



**Conference on  
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**Conflict in higher education and its resolution**

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As all HR professionals know, conflict is to be found in every organisation. ‘How well do you deal with conflict situations?’ is now a standard question at interviews for senior managerial posts whether in the public or private sector. Higher Education has its normal share of this, but from time to time disputes arise which, unless they are contained, can bring the whole institution to a halt. Debate and dissent are the lifeblood of free universities and some of our greatest scholars pride themselves on being uncompromising, so it is probably inevitable that such events will continue to occur from time to time. All we can do as University leaders is to prepare our systems and structures to withstand whatever may come. The purpose of this paper is to provide some guidance, based on case histories, on what needs to be done.

Conflicts of interest underlie, as we shall see, many such disputes. Academics describe themselves as ‘Historians’ or ‘Computer Scientists’ more readily than they describe themselves as employees of their university and that is a constant source of tension between loyalty to their profession or to their university. Another is the issue of motivation. We observe that whilst our students and our graduates who start their own companies sincerely want to be rich, our academic entrepreneurs, whilst they certainly have no objection to being rich, prize other things more highly, notably their standing within their discipline. In China they have a saying ‘The Education Place is a Clean Place’ and a real horror of Professors being motivated by money rather than by excellence in teaching and research and service to their students and society. The same spirit is to be found, to a greater or lesser degree, in other systems and it is noteworthy that ethical issues about payments to academic staff feature prominently in the Swansea case study which I will describe. The strong pressure on universities across the world to increase external earnings can only intensify these sources of conflict and make it all the more important that we anticipate and take measures to deal with it.

My own university had very early experience of the sort of individual Professor who tests structures to destruction. Our eighteenth century founder, Professor John Anderson, was Professor of National

Philosophy of the University of Glasgow, with which he fell out so spectacularly that he even went to London to petition the Prime Minister to redirect his attention away from the conduct of the French Revolutionary War to what Professor Anderson considered the much more important matter that the University of Glasgow had failed to publish financial accounts for two years. He died, in 1796, unreconciled with his old university. In his Will, which became the founding document of Strathclyde, he directed that the Professors in the new University should not be permitted, 'As in some other Colleges, to be drones or triflers, drunkards or negligent of their duty.' He even went so far as to instruct us that:

'No person connected with the University or College of Glasgow...can be connected with Anderson's University, as a Trustee, Ordinary Manager, Operator, or maker of Instruments, or can enjoy any office of Honour, respect, or profit, of any kind; the Intention of this Institute being, to keep the two Universities completely separate in every respect, from which much good, it is hoped, will ensue.'

An instruction we have been ignoring ever since.

All that happened over 200 years ago, but underlying attitudes have not changed that much. Internal conflict in one well known Western European University got so bad just five years ago that a member of staff deliberately set fire to the Computer Centre. If you have not heard of this incident, it is perhaps a tribute to the efforts of Directors of Computer Centres to keep it quiet. Disharmony in the university quickly resolved itself after the fire and no-one connected with Information Systems Management would wish it to be thought that this is a foolproof method of resolving bitter internecine disputes.

America's leading public university, Berkeley was distracted for five years to 2003 by the Berkeley-Novartis scandal in which several key people at the university fashioned a relationship in secret with this major drug firm. Shared governance between the administration and the academic senate was by-passed to deliver to the firm privileged access to departmental research results. After calling in an outside investigating committee, the University has said "never again" amid much embarrassment for various players.

The case study that merits the closest study, however, is one which has the distinct advantage of being a matter of public record since the findings of the enquiry into the 'Great Battle' was published as 'The Davies Report'<sup>(1994)</sup>. The conflict was centred on the Philosophy Department of University College Swansea and raged from October 1989 until May 1993. At the outset, The Department was strong, with an international reputation for Wittgenstein studies. Within the last year, the College has announced that the whole Department is to close. Academic careers ended, writs were threatened and served, there was intense media interest which did not assist the College's standing and a postgraduate student had his degree removed. There was a series of enquiries, some involving external figures and the strength of feeling on the issue is perhaps best illustrated by the language used in the report of the first such enquiry, known as the Calvert Report. It described one of the protagonists, Mr Colwyn Williamson, as 'A man saturated in malice and impervious to truth'. The epithets applied to him in the course of the report were 'speciousness', 'dissembling', 'heavy with sophistry', 'lies', 'pedantry', 'foul innuendoes', 'vilification and denigration', 'incubus', 'divisive', 'subversive' and 'devious'. It is, I think, fair to say that he did not make a good impression on the Calvert Committee.

There were, no doubt, clashes of personality involved but it is interesting to note that the whole conflict began over wide concerns, which will be familiar to all our institutions, about academic standards and about the ethics of an academic receiving a personal fee. Long standing worries about the quality of a Masters Course came to a head with allegations that a student had been guilty of plagiarism but had still been awarded the degree. The fee payment was for advice given to solicitors in a private capacity on the ethics of trading in organs which, it was alleged, associated the good name of the Department with this evil

practice. It is, I would suggest, not hard to imagine circumstances in which academic staff in our own institutions would get just as exercised as the Philosophers of Swansea about similar issues. The question that we have to address is whether our structures are such that we could deal with the situation better than University College Swansea. Sir Michael Davies, in his report, criticised a number of features of the College's response, but in this paper I wish to concentrate on three: the idea that private sector approaches would have resolved the issue more effectively; the problem of grievance procedures and the effectiveness of governance structures:

### **Private Sector Solutions**

At the height of the Swansea dispute, the Principal (e.g. Rector) of the College was quoted in the press as saying:

“If this had happened in a company, and I had been managing director, those people would have been up the road the moment they kicked up the fuss they did. They would have taken us to an industrial tribunal, but they would have been off the payroll.” (THES, 1991)

Sir Michael Davies, in his report, comments dryly that the College is not a company but an academic institution and that “this has not always been remembered”.

Nevertheless, there will always be those in politics and the media who maintain that whatever managerial problems universities may have are largely attributable to the fact that they are not properly run. Private sector models are often held up as the route we should be following. External governors are particularly insistent on this.

Professor Robert Birnbaum of the University of Maryland deals, I think, rather well with this issue in his 2001 book, *Management Fads in Higher Education: Where They Come From, What They Do, Why They Fail*. He writes: (Birnbaum, 2001)

“I have two dogs and three cats. They all have fur, four legs, and tails. The physiology and biochemistry of both species are quite similar, and they share much of their genetic structure. But they behave differently. The dogs come when they are called, seek affection and attention, and warn when strangers approach. The cats come when they feel like it and hide under the bed when strangers lurk. Why can't a cat be more like a dog?

On the other hand, I have to walk the dogs even in freezing rain, while the cats use their sandbox in the warm, dry basement. And the dogs need to be washed, brushed, and clipped, while the cats groom themselves fastidiously. So why can't a dog be more like a cat?”

I think about dogs and cats whenever someone says, “Why can't a university be more like a business?” Most business leaders think that colleges and universities would become more efficient and productive by adopting business practices. Most faculty members believe on the contrary that their missions are so different that higher education has little to learn from business. It is not a new debate: We have heard it all before: ‘if we could just run our universities as General Motors is managed, most of our education problems would vanish’. Thinking that what is good for one kind of organisation is good for another is like thinking that what is good for dogs is also good for cats. Universities and businesses are different kinds of organisations.”

Admittedly, universities are in competition for customers, earn their own revenues, employ staff and, in many systems, buy and sell property. So, as G.C. Winston puts it: ‘If it walks like a firm and it talks like a firm, isn't it a firm?’ (Winston, 1997) The answer, pretty clearly, is No’. Universities function in a ‘trust market’ in which people do not know exactly what they are buying and may not discover its value for

years. The product is sold at less than the cost to produce it and the value of the produce is enhanced by the quality of the people who purchase it. Compared to business firms, universities have multiple and conflicting goals and intangible outcomes. Staff are motivated by idealism rather than profit. As R.V. Iosue, who served as both a College President and Chief Executive Officer put it, 'Business leaders do not speak of constituencies to be wooed, appeased or won over, as do College Presidents....In all my years in Higher Education I have never once heard a Dean, Faculty member or anyone else respond, "Whatever you say, Chief": in business it's common to hear it. (AAHE Bulletin, 1997)

The strength of higher education, Birnbaum argues, lies precisely in its perceived contrasts with the world of commerce, and treating them as if they were businesses would simply destroy their autonomy and their cultural cohesiveness. Nor is it necessarily universities that should learn from business. Of the 12 largest business firms in the USA in 1901, only one still exists whereas the 12 principal universities and colleges of that time are all thriving. American colleges are increasingly building cemeteries within their campuses where alumni can be buried in their college colours. No similar demands appear to have been made by those formerly associated with General Motors, Microsoft, or even Shell or Nokia, suggesting that colleges might teach firms something about inspiring loyalty and life-long commitment.

One of the secrets of universities' ability to survive is, according to Professor Frans van Vught their ability to combine two apparent opposites. (van Vught, 1995) There are the 'intrinsic' qualities such as the value of fundamental search for truth and disinterested pursuit of knowledge – together with an 'extrinsic' capacity to respond to changing economic needs. Many of the adaptations needed to respond to changing resource levels and society's new demands impact directly on staff, increasing their insecurity about the future and inevitably increasing the likelihood of serious conflict. In his book, *Learning to Lead in Higher Education*, Professor Paul Ramsden of Griffith University in Brisbane argues that creating the conditions for effective leadership 'require universities to sidestep a series of errors associated with single models of human resource management and structure and process.' (Ramsden, 1998) He would, I am sure, regard embracing private sector models for dealing with university conflict as just such an error.

Ramsden argues that universities, in these turbulent times, increasingly need strong and responsive leadership at local level exercised by people who fully understand the corporate direction of the university. But these local leaders must never forget, as he puts it:

"the limiting characteristics of academic leadership as the leadership of professionals – people who set their own standards, have a vision and commitment beyond the organisation, who can be guided but not controlled, who seek a collective vision but who believe in independence. These stable features of academic life underline the continuing need in universities to disperse leadership, use it to encourage the positive features of academic culture, and conceptualise it as a process of guidance and development as well as direction."

So, whatever the Principal of University College Swansea may have thought, the solution to dealing with conflict in his, or indeed any other Higher Education establishment is most certainly not to behave as if it were a company. That is not to say that we cannot learn from others. As Robert Birnbaum puts it:

"Good academic management is not the same as good business management, and uncritical acceptance of management innovations and fads invented to meet the needs of government, business, or the military is more likely to harm than benefit colleges and universities. On the other hand, thinking about how elements of fads might provide new insights into improving institutional management can be very valuable." (Birnbaum, 2001)

## **Grievance Procedures**

Other points that arise from the Swansea case study include the need to ensure that grievance procedures are up-to-date and effective. The Head of the Department of Philosophy registered a total of nine complaints against members of staff and they gave as good as they got. There were also several court actions and damaging media involvement. The Procedure Agreement between the College and the Trade Union (The Association of University Teachers) had been introduced in 1973 and had been little used in the 20 years until this dispute arose. By 1993, it was out of date in the light of subsequent legislation. There was some difficulty in distinguishing between 'complaints' and 'grievances' and doubts about whether some complaints were properly dealt with. In his report, Sir Michael Davies commented:

“the large number of complaints and the readiness of those involved in what were primarily academic or academic-related disputes to involve complaints procedure instead of sorting out the problems in a civilised manner demonstrates a disputatious attitude which may be unavoidable but should not in my opinion be encouraged.” (Davies Report, 1994)

Clearly, there are technical points here for the HR professionals in the audience about keeping grievance procedures and trade union relations under review and up-to-date but Davies's comments raise a much wider issue. Given that disputes are inevitable and possibly becoming more frequent, is there anything we can do to ensure that staff avoid being unnecessarily 'disputatious' and find ways of resolving disagreements in a more civilised manner?

## **Governance Structures**

In his latest book on *Sustaining Change in Universities* (2004), Professor Burton Clark has much to say about the conflicts of value and aspirations intrinsic in all rapidly changing universities. The resolution of conflict in his view requires an infrastructure of governance and administration in which opposing interests and commitments are mixed and balanced. He identifies three balancing acts which are required in a successful entrepreneurial university which are between central steering (at the top of the university) and devolved control; between focus and comprehensiveness and between regional, national and international orientation. Conflict and its resolution cannot be left to be done at the level of personal spats among academics in departments but must be raised to the level of the entire university. One definition of 'authority' is 'power exercised by consent'. Once structures have been established which have the trust and consent of the academic staff, they will be accepted as having the authority to resolve their conflicts rather than trying to resolve issues for themselves with support from lawyers, trade unions and the media, so bringing the whole institution into disrepute. What we need to do is to find the balancing point between conflicting interests and establish an atmosphere of trust.

For academic staff, the Department or the Faculty can often seem more important than the remote, distant university. When trouble erupts within the academic unit, in the form of a dispute, it is accordingly difficult for staff to see the wider picture and to moderate their behaviour in the wider interest of the University's reputation. In the Swansea case and in the Berkeley case, personal financial gain was also an issue in exacerbating tensions. For those universities which style themselves 'entrepreneurial' and which place great emphasis on earning revenues from non-state sources, these tensions are particularly acute. Yet it is possible to develop governance structures which create a corporate entity as well as a collegial one and which combine academics and managerial values. In his two books on entrepreneurial universities, Professor Burton Clark has analysed a series of examples of universities which have tackled this problem.

At the IMHE General Meeting here five years ago, the representatives of the University of Twente (Frans van Vught and Leo Goedegebuure) had this to say about integrating academics and entrepreneurship in their university:

“an entrepreneurial university can become too entrepreneurial and too decentralised...the discretionary funding base has become substantive enough to allow the base units to follow their own course of action, without reference to the overall institution. The base units have become self-supporting groups that act as individual entrepreneurs. From a micro-institutional perspective there is nothing wrong with this. High level work is performed in close interaction with relevant outside bodies. However, from a macro-institutional perspective, the ensuing loss of synergy can be dangerous. Cross-disciplinary innovation may be stifled, both with respect to teaching and research because individuals and research groups are predominantly within their own specialisations and interests. Distances between central and decentral units are further enlarged because of diverging interests, and ultimately the institution may move towards disintegration.” (Clark, 2004)

In order to overcome the over fragmentation and over specialisation of the institution and so avoid damaging conflict between competing parts of it, collectivity of the institution needed, in their view, to be emphasised.

Twente chose to borrow from my own university, Strathclyde, the idea of an enlarged management group including the Deans of Faculties. It brought together the Faculties and the Executive in a form of joint, collective decision-making. Through a series of university wide initiatives, changing the curriculum and the role of ICT, Twente sought, successfully, to pursue both central and devolved control, to find a structure where the inevitable local disagreements would not degenerate into institution wide conflict. Where there is a trust between the academic staff and the centre, the authority of the HR professionals, who are part of the central structure, is greatly increased and they are in a much better position to settle disputes and contain internecine conflict.

One of the key elements of a successful entrepreneurial university, in Burton Clark's analysis is what he called a 'strengthened steering core'. By this he most certainly did not mean a top-down, managerialist set of structures. Rather, he meant one where the 'administrative backbone fused new managerial values with traditional academic ones'. Management points of view, including the notion of entrepreneurship, were carried from centre to academic heartland, while Faculty values infiltrated the managerial space'. In the hard work of transformation, he wrote, 'much depends on how well managerial and Faculty values become intertwined and then expressed in daily operating procedures'. (Clark, 1998)

The prime example of a successful strengthened steering core in his first group was the University Management Group of my own university, which, as he put it, has 'played a key role in airing and then smoothing over the conflict between new managerial values and traditional academic ones'. It is, he explained,

“not a body of central administrators, grouped around a CEO (chief executive officer): most of its members are from the Faculty. Elected Deans play a central role: they come to the UMG as representatives of their university sectors; they then find they must also consider the overall institutional interest. The UMG has been able to set a teamwork-oriented tone: there is no place for the partisan warrior, the representative pushing his or her own group interest at all cost.” (Clark, 1998)

In about 20 years, there has never had to be a vote at the UMG. Yet it only works because it is constantly reviewed and re-assessed.

By the time Burton Clark revisited Strathclyde, for his second book, it had become evident that the UMG had not proved a final answer to the problem of tensions between central direction and devolved control. Relying on elections for most of the offices meant a regular turnover of Deans and other key

members and a loss of impetus. Further, at a time of constrained resources, there was less and less scope for funding central strategy initiatives. Under a new Principal, the University's Strategic Plan for 2001-2005 observed that 'the devolved Faculty structure function will and has real benefits, but there are times when a stronger central steer is needed'. The response was the establishment of a new body, the Strategic Management Group focused on evaluating competing priorities. It has just four members, none of them Deans, and is intended to adjust the balance of authority back towards the centre.

In both Twente and Strathclyde we see efforts to reconcile central and devolved authority, to give academic staff a real sense of ownership of their institution with the aim of subordinating sectional interest in favour of a general corporate interest. Getting people to act thoughtfully and responsibly, having regard to the interest of colleagues and of the whole institution is, surely, the best way of minimising conflict.

## **Conclusion**

Dispute within Higher Education is something that will always be with us and which may in fact become more frequent as new income sources are explored. Bitter internal conflict normally becomes public, damaging the whole standing of a university in its local community. The answer is not to be found in borrowing the attitudes and methods of the private sector but, rather, in finding new ways of reconciling academic and managerial values. Those providing professional services, including HR specialists, have a key role in this process.

It is only by rapidly restoring harmony and shared purpose, wherever disputes occur, that we will maximise our contribution to society.

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