

The Decline of Shared Governance in Higher Education

(A Historical Perspective)

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Abstract

This paper elucidates how the administration of higher education has evolved from its collegial, medieval European origins and subsequently declined in American universities and community colleges. Shared governance in higher education, with its roots in long held principals of collegiality, is in profound historical conflict with any tinge of modern political or authoritarian top down business models of leadership. While there are many new economic and technological challenges in higher education management, capitalists have increasingly lent to a centralized authoritarian management style in academia out of a mistaken fear of need to immediately satisfy the short-sighted goals of the free market. The result has been the virtual abolition of liberal arts education and the enthronement of certificates and technology degrees to serve the immediate employment needs of society. The overlooked paradox is that while free market capitalists generally prefer federal government decentralization, they prefer centralization in academia in order to stifle unrestricted access to all stakeholders that tend not to accommodate short term precepts. The polemics in higher education management, therefore, flip the notion of conservative and liberal where the traditions of shared governance are in fact conservative and the liberal view is exposed as that of mere free market politics.

Introduction

Shared governance in higher education is a traditional social system of self-government where decision-making is treated as a participatory process. This process may be procedural as when soliciting broad input from those affected by a decision or substantive when utilizing a consensus model. The consensus approach to shared governance is typified by broad efforts favoring cooperation and collaboration without domination by a single interest group. The goal of shared governance is to locate agreeable objectives of interest groups that advance the goals of the institution. The modern American version of shared governance in higher education is intertwined with European origins and development of collegiality stretching back to the 13th Century medieval *studia*. This brief analysis of the history of shared governance in Europe and the United States proffers benefits for reconsidering the day to day management operations of academic institutions.

Governance is a function of organizational structure and of how people act within that structure. The Cohen and Brawer¹ seminal study on community colleges highlights Richardson's² description of bureaucratic, political and collegial governance structures. The bureaucratic model describes a traditional, rule bound, hierarchical power structure similar to K-12 structures. Authority is delegated from the top down with the faculty, staff and students each occupying respectively lower levels of the pyramid. The political model proposes a perpetual state of conflict between competing interest groups: trustees, administrators, faculty, staff and students. The collegial model proposes a community of scholars, with consensual decision making processes involving all constituencies affected by the decisions.

An ideal shared governance model is collegial in nature, recognizing the contributions and requirements of all members of the college in a group consensus process. This process fosters a sense of empowerment, equal partnership, and a vested interest in successful outcomes of institutional policy and implementation decisions. The purpose of such a system is to direct all available physical and financial resources toward meaningful improvement and progress³ Shared governance can create game plans that bridge lines of authority, share resources to take advantage of unforeseen opportunities, and facilitate programs to even out the work load while maximizing system efficiency.⁴ There are many shared governance models available to institutions of higher education; the process and dynamics have been defined and the advantages and disadvantages articulated.⁵

There are two branches of shared governance in higher education. The first is referred to as college governance which is dominated by the board of trustees who have primary fiduciary responsibility for the college and entrust management of the college to administration. Most institutions register primacy in decision making with the trustees and administration. Important perceptions are developed about communication with faculty, staff, and students based on the level of stakeholder involvement. Written policies favoring college wide governance are generally found in the college policy handbook where procedures are outlined for employee involvement in personal decisions, selection of administrators, preparation of the budget, and determination of educational policies. The procedures or practices specifying the mechanism of input by all employees is crucial to the perception of good communication. Faculty governance on the other hand holds primacy with the faculty. These decisions are with regard to curriculum, research, tenure, selection of faculty, evaluation of faculty, and negotiation of working conditions and salary.

In the past decade shared governance has come under fire for undermining the authority and responsibility of trustees and administration. The Association of Governing Boards of Universities and Colleges (AGB) initiated a concerted effort to abolish shared governance beginning in 1995. The Board of Regents of the University of California, by a vote of 15 to 10, voted against the advice of the university president, nine chancellors and faculty representatives, to end affirmative action in admissions, hiring, and contracting. Since 1995, there has been a slow inexorable erosion of shared governance in higher education. There continues to be attacks on tenure, academic freedom, and other policies held in esteem by the American Association of University Professors (AAUP) and the National Education Association (NEA). While these cases for negating shared governance demonstrated trustees' abdication of traditional roles for protecting the university from partisan political interference the decline of shared governance emanates from shifts in economic realities.

In 1998 the AGB published seven new principles indicating that trustees retain ultimate responsibility and full authority to determine the mission of the institution. Controlling rather than coaching attitudes have led to the suppression of faculty prerogatives related to shared governance, research, and teaching. The AGB continues to assert that decisions must more "top down" due to the escalating pace of rising costs in education. The rising costs of education have been coupled with state cuts in appropriations and increased dependence on federal grants. A corporate for profit mentality that started in the late 19th Century has been intensified by the technological distinction of online education and the precipitous shift away from full time to part time faculty.

The contemporary status of shared governance in higher education in the United States is based on the landmark *Statement on Government of Colleges and Universities*, agreed to by the American Association of University Professors (AAUP), the American Council on Education (ACE), and the Association of Governing Boards of Universities and Colleges (AGB) in 1966. The *Statement* policies clarify the roles of students, faculty, administration, and boards regarding curriculum, research, academic freedom, tenure, budget, salary matters, financial exigency, college athletics, and the selection, retention and evaluation of administrators.

As a sequel to these issues, therefore, this study will attempt to answer the following questions: Why is the collegial model losing ground as an effective leadership strategy when compared to the old bureaucratic model, or political models of organizational structure? In what ways have private colleges, public colleges, universities, and community colleges been affected by the operational decline of shared governance? Why are there historical differences between shared governance in the United States and Europe and how have these developments influenced higher education? What was the political and economic logic that drove society to replace the production of knowledge, once held by a community of scholars focused on curricula and the institution, with a bureaucratic group of non-producers emphasizing operations? Has market fundamentalism promoted consumerism in lieu of shared governance as an attempt to legitimate a view from the upper strata of society? To answer these questions it is necessary to consider the history of higher education in terms of the way social and cultural structures have interacted to enable or constrain shared governance. This analysis of shared governance is designed to help clarify institutional missions and to reinforce the commitment for improving leadership in higher education.

The European Origins of Collegiality

Hastings Rashdall, in 1895, completed his monumental three-volume work, *Universities of Europe in the Middle Ages*. He wrote that contemporary universities in Europe and America could only be understood by considering distinctly medieval institutions.⁶ He studied the history of thirteenth century student-faculty guild movements and the struggles between students, their masters, chancellors, and civil, papal, and royal authorities. Rashdall found that medieval higher learning embodied three important educational premises which are still valued today: a commitment to providing useful professional training with the highest intellectual cultivation possible; a desire to conserve and transmit knowledge by advancing research and writing; and the joining together of teachers in diverse subjects in order to make the teaching body representative of the whole cycle of human knowledge. This type of intellectual interaction among scholars is often used when describing the origin of collegiality in higher education. Upon deeper inspection this is only part of the explanation guiding the development and practice of collegiality in higher education. To be sure, the opportunity for collegial interactions and debate were more likely in the late medieval period of the 13th century because faculty autonomy and specialization in academia were not yet developed. The “higher ideal of learning” focused on gaining a more interdisciplinary knowledge grounded in the five disciplines of the *studia humanitatis*: moral philosophy, grammar, rhetoric, history, and literary studies.

While Rashdall judged the medieval *studia* too dogmatic and too disputatious, he found that it taught people in society to reason and speculate, to doubt and inquire, to find pleasure in things of the intellect for personal interest, for improvement of communication, and for legal application.⁷ Rashdall analyzed the legal aspect in a pragmatic sense. He considered an important service of the medieval *studia* to place the administration of government into the hands of educated people.

Louis Paetow emphasized how increased business relations in the twelfth and thirteenth centuries forced universities to place greater emphasis on the art of writing letters and public documents.⁸ Latin was the written language of learned men and of official communication, but teachers of rhetoric at Bologna compiled a manual of Italian writing for letters and public addresses in the mid-thirteenth century. In 1246 the notaries of Bologna were translating Latin documents into the vernacular for the benefit of people who struggled with Latin. From a political and social point of view, notaries benefited the most, gaining enormous power and importance.

Baldwin and Goldthwaite have explained how the late medieval period witnessed the appearance of the university together with the emergence of the modern state.⁹ Communal governments originated among the Italian cities in the eleventh and twelfth centuries and spread among the prospering cities of northwest Europe. Italian communal organization resembled that of a university and democratic forms were suited to local governments. Few ever conceived that democratic forms could cope with the problem of extended geographic areas, large populations, or the national aspirations of France and England. New monarchs, however, quickly realized the value of flourishing universities and enlisted the help of scholars in achieving their political purposes. Opportunities for political consultation and influence increased as universities grew in prestige during the late medieval period.

One of the earliest events leading to the development of collegiality in higher education was the *Authentica Habita*, in 1155, by Emperor Frederick I Barbarossa. The Emperor was first to grant a charter to foreign apprentice scholar students living in Bologna.¹⁰ The *Habita* provided specially protected rights and privileges from local authorities of church and state. There is scant information about the negotiations the scholar students held with royal authorities, but they clearly had deferred to, and obtained rights from the emperor. These powerful foreign and local Bolognese student congregations, referred to as *universitas*, developed statutes in 1193, 1252, 1272-74, 1317, and 1347, that were revised and updated every ten years providing instruction, security, a shared academic life, and decision-making through an elected rector, or *consiliarius*.¹¹ The student associations exercised powers students everywhere dream of: the appointment, payment, and dismissal of professors. The first purely masters' association, the *collegium* of doctors, did not develop until the mid-thirteenth century, also at the *Studium* in Bologna.

The origin of collegiality in higher education is, then, best analyzed beginning with derivative old Roman Latin root words like *colligo*, *colligere*, and *collegeti*, which referred to a gathering together, collecting, and

checking with others. During the late medieval period the Latin term, *collega*, was used in reference to collaborations between the bishops and their popes while *collegium*, referred to commercial labor guild. When scholar-students from around Europe moved to Bologna to attend this highly regarded learning institution, a strong solidarity developed into student guilds, called *universitas*. By the mid-thirteenth century power shifted dramatically from the *universitas*, to resident teaching guilds, or *collegia*.” Even though scholar-students originated from places where a different vernacular was spoken they arrived together able to communicate in Latin. The students were highly influenced by the revival of democratic principles from ancient Greek philosophy coupled with an upsurge in the legitimizing power of studying Roman legal texts. This intellectual development was framed by a dialectical curriculum that promoted deeper penetration into moral philosophy. In fact the practice of collegiality among teaching masters appears to have first developed around the use of civil and canon laws to establish teaching qualifications, degree requirements, curriculum, and provisions to elect officers and frame statutes.

According to Paul Grendler, Bolognese students had tremendous economic leverage over *masters* and the community when they threatened to migrate to another town.¹² Hilde de Ridder-Symoens believes a delay in the development of a professional teaching class at Bologna can be reduced to the prominence of law and medicine. In her view, there was a stronger link between students than lay doctors and lawyers teaching legal and medical courses.¹³ Stability at the Bolognese *Studium* was not secured until the masters received a steady guaranteed salary from the local commune in 1280. By 1291, masters at Bologna became the first to establish the right to determine teaching qualifications from their local communal authorities.¹⁴ The commune of Bologna decided to wrest control of its *Studium* from the scholar students by paying the masters directly. Thereafter, the civil government appointed all masters and made the decision when to open or close the school. Conflicts and negotiations that arose in the fourteenth century were between representatives of the masters and local authorities of the commune and not the students.

According to Manlio Bellomo, in the case of statutes granted by royal authorities to the *universitas* (student-scholar guilds), or in cases between the *collegia* (masters guilds) and the civil authorities of Bologna, collegiality was framed by developments in civil and canon law.¹⁵ For century’s canon law and civil law had remained un-codified, uncollected, and scattered in miscellaneous writings. In the early twelfth century, the Italian legal scholar, Gratian, applied himself to the task of putting the mass of laws into order at the monastery of St. Felix in Bologna. Gratian prioritized the documents and provided his opinion as to the true doctrine of the Church. His books, collectively known as the *Decretum* (1140), became a universally accepted authoritative exposition of law (*utrumque ius*) used at all universities in Europe. In practice European cities lived under various norms of law that had no uniformity (*ius proprium*). The *Decretum*, was forged out of ideological and cultural influence of values inherent in more widely known Roman laws and the laws of the Church. Although local laws in Bologna were not consistent with the *Decretum*, and had more authority since they were based on past practice, certain legal problems arose that were adapted in concrete legal situations as instruments for the safeguard of corporative and group interests.¹⁶

James Brundage agrees with Bellomo that principles held in the decretals facilitated creation of a corporate structure by these Bolognese law students.¹⁷ Brundage finds the work of Gratian was continued into the twelfth and thirteenth centuries by university law teachers who further transformed canon law from an inchoate jumble of regulations that lacked comprehensible form into a ‘legal science.’ Canon law progressively became linked to Roman law and shared a common terminology and method.

J.K. Hyde emphasizes how the *universitas* resembled the civil government of Bologna, or *popolo*. Hyde argues the formative influence for the union of guilds was not the doctrine of civil law, which he claims the masters violated, but the customs and pragmatic arrangements which arose in the life of the Italian cities as they developed virtually free from external control.¹⁸ Hyde does not make the distinction between Roman laws incorporated into canon law, based on the decretals, and the local norms of the town.

Manlio Bellomo expands the requirement for learning the law as essential for individuals, families, and kinship groups as it was for city leadership, the emperor, and for the church.¹⁹ The law required full mastery if it was to be used for learned theoretical reflections, for debates, in courts, in notarial practice, in arbitration to avoid lawsuits, and in peaceful acts of any person who wanted to dispose of property for profit or to their heirs. As law was essential for collegial relations between interest groups inside and outside the developing *studia*, it was being reflected in public governance, for legitimizing power, and for tutelage of interest groups or segments of society. The study of law offered an indispensable career for

nourishing the hopes of people engaged in administrative careers populating the emerging structure of local bureaucracies, both lay and ecclesiastical. In this way Bellomo flips Hyde's argument that the university resembles the *popolo*, and instead locates how the university, influenced the structure of the *popolo*. Just as the medieval society framed the development of universities, so was collegiality framed by the development of law and the budding impact of Italian humanism at the *Studium* of Bologna.²⁰ From the beginning of the *studia* in Italy there was a strong bond between legal training and humanism. Prior to the 13th Century rise of the European *studia*, Latin literary classics, late-antique grammars, and the Latin rhetorical tradition were subordinated to the study of theology and the education of clerics. Their practitioners, however, could not help being drawn toward the newly revived translations of Greek logic by Aristotle, and the study of canon law in the 13th Century. Thirteenth-century scholasticism, nourished by the translations from Arabic and Greek in the universities, laid the foundation for a systematic, orderly, logical, and internally self-correcting thought. In so doing, Italian humanism acted as the wellspring of collegiality. Italian humanism cultivated an intellectual system of the past that promoted uniformity of law in place of disorder, rivalry, and vengeance.

Rashdall initiated the idea that the university was born naturally, or even inevitably, out of the diversification of the utilitarian and professional demands made upon education in the later Middle Ages.²³ He asserts that it was initially shaped by the struggles of student scholars and eventually masters guilds to gain freedom and autonomy from local, royal, or papal control. Charles Haskins concurred with Rashdall about the origins of the early universities, but emphasized that the *universitas* and *collegium* were shaped at the *Studium* of Bologna by following the example of the trade guilds already common in Italian cities.²¹ Pearl Kibre provided a seminal work, *The Nations in the Mediaeval Universities*, detailing the internal institutional perspective of student nations in Bologna and Paris controlling their own members and leveraging power over the schools and their administration.²² At Bologna, Kibre found issues of curriculum, examinations, qualifications to teach, and texts being determined by the university as a whole, earlier than at Paris. Kibre brings us closer to the internal machinations of privilege and immunity at the late medieval *studia* in a later book from 1962, *Scholarly Privilege in the Middle Ages*. In this more expansive investigation into the internal affairs of the nations, Kibre elucidates how masters obtained rights to make their own rules for teaching hours, course content, method of lectures, as well as the right to enforce regulations upon their membership.

According to Stephen Ferrulo, the common theme perpetuated by Rashdall, Haskins, and Kibre, that guilds were formed to gain freedom and autonomy from local, royal, and papal control, while evidently correct, perhaps hinders our understanding of scholarly guild origins. In Ferrulo's seminal work, *The Origins of the University: The Schools of Paris and their Critics, 1100-1215*, the University of Paris was established more as the embodiment of an "educational ideal" than as a workable means to organize learning and teaching.²⁴ The sources and ramifications of this "ideal" are as much a part of the story of the origins of the university as are changing social and professional needs or the stages of the institution's legal and organizational development. His "educational ideal" explains why scholars of diverse subjects and with diverse and often competitive professional goals continued to prefer to congregate in the same city and ultimately chose to join together to form a single corporation. The educational ideal at Paris was to form corporate interests principally for the pursuit of knowledge and truth.

Ferrulo does not find it satisfactory to point simply to the corporate instinct of commercial guild associations to explain why the masters felt compelled to associate together, otherwise they would have formed more narrowly defined or specialized guilds.²⁵ Neither can teaching corporations be explained by negative or self-protective response to external conflict or opposition or threat of encroachment since there is some evidence for the formation of scholarly guilds prior to these developments. If the scholars of Bologna formed corporate interests for the pursuit of knowledge and truth, early associations among teachers were not just a product of narrow professional self-interest, but of a higher educational ideal and commitment to social reform. The earliest statutes, that are unfortunately no any longer in existence, may have provided the proof for a recognizable set of educational ideals, the essential value and integrity of producing knowledge, the need to share one's learning willingly and freely, and the importance of education to the improvement of society.

Collegiality appears to have originated from at least six historical developments external and internal to the medieval European *studia* (1.) the budding debate over civil and canon law; (2.) the advent of Italian humanism; (3.) new types of business relations including the formation of trade guilds; (4.) the rise of popular government and the modern state (5.) the desire to have freedom and autonomy from local, royal, or papal control and (6.) for organizing teaching and learning as an educational ideal for pursuit of knowledge and truth leading to social reform.

Shared Governance in the United States

There have been many changes in the governance of higher education in the United States of America since the Harvard Charter of 1650. Gradually church influence was reduced with the rise of public institutions and secularization of denominational colleges. The College of New Jersey in 1746 developed a compromise between Presbyterians and the colony of New Jersey yielding a board with twelve ministers, ten laymen, and the governor of the colony as ex-officio presiding officer. A tradition of toleration for religious diversity developed in the provincial colleges. During the republican generation of education, enlightened and newly sovereign states made provisions for collegiate education as the States chartered new institutions. Enlightenment ideas in education sponsored the use of reason, freedom of thought, and free speech. These, in turn, fostered the idea of critique such that knowledge evolved as a critical consensus in a decentralized community.²⁶

With the passing of republican education near the first quarter of the nineteenth century, the issue of private versus public control peaked with the Dartmouth College case in 1819. The United States Supreme Court ruled that New Hampshire could not alter the charter of eleemosynary private educational corporations. The upshot was that old eastern provincial colleges eventually became fully private institutions. In contrast to the tradition of most European universities, the United States federal government did not monopolize higher education at first. Professors were not officials of the state but employees of public and private governing boards. Since discretionary legal authority was granted to employers in this way, an elaborate local administrative control caused faculty to look at what was going on inside an institution and become preoccupied with the idea of “administrative restraint” in terms of faculty participation in decision-making.²⁷

Although there were significant departures prior to the Civil War, the administration of higher education became increasingly professional. German style universities that offered graduate education transformed state universities and colleges into highly specialized educational departments, and divisions of knowledge. After the Civil War, the professorate in The United States borrowed governance features of the German university tradition known as *Lehrfreiheit*, or “freedom to teach” in the formation of their graduate schools.²⁸ This concept in large part influenced the idea of academic freedom among faculty in the earliest new universities like Johns Hopkins, Stanford, and Chicago. When the Morrill Land-Grant Acts in 1862, and 1890, facilitated multipurpose extension and elaboration of new specialized agriculturally based colleges, there was a huge increase in the number of professional full time faculty that replaced practitioner-teachers. With these new institutions evolved new administrative structures serving autonomous departments in order to secure resources covering the significant costs of scientific education. The roots of commercialization in American higher education point to a major transformation in the mission of education in the late 19th Century: to spread capitalism and democracy. Thorstein Veblen’s *The Higher Learning in America: A Memorandum On the Conduct of Universities by Business Men*, was first published in 1918, although written years earlier. His sardonic wit and insightful erudition are suitable for analyzing how closely higher education has come to the grand expectation of “total depravity” in the Twentieth Century. His argument is that American higher education was victimized and misused by business institutions in the same way as American industry. Veblen correctly predicted problems would arise from commodification of universities. His work is still useful to consider how business interests in higher education boards impact administration, faculty, and students. Veblen described a significant change in the primary function of institutions of higher learning: the replacement of the production of knowledge with commercially interested bureaucratic non-producers who possess no experience in academic governance.

Veblen’s view is of a class of technocrats that have no way of evaluating modes of production due to a unique historical and practical nature of an institution once dominated by faculty. The quality of the

curriculum had more integrity when it was under the full auspices of a faculty that made selections for reasons other than pecuniary value. The new trend was that business influence was tending to water down higher learning. He watched in dismay as faculty tended toward being more individualistic, specialized, and isolated in advancing their own economic interests. Veblen was among the first to write about how the German educational system advanced the individual scholar but not the curriculum or the best interests of student learning. Furthermore, administration, and faculty moreover, had become victims of this pecuniary system. Veblen's assertion is that faculty and administration were considerably more interested in the success of teaching and learning prior to these days of transition toward a business model of higher learning.

Veblen cited a supreme conflict between "mechanical and statistically based corporate financial programs and the free hand necessary for an organic learning consistent with abiding scholarly and scientific work."²⁹ The commercialization Veblen depicts led to undergraduate programs geared for cultivating well-mannered students and professional schools for vocational training. The business class was to move society toward an educational system ordained to train labor for the satisfaction of marketplace and not the service of science or scholarship. Veblen called for separation of higher education from business and law schools, dissolution of the trustees, and the development of an organizational chart without "the captain of erudition."³⁰ He was ahead of his time in seeing how the power of boards and university president's would intrude into collaborative scholarly research and compel conformity in exchange for financing by the federal government and the free market system.

Clyde Barrow's, *Universities and the Capitalist State*, is a retrospective about the era from 1894-1928 in higher education. Barrow uses different terms, places, and points of emphasis, but like Veblen, finds many college intellectuals were not amenable to the insertion of corporate aspirations into universities, the enforcement of meritocracy, and promotion of the myth of universal equal opportunity. He brings in the issue of class, capitalism, and the state, finding where cooptation fails, coercion prevails over a vulnerable faculty and administration. Barrow issues the crux of the problem: an empirical distinction between possession of means for mental production by faculty, and legal ownership of the tools by public and private governing boards. A capitalist class with means of material production has control over mental production and this translates into ideological power.³¹ Besides providing data to support Veblen's explication, Barrow locates how the federal government becomes part of a social-industrial complex with overlapping public and private associations that formulate policy and assist social control.³² It was the Carnegie Foundation for the Advancement of Teaching (CFAT) founded in 1904 by Andrew Carnegie, Theodore Roosevelt, and Henry S. Pritchett that first linked the financiers with university administrations.³³ The CFAT and the General Education Board (GEB) together became the principle mechanism supplying monopoly capital for higher education. It was a significant ideological victory for the public image of business to displace traditional ideas of education leadership with business expertise.³⁴ The corporate ideal solved what was considered the three biggest problems in higher education: lack of educational opportunities, uncontrolled costs, and absence of public accountability.

Joe Stornello, in *Social Hegemony and Educational Equality*, makes a strong effort to get at the underlying structural reality of social relations in American education. He finds the history of political economic structure can only be understood by looking at patterns of actual events, and then by induction, determining what really took place. His critique of the history of American schools is devastating from the standpoint of democratic ideology. He pits America's Revolutionary Democracy, with democratic social relations, versus a Republican Ideology with unequal social relations. He shows that public school education perpetuates unequal educational opportunity, the mystique of a deeply rooted, rugged individualism, and that chances of success are contingent on factors correlated with a structurally determined social class.³⁵ The failure of elite political, economic, and ideological measures to generate a malleable laboring class before 1840 led to a systematized education plan designed to achieve hegemonic social control.

Stornello forcefully argues that Horace Mann was as an educational entrepreneur who constructed a pro-capitalist institution to render Marx's predicted second revolution unthinkable.³⁶ Mann decided the masses should be given power only in accordance with attainment in knowledge and morality. The system was designed to dominate the consciousness of each child infusing a capitalist achievement ideology and a

competitive individualist meritocracy.³⁷ This resulted in a suppression of individual identity, critical thinking, and displaced scientific inquiry by constructing a narrow view of a homogenous culture and history. It was designed to separate native from immigrant, white from black, union from non-union, and women from men. For Stornello, Mann's composition has been played to the tune of normalizing social reproduction for over 160 years and placed an effective coda on class revolution and democratic social transformation.³⁸

The importance of Stornello is to follow the underpinnings of foundational changes made in primary and secondary education that were historically coincident with the transformation of post-secondary education distinguished by Veblen and Barrow. Seen in the light of Stornello, Veblen and Barrow are describing the evolutionary consequences of a sweeping holistic philosophical transformation in the American education system. The descriptive linkage between these three scholars clarifies an astonishingly consistent, coherent, and dominant educational ideology first held by mid-19th Century education leaders and perpetuated for the last one-hundred and sixty years. The idealist ontology perpetrated by this hegemonic system constitutes an epistemic fallacy of a mystifying kind because its individualist conception of society obscures social power of cultural meanings and conditions the exclusivity of material relations upon collective behaviors and experiences.³⁹ Within this system of an individualistic society there are no necessary associations and success and failure is self determined.

As faculty positions and knowledge were increasingly being defined by business minded trustees in the 19th Century, by 1915 faculty organized the American Association of University Professors (AAUP). The early mission of the AAUP was to champion professional rights. At the top of the list was free discourse among academic professionals. Outside of the legal arena, the only way to establish a standard for protection of faculty was to develop a peer review system to assess professional competence and ethics in order to gain acceptance of academic freedom by university trustees, disciplinary professionals, and accrediting agencies.⁴⁰ A clear legal standard for First Amendment protection for professors employed in public universities awaited the landmark case of *Sweezy v. New Hampshire* in 1957.⁴¹

The modern American form of shared governance developed in the first decades of the twentieth century as a way to take into account the diverse talents needed to operate higher education institutions. The main work of the AAUP has been in the area of academic freedom, tenure, and due process as first expressed in a "Declaration of Principles" in 1915. This statement was put into use by the organization's standing "Committee A" on Academic Freedom and Tenure in dealing with particular cases. Ten years later, the American Council on Education (ACE) called for a conference, inclusive of the AAUP, for the purpose of formulating a shorter statement that would take into account a decade's experience. The product of this effort became known as the 1925 Conference Statement on Academic Freedom and Tenure. Beginning in 1934, the AAUP and ACE joined in a series of conferences that led to further modifications and the landmark, *Statements of Principles on Academic Freedom and Tenure* in 1940.⁴² One hundred and fifty education societies, and associations, endorsed the joint statement. The purpose of these principles was to promote public understanding and support for academic freedom and tenure, and specified procedures to assure them in colleges and universities. The concept of academic freedom, peer review, tenure, and due process provide the modern foundation for collegiality. Since 1915, over fifty policies have been written detailing the role of faculty in subjects ranging from ethics, research, and teaching; to discrimination, collective bargaining, student rights, accreditation, and benefits issues.

From its inception, the AAUP also worked to ensure meaningful faculty participation in college governance. "Committee T," on College and University Government, composed its first statement on the subject in 1920, emphasizing the importance of faculty involvement in personal decisions, selection of administrators, preparation of the budget and determination of educational policies.⁴³ Refinements were introduced in 1938, and from 1958 to 1964, with efforts toward a joint statement involving ACE and the Association of Governing Boards of Universities and Colleges (AGB). The result was the 1966 *Statement on Government of Colleges and Universities*.⁴⁴ This landmark proposal laid out primary responsibilities that trustees, administrators, professors, and students should play in their responsible and cooperative action for institutional operations. The *Statement* said that professors, "should have authority over curriculum, research, and faculty status, and these decisions should be overruled by the president or governing board only in exceptional circumstances."⁴⁵ The *Statement* has been supplanted over the years by several

derivative policy statements on faculty governance and academic freedom, budgetary and salary matters, financial exigency, the selection, evaluation, and retention of administrators, college athletics, the role of students, and collective bargaining.

The essential vision of the professorate was that a college or university would enjoy increasing capacity to solve educational problems when all components were aware of their interdependence through meaningful communication. While the 1966 *Statement* promoted interdependence, it was in many ways a declaration of independence for faculty, and has been referred to by some academicians as nothing less than an “academic revolution.”⁴⁶

From July 1995 to August 1996, boards of regents all over the country were bypassing established practices of governance as they announced intentions to micromanage educational matters ranging from the appointment of faculty and administrators to decisions about curriculum and tenure. At many universities and colleges there were attacks on research and teaching, massive cuts in appropriations, and the substitution of part-time for full-time faculty. In 1998 the AGB had issued a statement about their new unabashed agenda.⁴⁷ The AGB created a set of principles that broke with their earlier understanding of shared governance based on the 1966 AAUP statement. The AGB recommendations helped governing boards restructure internal governance and move power toward the top of the organizational hierarchy. The AGB specified ultimate responsibility for the institution and the determination of mission, but for practical reasons could delegate some kinds of authority to other “stakeholders.” The trustees based their shift away from shared power on a change in market realities they claimed had developed since 1966. For example, the costs of higher education had risen faster than other goods and services, and perhaps most important, corporate for profit and online enterprises were now forcing the issue of intensified economic competition. The AGB underscored its differences with the AAUP when flatly stating they had “recommended” the 1966 statement to its members, but never “endorsed” it.

In Neil Hamilton’s, *Academic Ethics*, a critical analysis of the AGB Statement reveals the three major points of the university trustees. Their first point is that higher education has many of the characteristics of business enterprises although constrained by higher education’s “special mission” and purpose in a pluralistic society. Hamilton contends that academic tradition is being turned upside down and emphasizes the creation and dissemination of knowledge is the priority with the only constraint that revenues cover costs.⁴⁸ Hamilton argues for the priority of academic freedom, peer review, and shared governance as a necessity in achieving the mission of higher education institutions.⁴⁹

The second major break with academic tradition held by the AGB imports the idea of stakeholder analysis from business ethics literature. Here faculty are ascribed the status of “just one of many” internal stakeholders along with nonacademic staff, students as customers, part-time faculty, suppliers, and the communities in which the business operates. The AGB statement ignores faculty primacy in areas related to research and teaching in order to realize the mission of creating and disseminating knowledge.⁵⁰ For Hamilton, the AGB minimizes the significance of teaching critical thinking in order to suppress dissent in learning institutions.

In the third profound philosophical break from the AAUP tenants of shared governance, the AGB rejected the basic assumption that community colleges were an integral part of higher education institutions in their way of creating knowledge. The AGB Statement contends that community colleges do not have knowledge based missions. They are considered as being more like technical schools training people for quick job placement while employing mostly part time faculty. According to Hamilton, the AGB anti-shared governance agenda minimizes the overall interconnected mission between the community college, college, and university systems in creating and disseminating knowledge.

According to Hamilton, by framing this rejection of the basic tenet of shared governance long held by the AAUP in the mission and purpose for all of higher education including community colleges, the AGB blocks vital first constitutional rights of dissent and echoes the booming affirmation of the society’s most prevalent cultural elements. The AGB had little difficulty separating community colleges from colleges and universities since many did not have traditions favoring academic freedom, peer review, or shared governance.

Community Colleges and Shared Governance

Public community college governance is a state-by-state choice with variations based on degree of state versus local control, whether trustees are elected or appointed, taxing authority, and voluntary or mandated shared governance. The American “junior colleges” first appeared in the decade of the 1900’s but multiplied in the 1920’s in response to the huge demand for local access to higher education in rural and city areas.⁵¹ The original mission in most instances was to prepare high school graduates for upper-division collegiate work, or for technical and business employment. The role of community colleges has changed due to rapid student population growth, changes in educational needs of the community, and its crucial role in helping to build community among diverse constituents. Since there is relative uncertainty about the importance of these functions, an increasingly diverse mission makes decisions like program development, resource allocation, and hiring especially complex.

Assembly Bill 1725, passed in 1988, had a wide-ranging impact on California community colleges. It moved them away from their “K-12” roots, raised minimum qualifications for faculty, extended probation for new faculty from two to four years, strengthened evaluation through mandated peer review, and established funding for professional development and curricular innovation. For the first time in the history of California community colleges, collegiality was defined, mandated, and established as a minimum condition to receive state funding.⁵² The result of this reform was to increase confidence among businesses, the public, and transfer institutions regarding the integrity of community college offerings, certificates and degrees. As of 2001, The California Community College System consisted of 108 college campuses serving 2.5 million students in 71 separate districts, and representing the largest system of higher education in the nation.

According to Linda Collins, professor of sociology at Los Medanos College, and past president of the Academic Senate for California Community Colleges, the framers of AB1725 clearly understood the link between educational excellence and the historical context of faculty in higher education. AB1725 recognized local academic senates at each college, and mandated local boards consult collegially with their local senates. The local senates were given primary responsibility for oversight of degree and certificate requirements, grading policies, curricula, and educational programs. These senates borrowed heavily from the AAUP policy statements in identifying the main areas in which colleges were to delegate responsibility to faculty. AB1725 called for enhanced cooperation between the state’s three public systems of higher education.⁵³

The state legislature of California added economic development to the mission of its community colleges in 2001. Many businesses were calling for employees who could work in multicultural teams, group problem solve, and adapt to changing circumstances. The workforce development system in California, and elsewhere, has been criticized for seeking short-term rewards with skill-based training to the detriment of investment in long-term educational preparation.⁵⁴ A decade of welfare reform did not lead to self-sufficiency but to an increase in the working poor. Under former Governor Gray Davis in 2001, the state’s Community College Board of Governors modified the workforce preparation plan to include not only “occupational ladders,” but also “educational ladders.”

There have been many obstacles to progress in the California shared governance plan. From the beginning in 1988, new governance regulation polarized some of the campuses, and instead of uniting certain constituencies, created a political rather than collegial governance model.⁵⁵ The initial backlash occurred on older more autocratic campuses as governance models were challenged. Locally elected boards did not always follow laws regulating shared governance, and the state chancellor’s office failed to always enforce regulations. Only modest investment has been made available for professional development of faculty and administrators, and minimal reassign time offered for faculty to do curriculum development, or governance work. Administration has been stretched thin by increased preoccupation with efficiency and productivity at the expense of collegiality and classroom concerns.

AB1725 required seventy-five percent of all credit instruction is to be delivered by full-time faculty. This is because full time faculty’ are available to participate in shared governance and are compensated for this role in the California system while part-time faculty traditionally are not compensated for extracurricular

work with students or campus governance. Unfortunately full time faculty and administration have not been systematically trained to fit into collegial efforts. Untrained administrators auger controlling behaviors and simplistic techniques that weaken the commitment to core values of the academy.

At South Orange Community College, district officials disallowed reassign time for faculty senators and then tried to install an administrator as chair of the curriculum committee. When faculty voiced opposition, the district responded by placing restrictions on student and faculty speech. Parts of the proposed speech policy were ruled unconstitutional by a U.S. district court, and other parts withdrawn by the district prior to the court ruling. This incident and several others led the Academic Senate for California Community Colleges to enter into formal partnership with the AAUP in order to bring their expertise to bear in 2001. In the climate of nation-wide attacks on public education, new business derived management ideologies erupted that promoted corporate models for higher education. Higher education had lagged behind business in establishing viable models for successful decision-making. As soon as AB1725 reforms were implemented, new education management fads were marketed to the community colleges like management by objective (MBO), total quality management (TQM), continuous quality improvement (QI), and business process re-engineering (BPR)⁵⁶. Terry O'Banion, one of the principal "movers" of change in education, had stated a need to overthrow the "traditional architecture of higher education." O' Banion was prominent in positing the notion of students as a "product," and ending the investment in deliberative processes of governance. Other critiques of the corporate model of higher education find it devaluing of the student-teacher educational experience to emphasize student-learning outcomes. Many of the new business like model reformers are looking for "accountability" and insist more attention be placed on "outputs" rather than "inputs." The reformers have been highly criticized for inattention to baseline resources required for education in the face of decreasing investment and increasing student diversity in California. Accrediting commissions have succumbed to pressure from federal government and private proprietary institutions. The Accrediting Commission for Community and Junior Colleges (ACCJC) has dropped their traditional multiple measures of institutional excellence standards that once included soundness of policy and governance structures.⁵⁷ The commission AACJC now proposes that faculty be evaluated for their "effectiveness in producing student learning outcomes," and most egregiously, promoted a new standard on governance entitled "Leadership and Vested Authority." The new governance plan would weaken the academic senates and underscore the authority of the CEO. The Association of Governing Boards and the Community College League of California, which represents CEO's and trustees, have asserted the CEO is the only employee of a governing board, thereby undercutting faculty participation in the selection of the college president or chancellor and underscoring board loyalty to the CEO rather than the community, the faculty, and the students.⁵⁸ Strong opponents of ACCJC's position on governance and faculty evaluation include The Academic Senate for California Community Colleges, the AAUP, and the Community College Council of the California Federation of Teachers. In many colleges management reorganization has undermined shared governance principally by replacing faculty elected division and department chairs with full-time non-union aligned managers. At Diablo Valley College in 1991, 91 percent of faculty voted "no-confidence" against the college president who proceeded with institutional restructuring on academic and professional issues without consulting the faculty senate.⁵⁹

In a ten-year retrospective analysis in 1998, education researchers Piland and Bublitz, found a combination of potentially contradictory legislative goals created many of the problems that surfaced in the California community colleges in the first decade.⁶⁰ At the top of the list was increased faculty responsibility without proper training, coupled with ultimate authority vested in the Boards, and a wide spectrum of differing opinions about how to implement shared governance.

Obviously there are many trustees and administrators unhappy with shared governance in the community college system in California. Barry Wishart, a member of the board of trustees of North Orange Community College District, finds colleges devoting an inordinate amount of time to the implementation of shared governance rather than to teaching students.⁶¹ Further, increasing numbers of teachers are paid not to teach, but to engage in shared governance. Wishart is not convinced of faculty expertise to make quality decisions about managing the institution. He also notes that, "If you add to the equation the fact that many of the faculty' are union representatives there is a conflict of interest."⁶² In his view, the conflict over primacy in decision-making distracts from fulfilling their teaching responsibilities.

For Rodman Sims, a manager at Coastline Community College, the committee work requires “oblique representation” from people who are often uninformed.⁶³ In his opinion, working together has many advantages when the participants have special skills that are fully utilized. Sims suggests assembling people who function in a particular capacity and are interested in serving on the committee. He also points out that in too many instances the administration is caught supporting a policy they don’t embrace, and worse, they are evaluated on the merit of their support for shared governance. Finally, Sims finds evidence for too much deliberation where process reigns over product.

Cohen and Braver emphasize how the collegial model reflects more rhetoric than reality and that actual procedures maintained in community colleges tend toward bureaucratic and political protection of faculty rights, satisfaction, and welfare.⁶⁴ Kezar indicates that the participatory model is just as likely to exclude people from involvement in decision making as the traditional hierarchical model.⁶⁵ The cultural climate of any higher learning institution is often considered the most important factor in determining the success of any governance process. Faculty and staff in various community colleges have wrestled with issues related to the implementation of shared governance, including resistance to changing historical patterns of bureaucratic and/or political governance, overly prescriptive legislation, and a lack of strong system and local roles enabling the respective boards to actually govern.⁶⁶ Implementation of shared governance can (1) promote divisiveness and turf wars between faculty, staff, students, and management groups each pursuing their own organizational agendas; (2) produce fragmented budgets based on bilateral agreements between the district and each of the warring groups; (3) promote distrust and resistance to change; (4) be unsound in terms of legal accountability; and (5) be too slow.⁶⁷

Trustees are beginning to avoid the term "shared governance" because they say it implies a level of collaboration that may not exist.⁶⁸

While states other than California may lack similar comprehensive legislative statutes, many have introduced structures of participatory governance intended to improve system quality and efficiency. Perhaps the most widely reported successful examples of shared governance are at Maricopa County Community College District in Arizona and Austin Community College. Winning strategies range from "strategic conversations" format to ensure interaction to more complex learning organization models of operation. Burlington County College in New Jersey has adopted a governance structure providing "a forum for thoughtful, collegial consideration by faculty, support staff, administrators and students, of administration issues crucial to the teaching/learning process and environment."⁶⁹ Richardson, in 1975, and Levin in 1988, wrote their view that historical definitions set forth in the California System of Higher Education mission and purpose for community colleges is especially suited to shared-decision making.⁷⁰ The community college movement was based on providing educational opportunity to those culturally less powerful groups in our society, the masses of lower income students, women, and ethnic minorities. According to these authors, community college education is an ideal place to offer a program of liberation, where opinion that challenges the dominant interests and the established structure of unequal wealth as a matter of dissent creates an agenda for social justice and multicultural inclusion.

Conclusion

While some might argue that it is anachronistic to place medieval collegiality in the light of modern shared governance, the values that flow from medieval *studia* have profound roots in the modern German University tradition of *Lehrfreiheit*. The concept of academic freedom has facilitated fearless inquiry by faculty, the nurturing of independent thought, and a provision for active citizenship. What has become known as shared governance today empowers responsible faculty to better results when they operate in a climate of reason and persuasion as opposed to a centralized command and control.

Since the founding of Harvard in 1638, our nation has depended on educated people including trustees and presidents’ to educate leaders. Education is a principal means of social mobility, empowering minorities, and providing women the opportunity to seek liberation from discrimination. The freedom to explore and publish neglected topics that threaten powerful interests without reprisal are really what esoteric, legal and ideological battles involving shared governance, academic freedom, tenure, and peer review are all about. Universities are still being driven toward unregulated free market capitalist economic interests. The danger

is the surrender of positive collegial “guild-like” values, or higher ethics beyond profit motive. Each generation of faculty will need to “hold the line” and renew its social compact of academic freedom, peer review, and tenure with the public and those in the profession.

The doomsday scenario, expressed by Jeremy Rifkin in *The End of Work*, at times seems plausible.⁷¹ Authoritarian managerial tactics are sometimes used to circumvent or suppress collegiality to the extent that education is viewed as a cheap commodity. In this scenario, the academic professions are dethroned from the kingdom of knowledge by a coup of market forces and slick operators. Information technologies gradually erode the need for traditional faculty in the 21st century as the information super highway rolls like an avalanche over the academy. In short, the bulk of the academic professions could go the way of the dinosaurs, replaced by virtual community colleges, part time faculty, distance education, and “winner take all” market forces.

In a more optimistic scenario, faculty organize themselves to contest political and economic interests that aim to marginalize their voice in higher education. Specific areas of responsibility and authority need to be determined before decisions are made and actions taken. Administrators must work collegially with the academic senate, the staff, students, and the collective bargaining agents in an environment where the scope for responsibility and authority of each of the constituent groups is clearly understood by the stakeholders of the institution. As faculty gradually lose empowerment at major universities, the voice of collegial tradition may tend to walk hand and in hand with increasing unionization in higher education. Shared governance in higher education is not the daring experiment it was a few years ago and it is not a panacea for funding and enrollment pressures. Successful shared governance in higher education requires commitment, time and focused effort from all levels of state, system, and campus participants. While other constituencies may feel able to represent their interests through various means, such as collective bargaining, staff and students may feel that shared governance is a particularly valuable procedure, perhaps the only workable avenue for their input.⁷²

It is possible that a state adopting incentives encouraging, rather than regulations mandating, cooperation might “pull” its governance structure in the direction of being more collegial, rather than “pushing” it toward being more political. There is general agreement among interested parties that changes in community college governance are needed and there are wide ranging proposals about what these changes should be. A consensus emerges from the literature: neither top-down nor bottom-up governance approaches work well unless there is a clear mission and a commitment to the goals of the institution.⁷³ Historically, the power to run higher education in America has been a mix of faculty, administration, students, and alumni, local and federal government, and accrediting agencies, although governing boards have had the last word since 1819. Governing boards, however, don’t traditionally interfere in curriculum matters, tenure, or academic freedom as these are generally considered faculty prerogative. In the last two decades even this tradition is being challenged with new rhetoric, decentralized budgets, digital communications, and intellectual property partnerships in the power struggle over the last remaining American industry where workers have control over the means and ends.

Shared governance is being viewed as an expensive interfering luxury, but what valuable opportunities have been lost through prolonged debate between administration, faculty, and trustees, especially when contrasted with “misguided profit-seeking ventures.”⁷⁴ The AAUP and AGB positions fail to consider that each higher educational institution experiences unique environmental, technical, and administrative core pressures that are the hallmark of all post-secondary institutions.⁷⁵ Trustees, administration, and faculty must join together in the fight over the production of knowledge and better utilize the procedural and consensual practices of shared governance held in esteem for nearly a century by the American Association of University Professors.

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