



Emerging Issues of Bad Governance and Maladministration at Some South African Universities

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ABSTRACT This paper presents the results of an analysis of Independent Assessor reports on five South African public higher education institutions which had been deemed by the Minister of Higher Education and Training to be in such serious states of bad governance and administration that they warranted being evaluated in order to correct the bad things that were taking place there. Out of these reports, the researcher discerned a number of emergent issues which defined these institutions as being badly governed and administered. Thus, this was an *ex-post-facto* research, using the empirical documentary analysis research method to better understand the main features of bad governance and maladministration that led to the Minister's actions. Out of this analysis, the researcher identified seven emerging issues which characterised these institutions as being badly governed and administered.

INTRODUCTION

A leader is seen as someone who is able to influence individuals and groups of people around a common goal (Northouse 2013; Hallinger 2017). From the point of view of education institutions, one reason for this could be that there is no substitute for good governance and management because "leadership has both a direct and indirect impact on student achievement" (Gohlmann 2018: 68). Where there is poor or bad leadership, this could have a bad impact on student performance, whereas good governance and management is likely to be associated with good student performance. In particular, the leadership of higher education (HE) institutions has come under the spotlight, and it would appear that the various forms of leadership that have been tried out in many universities have created some discord among the various university constituencies (Jones et al. 2012; Gohlmann 2018; Hammond 2018).

Among the factors that have brought this about include (a) increased government control over the affairs of HE institutions – resulting in a sense of diminished academic freedom, and (b) a growing gap in trust and perceptions between academic staff and administration staff (Jones et al. 2012; Javed et al. 2018). In particular, the question of trust is very important, considering the important role it plays in defining the relation-

ships between the leaders and their followers. Accordingly, there is a view that new ways of HE governance and administration are needed.

One of the recommended approaches deemed to be appropriate for HE institutions is distributed leadership as it seeks to involve many people within an organisation in decision making (Harris 2009; Hekkala et al. 2017; Minors et al. 2017). According to Harris (2009: 55) "distributed leadership involves an expansion of leadership roles beyond people officially occupying leadership or administrative posts." In support of distributed leadership, Harris (2009: 5) explains that adopting this form of leadership will result in a number of key and prominent alignments at HE institutions. However, Jones et al. (2012: 74) are quick to add that in recommending a more participatory and devolved form of leadership, they are not arguing for a dismantling of formal management structures.

On his/her part, Davis (2014) argues for cool heads, on the part of persons in leadership positions, so as to ensure that decisions that are taken are tainted with mercy, empathy and circumspect. However, within the context of South Africa, much of HE leadership has been about transformation as the country transitioned from apartheid to democracy (Fourie 1999). In this regard, Tichy and Ulrich (1984) argue for transformational leadership in order to forestall anxieties and resistance which inevitably arise during situations of change.

Theoretical Framework

The researcher has used the reflections presented above concerning distributed leadership (Jones et al. 2012; Northouse 2013; Davis 2014; Holt et al. 2014), as well as the various notions of transformational leadership advanced by Tichy and Ulrich (1984) and Robinson et al. (2008) as constituting appropriate theoretical perspectives to guide this study. Taken together, these theoretical perspectives assisted the author to explain the events reported hereinafter with regard to the various institutions.

Statement of the Research Problem

In South Africa, the desire to change the HE landscape from the apartheid to a democratic dispensation came with a sense of urgency. This urgency translated itself in two main ways, namely (a) the development and promulgation of a basket of policy directives and legislation, and (b) broadening participation with respect to both students and staff. However, in the years that followed, many challenges emerged which manifested in many disturbances at a number of HE institutions around the country. Many of the issues raised related to allegations of bad governance and maladministration. More specifically, issues of possible corruption and mismanagement of public funds emerged, thereby prompting the Minister of Education to institute investigations in the affairs of five HE institutions within a period of two years – an action that was unprecedented in the history of HE in the country. This action suggested that something grossly amiss was taking place in these institutions. The action was therefore taken in order to normalise whatever was not going well in these institutions. As people say, there appeared to be “an invisible elephant in the house” that needed to be made manifest. Overall, it was hoped that the findings reported in this paper would lead to improved practices in governance and administration at South African HE institutions.

Objective

The main object of this research was to identify the emergent issues coming out of the five reports of the IAs sent to evaluate the state of poor governance and administration at the respective universities.

METHODOLOGY

Research Design

This was an *ex-post-facto* study falling under the “qualitative case study design” (Seymour et al. 2015: 49) in which each case comprised a copy of a gazetted IA report. It was an *ex-post-facto* study in the sense that all the events constituting data collection and primary data analysis had already taken place. Thus, the analysis undertaken here falls under what may be termed ‘secondary data analysis.’

Bird et al. (2013: 338) point out that, “the value of qualitative research in developing better understanding of concepts and behaviours in a particular context is increasingly recognised among” many researchers. Isaacs (2014: 318) echoes this by stating that qualitative research is increasingly being accepted as a necessity in, *inter alia*, (a) studying the social, cultural, economic, and political factors attendant to various organisations, (b) examining interactions between various stakeholders on a number of issues of both academic and public interest, and (c) exploring how people and their communities interpret events and phenomena in their environments. Typically, qualitative research is flexible, with very little structure – as Bird et al. (2013: 338) point out, “an approach that is too structured may diminish the opportunity for analysis to reflect emerging issues in the data.” Thus, considering that this research sought to discern emerging issues from the five IA reports, this approach was deemed appropriate for the task at hand.

Data Sources and Data Analysis

In this study, five reports prepared by IAs on behalf of the Minister of HET formed the main data sources for analysis. These documents contained the information of interest to the researcher. In all, the reviewed institutions comprised two comprehensive universities and three universities of technology. For ethical reasons, the researcher chose to codify the reports as U1 to U5, to represent the five universities. This was done to hide the specific identities of the five institutions. The codes have also been used to refer to the respective assessors’ reports - which are, thus, referred to as ‘U1 Report’, up to ‘U5 Report’, respectively.

In the main, this study made use of the qualitative analytic method known as documentary

analysis, involving the five reports submitted by the five IAs on the institutions which formed the focus of this study (Mogalakwe 2006). More specifically, this study followed the eight-step phenomenological enquiry described by Edward and Welch (2011) as the analytic framework for data analysis. The eight steps, which are an extension of Colaizzi's seven step method (Edward and Welch 2011) are: (a) transcribing all the subjects' descriptions, (b) extracting significant statements from participants' narratives, (c) creating formulated meanings from each significant statement, (d) combining framed meanings into theme clusters, (e) developing a detailed description of the data by combining and integrating all the emergent theme clusters and related meanings, (f) making an "interpretative analysis of symbolic representations of the data that may have occurred during the interviews, (g) identifying the fundamental structure of the emergent phenomenon through a rigorous analysis of the exhaustive descriptions of the phenomenon, and (h) going back to the respondents to validate the data and accommodate their feedback (Edward and Welch 2011: 165).

However, given that the study involved secondary data analysis, not all the eight steps above were done by the researcher, although the steps defined the researcher's overall analytic framework. Within the context of this study, the gazetted IA reports constituted the transcripts, which the researcher closely "read and re-read several times in order to obtain a general sense about the whole content" so as to share the subjects' feelings and decipher the intended messages (Kohan et al. 2015: 49). Subsequently, each of the above steps was followed, save for the last one, as the researcher was not the one who collected the primary data.

RESULTS

In all the HE institutions, each assessor looked at how the Council of the particular institution interfaced with Executive Management (EM). This was because whereas the Council was primarily charged with governance issues, the day-to-day administration of the institutions was in the hands of the respective EMs. Therefore, looking at how each of these bodies discharged its functions, as well as how the two bodies worked together, gave the researcher great prospects of understanding where the challenges in governance and management lay. For this reason, the results of this

study are organised according to these two bodies as the major organising themes.

Governing Councils

There were a number of aspects of governance that the assessors examined. These are outlined below with reference to the findings

Corporate Governance

The main responsibility of a governing council of a HE institution is to assure good corporate governance. This attribute is one of the cornerstones of good governance stipulated in the King III guidelines which form the gold standard for all public institutions in the country. However, the failure to adhere to the King III guidelines was a common denominator with respect of all the five institutions which were assessed.

Low Calibre of Some Council Members

Working independently, and at different times, all the assessors came to the conclusion that the low calibre of some Council members was one critical issue detracting from the Councils' ability to adequately perform their duties and responsibilities. More specifically, the U3 Report decried the "chronic lack of maturity" among some Council members and surmised that there were some Council members "who should not be anywhere near a university structure." In the same vein, many Council members from U5 decried not having been formerly orientated to understand their role as members of council (U5 Report).

Divisions and In-fighting

One other challenge which came up was that there was a lot of in-fighting in some of the governing councils. At U3, this manifested in rumour mongering and "the peddling of lies and half-truths" (U3 Report: 15). Still, at U3, the operations of the Council were severely hampered by a faction which completely paralysed the work of Council and made it dysfunctional. At U4, some members of council lost their membership of the body after they fell fowl with the dominant faction, leading to a lengthy and intense disciplinary process, "while another recently chose to resign" (U4 Report: 8).

Out-dated Institutional Statutes

Some Councils deliberately allowed the institutional statutes of their institutions to go stale in order to cause uncertainty concerning how long a Council member may remain on Council. At U3 it transpired that there were Council members who had stayed beyond their prescribed terms of appointment, thereby violating the University Statute (U3 Report: 16). Situations such as this, tended to undermine the integrity and workings of the Council. The same applied to U5, where it was found that some people served “for unlimited periods of time in Council” (U5 Report: 28).

Abuse of Power and Authority

Abuse of power and authority manifested in some Council members (a) pursuing only their own interests, (b) not following the normal procedures and practices of convening and holding meetings, (c) interfering in the work of EM or, alternatively, taking decisions which compromised the integrity of EM, and (d) instilling fear or intimidation in the hearts of fellow Council members by flexing political muscle on the basis of one’s political connections in government. Instances of these events are covered in the various reports, but perhaps the worst cases were those involving the last category, whereby some Council members with strong political connections threatened easily threatened or frightened other Council members as a way of getting their way around issues. In this regard, political muffling of opponents was particularly rife at U1, U3 and U5.

Executive Management

The incompetence of some executive managers was cited in all the reports as one reason for many of the problems in the assessed institutions. Some of the ways in which this was evident were as follows:

Weak Leadership

The various reports decried the quality of leaders in the assessed institutions and indicated that the leadership styles of most members of EM left much to be desired. For effective leaders, leadership styles vary according to the circumstances of the situation and the characteristics of the peo-

ple in the organisation. More specifically, situational leadership theory opines that there is no such thing as one-size-fits-all in leadership; that certain technical skills, traits and styles may be effective in certain situations, but not in all situations or settings (Schweikle 2014).

In the reports, the quality of management came up as a very serious matter of concern, leading to the reported incidents of instability at the various institutions. With respect to U2 it was noted that weak leadership was responsible for the crisis at the University, resulting in the institutions being “riddled with conflict, mistrust and disaffection among its stakeholders,” leading to “a complete loss of confidence in university leadership” (U2 Report: 8). With respect to U3, it was reported that despite the “significant improvement” which the Vice Chancellor had made, still, many at the institution decried her indecisiveness on some issues (U3 Report: 15). Similar concerns had also been expressed with respect of U4 and U5.

Human Relations

Constructive and positive human relations are a vital ingredient for organisational harmony. At U2, it was reported that the morale of staff and students was extremely low – manifesting in numerous strikes and class boycotts. In the year of the assessor’s visit, almost all the campuses at the institution had had “more than one strike or boycott” (U2 Report: 27).

Incompetence, In-fighting and Mistrust

Outright incompetence, in-fighting and mistrust were reported to be rife at all the five institutions – both within the governing Councils and among members of EM. For instance, EM at U1 was reported to be “fundamentally in disarray” and deeply divided (U1 Report: 21). Furthermore, to highlight a poor management ethic, the assessor decried frequent inconsistencies in the implementation of policies, characterised by selective application of rules depending on who had violated the rules (U1 Report: 24).

At U4 a colleague complained to the Vice Chancellor about her severe frustrations and resentment about how she was treated, stating that she was emotionally abused – and decried being treated like “*an abused wife, an abused child, a dog or a punching bag*” (U4 Report: 23). At U2, it was

reported that “everyone blamed everybody else for the crisis” (U2 Report: 14), whereas at U3, the top EM officials were at loggerheads with each other (U3 Report: 16). At U5 “the Vice-Chancellor felt undermined by some of the junior staff members” (U5 Report: 13) and one member of the EM “was reported to have been an incapable, inefficient and ineffective officer” (U5 Report: 38). From the above excerpts from the various Reports, it is clear that incompetence was a serious challenge at these institutions and contributed significantly to the reported poor management.

Poor/Weak Management Structures and Systems

Here, several issues epitomised the scourge of poor management at the assessed institutions, as presented below.

The Competence of Middle Managers and Understanding the Strategic Vision

Institutions operate both effectively and efficiently when appropriate systems are put in place and are well operated by middle managers. In the case of universities vital functions include management of the institution’s physical plant, information communication technologies (ICT’s), management information systems (MIS), the library, academic administration, finance, human resources, and other support functions. The managers of these vital functions all need to be adequately trained to run these portfolios. These managers must have the competence as well as an understanding of how their portfolios help shape and customise institutional visions and strategic objectives to the institutions they serve.

Thus, it is very important that there be a shared strategic vision between members of EM and middle managers which, unfortunately, was something reported to be lacking at some of the assessed institutions. At U4, for instance, the problem was compounded by a “lack of strategic direction” from EM (U4 Report: 19), with the IA reporting that EM focused more on the day-to-day administration of the institution, rather than on crafting a clear strategic direction and sharing it with the university community (U4 Report: 19). The situation was reported to be much worse with respect to the HR department. On the whole, the institution’s administration at U4 was crippled.

Human Resources

Unresolved human resource (HR) matters and poor or unclear delegation of authority, led to severe disruptions with respect to HR management at the five institutions. For example, at U5 the executive committee of Council was reported to have taken over administrative functions from the EM and the Deans – such as recruitment and appointment of staff (U5 Report: 14). At U1, a similar situation obtained where the HR department was reported to be the major source of discontent and trepidations (U1 Report: 21). Similar remarks were made about U3, while at U4 there were claims that EM caused “inconsistencies concerning appointments and promotions; nepotism; and meddling in the appointments process” (U4 Report: 23-24). This was particularly evident in the case where a member of EM overruled the selection committee’s recommendations. Further, at U5, there were many complaints “about unfair labour practices and discriminatory remuneration levels” (U5 Report: 18).

It is clear from the above summary that there were many unresolved HR matters which contributed significantly to the instability on all the campuses visited by IAs. In particular, merged institutions appeared to be very far from functioning well.

Financial Management

Institutions that have a well-functioning financial office have a better chance of assisting the institution to achieve its objectives than one which is under poor management. In this regard, an institution’s ability to strategically and systematically manage its financial resources is of utmost importance. This is one area where all the five assessed institutions experienced severe challenges. For example, U2 was reported to have been under constant financial difficulties for a number of years, resulting in funds being redirected from academic projects, infrastructural development and research towards paying salaries (U2 Report: 9). Inevitably, U2’s chronic cash flow problems had “a deleterious effect on the academic enterprise” in such a way that even research grants were frequently diverted to the payroll. In additions, promotions were at risk and very important academic vacancies remained unfilled (U2 Report: 22). In short, the financial condition

of U2 was compared in medical terms to “a human being with multiple-organ failure.” (U2 Report: 25).

At U2 it was reported that financial control systems had “completely collapsed, hence the transgression of existing policies.” In this respect, procurement processes and procedures appeared to be worst affected. At U1, there was a paucity of suitably qualified staff, leading to a breakdown of vital systems and processes – including procurement and communication (U1 Report: 26). At U3 there were invoices and a contract with an outside company which could not be explained. At U4, the IA was seriously worried about the frequent engagement of consultants to handle internal issues which could not be dealt with by management. The IA saw this practice as reminiscent of bad management and leadership (U4 Report: 22-23). Accordingly, the IA advised that internal capacities be strengthened so that many of the issues could be dealt with internally, as the constant engagement of external experts amounted to wasteful expenditure (U4 Report: 22-23). At U5, the absence of an “internal audit unit” compromised effective financial management at the institution (U5 Report: 26).

Information Communication Technologies and Management Information Systems

These days, well-functioning ICT and MIS facilities are very important for a proper university functioning. These two support services help to protect the integrity of the institution’s records and need to have all the necessary security protections. It was with this in mind that IAs found it disturbing that several years after the merger the MISs of one of the assessed institutions, at all its campuses, were not yet integrated and properly configured to “effectively support the business needs of the university” (U2 Report: 28). The importance of these two support systems is non-negotiable, otherwise an institution’s information on the ICT database becomes unusable.

Risk Management

The capacity and ability to identify the risks that face an institution is very important for the life of the institution. This was a serious cause for concern at U2 where the assessor found a total absence of any “risk management strategic approach or even a rudimentary risk identifica-

tion process” in place (U2 Report: 28). Student unrest and class boycotts due to registration and student fees were a regular occurrence yearly, and EM had no plan or proactive strategy to prevent these disturbances from taking place on such a regular basis (U2 Report: 29).

Poor Communication

Good communication is another important factor in the life of an organisation. However, at U1 communication was reported to be very poor and that most of what was communicated was alleged to be untrue by both students and staff (U1 Report: 24). An effective Communications Department could contribute significantly towards bridging the gap between EM and various stakeholders in an organisation. It is ironic that with so many forms of communication tools, nowadays – such as e-mails, cell phones, inter- and intranet platforms, as well as the good-old ‘circular’, that some EMs still fall guilty of poor or inadequate communication with their stakeholders.

Abuse of Power and Authority

Much like the Councils, EM’s were also found to engage in actions and practices that amounted to abuse of power and authority – particularly with respect to interfering in HR and disciplinary processes. For instance, the Vice Chancellor of U4 was reported to have upgraded an overseas economy class ticket to business class for one member of his entourage – in addition to taking his daughter and partner on the trip at the university expense. He later claimed that he had not violated any policy (U4 Report: 24). Nonetheless, the IA surmised that even if there may not have been a breach of policy, the matter demonstrated a lack of good judgement on the part of the Vice Chancellor (U4 Report: 24).

Victimisation

Many members of staff reported that victimisation at the hands of EM was rife at the various institutions. Typically, universities exercise autonomy as well as the freedoms of thought and expression. Through these freedoms, the staff are left free to debate ideas and challenge opinions – including those of EM. At some of the assessed institutions, staff were not at liberty to express their views, especially if such views did not cohere with the thinking of EM.

Overpopulation: Disregard for the Institution's Carrying Capacity

Briefly, there was a mismatch between the institutions' actual physical, human and financial resources *vis-à-vis* their responsibilities – particularly with respect to student enrolments. For instance, at U2 it was reported that the lack of adequate infrastructure, and the poor state of whatever was there, undoubtedly adversely affected academic performance (U2 Report: 21). At the same institution, the IA decried that the matter of inadequate and poor infrastructure was exacerbated by over enrolment, the inability of students to pay fees, and the system being clogged by many students who were progressing very slowly through their programmes of study – thereby taking too long to complete their studies (U2 Report: 22). There were similar remarks with respect to the other universities.

Senate

The senate of a South African HE institution is responsible for all academic affairs at the institution. However, the senates of all the five institutions that participated in this study were found to have been considerably weakened and disempowered to effectively carry out these functions. At one institution the senate was described as having been dysfunctional, and that much of its statutory functions had been taken over by a council standing committee styled as the Core Business Committee. The assessor found this to have been undesirable (U2 Report: 20). Similarly, Council members at U5 also indicated that senate at the institution was ineffective (U5 Report: 29).

Confounding Issues

According to the IAs reports, there were a number of confounding issues that could explain the reported bad governance and maladministration. These are discussed below.

Tensions between Council and Executive Management

A power struggle between a council of a university and its EM can cause severe paralysis in the operations of the institution. One song which was very popular in South Africa a few years ago asked the question: “*Bosso kemang?*” Translated

as “Who is the boss?” In the general flow of things, nature refuses to operate in vacuums. As such, just as a vacuum starts to form, air or any other ‘force’ rushes in. The same applies to institutions because they operate in an organic manner. Weak councils and EMs soon begin to develop cracks, and something quickly fills the cracks. In the case of South African HE institutions, labour unions, SRCs and the Institutional Forums (IFs) are the three ‘usual suspects’ with the proclivity to rush in and fill the cracks as soon as councils and EMs begin to fracture. In one case, the IA lamented that “the unions have been allowed to ‘become the executive’ and Council is intimidated by the students and unions” (U1 Report: 22). In particular, at U1 the IA reported that council had ended up micromanaging some key systems and processes at the institution after it had become clear that EM was either failing or unwilling to implement council decisions (U1 Report: 23). On the whole, tensions between Council and EM tended to lead to disruptions at the affected institution. Similar tensions between Council and EM were also reported at U3 and U5.

Labour Unions and the Students' Representative Councils

At some institutions, labour unions and students were reported to be at the centre of the instability that took place there. For example, at U1 it was reported that Council had been taken over by students and the labour unions; that subsequent to this, Council was then used to discuss issues that EM failed to resolve. However, in capturing Council both students and labour unions were alleged to have relied on violence and intimidation (U1 Report: 25). The allegations pertaining to the use of violence was not only restricted to U1. The IA for U2 reported that arson and other acts of violence had accompanied student protests at the institution – resulting in an air of anarchy (U2 Report: 8). At U3, it was reported that students were used as a power base for certain people, thereby creating divisions in the institution (U3 Report: 19).

Ethnicity, Affirmative Action and Cadre Deployment

Affirmative action, tokenism, cadre deployment and ethnicity emerged as ‘silent killers’ insofar as they played significant roles in the ap-

pointments of both council and EM members. In this regard, many employees at these institutions saw these 'criteria' as being at the centre of poor governance and maladministration at the institutions. This also had a seriously negative effect on staff morale.

Tokenism was found to be a very serious risk factor at U1 where a female Deputy Vice Chancellor conceded that she was incapable of discharging the duties and responsibilities of her portfolio. Consequently, all the finance matters were handled by the Senior Director who, unfortunately, did not sit on EMC meetings and Council to provide the required strategic direction. So, with an incompetent member of EM on such an important portfolio, the institution was doomed. For this reason, the IA recorded this situation as a major risk to the institution. At another institution, the IA decried ethnicity or regionalism as a serious challenge "for any Vice Chancellor who will come from outside to lead the institution" (U3 Report: 21).

Unresolved Institutional Merger Issues

Out of the five institutions which had been visited by IAs, three were products of the Department of Education's project of institutional mergers – and were still reeling from a number of unresolved merger-related issues, which still posed serious risks to the overall stability of these institutions. One such issue related to staff restructuring in terms of which, in one case, it was reported that "the unsatisfactorily mediated and prolonged staff restructuring process took a heavy toll on staff confidence, loyalty and job security" (U4 Report: 8). At U1, it appeared that since EM was dominated by people who came from the smallest parts of the merged institution, this resulted in them wanting to change everything from the way things were previously done at the biggest institution in the merger (U1 Report: 24). For its part, U2 was characterised as "a merged institution that never really merged, even as it pays a high price for being a dispersed multi-campus university" (U2 Report: 8). Overall, it was quite clear that instability would be difficult to avoid for as long as these merger issues remained unresolved.

Summary of the Major Emerging Issues

The above documentary analysis of the five assessor reports has revealed many emerging is-

ssues that characterised the assessed institutions as being badly governed and poorly administered. In a nutshell, the main issues emerging from the institutional merger analysis were that (a) some council members were of very low calibre; (b) the councils were characterised by divisions and infighting – with some of them quick to appeal for political leverage which had the effect of fanning intimidation against fellow council members; (c) there was a lot of abuse of power and authority – manifested mainly in (i) many council members pursuing self-interest, (ii) unjustly intervening in management issues, and (iii) taking dubious decisions, which bordered on corruption and dishonesty; (d) some members of EM were also of very low calibre and others were outrightly incompetent; (e) there were poor or dysfunctional administrative systems at most, if not all, the assessed institutions – such as HR, finance, ITC and MIS, risk management and communication; (f) there was poor human relations, including lack of conflict management skills, at most, if not all the assessed institutions; (g) the institutions were characterised by poor academic and physical planning; (h) there was rampant abuse of power and authority – revealed in many cases of victimisation of staff and interference in the due processes of the institutions; (i) in almost all cases, senate was 'invisible', emasculated and disempowered – in the process becoming a reluctant contributor to academic decline at the institutions; (j) the opportunistic roles played by unions, SRCs (often accompanied by overt aggression and violence) and the IF had a negative contribution towards the well-being of the institutions; (k) the merging of institutions had been a major source of conflict and instability in most, if not all, merged institutions – thereby fomenting a spectre of chaos at these institutions; (l) transformation at these institutions was epitomised by poorly applied affirmative action policies, cadre deployment and cronyism – thereby casting an ugly and negative shadow on the credibility of both council and EM; and (m) ethnicity appeared to be a major issue with respect to one of the assessed institutions.

DISCUSSION

It is important to briefly reflect on the main issues that emerged from the analysis of the five assessor reports. One major issue which has emerged is that most, if not all, Councils at the assessed institutions were not functioning as

expected, contrary to the requirements of good governance. Almost invariably, there were unhealthy tensions within the Councils, within EM and between Council and EM. It was, therefore, not surprising that there was such incessant turmoil at these institutions.

From the point of view of theories of leadership, Jones et al. (2012: 67) call for new ways of thinking about leadership, particularly in ways that acknowledge contextual factors and shared leadership practices such that leadership ceases to be an exclusive preserve of people appointed in leadership positions. Accordingly, there is a push for less hierarchical management structures in favour of more participative and collaborative approaches to leadership (Jones et al. 2012). In similar vein, Bush et al. (2009: viii) earlier made the same point in their observation that, over the past few decades, there has been a trend to move away from seeing leadership as being focused only on one organisation, in isolation, to a realisation that leadership is a balancing act of looking after the interests of one's organisation alongside competing, collaborative and complementary interests of stakeholder organisations: "One significant shift in several countries has been a move away from the notion of educational leadership being seen exclusively as leadership of a single organisation, into a wider area of responsibility involving several institutions, the community at large, or indeed with a remit to influence whole areas of society through an enhanced emphasis on diversity."

This is a very important point, considering that universities are no longer the inaccessible ivory towers they were once understood to be, and have now become community-based institutions with many organisations claiming and demanding stake in their affairs. Overall, Bush et al. (2009: viii) sum it all up cogently and appropriately in their remark that "theories and models of leadership are of no practical value unless there is a supply of effective leaders made available and their effectiveness when in post is maintained and, if possible, improved by continuous development."

Referring to the work of Tichy and Ulrich (1984), it is evident that the transformational changes that took place at the participating institutions were met with mixed feelings and fortunes. The findings epitomise an absence of strong transformational and strategic leadership, leading to these institutions experiencing upheavals and trepidations. Strong leadership would have

brought about real positive changes in HE governance and management. Therefore, it appears that in order to achieve strong and strategic leadership, it is important to go back to the fundamentals of why people are placed in positions of leadership. The concept of 'positive leadership', for instance, is built on the notion of a servant leader, and comprises characteristics such as listening, empathy, healing, awareness, persuasion, conceptualization, foresight, stewardship, commitment to the growth of people, and community building (Hammond 2018: 23). Furthermore, the notion of positive leadership, which emphasizes ethical and moral leader behaviour (Hoch et al. 2016). As Hoch et al. (2016: 1) further explain, "these emerging ethical/moral values-based leadership forms include ethical, authentic, and servant leadership, which have resulted from a widely held view that crises of leadership is attributable to unethical behaviour among senior leaders in organizations." Indeed, the results reported in this study bear testimony to unethical behaviour on the part of some members of University Councils and EMs.

One other point worth making is that although most universities in South Africa have an 'audit committee' it appears that where there are corrupt practices these audit committees somehow also become compromised, and they fail to perform their oversight role effectively. In their study, Lee and Fargher (2018: 167) found that the mere presence of high-quality audit committees prevented incidences of misconduct and victimisation of whistle-blowers. In addition, internal control systems and checks-and-balances were strengthened, as the high-quality audit committees helped to ensure that whistle-blowing disclosures were received and resolved through internal channels (Lee and Fargher 2018). It is, therefore, understandable and not surprising that, in the cases reviewed in this study, the audit committees in these institutions were either rendered powerless or were prevented from carrying out their duties and responsibilities. So, quite clearly, where university committees and other administrative support systems such as HR, ICTs and MIS, financial, academic administration, infrastructure, and others, are dysfunctional, this certainly adversely affects the proper functioning of the institution – and the morale of the staff plummet.

In view of the above, the researcher believes that once Councils and EMs of HE institutions in South Africa have the right calibre of people, this

will lay the necessary foundation for most challenges to be resolved internally. In the period that followed the submissions of the reports by the IAs, University Administrators (UAs) were appointed for varying periods of time to oversee the running of these institutions. From subsequent observations, UAs also soon became vulnerable to the grapevine traditions and underhand cultures of these poorly and badly governed and administered institutions. Soon, the UAs started to be undermined by staff with more legitimate and intimate connections to the Ministry of HET, and it was not long before they realised that to survive they needed to be politically astute and walk the tight rope dictated by ‘the political ties that bind’. Consequently, unjustifiable compromises soon began to surface; irregularities continued – under the watchful eyes of these now-compromised UAs and, on the balance of things, nothing really improved at the institutions on a sustainable basis. New Councils were installed looking exactly like their predecessors – having been consummated on the exact political considerations as the ones before them. Likewise, members of EM were also assembled in the same questionable ways and the Minister could still intervene on the same pretexts as before – and so the cycle starts all over again. These are the critical foundational ingredients of this vicious cycle which need to be addressed in order for long-term changes to take place. Ministerial interventions are ultimately not the solution. In any case, the Minister already has enough structures (for example, the Council on Higher Education, the South African Qualifications Authority, the HE budgetary process) which she/he uses as ‘steering mechanisms’ to elicit compliance.

CONCLUSION

In conclusion, the empirical documentary analysis undertaken in this study has revealed a number of emergent issues pertaining to bad governance and mal-administrative practices at the five institutions involved. These emergent issues serve as a point of reference for what has gone wrong in these institutions. Consequently, these are the things to avoid and must serve as a mirror against which institutions, in general, may take a reflection of their own individual status on the continuum of bad to good governance and administration. Thus, the researcher believes that the purpose of undertaking this project has been

achieved by providing institutions with a framework for self-reflection. Indeed, as the U5 Report remarks, “the success or failure of the university depends on the performance of its governance structures and a deeper understanding of the roles of each structure or constituency or office” (U5 Report: 14). Once universities are run by people of the right calibre, the Minister’s oversight role will be easier.

RECOMMENDATIONS

From the findings of this study, it appears important to recommend firstly that the selection and appointment of persons to university governing Councils and EM be based, as far as possible, on merit. Currently, the practice of ‘political redeployment’ is certainly not working well for some of the institutions. Secondly, there should be a special effort to strengthen governance and administrative processes and systems at each institution to ensure democratic and collective governance and administration which, in turn, would increase accountability. The third recommendation is that university governing Councils must exercise an oversight role on the EM of universities. In situations where Council members engage in corrupt practices, as reflected in the Reports which were reviewed in this study, the Councils becomes part of the problem and then fails to exercise their oversight role. Measures must be put in place to ensure that the integrity of governing Councils cannot be compromised. Finally, notions of institutional autonomy notwithstanding, the Ministry of Education ought to have the authority and power to intervene and take corrective measures when things go wrong. This will ensure that wrong-doing is corrected in time before things get out of hand.

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