

Formal Organizational Power at the University. The Cases of the University of Warsaw and Warsaw School of Economics

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The distribution of formal power is an essential element of corporate governance of every organization, including universities. The authors analyze this distribution at Polish public universities, i.e. at the University of Warsaw and at Warsaw School of Economics. The aim of the analysis is to identify entities possessing formal power in these universities, i.e. exerting decisive influence on the election of authorities of universities and their organizational units. The authors attempt to determine whether it is possible to identify management and supervisory bodies in the structure of a public university.

Keywords: formal power, university governance.

Formalna władza organizacyjna w szkole wyższej na przykładzie Uniwersytetu Warszawskiego oraz Szkoły Głównej Handlowej w Warszawie

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Rozkład władzy formalnej jest istotnym elementem ładu korporacyjnego każdej organizacji, w tym także szkoły wyższej. Autorzy analizują ten rozkład w uczelniach publicznych, tj. na Uniwersytecie Warszawskim oraz w Szkole Głównej Handlowej w Warszawie na podstawie regulacji wewnętrznych w nich obowiązujących. Celem analizy jest identyfikacja podmiotów posiadających władzę formalną w tych uczelniach, tj. wywierających decydujący wpływ na wybór władz uczelni i jej jednostek organizacyjnych.

Słowa kluczowe: władza formalna, ład akademicki, university governance.

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1. Introduction

The corporate governance concept has developed predominantly for the purposes of supervision over and management of large corporations, which most often operate as joint-stock companies and are listed on the stock exchange (Oplustil, 2010; Ježak, 2010). The shape of the corporate governance system depends on the distribution of formal power among individual entities in an enterprise and its environment. Such distribution determines the decision-making process and the structure of management and supervisory bodies. The distribution of formal power is an attribute of organizational power traditionally construed as the ability to influence others in order to make them undertake specific actions that they would not otherwise undertake (Morgan, 1999). Corporate governance is understood as a system of regulations and supervision over company operations and a structure that ensures the balancing of internal and external stakeholders' interests. The weaknesses of supervisory mechanisms and structures in these companies, in particular regarding the functioning of the supervisory board, relationships among executive functions, remuneration policy and transparency standards, are commonly considered as factors that contributed to crises, scandals, and bankruptcies in some cases (Clarke & Chanlat, 2009; Baker & Anderson, 2010). Many years of research on corporate governance have allowed the main recommendations to be formulated as regards the functioning of company bodies and the development of a supervisory system (Lipman, 2007; Larcker & Tayan, 2013). The universality and, above all, the usefulness of these recommendations foster the adoption of good corporate governance practices in other types of activities, including primarily family businesses, limited liability companies, regional and local governments, state-owned enterprises (Organisation for Economic Co-operation and Development [OECD], 2015), and public administration. In recent years, alongside the reform that is a response to the redefinition of the functions and tasks of higher education in manifold countries, corporate governance has also been referred to the operation of both public and private universities (Kwiek, 2010; Goldstein & Glaser, 2012). The adoption of corporate governance at universities mainly involves the identification of key stakeholders, the construction of a control and motivation system, the division of power, and increased transparency of the operation of units.

This article is a part of university governance analyses. It is aimed at identifying the distribution of formal power as an element of university governance. In particular, the text attempts to answer the following research question:

- Which entities have formal power in selected universities and exert decisive influence on the election of authorities of universities and their organizational units?

The article is based on the analysis of formal power distribution at public universities, namely the University of Warsaw (hereinafter: UW) and Warsaw School of Economics (hereinafter: WSE), based on their internal regulations. These universities were selected for the analysis for two reasons. Firstly, they are large centers and leading universities in Poland. Secondly, due to their different profiles (general academic and economic), they make it possible to identify the entities with formal power in two distinct organizational contexts.

1. Formal Power in University Governance

1.1. The Concept of University Governance

The concept of university governance includes the method of management of and supervision over universities in a specific political, social, and economic context (Antonelli, 2007; Hanada, 2013; Rowlands, 2013; Kwiek, 2014). Shattock (2006) defines university governance as constituted forms and decision-making processes at universities (Shattock, 2006) that are applied through interactions with various internal and external stakeholders (Bratianu & Pinzaru, 2015). University governance is not only expected to specify the management and supervisory procedures and structures of universities but, first and foremost, to enable the achievement of certain objectives (Fielden, 2008). The literature contains a growing number of studies analyzing how university governance supports enhancing the rights of various stakeholders, monitoring the efficiency of university functioning, and increasing accountability towards competent institutions (owners, supervisory authorities). The mechanisms in university governance differ accordingly – monitoring is based on numerous categories (including economic and non-economic measures), the external market remains weaker, while the incentive function is limited due to financial constraints and legal regulation.

The analyses of university governance distinguish its various models. The literature most commonly uses the division of university management models according to Clark's Triangle taking into account the model of state control, Humboldt's academic self-governance model, and the Anglo-American market model (Clark, 1983, as cited in: Dobbins & Knill, 2009, pp. 666–667). Trakman presents five models of university governance: faculty, corporate, trustee governance, stakeholder, and amalgam models (Trakman, 2008, pp. 66–74). The four university models distinguished by Olsen (2007) include: a self-governing community of scholars, an instrument for political agendas, a representative democracy, and a service enterprise embedded in competitive markets. Bleiklie and Kogan distinguish two ideal university types: a republic of scholars and a stakeholder organization, and two types of ideal knowledge regimes: academic capitalism, driven by a commercial logic, and public managerialism focused on the interests of the state and political administration and driven by a semi-competitive logic (Bleiklie

& Kogan, 2007). Sporn proposes a shared governance model relying on the stakeholder theory, underpinned by negotiations between individual university stakeholders, including external ones, jointly setting goals and their implementation methods (Sporn, 1999).

The tendency observed in the world today is changing the perception of the role of a university. In lieu of the fundamental goals defined as the development of thought and moral leadership through research, teaching, and community service (Thomas, 2009), calls are being made for an increased pressure to achieve tangible results (value for money), productivity, commercialization, and a greater similarity of the philosophy of university operations to the business model (Chan & Lo, 2007; Antonowicz, 2015). These developments are driven, on the one hand, by changing priorities and objectives set for higher education, the dynamics of relations between stakeholders and the university and their increased role. On the other hand, these changes also result from certain criticism of the efficiency of university operations and the quality of work of both university staff and students. Simultaneously, these changes suggest a transformation of the university model from a community of teachers into more market-oriented structures, a shifting role of rectors from academic leaders to presidents who manage universities, and changing the distribution of formal power, decision-making patterns, control and supervisory structures (Lazzaretti & Tavoletti, 2006; Thomas, 2009). Consequently, new regulations, codes of good practice, and recommendations on university governance introduce many solutions previously known from documents concerning the operation of listed companies (Lombardi, Craig, Capaldi, & Gater, 2002; Committee of University Chairs, 2015). Changes in the university governance system entail changes at the institutional and organizational level (Kim, 2008).

The business-oriented approach to university governance is yet strongly criticized since managerial methods strengthen the control of the entire organization, not only cost control, but also research and teaching content (Teelken, 2012; Giroux & Myrsiades, 2001). It may destruct the ethos of science and academic culture (Canaan, 2013) and lead to opportunism that limits the perspective of criticism or reflexivity (Beckmann et al., 2009; Sułkowski, 2016). Moreover, the business-oriented approach at the university may prevail over its cultural function. Such university may be able to react to social and market needs but may not be able to interfere with reality (Zawadzki, 2009).

1.2. Principal-Agent Theory in University Governance

The role of governance is explained by a number of frameworks including the principal-agent theory, property rights theory, stewardship theory, upper echelons theory, managerial hegemony theory, and others. The understanding of governance as a set of mechanisms, institutions, and norms which ensure monitoring and incentive functions is conceptually

heavily embedded in the principal-agent theory (Hung, 1988). This theory views a project or a company as a nexus of contracts between principals who delegate work to agents (Jensen & Meckling, 1976; Fama & Jensen, 1983). Principals and agents act in their own interests, and the relationship between them is characterized by information asymmetry. Since it is impossible to foresee all future situations, the contracts are naturally incomplete while the residual rights of control are in the hands of agents.

The conflict of interest and the risk of expropriation of principals by agents are the most influential premises of the governance function that laid grounds for the understanding of functions and tasks of oversight and control (Shleifer & Vishny, 1997). Hence, the governance structure includes monitoring mechanisms, both internal (such as ownership structure, creditor, board) and external ones (stock market, market for corporate control), and incentive mechanisms (executive compensation). These mechanisms are primarily to solve the conflicts between principals and agents and between principals and principals, to mitigate risk of investment by limiting expropriation by agents, and to enhance performance.

In the language of the principal-agent theory, university governance is a structure intended to provide for a balance between numerous stakeholders and ensure that the goals will be achieved. Such structure is, similarly to many listed companies, characterized with the separation of ownership and control. But unlike in listed companies, in the context of a public university financial performance is not the prime goal, whereas maximizing the value and relations between various stakeholders appear to be more complex. While the state (the Ministry) plays the role of a principal, the rector acts as an agent. However, viewing a public university as a community of academics and students that fulfills the needs of the society results in multiple roles played by distinct stakeholders. Academics function as agents but also play the role of principals who may express their expectations, the Ministry is the principal but at the same time acts as an agent representing general society. In addition, public universities operate under the condition of weak external mechanisms. The lack of strong external monitoring and the significant information asymmetry which characterizes the relations between academics and their principals (university bodies, the Ministry) make the evaluation of performance more difficult. The need for a long-term investment and the ongoing debate on measuring the effect of academic work make the enforcement of contract compound. General society remains the residual claimant who does not have the direct power to influence the university policy.

The agency problem may appear also within universities in the relation: university authorities (Rector) – chiefs of the university's organizational units (Deans of the faculties) – chiefs (directors) of the university's organizational units (faculty departments). Deans of the faculties play therefore a dual role of: agents – in relation to the university authorities, and principals – in

relation to chiefs of the faculty departments. In the former relation, the agency problem derives from the phenomenon of “departmental thinking” that is manifested in the competition between university faculties for the allocation of financial resources. In the latter relation, the agency problem leads to the competition between faculty departments in the area of personnel policy, didactic loads, creating curricula, and others (Urbanek, 2014). The agency problem at public universities is additionally determined by the division of ownership and control, to an even greater extent than in corporations. However, the reduction of the agency problem at universities by a system of incentives for agents is difficult. As already mentioned, the main reason here is the nature of the agents’ activities at universities that makes the measurement of expenditures incurred by the agent and the effects of his/her operations extremely difficult (Pietrzak, 2016).

1.3. Formal Organizational Power – A Comparison of UW and WSE

The distribution of organizational power at public universities ensues from the legal provisions on the basis of which these universities operate. Therefore, according to Webber’s terminology, this is legal (rational) power (Weber, 1922/1978) or, according to the terminology used by French and Raven, this is formal power (French & Raven, 1959). The formal power distribution at public universities is expected to be identified by analyzing both generally applicable and internal regulations on such universities.

In Poland, the legal act commonly binding on all, including public, universities is the Law on Higher Education of 27 July 2005 (*Ustawa z dnia 27 lipca 2005 r. Prawo o szkolnictwie wyższym*). Internal acts include university statutes and other legal acts, in particular regulations of rectors, rules and regulations of organizational units of universities, and regulations of their heads (deans).

This analysis aims to establish which entities make or influence the decisions on matters that are essential for the functioning of the university, namely on the election of authorities of universities and their organizational units.

1.4. Election of Authorities of Universities and Their Organizational Units

University bodies are collective, that is the senate and the councils of basic organizational units, and single-person bodies, namely the rector and deans (Articles 60, 61, and 67 of the Law on Higher Education). The Law on Higher Education, which applies to all public universities in Poland, stipulates in this respect that:

- representatives of students and doctoral fellows in the university senate and the council of the university basic unit account for minimum 20% of their composition, and the specific number of such representatives

- is proportional to their total number at the university and in the basic unit, with each of the two groups having minimum one representative;
- academic teachers holding the academic title of professor (*profesor*) or the degree of habilitated doctor (*doktor habilitowany*) represent more than half of the statutory membership of the senate and of the council of the basic organizational unit, but no more than three-fifths of the senate (Articles 61 and 67 of the Law on Higher Education).

The detailed rules on elections and the composition of collective bodies of universities, including the percentage shares of representatives of academic teachers, doctoral fellows, students, and employees other than academic teachers, are specifically laid down in their statutes.

2. Election of Authorities of the University and University Organizational Units – The University of Warsaw

In accordance with the Statute of the University of Warsaw¹ (*Statut Uniwersytetu Warszawskiego*), the Senate consists of: the Rector as the chairperson; vice-rectors; deans; representatives of: independent academic teachers, other academic teachers, doctoral fellows and students, employees other than academic teachers. The number of vice-rectors is determined by the Rector. The number of deans results from the number of independent organizational units of UW. The Statute also provides that:

- the number of representatives of independent academic teachers stands at ten,
- representatives of other academic teachers account for no less than 10% of the Senate's membership,
- the number of representatives of doctoral fellows and students is the smallest integer no smaller than 20% of the Senate's membership,
- representatives of employees other than academic teachers account for no more than 10% of the Senate's membership.

The numbers of representatives of other academic teachers, doctoral fellows, and students are determined by the University Electoral Commission. They are elected by electoral colleges of particular groups (§29 of the UW Statute).

The composition of the UW Senate established in accordance with the above rules in the 2016–2020 term is as follows: the Rector, four vice-rectors, 21 deans, 10 representatives of independent academic teachers, 10 representatives of other academic teachers, one representative of doctoral fellows, 11 representatives of students, four representatives of employees other than academic teachers.

The Rector of UW is elected by the Electoral College. The candidate who has obtained an absolute majority of votes of the College is elected

Rector (§39 of the Electoral Regulations of the University of Warsaw² (*Ordynacja wyborcza Uniwersytetu Warszawskiego*)). The Electoral College consists of representatives of each group of the academic community, elected according to the following rules:

- from the group of independent academic teachers – one elector for every started seven members of the group;
- from the group of other academic teachers – one elector for every started forty members of the group;
- from the group of employees other than academic teachers – one elector for every started one hundred and twenty members of the group;
- the number of electors for the groups of doctoral fellows and students is determined and announced by the University Electoral Commission, taking into account that the representatives of these groups constitute no less than 20% of the membership of the Electoral College (§32 of the UW Electoral Regulations).

The composition of the UW Electoral College established according to the above rules in the 2016–2020 term is as follows: 188 electors from the group of independent academic teachers, 62 electors from the group of other academic teachers, 39 electors from the group of employees other than academic teachers, 68 student electors and five doctoral fellow electors (Resolution No. 8 of the University Electoral Commission³ (*Uchwała Nr 8 Uczelnianej Komisji Wyborczej*)).

The Electoral College also passes a resolution on the recall of the Rector by a majority of at least three-fourths of the votes, with at least two-thirds of the electors present. A motion for the recall of the Rector may be lodged by at least half of the statutory composition of the Senate (§74 and 73 of the UW Statute).

Vice-rectors are elected according to the same rules as the Rector, except that the Rector has the exclusive right to nominate candidates for vice-rectors (§44 of the UW Electoral Regulations).

Deans, who form the largest group in the Senate, are elected by electoral colleges of UW faculties. A faculty electoral college is made up of all independent academic teachers accounting for three-fifths of its composition and of representatives of the remaining groups of the academic community in proportions appropriate for the composition of the faculty council, that is: other academic teachers represent no less than 15%, representatives of doctoral fellows and students constitute no less than 20%, and employees other than academic teachers account for no more than 5% of the composition of the faculty electoral college (§84 in connection with §39 of the UW Statute).

The remaining members of the Senate are elected by electors for each group of the academic community separately. A candidate who has received an absolute majority of votes with at least half of the electors representing

his/her group of the academic community present is elected member of the Senate (§55 and 57 of the UW Electoral Regulations).

The analysis of the rules for electing individual members of the UW Senate leads to the conclusion that the group that has by far the strongest influence on the final composition of the Senate is the group of independent academic teachers. They represent over 50% (52% in the 2016–2020 term) of the UW Electoral College, which elects the Rector and vice-rectors as well as 10 representatives of independent academic teachers. Furthermore, independent academic teachers have a decisive influence on the election of deans as they constitute three-fifths of the composition of electoral colleges of individual faculties of UW. The second strongest group in terms of the influence on the final composition of the UW Senate are students with 68 electors in the UW Electoral College and no less than 20% of electors in electoral colleges of individual faculties. Students have 11 representatives in the UW Senate. The influence of other academic teachers on the final composition of the UW Senate is smaller than that of students because they have 62 electors in the UW Electoral College and no less than 15% of electors in faculty electoral colleges. They have 10 representatives in the UW Senate.

3. Election of Authorities of the University and University Organizational Units – Warsaw School of Economics

In accordance with the Statute of Warsaw School of Economics⁴ (*Statut Szkoły Głównej Handlowej w Warszawie*), the Senate holds a position on matters of concern for the WSE academic community and expresses opinions on matters submitted by the Rector, councils of collegia or at least two members of the Senate (§43 of the WSE Statute). The members of the Senate are (§44 of the WSE Statute):

- the Rector as the chairperson,
- vice-rectors,
- deans of collegia,
- deans of studies,
- five representatives of academic teachers holding an academic title or the academic degree of habilitated doctor (*doktor habilitowany*),
- six representatives of academic teachers who do not hold the academic degree of habilitated doctor,
- six representatives of the student government,
- one representative of the doctoral fellows' government,
- one representative of employees other than academic teachers.

Furthermore, academic teachers holding the academic title of professor (*profesor*) or the degree of habilitated doctor (*doktor habilitowany*) represent

more than half of the statutory membership of the Senate, no more however than three-fifths of the Senate. Representatives of students and doctoral fellows in the Senate constitute no less than one-fifth of the Senate's membership.

The composition of the WSE Senate in the 2016–2020 term is as follows: the Rector, four vice-rectors, five deans of collegia, two deans of studies, five representatives of independent academic teachers, six representatives of other academic teachers, one representative of doctoral fellows, six representatives of students, one representative of employees other than academic teachers.

The Rector of WSE is elected by the Electoral College (§142 of the WSE Statute). The candidate who has obtained an absolute majority of votes of the College is elected Rector (§146 of the WSE Statute). The Electoral College consists of:

- 110 elected academic teachers holding an academic title or the academic degree of habilitated doctor,
- 50 elected academic teachers who do not hold the academic degree of habilitated doctor,
- 10 elected employees other than academic teachers,
- a total of 43 elected representatives of the student government and representatives of the doctoral fellows' government, with the numbers of representatives of students and doctoral fellows being established by the WSE Electoral Commission in proportion to the size of both groups in the WSE as of 31 December of the year preceding the year when the bodies are elected for a new term, where doctoral fellows have at least one representative.

The number of electors is determined in relation to individual collegia. The detailed distribution among the collegia is established by the WSE Electoral Commission as of the last day of the month preceding the month when constituency electoral commissions are appointed (§158 of the WSE Statute). The Electoral College also passes a resolution on the recall of the Rector by a majority of at least three-fourths of the votes, with at least two-thirds of the electors present. A motion for the recall of the Rector may be lodged by at least half of the statutory composition of the Senate (§173 of the WSE Statute).

Candidates for vice-rectors are nominated by the Rector-elect (§10 of the WSE Electoral Regulations of 16 December 2015 (*Regulamin wyborczy Szkoły Głównej Handlowej w Warszawie*)). Persons having the right to vote may propose to the Rector-elect candidates for vice-rectors, albeit such proposals are not binding on the Rector-elect. A candidate for Vice-Rector for Teaching and Student Affairs must obtain the consent of the majority of representatives of students and doctoral fellows in the WSE Electoral College. Vice-rectors are elected according to the same rules as the Rector by a separate vote on each candidate (§164 of the WSE Statute).

The WSE organizational structure comprises deans of collegia and deans of studies. Deans of collegia manage the organizational units, or collegia. Deans of studies manage studies administered at the level of the whole School and taught by employees of all WSE collegia.

Deans of collegia are elected from among academic teachers employed in organizational units brought together within a relevant collegium (§165 of the WSE Statute). Elections of deputy deans follow a procedure similar to elections of vice-rectors: candidates are nominated by the dean-elect (§166 of the WSE Statute). The dean of the collegium and the deputy dean of the collegium are elected by the appropriate collegium electoral college (§167 of the WSE Statute). A collegium electoral college consists of elected independent academic teachers, other academic teachers, and representatives of employees other than academic teachers. For example, in the Collegium of Management and Finance, the Electoral College was composed of 26 independent academic teachers, nine other academic teachers, and two employees other than academic teachers.⁵

At WSE, candidates for deans of studies are nominated by the Rector-elect, and candidates for deputy deans of studies by appropriate deans-elect (§168 of the WSE Statute). Persons having the right to vote may propose to the deans-elect candidates for deputy deans of studies. Candidates for a deputy dean for student affairs must obtain the consent of the majority of representatives of the student government in the WSE Electoral College. Deans and deputy deans of studies are elected by the WSE Electoral College by a separate vote on each candidate (§169 of the WSE Statute).

The remaining members of the Senate are elected by electors for each group of the academic community separately, in individual constituencies. A candidate who has received a simple majority of votes with at least half of the electors representing his/her group of the academic community present is elected member of the Senate (§72 of the WSE Statute).

The analysis of the rules for electing individual members of the WSE Senate leads to the conclusion that the group that has the strongest influence on the final composition of the Senate is the group of independent academic teachers. They represent over 50% (54% in the 2016–2020 term) of the WSE Electoral College, which elects the Rector and vice-rectors as well as five representatives of independent academic teachers. Furthermore, independent academic teachers have a major influence on the election of deans as they constitute 52% of the composition of electoral colleges of individual collegia of WSE. The second strongest group in terms of the influence on the final composition of the WSE Senate are other academic teachers with 50 electors in the WSE Electoral College and around 24% of electors in electoral colleges of individual collegia. They elect six representatives of their group to the WSE Senate. Students and doctoral fellows have less influence on the final composition of the WSE Senate than independent and other academic teachers since they have 43 electors

in the Electoral College and six and one representatives, respectively, in the Senate. At WSE, students and doctoral fellows are represented by 43 electors of the Electoral College.

4. Conclusion

The foregoing analysis of legal regulations identified the entities with formal power at UW and WSE as regards the election of authorities of the universities and their organizational units. At the university level, the authorities are elected by electoral colleges. Table 1 summarizes the composition of electoral colleges at the universities examined.

Employee group	UW		WSE	
	Rule	No. of electors in the 2016–2020 term	Rule	No. of electors in the 2016–2020 term
Independent academic teachers	One elector for every started seven members of the group	188 electors	Elected academic teachers holding an academic title or the academic degree of habilitated doctor	110 electors
Other academic teachers	One elector for every started forty members of the group	32 electors	Elected academic teachers who do not hold the academic degree of habilitated doctor	50 electors
Employees other than academic teachers	One elector for every started one hundred and twenty members of the group	39 electors	Elected employees other than academic teachers	10 electors

Employee group	UW		WSE	
	Rule	No. of electors in the 2016–2020 term	Rule	No. of electors in the 2016–2020 term
Doctoral fellows and students	The number of electors is announced by the University Electoral Commission, taking into account that the representatives of these groups constitute no less than 20% of the membership of the Electoral College	68 student electors and 5 doctoral fellow electors	Elected representatives of the student government and of the doctoral fellows' government. The numbers are established by the WSE Electoral Commission in proportion to the size of both groups in WSE as of 31 December of the year preceding the year when the bodies are elected for a new term, where doctoral fellows have at least one representative	43 electors

Tab. 1. Composition of electoral colleges at UW and WSE. Source: Compiled by the authors on the basis of UW and WSE internal regulations.

Universities operate through their bodies linked with a nexus of contracts. Therefore, the key to identifying the formal power distribution is the determination of entities that decide on the election of individual university bodies. The analysis of legal regulations leads to the general conclusion that at both universities the group exerting the strongest influence on the final composition of the Senate, the election of the Rector, councils of organizational units, and deans is that of independent academic teachers. Both universities differ as regards the second strongest groups. At UW, these are students, whereas at WSE – other academic teachers. This conclusion should be taken into consideration when identifying formal power at particular levels of the university functioning since formal power of individual bodies at these levels is legitimized by their election.

This analysis falls within the current research on the academic governance model at universities. Research conducted by Kwiek indicates that the Polish system is a collective one with principal elements such as: participation of the academic staff through collective bodies (senate, councils of organizational units) in managing the basic areas of university activity; informing the academic staff about the issues that are essential for faculties and universities and consulting the staff on such matters; a community of researchers based on mutual friendship and cooperation; equality of disciplines, meaning that promotions do not depend on the field represented by researchers (Kwiek, 2012). Kwiek notes that these characteristics of the Polish university make it a kind of ivory tower detached from the needs of the economy and society, where the internalization of university norms goes hand in hand with the reluctance to establish relations with the outside world. In this context, Szadkowski indicates the superficiality of the power structure and the dominance of independent academic teachers (Szadkowski, 2015a). Leja adds in this context that the Polish university governance system is characterized by the traditional conflict between continuity and change (Leja, 2013).

With respect to the corporate governance systems highlighted in the literature, the solutions applied by Polish universities correspond to a relation-based and stakeholder-oriented system (Hall & Soskice, 2001; Bratianu & Pinzaru, 2015). The Rector acts as the chair of the parliament rather than the president of the board. In this context, it is noteworthy that the planned reforms focusing on the redefinition of the functions and tasks of higher education in many countries fall within the scope of a specific change in the university governance model (Kwiek, 2010; Goldstein & Glaser, 2012; Yonezawa, 2014). As highlighted above, the changes in the way universities operate, involving a transformation from a community of teachers into more market-oriented structures, also mean a shifting role of rectors from academic leaders to presidents managing universities, and changing distribution of formal power, decision-making patterns, control and supervisory structures (Lazzaretti & Tavoletti, 2006; Thomas, 2009). In the language of corporate governance and university governance (Antonelli, 2007; Rowlands, 2013; Kwiek, 2014), these developments mean increased formality, greater importance of objective measures for work efficiency assessment, increased pressure to achieve tangible results (value for money), productivity, commercialization, and greater similarity of the philosophy of university operations to the business model (Antonowicz, 2015). In the language of the principal-agent theory, these changes impact the context of the contract and are expected to increase their enforcement. They introduce indicators to measure work quality and reduce information asymmetry. What should be expected is the strengthening of formal power of the main decision-makers (rector, dean), with reduced participation of advisory bodies (senate, councils of organizational units) in the decision-making process. In such a model, collective bodies should be where expectations are formulated

and the voice of individual stakeholders is heard. Simultaneously, the councils of organizational units should focus on specific substantive tasks (e.g. doctoral and habilitation procedures).

These issues are the subject of the contemporary changes in Polish Law on Higher Education and Science (*Ustawa z dnia 30 sierpnia 2018 r. Prawo o szkolnictwie wyższym i nauce*). These changes are only partially in line with the above mentioned postulates. Generally, according to the new regulation the university authorities are Rector, Senate, and the Board of Trustees. The new authority, Board of Trustees, consists of six to eight members appointed by the Senate, and additionally of the President of the Students Union. The tasks of the Board of Trustees are: issuing opinions on university strategy and financial policy and monitoring university operation. The Board indicates also the candidates for the Rector after the Senate has issued opinions on these candidates. The new regulation does not mention the authorities of university organizational units (Deans, faculty councils) as the university authorities (Law on Higher Education and Science, 2018). Generally, the power of the Rector in relation to the Senate and university organizational units is strengthened. However, the structure and division of power within the university depends to the great extent on the Universities' statutes which will among others decide on the competences of the authorities of organizational units. Therefore, the analysis of the current division of formal power at universities conducted in the paper is crucial. This division will influence the new model of university governance.

This article focused on formal power at universities. Bleiklie, Enders, Lepori, and Musselin (2015) additionally raise the issues of formal and informal instruments of university governance, namely formal decision-making procedures, informal instruments of control, consultations, negotiations, delegation of powers to informal groups (e.g. senior professors) (Bleiklie et al., 2015). The relation between formal and informal factors studied by those authors is crucial from the viewpoint of organizational power at universities. This is because the manner in which the functions of university bodies are exercised by specific persons depends not only on formal factors, that is legal regulation of the structure of bodies, their competences, responsibility, substantive and financial autonomy, but also on informal elements including the ambiguous role performed at the university and resulting conflicts, overload, personal desires and ambitions, perception of expectations of peers (Kretek, Dragšić, & Kehm, 2013). With this in mind, our article should be treated as a starting point for further research on informal power at universities. Future analyses should also cover the identification of formal power in the key areas of university operation, which encompasses defining the university's mission and strategy and adopting internal regulations, personnel policy, establishing faculties and developing study regulations, drawing up material and financial plans, managing and administering university property.

Endnotes

- ¹ Announcement No. 7 of the Rector of the University of Warsaw of 7 July 2015 on the promulgation of the uniform text of the Statute of the University of Warsaw, UW Monitor, item 150; hereinafter referred to as the UW Statute.
- ² Hereinafter: UW Electoral Regulations.
- ³ of 7 January 2016 r. on the establishment of the number of electors of the University of Warsaw in the 2016–2020 term, UW Monitor of 2016, item 3.
- ⁴ of 19 April 2006, as amended. Annex to the Announcement of the Rector No. 1 of 9 January 2012; hereinafter referred to as the WSE Statute.
- ⁵ The lists of electors of individual collegia are available at <http://www.sgh.waw.pl/pl/wybory2016/Strony/default.aspx>.

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