



Reconsidering the Ombuds as Advocate or Subversive Bureaucrat: Exploring the Foundations of the University Ombuds

RYAN SMITH

ABSTRACT

In 1968 and again in 1969, practitioners and scholars of the ombuds concept in higher education gathered to discuss this new idea. From these gatherings, a conference proceeding was published called *The Ombudsman in Higher Education: Advocate or Subversive Bureaucrat*. These meetings were the first dedicated to the topic of ombuds in higher education, and the resulting conference proceedings provided the first comprehensive document dedicated to the role. This paper seeks to analyze these proceedings in order to better understand the theoretical foundations of contemporary ombuds practice and research. Additionally, this paper also examines early definitions and considerations of the ombuds role.

KEYWORDS

Ombuds, Ombudsman, Higher Education, History, Document Analysis, Conference Proceeding



INTRODUCTION

In the fall of 1968, and again in the spring of 1969, people from across the United States gathered to discuss an idea that had recently been implemented in institutions of higher education. The ombuds¹ concept was so new that many did not have a name for it, they struggled to define it, and the opportunity to discuss how it could be used to alleviate some of the pressures that institutions of higher education were facing was welcomed. These two gatherings, some of the first organized on the topic of the ombuds in the United States and the first organized around ombuds in education, provided significant contributions to the theoretical foundations of the ombuds role and ultimately the greater ombuds profession.

The first of these conferences took place in October of 1968 at the University of Detroit, and the second took place in May of 1969 at the Hyatt House Hotel in Burlingame, California, both organized by an organization called Higher Education Executive Associates of Detroit. The second conference was co-sponsored by the Institute for Local Government and Public Service at Chico State College and the Ombudsman Foundation of Los Angeles. Participants of both gatherings came from across the United States, and included a mix of practitioners, scholars, higher education administrators, and skeptics.

Conference proceedings were compiled from these two gatherings and published under the title *The Ombudsman in Higher Education: Advocate or Subversive Bureaucrat* and catalogued in the Education Resources Information Center (ERIC) database. The proceedings consist of 15 separate papers including published manuscripts, papers presented at the 1968 and 1969 conferences, as well as additional conference reflections and reports written by early ombuds. When viewed as a collection, *The Ombudsman in Higher Education* presents a fascinating glimpse into the ideas, thoughts, and debates of these early practitioners and scholars of ombudsmanry. Some of these early debates will resonate with contemporary ombuds and some show how the field has evolved since these early days. *The Ombudsman in Higher Education* is also unique in the fact it serves as an intellectual cornerstone of contemporary ombuds practice and research. While this document has not been heavily cited in ombuds research, it should be widely read by those who want to understand the profession's genesis.

This paper will review and analyze the conference proceedings in four parts. First, the four papers presented in 1968 will be taken together, followed by the 1969 papers, which will also be analyzed together. The previously published articles will be discussed, as they would have provided background for conference participants. This will be followed by a brief discussion of themes and takeaways, as well as implications for contemporary ombuds practice and research.

BACKGROUND

The United States and much of the world were captivated by the ombuds concept in the middle of the 20th century. While the first ombudsman was established in Sweden in 1809, it was not until subsequent ombuds offices were created in Norway and Denmark that the idea began to take off globally. Charles Ascher used the term *ombudsmania* to describe the global momentum around the ombuds concept (Ascher, 1967). One US commentator labeled ombudsman as the word of the year in 1966, and publishers in the late 1960's had to double check to ensure their dictionaries contained the term (Rowat, 1985, p. 83). The first major gathering devoted to the ombuds idea in the U.S. was the thirty second American Assembly held in October of 1967, discussing the idea of the American ombudsman. This convention resulted in the text *Ombudsmen for American Government?* edited by Stanley Anderson. Subsequent regional

¹ For the sake of consistency, the term ombuds will be used when referencing the role. Ombudsman or ombudsmen will be used in quotations or historical references.



gatherings followed. These gatherings and resulting documents explored the adoption of the ombuds model to the United States, and its incorporation into federal, state, and local government structures (Anderson, 1968).

This same period saw dramatic unrest on college campuses across the United States because of cultural change, the civil rights movement, the Vietnam War, increased organizational complexity, and campus bureaucracy (Smith, 2020). Many universities were desperate for solutions and looked to the ombuds idea to resolve some of the disputes and grievances being presented by students. The first university ombuds office in North America was established at Simon Fraser University in 1965, followed by offices at Eastern Montana University in 1966, Stony Brook University, Michigan State University, and San Jose State College by 1968 (Smith, 2020). This momentum and increased interest in the idea of campus ombuds paved the way for these gatherings.

The campus ombuds conferences were organized by Higher Education Executive Associates of Detroit (HEEA), founded by Dr. Thomas Emmett in 1967 to provide consulting services to institutions of higher education throughout the United States. Prior to founding HEEA, Dr. Emmett served as the Dean of Men at the University of Detroit and would later spend 20 years as the Special Assistant to the President at Regis University in Denver, Colorado. HEEA would ultimately merge with Stevens Strategy in 2007 (Stevens Strategy, N.D.; Thomas Emmett Obituary). In October of 1968, HEEA sponsored the first gathering at the University of Detroit (now the University of Detroit Mercy), entitled *The Ombudsman Concept in Higher Education*. Four papers from the 1968 institute were included in the proceedings. Two papers were presented by practicing ombuds, one at Michigan State University and another San Jose State College. Additional papers included one written by a Dean of Students, representing apprehension to the idea, and another exploring the theoretical foundations of ombuds in higher education. A separate paper, presented by University of Detroit Ombudsman Thomas Davis entitled *Campus Troubleshooter – the Ombudsman* was not included in the proceedings (Rowland, 1969).

The ombuds concept was gaining substantial traction across the United States, especially in California institutions, which prompted a second conference on the west coast. This conference saw additional papers from practicing ombuds in California, as well as public policy scholars and practitioners who framed the college and university ombuds in contrast to existing classical models. The second conference was co-sponsored by the Institute for Local Government and Public Service at Chico State College and the Ombudsman Foundation of Los Angeles and followed attempts at the creation of an ombuds for the State of California. Papers at the second conference were presented by practicing ombuds, as well as scholars and policy makers.²

THE DETROIT CONFERENCE

The first gathering in Detroit took place October 24-25 of 1968 at the University of Detroit. The University of Detroit had also appointed its own ombuds in April of the same year. Four of the five papers presented were included in the conference proceedings, a paper presented by the ombuds at the University of Detroit was not included. James Rust and J. Benton White, some of the first practicing ombuds in the United States, both presented papers that were mostly operational. They discussed their orientation to the role, and how they have come to educate

² The dates listed in the conference proceedings do not necessarily align, and this may be the result of an editorial error. While most of the dates are accurate, the speeches given by Kellcher, Norman, and Sandler are listed as May of 1968, when they should read May of 1969. The 1968 conference was held in October, while the 1969 conference was held in May. Other papers also reference the fact that these were presented in 1969. Lastly, a 1969 dissertation written by Roland lists presenters from the 1968 conference as Clifford, Davis, Rust, Schlossberg, and White (Roland, 1969).



themselves on the work. Both Rust and White had served as ombuds for less than a year at this point, and although they were new to the work themselves they were already serving as resources for other institutions interested in exploring ombuds for their own campuses (Rust, 1969, p. 39). The roles at Michigan State and San Jose State were notably different. Where the Michigan State University ombuds leaned on classical models, the San Jose model was developed with the purpose of rooting out discrimination, especially racial discrimination (Rust, 1969; White, 1969). Burton's (2020) analysis of Rust stated that he participated in both the Detroit and the San Francisco meetings, where he walked away as "an almost lonely voice expressing the view that the Ombudsman's chief function is to serve individual students in distress, not to be a leader of campus drives for transforming the university" (Rust, quoted in Burton, p. 19, 2020).

Nancy Schlossberg, a higher education scholar, framed the ombuds as someone who could become a vehicle for peaceful transformation and change within higher education, stating that

through a functional analysis of the higher education bureaucracy we see that the individual is in a powerless position on every campus. This argument thus far is crucial to my understanding and discussion of ombudsmen. What is needed is a systemic change; that is, a new agent in the educational bureaucracy to "give humanism the edge over bureaucracy," to give power and weight to the individual, to redress the asymmetrical balance between person and institution (Schlossberg, 1969, p. 63).

Schlossberg considered a university's size and inherent power imbalances as justification for the implementation of ombuds roles. Schlossberg predicted significant growth in the field, and while noting that it may not address the demands presented by "militant students," it can serve the individual student by helping to overcome bureaucracy and alleviate power imbalance (Schlossberg, 1969, p. 62).

Earle Clifford, the Dean of Student Affairs from Rutgers University, was skeptical of the ombuds idea, representing the perspective of student personnel administrators, those tasked with supporting students outside of the classroom space. Clifford began his remarks by stating

perhaps it is because I am weary of 'educational gimmickry'; perhaps it is because I am 'up tight' about losing my job to the competition; perhaps this is just one conference too many. Whatever the reason, it is probably in order for me to go on the record at the outset of these comments as unimpressed with the potential or promise of an ombudsman on the higher education scene (Clifford, 1969, p. 11).

Clifford took affront to the emergence of university ombuds. He stated that "a decision to go the ombudsman route is a fine advertisement for the failure of an administration in general or a student personnel program in particular to meet responsibilities for equity and communication in an academic community" and went on to compare the creation of an ombudsman role to "putting a penny in the fuse box when a circuit has blown," (Clifford, 1969, p. 11) serving as a quick and temporary fix for deeper issues. Clifford saw the role of the ombuds as a threat to that of student personnel work and suggested that current administrators should be working to identify issues that students are facing, rather than adding more staff to handle problems.

These concerns were presented at a time of change for universities, and for the nature and scope of student personnel work. Ultimately, Clifford's cautions were effective, and likely representative of the fears of others in university administration. Beck (1976) reviewed participant notes and followed up with interviews of 1968 conference attendees who stated that the "participants of the Detroit Ombudsman Convention adopted a 'wait and see' attitude and were significantly impressed by Dean Clifford's objections" (p. 70).



THE BURLINGAME CONFERENCE

Many early ombuds programs emerged in the state of California, and there was likely strong interest in the role from these institutions. The Burlingame conference authors represent more diversity in terms of background, scholarship, and profession. This allowed them to consider the ombuds concept more holistically, providing greater analysis of the concept in relation to parliamentary models, even reflecting on the push to create an ombuds for the State of California.

The proceedings contained four papers from the Burlingame conference, and two additional reflections written by attendees. The tone of the papers from the second gathering, when taken as a whole, are markedly different than papers from the first conference. Three papers were written by university ombuds, but where the Detroit papers were more reflections on their personal experiences with the role, the Burlingame papers were more rooted in the author's academic disciplines – two political scientists and one historian. The fourth paper, which was titled *The Ombudsman in Government: Implications for Higher Education*, reflected on attempts to pass ombuds legislation in the State of California, and discussed higher education ombuds through a legislative, or classical lens.

Ake Sandler was a faculty member at Cal State Los Angeles and a professor of political science. Nelson Norman taught history at San Diego State University. Both served as ombuds at their respective institutions, and discussed the operational aspects of the ombuds role, as well as through disciplinary lenses. The conference proceedings contained two works by Norman, one was a paper presented at the conference, the second, like the piece published by James Rust at Michigan State University, provided a blueprint and guidance for other institutions interested in creating an ombuds role. Ake Sandler was a scholar of Swedish politics and contrasted the campus ombuds role with classical models.

The most impactful presenter at the Burlingame conference was Dr. Randy Hamilton, who taught public administration at University of California, Berkeley. Hamilton referenced the wide embrace of the ombuds concept, citing Ascher's term *ombudsmania*, (also referring to himself and other conference participants as *ombudsmaniacs*). Confidence is the "prime factor" of the ombuds, according to Hamilton. Because of this, Hamilton argued that the ombuds role should not be for just one population of the university but should work with every constituency. Faculty members, for example, will see a student only ombuds as a student advocate, and vice versa (Hamilton, 1969, p. 19). Sherman Beck, in his introduction to the conference proceedings, noted that Dr. Hamilton's speech was the outstanding presentation of the conference (Beck, 1969, p. 1).

The conference proceedings also included two reactions by conference participants, Sherman Beck and Jerry Kellcher, one supportive of the role and another less so. Beck noted that participants had either attended or read the proceedings from the first conference, and that there was a sense of community forming around the topic. Beck also makes an important distinction by noting that participants felt that the classical ombuds role was "too restrictive" for use in higher education, but that whatever approach was taken for a college and university ombuds should be rooted in theory (Beck, 1969, p. 1).

Jerry Kellcher, a high school teacher and graduate student at Chico State College, provided a more cynical analysis of the proceedings, stating "at best this meeting was called to legitimize the office of the ombudsman to the administrative hierarchy of various universities and colleges. At worst it resembled an attempt to incorporate a pharmaceutical house designed to pass off its would be customers a "Geritol" like stimulant as a cure for a bleeding ulcer" (Kellcher, 1969, p. 20). Kellcher's critiques reflected those of Clifford's from the 1968 conference, where he criticized the ombuds role as an additional bureaucratic layer in response to too much bureaucracy,



pointing out an inherent contradiction of the ombuds role. Kellcher closes his two-page reaction with the following rhetorical question: “why did I write this paper? Probably because I have grown accustomed to rules that do not make sense -- a reflection of the system” (Kellcher, 1969, p. 21).

PUBLISHED ARTICLES AND EARLY WRITINGS

The conference proceedings also included two additional essays, both published prior to the 1968 conference. These writings are important to consider, as very little had been written about academic ombudsing at this time, and these articles likely provided much of the grounding for discussions had by conference participants. Early ombuds looked to scholarship on parliamentary models, especially the writings of Stanley Anderson, Walter Gellhorn, and the first Danish Ombudsman Stephan Hurwitz when establishing their offices and professional orientations. These essays were some of the first that considered or explored the ombuds role in higher education.

Claudia Buccieri authored *Ombudsman: New Troubleshooter on Campus*, published in *College and University Business*. In this article, Buccieri chronicled five ombuds at SUNY Stony Brook, Michigan State University, and San Jose State College. This article discussed Rust and White, as well as the Stony Brook model which utilized three faculty members who shared the role. Buccieri identified commonalities in their roles. The first being the reason for their establishment, noting that,

the emergence of the five ombudsmen and the probability of more is an attempt to answer the overt and sometimes violent expressions of protest by both student and faculty groups. In the midst of racial strife, in loco parentis rebellion, disorientation and expansion, there is need for a sympathetic listener with powers of referral on the campus. Each of the five ombudsmen was appointed in response to this need but as a result of different problem situations. (Buccieri, 1969, p. 3)

Buccieri (1969) also identified what an ombuds did, outlining an ombuds powers of inquiry, negotiation and persuasion (p. 5). Buccieri’s article signaled strong interest and forecasted growth in the role. Noting that all three campuses profiled had planned to expand the role, Buccieri (1969) ended by stating “the scope of expansion is a positive indication that the experiment of 1967 was not only successful, but valuable to the extent of establishing a precedent for other institutions of higher education” (p. 6). The ombuds role would go on to expand rapidly, numbering between 60 and 100 offices across the United States by 1970 (Bottom, 1971).

The second article, *An Ombudsman for the University*, was published in the *Journal of College Personnel* in March of 1968 by Sandler, Kirk, and Hallberg, all at California State College at Los Angeles. Sandler, an ombuds and faculty member, would later go on to present a paper at the Burlingame conference. In making the case of a university ombuds, the authors stated that “the establishment of a State University Ombudsman would bridge the chasm often existing between student, faculty, and administrators for the mutual benefit of all concerned” (Sandler, Kirk, & Hallberg, 1969, p. 48). Additionally, the authors highlighted the fact that because each university is unique, the role will differ from campus to campus, but that the underlying purpose would be to “meet the obvious and pressing need for an agent, a representative, a defender of the individual within the system and the academic community” (Sandler, Kirk, & Hallberg, 1969, p. 49).

Both articles were prescient, providing great analysis of the role, its challenges, and future. Today, each ombuds role is unique and reflects their institution, their structure, and their own individual approaches. Ombuds, especially in colleges and universities, are still tasked with helping the individual navigate an organization. Buccieri characterized the ombuds as a “sympathetic listener”, a valuable role that ombuds continue to play today.



DEFINING THE OMBUDS ROLE

While neither of these conferences sought to provide a singular definition of what a campus ombuds was, there were many examples and thoughts regarding what the role should, or could, be. If defining and explaining the role of an ombuds is difficult today, it was significantly more difficult in 1969, as the concept had only recently begun to catch on in the United States. Early ombuds had only governmental models to reference, however these early campus ombuds had already determined that the classical model was too restrictive and identified a need for a role more specific to a university environment.

Two definitions are worth reconsidering for the sake of comparison. An explanation of the role was provided by Schlossberg in 1968:

A campus ombudsman would be a status person - possibly a legal philosopher - attached to the office of the president. Members of the campus community who had complaints of any kind could come to him. He would investigate the complaints and if the institution were wrong, make recommendations for redress. If he saw bottlenecks in the system, he would recommend modifications to the system. And as we all know we have a model for this in the Swedish word and concept ombudsman (p. 61).

This definition outlines a campus ombuds in the same compare and contrast style to parliamentary models as many contemporary definitions do. It is also unique in the sense that it is largely futuristic, outlining what an ombuds would or could do, as opposed to what they did. In 1968 there were only a handful of practicing ombuds, Schlossberg was writing for those coming, and those working to develop offices.

Randy Hamilton provided contrasting definition of the ombuds role. This definition was developed by Hamilton, Walter Gellhorn, Donald Rowat, Stanley Andersen, and Kenneth Culp Davis, all early ombuds scholars, over the course of three days:

an ombudsman can be characterized briefly as a high level officer with adequate salary and status, free and independent of both the agencies he may criticize and the power that appoints him, with long tenure of office sufficient to immunize him from the natural pressures of seeking reappointment, with the power to investigate administrative policies on his own notion, and this, of course, is most important. He is a unique officer, whose sole job is to receive and act upon complaints without charge to the complainant. He should have the power to subpoena records. He operates informally and expediently. His principal weapons are publicity and persuasion, criticism, and reporting. He does not have the power to punish maladministrators or to reverse administrative decisions (Hamilton, 1969, pp. 16-17).

When we compare these various definitions of the ombuds, we must remember that they were not only provided at the genesis of the university ombuds, but very early on in the life of the American ombuds. The Hamilton et al. definition could be applied towards either a classical or organizational model. Hamilton does not clarify when or why this definition was developed, but it is notable in the sense that while North American scholars were grappling with the ombuds concept, the intellectual forbearers collaborated to develop a unified definition of the term. The first ombuds in the United States was only established in Nassau County, New York in 1966, and the first university ombuds at Eastern Montana University in the same year (Smith, 2020). When these conferences were coming together in 1968, it was a novel idea.

These definitions, although different in many ways contain a few similarities, one of which is status. The ability to navigate the complex politics and bureaucracy of a university environment



required someone who could both earn the respect of students and command the respect of the faculty. Additionally, they both discuss the power to investigate. As the organizational ombuds role evolved, this function of the ombuds diminished, becoming one of the first major distinctions between organizational and classical models. The Schlossberg definition discusses recommendations, where the Hamilton et al. definition frames it as power to criticize. Lastly, the Hamilton et al definition includes the idea of independence, something that will ultimately become a cornerstone of the profession.

THE DIVERGENCE FROM PARLIAMENTARY MODELS

The course that the ombuds role would ultimately take was set early on by thoughtful practitioners, assisted by scholarship, rooted in Danish models of ombuds practice. Before the rise of the ADR movement, and the alignment of ombuds with the field of dispute resolution, these authors viewed the role as one to assist individuals to navigate bureaucracy and overcome power imbalances within a large organization, and ultimately to humanize and empower the individual. As the field evolved into what we know of today as the organization ombuds, it would incorporate mediation, coaching, and other tools into its arsenal, and like the university itself, reflect corporate and managerial approaches. There are still aspects that set the college and university ombuds apart from purely corporate models, however, and in some aspects college and university ombuds may have as much in common with classical models as they do organizational (Stieber, 1987).

As differences between campus and parliamentary ombuds were discussed, a handful of authors noted that the campus ombuds would essentially function differently than classical counterparts. Ake Sandler drew a distinction between what he called an “ordinary (Scandinavian) ombudsman,” and a “campus ombudsman.” Sandler noted that Scandinavian models would hold too much power and would threaten the authority of a university president. One of the benefits of the ombuds model, however, is that “the office is so flexible and so adaptable that it can be literally tailored to any specific purpose. The Ombudsman is a man for all seasons and all situations” (Sandler, 1969, p. 51). Sandler noted that in Sweden, businesses, labor, and professions all had their own ombuds. While the model had not been adopted by education at that time in Sweden, he felt that it was a good framework to adopt in the United States.

Judson Clark also considered differences between university ombuds and classical models. There is little biographical information available on Clark but, a presenter at the Burlingame conference, he served as a legislative aide in the State of California during a push to create a statewide legislative ombuds. Clark noted both the challenges in passing ombuds legislation, and those faced by higher education at the time. In both contexts, however, Clark invited participants to consider the reasons for an ombuds, noting that an individual has the reasonable right to receive fair treatment, whether as a citizen or as a member of a university community, and that “when a decision arises, an administrator’s choice is usually beyond legal review, unless the result is so arbitrary as to constitute a clear abuse of discretion. Sometimes the greatest discretionary power is exercised when an administrative official simply decides to do nothing” (Clark, 1969, p. 9). The role of the ombuds in these situations is important, regardless of the context. Clark also outlined considerations important in adapting the classical model to the university campus, including support of the entire university community, status, accessibility, independence, and publicity. (Clark, 1969, p. 9).

Many of the authors here note that a university ombuds is fundamentally different than the Danish model, but they had not yet defined the role outside of what would eventually become the classical ombuds, much less in the way that they would eventually come to define an organizational ombuds. These gatherings, however, may be some of the first steps in defining the



field as something unique and distinct. The California Caucus of College and University Ombuds would be established only a few years later in 1973, and the University and College Ombudsman Association (UCOA) would be established in 1985. The entablement of these associations signified milestones in the growth of the field, as well as highlighted continued differentiations in regional and organizational approaches to the work.

CAUTIONS AGAINST CO-OPTING OR MISAPPROPRIATING THE ROLE

Participants at both conferences cautioned against misappropriation of the ombuds role or using it as a tool to advocate for specific interests on campus. These cautions may, at some level, foreshadow the complications of the organizational ombuds and the needs for the field's strong professional standards. After considering the various definitions and explanations of the role offered above, the fact that the ombuds role could be misappropriated is understandable, something that early scholars and practitioners saw as an issue on the horizon.

Randy Hamilton (1969) issued a strong caution against use of the term without a full understanding of the practice. Hamilton's caution came in two veins, one being the embrace of the ombuds bandwagon, cautioning institutions implementing ombuds positions, as well as those individuals who filled the positions, to approach the role thoughtfully. The second, caution was to warn against practices that co-opted the *ombudsman* term. "If you want or need power to change a grade, then you are not an ombudsman. You may be fulfilling another function which is needed. You may be performing numerous other roles that are necessary, but you are not an ombudsman." (p. 17). In his speech, Hamilton called out a conference participant, pointing out that he calls himself an ombudsman, but that clearly was not an ombudsman, stating "Lloyd Bakken who is here from Stockton, who introduces himself as an ombudsman, is in fact not known as the ombudsman. He is a Neighborman for the reasons that he does not have all the characteristics I have described" (Hamilton, 1969, p. 17). One is only left to wonder whether or not Mr. Bakken had expected this comment, or what the reaction was.

Schlossberg (1969) issued a similar caution, stating:

a strange thing is happening as the concept ombudsman 'catches on'. Before it is translated to education it is becoming "bastardized." Suggestions range from a separate ombudsman for each group - students, faculty, administration - to a committee-type ombudsman to a combination ombudsman - administrator... The point here is -- before we make up a scheme and give it the name ombudsman and hope all will be well, let's try to examine some issues, study the existing models and develop an educational ombudsman which is fairly true to the original model (p. 62).

Schlossberg's argument was that a consistent model be developed before the ombuds concept spins so far out of control that its differences cannot be rectified, and that it remains rooted in Scandinavian models. This caution would be echoed by other presenters in both the 1968 and 1969 conferences.

Beck (1969) also reflected on what other participants had called "ombudsman manic," noting that early scholars and practitioners should be careful about how the ombuds is used, and that the role should not be established to advocate for specific populations, or to serve as a lobbyist of sorts. Beck noted that,

it is the role of the ombudsman to serve as an embodiment of the university community's conscience. The full elimination of conflict is not possible or desirable, but we must find the means to contain conflict at levels which are tolerable. If the ombudsman is successful, conflict within the university community would usually be contained or



changed and in both cases ultimately make a positive contribution to the individual and to the institution/community (p. 2).

Beck rooted the ombuds role in conflict resolution. This is not to say, however, that even in the late 1960's, participants did not see the value of the ombuds in terms of social and racial justice. J. Benton White at San Jose State College is an interesting case in point. White's position was established in order to "search out and facilitate the removal of discrimination on the basis of race, creed, or national origin in whatever areas of the College or the College Community it may occur" (White, 1969, p. 66). The fact that the position at San Jose State was one of the first in the country, and with this stated mission, highlights this point, as well as early differentiations in the role.

OMBUDS SKEPTICS

In addition to cautions issued by ombuds, there were also those who rejected the very premise of the ombuds idea. These were represented by Earl Clifford, whose speech at the 1968 conference comparing an ombuds to a "penny in the fuse box" was cited for several years afterwards as the voice of the ombuds skeptic (p. 11). There have not been many opponents who have been as vocal in their opposition to the ombuds idea since. Clifford's 1968 speech was impactful, as Beck (1977) later stated that many participants came away from the conference questioning the idea.

The reflection written by Kellcher indicates that this skepticism was not confined to just the first ombuds meeting. Kellcher began his reflection noting "although the 'practicing' ombudsmen who attended the institute were emphatic in their denunciation of the campus ombudsman as a panacea for university problems like a patent medicine sold from the back of a pitchman's wagon, the ombudsman institute appeared to produce some giddy, but no substantial results" (p. 20). Kellcher's concern seems to stem from the idea of an ombuds as an easy "fix" to an organization's or society's problems. Contemporary ombuds practitioners, however, would likely counter this by agreeing that an ombuds cannot replace existing processes. These arguments may signal a conflict that existed for early ombuds, and would continue to present an issue when promoting the ombuds idea in the future, given the nuanced nature of the role.

Kellcher appeared to embrace some of what was shared by Hamilton, noting his encouragement to look for patterns, and to work towards redress only in the absence of other formal mechanisms for doing so. In this statement, however, Kellcher suggests that ombuds "emphasized the handling of individual problems and their personal ability to 'cut through the red tape' in order to redress certain grievances" (p. 20). Contemporary ombuds may argue that both Hamilton and Kellcher were both correct in the sense that the role of an ombuds is to help visitors to understand and navigate policy and procedure, if a visitor finds themselves in a situation where there are no formal processes to address an issue, an ombuds may have to make recommendations or clarify any gaps that exist.

Ultimately, it is unclear what Kellcher understood an ombuds to be, or specifically where his opposition to the idea lay. It is possible that some of the participants at the conference also misunderstood what an ombuds was, however it is important to remember that at this time there was little in the way of guidance or defining the role of an ombuds aside from what has been discussed at these conferences. The skepticism of both Kellcher and Clifford was likely representative of the skepticism of many upon learning of the ombuds idea in the late 1960s, and the evolution of the field has likely benefitted from the discussions that resulted from this criticism.



WHAT DOES THIS DOCUMENT TELL US ABOUT THE FOUNDATIONS OF THE FIELD?

This document takes us to the genesis of the ombuds movement in U.S. higher education, and within the United States broadly. Many of the very first ombuds in the United States – James Rust, J. Benton White, Nelson Norman, and Ake Sandler– were together discussing their roles and ideas for what an ombuds could or should do in higher education. There were many differing visions presented, and in time these mediated one another to shape our conception of the role today.

One element that is key to understanding today's organizational ombuds is how and why it evolved the way it did. As the organizational model continued to evolve, the differences between corporate and university ombuds became more apparent and have contributed to tensions in the field overall as leaders have worked to bridge divides within the practice. College and university ombuds historically have not only worked to resolve conflicts but have also served – and in many cases continue to serve – as a bulwark of student (and often faculty and staff) rights on campus. Considering the nature of the American university and the public good, there are elements of the role that align as much with the classical models as with organizational (Stieber, 1987).

Another question that is raised is what the appeal was for early ombuds adopters. While the appeal of an ombuds may have been apparent for students, as they felt increasingly disconnected from the university and that their rights were unrecognized, campus administrators felt that the ombuds could stop the disruption. Administrators were scared, and somewhat desperate. Sherman Beck, in his 1977 dissertation reflected upon this element apparent in the San Francisco Conference:

the concern about student unrest or ferment took its toll on the effectiveness of the San Francisco ombudsman conference. Most participants seemed concerned about the future of American higher education and students “who, when they are not on the barricades are on pot and on each other.” Ombudsman-mania was evident as the participants suggested time and time again that the ombudsman system could likely solve the student unrest problem (Beck, 1977, p. 73).

Ultimately, the era necessitated the need for someone who could engage with students, student groups, faculty, and administration in an independent way, and who could bring them together to overcome the divide that was emerging in the cultural tumult of the time. College and university administrators did not know what to do in response. These conferences were helpful in illuminating the role that an ombuds could realistically play.

Participants likely walked away with a greater understanding of the role, and its limitations. Beck (1977) also stated that

participants were concerned about current disorders on the campuses across the nation. Their realization that the ombudsman was not necessarily a “crisis man” seemed disconcerting to some. Many of the college administrators were in attendance were like men whose homes were on fire and did not have the time or inclination to receive instruction in fire prevention” (p. 71).

This comment provides some additional insight into what was occurring at the time. Although the initial push for an ombuds role on campus was in response to what administrators viewed as a crisis, those scholars and practitioners in attendance were discussing the role as more than that, thinking beyond the current state of campus unrest towards ways to institutionalize the ombuds role.



Another impetus that can be seen here is the desire to gather and to form associations around the work. The first California Caucus of College and University Ombuds conference was held in 1973. Subsequent associations, including the University and College Ombuds Association, The Ombuds Association, and International Ombudsman Association have also carried on this work. The field of ombudsmanship is rooted in dialogue, debate, and scholarship. The importance of these practices has not diminished. In order for the ombuds profession to continue and thrive, opportunities for exchange must be sustained and strengthened.

Additionally, as had been noted, the education ombuds evolved from classical models. Presenters at these early conferences included a mix of university ombuds, scholars, and policy experts. This diversity in viewpoint on the ombuds strengthened the conversation. While the organizational ombuds field has grown and evolved, as well as the field of classical ombuds, each with their own professional associations, there may be opportunity in continued dialogue across sectors.

CONCLUSIONS AND IMPLICATIONS FOR OMBUDS WORK TODAY

The Ombudsman in Higher Education: Advocate or Subversive Bureaucrat contains over 68 pages of ideas, debate, and dialogue that took place at the beginning of the ombuds movement in the United States. The goal of this paper was to revisit some of these ideas over 50 years later, to consider how the ombuds role has evolved with time, and to further explore the foundations of the ombuds role. Many of the ideas that have shaped contemporary ombuds practice are contained germinated at this time, and have evolved with the profession.

To return to the root of the ombuds idea, it may be helpful to revisit a quote from Buccieri, who authored the first published article about ombuds in U.S. higher education. Buccieri (1969) noted:

in the midst of racial strife, in loco parentis rebellion, disorientation and expansion, there is need for a sympathetic listener with powers of referral on the campus. Each of the five ombudsmen was appointed in response to this need but as a result of different problem situations (3).

While the field has evolved and the rest of the world with it, the need for a sympathetic listener with powers of referral may be more important today than ever. What is apparent from a review of this document is that with time, and the thoughtful contributions of ombuds through the years in various capacities, the field has evolved in a unique way in order to meet the challenges presented. *The Ombudsman in Higher Education* serves as an important cornerstone in understanding where the ombuds field began, and it also provides us with a way to gauge how much the field has progressed in 50 years.

The scholarship and debate demonstrated in this document is astounding, especially given the fact that the first university ombuds office had been established only a few years prior. As the ombuds field continues to evolve, continued scholarship is more important than ever. There must be continued and dedicated work to both deepen the field, and to foster its growth. Consideration of the field's history provides a foundation for dynamic examination of the role and context.



REFERENCES

- Ake Sandler Obituary, Spring 2008, *The Emeritimes*, Publication of the California State University, Los Angeles Emeriti Association, 29(3).
<https://www.calstatela.edu/sites/default/files/groups/Emeriti%20Association/Emeritimes2005-2009/emeritimes08.pdf>.
- Anagnoson, J. T., Bray, D., & Simmons, R. H. (2008). In Memoriam: Åke Sandler. *PS, Political Science & Politics*, 41(2), 411.
- Anderson, S.V. (Ed.). (1968). *Ombudsman for American Government?* Prentice Hall.
- Asher, C.S. (1967). Review: The Grievance Man or Ombudsmania. *Public Administration Review*, 27(2), 174-178.
- Beck, S. (1969). Comments Regarding the Ombudsman Conference. In D.R. Garth (Ed.), *The Ombudsman in Higher Education: Advocate or Subversive Bureaucrat* (pp. 1-2). ERIC. <https://files.eric.ed.gov/fulltext/ED037169.pdf>.
- Beck, S. (1977). *The Ombudsman Concept in Higher Education: Administrative Theory and Model Building* (Doctoral Dissertation). University of Montana, Missoula, MT.
- Bottom, N.R. (1971). *American Campus Ombudsmanry with Emphasis on the Claremont Colleges* (Doctoral dissertation). Claremont Graduate School, Claremont, CA.
- Buccieri, C. (1969). Ombudsman: New Troubleshooter on Campus. In D.R. Garth (Ed.), *The Ombudsman in Higher Education: Advocate or Subversive Bureaucrat* (pp. 3-6). ERIC. <https://files.eric.ed.gov/fulltext/ED037169.pdf>. Reprinted from, *College and University Business*, March, 1968.
- Burton, S. (2020). Taking Arms Against a Sea of Troubles: The Experience and Legacy of Michigan State University's First Ombuds. *Journal of the International Ombudsman Association*, 13(1).
- Clark, J. (1969). The Ombudsman in Government: Implications for Higher Education. In D.R. Garth (Ed.), *The Ombudsman in Higher Education: Advocate or Subversive Bureaucrat* (pp. 7-10). ERIC. <https://files.eric.ed.gov/fulltext/ED037169.pdf>.
- Clifford, E.W. (1969). Second Thoughts on the Ombudsman in Higher Education. In D.R. Garth (Ed.), *The Ombudsman in Higher Education: Advocate or Subversive Bureaucrat* (pp. 11-14). ERIC. <https://files.eric.ed.gov/fulltext/ED037169.pdf>.
- Hamilton, R. H. (1968). Ombudsman or what?. *National Civic Review*, 57(3), 132-143.
- Hamilton, R.H. (1969). The Ombudsman in Perspective. In D.R. Garth (Ed.), *The Ombudsman in Higher Education: Advocate or Subversive Bureaucrat* (pp. 15-19). ERIC. <https://files.eric.ed.gov/fulltext/ED037169.pdf>.
- Kellcher, J. (1969). A Reaction to the Ombudsman Institute. In D.R. Garth (Ed.), *The Ombudsman in Higher Education: Advocate or Subversive Bureaucrat* (pp. 20-21). ERIC. <https://files.eric.ed.gov/fulltext/ED037169.pdf>.
- Nelson F. Norman Obituary, (June 6, 2015). *Dignity Memorial*.



<https://www.dignitymemorial.com/obituaries/chula-vista-ca/nelson-norman-6475195>.

Norman, N.F. (1969). The Ombudsman: A New Bird on Campus. In D.R. Garth (Ed.), *The Ombudsman in Higher Education: Advocate or Subversive Bureaucrat* (pp. 22-32). ERIC. <https://files.eric.ed.gov/fulltext/ED037169.pdf>.

Norman, N.F. (1969). The Ombudsman in Higher Education. In D.R. Garth (Ed.), *The Ombudsman in Higher Education: Advocate or Subversive Bureaucrat* (pp. 33-38). ERIC. <https://files.eric.ed.gov/fulltext/ED037169.pdf>.

Norman, N.F. (1971). Ombudsman, Campus Style. *Pi Kappa Phi Journal*. 51(3), p. 7-15.

Randy Hamilton Obituary, (January 13, 2012). SF Gate. <https://www.sfgate.com/bayarea/article/Randy-Hamilton-Golden-Gate-dean-2513478.php>.

Rowat, D.C. (1985). *The Ombudsman Plan: The Worldwide Spread of an Idea* (2nd ed). University Press of America.

Rowland, H.R. (1969). A Study of the Campus Ombudsman in American Higher Education with Emphasis on Michigan State University (Doctoral dissertation). Michigan State University, East Lansing, MI.

Rust, J. (1969). The Ombudsman at Michigan State University. In D.R. Garth (Ed.), *The Ombudsman in Higher Education: Advocate or Subversive Bureaucrat* (pp. 39-45). ERIC. <https://files.eric.ed.gov/fulltext/ED037169.pdf>.

San Jose State University Scholar Works (2019, October 29). Emeritus and Retired Faculty Biographies: White, J. Benton. https://scholarworks.sjsu.edu/erfa_bios/18/.

Sandler, A., Kirk, H.P., & Hallberg, E.C. (1969). An Ombudsman for the University. In D.R. Garth (Ed.), *The Ombudsman in Higher Education: Advocate or Subversive Bureaucrat* (pp. 46-49). ERIC. <https://files.eric.ed.gov/fulltext/ED037169.pdf>. Reprinted from, *Journal of College Student Personnel*, March 1968.

Sandler, A. (1969). The Ombudsman in Government: Implications for Higher Education. In D.R. Garth (Ed.), *The Ombudsman in Higher Education: Advocate or Subversive Bureaucrat* (pp. 50-58). ERIC. <https://files.eric.ed.gov/fulltext/ED037169.pdf>.

Sandler, A. (1968). An ombudsman for the United States. *The Annals of the American Academy of Political and Social Science*, 377(1), 104-110.

Schlossberg, N. (1969). The Ombudsman in Current Status and Theory. In D.R. Garth (Ed.), *The Ombudsman in Higher Education: Advocate or Subversive Bureaucrat* (pp. 59-65). ERIC. <https://files.eric.ed.gov/fulltext/ED037169.pdf>.

Sherman Andrew Beck obituary. (2017, February 18). *Allen Mortuaries*. <https://www.allenmortuaries.net/obituaries/Sherman-Beck#!/Obituary>.

Sherman Beck. (n.d.). [LinkedIn Profile]. LinkedIn. Retrieved June 1, 2021, <https://www.linkedin.com/in/sherman-beck-4ab92032/>

Smith, R. (2020). A Brief History of the Student Ombudsman: The Early Evolution of the Role in US Higher Education. *Journal of the International Ombudsman Association*, 13(1).



Special Collections and University Archives, Rutgers University Libraries. (2014, June). Biographical Sketch of Earle W. Clifford, Jr. <http://www2.scc.rutgers.edu/ead/uarchives/cliffordf.html>.

Stevens Strategy. (n.d.). Thomas A. Emmet Ph.D. <https://www.stevensstrategy.com/consultants/thomas-emmet/>.

Stieber, C. (1987). Variation on a Classical Theme: The Academic Ombudsman in the United States. *International Ombudsman Institute* (Occasional Paper #38).

Thomas A Emmet obituary. (2014, November 13). *Thomasville Times-Enterprise*. <https://obituaries.timesenterprise.com/obituary/thomas-emmet-ph-d-749775082>.

Thomas Davis obituary. (2003, November 10). *Lohman Funeral Homes*. <https://www.lohmanfuneralhomes.com/obituary/davis-thomas>.

Transitions Through Life (n.d.). Full Biography, Nancy K. Schlossberg. <https://www.transitionthroughlife.com/bio/full-biography/>.

White, J.B. (1969). The Ombudsman in Practice. In D.R. Garth (Ed.), *The Ombudsman in Higher Education: Advocate or Subversive Bureaucrat* (pp. 66-68). ERIC. <https://files.eric.ed.gov/fulltext/ED037169.pdf>.



Appendix

Author Biographical Sketches³

Sherman Beck was a graduate student when he attended the second Burlingame conference. Beck completed an Ed.D. from the University of Montana, where his dissertation explored administrative theory in ombuds work. Beck's research for his dissertation work contributed greatly to this paper, as it provided some of the only analysis on the Detroit and Burlingame conferences. After graduation, Beck would go on to work for the Church of Latter-Day Saints Church Educational Service for over 35 years. Beck passed away in 2017 (Sherman S. Beck Obituary; Sherman Beck LinkedIn Page).

Earle W. Clifford Jr. was the Dean of Student Affairs at Rutgers University from 1963 until 1972. The tumult witnessed on college campuses would have greatly impacted a chief student personnel officer during this time. Clifford was active in higher education, serving as the president of the National Association of Student Personnel Administrators (NASPA) and the American Association of University Administrators (AAUA) (Rutgers University Special Collections and University Archives).

Thomas Emmet founded Higher Education Executive Associates in 1967, a consulting firm that would merge with Stevens Strategy in 2007. In addition to serving as the Dean of Men at the University of Detroit, Emmet would continue to work at Regis University in Denver Colorado from 1971 until 1991. While there, Emmet focused his work on the development of adult education systems. Dr. Emmet also served as an advisor at the American Council of Education. Emmet died in 2014. Emmet lived a storied life, and while Emmet's obituary stated that he was in the process of writing an autobiography before his death, and that this work would be continued by his colleagues, it does not appear that work has continued on the project. (Stevens Strategy, N.D.; Thomas Emmett Obituary; A. Service, Personal Communication, June 12, 2020).

Randy Hamilton served as a professor of public administration at Golden Gate University. Hamilton's scholarship focused on cities, his goal being to "make all the cities in the world run right." Hamilton was a former city manager and served as the Director of the Institute for Local Self Government. He would eventually serve as the Dean for Golden Gate University's School for Public Affairs. He also worked in the Eisenhower administration, planning the interstate highway system. Hamilton authored a subsequent paper advocating for ombuds in local government. (Randy Hamilton Obituary; Hamilton, 1969; Hamilton, 1968).

Nelson F. Norman was a professor specializing in Soviet History, and was the first ombudsman at San Diego State University, spending about year in the role. Norman framed the ombuds through this lens and would go on to author another paper on the ombuds role in 1971, where he emphasized that an ombudsman must be non-official, and that the position must be a "free-floating non-bureaucratic innovation, entirely outside the traditional triad of administration, faculty, or students," an early gesture towards the eventual standards of independence and informality (Nelson F. Norman Obituary; Norman, 1971, p. 8).

James Rust was the first University Ombudsman at Michigan State University, serving in the role from 1967 until 1974. Prior to this, Rust was a professor of English, and Assistant Dean in the College of Arts and Letters at Michigan State University. As a literary scholar, Rust left behind a robust legacy through his descriptive annual reports. A thorough examination of Rust was conducted by Burton (2020).

³ Where biographical information could be found.



Ake Sandler was born in Sweden in 1913. His father was a Swedish politician, serving as Prime Minister from 1924-1926, Foreign Minister from 1932-1939, and later as the president of the general assembly of the League of Nations. Sandler served as his father's secretary-governor during his time at the League of Nations. Thus it was that Sandler was steeped in both Swedish politics, and international relations when he arrived in the United States in 1938 to study journalism, going on to become a war correspondent for the New York Times. Sandler would eventually receive his Ph.D. in political science from the University of California, Los Angeles and serve on the faculty at California State University, Los Angeles for nearly 30 years (Ake Sandler Obituary; Anagnoson, Bray, & Simmons, 2008).

Nancy Schlossberg was a professor of counseling at Wane State University and spent 26 years teaching at the University of Maryland, College Park. While Schlossberg discontinued her research into ombuds work, she developed transition theory, a well-known theory in counseling, and one that greatly informs college student development theory. Schlossberg is active as a writer and speaker (Transitions Through Life (n.d.); N Schlossberg, Personal Communication, October 1, 2020).

J. Benton White was the first ombudsman at San Jose State College, serving in the role from 1967 until 1969. Prior to serving as the university's ombudsman, White was a Methodist minister on campus, where he engaged in the civil rights movement. White was a good friend with then SJSC president Robert D. Clark, who asked him to serve in the ombuds role. After President Clark left the university, White spent some time as Assistant to the President, and would go on to form and lead a religious studies department. White retired from San Jose State University in 1992 (San Jose State University, 2019; J.B. White, personal communication, 2019).



AUTHOR'S BIO

Ryan Smith serves as Assistant University Ombudsperson at Michigan State University. He holds graduate degrees in international studies and higher education, and his research interests include comparative and historical analysis of ombuds, conflict resolution, and educational systems. (smit3034@msu.edu).