modes of

stakeholder participation in the institutional accountability processes at different institutional governance levels.

As all institutional governance activities involve an element of risk, a well-governed organization will recognise that not all decisions will lead to successful outcomes. However, an appropriate provision and limitation of power should ensure that the impact of poor decisions will not cause serious damage. In this regard, governance should have a strong focus on the management and oversight of risk, particularly in areas that are essential to the success of the entity. An organization operating within a sound governance framework with appropriate power structures will be equipped to manage risk and deal with crisis.

Governance should ensure that power is exercised responsibly, taking into consideration the interest of those granting power and to an appropriate extent other stakeholders. To achieve this, governance frameworks should include oversight mechanisms linking the exercise of power to accountability. Governance should also be directed at ensuring that power is exercised appropriately. Poor outcomes can also result from individuals failing to act as well as individuals acting inappropriately or unethically.

10.6.2.5. Engagement

On this aspect it was evident from the results of this study that, for the university council to be in a better position to provide effective it ought to observe appropriate grievance procedures in handling of disciplinary hearings and grievances involving different institutional stakeholders. The majority acceptance of this aspect to the governance process is possibly due to stakeholder anxiety and impatience with increased propensity to unionisation to address their expectations with institutional leadership.

The use of the due processes in university affairs is inescapable. Many factors have contributed overtime to the increased application of this legalistic and litigious environment. The stringent expectations attached to funding regimes that the different institutional stakeholder's place on HEIs has transformed how these institutions operate and govern. In order to comply with these regulatory frameworks, governing bodies in these HEIs have had to adopt efficient due diligence processes that meet these requirements and yet provide effective university governance. In this kind of environment, the due diligence is indispensable whether the HEIs are responding to campus disputes, or crafting institutional policies and priorities. Well-organized due processes assists to deal with forms of

hegemonies from the different empowered institutional stakeholders represented at the university council that perpetuate patronage, legitimacy of stakeholder interest domination and reproduction that would jeopardise and not prioritize the core business of the University of Teaching, Learning and Research.

10.6.3. Cultures of the university council

Thirdly, in order for the university council to provide effective university governance it should have cultures characterised by the following possible components as emerging modes of university governance with comprehensive university contexts; accessible governance spaces, accommodativeness, negotiated positions and shared accountabilities.

10.6.3.1. Accessible governance spaces

On this aspect it was evident from the results of this study that, for the university council to provide effective governance it ought to ensure that its apparent structures and systems make it possible for a wide range of institutional stakeholders to participate in the leadership of the institution. The majority acceptance of this aspect to the governance process is possibly due to: (i) inability to attend council meetings and committees of council meetings; (ii) inability to understand how the university council operates at the different institutional governance levels within the university; (iii) opting for opportunities and desire to be part of the change process at the institution; (iv) numerous student organizations; (iv) dissatisfaction with the governance process at different levels of the institution; and (v) beliefs and expectations that the university can do more to alleviate the livelihoods welfare of the different institutional stakeholders.

Thus in such comprehensive university contexts the university council may gain legitimacy before the different institutional stakeholders whenever they appear to be enabling the different institutional stakeholders at the different levels of institutional governance to make use of the institutional governance platforms and spaces to engage with the university council. This process should involve; the university council not being afraid of the less empowered institutional stakeholders represented at the university council being part of the different committees of council. The less empowered institutional stakeholders that are made part of these committees should meet certain skill competences irrespective of them being representatively selected by the different constituents to the university council. The university council should moderate the different institutional governance structures to ensure that the

right persons with right skills get to the university council and its different committees of council instead of popular individuals who may have no idea on how to participate in the university council and critically contribute to debate on issues that affecting the institution as a whole. The different groups of the empowered institutional stakeholders could be able to perform better when they learn to mix or associate with different individuals as members of council across the different institutional governance structures.

10.6.3.2. Accommodativeness

On this aspect it was evident from the results of this study that, the perceptions and beliefs of university students and staff on what they think of the university council and its subcommittee processes supporting a culture of public debate and tolerance which accommodates differences and competing interests is crucial for effective university governance. The majority acceptance of this aspect to the governance process is possibly due to; (i) increasing categories of different university students and staff.

It is clear that HEIs apparently operate in an increasingly global context, confronted with equality and diversity challenges which are a difficult and sometimes sensitive territory. These reflect the difficulties and sensitivities inherent in societies with HEIs seeking to be inclusive of all sections of societies, and to be responsive to staff and students from different cultures and with different needs. Inevitability HEIs are becoming more cosmopolitan in their structural and cultural outlook in response to increasing cosmopolitan societies are becoming. Thus effective university governance is attainable whenever the university council is able to adopt institutional governance practices that support institutional accommodativeness across the university governance and leadership spaces that transcendences across the university.

10.6.3.3. Negotiated positions

On this aspect from the results of this study it was evident that for the university council to provide effective university governance it ought to ensure that it’s laid out university council governance structures promote stakeholder arbitration and communication among different university constituents to be carried out in an open environment of good faith and civility. The majority acceptance of this aspect to the governance process is possibly due to unmet stakeholder symbolic expectations and disagreement on how these aspects would be met overtime.

The university council is able to provide effective governance in complex higher education environments whenever it is able to reach agreeable terms and conditions with its institutional stakeholders on a wide range of issues that involve themselves and the university. That is why it rather useful for the university council to have university governance pacts with all the critical different institutional stakeholders over apparent institutional issues at a critical moment in the process of meeting these needs to avoid periods of institutional uncertainty and tensions which is a recipe for institutional instability. The pact should require that in order to attain effective university governance as pertaining to the university, the university council ought to listen and value the unique contributions and scrutiny of the different stakeholders at the university council. In dealing with the different categories of institutional stakeholders as institutional partners the university council should realise that each of these institutional partners have agendas and understanding each other's purposes and aims at the university council level assists the university council to assess how they will need to respond to compromise and the extent to which they will be able to do so to fit with their partners' approach and objectives.

Understanding that effective governance at the university council involves compromises and trade-offs, the kind of due processes involved in the different levels of the university council decision-making mechanisms right from the partisan institutional governance constituencies, at the different committees of council and the general council assembly should include or seem to demonstrate participation and equity such that confidence and trust is developed, and sustained throughout the process. Trust among the different stakeholders brings about efficiency and effectiveness. The effective informal interactions developed through trust mechanisms between the different members of the university council can facilitate the formation of institutional policies or on the other hand delay the process. Thus transparency and openness and prioritisation in the processes of decision-making ensures that even though certain decisions are taken that don't go well with certain constituency interests, because the processes were open to scrutinise and debate, cohesion is attained at least that could bring about modes of effective university governance that is accepted by at least a majority of the different stakeholders in the university council.

10.6.3.4. Shared accountabilities

On this aspect from the results of this study it was evident that, for the university council to be able to provide effective governance, it ought to ensure that its different external and internal institutional stakeholders have confidence in the institutional values which guide the university council governance structures and systems. The majority acceptance of this aspect to the governance process is possibly due to: (i) the pace at which unmet different stakeholder symbolic expectations are being realised. As part of their responsibilities of providing effective university governance in HEIs, university councils have to grapple with satisfying at the same time the competing demands of several groups of institutional stakeholders ranging from: civil society at large, government (which, depending on the context, can be national, provincial, or municipal), employers, university alumni, university staff, and university students themselves and their parents, business, and sponsors/donors. In their attempts to accommodate the multiple demands, of these external and internal stakeholders' university councils encounter difficulties in convincing these constituencies on institutional priorities. Thus, the ability of the university council to provide effective university governance is tied to how it prioritises its institutional strategy in order to accommodate the multiple accountabilities to different institutional stakeholders.

From this study as depicted in response to research questions one, two, three and four it was evident that there is a lot of emerging expectations been placed on the university council. The university council is being judged along these lines on how well they are able to respond and meet these expectations overtime. As a result, these aspects have had theoretical, methodological reflections and implications for further studies.

10.7. Theoretical reflections

The results of this study have demonstrated how this study relied on a multi-theoretical framework to understand the scope of governance challenge at the university council. Evidence from this study has depicted that the university governance challenge at the university council can be categorised into three levels; structural, systemic and cultural. Understanding the nature of the institutional governance challenge at the university council, there are several aspects that the concepts of 'structures', 'systems', 'cultures' and

‘empowered individuals’ bring to the framing of effective governance and to the theory of governance.

This kind of theoretical framework for this study made it possible to understand the theoretical concerns of using more than one theoretical framework as a conceptual device to provide ways of understanding the different complex university governance challenges in comprehensive university contexts. The use of multi-theoretical perspectives takes further the understanding of governance theory in relation to this because to understand university governance issues it is advisable to use multi-theoretical perspectives as HEI contexts are often complex that the use of single theoretical framework limits the generation of information that could a remedy to give complex challenges at hand.

The structural theory could only show the extent of the structural institutional governance challenge without considering the magnitude of the systemic and cultural challenges from the university council. Similarly, the systems and cultural micro political theories did the same. These theories could only explain and provide a narrow reductionist perspective to a holistic governance challenge that comprised of all these aspects in its conception. The use of one theory could not provide a clear understanding of the nature of the university governance challenge the university council was faced with. The university governance challenge is a holistic issue that a single theory would not adequately explain. Hence the use of a multi-theoretical approach made it possible to understand and thus add plausibility (Weber, 1980) to the nature of the university governance challenge at the university council which is holistic in opus that involves structural, systemic and cultural dimensions.

In addition, this study was able to show the place of the notion of the empowered in linking the concepts of structures, systems and cultures as used by the university council. In the development of theory of governance, this important because it helps one understand how at times concepts need to be made to work to together to provide the meaning. From this study it’s evident that it took the notion of the empowered stakeholders to make these aspects work together. This study shows how the different empowered institutional stakeholders have been able to operate the different institutional structures, systems, and cultures of the university council to generate the much-desired modes of effective university governance in comprehensive university contexts. These concepts in single use are abstracts and provide less meaning to the university governance processes. But if put together there is new meaning

that emerges. They do not function or operate in isolation. These aspects are symbolically interrelated and interdependent.

This study had the task of asking how come some of the various theories in the original theoretical framework ended up not really being used as initially anticipated in this study. Some theories were more vocal than others which were not expected in the beginning. This emphasizes the tendency of the data generated during the data collection process in the data analysis gradually may tend to influence the process. As a consequence one may not have to be static and try to resist the changes in reasoning/ knowledge formation the data is indicating or bringing to the theory. This indicates how well the research process is pragmatic and not necessarily is linear one has to be mindful of during the process of research.

10.8. Methodological reflections

The results of this study have been to show how the study relied on the use of multi-methodological framework. The process of the generation of the data from the documentary sources then semi- structured interviews and finally surveys was crucial for study because of the chronological dimension it brings to the understanding of institutional contexts and its inherent governance challenge. This framework was used to provide a chronological exposition of the institutional governance challenge at the university council level and to show how the university councils in comprehensive university contests have responded as a way of bringing about institutional effectiveness.

Firstly, from this multi-methods approach the study was able to show how the governance problem at the university council came about a process that could not easily have been possible with use of other methods of data collection in a similar study. From the use of this methodological approach it is clear that the university governance challenge at the university council has its roots in the model of university governance that was started through the colonial, apartheid and strongly felt during the post-apartheid periods. These institutional governance challenges are foundational and generational in cause that tends to manifest themselves through the current institutional structures, systems and cultures of the university council and eventually the whole institution. This adds to the already exiting understandings of the different ways methods of research would be used in problem solving in the university governance processes.

Secondly, this study had several methodological issues it had to grapple with which are mentioned in introduction chapter 1 and the methods chapter 4. This study struggled with how to use the more data that was emerging from the mixed method research approach that was used. This study had to grapple with the several methodological difficulties already discussed in the methods chapter 4 regarding challenges in data collection and analysis which were addressed along the line. At the outset it was expected that using the approach of documentarily analysis, interviews and then surveys would generate a more manageable data that could sufficiently answer the question, instead at the end this was able to answer well research questions 1, 2, and 3. The research question 4 was complex. Trying to come up with the modes of effective university governance led to creation of numerous hypothesis to test as emerging modes of institutional governance that were not initially anticipated from the literature and the methodology. As a result one has to think of working from the back to the front to initiate a kind of flow.

10.9. Recommendations for further effective governance practise

There are several areas for further research this study makes available to the field of university governance.

Firstly, as the thesis of this study proposes a model of university governance called the *'structural-systemic-cultural model of university governance'* as an emerging body of knowledge that can assist the university council as part of its endeavours to bring about effective university governance. This projected model of university governance this study is bringing to the understanding of university governance is illustrated the in diagram below;

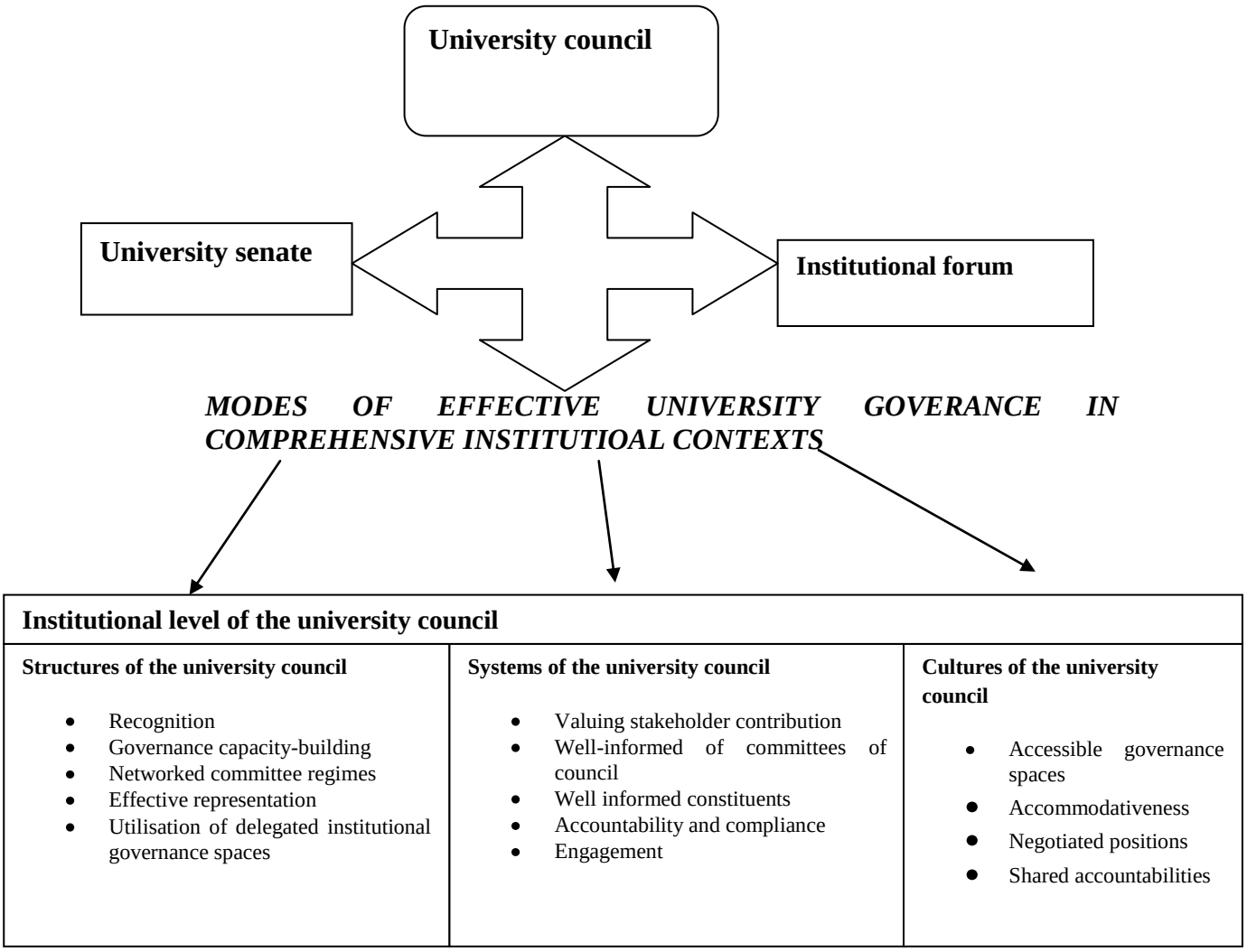


Figure 7: The proposed model of effective university governance

The model of university governance envisaged by this study is seeking to add as new knowledge practise to the already existing models of university governance in the field of higher education. In particular it looks what could make the current model of cooperative governance used by university governing bodies more relevant to the new emerging fluid and complex dynamics in comprehensive university governance contexts and processes.

However to comprehend the significance of this model of university governance, requires that one positions this model within a historical narrative. A stance that privileges an understanding of what could be learnt from the past (heritage) as parts of the bigger higher educational institutional narrative aimed at framing of effective governance practices that are fit-for-purpose as best practices within particular institutional contexts. Heritage is where we

keep what we aspire. Thus, whatever that happened in the past as memories may not necessarily be part of the institution's inheritance.

Firstly, as a result this study was able to show how the unique ways the different institutional configuration of the current university councils were formed in relation contributing to effective governance had been an institutional project of their different interfaces with different historical actors, imperatives and regimes that dictated the dynamics of HE development in South Africa. The different institutional architectures of the present university councils have mirrored particular historical institutional – stakeholder hegemonic interactions. These relationships introduced different modes of institutional stakeholder dynamics which subsequently affected the current models of institutional governance of universities at the university council level in terms of their structures, systems and cultures.

Currently, the university governing body a product of cooperative governance is progressively working towards being principally transformed as per the White Paper of 1994 in terms of institutional diversity. But, this has introduced new institutional dynamics of the empowered institutional stakeholders into the university governance processes that the current model of university governance is struggling to cope with which was not anticipated in its initial inception. The different institutional governance structures, systems and cultures of the present university council still perpetuate a particular reproduction of dominance of localised generative sectorial interest behaviour. These agencies strongly influence the decision-making processes within the particular institutional governance structures at the university council, the implementation of the institutional due processes at the university council and the adaption of particular institutional governance cultures as role governance practices that reflect attempts at addressing institutional needs within the institutional context.

Much more, the White Paper of 1997 does give particular ways on how to operate in stakeholder environments but does not tell the different university councils on how to work with the different institutional stakeholders (CHE, 2000). As a result the current model of university suggested by the state notion of cooperative governance is plagued with the differences and different interpretations between the different empowered institutional stakeholders (CHE, 2000) involved in the university governance process.

In addition, the model of cooperative university governance visualized by the current university council is business stakeholder oriented in nature which emphasises strong linkages between university governing bodies' performance and institutional effectiveness.

On the contrary there is not sufficient evidence to suggest possible relationships between university governing bodies and institutional effectiveness (Shattock, 2004). There are several institutional factors beyond university council performance that are instrumental to effective governance (Cornforth, 2001). In this situation, as indicated from the literature review, this linkage is contextualized and varies from one institution to another. As a result the parameters of institutional effectiveness that may apply to one institution may not necessarily apply to the rest of the other institutions. Understanding this however implies that since there is scarce substantiation that depicts this, it places more need for research in this area as this study as done. How do you universalize this study? Institutional effectiveness is contextual or can it be universalized? On the other hand there are institutional governance practices such as established code of conduct that regulate the behavior of the different institutional stakeholders that could be universal that apply to all individuals involved in the governance of HEIs. These need not be affected by institutional histories, legacies and ambitions though the observance of these institutional governance virtues as the basis for institutional reputation is closely related to these aspects.

Furthermore, the current model of cooperative governance models as adopted from universities from the West are too practitioner oriented, prescriptive in nature (Bradshaw et al, 1994, Cornforth, 1996). As a result the gap between textbook governance prescriptive standards copied from these western universities (Bradshaw et al, 1994, Cornforth, 1996) by the current models of cooperative governance and particular governance realities is often as large as to perceived as unrealistic. These western models of university governance disregard and struggle to benchmark internationally localised micro-generative modes of institutional governance behaviour that is responsive to unique institutional contexts as best practices. Forgetting that there is no size fit for all. What works in one institution may not necessarily be the same in another institution (Lambert, 2003); As a result these knowledge gaps within the current model of cooperative governance adopted by university councils necessitate the relevance of this study within these particular institutional contexts.

The structural-systemic-cultural model of university governance proposed by this study takes in consideration interpretations and actions of empowered agencies at the different levels of university governance processes at the university council as modes of emerging governance processes. As a result it is the onus of each particular university council as seen in this study within its institutional context to locally generate what works as best practise with possibilities of benchmarking for institutional sustenance. Whatever the different university

councils are able come up within their particular contexts, these are new ways of university governance that is working, that adds to the bigger bodies of knowledge in the theory of university governance that apply to these particular university governance contexts as best institutional governance practices.

So, this study is located in HE debates in post-apartheid South Africa of how governing bodies of formerly HBIs are grappling with the institutional effects of massification and what they are doing to bring about modes of effective university governance in comprehensive university contexts. In particular the emphasis has been on how to make work the notion of cooperative governance at the institutional governance level at the university council in which several empowered stakeholders have been incorporated to participate in the university governance process through a university governance contract. But there has been little done to understand the rationale of the interactions of these empowered stakeholders as atomising agencies through the institutional structural, systemic and cultural institutional governance units of the university council as way of bringing about institutional effectiveness in relation to how the university council could apply itself to this aspect and draw forms of effective university governance.

Additionally, there have been several studies that have used different approaches to examine individually how institutional structures, systems and cultures of university governing bodies have contributed to effective governance without necessarily looking at them from a holistic perspective that explores the use of these institutional structures, systems and cultures functioning together as one individual institutional unit. Within any institutional governance body its structures, systems and cultures don't operate in isolation. Functioning as individual parts perpetuates dysfunctionality as all the units are interdependent and symbiotic. Furthermore there have not been studies that embrace these concepts as organizing devices as single unit within a micro political approach to understand the university governance challenge at the university council in relation to providing effective governance. Subsequently, creating a knowledge gap in which this study is being positioned to fill by proposing to take the debate further by suggesting a structural-systemic-cultural model of university governance at council level that incorporates these university governance issues as fit-for-purpose in the framing of effective governance.

The historical event of 1994 was a moment of transition to transformation; however higher education institutions operating in formerly HBIs are still grappling with the migration from this historical phase in terms of ideological responses that translate into viable institutions that could carry the transformation processes. Thus current university councils in the formerly HBIs need to progressively move from this ideological framework of being transitionary to being transformatory responsive institutions. The structural-systemic- cultural model of university governance as part of the processes of the continued transformation of the university governance practices is able to enable the different university councils renew their university governance pact with their different empowered stakeholders to perform, such that they become progressively implicated in the development of different constituents they do represent. Conceivably studies could be done to understand how the different university leadership contexts are facilitating these processes and the different institutional responses.

Secondly, the study was able to show that the current institutional modelling of the university governance at the university council level draws its cosmopolitan reflection from hegemonic stakeholder interfaces with stakeholder actors within the historical times of institutional colonial rule and apartheid South Africa. At this moment it is crucial to emphasise that, the purpose of the interactions of these past institutional stakeholders that legitimatised these models of university governance in pursuit of institutional effectiveness was a process of perpetuation of particular dominant stakeholder interest. As a consequence, under the auspices of the university councils then, the institutional foundational seeds of institutional governance dysfunctionality at structural, systemic and cultural levels of the university councils that would later in post-apartheid South Africa HE antagonize university governance at the university council levels in most former historically disadvantaged higher education institutions were planted. An aspect the current model of cooperative governance adopted by university councils is less sentient about.

In order to achieve effective university governance in such contexts, the university council should understand that its institutional governance challenge are generational and have a deeper foundation in colonialism and apartheid which often take on new faces as unresolved legacy issues in the post-apartheid era. The realisation of this fact through this structural-systemic- cultural proposed model of university governance makes it possible for the university council to understand that it has a fundamental role and responsibility for the effective continuous transformation of the institution. As consequence, the onus is on the

university council as leadership governance to generate localised micro-generative modes of institutional governance behaviour through institutional governance structures that are responsive to unique institutional contexts that are fit for practice as part of the active institutional processes of boldly and speedily championing the institutional transformation.

Thirdly, the study was able to show that the liberation of South Africa in 1994 placed two fundamental demands of social and economic transformation, and globalisation upon the newly formed South African State. These issues had to be amicably resolved through the different vehicles of institutional change especially through the different amicable sectors and institutions of the economy. In the HE sector, first, HE governance had to be transformed to break the apartheid mould and to meet newly formulated national goals of equity, democratisation, responsiveness and efficiency. Secondly, South African HE governance had to be re-integrated with global trends. Although these priorities co-existed, changes in South Africa were driven by local political considerations rather than by neo-liberal economic policies. Across HEIs university councils were supposedly expected to champion the process of institutional transformation. However, the resultant institutional massification and its associated effects at mostly formerly HBIs is what institutional governing bodies were not prepared for.

These processes of change have created a skill deficiency at different levels of institutional governance. The adoption of stakeholder governance brought to the institutional governance governing bodies across the different HEIs the different groups of empowered institutional stakeholders who have little and another understanding of institutional governance processes. Most especially, the less understanding of the institutional due processes at the systemic level of the university council is responsible for most institutional crises in most former HDIs. This *structural-systemic-cultural* model of university governance makes a proactive demand upon the university governing council to always give timely responses to emerging new challenges in the higher education fields. But, it requires a continuous process of re-skilling and professionalization through lifelong learning and professional governance training of the different members of the university council from different institutional governance structures. The processes of understanding how the university council should perform its roles in trying to bring about effective university governance in strongly driven stakeholder HE environments, assists the university council to avoid reductionist institutional governance approaches to institutional governance challenges like university governance transformation that may affect the fundamental meaning of a university in a locality.

Furthermore, this structural-systemic-cultural proposed model of university governance positions the university council to be able to recognise the value and place of its different institutional governance structures in the university governance processes. Critically with reference to particular institutional contexts and the role of the empowered institutional stakeholders a creation of the institutional transformation processes of 1997. The different empowered institutional stakeholders with the governance structures have different roles, influence and values they bring to the framing of the university governance process. Particular contexts have unique input they bring to the framing of governance practices. This could add to the explanations of how the structural, systems and cultural critical theories could not function in single use but as a collective to provide useful understanding of the university governance challenge in particular institutional contexts. Every institutional context has capacity to generate unique diverse agencies as modes of effective governance that are fit for purpose which have tremendous effect on the governance processes in place but may not be necessarily applicable in another institutional context.

Thus, understanding the power, behaviour interest and influence of the dominant institutional stakeholder's positions the university council to be able proactively engage with these dominant institutional stakeholders at different levels of the university governance processes. This is important because it assists to avoid a process of reproduction of dominant interests that would jeopardise the different mechanisms the university council is using in trying to ensure the core business of the University of Teaching, Learning and Research which is founded on institutional autonomy is not compromised. If it is compromised in the processes of institutional governance arbitration, the core business of the university existence should champion. However to achieve this as envisaged in the structural-systemic-cultural proposed model of university governance from this study would require having effective institutional governance structures and systems as fit-for-practice that are able to handle hegemonic stakeholder interest and contested legitimacy.

Lastly, the university council leadership as part of its institutional governance role practices should be thinking of embracing as institutional governance cultural practices that are fit for practices. This may include as visualized in this structural-systemic-cultural proposed model of university governance to develop institutional governance capacities at different levels of the university governance processes at the university council. The aim is to re-examine the different governance aspects (structural, systemic, cultural components) of the university council that are not working and look at the different indigenous technologies/ways of

university governance as institutionalised agencies that looks at how to make the university councils deliver on their roles in comprehensive university contexts.

However it's important for the university council to consolidate the useful exiting university governance practices at the university council level i.e. whatever that is not working maybe removed but what is working need not be removed but enhanced and supported. As pinpointed in this structural-systemic-cultural proposed model of university governance, there is an urgent demand for the governance maturity of the empowered institutional stakeholders represented at the university council as institutional governance agencies at the structural, systemic and cultural levels of the university council to stand up and be equal to the task of the recurrent institutional challenges that contradict the mandate of the White Paper of 1997 on HE transformation. This requires governance practices that are fit-for-practice as best practices as proposed by this structural-systemic-cultural model of university governance envisaged by this study that are proactively responsive geared towards institutional repositioning, well informed on what to and how to do it within particular comprehensive institutional contexts and circumstances.

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Appendix 1

Wits School of Education

27 St Andrews Road, Parktown, Johannesburg, 2193 • Private Bag 3, Wits 2050, South Africa

Tel: +27 11 717-3007 • Fax: +27 11 717-3009 • E-mail: enquiries@educ.wits.ac.za • Website: www.wits.ac.za

Student Number:
396259
Protocol Number:
2012ECE207

Date: 04Dec2012

Dear Felix F Omal

Application for Ethics Clearance: Doctor of Philosophy

Thank you very much for your ethics application. The Ethics Committee in Education of the Faculty of Humanities, acting on behalf of the Senate has considered your application for ethics clearance for your proposal entitled:

EFFECTIVE UNIVERSITY GOVERNANCE: THE ROLE OF STRUCTURES, SYSTEMS, CULTURES IN UNIVERSITY COUNCILS IN COMPREHENSIVE UNIVERSITIES IN SOUTH AFRICA.

The committee recently met and I am pleased to inform you that clearance was granted. Please use the above protocol number in all correspondence to the relevant research parties (schools, parents, learners etc.) and include it in your research report or project on the title page.

The Protocol Number above should be submitted to the Graduate Studies in Education Committee upon submission of your final research report.

All the best with your research project.

Yours sincerely

M Mabeta

Matsie Mabeta
Wits School of Education

011 717 3416

Cc Supervisor: Prof. F Maringe

Appendix 2

University of Venda

Office of the Vice Chancellor and Principal

Private Bag X5050, Thohoyandou
0950 South Africa
015 962 8100 015 962 8316
015 962 4742
vice.chancellor@univen.ac.za

22nd January 2013

Mr. Omal Felix
School of Education
Division of Educational Leadership and Policy Studies
University of the Witwatersrand
Private Bag 3
Wits 2050
South Africa

Dear Mr. Omal

RE: PhD Research Project on University Governance

I refer to your letter dated 11 November 2012 sent via e-mail on the above subject.

Approval is granted to you to conduct your research project at the University of Venda within the broad parameters as described in your letter. I further grant this approval on the understanding that you will conduct your research in a manner that espouses the principles of good research ethics and will not unduly put to risk the good name and reputation of the institution.

Yours sincerely

Prof. PA Mbati
Vice-Chancellor & Principal

Appendix 3

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ETHICS PROTOCOL NUMBER 2012ECE207

A survey instrument for university students

Dear student,

Research topic: ***Effective university governance: the role of structures, systems, cultures in university Councils in comprehensive universities in South Africa.***

I would like to personally invite you to participate in the above-mentioned research. The study aims to: find out and how to what extent institutional structures and processes, systems and cultures within university councils are perceived as contributing to effective institutional governance practices in comprehensive universities; To identify what forms and modes of effective university practices could be developed from this data?

Survey protocol for participants

The research instrument has two sections; section A seeks biographic data from the study participants and section B developed on a Likert scale seeks your views about university council institutional structures, council institutional systems and cultures.

Section A

Name of institution ……

Student number…….

Course…….....

Year of study.....

Gender……

Race…….

Local student or international student ……

Residence [on campus or off campus] ……

Section B

On a scale of 1-5,

1 for I strongly disagree

2 for I disagree

3 for I neither disagrees nor agrees

4 for I agree

5 for I strongly agree

Rate how university council *institutional structures and processes, systems and cultures* enhance or hinder effective governance at your institution.

University council institutional structures and processes

	1	2	3	4	5
I recognize the university council as the highest decision making body in the university.					
The different subcommittees of the university council work harmoniously.					
Exiting university council structures enable effective student representation and contribute to debate.					
The university council provides structures which enable students to select their own representatives to the university council.					
Student representation vividly reflects on university council committees were student affairs are handled.					

University council institutional systems

	1	2	3	4	5
Student representatives to the university council keep their constituents informed and solicit constituent's views whenever appropriate.					
The university council recognizes student participation and input in decision making.					
The university council follows appropriate process for student disciplinary hearings and grievances appeals.					

The university council uses viable audit processes to monitor institutional performance.					
The university council is well informed through its subcommittees on institutional matters presented to it for action.					

University council institutional cultures

	1	**2**	**3**	**4**	**5**
Apparent university council governance structures and systems make it possible for a wide range of students to participate in the leadership the institution.					
Laid out university council governance structures promote negotiations and communications among different university constituents to be carried out in an open environment of good faith and civility.					
The university council and its subcommittee processes support a culture of public debate and tolerance which accommodates differences and competing interests.					
External stakeholders have confidence in the institutional values which guide the university council governance structures and systems.					

Thank you very much for taking the time to complete this survey. Your input is much appreciated and are there any other general comments about the effectiveness of university governance by the university council you would want to add?

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.....

Appendix 4

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27 St Andrews Road, Parktown, Johannesburg, 2193 • Private Bag 3, Wits 2050, South Afric

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ETHICS PROTOCOL NUMBER 2012ECE207

A survey instrument for academic and non-academic Staff

Dear staff,

Research topic: ***Effective university governance: the role of structures, systems, cultures in university Councils in comprehensive universities in South Africa.***

On behalf of this research initiative, I would like to personally invite you to participate in the above-mentioned research endeavour. The study aims to: find out how to what extent are institutional structures and processes, systems and cultures within university councils perceived as contributing to effective institutional governance practices in comprehensive universities? And what forms and modes of effective university practices could be developed from this data?

Survey protocol for participants

The research instrument has two sections; section A seeks biographic data from the study participants and section B on a Likert scale of 1to 5 seeks your views about university council institutional structures, systems and cultures.

Section A

Name of institution ……..

Staff /non-Staff number…….

Gender…….

Race……..

Nationality……

Residence…….

Section B

On a scale of 1-5,

1 for I strongly disagree

2 for I disagree

3 for I neither disagrees nor agrees

4 for I agree

5 for I strongly agree

Rate how university council *institutional structures and processes*, *systems and cultures* enhance or hinder effective governance at your institution.

University council structures and processes

	1	**2**	**3**	**4**	**5**
I recognize the university council as the highest decision making body in the university.					
The different subcommittees of the university council work harmoniously.					
Exiting university council structures enable effective staff representation and contribute to debate.					
The university council provides structures which enable staff to select their own representatives to the university council.					
Staff representation vividly reflects on university committees were staff affairs are handled.					

University council institutional systems and processes

	1	**2**	**3**	**4**	**5**
Staff representatives to the university council keep their constituents informed and solicit constituent's views whenever appropriate.					
The university council recognizes staff participation and input in decision making.					
The university council follows appropriate process for staff disciplinary hearings and grievances appeals.					
The university council uses viable audit processes to monitor institutional performance.					

The university council is well informed through its subcommittees on institutional matters presented to it for action.					

University council institutional cultures

	1	**2**	**3**	**4**	**5**
Apparent university council governance structures and systems make it possible for a wide range of staff to participate in the leadership the institution.					
Laid out university council governance structures promote negotiations and communications among different university constituents to be carried out in an open environment of good faith and civility.					
The university council and its subcommittee processes support a culture of public debate and tolerance which accommodates differences and competing interests.					
External stakeholders have confidence in the institutional values which guide the university council governance structures and systems.					

Thank you very much for taking the time to complete this survey. Your input is much appreciated and are there any other general comments about the effectiveness of university governance by the university council you would want to add?

.....
.....
.....
.....
.....

Appendix 5

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27 St Andrews Road, Parktown, Johannesburg, 2193 • Private Bag 3, Wits 2050, South Africa

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ETHICS PROTOCOL NUMBER 2012ECE207

Informed Consent Form for audio taping

Topic of study: Effective university governance: the role of structures, systems and cultures in university councils in comprehensive universities in South Africa.

I agree to participate in the above-mentioned research study aimed at enhancing institutional governance in higher education. I confirm that I have been informed about the nature of the research study. I have also received, read and understood the information and consent sheets regarding that study. Moreover, I am aware that all the information that I give during my participation in that study will remain confidential and will be anonymously processed. I may at any stage withdraw my consent to participate in the study and I will not be prejudiced by any such withdrawal. I have had sufficient opportunity to ask questions and as a result declare myself prepared to participate in the study. I participate voluntarily and note that no inducements or rewards have been offered to influence my decision to participate.

I have received the telephone number of a person to contact should I need to speak about any issues which may arise in my involvement as recorded from the audio tapes in this

study. I understand that this consent will not be limited to the interviewed material from the audio tapes and that my answers will remain confidential. I understand that all possible feedback will be given to me on the results of the completed research. I understand that the audio taping activity during the interview will be for about 45 minutes.

I give my permission to be audio tape-recorded.

I also agree that the data obtained during that interview will be used for:

a) research reports and

b).academic publications

I agree to participate in the research study in accordance with the understandings given above.

Signature of Participant: .....

Date:……

Appendix 6

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27 St Andrews Road, Parktown, Johannesburg, 2193 • Private Bag 3, Wits 2050, South Africa

Tel: +27 11 717-3007 • Fax: +27 11 717-3009 • E-mail: enquiries@educ.wits.ac.za • Website: www.wits.ac.za

ETHICS PROTOCOL NUMBER 2012ECE207

Participant's Information Leaflet

Dear participant,

Research topic: Effective university governance: the role of structures, systems, cultures in university councils in comprehensive universities in South Africa.

On behalf of this research initiative, I would like to personally invite you to participate in the above-mentioned research endeavor. The study aims to:

i)To find out how to what extent are institutional structures within university councils perceived as contributing to effective institutional governance practices in comprehensive universities?

ii) How might the institutional systems within the university councils be conceptualized as enhancing effective institutional governance practices in comprehensive universities?

iii) How are institutional cultures within university councils facilitating or hindering effective institutional governance practices in comprehensive universities?

iv) What forms and modes of effective university practices could be developed from this data?

In the South African higher education context, universities are institutions in the classic sense: the embodiment of histories of redress, ceremony and ritual, of rules and regulations, and of deeply held norms and localized cultural traditions. With changing patterns of higher education governance, universities are caught up in dilemmas to find responsive governance mechanisms. Part to this is that university councils as institutional structures that have been

positioned and charged with the leadership and management of universities. The University Council is the supreme governing body in public HEIs.

International studies strongly argue that strong institutional governance through university councils is a perquisite for excellence in discharge of fiduciary and strategic functions. However in the South African context little is known about how university councils are operating in such complex higher education landscape. Thus we are interested in how university council's activities, practices and traditions are influencing institutional practices in terms of transforming the relationships between the university senates and institutional forums in the universities.

Participation in this study is voluntary. You may choose to participate or not. Your identity and position will not be used .Your responses will be anonymous and will not be made available will not be mentioned to any other parties. There is no penalty for you choosing not to participate. If you may wish to stop your participation at a particular time, you may feel free to do so. You do not have to answer questions that do not want to. If you do wish your interview response to be used in the study, you may contact us, and we will remove your responses from the study. By participating in this study, you will be interviewed by a researcher. Individual interviews will take place during December, 2012 to March, 30th 2013, and they will be approximately 45 minutes long. The results of the study will be made available to the relevant stakeholders.

This study will not pose any risks nor result in any side effects, or have any direct or immediate benefits to you. If you feel that you have in any way been disadvantaged during your participation in the course of the study, or if you have any other questions about this research initiative , or concerns about privacy , please do not hesitate to contact me on (011)7173041, my supervisor Professor Felix Maringe on 27 11717 3022 .

If you willing to participate, please e-mail at Felix.Omal@students.wits.ac.za with your name, email address and a telephone number so that an interview time with you can be arranged. Kindly keep this letter so that you have our contact details should you wish to contact us in future.

Yours sincerely,

Omal Felix [omalfelix@gmail.com]
School of Education
Division of Educational Leadership and Policy Studies
University of the Witwatersrand
Private Bag 3
Wits 2050
South Africa

Appendix 7

Wits School of Education

27 St Andrews Road, Parktown, Johannesburg, 2193 • Private Bag 3, Wits 2050, South Africa

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ETHICS PROTOCOL NUMBER 2012ECE207

Notice of Informed Consent to participate in the study

Topic of study: Effective university governance: the role of structures, systems and cultures in university councils in comprehensive universities in South Africa.

I agree to participate in the above-mentioned research study aimed at creating a better understanding of institutional governance in higher education. I confirm that I have been informed about the nature of the research study. I have also received, read and understood the information and consent sheets regarding this study. I am aware that all the information that I give during my participation in that study will remain confidential and will be used in such a way that I will remain anonymous. I know that I may at any stage withdraw my consent to participate in the study and I will not be prejudiced by any such withdrawal. I have had sufficient opportunity to ask questions and as a result declare myself prepared to participate in the study. I participate voluntarily and note that no inducements or rewards have been offered to influence my decision to participate.

I have received the telephone number of a person to contact should I need to speak about any issues which may arise in my involvement in this study. I understand that this consent will not be limited to the interview and that my answers will remain confidential. I understand that feedback will be given to me on the results of the completed research. I understand that I will be interviewed for about one hour.

I give my permission to:

a) be interviewed and

b) be audio-recorded.

I also agree that the data obtained during that interview may be used only for research reports and/or academic publication.

Signature of Participant: .....

Date:.....

Appendix: 8

The different committees of the university council at the University of Venda

1. Executive committee of council

The executive committee comprise of council comprises of the chairperson of council, deputy chairperson of council, vice-chancellor & principal / (ex-officio), deputy vice-chancellor (academic) (ex-officio), deputy vice-chancellor operations (ex-officio), chairpersons of council committees: [human resource committee, audit committee, finance committee, student affairs committee, Tender committee, appeals committee, university registrar-ex-officio (secretary) and one resource person.

The Committee's responsibilities include to advise Council on matters of policy, make decisions on behalf of the Council on matters of an urgent nature, provided that any such decisions be ratified by the Council at its next meeting, consider and make recommendations to Council on the reports of all Council committees, advise Council on any matter which it deems expedient for the effective and efficient management of the University and Perform such other functions as the Council may determine.

2. Executive management remuneration committee

The executive management remuneration committee comprise of, the chairperson of council deputy chairperson of council, chairpersons of council committees [human resource committee, audit committee, finance committee, student affairs committee, Tender committee, appeals committee],three members of council on the Exco, university registrar-ex-officio (secretary)and one resource person[the vice-chancellor& principal / (ex-officio).

The Committee's responsibilities include; determining on behalf of Council, remuneration packages of members of Executive Management, Entering into remuneration negotiations with newly appointed members of Executive Management, reviewing remuneration packages of members of Executive Management.

3. Senate committee on learning and teaching

The senate committee handle issues related to teaching and learning at the university as part of the institutional turnaround initiative. Thus the university council is well informed through this committee of the teaching and learning risks at the university and responsive policies presented to the university council for consideration.

4. Appeals committee

The appeals committee comprise of chairperson who is an external member of the council, eight external members of council. The responsibilities of this committee as laid out in the terms of reference of this committee include responsibility for hearing of appeals of staff and students against the findings and sentence of disciplinary hearing [see appendix for a number of laid out specific detailed duties attached].

The Committee is responsible for the hearing of appeals of staff and students against the findings and sentence of disciplinary hearings. Reviewing and approving the internal audit charter, internal Audit plans and internal audit conclusions together with the adequacy of internal audit resources to effectively execute the plans, evaluating the independence of the internal auditors, reviewing the effectiveness of the organisation's systems of control, including financial control and business risk management.

5. Audit committee

The audit committee comprise of three external members of council, three outside experts to be appointed by the university council and two resource persons. The Committee's responsibilities include; recommending to council the appointment and retention of external auditors and externally appointed internal auditors, and to deal with matters regarding their dismissal or resignation, evaluating the independence, effectiveness and performance of the external and internal audit, reviewing the external auditors' and externally appointed internal auditors' engagement letters, with particular reference to the terms, nature and scope of the respective audit functions, the timing and nature of reports and the related audit fees, Considering any problems identified in the organisation as a 'going concern' or in the statement of internal control, Monitoring the annual performance and effectiveness of external and internal auditors, and to make recommendations to the Council concerning their re-appointment, where appropriate, Reviewing and advising Council on risk management

control with a view to ensuring that the University is managing all forms of risk effectively and adopting best practice in risk management generally, Monitoring the implementation of agreed audit-based recommendations, Ensuring that all significant losses have been properly investigated and that the internal and external auditors have been informed, Satisfying itself that satisfactory value for money arrangements are in place to promote economy, efficiency and effectiveness, Identifying key matters identified in management letters, requiring follow-up, Obtaining assurance from the external auditors that adequate accounting records are maintained.

The Committee monitors the effective functioning of internal auditing to ensure an objective overview of the operational effectiveness of the organisation's systems of internal control, reporting and business risk management, including- , clarifying internal audit and external audit efforts , ensuring the internal audit function's compliance with its mandate, reviewing significant matters reported by internal audit and the adequacy of corrective action taken in response to those matters, including any significant differences of opinion between management and internal audit Other specific functions are -, Compliance with financial conditions of loan agreements, any changes in accounting policies and practices.

6. Finance committee

The Finance committee comprise of three external members council of whom one is the chairperson, the vice-chancellor & principal / (ex-officio), deputy vice-chancellor (academic) (ex-officio), deputy vice-chancellor operations (ex-officio), Director Finance, co-opted member, university registrar-ex-officio (secretary) and one resource person [legal advisor]. The Committee's responsibilities include; considering matters of financial strategy and policy, including procurement and supply chain management, risk management and insurance, as they relate to the operation of the university, in particular the optimum use of available and potential financial resources, including internal investment options and their rate of return, Considering and assessing all investment opportunities available to the University, in respect of all the funds which it administers, and determining the manner and extent to which funds are to be invested with a view to ensuring both security and optimisation of income, Considering proposals for the raising of loan finance to fund capital development projects, including the acquisition of equipment, and to make recommendations to Council, Receiving and considering budget proposals from the executive and recommending to Council the annual the annual operating and capital budgets, Approving the

level of tuition fees and residential fees payable by students, and to make recommendations to Council on the policies governing the levels of these fees, Recommending to Council the appointment of the University bankers, investment managers and financial advisers, Approving the classification of specific debts as irrecoverable, Monitoring the insurance arranged to cover the University's property and liabilities, Approving the annual salary adjustments of staff,

7. Human resources committee

The Human resources committee comprise of the following members six external council members of whom one is the chairperson, the vice-chancellor & principal / (ex-officio), deputy vice chancellor (academic) (ex-officio), deputy vice chancellor operations (ex-officio), university registrar-ex-officio (secretary),one senate representative on council, one academic staff representative on council, on administrative staff representative on council, three resource persons[Executive Director Resource Management and Planning, Director Finance, Legal advisor]. The Committee's responsibilities include; recommending to Council on human resources policy matters, including but not limited to the recruitment and appointment of employees, the training and development of employees, the applicable job evaluation system, the performance management of employees, the promotion of employees» equity, including the equity plans of the University, the involvement of employees in external work, medical aid, group life and pension schemes, leave benefits of employees» succession planning, Advising Council on any matter which it deems expedient for the effective and efficient human resources management of the University.

8. Student affairs committee

The Student affairs committee comprise of four external members of whom one is the chairperson, the vice-chancellor & principal / (ex-officio), deputy vice chancellor (academic) (ex-officio), two SRA representatives on council, one senate representative on council, university registrar-ex-officio (secretary), Director: student affairs, Acting Director (CHETL), One person[legal advisor].

The Committee's responsibilities include - (i) Enhancing the social, education and religious interest of students, Enhancing the quality of student life, including but not limited to sporting and health related aspects, Determining and reviewing entitlements of the student leadership, Reviewing rules and regulations on student residences and management, the responsibility for

the conduct of student governance, including consideration of the Student Representative Council's annual programme of action and recommending this to Council, Reviewing the Student Affairs organisational structure and making recommendations to the Human Resources Committee, Considering recommendations on the review of the Students Representative Council constitution and other policy documents and making recommendations to Council.

9. Tender committee

The tender committee comprise of four members of council whom one is a chairperson, deputy vice chancellor operations (ex-officio), university registrar-ex-officio (secretary), Director Finance, Resource persons [legal advisor, Director Physical planning and Infra structural Management. The Committee's responsibilities include, Reviewing tenders and expressions of interest for all procurement activity in excess of the University's procurement thresholds, Reviewing the assessments undertaken by the Bid Evaluation Committee for all tender responses and where required: query discrepancies, requests supporting documentation, more information or clarification, review recommendations provided by the Bid Evaluation Committee for all tender processes and amend, reject or endorse recommendations, Providing recommendations for all responses to tender.