



Introduction

The report of the National Commission on Higher Education (1996) and the White Paper on higher education transformation (Department of Education, 1997) introduced a new governance framework based on the principle of co-operative governance.

The new policy framework redefined the relationship between higher education and the state. A complex shift was to be made from parties being conflictual and confrontational to their becoming partners within a co-operative model of governance. The legislative framework provided by the Higher Education Act 3 of 1997 gave guidelines for the establishment of the new structures at the levels of both the system and institutions. At the national level the democratisation process entailed setting up a new representative governance structure, the Council on Higher Education (CHE). The locus of power and decision-making was not contested as it was spelled out clearly in the policy documents that the CHE was to be consulted by the Minister of Education for advice. As a political leader, the Minister could follow the advice or disregard it, provided the public was given reasons for his disregarding advice provided by the new governance body.

Within institutions, co-operative governance starts from the premise that no single stakeholder, be it management, academic staff or students, can take sole responsibility for determining an institution's transformation agenda. The White Paper argued that institutional governance depends on the recognition of the existence of different institutional interests, and the inevitability of contestation among them. The policy stated further that in order for co-operative governance to work, higher education institutions must create structures and conditions that will enable the differences between

stakeholders to be negotiated in participatory and transparent ways (White Paper, Section 3.3).

Co-operative governance is a rather unique and ambitious governance model that, like South Africa's Constitution, embodies the best ideals of the new democracy. Not unlike the new Constitution, implementing the democratic principles has proved to be daunting, and contested.

The first part of this report reflects on the tensions created by the "management imperative", namely the need to lead and manage change from the top within a policy and legislative framework that requires co-operation and consultation. The second part of this report describes a study of how co-operative governance is working in practice and comments on the recommendation flowing from this study that co-operative governance be reviewed. In some sense both reports deal with the problem of driving change from the centre (government) or from the top (institutional leadership) and the frustrations with consultation and co-operation. Both show that there are no clear and easy solutions, but that it is important to have informed debates and disagreements.