

SHARED GOVERNANCE AT THE UNIVERSITY OF CALIFORNIA: An Historical Review

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The following brief on Shared Governance at the University of California was originally completed at the request of the Universitywide office of the Academic Senate and the Office of the President and was distributed to the Regents in the Fall of 1995, and an edited version published in the November, 1995 issue of NOTICE (the systemwide Academic Senate's newsletter). The version includes revisions and portions of a report on the organization of the University completed for the Universitywide Academic Senate. This working paper is not to be quoted without the permission of the author. Copyright John A. Douglass all rights reserved.

Two major features in the historical development of the University of California distinguish it from other major public research universities. The first is the university's unusual status as a constitutionally designated public trust – a designation shared by only five other major public universities. The second is the University of California's tradition of shared-governance: the concept that faculty should share in the responsibility for guiding the operation and management of the university, while preserving the authority of the university's governing board, the Regents, to ultimately set policy.

Both of these organizational features of California's land-grant university, combined with a massive investment by tax payers to expand enrollment and academic programs, has resulted in a university enterprise of international distinction and vital service to the people of California.

As with so many other aspects of the university's operation, the concept of shared governance has evolved over time, often in reaction to significant internal and external challenges, and revolving around the development of the Academic Senate. Reflecting the dynamics of decision-making within a growing and multi-campus university, the root of the contemporary notion of shared governance has emerged not only from the formal delegation of authority to the Senate, but also from informal modes of involving faculty in the management of the nation's largest land-grant university.

The following briefly outlines four periods in the evolution of shared governance in the University of California. The intent is to provide context to the contemporary debate among faculty, Regents, students and administrators, regarding the role of faculty in university governance and management.

Establishing a State University

In 1850, California's first state constitution provided the legislature with the ability to create a state university. It was not until 1868, however, that California passed a statute establishing the University of California – just in time to benefit from the largesse of federal land-grants under the federal Morrill Act.

California's charter, like all American universities and colleges, provided for a lay board that would have authority over the activities of faculty and students. The American innovation of the lay board provided a public authority that removed sectarian influences, linked the operation of the university with the community it served, and provided a means to both reward and garner benefactors. But the device of the lay board also created an organizational structure that promised tension: with the rise of a professional class of academicians, there would be long and continuing debate over the proper domain of faculty.

Based on the organization of several relatively new state universities including Michigan and Iowa, the University of California's 1868 charter also called for the establishment of an "academic senate" consisting of all faculty and deans, presided over by the president. The Senate, stated the 1868 Organic Act, was "created for the purpose of conducting the general administration of the University." The organization of the Senate and its relationship to the university president and the governing board, however, was the prerogative of the Regents.¹

In the 19th century, an era that pre-dated the rise of the administrative class now crucial to the operation of the university, faculty served as both teachers and administrators. Yet their authority was extremely limited. The Regents, not the faculty, set educational policy in areas such as admissions and curriculum. Throughout the early years of the University, the Regents focused on micro-management of the university, and gave little direct power to the university's president. Persistent funding problems, political battles between the Regents and lawmakers in Sacramento – particularly in the 1870s with proposals by the State Grange that the university be converted to a polytechnic – led to a revolving door of university presidents and slowed the development of academic programs.

By the 1890s, the Berkeley campus was, as one Eastern paper derisively stated, "a weak institution with plenty of land, a college of broken-down buildings, [and] beggarly endowments."² While it had emerging programs in agriculture, it lacked the funding, reputation, and research prowess of America's new breed of research universities such as Cornell, Johns Hopkins, Michigan, and Wisconsin.



The Berkeley Campus in the early 1891 had a total of 48 faculty (and another 38 at the Medical Center in San Francisco) and an enrollment of 457. Across the Bay, the new Stanford University campus opened that year with an enrollment total of just over 500 students.

California's state university, however, had gained a new status that would eventually provide tremendous flexibility in the institution's internal management. In 1879, key Regents served as delegates to California's second constitutional convention, helping to draft an amendment that designated the university as a public trust. University supporters gained this victory by noting a similar status given three decades earlier to Michigan's state university, and by insisting that such autonomy would save the University of California from the partisan politics and rampant corruption that marked perhaps California's most turbulent decade. "The university," stated the new constitution, "shall be entirely independent of all political or sectarian influence and kept free therefrom in the appointment of its regents and in the administration of its affairs." Many of convention's delegates were harsh critics of the university, but they voted for the amendment because they distrusted the legislature more than they distrusted the Regents.³

President Wheeler and the "Berkeley Revolution"

The appointment of Benjamin Ide Wheeler as the president of California's state university in 1899 marked a new era in the expansion of funding, enrollment and academic programs. Wheeler agreed to come to Berkeley only if the Regents provided him with direct powers to manage its affairs. The Regents agreed,

and in so doing, set into motion a transformation of the University of California into one of the premier universities in the nation.

Wheeler faced dire financial problems upon his arrival: Growing enrollment demand among a quickly expanding California population, the decline of federal land-grant income, and meager state appropriations brought the first real consideration of establishing tuition. "The situation here at present is, I sometimes think, pathetic, and sometimes ludicrous," Wheeler wrote to the governor. "There is nothing comparable to it in the United States today. The students have come down like an avalanche. We have no elasticity in our budget by which to provide for them."⁴

Wheeler proceeded to gain the financial support of much of San Francisco's wealthy elite. But, perhaps more importantly, he succeeded in convincing lawmakers to provide the first major infusion of state funding for the university. In an agreement made with Governor Hiram Johnson's administration and the state legislature, state funding to the University would no longer be based on a percentage of taxable property (at that time the state's primary source of revenue), but on enrollment workload. Public investment in the university allowed for a dramatic expansion of enrollment, and the hiring of new and talented faculty. As a result, the University of California became the largest higher education institution the nation, surpassing the enrollment of the University of Michigan around 1910.



Benjamin Ide Wheeler, shortly after his appointment as UC President in 1899. He served for twenty-years as President.

Encouraged by a rapidly expanding standard of living, improved high schools, and the demand for skilled technicians and professionals in the state's growing economy, more and more high school graduates sought to enter the state university. Wheeler wanted to meet much of this enrollment demand, not only because it would expand the role of the university in California society, but also because it justified the expansion of academic programs and offered an opportunity to improve the quality and reputation of the Berkeley campus. During Wheeler's tenure (1899-1919), student enrollment grew a staggering 378 percent, from 2,533, to 12,227, despite the establishment of more rigorous admissions policies.

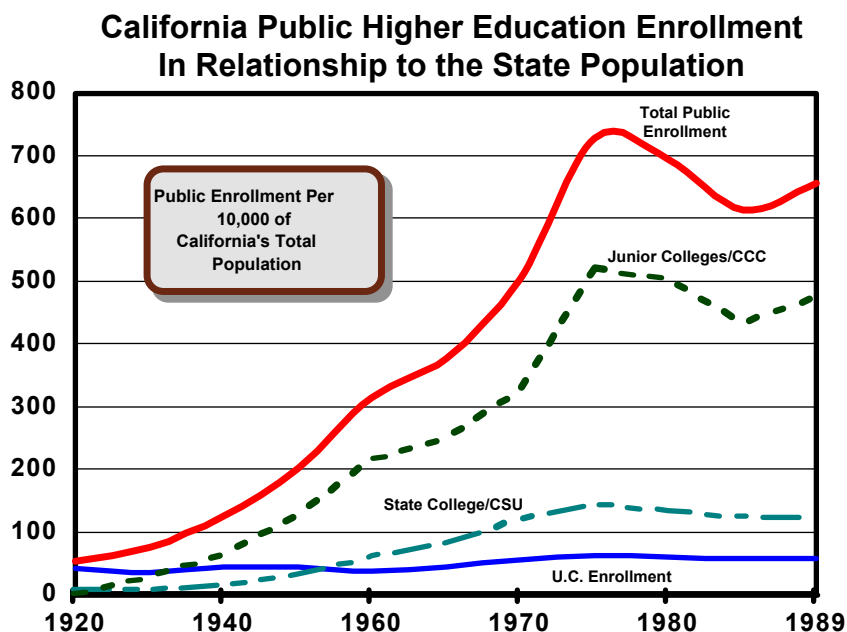
Wheeler and other leading University officials and faculty, including Professor Alexis Lange in the School of Education, advocated a variety of methods to reduce enrollment demand on the University, and to help regulate the growth of the University. Foremost was the proposal by Lange, and supported by Wheeler

and key legislators, to create a system of public junior colleges. The junior colleges offered a means to significantly expand educational opportunity within the vast geographic boundaries of California.

Combined with the growth in the University and the rise of the regional college movement (what would emerge as the California State University), the junior college bolstered the number of high school students going to college. By the 1920s, California had not only the largest number of students enrolled in public higher education of any state in the Union, but the nation's highest college-going rate.

The birth of California's pioneering tripartite system of public higher education not only expanded educational opportunity; it diverted enrollment demand away from the University of California, allowing the institution to maintain a highly selective admissions policy. It also allowed the Regents, University officials and faculty to pursue the relatively new model of the American research university, focused on teaching, research and public service. As the following chart shows, the University of California has maintained a relatively stable market share of students enrolling in public higher education, with the largest growth in what are now the Community Colleges.⁵

Public investment and enrollment growth in the University during Wheeler's tenure provided the context for major changes in the university's internal organization. Reflecting his training in the German university system, President Wheeler elevated the role of research in the hiring, promotion and dismissal of faculty. He also integrated greater faculty involvement in managing university affairs. Previously, the Academic Senate and the faculty of the university had been limited primarily to routine matters, such as recommending degrees and acting on student discipline cases. In 1881, for example, a committee of the Regents drastically reorganized the curriculum of the university, and declared several professorships vacant.



Wheeler convinced the Regents that faculty were not simply employees of the state, but members of an academic community engaged in a free-market of teaching and research. They should, he argued and recalling the role of faculty at the University of Heidelberg, be primarily responsible for setting educational policy. Wheeler called on faculty, now growing in numbers, to make major changes in the administrative structure of the university.

Working with faculty and with the general approval of the Regents, Wheeler created some twenty new departments, reorganized the university's curriculum into lower and upper division courses, created matriculation agreements with the state's normal schools and with the emerging (and pioneering) system of junior colleges, and adopted a system of peer review for hiring and promotion of faculty. Wheeler also

created a faculty committee for the allocation of research funds, and a faculty editorial board to oversee the university press to elevate the quality and quantity of its publications.

The faculty's expanding role in university management was not, however, codified in university policy; it was conferred by Wheeler and it hinged, in turn, on his relationship with the Regents. The most important change in the nature of shared governance was still to come. It occurred under difficult circumstances at the end of Wheeler's tenure, under difficult circumstances, and resulted in a historic statement regarding the organization and authority of the Academic Senate.

Several factors led to what is known by historians of American higher education as the "Berkeley Revolution." Wheeler's commanding presence during the first fifteen years of his tenure began to fade. For one, his sympathies with German institutions, and his open regret of America's entrance into World War I, garnered considerable public criticism from Regents and faculty. A significant decline in Wheeler's health also led to a decline in his prestige and leadership abilities. In this context, ambitious faculty, many of whom had engaged in the founding of the American Association of University Professors in 1915, sought an even greater role in university affairs.

Reacting to Wheeler's decline and to a formal proposal offered by the leadership of the Academic Senate, the Regents then took an unusual path: during Wheeler's last year in office (1918-19) the Regents placed the actual power of the Presidency in the hands of an "Administrative Board," consisting of three faculty members who were all elevated to the title of dean.

The Administrative Board proved to be a disaster. The onset of a post-war recession, combined with a surge in enrollment by returning veterans and disarray among the board brought confusion regarding the future of the university. In reaction, the Academic Senate convened a special meeting, and by a vote of 132 to 13 passed a memorial for submittal to the Regents. It asked that the faculty be given direct authority to organize the Senate and choose its leaders; that the Senate then be given more formal powers regarding educational policy; and that the Senate be consulted in the selection of a university president.

James K. Moffitt, a graduate of Berkeley, lawyer and major university benefactor, chaired a Regent's subcommittee that negotiated an agreement which was endorsed by the board as a whole, and placed in the Standing Orders of the Regents in June, 1920.

This agreement formalized the role of the president and his/her relationship with the Regents and the faculty. It also provided both direct and indirect powers of shared governance to the Academic Senate. Subject to the approval of the Regents, the Senate was to determine the conditions of admissions, for certificates, and degrees – aspects of the previous powers held by the faculty. But there were also new responsibilities vested in the Senate, and more specifically in the faculty, that are today the keys to our current system of shared governance. The Senate was to:

- Advise the president on all "appointments, promotions, demotions, and dismissals" of professors, and on the appointment of deans.
- Advise the president regarding "changes in the educational policy of the university."
- Advise the President regarding budget issues.
- And to, perhaps most importantly, choose its own committees and organization "in such a manner as it may determine."

The agreement was a watershed in the general development of American higher education, creating an organizational structure of governance that would serve as a model for other major public and private universities. California, however, was not only the first to formalize this structure in the United States, one that had antecedents in British universities, but took it the farthest.

The so-called "California Plan" created a "remarkable democratic system of academic government in which California faculty," once explained historian Walton E. Bean, "acquired a greater influence in the educational aspects of university administration than any other faculty in the United States. Indeed, the faculty virtually became a part of the administration."⁶

An Evolving Relationship

From the base of authority granted in 1920, the Regents and the president increasingly came to rely on the Academic Senate to build a university of international recognition. The Senate proved a critical component to maintaining quality academic programs as the university grew in enrollment and faculty, and in the number of campuses. Based in part on the innovation of enrollment based budgeting brokered by President Wheeler, the number of new faculty hires quickly climbed in succeeding decades, declining only briefly (as shown below) during eras of war and economic decline.

The 1920 agreement between the Regents and faculty provided a general mechanism for managing the university; but it was largely during these eras of fiscal difficulties that brought greater responsibility to the Academic Senate. In the midst of the Great Depression, the university's new president, Robert Gordon Sproul (1930-1958), sought Senate advice on dealing with a 26% decrease in university funding from the state. A budget committee and assorted other committees had been established shortly after 1920; Sproul called for a new Committee on Educational Policy to help establish methods to cut costs, raise revenue (primarily through increases in student fees), and to assist in his and the Regent's effort to contain the regional college movement.

During World War II, Sproul convened the first "All-University Faculty Conference" to consider the challenges of the post-war era for the university. This conference, Sproul later noted, was intended to "pull together a war-scattered and war-torn teaching staff, and to enable it to give unhurried time and undisturbed thought to intelligent planning."⁷ The meeting of faculty representatives from the various campuses became an annual event for some four decades, and focusing on such issues as the role of the university in the state economy, the growth and direction of federal research funding, the future of liberal arts education, the value of university autonomy in the constitution, and the role of shared governance in university affairs.

Reflecting the decentralized nature of decision-making within a growing and multi-campus university community, the creation of an independent and self-governing Senate also led to significant conflicts between it, university presidents and the Board of Regents, as well as to disagreement within the ranks of faculty themselves. One of these conflicts was to reach crisis proportions when in 1949 the Regents decided to impose a loyalty oath as a condition of university employment.

During the post-World War II Red Scare, the Regents, on the advice of President Sproul, attempted to include an oath in anticipation of a similar requirement for all state employees. Most faculty had few qualms over signing an oath. But many faculty objected vehemently to the segregation of university faculty under a special oath before it was made a requirement of state employees: it would, stated a special Senate committee, reinforce the stereotype of the university as a haven for subversives. For others, it appeared to be an initial salvo against the idea of academic freedom and the hard-won system of tenure.

The Regents ignored the advice of the Senate, however, and invoked the oath. Some faculty charged that the concept of shared governance had disappeared under the weight of political expediency. In 1950, 32 faculty were fired for not signing the oath, and numerous faculty resigned. There was antagonism not only between faculty and the Regents, but among faculty leaders and their nonsigning colleagues, recalled David Gardner in his study of controversy.⁸ "The whole sorry story of the oath is one of confusion and repudiations, acerbity and bitterness," asserted Russell H. Fitzgibbon in his brief history of the Academic Senate, with "more concern at times with procedural than substantive aspects³ The scar tissue was hard and durable."⁹ Faculty participation in the Senate declined significantly as faculty temporarily resigned themselves to the thought that their role in university affairs had been diminished.

The history of the University of California has included many other serious debates over the operation, role and future of California's institution. The election of Governor Ronald Reagan in 1966 was based, in part, on a campaign promise to "clean-up Berkeley." In his first months as governor, he and other Regents agreed that president Clark Kerr should have taken stronger action against protesting students. Reagan also proposed a 10 per cent cut in university funding and the imposition of tuition. Kerr opposed

both proposals. At his first meeting as Governor, Reagan and the other Regents voted 14 to 8 for Kerr's dismissal.

Faculty stood strongly behind Kerr who had, despite the difficulties of the free-speech movement, negotiated the 1960 Master Plan, garnered huge increases in state funding, and helped to reorganize and decentralize the Office of the President giving greater management authority to chancellors and the campus divisions of the Academic Senate.¹⁰ The circumstance of Kerr's ouster, and the tumultuous politics of the 1960s, did not directly threaten the concept of shared governance.



The Berkeley campus in 1964 and looking over Sproul Plaza toward the Sather Tower and the Berkeley Hills.

Most faculty clearly understood the constitutional authority of the Regents to hire and fire the university president. But the Regents' action did add to a general and strong sentiment of disunity within the university community.

Reorganizing the University

Clark Kerr's dismissal came at the end of a tenure that fostered the most significant organizational changes in the University's history, and with a profound impact on the process of shared governance. Under Kerr leadership, between 1958 and 1964 both the administrative structure and the organization of the Academic Senate were altered to give greater coherence to the University's multi-campus system, to create greater local authority, and to provide general equity in the distribution of state funds to the campuses. Included were three general reforms:

- *Budget Equity*

Because of the University's unusual status as a public trust, California state government has provided funding for I&R costs in a lump sum payment each year. In other states, legislators have more direct authority over how those funds are distributed and spent. The University of California, and specifically the Board of Regents and the President, have had the autonomy to distribute these dollars as they see fit and with relatively few restrictions. Before the early 1960s, the Office of the President then distributed these funds on a year to year basis, and while there was a relation to student enrollments at individual campuses, both Berkeley and UCLA tended to garner the vast majority of funds.

The development of new campuses required a systematic approach to the distribution of state funds. Kerr and the Regents agreed to a formula that would provide a steady flow of funds to new campuses, while also protecting the two major and established campuses, Berkeley and UCLA. The distribution of state funds generated by enrollment would be according to the level of instruction. Lower division instruction would generate the smallest amount of state funding; allocations were then higher for upper division instruction, and higher yet again for masters students. The highest allocation was for doctoral students. The rationale was that costs increased according to the type of instruction. Graduate training was not only the costliest in terms of the amount of time faculty needed to devote to teaching and mentoring students, but also because it related to the research activity of the University. Core funding support for research was thus directly tied to the instruction mission of the University.

Conceptually, this model provided a level playing field for all campuses of the University of California – although there were a number of caveats created to provide for special needs of campuses. While the enrollment surge at new campuses helped subsidize the graduate and research programs at Berkeley and UCLA, each campus, because of their already high percentage of enrollment at the graduate level, had the potential to gain similar funding support. This model provided an incentive for the new campuses to develop graduate programs, and to mature into strong research universities.

- *Universitywide and Campus Administrations*

Kerr and the Regents agreed to give more direct authority to the individual campuses – including Berkeley, Los Angeles, San Francisco, and general campuses at Santa Barbara, Davis, Riverside, San Diego, and eventually the new campuses planned in Santa Cruz and Irvine. This included the transfer of responsibility and staff to the campuses in areas vital to their day-to-day operation. The staff in the Office of the President was reduced by 26% in less than a two-year period by the establishment of chancellorships at the other campuses of the University other than Berkeley and UCLA.

Campus business officers, as well as the deans, now reported to the chancellor with access to budgetary information previously controlled by the president and Sproul's long-time associate and Vice-President for Budget, Jim Corley. Chancellors, for example, could now approve research grants, contracts, and the transfer of funds. Campuses also gained control over graduate education, replacing the administrative structure of northern and southern deans reporting directly to the University President, and reflecting the structure of the Academic Senate established in the 1930s.

These organizational changes gave the Presidency a greater ability to focus on major issues confronting the University, while also providing new mechanisms for developing collaborative working relationship with the campus administrators. Kerr filled the position of Vice President - Academic Affairs, vacant since 1948, to help expand the consultative process with both the campus administrations and the Academic Senate – what would be an essential component for guiding the subsequent and massive expansion in enrollment and academic programs. Between 1960 and 1975, it was projected that the University would grow from 49,000 students to over 130,000. Kerr also established a Council of Chancellors to meet regularly with the President, both to garner input and to coordinate activities, and urged the reorganization of the Academic Senate.

- *A Divisional Model for the Academic Senate*

Kerr helped to initiate major changes in the Senate's organization to assist in policy development and to reflect the shift of greater authority to the campuses. The Northern and Southern sectional division of the Senate proved cumbersome as the University grew in size, and it also accentuated rivalries, not only between Berkeley and what was now called UCLA, but also between the hegemony of these two campuses and the emerging campuses in each section. Meetings were held either at Berkeley or UCLA, and membership on universitywide and sectional committees was apportioned by the number of faculty. Faculty at the new campuses, for example Santa Barbara, were not even regarded as full-members of the Academic Senate, and hence could not participate in Senate committees such as BOARS, until 1955.

Further, while universitywide committees existed to formulate universitywide policies and positions, including an "Academic Council" established in 1950 to iron out differences, the Northern and Southern sections would at times become embroiled in major disagreements. The precursor to today's Academic

Council was, as observed in a 1953 study on “Faculty Self-Government and Administrative Organization,” the “capstone of the state-wide committee system,” charged with arbitrating such disagreements, among other things.¹¹ But the process of reaching consensus was often overly lengthy, delaying important decisions.

Three major changes were incorporated by 1963 following an extensive review of the Senate’s activities. In turn, these changes provide the framework for the contemporary organization of the Academic Senate:

- The Northern and Southern Sections of the Academic Senate were disbanded, and divisions were created for each campus with their own network of committees. Reflecting the historical role of the President as the head of the Academic Senate (essentially, a faculty member who is also an administrator), Sproul had chaired all meetings of the Northern and Southern section. The new divisional model provided for a chair for each campus chosen from the faculty, and clear autonomy from both the universitywide and campus administration. “The presidency of the Senate,” remarked Russell H. Fitzgibbon in his 1968 study of the Senate, “hence became more honorific than operative.”¹²
- A new Universitywide Academic Assembly was established with proportional representation from each of the campus divisions, with the authority to pass changes in the Bylaws and Regulations of the Senate, and resolutions and memorials to the President. As proposed by the Committee on Reorganization of the Academic Senate in 1961, the Assembly would have two purposes: one to be advisory to the President, “either in response to inquiries from him or in response to opinion emanating from one or more of the campuses,” and to enact legislative changes to the Bylaws and Regulations. The Assembly should also,

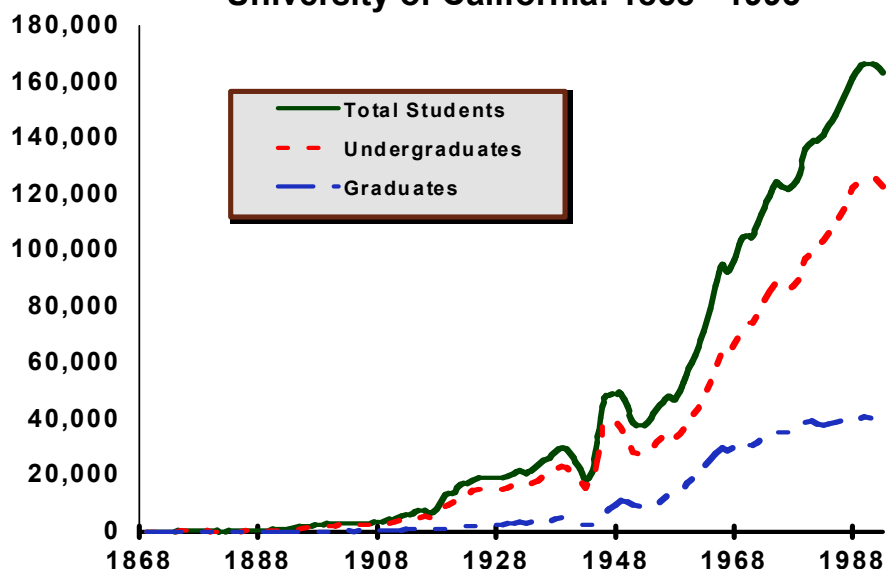
in no way override the autonomy of the various campuses or undermine the authority of the several Chancellors. Presumably, it would be concerned with such issues as the definition of tenure, University admissions, transfer, and dismissal policies, and decisions concerning membership and voting rights in the Academic Senate. Its members should strive to bring into harmony conflicting attitudes on the various campuses, insofar as those attitudes threaten the well-being of the Statewide University.¹³

- Universitywide Committees were to continue, but their number increased and their membership was determined by equal representation from each division. They would also report annually to the Assembly and be, in effect, sub-committees of the Assembly charged under the Senate’s Bylaws and Regulations, with purview and responsibility to advise in distinct areas of policy.
- The Academic Council, established in 1950, would continue to function as the executive body of the universitywide Senate. As noted in its charge, the Council would “study problems of over-all concern to the University,” and make recommendations to the President. But it was now also charged to direct activities of the Assembly and the universitywide committees, with its membership to include the chairs of the new divisions and select universitywide committees, and with its members also serving on the Assembly.

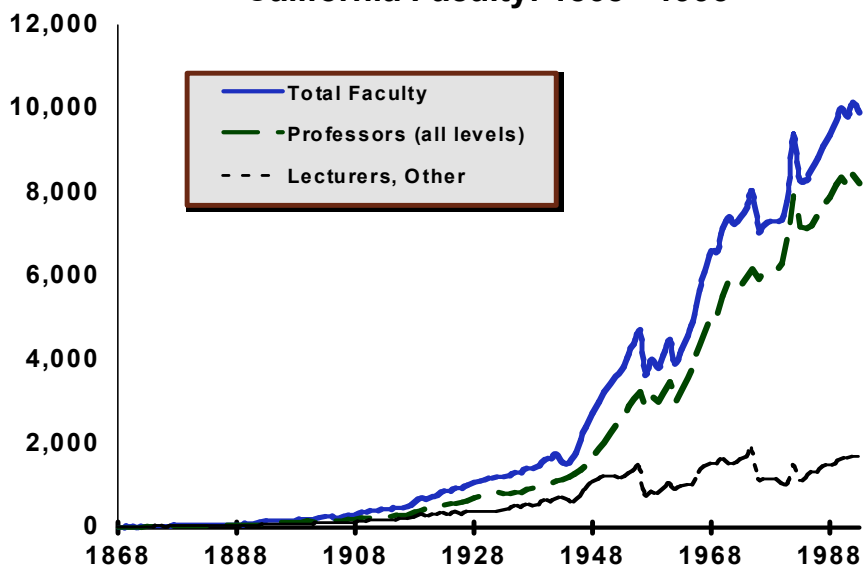
In a 1961 discussion at a All-University Faculty Conference regarding these proposed changes, the fear of anarchy was seen as the major problem confronting the University of California as the campuses grew in size and autonomy. Perhaps to a greater extent than the President or the Regents, it was argued, the Universitywide Senate was to be the “means of preserving a common policy and uniform standards for the University.”¹⁴

The organizational changes of the late 1950s and early 1960s have provided an effective model for managing the University’s multi-campus system, allowing for both a significant level of autonomy for each of the campuses, and a One-University vision that has propelled the University of California into the status of the highest ranked public university system in the nation, and the world. The following two charts provide two indicators of the massive growth in student enrollment and the number of faculty. With this growth came a corresponding expansion of academic programs.

Student Enrollment at the University of California: 1868 - 1993



Growth in the Number of University of California Faculty: 1868 - 1993

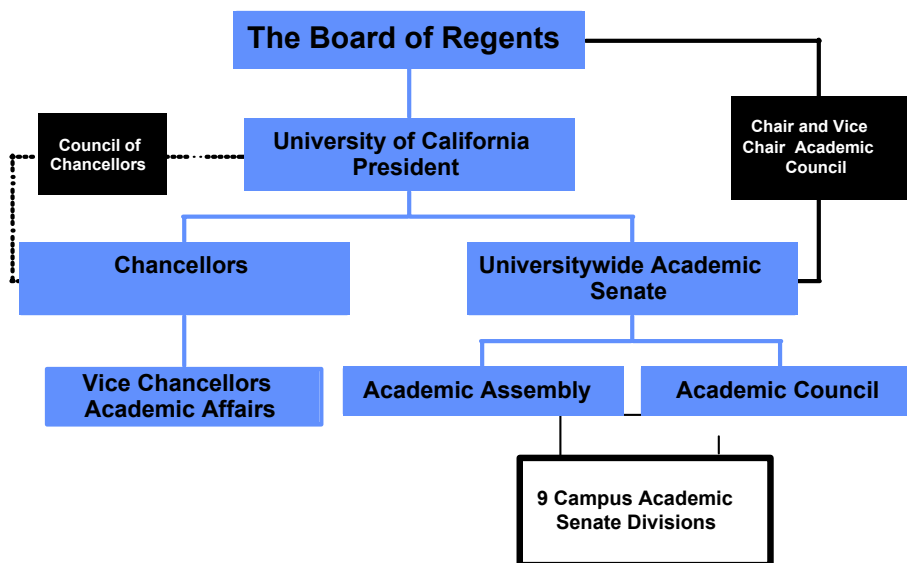


While the strains of such growth are significant, the organizational structure, based in large part on the University's system of shared governance, provided the foundation for an increase in the over-all quality of the system – not just of the oldest and most mature campuses. This organizational structure also retained one of the University's greatest strengths: the two general and at times overlapping spheres of policymaking under the Regents, the Academic Senate and the universitywide and campus administrations. Through this structure, the President, and in turn the Universitywide administration, gained influence regarding the agenda for the Regents, and the process of setting universitywide policy by the Board.

By the early 1970s, a legislative review of the California Master Plan recommended the addition of faculty and student representation on the Board of Regents to give "greater credibility with its constituency."¹⁵ A subsequent constitutional amendment in 1974 provided the Regents with the ability to appoint student

and faculty representation – the first change in Regent membership since the addition of an alumni representative in 1918.¹⁶

Organization of the University of California: 1998



Shared Governance in Retrospect

The tradition of shared governance has endured at the University of California not because it has insured consensus, but because it has proved fundamental to the full discussion of the university's role in society and in the management of its important affairs. Faculty are at the heart of the academic enterprise of teaching, research and public service. They are critical not only in maintaining the quality of the university's academic programs, but also in advising the president and the chancellors.

In 1920, the Regents recognized the importance of understanding the position and advice of the faculty (through the Senate) on important issues. But shared governance has its greatest meaning not in the relationship of the faculty to the Regents, but in their relationship to the university president and the administration.

Despite his domineering management style, President Robert Gordon Sproul understood that shared governance was crucial in creating effective university leadership. "No function of the university president [or chancellor] is more important than maintaining close relations with the faculty," he wrote in 1953. The Academic Senate, Sproul remarked, became more important as the university grew in size and in the complexity of its role in society. Without strong faculty input, opinions and advice, "the titular head of the organization often suffers from something like oxygen starvation, with such characteristic symptoms as failing vision, and gait slowed down to a shamble, and weaving from side to side with little forward motion."¹⁷

Apart from such direct effects, shared governance also can provide an additional important benefit: the maintenance of a high level of morale within the academic community. "The process of consultation," wrote John J. Corson in 1941, "strengthens the allegiance to the institution and their individual zeal and satisfaction."

In retrospect, there have been great disparities in the effectiveness of shared governance over time: it has provided the context for harmony over the future of the university and a catalyst for reform; at others times it has been a focal point of disagreement within the university on key issues of an era. The recent controversial decision by the Regents to eliminate gender, race and ethnicity criteria in admissions and faculty hiring is a case in point.

Certainly, shared governance has added to the complexity of decision-making. Foremost, it has proven an important and evolving tool established by the Regents for management of the University of California – a tool that works best in an atmosphere of respect and understanding of the differing roles of faculty, students, administrators and the Regents.

¹ *An Act to Create and Organize the University of California*, California Statutes, March 23, 1868.

² *Utica Observer*, October 4, 1901.

³ See John Aubrey Douglass, "Creating a Fourth Branch of State Government: The University of California and the Constitutional Convention of 1879," *History of Education Quarterly*, Vol. 32, No. 1 (Spring 1992)

⁴ Cited in Clark Kerr, "Remarks by President Kerr: Ninety-Second Charter Day Ceremonies," March 21, 1960, University of California, Berkeley, UCA.

⁵ For more on the creation of the tripartite system see, "Californians and Higher Education: Political Culture, Educational Opportunity and State Policymaking," *History of Higher Education Annual*, Vol. 16, 1996.

⁶ See Eighth All-University Faculty Conference, "The Two Structures: Faculty Self-Government and Administrative Organization," April, 1953.

⁷ *Ibid.*

⁸ David P. Gardner, *The California Oath Controversy* (Berkeley: University of California Press, 1967) 169.

⁹ Russell H. Fitzgibbon, *The Academic Senate of the University of California* (Berkeley: Office of the President, University of California, 1968) 41.

¹⁰ For more on the Master Plan see John A. Douglass "Brokering the 1960 Master Plan: Pat Brown and the Promise of California Higher Education," a special issue of *California Politics and Policy* focusing on the administration of Governor Edmund "Pat" Brown, 1997.

¹¹ Report of the Study Committee No. 1., "The Two Structures: Faculty Self-Government and Administrative Organization," chaired by Ewald T. Grether, and presented at the Eighth All-University Faculty Conference, April/May, 1953.

¹² Russell H. Fitzgibbon, *The Academic Senate of the University of California* (Berkeley: Office of the President, University of California, 1968) 53.

¹³ Report of the Study Committee No. 4, "The Reorganization of the Academic Senate," chaired by Sidney Cameron, and presented at the Sixteenth All-University Faculty Conference, March, 1961.

¹⁴ *Ibid.*

¹⁵ Report of the Joint Committee on the Master Plan for Higher Education, California Legislature, 1973; Constitutional Amendment passed November 5, 1974.

¹⁶ This section of the brief is based on the following report, John A. Douglass, "Brief on the Historical Development of the UC Academic Senate and the Universitywide Administration," Submitted to the Task Force on Governance: Panel 2 on Shared Governance, August 18, 1997.

¹⁷ Robert Gordon Sproul, speech before the Eighth All-University Faculty Conference, "The Two Structures: Faculty Self-Government and Administrative Organization," April, 1953.