

The UP Deanship Selection Process and the Continuing Value of Collegiality in Decision-Making

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A Standing Proposal to the Board of Regents

In the past months, a spate of selections for Deanship seems to have been undertaken by the UP Board of Regents (BOR) with an apparent disregard for Search Committee reports and the recommendations of the Chancellor. This galvanized a dismayed UP Diliman University Council to issue a resolution “Urging the UP President and the Board of Regents To Respect and Uphold the Authority of the University Council and Its Constituent Faculty on All Academic Matters and To Honor the Principles of Democratic Governance Long-Established in the University” (9 September 2019). In particular, the selection of the dean of the Virata School of Business (VSB) turned out to be especially debatable.

On 10 October 2019, the BOR voted 6-5 for Mr. Joel Tan-Torres as the next dean of the VSB. The controversy which this decision unleashed in UP Diliman is not something that can easily be brushed off by the Regents. In fact, the process of selection of deans in UP has a whole history behind it which can be consulted to gain a better understanding of its root causes. We will attempt to give an account of this history below. In the meantime, the Office of the Sectoral Regents (OSR) continues to appeal to the BOR to engage in a face-to-face dialogue with the University Council Committee on University Governance and Administration (CUGA) or with the entire Diliman University Council to explain the rationale for this most recent decision. We also urge UP President Danilo L. Concepcion to initiate, as soon as possible, a University-wide discussion to review and revise the search processes towards emphasizing and strengthening the role of collegial and democratic decision-making processes in the University.

It is perhaps high time to once again make a review and study of the selection process of the deans and other officials of the University. From a longer view, the following clusters of questions, among others, apparently need to be addressed with more rigor and explicitness:

What is a “dean”? If a dean is an “academic leader,” what does this latter term actually mean? Is this concept of leadership the primary criterion of Deanship? What then does it take to be an academic leader? Does this require possessing a doctorate and/or outstanding academic credentials and a research and publication track record? Who are in the best position in a University to determine the matter of “academic leadership” in general and for individual cases?

How are decisions made in the University? What are the different types or modes of decision-making available to an academic institution? How do top-down, hierarchical and corporate modes of decision-making relate to properly collegial and/or democratic types of decision-making? Why is collegial decision-making said to be the characteristic and most appropriate mode of decision-making in a community of academic peers and equals? What are the differences between the three types of decision-making (corporate, collegial and democratic) in a modern University? What is the appropriate balance or mix between these modes at the present time in the University of the Philippines?

The UP Charter of 1961

According to Section 10 of the University Charter in the “Revised Code of the University of the Philippines” (1961), “The body of instructors of each college shall constitute its faculty, and as presiding officer of each faculty, there shall be a dean elected from the members of such faculty by the Board of Regents on nomination by the President of the university.” There is no mention in the UP Charter of 1961 of any process of consultation among stakeholders or of any search committees. As Memorandum Circular No. 4 (1978) puts it, “For a long, long time, the Board unilaterally exercised its authority with or without formal consultation, using its good judgment in relatively simple political culture. The President of the University discharged the function of nomination likewise... The University constituency was the last sector to be formally involved” (UP Board of Regents [BOR], 1978b, p. 29).

President Onofre D. Corpuz (1975-1979)

President Corpuz’s term saw the rapid democratization of the process of selection of deans. According to the document, “Reorganization of the College of Arts and Sciences” (1976), the “departmental faculty of the CAS shall nominate, together with the academic non-teaching and administrative personnel three (3) regular faculty members for the Deanship of the College” (BOR, 1976c, pp. 204-206). Only the “names of the three (3) regular faculty members with the resulting highest number of nominations shall be submitted to the Office of the President for consideration for appointment” (BOR, 1976b, p. 33). One among the three top-ranking nominees shall be appointed by the BOR, “upon recommendation by the President.” The Deanship selection process during this period emphasized the authority of the UP President in approving and determining the procedure of selection rather than in the exercise of his or her choice over any particular nominee (BOR, 1977b, pp. 352-365). Moreover, a distinction is made between a procedure aiming for “consension” (or unanimity), which is impossible, with that directed towards “consensus” (or general agreement) (BOR, 1977a, pp. 330-331),

... the procedure is ‘consensual,’ availed of in aid of the President's discharge of his nominating function. In fine, it is a process whereby the unit's constituencies nominate a number of persons, anyone of whom would in the considered opinion of the nominators make a good dean, and from among whom the President, who shall in no manner be

bound to choose someone in particular by this nominating process, may recommend anyone for appointment as Dean. (BOR, 1978, p. 28)

Regent Oscar M. Alfonso, rationalized the moves of the BOR towards democratization as follows:

The leadership of the college could be buttressed and become more effective were it to be derived from a direct mandate emanating from the college constituencies. There was a patent need, to use Dean Nemenzo's words, for the 'systematic and institutionalized involvement of the rank-and-file members, not only in the selection of individuals to occupy positions of authority but also, and more importantly, in the formulation of basic academic and curricular policies.' ... The College moved on to democratic participation with the approval by the Board of Regents in September last year of the reorganization plan. With such approval the plan has become an integral part of the Revised University Code, which now proclaims that democratic participation and collective leadership are the fundamental principles of governance in the College of Arts and Sciences. (BOR, 1977c, p. 61)

The President's recommendation for Deanship was therefore restricted to the choices made available by the results of the approved processes of democratic nomination at the level of the college/ academic unit. However, it is clear that the final appointment of deans, directors and other heads of principal units remained vested in the BOR wherein the UP President plays a recommendatory role.

From this period onwards, the role of the dean is clearly and consistently defined as being that of "academic leader and administrator" (BOR, 1976a, p. 56).

President Edgardo J. Angara (1981-1987)

During Pres. Angara's term, the procedure availed of in aid of the UP President's "discharge of his nominating function" for Deanship shifted from "democratic participation" to the formation of "search committees" (BOR, 1983a, pp. 111-112 ; BOR, 1983b, p. 78). The "criteria for selection" of the search committees for Deanship evolved until these generally took the following form,

The Search Committee shall take into account the following criteria in the selection of persons who may be considered for the position: (a) academic and administrative leadership; (b) integrity, proven record of accomplishment, recognition and respect of the community; and (c) availability to discharge the functions of the office on a full time basis. (BOR, 1985, p. 8)

No explicit rationale was given in the BOR for the shift to the use of search committees in the Deanship selection process. However, in relation to this, Pres. Angara seems to have given quite a lot of thought on the nature of decision-making in the University. According to him,

As U.P. President, I have learned to listen to all the viewpoints offered on a single issue. I have learned that it is not just the correctness of a view that counts, but convincing those who hold other views to change their minds. The U.P. is an institution where the process of decision-making is consensual and collegial. It is a community continually engaged in discussion, debate, and dialectics. To say that the U.P. President rules the U.P. is to misapprehend the character of the U.P. Presidency. (BOR, 1982, pp. 111-112)

Pres. Angara, thus characterizes the process of decision-making in UP as necessarily being *consensual* and *collegial*. It has to be so because it is, in his words, a “community of equals.” He cautions school and university administrators against treating faculty and teachers as inferiors and subordinates who are merely subject to the wilful exercise of their legal and institutionally ascribed power,

No organization can meaningfully attain any present objective unless the people in it are involved in planning. And this should even be more so in the case of schools where collegial decision making is essential. If the faculty is left out in the definition of institutional targets, then the school administration should not logically expect faculty cooperation. No amount of directive with all its sanctions can insure the successful implementation of a plan if those who are supposed to implement it do not have a sense of participation in its conceptualization... We in school administration may be unwittingly trapped within the confines of the table of organization and perceive teachers as our subordinates. Surely the principal or the director of a school has administrative supervision over its faculty... But there is more to the teacher than just being a subordinate. Inside the classroom, the teacher is looked up to by students as a source of knowledge, a fountain of wisdom, and a model... In the community he is held in high esteem. Little wonder then the teacher resents being treated merely as a subordinate. (BOR, 1986, p. 79-80).

President Francisco Nemenzo Jr. (1999–2005)

Early on in his term, Pres. Nemenzo got embroiled in an unfortunate controversy which reached national media regarding the BOR’s selection of Prof. Raul Pangalangan as the dean of the UP College of Law. Apparently, among the nominees, Prof. Pangalangan had the least support among the faculty of his own college. According to Pres. Nemenzo, “some faculty members of the College of Law were protesting the appointment of Dean Raul Pangalangan. Thus, they were requesting (1) the release of documents upon which the Board based its decision, and (2) a chance to air their views before the Board of Regents” (BOR, 1999a, p. 34).

Hoping to clear things up and “recapture our sense of community,” President Nemenzo delivered a speech to the Diliman University Council in order to personally defend the BOR’s selection of Pangalangan for the Deanship. He rejected insinuations that he had “disregarded” the search committee report and that he had violated the search process. He reiterated that the, “search process is not a popularity contest and the search committee is not a COMELEC. The job of the search committee is not to count votes but to identify three candidates and collect information that would help the President and the Board of Regents reach a sound decision” (BOR, 1999b, p. 43). For his part, then Faculty Regent, Randolph S. David, also found it necessary to explain himself to the University Council and likewise read a statement explaining his side. In summary, he told the body that, “I have always believed that in an academic setting, intellectual leadership, which is what the deanship is all about, should be much more than a matter of sheer popularity. I voted for Raul Pangalangan for the deanship of our law school because I sincerely think he is the most qualified among the faculty members vying for this position at this time... I take full responsibility for this vote” (BOR, 1999c, p. 45).

Both Pres. Nemenzo and FR David stood firm that although the BOR did not elect the most popular among the nominees to the Deanship, the choice of the BOR was justified on the basis of Prof. Pangalangan’s academic achievements and unquestionable intellectual or academic leadership. They therefore upheld the main criterion for Deanship, i.e. academic leadership as they understood it, in asserting the validity of the BOR’s choice.

Seemingly in response to the brouhaha surrounding the College of Law Deanship, UP Diliman held a campus-wide Academic Management Conference in 2004. Among the topics discussed was the selection process for deans and directors. The conference produced a set of proposals on this matter which were eventually elevated to the BOR. According to the proposal, it is a “response to mounting criticisms on the process currently being followed” in the Deanship selection. The following changes to the existing process were therefore proposed:

a. A search process managed by the college.

The Chancellor shall not constitute the Search Committee. Instead the college will manage the process. It will identify its nominees following a procedure acceptable to its constituents. The Chancellor chooses from among the nominees and submits her recommendation to the President and the Board.

b. No search process is conducted. However, a college may submit the name of a nominee unanimously agreed on by the faculty.

These two (2) alternatives adhere to the principle of self-determination since the colleges are allowed to determine for themselves who the nominees should be. At the same time it does not totally exclude the U.P. Administration from the process since the Chancellor is allowed to choose from among those found acceptable by the constituents.

The Chancellor would like to assure the Board that no procedure that is not acceptable to the constituents will be allowed. A full report on the processes that will be explored shall be submitted to the Board.

The colleges' experiences may provide some basis for any modification that is being contemplated on the existing process. (BOR, 2004, p. 2)

The UP Diliman proposal was approved by the BOR with the proviso that the final decision still rests with the Board. The most salient aspect of this proposal is a concern with the “self-determination” of each college and the weakening even of the role of the Chancellor in the search process.

Emerlinda R. Roman (2005–2011)

During Pres. Roman’s term, further clarifications on the search process were made. This can be seen in the document “Proposed Policies and Guidelines on the Selection of Deans” (2005) which states the following,

Among the academic positions in the university the most crucial is that of the dean. The dean is principally the college’s chief academic leader whose responsibilities include not only clarifying the mission of the university within and outside the college, but also enhancing the academic reputation and visibility of the disciplines and fields in his/ her college. The dean’s most important legacies include the quality of the college’s faculty members, the quality of the college’s research and other achievements, and the quality of its students and graduates.

Among his/her other crucial tasks are keeping in touch with the college alumni and doing his/her share in building up and maintaining endowments to support faculty initiatives. He/she too must manage the administrative affairs of the college, including pressing for capital project funding and bigger budgetary allocations for operations. Because much of a college’s success and performance depends on the dean, the University must be able to make good choices of people who will occupy this position. The dean is first and foremost an academic leader. Thus it is expected that all members of the faculty and the academic staff get involved in the process of selecting deans. It goes without saying that all other constituents of the college, the students and the administrative staff, should also participate in the process. (BOR, 2005, p. 7)

The policy emphasized that the dean is *first and foremost* an “academic leader.” In the spirit of democratization, the process of selection should involve the faculty, academic non-teaching staff, administrative staff and students. However, the policy reiterates that, “academic merit takes precedence over popularity” and that a major criterion to be considered by the search committee is, “distinction or outstanding academic credentials in the nominee’s chosen field of expertise which should be along the lines of the college’s disciplines or fields.” There is thus a continuous reiteration of the primacy of academic and scholarly criteria in the selection of a dean fit for the job.

Alfredo E. Pascual (2011–2017)

Faculty Regent Ida Dalmacio's consultations during Pres. Pascual's term brought out pent up feelings of discontent on the process of selection for deans and directors. In a Faculty Regent-led forum on University Governance held in UP Manila on 15 February 2013, the sentiment was aired that the selection process by search committee did not sufficiently take into account the views of the constituents. According to Dalmacio, "Some are indifferent on the selection process. Why go through the process when the appointing authority already has somebody in mind?." There was a sense that there could be a "more democratic way" of selecting deans and directors (BOR, 2013a, p. 16).

In another consultation held in UP Visayas Tacloban on August 30, 2013, FR Dalmacio reported that there was a request to, "review the selection process for deans and directors. The present process has become very political." She clarified that, "These faculty members have the impression that the Search Committee is biased because the members of the committee are appointed by the Chancellor. The Chancellor then recommends to the President, who in turn recommends to the Board. They have the notion that the Board simply approves whoever the President and Chancellor recommend because there were times when their choice was not appointed." FR Dalmacio concluded that, "given the recurrence of these issues in various campuses she had visited, the real sentiment was to review the Selection Process for Deans and Directors" (BOR, 2013b, pp. 16-20).

In response to this, a committee was formed with the task to "Review the Policies and Guidelines on the Selection and Appointment of Deans." Prof. Patricia R.P. Daway eventually presented the committee's recommendations in the 1315th meeting of the BOR. The Committee proposed two (2) alternatives in the search for a Dean. A "college-managed" search process wherein a single nominee will be submitted to the Chancellor provided that he or she has the support of at least 2/3 of the faculty members (perhaps through voting or nominations). On the other hand, the college could constitute a search committee which would submit a list of ranked nominees to the Chancellor with the justification for the ranking included. The Chancellor would then have the prerogative to recommend a nominee to the President. Finally, "the Chancellor and the President shall inform the college about his/her choice and the justification thereof, but the final decision shall rest on the Board of Regents" (BOR, 2016, p. 8).

According to Prof. Daway, "the first method will be the college-managed search process, which makes the distinction between a method without a search committee and a method with the search committee." She clarified that "the Committee has underscored that in the selection and appointment processes involved, the principle of self-determination of the college and the unit should be respected and honored, in the same way that the selection and appointment process should adhere to the basic principle, which is enshrined in the University Charter. It should adhere to the principle of democratic governance based on collegiality, responsibility, accountability, transparency, and the active participation of the constituents" (BOR, 2016, p. 10).

The Board's immediate action was that the proposed guidelines for the selection and appointment of deans, after reflecting the views of the members of the Board, will be given to the CUs for further consultation" (BOR, 2016, p. 11). There seems to have been no further action on these proposals.

Most striking in the committee's proposal was the explicit grounding of its position on "self-determination" upon the principles of *democratic governance, collegiality and representation* as it is articulated in R.A. 9500, Section 3 (h), which states among the main purposes of the University that it shall, "Provide democratic governance in the University based on collegiality, representation, accountability, transparency and active participation of its constituents, and promote the holding of fora for students, faculty, research, extension and professional staff (REPS), staff, and alumni to discuss non-academic issues affecting the University."

Where are we now?

From a complete lack of democratic participation in the UP Charter of 1961, a very strongly democratic procedure was established during Pres. Corpuz's term beginning in 1975. Although the BOR retained the sole authority to appoint the dean and the Chancellor had the prerogative to make the final recommendation, the range of choices available to the latter was constrained to the three nominees emanating from the respective colleges. There were no explanations for the reasons behind the move away from the directly "democratic" processes toward the introduction of "search committees" during Pres. Angara's term. The much lauded of processes of "democratic selection" by nomination during Corpuz's term began to be negatively characterized as a "popularity contest" to the point that search committees were not allowed to undertake any polls or straw balloting. However, the primary role of the dean as an "academic leader" with "outstanding academic credentials" remained, at least on paper, one of the main criteria for the search committees in making their recommendations to the Chancellor. Pres. Angara also repeatedly emphasized the "collegial" as opposed to the corporate and hierarchical modes of decision-making in the process of running the University. It was perhaps apparent to him that any losses in terms of democratic processes in the University had to be offset by an emphasis on collegiality and the primacy of academic criteria in selecting a dean.

Seemingly contradicting the positions they expressed earlier in their careers as academics on the need for a thoroughgoing democratization of the University, Pres. Nemenzo and FR David asserted the authority of the BOR to appoint the dean and defended their choice of Prof. Pangalangan as the dean of the College of Law. However, in the spirit of transparency and collegiality, they personally responded to the demand of the faculty to explain their votes by speaking in the Diliman University Council. They used the opportunity to assert that the basis of their individual choices were the, in their view, manifestly superior academic credentials of Prof. Pangalangan as compared with the other nominees. If they no longer asserted the principle of democratic selection, they at least stood firmly on the primary criterion of "academic leadership" for the position of Deanship. The fact that they also "faced the music" before the University Council, dramatized their desire to distance themselves from the

corporate, hierarchical mode of governance and explain themselves, in the interest of transparency, before their colleagues in a community of equals.

Towards the end of Nemenzo's presidency, a proposal was initiated in UP Diliman which adhered to the principle of "self-determination" of colleges by limiting the choices of nominees to the candidates acceptable to the college. This, in principle, was a kind of return to the spirit of democratization in the time of Corpuz. However, search committees in the Angara sense continued to be constituted during Pres. Roman's and Pres. Pascual's terms until the present. It was apparent that discontentment and unease with the search committee procedure had not been assuaged. A committee was therefore formed by Pres. Pascual headed by Prof. Patricia R.P. Daway to develop proposals for the revision of search process. The results once again pointed to a desire for a more democratic and collegial mechanism for selecting the dean. It is apparent that, with or without the attendant creation of search committees, the desire for a more democratic and collegial process of selection of deans and directors remains to be realized. Pres. Angara attempted to balance the reverses in democratic gains by means of emphasizing both the primacy of academic excellence and the necessarily collegial and consensual mode of governance of the University. During Pres. Nemenzo's term, the controversy over the selection of Dean Pangalangan resulted in a democratic deficit which he sought to make up for by the only means acceptable to the academic community. He therefore stressed both his firm and demonstrable adherence to the criterion of academic and intellectual leadership in the selection of the dean and his willingness to subject himself to the principle of collegiality by facing his colleagues in the University Council.

The current uproar over the selection of deans can only be understood in this context. With respect to the recent selection of the dean of VSB, it is a fact that the BOR chose to vote against the recommendations of the Search Committee and the Diliman Chancellor and ignore the appeals of the faculty of the unit concerned. This state of affairs cannot be likened to the Pangalangan affair because the current situation is actually very different.

Firstly, the current BOR does not have any recourse to the argument that it upholds the principle of academic leadership in the selection of the dean for VSB. By any measure, the academic qualification of the chosen dean is inferior to all of his co-nominees. It cannot therefore take the position of former Pres. Nemenzo who justified his vote for the least popular candidate on the basis of demonstrable academic credentials. It is a fact that some otherwise unpopular decisions can be defended by demonstrating a principled adherence to generally accepted and established criteria.

Secondly, it does not help the current BOR if its members insist repeatedly on the sole authority and prerogative of the BOR to appoint deans. As we have seen, previous UP presidents such as Corpuz, Angara and Nemenzo had a much more nuanced appreciation of the balance and co-existence of corporate, collegial and democratic modes of decision-making in the University. Legitimacy is not always won through the mere assertion of authority especially in a university context. There is the sense today that collegial and more democratic forms of decision-making are rapidly receding before the imperatives of corporate and hierarchical forms of

administration. The least that the current BOR can do is to face the University community in a dialogue of equals and explain and justify its choices and decisions in the spirit of collegiality and transparency.

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