

**Politics and the Appointment of a University
President: A Case Study of Memorial University**

Presented by Scott Reid, PhD

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Abstract

Politics and the Appointment of a University President: A Case Study of Memorial University

The appointment of a university president is an important decision in that it may set the direction of an institution for a decade or more. This paper is a case study of the appointment of a new President at Memorial University of Newfoundland after the departure of Dr. Axel Meisen from that position in December 2007. The Williams government faced charges of interference from opposition parties, faculty at the University and members of the public. The appointment of a new president became a contentious political issue with questions asked in the House of Assembly and many commentaries given in the local media. This case study illustrates issues and concepts of academic freedom, academic independence, university governance and the financing of universities.

Introduction

The word university has its origins with the Latin word “universitas” which was used during medieval times to describe associations of students and teachers that had legal rights granted by a prince, prelate or the town in which they were located. The academic charter used to establish these institutions are seen as the beginning of academic freedom (Colish, 1997). For hundreds of year prior to this many universities had been run out of cathedral and monasteries. During the 18th and 19th century the concept of modern universities began to evolve, starting first in Germany and then spreading to other countries. In the age of science, knowledge was expected to grow as a result of a free and open interplay of ideas, with any interference to this exchange seen as an impediment to advancement (Fuchs, 1963).

Memorial University is the largest university in Atlantic Canada and the only university in Newfoundland and Labrador. There are 17,000 students engaged in full- and part-time studies at undergraduate and graduate levels at the university. The university employs 950 full-time faculty, 850 sessional instructors, and 2,300 administrative and support staff (Memorial University, 2010). It has campuses in St. John’s, Newfoundland, Corner Brook, Newfoundland, and a smaller campus in Harlow, England. Undergraduate and graduate degrees, as well as diploma and certificate programs are offered in the faculties of Arts, Business, Education, Engineering, Medicine, Music, Nursing, Pharmacy, Physical Education, Science, and Social Work. The institution was founded in 1925 as Memorial University College and was granted university status in 1949 when it was rededicated to honour the province’s casualties from the First and Second World Wars.

This paper examines the political controversy generated around the appointment of a new president of Memorial University after the departure of Axel Meisen in 2007. This case study documents the political debate around the process leading to the appointment of a new university president and the exercise of power and political influence by academics in this process. This research focuses on two general and inter-related research questions: (1) How did academics in this case influence the process and the politics around the appointment of a new university president, and (2) How did a government with a huge majority and high approval ratings in public opinion polls react to criticism on this issue. In presenting this case, issues related to university governance and aspects of academic freedom, such as institutional autonomy, will be discussed.

Literature Review

Michiel Horn (1999) defines academic freedom as “the freedom of universities from external control, and the freedom of teachers and researchers to do their work” (p. 4). In many cases in the past the focus has been on the freedom of teachers and researchers to do their work and less about institutional autonomy. Speaking about the history of academic freedom Ralph Fuchs (1963) stated that at the time he was writing the main concerns over academic freedom in the United States had been the “encouragement and protection of the freedom of the faculty member”. Institutional autonomy was usually only invoked as a way of achieving this ends.

Bleiklie and Kogan (2007) put forward the argument that the dominant ideals about the organization and governance of universities have changed in the last few

decades. They see two distinct ideas of what a university is and how it should operate. One view is that universities are a “republic of scholars” where institutional autonomy and academic freedom are closely related. The other view is that of universities as stakeholder organizations where leaders make strategic decisions to satisfy the major stakeholders. In such a context academics are only one of the stakeholders which must be taken into account.

Terri Kim (2008) argues that universities in the UK are under increasing pressure to comply with government regulatory mechanism as a condition of funding. Don Anderson and Richard Johnson (1998) undertook a comparison of higher education systems in a range of countries focusing on their relationship with the national government. They noted that all countries reported their university systems were undergoing reforms involving greater deregulation and exposure to market forces. Fuchs (1963) also notes the difficulty of maintaining academic freedom while accepting money from various sources.

The operation of colleges and universities is enmeshed in community affairs at many points. When to this factor is added the direct and immediate dependence of public institutions and many private ones on current appropriations, contributions, or tuition payments for support, the difficulties besetting the maintenance of full academic freedom becomes apparent.(p. 445)

He also notes that academic freedom is not something that has to be enshrined in legislation or court decisions;

Academic freedom, however, is by no means wholly or even largely dependent on formal protection for its strength and its survival. To a large extent it exists and is recognized because of professional tradition and because it resides inherently in the functions of teaching, learning, and research. (p. 445)

He concludes that because governing boards, administrative officers, faculty members, students, and the public respect academic freedom intrusions upon it are relatively rare.

Methodology

Case study approach

In this research, the case study is the appointment of a university president at Memorial University. Such an approach to a “bounded system” (Creswell, 1998, p. 61) supports the close examination of the event, instance, or experience in question (Mckee, 2004). There has been much academic debate surrounding the strengths and weaknesses of the case study approach (Ragin & Becker, 1992; Stake, 2005). Talking about the strengths of the case study, Mckee said:

[The case study] supports reflection and rethinking, enabling the reader to learn more about and from their own experiences. Case studies also take readers beyond their experiences. Generalizations also occur when the reader, understanding the uniqueness of the case, judges what ‘findings’ are applicable to their situation or needs and what are not. Authors of case studies often enhance generalization through their analysis and debate. (p. 7)

Flyvbjerg (2006) commented on how case studies should be written, he emphasizes the value of allowing complex stories to evolve when discussing the way the findings of case studies should be presented:

It is a ‘virtual reality,’ so to speak. For the reader willing to enter this reality and explore it inside and out, the payback is meant to be a sensitivity to the issues at hand that cannot be obtained from theory. (Flyvbjerg, p. 238)

Flyvbjerg also emphasized that “something essential” may be lost in summarizing or erasing details “in favor of conceptual closure” (p. 239).

Stake (2005) categorized case studies into three types based on methodological orientation: intrinsic, instrumental, and collective. The intrinsic case study is undertaken to get a better understanding of one particular case. The instrumental case study is examined to “provide insight into an issue or to redraw a generalization” (p. 445). The collective case study is an extension of the instrumental study involving several cases. It is often difficult to distinguish between these various methodological orientations as Stake explained in describing the difference between the intrinsic and instrumental case study:

The case still is looked at in depth, its contexts scrutinized and its ordinary activities detailed, but all because this helps us pursue the external interest.... We simultaneously have several interests, particular and general. There is no hard-and-fast line distinguishing intrinsic case study from instrumental, but rather a zone of combined purpose. (p. 445)

This case study is instrumental; as well as paying particular attention to the bounded case of Memorial University it also provides insight that may be useful in a broader context.

Data Sources and Analysis

The main source of data was a comprehensive review of media coverage starting with the circumstances around the resignation of Memorial University president Axel Meisen in October of 2007 until the appointment of a new president in November of 2009. This review of the public debated related to the presidential search process, along with news releases and transcripts from the House of Assembly are used to document the political debate around the presidential search process and provide a basis for the analysis of this case. The research questions and literature examined provided guidance during data analysis. However, flexibility was maintained in order to accommodate any unexpected findings as suggested by Marshall and Rossman (1999). As the data analysis progressed, the researcher explored implications of the data. Throughout this process, techniques for enhancing theoretical sensitivity were employed as suggested by Strauss and Corbin (1990). These included the use of questioning; the analysis of a single word, phrase, or sentence; the flip-flop procedure; the making of comparisons, both close-in and far-out; and waving the red flag.

Theoretical Framework

Two theories are used as a framework to the analysis of the events surrounding the appointment of a new president of Memorial University after the departure of Axel Meisen from the position. The resource dependence theory emphasizes how organizations make strategic choices to manage their operations based on their dependency on access to resources they need to operate. The assumptions of this theory is that organizations have to interact with their environment in ways to secure the resources they need to operate and while doing this organizations strive to maintain autonomy by limiting this dependency (Pfeffer & Salancik, 1978). The second group of theories, drawn

on to help examine this case is various perspectives of institutionalism. Institutionalism is basically a social theory which proposes that behavior of institutions, and those within them, are guided by a set of formal and informal rules (Keman, 1997). Institutionalism has its roots with the works of philosophical writers of the 19th century such as Max Weber, John Stuart Mill, and Thorstein Veblen. It has evolved into what is often referred to as new institutionalism. This approach recognizes there is an institutional environment which organization must legitimize themselves in if they are to survive.

The presidential search at Memorial University

Departure of Previous President

To fully understand the controversy which surrounded the appointment of a new president of Memorial University it is useful to give some background on Sir Wilfred Grenfell College and explain the circumstance leading up to the departure of the previous president Axel Miesen. The issue of granting full university status to Sir Wilfred Grenfell College, the campus of the university located on the west coast of the province has been a political issue in Newfoundland and Labrador for a number of years. The college opened in September 1975 and was known as Western Regional College. The one-building campus housed the 400 students and offered first and second year courses in arts, science and education. Since then the campus has expanded, the degree programs have expanded and the number of students have grown to 1,350. Grenfell now offers 16 distinct Memorial degree programs in arts, fine arts, nursing, resource management and science. Faculty at the College, as well as community leaders on Newfoundland's west coast, had been lobbying for years for greater independence for the campus.

In 2006, the provincial government commissioned two European consultants (Prof. J.L. Davies and Prof. J. Kelly) to review the governance of Sir Wilfred Grenfell College. The report released in April of 2007 identified several options and expressed preference for a more autonomous governance structure for Grenfell College with respect to its relationship with the St. John's campus. This would involve, a two universities within one system, which would be presided over by one Board of Regents, with each university having its own senate, budget and executive

In the April 2007 budget, government announced that Sir Wilfred Grenfell College and the provincial government would move ahead with granting the west coast campus full university status. In the budget speech Finance Minister Tom Marshall who represents a west coast district near the college said;

Sir Wilfred Grenfell College is a tremendous asset to the province's western region and has the potential to make an even greater contribution to the economic and social growth of the province. Based on the information and recommendation of a recent feasibility study into the governance structure of Sir Wilfred Grenfell College, our government will work with the Memorial University Board of Regents to implement the recommendations of the study, including granting the College full university status and a separate executive, senate and budget while maintaining a common Board of Regents. (Budget Speech, April 26, 2007)

During the summer leading up to the scheduled provincial elect that October the principal of SWGC continued to pressure for action on the commitment made by government in the budget. Stating that the status quo was not an option he said;

That would be totally unacceptable to Sir Wilfred Grenfell College and I believe it would be totally unacceptable to the people of the region, and I will be communicating that to the board and also to the government, as well. (CBC News, June 13, 2007)

The Board of Regents however had concluded that a volunteer board governing two separate universities was unworkable (Memorial University, News release July 23, 2007). The release from the Board of Regents stated:

It is the Board's considered opinion that additional work and analysis needs to be undertaken to address the impact on students (especially their ability to transfer credits between universities), the costs involved, the required legislated changes and shared services. The board is asking that this additional work be concluded by the end of 2007.

In response Education Minister Joan Burke reaffirmed governments' position announced in the budget earlier that year and also added that government would like to see Grenfell College become independent by next year (CBC News, July 25, 2007). She also said;

I certainly respect the board of regents and the fact they expressed their opinion, but I'm also certainly willing to work with them as we make changes to the structure at Memorial University.

It was in this context that Chancellor of Memorial University John Crosbie, former cabinet minister in the Mulroney Government, entered the public debate accusing Premier Danny Williams of putting political ambitions ahead of education priorities by favoring an independent status for Sir Wilfred Grenfell College. In a no holds barred style which many have come to expect from the former politician, he accused the government of interference based on political motivations. Crosbie said;

There appears to be political motivation in this whole situation, and the desire of the premier and one of his principal ministers to shine in their own districts. ... If the government thinks it can intervene in Memorial's affairs for politically partisan purposes, then Memorial will not have much stature among the universities in Canada. (CBC News, July 28, 2007)

Both Premier Williams and Finance Minister of Finance Tom Marshall represent districts in the Corner Brook area and Education Minister Joan Burke represents a nearby west coast district. Other media reports (CBC News, August 15, 2007) later that Summer noted that Grenfell would cost between \$12,000 and \$14,000 per student to operate and would be the most expensive university in Canada. It was also noted that most of the students who now attend Grenfell come from the west coast of the province, an area of the province experiencing a population decline with projections for continuation of this trend. The provincial election was held on October 9, 2007 with the Williams Government being returned to power with 70% of the popular vote and the combined Liberal and NDP opposition diminished to 4 of the 48 seats in the House of Assembly. On October 19 Axel Meisen announced that he would be leaving the presidency of Memorial eight months earlier than expected. He had accepted a post with the Alberta Research Council and would be stepping down December 31. He had been president since 1999 and had been expected to retire the following August. It was noted in the media coverage of his departure that he had been "at odds with Premier Williams and the government over the issue of independence for Sir Wilfred Grenfell College (CBC News, October 19, 2007). The university had already begun a campaign to recruit a new

president, and Vice-president Eddy Campbell would serve as acting president starting January 1st until a new president was appointed.

The search for a new president

The issue of finding a new president received very little media attention until July 26, 2008 when a news story appeared in the Globe and Mail under the headline “Newfoundland Premier bars top hire at University”. The article claimed the year-long hunt for a new president was at a standstill because the Premier did not want the candidate chosen by the search committee. The article quoted “individuals with knowledge of the search” who “asked not to be identified.” It was reported that the 18 member search committee formed in May, 2007, had rarely met this year, and had no meetings since early May. The firm that had been hired the previous May to assist with the search had concluded its involvement in the project and no replacement had yet been hired. The article said;

The intervention, an unusual move at a public Canadian university, has the campus buzzing and is raising concerns about academic independence and the role of those chosen to govern the institution. While the provincial government has long had the last say on the appointment of Memorial’s president, that role has been a formality for decades, says those involved in past searches. Now, they say, the Premier’s involvement has thrown the process into disarray. (Globe and Mail, July 26, 2008)

Following this story in the Globe and Mail a series of commentaries and news coverage appeared in the local media.

In a column on the topic, Pam Frampton noted that the newspaper had been hearing the presidential search at Memorial University was stymied and they had received a number of telephone calls, letters and website comments encouraging them to pursue the story (The Telegram, July 27, 2008). She noted that her questions, which she e-mailed to the board of regents chairman Gil Dalton, were not being responded to. She published the questions she had asked and noted that while the process is obviously confidential, the newspaper was looking for a basic update on the process and some sort of loose timelines. Her questions were;

- Were interviews with short-listed candidates held in mid-January as the board reported they would be?
- If so, how many candidates were interviewed?
- is there a shortlist or has any candidate’s name been recommended for approval by the provincial cabinet?
- If no candidate was found to be appropriate, has, or will the position be re-advertised?
- Is there a deadline for appointing a new president?
- Is there an end date to the acting presidency’s tenure in that position?

(The Telegram, July 27, 2008)

Also after the story was published in the Globe and Mail, the Telegram carried a story reporting that there were concerns about the school’s autonomy and concerns that its reputation might be damaged (The Telegram, July 29, 2008). Jon Church, vice-president of the Memorial University Faculty Association, said the controversy surrounding the

presidential search could deter promising candidates from seeking the post and extend an already lengthy process.

In response to these claims that the Premier had intervened in the process, Education Minister Joan Burke answered questions from the media. During questioning she acknowledges she personally met with two candidates for the top job at Memorial University. The Minister said;

I was advised that some people were shortlisted, and as the minister of education, I interviewed those people. And following the interviews, I advised the selection committee that I felt that they should continue to search and bring forward some more names. (CBC News, July 29, 2008)

The Education Minister while confirming she had interviewed two people for the job of president of Memorial University also said;

I don't think anyone will ever take this present government ... as one that will merely rubber stamps a position as important as the president of the university. This government is not here to rubber stamp anything. (The Telegram, July 30, 2008)

Reaction to Burkes Comments

The reaction to Education Minister Burkes comments were swift, from many diverse sources and almost universally consistent in its condemnation of the Ministers actions (CBC News, July 30, 2008; The Telegram, July 31, 2008). Ross Klein, the incoming president of Memorial's Faculty Association, said what Burke is doing seems to be in contravention of the Memorial University Act. Paul Wilson, a member of Memorial's senate and a professor at Sir Wilfred Grenfell College, said it's like the government is trying to turn Memorial into a crown agency, a move that many people will fight. He said;

The course the government, the minister, has chosen will lead to a battle if they pursue it. And if they decide to change the legislation so that the government directly appoints the president of the university, yes there will be a battle. I hope everybody at Memorial will be engaged in that battle because everybody has a stake in the autonomy of the university, as do the people of this province. And this will very quickly become a political issue. (CBC News, July 30, 2008)

Former Manitoba premier Howard Pawley, who chairs the Harry Crowe Foundation, a group that advocates for academic freedom, said government interference will deter any visionary candidates from applying for the job. Both the Liberal and New Democratic opposition in Newfoundland and Labrador denounced the government for playing any part in recruiting the next president. Even former Liberal Education Minister Chris Decker, while noting that he normally don't comment on the actions of his successors, said that Minister's Burke's interference in the affairs of Memorial University was "so shocking and appalling" that he was forced to comment. He said;

She obviously has no concept of academic freedom. She has done a grave disservice to a world-renowned institution. I am waiting to hear the premier announce her resignation. It is unfortunate that she made such a stupid blunder because overall she has been doing a reasonable job in a difficult portfolio. (The Telegram, July 31, 2008)

The Canadian Association of University Teachers (CAUT) spokesperson Vic Catano said his group has the power to blacklist MUN when its independence and autonomy is questioned, but believes the damage to MUN's reputation is already done noting that there appears to be "substantial evidence of interference just based on the minister of education's remarks" (CBC News, July 30th, 2008). In a newspaper story the next day he said if a formal complaint was received from faculty that the Williams government interfered with the search for a new president they would be concerned and would investigate. "We are extremely concerned with the interference with the search process because what it does, essentially, impugns the integrity and autonomy of the university." He pointed out one of the outcomes of such an investigation could be to impose censure on Memorial, which would make it harder to attract a president or faculty. This would involve an advisory being distribute to universities across North America not to take a job at the university and that the threat to academic freedom was severe. The Association later wrote to the minister, Joan Burke, to ask for a meeting about involvement in the selection process for a new president for Memorial (CBC News, August 1, 2008). In the letter, which was also copied to Premier Danny Williams, the president and executive director said;

Universities, if they are to fulfill their roles, must be free of political influence and outside pressures. This is a widely recognized and respected value the world over. We are deeply disturbed by reports that you interviewed and rejected two candidates that had been forwarded by a properly constituted selection committee. This is an unprecedented action.

There is evidence indicating that the Government took the possibility of censure seriously in that John Fitzgerald, the provinces representative in Ottawa contacted the CAUT office to ask what the process would be and whether there was a danger of it occurring (VOCM News, August 20, 2008).

An editorial in The Telegram (July 31, 2008) titled "Burkes Blunder" provided a scathing condemnation of the Ministers actions. It stated that Burke had clearly overstepped her authority according to the role assigned in the legislation. The editorial went on to talk about the damage that had been done to the university by her actions.

What Burke doesn't understand is that truly skilled, world-class candidates will flee from the kind of bush-league politics she's just injected into the process.

Burke justifies her interference in MUN's affairs by arguing the province spends a lot of money on MUN; essentially "he who pays the piper, picks the tune. It's too bad that tune is beginning to sound like the theme from The Beverly Hillbillies.

Randy Simms host of the most popular radio call in show in the province is arguably the most influential political commentator in the province, with a weekly newspaper column and a regular weekly political commentary on the CBC television evening news. In his newspaper column (The Telegram, August 2, 2008) he said it was "time for Burke to step back" and questioned the Ministers interpretation of the Memorial University Act. He characterized how the Minister concluded it bestowed some kind of right or obligation upon her to interview candidates, reject or accept them and drop form further consideration the names of those already listed, as "baffling." He suggested, "Minister Burke should recognize her mistake and withdraw from further involvement immediately" and the two names she rejected be put back on the list so the committee could complete its' work without any further interference.

Also adding to the public discussion which was occurring on this issue was a number of opinion pieces which were submitted to The Telegram newspaper on this topic. Evan Simpson the former vice-president (academic) and pro vice-chancellor of Memorial University, who served under two presidents wrote an opinion piece on the issue (The Telegram, August 1, 2008). He noted that this recent situation related to the appointment of the President, was “only the visible part of a larger picture, the latest episode in an increasingly damaged relationship.” He noted that there had also been a decline in budgetary discretion and internal governance was being sacrificed especial in relation to the development of Sir Wilfred Grenfell College. He noted that in the past the university “received block grants and set its priorities within the financial limits”, but now “the university presents a menu of initiatives and the government chooses those it likes.” He points to circumstances regarding expansion and additional independence for Sir Wilfred Grenfell College, the university’s campus in Corner Brook, as an example of how Memorial’s institutional autonomy has been eclipsed by political determination. Simpson noted that:

A political veto of the board’s recommendation would be one more episode in a longer history. The government is not solely to blame. That history also includes Memorial’s tolerance of political intrusions into higher education and unseemly secrecy around the search for new leadership.

As a way ahead, Simpson suggests the turmoil around the presidential selection is a timely opportunity to address this larger issue.

The government provides the university’s operating grant. It can give Memorial the flexibility it needs by expecting good use of public money, using a long leash rather than a short one. Government and the university should agree on general objectives that make good planning possible. There is no need for detailed prescriptions or constraints that compromise the ability of the university to do what it knows and does best.

Steve Wolinetz a professor in the Department of Political Science at Memorial University also wrote an opinion piece in the paper where he outline how “the affair has raised concern about the increasingly limited autonomy of Memorial University” (The Telegram, August 1, 2008). He also noted that “Independence and autonomy are at the core of any university. It has enabled Memorial to explore vital issues and helped the province and its people grow and thrive.” He also noted that the lengthy decision making process and government involvement had an impact on the university. He contended that not only were planning processes stalled, but day-to-day decision-making is handicapped because of the number of interim administrators in place. In concluding he suggests the university launch a new Presidential search.

Yet another important aspect of the reaction to the Ministers comments were letters to the editor on the subject which started to appear in the local newspaper. One writer, a 30-year employee of Memorial University, started by saying he was “absolutely taken aback” by the Minister of education’s statement that she personally interviewed several candidates and decided the candidates were unsuitable. The writer went on to say that while he generally supported the Williams government he did not in this case,

The Tories’ record approval ratings seem to be getting the best of them: It’s carte blanche to do as they please because they feel they are immune to public pressure. I voted Conservative in the last election and largely support Premier Danny

William, but certainly not in this case. This has Danny's fingerprints all over it. (Brian Mallard, *The Telegram*, July 31, 2008).

Some writers commented on how the political involvement was a disgrace and diminished Memorial as an institution. One likened the idea of presidential candidates being interviewed by the Minister as similar to a scenario created by *Monty Python*. (David Prior, *The Telegram*, July 31, 2008). Some letters to the editor made a connection between the university being a war memorial and the people who fought for freedom in two world wars. One of these likened what the Minister had done to defacing monument to veterans (*The Telegram*, August 3, 2008). The extent of the damage this issue was causing the government is evident in the way some letters linked their criticism on this issue to other aspects of the governments' record. For example one letter said;

The growing body of incidents suggests that the Williams government needs badly to learn patience and the skills of consultation before it wrecks the very institutions on which citizens depend. Those institutions have taken years to build and money may not immediately repair all damages. (*The Telegram*, August 5, 2008)

During this flurry of criticism Burke and the government had very few supporters who spoke out publically on this issue. However, it is interesting to note that, at this point rather than distance themselves from the actions of the Minister of Education at least one other Cabinet Ministers was publically supporting her actions. The Finance Minister Tom Marshall who also represented a riding on the West Coast of the Province serviced by Sir Wilfred Grenfell College, called into a radio talk show to defend the Minister saying she had to get involved because she would be required to provide information to Cabinet (VOCM, August 1, 2008). In the *Western Star* and *Telegram* of August 2, 2008 he said, "I can tell you the minister is well aware of the legislation, is well aware of her responsibilities and is carrying them out." The Department of Education issues a news release on August 1, 2008 with a quote from the Minister reaffirming her belief that she had done nothing wrong. Burke said in the release, "I have yet to hear one concrete example of how exactly our government has impeded or interfered in academic freedom or autonomy." During the swirl of the political storm the acting president and vice-chancellor of Memorial University, Eddy Campbell announced that he had withdrawn his name as a candidate for the position (CBC News, August 1, 2008). In a newspaper story (*The Telegram*, August 2, 2008) Campbell acknowledges the province has a role to play and points out that 17 of the 30 members of the university's board of regents are appointed by cabinet, which should give the province "the necessary oversight" and hold the institution accountable.

Government reacts to the criticism

On August 5, 2008 the Premier while being questioned by the media about this matter provided a new explanation for the Minister of Education's involvement in the presidential search process at Memorial. He said he and the Minister of Education had been asked to participate. He stated, "Government, including myself, including the minister of Education, were asked by the search committee and by the board of regents to get involved in this process" (*The Telegram*, August 6, 2008). Rather than quell the criticism and bring the controversy to an end, as the government may have hoped, it led to another round of negative media coverage. Some of the criticism was aimed at the

Chair of the Board of Regents, Gil Dalton, a political supporter of the Premier who had been appointed by government to the position. Ross Klein of the Faculty Association pointed out that if the government had been invited to participate, then the Chair of the Board of Regents had violated the rules of the search committee itself because the names of the candidates are not supposed to be given to anyone. As this issued played itself out publically it became less clear who had made the offer which resulted in the Ministers involvement in the process.

On August 7, 2008 the board issued a statement, which added to the confusion around the sequence of events. While noting that Williams didn't impose himself into the search for a new president, he had

...indicated to the chairman of the board of regents that, if the university felt it would be helpful, the premier, if asked, would be willing to meet prospective candidates to promote the province, to emphasize the importance of Memorial to the province and to confirm the government's strong commitment to university education in Newfoundland and Labrador. (CBC News, August 7, 2008).

Deanne Fleet, an elected alumni Board of Regents member, announced her resignation over this issue, saying she could not support the statement issued by the board of regents.

The statement is in error when it contends that the premier's involvement was supported by the board of regents. While there many have been some informal discussion among some regents, the issue of the premier's involvement in the selection process was never on the agenda of a meeting of the board nor was it ever voted on by the board. (CBC News, August 7, 2008)

Reeta Tremblay, also resigned from the presidential search committee. While she would not speak publicly on the issue she told a university spokesperson she no longer wants to be a part of the search for a new MUN president. The Chair of the Board of Regents was also in line for some criticism from politicians. The leader of the NDP in the province called for his resignation (The Telegram, August 7, 2008). The NDP leader said Dalton needed to be held accountable for his role in the controversy.

While this new aspect of the controversy unfolded, opinion pieces and letters to the editor continued to appear in the local media. Claire Morris, president and CEO of the Association of Universities and Colleges of Canada published an article in the Globe and Mail on August 8th and it was reprinted in the Telegram on August 13, 2008. Rather than deal with the specifics of this case she makes a broad case as to why autonomy is important and stresses that there is a need for balance.

Preserving institutional autonomy while ensuring appropriate government stewardship of public investments in universities is a constant delicate balancing act that requires respectful leadership both to universities and government, as well as effective checks and balances within the universities themselves. The later are at the heart of the university governance models that have evolved in this country.

She goes on to explore the impact of government interference;

Real or perceived government interference in a university's governance and administration is not compatible with providing a climate conducive to freedom of academic inquiry and expression – and without such a climate, it is difficult to recruit top-flight academic talent....Universities have an obligation in society to resist outside intrusions into their governance and administration and to insist that

institutional autonomy be recognized by governments and others as the necessary pre-condition to their proper functioning.

Some letter writers suggested solutions to the impasse, for example one noted that because the minister did not have the power to reject the committee should forward the names to cabinet and let the process unfold (The Telegram, August 8, 2008). To do otherwise the writer suggests would legitimize the interference. Other letter writers focused on identifying to origins of the problem.

How did it all start? A passing comment over cocktails? An abstract suggestion of intransigent support? Whatever initiated the present questionable situation between government and university seems now to be buried under national scrutiny and an astonished MUN faculty's realization that the procedure for hiring a new president for Memorial University has been handled wrong. (The Telegram, August 14, 2008)

During this time an editorial cartoon appeared showing a muscle bound caricature of Danny Williams with the University in the background with the caption, "Big Dan on Campus" (The Telegram, August 8, 2008).

Also around this period, some news coverage started to appear focusing on the consequences of the prolonged presidential search process. One news story, for example, appeared in September as acting VP academic Michael Collins resigned that position. A university official explaining that Collins has been in a senior administrative role for eight months beyond the date he thought he would, and wants to get back to his lab to do some science (The Telegram, September 12, 2008). Throughout this period Education Minister Burke maintained that she did nothing wrong and did not regret her involvement in the process (The Western Star, September 5, 2008). On September 9, 2008 another embarrassing mistake by government illustrated the tension which existed between government and the university. The government issues a release from both Education Minister Joan Burke and MUN's acting president, Eddy Campbell, saying that both supported principles of academic freedom and autonomy for the university. The statement also said that Campbell agreed that the "university continues to expect to be held accountable to the provincial government" through the Board of Regents. But within two hours of the release being issued, the government said it had been sent in error, as the university had not actually signed off on it.

Release of the Questions asked by the Minister

Shortly following the Ministers embarrassing retraction of her news release the governments' version of events surrounding the Ministers' meeting with presidential candidates was drawn into question. The Liberal opposition released e-mails exchanges and questions Burke had been given by the Department before she met with the candidates. This information, which had been obtained by the opposition through the freedom of information process, clearly indicated that the Minister intended to ask policy related questions. The questions were:

1. As president, how would you see the University and the province working together?
2. What government strategies and initiatives are of particular relevance to the University?

3. What mechanism would you employ to ensure collaboration on areas of mutual interest?
4. Government has provided direction on implementing a new governance model to increase Grenfell's autonomy. How would you identify issue related to implementation? What might the barriers be and how would you overcome them? What factors would facilitate success?

In a front page opinion piece on the release of this material, Pam Frampton noted that the Minister had misled the public on this matter (The Telegram, September 10, 2008). Other media as well noted that for what was supposed to have been an informal sales pitch to prospective heads of Newfoundland and Labrador's university, "the first words they heard from the province's education Minister must have sounded an awful lot like a job interview" (CBC News, September 10, 2008). The faculty association at Memorial University said that the trail of disclosed e-mails proves that the Newfoundland and Labrador government crossed the line during the search for a new president (CBC News, September 11, 2008)..

Pressure continued to be maintained on the government over this issue from various sources such as CAUT, the University Senate and individuals speaking out in public on the issue. The Canadian Association of University Teachers wrote a letter to Gil Dalton, who chairs memorial's board of regents, saying that it was "surprised" that Dalton dealt directly with government officials during a presidential search process. In a letter sent to Dalton, CAUT president Penni Steward and executive director James L. Turk said that Dalton erred by agreeing to have Premier Danny Williams meet – even informally – with candidates. The University Senate passed a resolution calling for changes to legislation so as to remove governments' role in approving the appointment of a university president (The Telegram, September 13, 2008). One member of the University Senate, Peter Trinka, a philosophy professor said he was concerned because of the months of complications, delay, confusion and perhaps lack of good faith that has characterized the process (CBC News, September 16, 2008). At a public forum at the university some faculty members were suggesting an "extraordinary convocation" (October 2, 2008). Such an extraordinary convocation would consider matter of importance to the university, like the challenge to the university's autonomy. According to the legislation governing the university, convocation is composed of the chancellor, president, senate, the board, all graduates and all academic faculty. It was proposed that this would be a way of sending a clear message to government.

Evidence of the strain which this issue was putting on people involved in the process started to become increasingly evident throughout the fall of 2008. The St. John's businessman who chairs Memorial University's Board of Regents, and who has been criticized for allowing government involvement in a controversial presidential search, announced that he would not seek another term. He would leave the voluntary position on October 15th. Also some media coverage started to focus on the impact of the prolonged search process. A Telegram article noted that out of the four top administrators at Memorial University, three of them were filling in temporarily in the position. Two philosophy professors noted that the lack of steady leadership was have a detrimental effect on the university's ability to effectively vision and plan (The Telegram, October 8, 2008).

A new search

The departure of Gil Dalton as chair of the Board of Regents provided an opportunity to start the presidential search process using a new approach. To fill the position the government recruited well-known criminal defense lawyer Bob Simmonds. He had a reputation as an aggressive lawyer and was also politically connected as the former law partner of Finance Minister Jerome Kennedy whose campaign he had worked on during a by-election the previous fall. Even some of the government's harshest critics throughout the presidential search process, such as Ross Klein of Memorial University's Faculty Association, hoped the appointment of Simmonds would mean a fresh start for the process (CBC News, November 19, 2008). The Liberal opposition critic for Education Roland Butler, acknowledged that Simmonds might be the right person for the job saying "knowing the character of this individual and his past, he will carry the day here and do what has to be done".

It was not until February of the next year that the direction which Simmonds would take became clear. He stated publically that politicians would not be involved in picking the next president of Memorial saying "Ah, no – the minister of education will not be involved in interviews" (CBC News, February 26, 2009). In another media story (The Telegram, February 27, 2009) he said he would quite if the province doesn't approve the presidential candidate a new search committee puts forward. He added the new search will be "open, transparent and accountable, while maintaining the necessary confidentiality of potential candidates." One example of the combative style which he is known for, came to the forefront in the way he reacted to a leak of a board report to the media. In what was described in the media as a hastily called news conference, "a visibly upset Bob Simmonds said information leaked to the telegram by the head of Memorial University's faculty association has damaged the relationship the board of regents was trying to build with the provincial government" (The Telegram, February 28, 2009). The report prepared by an ad hoc committee comprised of representatives from the university senate and the board of regents called on politicians to change the legislation so as to prevent their involvement in the presidential selection process.

During the Fall of 2008 and Spring of 2009 two other departures happened in relation to the appointment of a new president. First acting President Eddy Campbell, who had been one of the names forwarded to the Minister by the original search committee, announced that he was leaving Memorial to become president of UNB on March 13, 2009. Shortly after that Joan Burke was moved out of the education portfolio in a small cabinet shuffle to become Minister of the newly created Department of Child, Youth and Family Services. Although she was praised by the Premier for her work in the Department of Education, many media stories made a connection between her departure and the controversy surrounding the rejection of candidates for the presidency of Memorial (CBC News, April 9, 2009). When asked by reporters after the shuffle Premier Williams confirmed government would not be involved in the process this time.

It was not until April 25th that a new committee was established to find a new president and on June 17th the committee called for nominations from the public as well as advertised for applications (VOCM News, June 17, 2009). In September the search committee provided an update and gave notice that it would be next year before Memorial University would have a new president. The presidential search committee had reviewed over 40 applications from all over the world. The chair of the Committee and

Memorial's Board of Regents, Bob Simmonds, says the wide response from very capable individuals reflects how well Memorial is perceived around the globe. Despite the fresh approach to the process, government still received criticism for the way they had handled the issue from the start. In a column (The Telegram, September 26, 2009) Pam Frampton noted that as last year's presidential search at MUN was going off the rails, other universities across the country were snapping up choice candidates.

You can't help but wonder how many more quality candidates there could have been to choose from in 2008 when the initial search was botched by political interference. Since then, nearly a dozen institutions in this country have conducted successful high-level searches – without government meddling – and have hired the kind of multi-skilled presidents who can be in demand right across the globe. (The Telegram, September 26, 2009)

In November the results of the new search process was announced and Dr. Gary Kachanoski described unenthusiastically by the media as an “Alberta soil expert”, was the successful applicant (The Telegram, November 19, 2009). Kachanoski is scheduled to become president of Memorial University July 1, 2010.

Conclusion and discussion

This research started by focusing on two general and inter-related research questions. It is useful now to revisit these questions and see what conclusions can be drawn from the evidence presented in this case. The first question was: How did academics in this case influence the process and the politics around the appointment of a new university president? It is evident from this case that associations and organizations were very important in providing spokespersons to present an alternative view of what was happening. Many of the comments in the media were made by Ross Klien, the president of the faculty association at Memorial. Also at the National level the CAUT was able to exert influence and provide support for the local faculty association. Another factor which led to the ability to launch a strong defence to government intrusion may have been the skills possessed by the people directly involved. The number of well written opinion pieces and letters to the editor which appeared in the newspaper over an extended period of time demonstrated the ability of this group to put forward convincing arguments. In doing this these individuals provided explanations which informed public opinion on this topic and helped generate the public discussion of what was happening. As noted by Fuchs (1963) the role and importance of the university seems to be well established in society. This case demonstrates that members of the media and political commentators were ready to defend institutional independence and academic freedom. The credibility of the institution and the individuals who spoke out against government involvement in the presidential search process made it very difficult for the government to deal with the criticism.

The second question was: How did a government with a huge majority and high approval ratings in public opinion polls react to criticism on this issue? It is obvious from an examination of this case that not only did the government do the wrong thing but also they did the wrong thing in a very inept manner. The initial reaction was not responding to media requests for information. This seemed successful in dealing with the local media but once the story broke the local media seem to feel they were being misled by government on the issue and they became increasingly critical of the governments'

approach. Next the Minister attempted to turn her involvement into a virtue, justify her actions and arguing that because of the funding provided by government she had an obligation to be involved. When the public reaction to that approach proved to be very negative the Premier came forward with a plausible explanation of the situation which was then collaborated by a government appointees involved in the process. When several other independent sources disputed this characterization of what had happened the government seems to have decide to start over again. While this did not involve an admission that what had been done was wrong, it did involve a new approach. The final move involved changing the players who had been discredited and replacing them with new people who could start the process afresh.

In terms of the theoretical implications, this case study provides evidence that Memorial University was balancing aspects of both the resource dependence theory and institutionalism. The university was dependent on the government for funding, while also needing to attract qualified professors and students by maintaining a perception of good standing in comparison to other similar institutions. Government and in particular Minister Burke was very bold in stating that because government provided a considerable amount of funding for the institution, they had a right to get involved and make decisions about who would become president of the University. In many of the comments in the media against government involvement, the importance of institutional expectations is evident as a justification. Reference is made to the expectations which are established regarding a university and how it operates. Also, the comments from national organizations such as CAUT and the Association of Colleges and Universities reinforced these expectations.

Several areas for further research presented themselves during this research. Many questions arise around the legislation governing universities in this country. A comprehensive cross province comparison of administrative structures and how they have changed over time would provide a valuable resource for people interested in this topic. What differences exist in terms of compositions and appointment of governing bodies for example would be one item that could be included in such an analysis. Another useful comparison might be of the established practices for doing a presidential search. Also, the issues related to the start-up of new universities or the restructuring of existing university systems, such as happened in Nova Scotia, is a topic which requires further study. In the case of Memorial, the status of Sir Wilfred Grenfell College was a political issue with significant regional dimensions. Understanding the political dynamics involved in such decisions would inform the public debate on these issues. Research into those who become university presidents, and how their profiles have changed over time, would provide valuable insight into how the search process and the job itself has changed over time. It would be interesting to examine if factors such as political and corporate connections have become more important in recent years.

Another important topic which was emphasized in this case study was the way Memorials and other universities funding relationship with government were changing. Evan Simpson noted in an opinion piece he wrote for the newspaper that while in the past universities received operating and capital grants, now the university presents a menu of initiatives and the government chooses these it liked. Is this the case at other universities and is this a change from the past as Simpson suggests? If these changes are taking place what are the implications and what are university administrator's views on this change?

What is the role of the federal government in financing universities and how is this influencing the governance of Universities? How does funding models for university in Canada compare to those used in other countries? An extension of this enquiry might relate to the argument that academic freedom results in the advancement of knowledge and prosperity. It would be useful to make comparisons to see if there is a connection between university governance and the overall health of democracies or economies?

Aside from the issues for further research related to university governance, this paper also raises some questions related to the nature of democratic and public debate in provinces where the governing parties have overwhelming majorities. For example, it would be interesting to explore, why it was the *Globe and Mail* rather than the local news media that broke this story? It is interesting in this respect to note that columnist Pam Frampton said in one of her columns, that they had been receiving a number of e-mails and phone calls encouraging them to pursue this story. It would be interesting to explore how news editors and reporters in these circumstances make decisions about when to go with a story.

The findings of this research are important for several reasons. The case demonstrates the credibility and influence of academics on political issues and it demonstrates that even very popular governments can be forced to change their direction based on a persistent campaign. But it also highlights the importance of a need for organizations and individuals who believe protecting institutional autonomy is important to continue to advocate for the cause. While some might see this case as an example of a rejection of government interference, many would see the outcome as simply a draw. In this regard, it is important to note that the legislation related to the approval of a university president at Memorial University has not been changes and the issue of institutional autonomy has disappeared from the headlines. While there may not be many examples of political boldness (or ineptness) of the kind Minister Burke displaced in this case, her argument that because government invests so much money in universities they have a responsibility to be involved in how they make decisions is insightful. While the Ministers boldness in this case helped galvanize public opposition to what was happening, it may have also provides insight into the changing relationship between governments, corporations and universities. It would be easy to dismiss this case, as an isolated example of an out of control overbearing government, overstepping its authority and interfering with the institutional autonomy of a medium size provincial university. But there is evidence from the literature related to other countries to suggest that this instance may be part of a larger shift, of which those interested in institutional and academic freedom should be aware.

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