

**Tel Aviv University – A minus;  
Hebrew University – Incomplete**

**Open Letter**

# Tel Aviv University – A minus; Hebrew University – Incomplete

May 18, 2004

An open letter to

Hebrew University Chairman of the Board of Governors  
and Chairman of the Executive Board  
Mr. Yigal Arnon

CC: Hebrew University Governors and Administration  
Hebrew University Community  
Members of the Committee for Higher Education (ג"מל)  
Heads of Israeli universities  
More

From Yaacov Bergman

[http://pluto.mscc.huji.ac.il/~msyberg/Higher\\_Education/](http://pluto.mscc.huji.ac.il/~msyberg/Higher_Education/)

*Abstract.* Both Tel Aviv University and the Hebrew University were presented with an identical challenge to examine and reform their governance in order to make both accountable to the public as quality research universities. Tel Aviv University rose to the challenge engendering and adopting a detailed plan embodied in the Jortner Report. By contrast, the Hebrew University responded clumsily with a ploy; aimed not to ameliorate the university, but to dupe the Council for Higher Education and the government into thinking that it did. In order to demonstrate to the public that it intends to treat its tax and donation resources responsibly, the Hebrew University must urgently commission the Harold T. Shapiro Committee and precommit to adopt its recommendations.

Dear Mr. Yigal Arnon:

Three months ago, when the newspaper with the second largest circulation in the country, Maariv, sought your reaction for its five-page interview with

myself about the failings of the Hebrew University, you told its author that those have been debated for four years already, but that a seventy-five year old system cannot be changed in one day.

Let me correct you, Chairman Yigal Arnon. The Hebrew University enervation have been debated, not for four years only, but for more than *half a century* to date. In his letter of remonstrative resignation, dated October 9, 1951,<sup>1</sup> the Hebrew University second president Zelig Brodetzky blamed the Senate's absolute control over the University affairs for having had deleterious effects on its academic standards and for breeding intrigue, especially in academic nominations and promotions, to the point that "the university has suffered for too long from empty bragging and self-praise, whereas really needed are candid appraisal and criticism from true friends."<sup>2</sup> Since nothing of consequence has changed in the bad governance of the Hebrew University and its ensuing lack of accountability, President Brodetzky's reprimand is as valid today as it was fifty three years ago.

It follows that the Hebrew University is not an obdurate seventy five year old system that mere four years cannot change, as you mistakenly believe, Mr. Arnon. It is rather a twenty five year old malfunctioning disorganization, that a superimposition of half a century punctuated by frequent flares of debate about its bad governance has not yet been able to rehabilitate. But the deeper truth is that the duration of the debate and how long the system has lingered in disrepair are both irrelevant. Crucial are the commitment of the Chairman of the Board of Governors to the University, his determination, and his leadership.

<sup>1</sup> Quoted on p. 181 in Uri Cohen, 2001, "The Hebrew University during the first decade of Israel statehood." HU PhD dissertation; highly recommended reading for anyone interested in the history of higher education and in its highly path-dependent evolution.

<sup>2</sup> Joseph Ben-David, the notable scholar of higher education, has observed that "Academic self rule has been even more absolute at the Hebrew University than in Germany, since in Germany the universities were under the supervision of the civil servant managers at the higher education departments of the German federal states education ministries, and those have occasionally intervened in academic affairs. Some of them even supervised their universities like American university presidents do. In the absence of such state supervision in Israel, faculty self rule in academic affairs at the Hebrew University was almost absolute. In principle, the Hebrew University Board of Governors could have exercised supervision similar to that in the German states, but it lacked the administrative apparatus to do so."

— Joseph Ben-David, 1985, *Israeli universities, dilemmas of expansion, diversification, and management*, in Ackermann, Carmon, and Zucker, editors, "Education in a Forming Society: The Israeli System," Vol 1, p. 531.

Would you read this open letter, Chairman of the Board Yigal Arnon? I doubt it. You told me last summer in a four minute phone conversation that you could not spare time to read my previous open letter to you, entitled “University Sans Leadership,” which thousands did read, including the able, conscientious civil servants at the Budgets Department of the Finance Ministry, who are about to usher in the university reforms that are sixty nine years overdue (since 1935). More precisely, you told me that you could not read my letter, because your total, undivided commitment is to your business,<sup>3</sup> which left me wondering why you need to hold on to your chairmanship. (The footnote<sup>4</sup> is especially relevant.)

<sup>3</sup> Chairman Yigal Arnon, while my 26 page open letter to you was too taxing on your time, when it comes to your clients, you are willing to read thousands of pages, literally. This is what you told the viewers of the Israeli First Channel TV program *Politica* on October 8, 2002. Does the obvious remuneration disparity beget the manifest attention lopsidedness?

<sup>4</sup> A recent publication of *Volunteer Canada*, entitled “Director’s Liability: The Role of Directors in Non-Profit Organization,” has this advice to give:

It is important to note that the duties of directors [or governors] of non-profit organizations are essentially no different than the duties of directors of for-profit corporations. The public expects non-profit organizations to be accountable and businesslike in managing their affairs.

*Duty of diligence:* Diligent directors always act in the best interests of the organization. When performing their duties as directors, they are expected to exercise the same level of care that a reasonable person with similar abilities, skills and experience would exercise in similar circumstances. If a director has a special skill or area of expertise, such as an accountant or lawyer [like yourself, Chairman Yigal Arnon] would have, he or she has a duty to achieve a standard of care that corresponds to his or her professional abilities.

Before accepting a directorship with an organization, you should:

- Think about your reasons for becoming a director. Be sure you have the time, interest and commitment to do the job well.
- Learn as much as you can about the organization. What is its mission? What activities does it undertake?
- Look at the composition of the entire board, and satisfy yourself that it can govern effectively and provide competent direction to committees, staff, and volunteers within the organization.

<http://www.volunteer.ca/volunteer/pdf/LiabilityEng.pdf>

I am writing this open letter for those who care about the Hebrew University sufficiently to read it.

### **Identical challenge; responses – a gulf apart**

Hebrew University President Menachem Magidor has recently complained (*Kav P’Nim*, Feb 2004) that “due to the muddle that arose [by the government’s 16.9.03 resolution, ‘Betterment of Higher Education,’ that demanded of the universities to reform their faculty-serving governance under threat of significant budget cuts], we will miss the opportunity for an orderly reflection [over what needs to be done in order to realign the University governance with the public weal]. Owing to the pressures, we shall have to take steps to satisfy various demands.”

Unfortunately, when Magidor’s complaint went to print, the Hebrew University has already missed the opportunity,<sup>5</sup> but its arch-competitor, Tel Aviv University, presented with the identical challenge, seized it. On 23.9.03, a mere one week after the government’s resolution, the leadership of Tel Aviv University—Chairman of the Board of Trustees, President, and Rector—commissioned the Jortner Committee chaired by former President of the Israeli Academy of Sciences Joshua Jortner and comprising both academics and public figures; charged it with examining its governance structure; and designated a deadline for submission of its report in mid February 2004.

The Jortner Committee set to work without delay. It assembled and studied a sizable corpus of relevant literature, it listened to witnesses in eighteen deliberative sessions, and met its deadline after five months of work, submitting a detailed report recommending sweeping changes to Tel Aviv University governance.

Most importantly, the Jortner Report also includes the rationale for the recommended governance changes and the goals they aim to achieve. As a guiding principle, the Committee found, like the Maltz Committee did four years earlier, that the current, bifurcated, non-hierarchical administration—academic versus managerial—of Tel Aviv University cannot be accountable to the public in upholding its mission as a quality research

<sup>5</sup> In fact, the Hebrew University, and the other universities, had four long years since the beginning of 2000 to leisurely reflect over the Maltz Report which recommended milder governance reforms. It missed that opportunity too, hoping that the demands for reform would simply disappear. The government resolution came in reaction to the universities meditated inaction.

university. In particular, the Jortner Committee determined that it has been its governance structure that prevented the academic assessment of the University by external independent visiting committees—not the Palestinian uprising, as Hebrew University President Magidor informed the Maariv Newspaper on 23.1.2004—and that lack of academic assessment, in turn, has been detrimental to the proper management of the University and to its mission accomplishment.

The Jortner Committee therefore found that the organizational structure of the Tel Aviv University administration should be changed to that of an orderly authoritative hierarchy that can be held accountable to the public which it must serve. To accomplish that, the Jortner Committee recommends, in particular, that the university president be given the authority to fire his or her subordinate, the rector (provost), and to the latter, in turn, the authority to fire any of his or her subordinate deans without having to secure, as before, the consent of the faculty.

This hierarchical structure, the Jortner Committee suggests, should propel Tel Aviv University to better serve its mission as a quality research university by allowing it to implement basic managerial apparatuses such as *differential pay* according to merit and demand, *routine academic assessment down to the individual faculty member level*, and the *reassignment of non-research active faculty* to tasks in which they can better serve the University. These essential managerial tasks, the Jortner Report correctly reasons, can only be performed by administrators who are not elected by the faculty whom they are supposed to administrate, but are nominated and can be removed by superiors who derive their ultimate authority from the public.

In particular, the Jortner Committee rejected the notion that has been surprisingly advocated by Hebrew University President Magidor (eg, *Kav P’Nim*, Feb 2004) that university governance must include “checks and balances” that are to be exerted by the faculty on the president and his administration. The Jortner Committee determines that faculty exerted checks and balances—to be clearly distinguished from consultation with the leading scholars of the university on matters academic, which *is* essential—are detrimental to the ability of the administration to lead the university to accomplish its mission, and to faithfully discharge its responsibilities to society.

Significantly, recognizing that even a carefully planned structural reform is no guarantee for achieving its intended goals, the Jortner Committee recommends that an assessment is made in four years time to ascertain if

those goals are indeed achieved, and to implement further reforms, if necessary.

On 31.3.04, the Jortner Report was adopted, with some amendments, by an overwhelming majority of the Tel Aviv University Senate, which thus came down strongly and unequivocally on the side of the longtime university reform proponents within the government and without; totally rejecting the stubborn opposition to any reforms which has been jointly spearheaded by the Israeli faculty trade union and by the “Inter-Senate committee for protection of academic ‘independence’.” Yesterday (17.5.04), the Board of Trustees affixed its seal to the Tel Aviv University major governance reform.<sup>6</sup>

Parenthetically and interestingly, five committees examined the Israeli universities governance structure since 1998: Maltz, Brodet, CHE-PBC, Jortner, and the “Inter-Senate Committee.” A clear division emerged. The first four, comprising both faculty and public figures, concluded that control over the universities should be transferred from the faculty to the Israeli public (i) through stronger public representation in the universities governing bodies; (ii) through limited representation of the faculty whom those bodies are supposed to monitor; and (iii) through accountable university administrations. Only the “Inter-Senate Committee” comprising faculty alone and no public membership, concluded self-servingly that the necessary reforms would “destroy” the universities, and therefore should be ferociously resisted by the faculty. Significantly, the “Inter-Senate Committee” tried to scare the faculty and the public that the reforms would open the gates for the politicians to penetrate, then sack the universities. But the other four committees totally rejected that false alarm.

### **Hebrew University compared to Tel Aviv University**

Compared to the adroit, fruitful efforts exerted by the Tel Aviv University leadership in commissioning the Jortner Report and in getting the governing bodies of the university to adopt it; the Hebrew University has accomplished relatively little. Initially, the latter seemed off to good start, when it resolved to commission an international governance committee, securing the agreement of former Princeton University President Harold T. Shapiro to head it. But then the Hebrew University wasted four months, from mid September 2003 to the end of January 2004, only to let the Senate elect its four

<sup>6</sup> English: <http://www.haaretz.com/hasen/pdf/il01.pdf> (bottom of page).  
Hebrew: <http://www.haaretz.co.il/hasite/spages/428907.html?more=1>

representatives to the would be Shapiro Committee, which has not even been commissioned to this very day. (Why elect to a committee? Why not nominate those most proficient for the task?)

Instead of producing a significant document on par with the Jortner Report, the Hebrew University heads haphazardly patched up some changes to its charter. Then, Hebrew University President Magidor invited on a very short notice the whole faculty to a two-hour “brainstorm,” to which, pathetically, only twenty eight souls showed up.

At that farce of a “brainstorm,” President Magidor did not present a serious plan to realign the Hebrew University governance with the public weal. Instead, he presented a petty scheme designed merely to dodge the government’s goading of the Hebrew University into accountability to the public. But that scheme assumes, as it were, that the honest civil servants who are determined to reform the universities for the public good, are easily duped, while, in reality, this is not at all the case. Let me expand.

### **The HU scheme to dodge the University Governance Guidelines**

The University Governance Guidelines (commonly known as the “Grossman Document”) that were recently issued by the Committee for Higher Education (CHE, מל”ג) as a somewhat diluted version of the government’s September 2003 resolution, agree with the Maltz Report finding that two hundred member university boards of governors are ineffective. The Guidelines therefore require the establishment at each university of a small (9 – 25 members), effective executive committee to serve as a de facto governing board. Recognizing that faculty participation in a university governing board violates the principle of *independence of judgment*,<sup>7</sup> the CHE Guidelines limit such participation to no more than 20% of the members, thus aiming to increase significantly the influence of the public representatives in those boards and, consequently, generate accountability to the public.

But the Hebrew University schemes to dodge the Guidelines and defeat their purpose. Instead of one executive committee, as in a normal organi-

<sup>7</sup> From the *Statement on Institutional Governance*: “It is AGB’s view that faculty, staff, and students ordinarily should not serve as voting members of their own institution’s governing board, because such involvement violates the principle of independence of judgment. Particularly in the case of faculty or staff members, board membership inevitably places them in conflict with their employment status.” — Adopted, November 8, 1998, by the Board of Directors of The Association of Governing Boards (AGB) of Universities and Colleges.



zation, the Hebrew University contrives ingeniously to have two! One, called the “Board of Managers” (ועד מנהל), would comply with the CHE University Governance Guidelines, but it will be overridden by another assembly dubbed the “Executive Committee” (ועד פועל) which *will not comply* with the Guidelines. In particular, the noncompliant committee would have a 33% faculty representation; much more than the 20% Guidelines limit and threefold the 10% ceiling originally intended by the government.

According to this transparent ploy, the noncompliant “Executive Committee” with the significant faculty representation would be the one effectively charged with overseeing the president of the university, since it is the body that elects him (or her) whenever he runs for office, and can sanction him by refusal to reelect.

In addition, it is stipulated that an unusual supermajority of more than 70% is needed to elect the president of the Hebrew University; unlike the simple 50% majority that suffices to elect a president of Tel Aviv University or of the United States, for that matter. Supermajority election rules are commonly designed as a strategy to defend incumbent office holders against potentially superior contenders, thus acting to benefit the incumbent at the expense of the organization. Moreover, as President Magidor has calculated at the “brainstorm,” the coupling between the 70% supermajority rule and the 33% faculty participation in the noncompliant “Executive Committee” is expressly designed to give the faculty, in effect, veto power over the election of the president.<sup>8</sup>

Contravening the intention and rationale of the Guidelines, this scheme should act to align the president’s management of the Hebrew University with the private interests of the faculty instead of with the public good, when the two are in conflict, as they indeed are on significant occasions.

It is clear why the president and the faculty would press for such a scheme. It is not clear, however, why the public representatives in the university governing boards would support it, unless they either do not understand its implications or they simply do not care.

<sup>8</sup> The supermajority clause gets unusual close attention in the Hebrew University governance reform plan which further stipulates that reelection of the president would require a supermajority of more than 70% of the *attending* members. This further increases the effective veto power of the faculty, as the public representatives are those who tend to skip the meetings. (See Uri Cohen, 2001, PhD dissertaion, cited above.)

Moreover, as mentioned above, Tel Aviv University went even further than the Guidelines by introducing a simple procedure for removing academic officers from office by their superiors: the president can fire the rector who in turn can fire any dean. This procedure then establishes a well defined hierarchy which is a precondition for accountability to the public, as intended by the University Governance Guidelines. By contrast, the prerogative to remove the rector or the deans from office at the Hebrew University remains that of the faculty bodies that elect them, which leaves those academic administrators subordinate to the faculty, and, consequently, unaccountable to the public.

### **A significant omission: Academic Quality Assurance System**

“No management without measurement,” is a fundamental tenet of managerial science and practice. The CHE University Governance Guidelines adheres to this principle by explicitly requiring, in its Article B(2), of each university the establishment, alongside the Senate, of an Academic Quality Assurance System as an *academic institution*. But, consistent with its traditional, ingrained abhorrence of true independent academic assessment, the Hebrew University response to the Guidelines completely ignores this crucial requirement.

It is important to emphasize that the University Governance Guidelines are wary of the faculty’s natural reluctance to submit to routine academic scrutiny and of its deterrent effect on the university president and administration. Therefore, the Guidelines are not content with merely requiring that each university engage in routine academic quality assurance, but attentively require that an Academic Quality Assurance System be established as an explicit *academic institution* and an integral part of its governance structure. An institution within an organization is a system of elements or rules that transcend the discretion of office holders. It creates a strong commitment to the actions that the institution ordains.

Indeed, faculty aversion to periodic appraisal and its daunting effects on a university president and academic administrators are not lost on the *governing boards* of the best research universities.

As [Harvard] University has grown in size and complexity, *the Board has developed over 50 visiting committees, whose members are external to the Harvard faculty and administration*, and who are chosen for their experience and specialized knowledge. These committees regularly review departments of the

Faculty of Arts and Sciences, the Schools, and a range of other units. Visiting committees prepare written reports which, accompanied by departmental responses, are presented to standing committees *of the Board*. The standing committees transmit the reports *with comments and recommendations* to the President and Fellows and, when appropriate, to the Dean of the Faculty of Arts and Sciences.

— *Harvard University: Report on the Institutional Self-Study Standard Two: Planning and evaluation by governing boards*<sup>9</sup>

It should be emphasized that it is the *Governing Board* of Harvard University that has *institutionalized* an Academic Quality Assurance System as an integral part of its governance structure by developing over 50 standing visiting committees to review its academic units. The Harvard Board, as well as boards of other top research universities, have not delegated this prime responsibility of academic evaluation to the academic administration or to the faculty. Since the latter are the subjects of evaluation, delegation of evaluation to them, or even to the academic administrators, would have seriously impaired the evaluation independence and effectiveness.

In order to comply with the CHE Guidelines and to enhance the academic quality the Hebrew University, its Executive Committee should embrace this example and *institutionalize*, as its own prime responsibility and under its direct routine supervision, an Academic Quality Assurance System in the form of a set of standing visiting committees to the various Hebrew University academic units. (See the footnote<sup>10</sup> for an interesting historical

<sup>9</sup> <http://www.fas.harvard.edu/harv-reaccred-report97/report-two.html>

<sup>10</sup> The irony is that in its formative years, between 1925 and 1934, the Hebrew University has institutionalized the *Academic Council* that comprised some of the world luminaries of science such as Albert Einstein (Chair), Jacques Hadamard, and Sigmund Freud, who were also members of the Governing Board, and whose responsibility it was to uphold the University's academic standards through independent, external evaluation, planning, and supervision. As such, the Hebrew University Academic Council was one of the first and most prestigious of its kind in the world. (See Uri Cohen, 2001, PhD dissertation, Ch 3, cited above.) Even more ironically, the Hebrew University external, illustrious Academic Council was later replaced by the internal, evaluation-resistant Senate.

It is noteworthy in this context that the Academic Council did persist at the Weizmann Institute in the form of the very influential Scientific Academic Advisory Committee (SAAC) which comprises foreign world class scientists who are also members of its Board of Trustees. It is also remarkable that the Weizmann does not have a senate. From the experience of the HU and the Weizmann it would seem that there is only room for one of the two antagonists, SAAC and Senate,

irony.) The Board of Governors should not be content with any promises by the president or by the rector to bring visiting committees to the University, since such promises have not been kept in the past for fear of the faculty (see the said Maariv article), and are unlikely to be kept in the future without the Executive Committee's institutionalization of such system as at the best universities.

To recap, the ploy to dodge both the spirit and the explicit University Governance Guidelines leaves the Hebrew University governance virtually unchanged; aligned with the interests of the faculty, when those are in conflict with the interests of the public. The ploy also assumes that the Council for Higher Education and the Ministry of Finance Budgets Department can be easily duped. Fortunately for the public, this assumption is false.

### **The Shapiro Committee**

That the Hebrew University response to the University Governance Guidelines is totally inadequate was already recognized by President Magidor at the "brainstorm." Therefore, he announced there that the Shapiro Committee may still be commissioned, because the Hebrew University charter is in urgent need of a major overhaul. But then he went on to lull the twenty eight faculty present. "Don't worry," Magidor said, "It will take the Shapiro Committee *one... two... three years* before it submits its report."

This is totally unacceptable!

- There is no doubt that the Hebrew University charter needs a total overhaul, as President Magidor points out. Therefore, the Shapiro Committee *must* be commissioned. "May be commissioned" is wrong language.
- Since it is clear that the Shapiro Committee must eventually be commissioned—there were even calls in the Senate to do so—therefore there is no reason for any further delay. In fact, it is not clear why the Shapiro Committee was not commissioned immediately after the election of the Senate representatives to the Committee at the end of January. Why the feet dragging?
- If the Jortner Committee could return its report within 5 months, there is no reason that the Shapiro Committee, comprising no lesser

within a given university governance structure. The philosophy of the University Governance Guidelines is that a university can and should have both an Academic Quality Assurance System as an institution and a Senate, provided the latter takes on a representative form with a small, academically select membership.

experts, should need two, three years to complete its work. One year is plenty. And the Committee could have been working already on its report for the last six months.

- Why does President Magidor need to lull the faculty and allay their fears of the Shapiro Committee? Do the faculty fear that the Shapiro Committee would not recommend only what is best for the Hebrew University?

All this is inexplicable, unless considered against the backdrop of the Hebrew University Byzantine culture, to a manifestation of which I am turning now.

### **Lessons to be learned from the strange story of Supreme Court Justice Emeritus Zvi Tal Committee**

Recall my first open letter of last May to the Hebrew University administration, which it did not answer for want of courage and integrity, but that assisted in engendering the Government resolution, “Betterment of Higher Education,” for which credit is due to few civil servants at the Ministry of Finance, who are truly accountable to the public in a way that should serve as a model for Israeli university leaderships.

In that open letter, I also wrote about a Hebrew University committee that was commissioned back in 2000 to look into the Hebrew University charter and to suggest amendments. It has been headed by *Supreme Court Justice Emeritus Zvi Tal* and was prompted, in all likelihood, by the report recommending university reforms which was submitted to the government by the public committee headed by *Supreme Court Justice Emeritus Jacob Maltz*. At the time that I wrote my first open letter a year ago, the Tal Committee was into its third or fourth year of deliberations.

Very few know what the Tal Committee does now; it might still be deliberating into its fourth or fifth year. So, President Magidor may be using this precedent, when he lulls the faculty by a prospect of three years of deliberations by the Shapiro Committee. But

University boards and chief executives [presidents] should establish deadlines for the conclusion of various consultative and decision-making processes [ ]. A single individual or group should not be empowered to impede decisions through inaction.

— From the AGB *Statement on Institutional Governance*, Ibid

In my open letter, I asked of Justice Tal that his committee consider and decide who should have the upper hand in a conflict between the rector (provost) and one of the deans. My question was prompted by an actual conflict that took place between a former Dean of the HU Law School and former Rector Ben-Sasson.

Since Justice Tal has not answered my question, I phoned him on July 1, 2003. This is how our conversation went, after I had restated my question to him.

*Justice Zvi Tal:* “A conflict between the university rector and a dean is a major issue. I was only asked to fix minor inconsistencies in the Hebrew University charter; *to iron out wrinkles* as we encounter them. I was specifically instructed not to make revolutions.”

*YB:* “Is this what is written in the charge [כתב מינוי] to your committee?”

*JZT:* “There is no written charge!”

*YB:* “What do you mean, ‘There is no written charge’?”

*JZT:* “They just told me orally that I am not supposed to suggest any revolutions in the Hebrew University charter. They told me just to iron out wrinkles.”

*YB:* “Who are ‘They’?”

*JZT:* “It was either people from the Board of Governors or President Magidor. I don’t remember.”

*YB:* “This is very unusual, Justice Tal. It looks like an attempt to rig your report. The government received a report by a committee headed by *Supreme Court Justice Emeritus Jacob Maltz* recommending implementation of significant changes to university governance. To counter that, the Hebrew University seems to have commissioned a committee, also headed by its own *Supreme Court Justice Emeritus*; yourself, Zvi Tal, and prearranged that it should conclude, as per an explicit request, that only minor changes are needed. How could you agree to participate in such a scheme?”

The conversation ended at this point. Did I mention the Hebrew University Byzantine culture? Chairman of the Board of Governors Yigal Arnon, if you *are* reading this, could you perhaps shed some light on this strange story?

**Transparency lessons from the Justice Tal Committee.** Whenever the Hebrew University considers commissioning a committee, it should implement the following lessons from the failure of the Justice Tal Committee.

- There must not be any attempt, real or apparent, to rig the report of a university committee. In particular, the Shapiro Committee should not be secretly limited to “iron out wrinkles” in the Hebrew University charter.
- It should be clear who nominates the committee, and to whom it should report back.
- A committee should always be handed a written charge that describes the scope of its jurisdiction and what is expected of it.
- The committee should be given a reasonable deadline to complete its work and return its report. A deadline as far out as two, three years is unreasonable. The deadline should be taken seriously.
- Who nominates the committee, its composition, its charge, its report submission deadline, as well as its report should all be made public.

## **Conclusions**

Both Tel Aviv University and the Hebrew University were presented by the government and by the Council for Higher Education with an identical challenge to examine and reform their governance to make both accountable to the public, which they are supposed to serve as quality research universities. Tel Aviv University rose to the challenge, engendering and then adopting the Jortner Report which charts a grand plan for the university, supported by necessary, significant changes to its governance structure.

By stark contrast, the Hebrew University responded totally inadequately to the same challenge. Instead of designing to meliorate the university by increasing accountability to the public, its heads are merely scheming to dodge the requirements of the CHE University Governance Guidelines using clumsy, transparent tricks that are bound to be rejected by the Council for Higher Education and by the government.

All this reinforces the urgent need to commission the Shapiro Governance Committee without further delay and to precommit to adopt its recommendations.

Chairman of the Board of Governors, Yigal Arnon, if you did read this open letter, then you should consider whether you are willing and able to provide the leadership that the Hebrew University deserves. If you are, then there is much work to do.

— *Yaacov Bergman*

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