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(The Lack of) Professional Ethics in the Academy

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Abstract. — *This article explores the role of professional ethics in the academy. While other professional spheres such as business, law, and medicine, have been subject to the instruction and oversight of academic ethicists, the article shows how the academy itself has been immune to such accountability, despite consistent academic scandals. Professional ethics must play a constitutive role in the academy in order for the university community to flourish. Learning from the problems which contributed to the Catholic Church's failure to adequately handle the sexual abuse crisis, the author diagnoses parallels in the academy. The author criticizes the lack of ethical training of professors and administrators. The article mentions a series of academic, social, and administrative issues which pose ethical questions to the university at all its levels, such as the objectivity of tenure hires, academic confidentiality, grading, university investment budgets, and student life. The author surveys the literature on the subject of ethics in academia and finally proposes four practices with concrete examples that would contribute to keeping university professors, staff, administrators, and students ethically accountable to one another. These include transparency, community building, horizontal accountability, and better structures to foster vertical accountability.*

I believe that university employees (faculty, administrators and staff) need to discuss professional ethics not only for physicians, nurses, business professionals, lawyers, finance officers and church officials, that is, for all those whom they teach, but also for themselves as well. I also believe that until lately two enormous institutions, that is, the church and the academy, have for the longest time instructed others on professional moral conduct, but they have done little to instruct and police their own ranks. While the fifteen-year long, continuous revelations of ecclesial misconduct have now made clear the absence of any communal awareness or ethos of professional ethical conduct among clergy, hierarchy and other church officials,[1] the academy has gone unnoticed in its

1. Though I do not know whether he has explicitly raised the question of professional ethics in the Church, I find that many writings of Joseph Selling are specifically about the intellectual honesty of the hierarchy in teaching accurately the tradition and

countless ethical infractions and continuous disposition of being without need of discourse on professional academic ethics. Still, as I argue in this paper, there are a few early indications that like the church, the academy is beginning to attend to the need for professional ethics.

Scandals Summoning Us to Wake-up

Before beginning this call for professional ethics in the university, I believe that we need to get a sense of just how barren the terrain of the university is when it comes to professional ethics. For this reason I turn to scandals at the university. The instruction of scandal is helpful.[2]

Scandal awakened us as the People of God from the "haze" of our slumber about ethical conduct in the church[3] and made us become much more vigilant of the possibility of those "infractions" simply because we realized not only the harm that was caused but the extent of

in observing its (moral) obligation to uphold and respect human experience. These fundamental interests of his can be found in his dissertation, *The Reaction to Humanae Vitae: A Study in Special and Fundamental Theology* (doctoral dissertation, K.U. Leuven, 1977) also available at University Microfilms, Ann Arbor, MI, 1979; see a brief view of the dissertation in Selling, "Moral Teaching, Traditional Teaching and *Humanae Vitae*," *Louvain Studies* 7 (1978-79) 24-44. Elsewhere, see Selling, "Magisterial Teaching on Marriage 1880-1968: Historical Constancy or Radical Development?," *Historia: Memoria futuri. Mélanges Louis Vereecke, 70e anniversaire de naissance*, ed. Real Tremblay and Dennis Billy (Rome: Ed. Academiae Alphonsianae, 1991) 351-402; "Authority and Moral Teaching in a Catholic Christian Context," *Christian Ethics: An Introduction*, ed. Bernard Hoose (London: Geoffrey Chapman, 1998) 57-71; "The Development of Catholic Tradition and Sexual Morality," *Embracing Sexuality: Authority and Experience in the Catholic Church*, ed. Joseph Selling (Aldershot: Ashgate, 2001) 149-162. Similarly, when he calls for balance in ethical discourse, implicitly he is establishing that balance as deserving to be ethically normative, "The Fundamental Polarity of Moral Discourse," *Method and Catholic Moral Theology: The Ongoing Reconstruction*, ed. Todd Salzman (Omaha, NE: Creighton University Press, 1999) 22-45; "The Structure and Content of Ethical Discourse," *Responsibility, God and Society: Theological Ethics in Dialogue. Festschrift Roger Burggraeve*, ed. Johan De Tavernier, Joseph Selling, Johan Verstraeten and Paul Schotsmans, Bibliotheca Ephemeridum Theologicarum Lovaniensium, 217 (Leuven: Peeters, 2008) 371-387. Finally, nowhere is Selling more passionate than in examining the fairness and accuracy of critical investigations of his peers: "On Sex and Sexuality: The Challenge of André Guindon," *Doctrine and Life* 43 (1993) 31-41; "Louis Janssens' Interpretation of Aquinas: A Response to Recent Criticism," *Louvain Studies* 19 (1994) 65-74.

2. Regarding the word "scandal," see Daniel Harrington, "What Can We Learn from the Church in the New Testament," *The Catholic Church in the 21st Century*, ed. Michael Himes (Liguori, MO: Liguori, 2004) 6-8.

3. Gerard Mannion, "A Haze of Fiction: Legitimation, Accountability, and Truthfulness," *Governance, Accountability, and the Future of the Catholic Church*, ed. Francis Oakley and Bruce Russett (New York: Continuum, 2004) 161-174.

the unethical activity. "Extent" is precisely what John O'Malley observed as the first characteristic of the church's scandal.[4]

In order to capture unethical and unprofessional activity in the university, I focus on reports from universities in the United States. So as to highlight the extent of the lack of professional ethics I refer to very different communities within the university: administration, faculty, staff, and students. While readers might think that the scandals are "typically American," as they once similarly tried to restrict the early reports of sexual abuse in the Catholic church, I think most readers will see that the problems at U.S. universities are fairly pervasive in the academy, wherever it exists.

Interestingly, as I began my research for this essay, I did not have to go far back into history. Unlike the church abuse narratives, the university ones are so common that one can find them fairly frequently and recently. For instance, on September 16, 2010, *The New York Times* published a riveting article: "Ex-Dean Accused of Stealing $1 Million From St. John's."[5]

The story was about Cecilia Chang, dean of the Institute of Asian Studies at St. John's University in New York. On September 15, Dean Chang, a university employee for nearly thirty years, was arrested and charged with embezzling about 1 million dollars from the university. Among other scams, Chang managed to access a $250,000 donation from one foundation to use for her own personal expenses. She also had the authority to give out student scholarships and awarded her son one. When university officials learned about this, she was forced to pay for his tuition but she did so using a personal credit card and then submitted the receipts for reimbursement.

Two weeks later, if matters were not bad enough, *The New York Times* published another article on Dean Chang.[6] There they reported that Dean Chang "has now been charged with far more lurid crimes: forcing students to clean, cook and act as her personal servants to keep their scholarships." She was now arrested for "forced labor and bribery."

Annually Chang awarded 15 scholarships. The recipients, mostly from overseas, were required to work 20 hours a week under her supervision. They thought they would be doing work related to the university.

4. John O'Malley, "The Scandal: A Historian's Perspective," *America* 186 (May 27, 2002) 14-17, at 15.

5. Fernanda Santos, "Ex-Dean Accused of Stealing $1 Million From St. John's," *New York Times*, September 16, 2010 http://www.nytimes.com/2010/09/16/nyregion/16scam.html.

6. C. J. Hughes, "Ex-Dean Accused of Using Students as Servants," *New York Times* September 30, 2010 http://www.nytimes.com/2010/10/01/nyregion/01stjohn.html.

Instead, according to prosecutors, she forced them to perform menial tasks at her home. Among the accounts, one student had to drive her son to the airport at 3 a.m. and another had to deliver cash to her at the Foxwoods Resort Casino in Connecticut. If students did not perform their duties, they would lose their scholarships; the loss of the scholarships would have forced some of the students to drop out.

On October 24, 2010, *The Chronicle for Higher Education* reported another scandal on the work of staff and administrators, this time in the area of fund-raising and development. In an effort to generate gifts from graduating seniors, two major universities, Dartmouth College and Cornell University, publicized the names of seniors who did not contribute to their class gift. At these universities, administrators supplied lists to student volunteers to post the names of students who had not donated to senior-gift drives. The shaming of these students effectively led to near perfect support for the university class gift.[7] One can hardly imagine a business, law firm, or health-care facility engaging in similar practices without someone with oversight intervening.

On October 30, 2010, *The Chronicle for Higher Education* published an essay entitled: "Faculty Reps Botch Sports-Oversight Role." The story noted that faculty athletic representatives are required to protect the academic integrity of student athletes. Instead, *The Chronicle* reported that they are getting too close to the teams they are supposed to oversee. At the University of Southern California, a faculty athletics representative shared blame as sports agents purportedly transferred more than $100,000 in cash and benefits to two star athletes. A professor at Indiana University-Purdue University Indianapolis improperly and unethically certified the academic eligibility of nearly 100 players.

By the late 1980s, when college sports in the United States faced a series of high-profile academic abuses, faculty representatives were criticized for not exerting more supervision. A 1989 report by the Knight Commission on Intercollegiate Athletics singled out faculty athletic representatives for ineffective and ethically compromised activities. More than 20 years later, *The Chronicle* reports that many still lack clarity about their role. According to a 2008 report by the Faculty Athletics Representatives Association, nearly 40 percent of its Division I members do not have a formal job description and many say they receive little training.

7. Rachel Louise Ensign, "2 Ivy League Drives Shame Seniors Who Don't Give," *The Chronicle of Higher Education,* October 24, 2010, http://chronicle.com/article/Students-at-2-Ivy-League/125056/.

The article also notes that half of the faculty representatives were not appointed with the approval of a campus faculty-governance body, but rather by high level university administrators. Rather than being accountable to the faculty constituencies, they are largely indebted to their employers.[8]

That same issue of *The Chronicle* reported a very moving account of a faculty representative who sought grade changes from other faculty at the behest of coaches. It conveyed the ambiguity that faculty face at the academy when saddled with a new position, for which they receive no ethical or professional training.[9]

Regarding faculty research, *The Chronicle* posted a report from the National Science Foundation. The story noted that two years after President George W. Bush signed into law the "America Competes Act" (2007), designed to improve U.S. competitiveness in mathematics and science, the National Science Foundation announced plans for carrying out a requirement of the law that all NSF grant recipients be trained in the "responsible and ethical conduct" of research. Now the NSF has relinquished any responsibility for articulating or imposing those standards but said that it would require only that institutions certify that they have provided ethics training, without any submission of the actual content of the instruction.[10]

Finally, there is the recent tragic suicide of a freshman student at Rutgers University, who jumped from the George Washington Bridge after learning that his intimate, sexual encounter with another man was streamed live on the internet from a secret camera set up by his roommate and another student. The young man's parents are suing the university because Rutgers "failed to put in place and/or implement, and enforce, policies and practices that would have prevented or deterred such acts."[11]

There are many other scandals: the student loan subsidies scandal of 2007, the fallout from the Virginia tech shootings, college drinking,

8. Brad Wolverton, "Faculty Reps Botch Sports-Oversight Role," *The Chronicle of Higher Education*, October 31, 2010 http://chronicle.com/article/Some-Faculty-Athletics-Reps/125184/.

9. Libby Sander, "Complaints and Compromises Lead to an Abrupt Departure," *The Chronicle of Higher Education*, October 31, 2010 http://chronicle.com/article/ComplaintsCompromises/125185/.

10. Paul Basken, "NSF Defers to Universities on Ethical Standards," *The Chronicle of Higher Education*, August 20, 2009 http://chronicle.com/article/NSF-Defers-to-Universities-on/48095/.

11. Nate Schweber, "Parents of Student Who Committed Suicide Tell Rutgers University They May Sue," *The New York Times* December 22, 2010, http://www.nytimes.com/2010/12/23/nyregion/23rutgers.html.

relationships between student housing facilities and university neighbors, plagiarism, grading inflation, athletics and education, sexual harassment, etc. This survey of contemporary scandals helps us to recognize, nonetheless, that the entire university suffers in part because ethical standards are not constitutive of the commerce of university life.

In light of this material, I do not suggest that we need first to articulate a professional code of conduct for each community within the university. Rather, we need to develop a culture of awareness among faculty, staff, administrators and student, that the university ought to recognize that for us to flourish as such, we need to be aware of the integral, constitutive roll of ethics in that formation of a flourishing community. Or more briefly, why and how should a university seek to develop a role for academic ethics, inasmuch as the role, as I will now argue, is largely non-existent?

The Theological Ethicist and the Need for Professional Ethics in the Church

To develop this argument, I want to make two preliminary observations. First, I recently chaired a conference in Trento, Italy, for 600 theological ethicists from 75 countries. In reflecting on it afterwards, I understood something about my own vocation as a Catholic theological ethicist. We theological ethicists are in our nature critical; it is almost our fundamental option. Our vocation is based on the premise that we are needed because things are not as good as they could be. As critics and reformers of society and church, we seek to bridge practically the gulf between who we are and who we can be. For us then, we always begin with the premise that there is a deficit in our location, and, therefore, we need together to find a way of improving.

Often when Church leaders and others, hear presentations by ethicists, they wonder why are we not more positive? But, we cannot be more positive: by nature we are teleologists aiming at a better future.[12] We believe that we must find the truth and in part that means naming what is lacking, not yet seen, nor understood, nor articulated. It also means being aware of those not heard, rejected, oppressed, or abandoned. We are called to read the signs of the times as they actually are.

12. Joseph Selling, "Looking Toward the End: Revisiting Aquinas' Teleological Ethics," *The Heythrop Journal* 51 (2010) 388-400; Charles Curran, "We Cannot Put our Heads in the Sand," *National Catholic Reporter*, September 7, 2010, p. 1. http://ncronline.org/print/20049.

Second, during the sex abuse crisis, I frequently noted the absence of ethics in the church. Ethics was not only lacking obviously among the predatory priests, but it was also noticeably absent in the decision-making by bishops and their counselors as they transferred such priests, as they failed to notify civil authorities, as they stonewalled and defamed the reputations of concerned and aggrieved parents, and as they left children at profound risk. But ethics was also not evident even after the harm was done. As the crisis unfolded, innocent priests were not protected, due process was often breached, financial mismanagement frequently occurred, lay initiatives were treated with scorn, derision, and suspicion, and priests who protested Episcopal mismanagement became targeted.[13]

Why was ethics so absent? Why did not anyone in clerical or Episcopal life ask the simple question, "is this ethical?" Did they have the language, structure and practices to even ask, let alone answer the question, "but is this ethical?"

I found that unlike many other professions, religious leaders rarely turned to ethical norms to consider what constitutes right conduct in their field of leadership and service. I do not mean by this that religious leaders or their decisions were or are always unethical. Rather, I mean that when religious, clergy and bishops exercised routine decision-making they turned to a multitude of considerations, but articulated ethical norms, their specific values and goods, the virtues and the type of critical thinking that estimates the long-standing social claims that these values, goods and virtues have on us, were not explicitly, professionally engaged. In a word, ethical norms, critical ethical reasoning, and attendant ethical practices, which frequently aid other professionals in law, business, medicine, counseling, nursing, and even politics, have played a much less explicit role in ecclesial leadership practices.

13. James F. Keenan and Joseph J. Kotva, Jr. (eds.), *Practice What You Preach: Virtues, Ethics and Power in the Lives of Pastoral Ministers and Their Congregations* (Franklin, WI: Sheed and Ward, 1999); James F. Keenan, "Practice What You Preach: The Need for Ethics in Church Leadership," *Annual Jesuit Lecture in Human Values* (Milwaukee, WI: Center for Ethics Studies, Marquette University, 2000); id., "The Purge of Boston," *The Tablet* (30 March 2002) 17-19; id., "Sex Abuse, Power Abuse," *The Tablet* (11 May 2002) 9-10; id., "Toward an Ecclesial Professional Ethics," *Church Ethics and Its Organizational Context: Learning from the Sex Abuse Scandal in the Catholic Church*, ed. Jean Bartunek, Mary Ann Hinsdale, and James Keenan (Lanham, MD: Sheed and Ward, 2005) 83-96; id., "Ethics and the Crisis in the Church," *Theological Studies* 66 (2005) 117-136; id., "Church Leadership, Ethics, and the Moral Rights of Priests," *Moral Theology for the Twenty-First Century: Essays in Honor of Kevin Kelly*, ed. Bernard Hoose, Julie Clague, and Gerard Mannion (London: T&T Clark, 2008) 204-219.

This question, "but is it ethical?," is absent not only from matters about sexual boundaries, but also from matters about financial responsibility, personal and social accountability, the claims of confidentiality, the importance of truth-telling, due process, consultation, contracts, fair wages, delations, adequate representation, appeals, conflicts of interests, etc.

Creating and supporting a culture of professional ethical discourse, mandating ethical training, and requiring ethical accountability ought not to be seen, then, as inimical to the interests of the church or her mission, but rather constitutive of it. As Yale University's Wayne Meeks notes in *The Origins of Christian Morality: The First Two Centuries*: "Making morals means making community."[14]

So, why was there so little ethical professional insight within the leadership practices and lives of our clergy and episcopacy? I offer two answers. The more immediate answer is that seminarians, religious men and women, lay leaders, and bishops are not and have not been trained in professional ethics. Those who study at seminaries, divinity schools, or schools of theology, rarely receive the type of ethical training that those at most other professional schools receive. Persons admitted to business, medical, nursing, or law schools take ethics courses that address the ethical issues that are relevant to their particular profession. Those students are taught the responsibilities and rights specific to their profession, whether these deal with matters of representation, confidentiality, client expectations, privileges, promotions, evaluations, conflicts of interest, professional boundaries, etc. Their ethics courses in their professional schools aim to shape, if not the students' internal dispositions, then at least the students' external conduct so as to become acceptable colleagues in their particular professional field. Subsequent to this education, they join professional organizations which establish minimal codes of ethical conduct for their members. They become part of accountability structures.

Until only very recently, this type of professional ethical training and accountability was not at all found at most seminaries, divinity schools or schools of theology, even though many students took two, three or four courses of Christian ethics. These students studied courses that dealt with the sexual and reproductive lives of the laity, the social ethics of businesses, and the medical ethics of physicians and nurses. That is, those in ministry were taught how to govern and make morally

14. Wayne Meeks, *The Origins of Christian Morality: The First Two Centuries* (New Haven, CT: Yale University Press, 1993) 5.

accountable the members of their congregations with regard to their sexual, reproductive, and marital lives as well as being able to make claims about those in the medical and business profession. But generally speaking they were not taught by what ethical reasoning, insights, or norms, they should be held morally accountable as ministers, priests, or bishops. They had no training on the keeping of confidences, on making assignments, on professional evaluations, on the relevance of truth-telling, on crisis management, etc.

Moreover, in the hierarchical structure in which priests live, their accountability was solely to "the man upstairs." That is, a priest's or bishop's professional accountability was singularly vertical, but again that man upstairs had probably had no training in fairness or any other professional ethical standard. Thus a priest basically has been responsible to nothing but the bishop's own expectations and judgments. Quite apart from the absence of any ethical standards guiding the bishop's evaluation of his priests, religious and lay ministers, there do not seem to be any specific normative standards to guide the bishop in his assessment of his diocesan personnel. Moreover, this vertical accountability is singularly unidirectional.

Furthermore, there was and remains very little horizontal accountability in this very clerical world. The priest is not accountable to fellow priests; the pastor is not accountable to fellow pastors. There is no accountability to lay leaders, even parish council presidents, unless the pastor freely chooses to do so. In the absence of even the most minimal horizontal accountability, this so-called "clericalism" is simply responsive vertically to the man upstairs.[15]

15. On how clericalism is a vertical, unilateral movement of singular accountability, see Donald B. Cozzens, *The Changing Face of Priesthood: A Reflection on the Priest's Crisis of Soul* (Collegeville, MN: Liturgical, 2000); id., *Sacred Silence: Denial and the Crisis in the Church* (Collegeville, MN: Liturgical, 2002); Michael Papesh, "Farewell to the Club," *America* 186 (May 13, 2002) 8-9; id., *Clerical Culture: Contradiction and Transformation* (Collegeville, MN: Liturgical, 2004); David Gibson, "Clericalism: The Original Sin," *The Coming Catholic Church: How the Faithful Are Shaping a New American Catholicism* (San Francisco, CA: Harper, 2003) 197-219. On the roles of women in this context of abuse and clericalism, see Regina Ammicht-Quinn, Hille Haker, and Maureen Junker-Kenny (eds.), *The Structural Betrayal of Trust* (London: SCM, 2004); Kathleen Sands, "Clergy Sexual Abuse: Where Are the Women?," *Journal of Feminist Studies in Religion* 19 (2003) no. 2, 79-84; Anne Patrick, "'His Dogs More Than Us': Virtue in Situations of Conflict Between Women Religious and Their Ecclesiastical Employers," *Practice What You Preach,* 293-314; Lisa Sowle Cahill, "Feminist Theology and a Participatory Church," *Common Calling: The Laity and Governance of the Church*, ed. Stephen J. Pope (Washington, DC: Georgetown University, 2004) 127-150. Finally, see Eamonn Conway, "Operative Theologies of Priesthood: Have They Contributed to Child Sexual Abuse?," *Structural Betrayal*, 72-86.

The Absence of a Culture of Professional Ethics in the Academy

I bring up this issue of the absence of professional ethics in ministerial training and the singular vertical accountability structure of church governance[16] because I think, there are great similarities between the church and the academy and their authoritative structures wherein they fail to make professional ethics a part of their mode of proceeding. Like those in the clerical world, we ethicists in the academy teach ethics for business, nursing, medical, and legal ethics courses. We teach ethics that bear on the lives of other professionals but not on our own professional lives. No one studies ethics for the academy; no one takes or offers courses on academic ethics.

None of us are really trained to be ethical in the standards we use for grading papers, for seeing students, for maintaining office hours, for evaluating colleagues or prospective hires. We have not been taught anything about professional confidentiality, boundaries with our students, or about keeping our contracts. We have not addressed the fact that our salaries are disproportionate or that tenure decisions sometimes lack "objectivity." We do not have professional questions about our university investments, budgets, or boards of trustees, nor do we review fellow faculty after tenure or after being given endowed chairs. Matters like sustainability on campuses, faculty or staff unions, university relations with neighbors, student's rights, sexual health issues, boards of trustees terms of office, conflict of interest laws, workers' benefits, immigration issues, racial tensions, the dorm life of students, the overemphasis on research and the failure to reward good teaching, or the harm of classism experienced by many students unable to keep up with the costs of education, might occasionally garner an individual faculty members' attention, but for the most part we leave that to academic administrators.

Like the clergy, our accountability is fundamentally vertical, to our chairs and deans, but not to one another, certainly not to our students, not to the university community, nor to stipulated community standards. But our administrators are like church administrators. They are rarely professionally trained as administrators and they have, generally speaking, no more training in the ethics of academic administration than

16. I have argued that like diocesan structures, religious orders have similar problems: "Confidentiality: Erosion and Restoration," *Review for Religious* 51 (1992) 882-894; "Confidentiality, Disclosure, and Fiduciary Responsibility in the Professions," *Theological Studies* 54 (1993) 142-159; "HIV Testing of Seminary and Religious-Order Candidates," *Review for Religious* 55 (1996) 297-314; "Are Informationes Ethical?," *Studies in the Spirituality of Jesuits* 29 (September 1997).

those who are answerable to them. Rather many if not most academic administrators come from the faculty and often return to the faculty.

Finally, like the clergy, faculty have few structures of horizontal accountability. I shall explore these points later in this essay.

In order to appreciate the divide between academic professional ethics and professional fields, I offer one, compelling example: the cataloguing of books on professional ethics in university libraries. Here I offer what I found at my own university library, Boston College.

Here, we have over 400,000 books stacked in our library; each book is assigned a subject heading. Under the subject, "medical ethics," we have 1321 books; under "business ethics," 599 books; under "nursing ethics," 234 books; under "legal ethics," 129 books; under "clergy ethics," 25 (relatively new) books; and, under "academic ethics," 5 (brand new) books.

This lack of books on academic ethics is especially alarming inasmuch as academics, more than business people, nurses, doctors and lawyers write and publish books. Our métier and promotional mantra is publishing, much more than the other professional fields, but while we publish books on professional ethics in other fields, we apparently have very little interest in the field of professional academic ethics. Concomitantly, just as we do not write books on the topic; we do not teach the courses either.

A Glimmer of Hope about the Possibility of Professional Ethics in the Academy

As our library's five newly minted books suggest, the field of academic professional ethics is struggling to emerge. For instance, one of the books in our holdings, published only a few months ago, is entitled *The Ethical Challenges of Academic Administration*. The authors begin their introduction noting that their book is "intended as a first word, not the final word on the subject. This is the case," they write, "in part, because the practical activity of academic administration has not been the subject of much sustained ethical reflection."[17] They note that there

17. Elaine E. Englehardt, Michael S. Pritchard, Kerry D. Romesburg, Brian E. Schrag (eds.), *The Ethical Challenges of Academic Administration* (New York: Springer, 2010) xiii. They refer to two earlier works, Rudolph Weingartner's *Moral Dimensions of the Academic Administration* (Lanham, MD: Rowman and Littlefield, 1999) and Paul Olscamp, *Moral Leadership and the Presidency* (Lanham, MD: Rowman and Littlefield, 2003).

is no profession of academic administrators. The careers of most academic administrators begin in particular academic disciplines where they teach. As a result they conclude their introduction with 2 questions: What prepares a faculty member for the ethical challenges that come with these career changes? What are the sorts of ethical challenges one is likely to face? The answer to the first question, they write, "seems to be that there is no special preparation. The answer to the second question is typically learned the hard way, by finding oneself entangled in ethical problems, often taken by surprise. This seems to be so whether we are talking about chairs, deans, vice-presidents, or even presidents."[18]

One essay captures the experience of an interim dean. Entitled "On the Dark Side: Lessons Learned as Interim Dean," the author writes: "An interim dean will learn the sad fact that there are faculty members who are not as interested in student learning as they are in their own personal commitments. These faculty members may be consistently late to class, or refuse to make any contribution in terms of service to the department. They may fail to keep current in their disciplines, or neglect to update their course materials. Even worse they may have inappropriate relationships with their students or otherwise violate student rights."[19]

In another essay, Randall Curren enunciates the cardinal virtues of academic administration: the commitment to the good of the institution; good administrative judgment; and conscientiousness in discharging those duties. In light of these virtues, he names the corresponding vices or kinds of failure of integrity in academic administration: failures in personal integrity in carrying out the duties of one's office; abuses and misuses of the powers of one's office; and, failures to protect and promote the integrity of the institution.[20]

Other newly published works highlight that there might be a nascent interest in ethics at the university. Two such works are each manifestos. One is entitled, *Higher Education? How Colleges Are Wasting Our Money and Failing Our Kids: What We Can Do about It.*[21] Another

18. "Introduction," *The Ethical Challenges of Academic Administration*, 15. For a similar designed for administrators of secondary schools, Kenneth A. Strike, *Ethical Leadership in Schools: Creating Community in an Enviroment of Accountability* (Thousand Oaks, CA: Corwin Press, 2007).

19. Donna Werner, "On the Dark Side: Lessons learned from an Interim Dean," *The Ethical Challenges of Academic Administration*, 47.

20. Randall Curren, "The Cardinal Virtues of Academic Administration," *The Ethical Challenges of Academic Administration*, 70.

21. Andrew Hacker and Claudia Dreifus, *Higher Education? How Colleges Are Wasting Our Money and Failing Our Kids: What We Can Do about It* (New York: Henry Holt and Company, 2010).

proposes *A Bold Plan for Reforming Our Colleges and Universities*. The author, Mark C. Taylor, offers four projects: end tenure; restructure departments to encourage greater cooperation among existing disciplines, emphasize teaching rather than increasingly rarefied research; and bring teaching into new domains, using emergent online networks to connect students worldwide.[22] Still, neither manifesto invokes any ethical context.

Two other books are quite helpful in the field of ethics: In *Crisis on Campus, Confronting Academic Misconduct*, Wilfried Decoo takes a case of plagiarism in a dissertation and completely unfolds the case: detection, analysis, assessment, reporting and handling, and prevention.[23] It is a fine account of a frequent infraction by students and faculty, though rarely reported.

Stephen Cahn's work, originally published in 1986, has just been re-edited in time for its twenty-fifth anniversary. This worthy companion to the academic administrators' book focuses on teaching. Entitled, *Saints and Scamps: Ethics in the Academy*, Cahn considers: teaching, including the art of instruction, examinations, grades, and evaluating teaching; the morality of scholarship and departmental obligations; personnel decisions, such as faculty appointments, tenure, voting procedures, and faculty dismissals; and, graduate education.[24]

There is one other worthy source: *The Journal of Academic Ethics*, a biannual, which casts the net very broadly. Started in 2003, in its inaugural issues it offered to "provide a venue for dialogue for ethical issues facing the university in the 21st century."[25] The first issue raised matters from academic freedom to tenure and faculty strikes. Since then it has published articles on ethics and grade inflation, the modes of conducting human research, monitoring academic journals for unethical practices, etc. The most recent issue of the journal published an essay which studies what approaches to ethics have more impact on students in terms of dissuading them from cheating.[26] In the same issue is another essay, entitled, "Have Ethical Perceptions Changed? A Comparative

22. Mark C. Taylor, *Crisis on Campus: A Bold Plan for Reforming Our Colleges and Universities* (New York: Alfred A Knopf, 2010).

23. Wilfried Decoo, *Crisis on Campus, Confronting Academic Misconduct* (Cambridge, MA: MIT Press, 2002).

24. Steven M. Cahn, *Saints and Scamps: Ethics in the Academy* (Lanham, MD: Rowman and Littlefield, 2011).

25. Deborah C. Poff and Alex C. Michalos, "Editorial," *Journal of Academic Ethics* 1 (2003) 1.

26. Robert Liebler, "Action and Ethics Education," *Journal of Academic Ethics* 8 (2010) 153-160.

Study on the Ethical Perceptions of Turkish Faculty Members." This was a study done twice, in 2003 and 2008, of faculty perceptions regarding ethical dilemmas related to instruction, research, and outside employment activities. According to the findings of the study, the investigated faculty members believe that there is an increase in the occurrence of unethical instruction, research and outside employment activities in the academy.[27] It is one of many essays that focus on different nations and their universities, highlighting again how academic professional ethics is just now being born wherever universities exist.

Toward Constructing a Sustainable Professional Ethics for the Academy

We have seen then that there is a need for professional academic ethics and that there are modest resources for engaging the topic. I turn, now, to two other issues. First, what practices might we look for in a university in order to promote a culture of professional ethics? Secondly, if we were to develop those practices, what would or could discourse on academic ethics sound like at such a university?

I believe that we can get to ethics in one of two ways. We can have regulatory requirements coming from the top down, that is, from the man upstairs, sending us notices regarding disclosure, ethical norms for teaching, research, salaries, office hours, modes of grading, or we can build the university into a community that in its nature looks to the ethical as constitutive for its flourishment.

Being Catholic, I might endorse a "both/and" approach, but here I prefer to attend to the building up of community by ethical practices. In light of the previous parallels between the church and the academy, I proffer therefore four practices that are necessary for establishing a culture able to sustain professional ethics: transparency, community building, horizontal accountability, more accountable structures of vertical accountability.

First, let me begin with a premise. If we think of a university as a community of persons seeking wisdom and understanding, then we ought to get to know those persons. Fortunately, we are moving away from what I call the anonymous idea of the university as a place where

27. Sebnem Burnaz, M. G. Serap Atakan, Y. Ilker Topcu, "Have Ethical Perceptions Changed? A Comparative Study on the Ethical Perceptions of Turkish Faculty Members," *Journal of Academic Ethics* 8 (2010) 137-151.

ideas are shared and explored. It was in that model that I grew up, taking courses, more for the course title than for the professor teaching it. For instance, one semester when I was a doctoral student at Rome's Gregorian University, I saw a course being offered on Erasmus. I told eight of my peers that we should all think of taking that course. Everyone insisted that the professor teaching the course was awful. "How awful can he be?," I replied, "After all we are not learning him, but Erasmus. How could he harm Erasmus?" After the first two hour class, we all dropped the course. Then and there I realized that I was changing: I no longer thought that education was learning ideas; now I understood education as learning ideas from someone. Getting to know that someone is I think one of the aims of university life today.

A number of practices promoting transparency on university campuses can promote true community building. What practices promote such transparency? I think the practice of posting course evaluations of faculty's courses is a major break-through in actually guiding students to apt professors. Admittedly there are many negative, subjective comments and ratings in these evaluations; still, these evaluations help students to know more about the "track record" of faculty as teachers. Similarly, faculty are now posting their syllabi on-line; this practice helps professors to advertise their interests, their modes of teaching, and their specific expectations.

Student and university newspapers are also helpful for understanding better the university community. Whenever I visit a university, I check to see whether their papers post the weekly police blotters or logs. From these, one can get a better sense of what challenges to safety and security there are.

The academy is not use to such transparency. Confidentiality and secrecy is maintained on matters of hiring, promotions, tenure, appointments, disciplining, etc. Despite these interests, I think counter claims for more transparent practices would increase our community building.

Building community at a university is not easy. We faculty work alone and then when we work together we work in departments; and when we work in departments, we are separated by schools. Departments and schools have their own distinctive modes of proceeding.

What community building practices are there at today's universities? One set of practices are festive. Every university has a set of them: convocations for faculty, for freshmen, for the entire university; commencement and graduation celebrations; administrative initiative's to prompt faculty to partake in commencement exercises. The incentive to prompt faculty to host dinners for their students is another one found at many universities.

What are other more distinctively academic practices could promote community building? One set of such practices promote forms of interdisciplinarity. At my university, the Jesuit Institute sponsors faculty seminars that promote interdisciplinary dialogue. Presently I chair one such seminar on "Knowledge, Power and Genetics," with faculty from philosophy, theology, nursing, counseling, sociology, law, and literature. The Jesuit Institute also hosts a colloquium called "Junior scholars in conversation." Every month some 12-15 not-yet-tenured faculty come together for dinner and to listen to one from their ranks deliver a presentation on their research. The Office of University Mission has sponsored every semester a seminar, entitled "Intersections," where faculty, administrators, and staff to get to know one another, while getting to know the university. The newly formed Institute for Liberal Arts helps to promote the liberal arts precisely through supporting faculty initiatives that aim at such interdisciplinarity.

Probably the finest practice of building university community is the faculty mentoring of undergraduates and graduates. This has been after all the way the university was originally incepted.

Still there is a growing divide between faculty and students today that needs attention. Student life in university- or local housing is becoming more problematic due to greater technology and fewer socially inhibiting controls: shootings and other forms of violence at universities, students defaming the characters of others on-line, greater opportunities for plagiarizing, to say nothing of increased instances of excessive drinking and invasions of privacy, suggest that the environment in which young adults live remains untouched by the lessons of ethics, to say nothing of healthier instances of social control. We need to find practices that bridge the gap between students' personal lives and their studies in classes. For instance, faculty orientations at all universities could include the practice of visiting student housing, counseling and advising centers, employment and clubs offices. Such familiarity with student life may offer faculty ways of bringing the affairs of student's personal life into the more academic classroom.

Finally, we need to build more community among all the employees of the university. Staff and faculty who work side by side need to find more ways to build community side by side. One practice might be developed by department chairs and assistant chairs so as to demonstrate and celebrate the fact that all the employees in a given department exercise the mission of that department. We need practices the help us to recognize publicly that those who assist faculty in their work are participants in that mission.

Practices that promote accountability while building community are even more challenging. For instance, the third set of practices regarding horizontal accountability are important for making sure that the university is not simply a set of disparate departments or "silos," as they are often called.

One important horizontal practice concerns decisions about faculty tenure or permanent appointments. Most universities have promotion and tenure committees made up of senior faculty across the university who decide whether a department's decision to award such an appointment is in the university's best interests. Elsewhere there are university wide curriculum committees, faculty grievance committees, and university-wide and departmental educational policy committees and the like, all significantly important practices that promote minimal forms of horizontal accountability.

A great step forward for any university would be to establish school wide committees to do post-tenure and post-promotion reviews. Unlike most professions, at most universities we find little horizontal accountability once faculty receive tenure, permanent appointments, or endowed chairs. Though we have seen some initiatives in which a provost or academic vice-president requires some reporting from faculty in these appointments, we need some horizontal structures of accountability, like a university wide post-tenure review committee. Quite apart from the entire question of the validity of such permanent appointments, we need to find ways of making ourselves as such accountable not only vertically to university administrators, but also horizontally to fellow faculty.

We could also have other horizontal accountability structures. For instance, at many universities, the chair persons of the department meet to advise the dean, or deans meet to advise the provost or academic vice president. But in most instances these are simply advisory meetings and no decisions are made or shared. Accountability in such instances remains vertical. We are left asking, who at any university does the horizontal oversight of the differences in salaries, incremental benefits, gender and race disparities, or the ever-expanding issue of adjunct hires and the matters of justice that there need to be addressed?

Finally, when it comes to vertical accountability structures, we need to find practices that would help us to build further horizontal accountability, transparency and community building into the structures of the university's vertical accountability. For instance, boards of chairs and boards of deans could assist deans and provosts to be accountable as they insist on accountability. Similarly, university wide advisory committees for deans, provosts and presidents could also make vertical accountability

structures more humane, more ethical and more integral to community building. But in all these instances there must be greater transparency especially through providing accessible minutes and records from such meetings.

These are then some practices that I believe are integral to realizing the claim that making morals means making community.

I conclude now on the point of discourse on academic ethics. I have argued that building community is congruent with building ethics but I want to add, that inasmuch as we are a university, we ought to learn something about the language of ethics. If we were to promote courses on academic ethics or if we were to provide graduate students or newly appointed faculties with training in professional academic ethics, how would we teach those programs? What language would we use? Kantian deontological, Catholic deontological, Catholic proportionalism, utilitarian values, human rights, rights and responsibilities, feminist or radical feminist, personalist, or contextualist? I want to propose in closing the more simple and familiar language that we use to build community, that is, the language of virtue.

Were we to chose the language of virtue, you might rightly ask, "which virtues?" I would offer you four, what I call the contemporary cardinal virtues: Justice, fidelity, self-care and prudence.[28]

The call for justice is the call for fairness for all, the call to secure for each their due. Regardless of our relatedness to others, we believe that justice seeks equity impartially. As justice secures equality and demands impartiality, we still have specific relationships that demand partiality. We are to be specifically faithful to our one set of parents, our one mother and one father, our family and children, our friends and neighbors. To them we are called to be faithful; similarly at a university we are called to be loyal to fellow employees, specific partners, identifiable students, departmental colleagues, and supportive staff. Finally, we have responsibilities to our very selves, to take care of ourselves, physically, emotionally, socially, spiritually, ethically.

Still, since the time of Antigone, we have realized that the claims of virtue are not necessarily complimentary in the here and now. We need the fourth virtue, prudence, therefore, not only to define what justice, fidelity, and self-care might require of us in the here and now, but also to arbitrate among these three virtues when they make conflicting claims on us. We might have to ask ourselves whether the call for

28. James F. Keenan, "Proposing Cardinal Virtues," *Theological Studies* 56 (1995) 709-729.

justice for all students might in a particular instance trump the call for fidelity to university benefactors. We might prudently have to decide whether fidelity to a department chair might be more or less valid in the face of accusations of injustice against the same chair. Though we could have many other conflicts, but I have come to the point in this essay where the virtue of prudence cries out for closure.

I hope, nevertheless, that I have given you a presentation of why and how a university community must think of professional academic ethics and its attendant practices. I hope too that I have left you wondering enough, that you might begin occasionally to look at a university practice which shelters an inequity, where an administrator or faculty member shuns any accountability to peers, or where older ways of proceeding are obstacles to community building, promoting insularity and thinly veiled notions of entitlement. Hopefully, whenever we see these medieval moments a thought might come to us: "but is it ethical?" When these thoughts come with greater frequency and regularity, we might begin together to work toward promoting professional ethics at the university.

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