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After sketching the relation between the Task Team

that in an environment of distrust and weak accountability systems, governance required the separation of different sets of functions in different structures – something which had been at the core of the governance proposal made by the National Commission on Higher Education (1996). The conflation of important distinctions could potentially cause serious and systemic problems. He cited the case of the CHE, which incorporated advisory, research, consultancy, and monitoring functions as well as the executive function of quality assurance: yet how might the CHE be expected, for example, to advise on what it implemented? Moreover, Cloete argued that the combination of stakeholders and experts on certain bodies (such as the CHE and university Councils) allowed important distinctions – here between essentially different types of representation – to become conflated. It was not only student leaders on Councils who found it difficult to distinguish between the role of a (mandated) stakeholder representative and that of a trustee acting in the institutional interest and for the public good. Bringing into university Councils business leaders who had or who sought business with the university also created conflicts of interest that were inimical to higher education's public mandate. Some seminar participants understood Cloete's examples of pathologies in higher education governance rather as instances of ills inevitably found in wider society. On the one hand, proposals were made for rethinking governance structures at national, sectoral and institutional levels; on the other hand, some proposed that bringing in new groups of people (e.g. churches, NGOs) into higher education governance, especially at university Council and Institutional Forum level, might alleviate some problems and provide for wider participation ultimately building effective governance. Thus all kinds of new and old proposals for good governance were made throughout the seminar. While proposals for good governance were welcomed, some argued that the substance of the conceptual, moral and practical questions raised by the HEIAAF investigation showed that it was necessary to go beyond governance issues and dig deeper.

A different level of analysis was therefore employed by some Task Team members and seminar participants. Referring to Cloete's input, André du Toit noted in the opening remarks of his presentation that calls for more public accountability and specific cases of new accountability systems, such as the establishment of a national quality assurance regime, policy monitoring and evaluation systems, etc., could all be interpreted as symptoms of distrust and evidence of the need for the academy to engage in new ways to justify itself. This, he argued was not just a matter of structures and processes of governance but pointed to an erosion of the implicit social compact between higher education and government. Similarly, Ahmed Bawa's contribution in response to the presentation of the report by Bentley , challenged the seminar to come to a shared understanding of certain key questions, such as: Is there in fact any general crisis in higher education governance? If so, what is the crisis? If governance lapses were symptomatic, what was the underlying malady? What was the relationship between specific governance crises (i.e. at institutional level), lapses in institutional autonomy, managerialism, and erosion of academic tenure, and, more importantly, how did they relate to questions of academic freedom?

Trends in institutional governance and their implications for academic freedom turned out to be one of the key themes discussed at the seminar. Firstly, discussion was sparked in response to the report of Bentley , In his presentation, Seán Morrow referred to 'the corporatisation of the university' and the potential threat posed by 'managerialism' to undermine academic rule. There was a potential that institutional autonomy 'empower[s] the institutional bureaucrat to such an extent that the freedom of individual academics could be imperiled' (Bentley , 2006: 2). This fear was echoed in the contributions of various participants. Yet, it was felt that there was a need to further investigate the notion of the corporatised university, managerialism, and the potential clash between different governance cultures, e.g. managerial vs. collegial culture, within the South African context. Ruth Jonathan's report, in this regard, could have provided some guidance. She argues that 'efficient and effective management of resources – plant,

personnel and time – is essential not only at the top of the institutional hierarchy but at all levels to which decision-making power is delegated. But slides into when managing is confused with leadership and efficiency goals begin to threaten the purposes of the institution and the values and supporting freedoms of academics. At each level of delegated responsibility there is no escaping the tensions between roles that today's twin needs for principled academic leadership and effective resource management create between individuals and indeed within individuals at senior levels. In these matters the freedoms and responsibilities of academics become perhaps their most complex' (Jonathan 2006: 51). A number of suggestions were made on how to shift power from the central university administration back to the faculty. Reasserting the democratic space within the university and academic leadership (centered around a proactive Senate) on the key issues of transformation were among those proposals. (Prof Magda Fourie observed that when the far-reaching transformation programme in higher education left the locus of the former broad transformation fora, it shifted into the basket of senior managements under the oversight of Councils. This could be part of the explanation why a more centralised and bureaucratised system of institutional governance had emerged over the last ten years.) Another suggestion that found support in the seminar was the institution of a professionalised system of academic tenure, since this would provide a counterbalance between the hierarchical authority of managers and the collegial rule of academics. There was general agreement that the university needed to be asserted as a space for democratic deliberation within and beyond its governance arrangements and that the lack of such genuine deliberation might lie at the core of any governance 'crisis'.

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The impact of the commodification of higher education and knowledge production on the academy was considered from various angles, albeit not at great length. In many contributions it was acknowledged that it was all too easy for the academy to get caught up in the forces and caprices of the market.

The topic was introduced in the first presentation of the seminar. Ruth Jonathan warned that where social goods were quasi-marketed, the effects were much worse in highly unequal societies. The notion of the market as a threat to the achievement of transformation and substantive democratisation in South Africa held much currency. Mr Ahmed Essop referred to the decline of certain traditional humanities' disciplines in South Africa and argued that protection for these disciplines would probably need to come from outside the academy. In this respect, he argued, the market was likely to present a greater threat to academic freedom than the state. Jonathan responded that she thought the defence of declining disciplines should rather come from collegialism in the academy.

The proposal made in the report of Bentley ,, that the income streams of higher education institutions needed to be diversified by increasing third-stream income (e.g. funds from contract research) was widely debated. The authors argued that 'higher education's financial health can be greatly strengthened by transforming research from an institutional cost to an income stream'. The skills of knowledge workers could be 'deployed in the service of multiple stakeholders' (Bentley , 2006: 27). Ruth Jonathan argued that there existed the possibility of selectively exploiting the market, so as to increase funding, for example, to cross-subsidise disciplines that were not fashionable at the moment. Magda Fourie warned that in the context of a diverse higher education system where capacities were spread unevenly, an increased reliance on research income would increase inequalities between institutions. Moreover, Joe Muller warned that the

creeping venality of the academy could subvert the noble academic virtues André du Toit had described.

The market's potential as a route to public accountability was considered in some detail in the research report of Friedman and Edigheji but regrettably did not feature greatly as a theme in the presentation or plenary.

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A minor, albeit important, theme, which emerged late in the seminar, originated from consideration of differentiation in the higher education landscape. The key question that sparked contributions on this topic was whether academic freedom applied equally across the diversified range of higher education institutions in South Africa.

South African higher education has set itself the goal of becoming a single diverse system. In this regard, recent developments in the higher education system, particularly the mergers of institutions with diverse historical origins and various programme mixes, have been intended to dissolve much of the institutionalised legacy of apartheid in higher education as well as the binary

elicited a number of contributions and questions ab