



The effects of a tripartite 'participative' university senate on university governance: the case of the University of Chile

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ABSTRACT

Bicameral university governance models often include a university senate coexisting in parallel to executive bodies. This paper analyses the functioning and performance of the tripartite 'participative' Senate of the University of Chile, which includes academics, students and non-academic staff. This paper reveals significant limitations in the functioning, performance and productivity of the Senate, consistent with the evidence reported by the related literature. Our study suggests that these deficiencies are associated with (i) the institutional design and organisation of the Senate, (ii) ambiguity (legal and practical) in respect of its authority, (iii) structural discord with other governing bodies of the university and (iv) lack of legitimacy and recognition of the Senate by other governing bodies and the university community in general, consistent with the observed lack of electoral support and representation of its members.

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Introduction

A university's governance has important implications for its organisation, functioning and long-term performance.¹ University or academic senates are often observed internationally in bicameral university governance models. Although the functions of senates vary, they generally carry out some regulatory role for the university in contrast to the executive roles of other higher university bodies.² In spite of their relevance, there is little empirical knowledge on the merits and limitations of university senates, which in addition is mostly focused on (i) university senates in developed countries,³ and (ii) *academic* senates with (quasi-)exclusive representation by academics. In this context, little is yet known about the functioning of *multipartite* 'participative' university senates (with representation by academics, students and non-academic staff, among other groups), particularly in universities in the developing world where such senates are common.

This paper examines empirically the functioning and performance of the Senate of the University of Chile, a 170-year-old public university and among the most academically prominent in Latin America. We examine several dimensions of the Senate, namely: (i) its characteristics in comparison with senates in developed countries, (ii) the electoral support

and representation of its members, (iii) the functioning of the Senate and its committees, (iv) the Senate's activities in practice, compared with its functions set forth in the University Statutes, (v) voting patterns and 'political' coalitions from a network-analysis perspective, and (vi) the Senate's productivity and a discussion of the factors that condition it, including its relationship with executive bodies of the university. We believe the evidence sheds light on broader issues of university governance identified in the literature, such as the dilemmas between 'participation' and organisational efficiency, the balance between 'internal' and 'external' governance and stakeholders, autonomy, self-governance and the representation and influence of various internal stakeholders, integrated vs. dual/bicameral governance and management, among others (Austin & Jones, 2016; Larsen, Maassen, & Stensaker, 2009).

We investigate dimensions (ii) to (vi) beginning in August 2014 when the Senate's third four-year cycle began with renewed members elected in June 2014, by analysing the tables and minutes of the 35 weekly plenary sessions during one year. To the best of our knowledge, no similar empirical work on the performance of university senates has been reported.

This paper is structured as follows: the next section presents a conceptual discussion of the literature on university governance and the role and performance of senates, which provides the conceptual background for the empirical analysis. The third section analyses the composition and functions of the University of Chile's Senate in comparative perspective. The fourth to eighth sections examine the Senate's performance in the previously mentioned dimensions (ii) to (vi). The last section offers a conclusion.

University governance and senates

The literature on university governance often discusses the relative power or influence of external vs. internal authorities and stakeholders on university governance and administration, and the resulting degree of autonomy that universities enjoy to perform their functions according to their mission (Austin & Jones, 2016; Amaral & Magalhaes, 2002). External influence in university decision-making usually refers to the state–university authority relations (with varying degrees of control or supervision on a variety of financial, academic, administrative and strategic issues, among others). External influence is also associated with the presence of external members in the university's governing bodies such as state and non-governmental (business, community) representatives. On the other hand, internal self-governance refers to the influence of internal stakeholders. For example, 'collegiality' and 'academic self-governance' are governance concepts that emphasise university autonomy and academic freedom by means of a significant influence of faculty in university decision-making (Austin & Jones, 2016). 'Shared governance' models often extend a role in decision-making to a wider range of internal stakeholders such as non-academic staff and students, in line with 'democratic' or 'participative' models of university governance (Austin & Jones, 2016; Larsen et al., 2009).

Regardless of the merits and limitations of the different governance concepts, the literature identifies inevitable tensions and dilemmas between them that are inherent to universities as complex organisations: representative democracy/participation vs. organisational effectiveness/efficiency, influence of internal vs. external governance and stakeholders, unicameral/integrated vs. bicameral/dual governance/management models (Larsen et al., 2009), 'collegiality' and academic self-governance vs. 'managerialism', autonomy vs. external/state controls/supervision, among others (Austin & Jones, 2016; Bradshaw & Fredette, 2008;

Dobbins, Knill, & Vogtle, 2011). Many of these tensions often create dynamics of ‘power, politics and conflict’, as well as some degree of organisational stress (or even dysfunction) associated with ‘organised anarchies’ and ‘garbage-can-type’ decision-making (Austin & Jones, 2016). We assess empirically the behaviour, performance and effects of the University of Chile’s Senate in the context of the aforementioned tensions and trade-offs.

Many university/faculty senates emerged around the 1960s as an institutional response to the current demand for ‘democratisation’, participation and representation of internal stakeholders in university decision-making (Larsen et al., 2009). The literature on university senates is limited (Minor, 2003; Pennock, Jones, Leclerc, & Li, 2015), and part of it examines the *faculty* or *academic senates* comprising totally or mostly academic members, and focused primarily on academic policies (e.g. Moore, 1975) and Minor, 2003). Although there are no data on the global prevalence of senates, in the United States between 60% and 90% of universities, colleges and campuses have them in some form, although most of them are faculty senates (Birnbaum, 1989; Minor, 2003). Senates in any of their forms are also found in developed countries, e.g. Canada (Pennock et al., 2015), Australia (Rowlands, 2013) and Britain (Shattock, 2013).

Birnbaum (1989) distinguishes between the ‘manifest’ (formal, explicit) and ‘latent’ functions of senates, the latter being tacit and extra-regulatory (positive or negative) functions that Senates carry out de facto in the organisational culture. The ‘manifest’ functions are typically those identified by Millett (1962), namely: (i) establishment of institutional objectives, (ii) objectives of the academic programmes, (iii) approval and reallocation of the budget, (iv) expansion and development of sources of income, (v) supervision of the university administration, (vi) establishment of requirements and characteristics of academic programmes, (vii) regulation and assessment of the conduct and performance of the academic body, (viii) assessment of academic programmes. Some ‘latent’ functions of senates, on the other hand, are the mutual recognition of groups of influence, the provision of status to their members in the community, the ability to obstruct or filter organisational changes and priorities of the university administration, and their ‘ritualistic, pastime and fellowship’ roles for their members, among others. Birnbaum (1989) argues that senates in most cases perform poorly and slowly in their manifest regulatory functions, a diagnosis that coincides with other authors (Minor, 2003, 2004), but also suggests that the latent functions (virtuous and harmful) must also be considered, which are part of the organisational culture of universities (p. 439).

Minor (2004) identifies four models of *faculty* senates. ‘Traditional’ senates aim to represent and protect the interests of the faculty in university decision-making, have limited formal authority, and mainly concentrate on academic matters such as the curricula and approval of academic programmes, and assessment of academic careers (for example, tenure policies), and have little influence in other areas such as budget approval, in which they may have an advisory role. ‘Influential’ senates have authority to address a wider range of issues beyond academic matters such as budget allocation, appointment of university authorities and university-wide development policies among others, for which they typically possess formal attributes recognised by the executive bodies of the university. ‘Inactive’ or ‘dormant’ senates have intermittent activities, little influence in university decision-making and are essentially ‘ceremonial’, even though they may perform some of the ‘latent’ functions identified by Birnbaum (1989). Finally, ‘cultural’ senates usually employ formal and informal mechanisms to influence decision-making by executive bodies of the university. Informal

influence in university administration is typically exerted by small groups of organised senators ('kitchen cabinets') with connections and influence over university executive authorities.

Pennock et al. (2015) examine the functioning of multipartite senates of Canadian universities in 2000–2012 from opinion surveys responded by senate members. They identify the senates as being 'inwardly orientated' in academic matters and internal affairs of the university, and less 'outwardly orientated' in functions such as monitoring or influencing the government's educational policy. This coincides with the focus of the senates of Australian universities on academic and quality assurance matters (Vilkinas & Peters, 2014). Pennock et al. (2015) also identify a widespread opinion concerning the uncertain role and authority of the senate, which in turn is a source of friction with the universities' executive bodies. Moreover, less than half of members believe that senates satisfactorily meet their manifest objectives, which is consistent with the foregoing evidence regarding the limited effectiveness of university senates (Birnbaum, 1989; Minor, 2003, 2004). The study also identifies a majority opinion that senates should critically assess their performance.

The literature also points out a relatively widespread loss of power to the executive bodies of universities by senates in developed countries in recent decades, in the context of shifting state–university relations. Even though this trend has been moderate in the case of Canada (Pennock et al., 2015), senates' power in academic matters and budget allocation have been reduced in the United Kingdom (Shattock, 2013). In Australia, senates have concentrated their attention on quality assurance, moving away from decision-making in other academic matters and in budget allocation (Rowlands, 2013; Vilkinas & Peters, 2014). In Portugal senates were abolished, or else redefined as advisory bodies to rectors, in the 2007 university reform (Magalhaes & Amaral, 2003; Magalhaes, Veiga, Amaral, Sousa, & Ribeiro, 2013). On the other hand, in many countries the authority of senates (and of 'academic collegiality' and 'self-governance' more generally) has been replaced by councils or boards of trustees that comprise a relevant share of external stakeholders such as state and non-governmental representatives (Amaral & Magalhaes, 2002; Bleiklie & Kogan, 2007; Pennock et al., 2015) or by university managers and professional administrators in the context of growing 'managerialism' (Dobbins et al., 2011; Helms & Price, 2005; Larsen et al., 2009; Reed, Lynn, & Jones, 2002).

Functions and composition of the University of Chile's Senate

Public universities in Latin America often have governance models and 'culture' rather different from most of their counterparts in developed countries. University governance models in the region were much influenced by the early Córdoba University Reform of 1918, which promoted university autonomy, academic freedom, student participation in university decision-making and elections of university authorities by the university community, among other demands.⁴ As a result, autonomy is often pronounced and external governance is low in Latin American state universities in comparative terms. Autonomy is also associated with substantial formal and de facto influence of multiple internal stakeholders, particularly faculty, students and non-academic staff.

Some years after the end of the Pinochet dictatorship in 1989, the University of Chile modified the University Statute, restoring the aforementioned principles of autonomy, academic freedom, election of university authorities by the faculty and internal stakeholders' participation in university decision-making. As a result, the University of Chile's Senate was

created in 2006 as a tripartite body (including faculty, students and non-academic staff) responsible for exercising the university's regulatory function. According to the University Statute (University of Chile, 2007; see Appendix 1), the Senate's functions are (often with interaction with the University Council and Rector): (i) approve the amendments and interpretation of the university Statute, all general standards related to the university's development, and its organisational structure, (ii) ratify the university's draft annual budget and debt guidelines previously approved by the University Council, (iii) express an opinion on the management of the university's debt and relevant assets, (iv) approve new (or modifications of) academic degrees or professional diplomas, (v) request information regarding the university's administration, (vi) approve calls for consultations and wider discussion of issues of competence of the Senate, (vii) approve the removal of a dean, following a ruling by the University Council.

Thus, the Senate has most of the typical functions of university senates mentioned by Millett (1962) and the 'manifest' functions suggested by Birnbaum (1989), to which must be added authority in matters related to the organisational structure of the university, for expressing an opinion on the university's assets and liabilities, and in removing a dean of a faculty under regulated conditions. Therefore, the functions of the Senate far exceed the academic management issues typical of 'traditional' senates as mentioned by Minor (2004), and its design more closely resembles the 'influential' senate model.

The Senate is chaired by the Rector of the University. The Vice-Chairman is an academic senator elected by all Senate members and chairs the Senate in the Rector's absence. In addition to the Rector, the Senate comprises 36 members, of whom 27 are academics, seven are students and two are non-academic staff.

The Senate therefore differs from the 'faculty' senates prevailing in the United States and other developed countries (Minor, 2004), and resembles the multipartite 'participative' model of university senates in some Latin American countries and in some public universities in developed countries, for example in Canadian universities (Pennock et al., 2015, p. 507). However, the University of Chile's Senate is 'tripartite', including only academics, students and non-academic staff, and therefore it lacks members of other stakeholder parties typically represented in multipartite university senates, particularly alumni, state and non-government representatives as in public universities in Canada (Pennock et al., 2015) and other countries. And it also lacks – apart from the Rector – ex officio senior members of the university's administration, such as the Vice-Rectors or provosts, deans and other senior university officials frequently observed in multipartite senates of universities in other countries.⁵

Electoral support and representation of Senate members

With the exception of the Rector, members of the Senate are elected by their respective peers. Two-thirds of all academic members (27) are Local Academic Senators (18) elected by their respective academic units (14 Faculties and 4 Institutes), whereas the remaining third are Transversal Academic Senators (9), elected by the votes of one or more academic units, as is also the case for the election of student and non-academic staff senators.

Student representatives are elected every two years and academic and non-academic staff senators are elected every four years. Table 1 presents the universe or roll of votes and the participation rate (votes cast in relation to the universe in each one of the four types of elections of senators) in the general election of 2014.⁶

Table 1 indicates a low level of participation in all types of elections for senators. Between one-quarter and two-fifths of academics participated in the election of academic senators (higher for the election of local academic senators).⁷ Only 13% of the more than 35,000 students participated in the election of student senators, while only one in every four non-academic staff participated in the election of senators in their sector. As a reference benchmark, all these participation rates are substantially lower than the two-thirds participation rate observed in the election of the university's Rector by academics in 2014.⁸

Table 2 reports the electoral support and representation of the senators actually elected in their respective constituencies. The senators representing non-academic staff individually garner on average about one-fifth of effective voter preferences, which represents only about 5% of the universe of voters. Individual student senators obtain on average 8% of effective votes, which represent only 3% of the universe of voters. Transversal academic senators have individual votes comprising 11% of effective votes on average, representing only about 6% of the electoral universe. Elected local academic senators received wider electoral support, which is, however, only a third of the electoral roll of their respective academic units, on average.

In conclusion, the evidence indicates a low level of support and electoral representation of the senators for the three sectors, accentuated in the student sector. This evidence calls into question, first, whether the demand for participation and representation in university decision-making is effectively a majority aspiration within the three sectors, particularly the student sector. Second, it suggests a partial or incomplete representation of the different preferences prevailing within the sectors, which can in turn contribute to eroding the recognition and legitimacy of the Senate by the university community, an issue we will address further on.

Functioning and attendance

The Senate has thematic commissions in addition to a weekly plenary session in which topics selected previously by the Senate Board are addressed. According to the Senate's

Table 1. Participation of sectors voting for the university Senate, 2014.

Elections	Voters' roll	Weighted voters' roll	Voters/Roll (%)	Weighted votes cast/ Weighted voters roll (%)
Local academics election	4259	3236.8	n.a.	42.3
Transversal academics election	4206	3216.1	25.7	n.a.
Students election	35387	35387	13.0	13.0
Non-academic staff election	7633	7633	26.8	26.8

Source: University of Chile Claustro Elector (2016).

Note: Votes cast include votes cast for elected and unelected senators, blank and null votes.

Table 2. Voting and representation of elected senators, 2014.

Sector	Elected senators	Mean weighted votes	Mean% of validly cast weighted votes	Mean% of weighted votes roll
Non-academic staff	2	417.0	21.6	5.5
Students	7	982.0	8.0	2.8
Transversal academics	9	209.4	10.7	6.3
Local academics	18	49.0	63.1	32.1

Source: University of Chile Claustro Elector (2016).

house rules, these activities generate an explicit referential weekly workload of 12 h. This referential time commitment expected of the senators is out of step with the functioning of university senates in developed countries. For example, members of the senates of Canadian universities dedicate an average of 6.5 h per month to senate activities (Pennock et al., 2015, p. 511), i.e. about one-eighth of the number of hours expected from a University of Chile senator. University senates in the United States, on the other hand, hold approximately eight to 10 plenary sessions per year, i.e. nearly one-fifth of the plenary sessions in the University of Chile. This high time commitment to senate functions raises the question of whether this requirement materialises in practice. In order to assess the attendance of senators, below we analyse the sessions of the Senate committees in the one-year period between August 2014 and August 2015. Apart from the three permanent committees (Institutional Development, Teaching, Budget and Management), two non-permanent committees (Sectors and Participation, Academic Structures and Units) and four ad hoc committees (University Hospital, University Consultation, University Encounters, and University/Business Relationships) met in this period. In each weekly plenary session each committee renders an account of the activities it performed. Table 3 shows the percentage of regular or effectively held sessions of each committee throughout the year (fulfilling or not fulfilling the minimum quorum of attendance by half of its members) as recorded in the minutes, and whether such minutes explicitly state whether there was quorum or not.

On average, the permanent, non-permanent and ad hoc committees met effectively approximately only 70%, 60% and 40% of the time, respectively. The minutes also state that explicit recognition of compliance with the quorum is occasional, so in the majority of cases this information is not recorded in the minutes. The evidence suggests that (i) the committees meet on a more irregular and intermittent basis than expected if they were to abide by the rules of the Senate, (ii) the backlog of sessions would be attributable to a systematic failure to attend of a significant number of senators every week, (iii) presumably a number of effectively-held sessions may have been conducted without meeting the minimum quorum and (iv) the information on compliance with the quorum of Senate committees is not fully recorded.

The intermittent meetings of the committees were acknowledged on several occasions by the Senate Board and discussed by the full Senate in plenary sessions 335 and 339 of 2014.

Table 3. Attendance and functioning of senate committees, August 2014–August 2015.

Type of committee	Name of committee	Effectively held? (%)				Was there quorum? (%) (Explicit mention)			
		Yes	No	Not Indicated	Total	Yes	No	Not Indicated	Total
Permanent	Institutional Development	60	31	9	100	3	20	77	100
	Teaching	80	11	9	100	3	6	91	100
	Budget and Management	71	23	6	100	9	9	83	100
Non-permanent	Sectors and Participation	50	41	9	100	0	21	79	100
	Academic Structures and Units	71	24	6	100	0	9	91	100
Ad hoc	University Hospital	53	41	6	100	0	24	76	100
	University Consultation	22	69	9	100	0	6	94	100
	University Encounters	62	24	14	100	0	0	100	100
	University–Business Relationships	60	30	10	100	3	17	80	100

Source: Minutes of Senate plenary sessions.

Work of the Senate in practice

Table 4 presents the thematic workload of the Senate in practice, compared with its explicit statutory duties set out in Section III, based on a thematic classification of the 101 items on the agenda established in the 35 plenary sessions⁹ of the yearly cycle between August 2014 and August 2015.

Table 4 suggests some coincidence between the issues dealt with by the Senate in its plenary sessions and the explicit functions stipulated in the Statute. The most important functions are the discussion of institutional development policies and regulations in five projects (a fifth of the items on the agenda), the discussion of 10 new academic and professional degrees, university administration follow-up activities, and discussions on reforms of the university's Statutes, with almost 20% of the items on the agenda (considering consultations with the university community). Nonetheless, the scant attention given to key functions of the Senate such as the university's budget, the management of its assets and liabilities, and its organisational structure, are also evident.

The Senate also assumed functions not explicitly stipulated in the Statute, namely the discussion of statements of support to organisations external to the university (support of CONFECH, nationwide student marches and 'Colectivo Patricio Manzano' [a grass-roots social-political movement]) as well as the Senate's public statements on the national Educational Reform and the governance of other universities in the country, issues that amount to 10% of the items on the agenda. This indicates considerable attention devoted by the Senate to issues external to the university, in opposition to the inwardly oriented explicit functions specified in the Statute, and it contrasts with the focus on internal issues by university senates of developed countries (Pennock et al., 2015).

Voting coalitions in the Senate: a network analysis

The Senate's decisions are made through open voting in the plenary sessions (with voting options being 'approve', 'reject' or 'abstain'), which are recorded in the minutes. We conduct a network analysis to analyse the voting patterns in the Senate, namely: (i) the degree of voting homogeneity prevailing within and between the sectors of the Senate, and (ii) the voting coalitions within the Senate.

As reported elsewhere, voting bodies often approve unanimously or by a very large majority a significant number of motions that do not generate any controversy because they are of a procedural nature.¹¹ The Senate plenary minutes indicate that between August 2014 and August 2015, 16% and 31% of valid motions were voted unanimously or by more than 95%, respectively, which typically concerned procedural issues of little significance (e.g. modifying plenary time assignment and duration or approving a minor change in a Senate document).¹² Nonetheless, non-controversial motions coexist with divided motions that reflect opposing points of view among groups of voters on issues of greater complexity and relevance for the university, such as, for example, the reform of the university's Statutes. In order to analyse voting affinity among senators in relevant 'controversial' motions, we excluded the 'non-controversial motions' defined as those approved or rejected unanimously or by 95% or more of the votes cast.

Table 4. Items on the agenda of plenary sessions, related to the functions of the University of Chile's Senate, August 2014–August 2015.

Explicit functions in the Statute	Comments	Number	%
University Statutes reform	Inherited from the previous Senate	6	5.9
Policies and institutional development project	Projects: (i) Salaries, (ii) Postdoctoral regulations, (iii) University–Business Relationships, (iv) Institutional Development Project, (v) University Ombudsman Office	20	19.8
Budget and debt guidelines	Approval of yearly budget	7	6.9
Strategic assets of the university	Digital TV, university TV channel	3	3.0
Organisational structure of the university	Need for campus regulations	1	1.0
Creation/modification of degrees and diplomas	10 degrees and diplomas analysed	13	12.9
Oversight of university management (excludes budget) and development policies	Presentations of studies of the Assessment Council and others	13	12.9
Approve consultations and events in matters regarding the competence of the Senate	Related to the reform of the statutes	13	12.9
Amendment of the Senate's house rRules		0	0.0
Removal of deans		0	0.0
Internal functioning of the Senate	Irregular functioning of senate committees and 'occupation' of the main campus by students	9	8.9
Appointments of senior administrators	For the Assessment Council	4	4.0
Total explicit functions in the Statute		89	88.1
Non-explicit functions in the Statute			
Public statements, issues external to the university	Public support of CONFECH student marches (3) public support of Patricio Manzano grass-rootd political organisation (1), Declaration of the University of Chile's Senate as a model of governance for Chilean state universities (1)	5	5.0
Analysis and proposals on educational reform in Chile		5	5.0
Others		2	2.0
Total non-explicit functions in the Statute		12	11.9
Grand total		101	100.0

Source: Minutes of the University Senate, August 2014–August 2015.

Similarity in voting within and between sectors

Table 5 describes the bilateral voting affinity in ‘controversial’ motions of pairs of Senate members, between and within the academic and student sectors.¹³

Bilateral voting affinity among students is greater than among academic senators, as indicated by the respective lowest, median and mean values, the latter being statistically significant. Also, the variance in the bilateral affinity among student senators is statistically lower than among academic senators, suggesting that student senators act as a homogeneous voting coalition, unlike academic senators.

Transversal voting coalitions

Figure 1 shows the network of all senators, distinguishing their sector and visually highlighting those bilateral links between two senators that have a percentage of coincidence in voting higher or equal than four thresholds: 75%, 80%, 85% and 90% of all ‘controversial’ motions. As expected, the networks are increasingly populated with visible bilateral links as the threshold decreases. While the 75% and 90% of bilateral coincidence thresholds in Figures 1(a) and 1(d) do not suggest obvious voting coalitions, the figures with thresholds of 80% and 85% reveal relevant patterns. First, they confirm the high affinity of voting among student senators, as suggested by Figures 1(b), 1(c) and 1(d) where all or nearly all links are visible. This contrasts with the lower voting affinity observed among academic senators manifested in a smaller proportion of visible links, indicating that academic senators have more heterogeneous votes and underlying preferences than student senators. Second, the seven student senators maintain high levels of voting affinity with a subset of approximately five to seven academic senators, thus configuring a potentially broader transversal voting coalition, which we will describe in greater detail later. Finally, the two non-academic staff senators do not show a strong voting affinity between them, or with the other senators.

In order to analyse differences in voting affinity within the student and academic sectors and between them, Table 6 examines the proportion of high-affinity bilateral links in voting, in relation to the universe of links in these three cases, using the data corresponding

Table 5. Total bilateral links by groups of senators, and proportions of bilateral voting affinity in ‘controversial’ motions, University of Chile Senate 2014–2015.

Factor	Among all 36 senators*(I)	Among 7 student senators (II)	Among 26 academic senators* (III)	Means difference II–III	Variance ratio III/II
Total bilateral links	630	21	325		
Highest bilateral affinity	1.0	0.94	0.94		
Lowest bilateral affinity	0.14	0.82	0.24		
Median bilateral affinity	0.67	0.87	0.66		
Mean bilateral affinity	0.64	0.87	0.63	0.24***	
Standard deviation	0.16	0.03	0.16		
Variance	0.026	0.001	0.026		26***

*One senator place was vacant during most of the period.

***Statistically significant at 1%.

Source: Minutes of the University Senate, August 2014–August 2015.

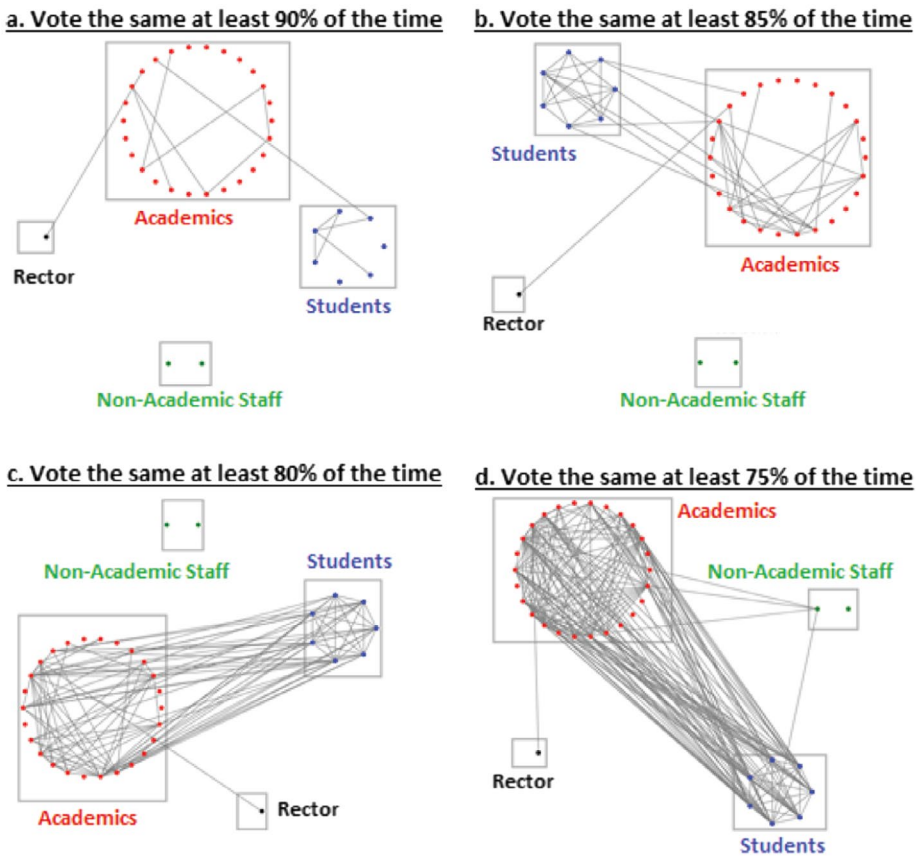


Figure 1. (a) Vote the same at least 90% of the time. (b) Vote the same at least 85% of the time. (c) Vote the same at least 80% of the time. (d) Vote the same at least 75% of the time.

to Figures 1(a) and 1(b). The evidence therein shows that the proportion of high-affinity bilateral links is substantially higher among students than among academics. Furthermore, whereas affinity in voting among students is significantly higher than the affinity between students and academics, the affinity among the latter is similar to the affinity between them and students.

However, many academic senators vote similarly to student senators. Figure 2 presents the percentage of voting affinity of individual academic and non-academic staff senators with regard to all the student senators. It confirms a significant degree of heterogeneity in the bilateral affinity between academic and student senators already suggested in Tables 5 and 6. However, six academic senators have a high bilateral affinity of about 80% or more in the cast votes with the student senators in controversial motions, comparable in fact with the average affinity prevailing within the group of student senators (87%). Another five academic senators vote the same as the student group in three of four controversial motions. This suggests the existence of a transversal student–academic voting coalition of approximately 13 to 18 senators who consistently vote in a similar manner, and who can coordinate actions to achieve a significant absolute or relative majority in Senate polls (depending on attendance and voting of senators outside the coalition). In fact, Figure 2

indicates that Senate Board members, who are elected by all senators, had a significant voting affinity with the coalition of students and academics concurring with them. This is suggested by the fact that the four elected non-student members of the Senate Board have a greater voting affinity with the students than the average of all the non-student senators, a pattern that is more notable among the academic members of the Senate Board.

It is also revealing that most of the non-student senators and all of the non-student members of the Senate Board have higher voting affinity with the student senators than the university’s Rector, who is elected by all academics of the university, suggesting both the salience and the doubtful university-wide representativeness of the identified transversal student–academic coalition.

Table 6. Proportion of bilateral links between senators with high voting affinity (‘controversial’ motions).

Factor	Among student senators (I)	Among academic senators (II)	Between students and academics (III)	Difference I vs. II	Difference I vs. III	Difference II vs. III
Total bilateral links (A)	21	325	182			
Links with 90% affinity or more (B)	5	6	1			
Links with 85% affinity or more (C)	16	23	7			
Proportion of links with 90% affinity or more (B/A)	0.24	0.02	0.01	0.22***	0.23***	
Proportion of links with 85% affinity or more (C/A)	0.76	0.07	0.04	0.69***	0.72***	0.01 0.03

***Statistically significant at 1%.

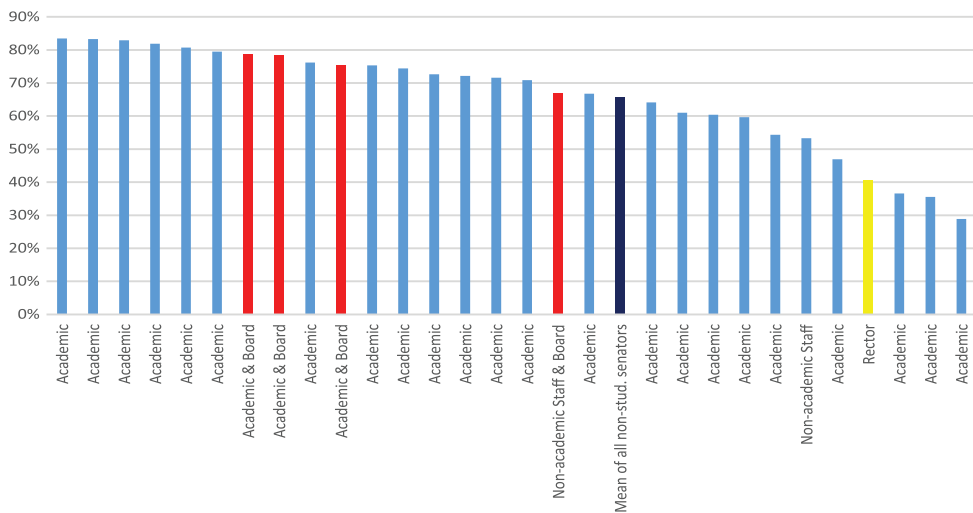


Figure 2. Voting affinity of individual academic and non-academic staff senators with the group of student senators (%).

Productivity of the Senate, 2012–2016

This section assesses the productivity of the Senate in two key functions indicated in Appendix 1: the approval of the university's new academic degrees and professional diplomas, and the drawing up of standards and policies for the development of the university.

Approval of professional and academic programmes

In 35 plenary sessions in the August 2014–2015 annual cycle, the Senate analysed and approved a total of 10 new professional and academic degrees, or the modification of some already existing. As evidenced in the minutes, each of them was previously analysed by the Senate Teaching Committee, giving rise to consultations to the respective academic units. This committee also has the highest rate of successful sessions in the period (80%) according to Table 3, suggesting adequate performance of the Senate in this function in particular.

University development policies

Table 7 presents the projects analysed by the incoming Senate in 2014, two of which were initiated by the previous Senate (2010–2014): the University Statutes reform, and academics and non-academic staff salaries reform bill. Table 7 indicates that, to September 2017, the Senate had not completed some of the initiated projects, which are still in process, on hold or inactive. The Institutional Development Project 'in process' status is still consistent with established deadlines for renewing the project. The projects sent to the Rector for enactment in 2017 (two of which are of low complexity) took the Senate nearly three years to finish, and still await final approval by the Rector.

Although there are a number of reasons that explain the modest and slow performance of the Senate, we argue that they can be grouped into (i) internal flaws in the functioning of the Senate attributable to its organisational design, (ii) uncertainty regarding the legal attributes of the Senate to propose regulations in certain matters, (iii) friction and scant coordination with other governing bodies of the university, and (iv) lack of harmony and recognition of the university Senate by the wider university community in general.

The intermittent functioning of the Senate committees seems a relevant factor explaining the slow progress of the University Ombudsman and University–Business Relations projects, and less so the statutes and salaries reform projects, which have also been affected by other obstacles that we discuss later. We contend that the causes of the inadequate internal functioning may be due to (i) the high expectation of a fifth of weekly working hours dedicated to Senate activities and (ii) the insufficient capacity of the Senate to gather and analyse relevant information for its regulatory work; for example, the comparative experience of other national and international universities in specific subject matters, shortcomings that were identified by various actors in the case of the statutes and salaries reforms.¹⁴

The progress of the postdoctoral and salaries projects has additionally been affected by rulings of the Comptroller General of Chile that questioned the authority of the Senate to regulate matters that affect the university's staff, clarifying that it only has the authority to provide general guidelines.¹⁵

Finally, the modest performance of the Senate associated with friction and lack of harmony with other bodies of the university and the community in general appears to be

Table 7. Projects analysed in the Senate since 2012 and status to September 2017.

Proposals initiated	Initiated	Comments	Status
University Statute	11/2012	Initiated by the Senate (2010–2014)	On hold
Salaries of academics and non-academic staff	2013	Initiated by the Senate (2010–2014)	Sent to Rector 2017
Postdoctoral regulations	6/2014	Requested by Rector's office (2014)	Sent to Rector 2017
University/Business Relations	9/2014	Initiated by the Senate; creation of an ad hoc committee, then transferred to the Stakeholders and Participation Committee	Inactive
Institutional development project		Initiated by the Senate in 2014	In process
University ombudsman	12/2014	Initiated by the Senate; transferred to the Academic Structures and Units Committee	Sent to Rector 2017

Source: Minutes of the University Senate, 2012–2017.

particularly relevant in the case of the reform of the university's statutes and the salaries project: the former project was initiated by the Senate in 2012, only six years after the 2006 Statute came into effect, and a proposal for reforming the university's statutes was approved by the outgoing Senate in 2014.¹⁶ This proposal was not accompanied by any analysis of the progress of the new institutional framework of the university amended in 2006 (Riveros, 2015), or any study of international university governance or any other elements justifying an amendment of the statutes. The proposal essentially aimed to further expand 'participation' and 'tripartite democracy' within the university, by increasing the representation of students and non-academic staff in relation to the academics in the Senate (to 30%, 10% and 60%, respectively), increasing the powers of the Senate in relation to the Rector and the University Council, and by allowing participation of students and non-academic staff in the election of the University's Rector and faculty deans, while lowering the requirements for the Senate to remove them unilaterally. The incoming Senate in August 2014 continued with the reform process, with only a tripartite university-wide referendum pending to validate it. Within a couple of months the University Council and several faculty deans, supported by their respective Faculty Councils, publicly expressed their concerns regarding the inadequate procedures and methodology applied by the Senate in the reform of the statutes, and the content of the proposal. Ex-rectors, other ex-authorities and spontaneous organisations of academics lent their voices to this criticism.¹⁷ To address this crisis, the University Council and the Senate issued a joint statement in November 2014¹⁸ for reformulating the Statutes' reform process, introducing opportunities for dialogue with the community, and agreeing on the need to collaborate with the University Council in these tasks. The scant acceptance of the Senate-led reform process by the other governing bodies of the university and the university community in general continued to the extent that, at the end of 2015, the Senate itself declared the end of the reform process and the need to initiate a 'process of reflection' regarding the causes that forced it to take that decision.

The criticism of the Senate's conduct in the reform of the statutes by the University Council and by a large part of the university community is also evidenced in the proposal for reforming the salaries of academics and non-academic staff. In general terms, the proposal drawn up in 2013 and 2014 sought to reduce inequalities and arbitrariness in the salaries of academic and non-academic staff but was not accompanied by a detailed justification of the proposed amendments, or a comparative analysis of reward and compensation frameworks in other national or foreign universities, or simulations of its impact on faculties'

and university budgets. Within a context of criticism and misgivings by the University Council and part of the university community, an opportunity was forced at the end of 2014 for the community to submit indications to the proposal, due to which approximately 500 observations on all the articles of the proposal were submitted in January 2015. Yet, a new version similar to the original one was approved during 2017, which has not yet been enacted by the Rector.¹⁹

The low approval rating of the Senate by other bodies of the university (particularly the University Council) and part of the university community in general seems related to the lack of representation by the Senate of the heterogeneous interests and preferences within the university community. The joint statement by the Senate and the University Council aimed at breaking up the log jam surrounding the reform of the statutes explicitly states in its point (b) that the reform must ‘have full academic legitimacy’, thus questioning the prior procedure of the Senate in its initial proposal. On the other hand, there is evidence of explicit public criticism of the lack of representation of the University Senate.²⁰ We contend that the low participation and representation observed, especially in the student and non-academic staff sectors analysed in the section ‘Electoral support...’ and the analysis of voting coalitions in the Senate presented in ‘Voting coalitions’, support this view.

Conclusions

The University of Chile’s Senate is part of a bicameral university governance design, which also includes the University Council, the Rector and the Assessment Council. The Senate addresses a wide range of matters in comparative perspective and well beyond academic issues, which makes it closer to an ‘influential’ Senate as in Minor’s (2004) classification.

The Senate performs adequately in some specific areas, e.g. approval of new academic and professional degrees and transparency in reporting its minutes, but it shows limited effectiveness and diligence in performing many of its ‘manifest’ functions, thus corroborating the evidence of low productivity of university senates observed internationally. The analysis suggests that the explanations include (i) problems in the Senate’s organisational and functional design, (ii) vagueness regarding its regulatory authority, (iii) structural friction with other senior bodies of the university, and (iv) problems associated with a low appraisal and legitimacy of the Senate by other bodies of the university and the university community in general, enhanced by the low electoral participation and representation of its members, and the homogeneous and influential voting of a transversal coalition of student and many academic senators.

Some of these factors coincide with those indicated in the literature as being responsible for the modest productivity of senates, in particular friction with the executive bodies of the universities and ambiguity regarding the authority of senates, as well as the limitations of dual/bicameral governance and of ‘participative’ decision-making. However, the analysis also suggests specific limitations inherent in the design of the University of Chile’s Senate. First of all, its ample formal authority in comparative perspective does not have the corresponding support for generating and processing the information necessary to its proper functioning, in addition to the high expectation of time dedication by senators, who in practice cannot meet their commitments within the context of their other obligations. Second, the Senate comprises entirely elected members (with the exception of the Rector), which makes it a disjointed body with

regard to the university's senior executive authorities. This creates conditions that are particularly likely to aggravate tensions with other governing bodies of the university, which bicameral universities in developed countries have moderated by including, *ex officio*, in their Senates a relevant number of executive and administrative authorities. Finally, the low electoral representation of most of the Senate contributes to lowering its appraisal and legitimacy by other bodies and the university community. Added to the above is the particular 'tripartite' design of the Senate including only internal stakeholders, thus not incorporating the interests of other stakeholders of the university (such as for example its alumni), or the necessary external counterparts of a state university such as government/state and non-government representatives, as is often observed in multipartite university senates (and governing bodies) in developed countries.

Notes

1. See for example Aghion, Dewatripont, Hoxby, Mas-Colell, and Sapir (2010) and Hinfelar and Polzin (2006).
2. Unlike unicameral governance models where a single upper body wields the regulatory and executive functions.
3. An exception is Morrow (1998).
4. For an account of the 1918 Córdoba University Reform and its influence throughout Latin America, see for example Tunnermann (1998).
5. For example, *ex officio* senior administrators account for 23% of university senate members in Canada. (Pennock et al., 2015, p. 507).
6. In student and non-academic staff elections each voter has one vote. Votes for academic senators are weighted according to the voter's contracted working hours.
7. Records provided by the university only report weighted votes cast for the local academics elections, and absolute numbers of voters for the transversal academics election.
8. Data available at www.uchile.cl/portal/presentacion/prorrectoria.
9. The Senate stopped convening for several weeks due to an 'occupation' by students of the university's main campus.
10. Confederation of Students' Federations of Chile.
11. See for example Andris et al. (2015) on voting patterns in the US Congress.
12. See for example Minutes 337, 343 and 355.
13. The two non-academic staff senators are omitted but are nonetheless included in 'all senators'.
14. See evidence provided in footnotes 19 and 22.
15. For a discussion see Fuentes (2015).
16. Documents on the University of Chile's Statutes Reform are available at <http://www.uchile.cl/estatuto>.
17. See the opinion of former Rector Luis Riveros and Carlos Cáceres, former Vice-Rector for Economic Affairs in Riveros (2015), and the statements of the 'U21' academics group available at <https://u21imagina.wordpress.com>.
18. Statement available at <http://www.uchile.cl/portal/presentacion/senado-universitario/proceso-de-modificaciones-al-estatuto-vigente/material-de-trabajo/111024/documento-base-y-anexos>.
19. The salaries proposal and the indications submitted are available at http://www.uchile.cl/documentos/indicaciones-particulares-al-proyecto-de-reglamento-de-remuneraciones_110162_1_0750.docx.
20. See the U21 academics group declaration.

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Appendix 1.

Specific functions of the Senate according to the University Statute

- Approve, at the proposal of the Rector or a third of its members, the regulations contained in the institutional Statute and their amendments, all standards of a general nature relating to the University's development plans, and policies and proposals for amending the Statute;
- Interpret the meaning and scope of the standards of the existing Statute, at the request of the Rector, regardless of the authority of the competent controlling bodies;
- Ratify the University's draft annual budget, its modifications and annual indebtedness guidelines previously approved by the University Council and proposed by the Rector;
- Express an opinion on the Rector's proposals regarding the disposal of the University's assets, or liens assessed thereon, when concerning real estate or chattel, which, although not real estate, has been previously declared of special institutional interest;
- Express an opinion regarding the contracting and subscription of loans and financial obligations, in accordance with the annual indebtedness guidelines;
- Approve the organizational structure of the University and its amendments, proposed by the Rector, prior to any pronouncement by the University Council;
- Approve proposals for the creation, modification or elimination of academic degrees or professional diplomas presented by the Rector, prior to any pronouncement by the University Council;
- Request from the authorities information regarding the status of the University's administration, with regard to existing general institutional development strategies;
- Approve, at the proposal of the Rector, or at the request of at least 1/3 of its members, and the vote in favor of 2/3 of its members, calls for consultations on matters that fall within the competence of the Senate, and make them binding prior to their implementation, with the same aforementioned quorum.
- Approve, at the proposal of the Rector, or at the request of at least 1/3 of its members, and the vote in favor of 2/3 of its members, invitations to events for discussion and reflection and proposals on matters that fall within the competence of the Senate;

- Approve its internal operating regulations;
- Approve, by 2/3 of its members, the early removal of a Dean, on the proposal of the Rector, on its own initiative, or that of the respective Faculty Council, due to a serious infringement of his obligations, following a ruling by the University Council.
- Exercise other functions and attributes conferred on it by law.