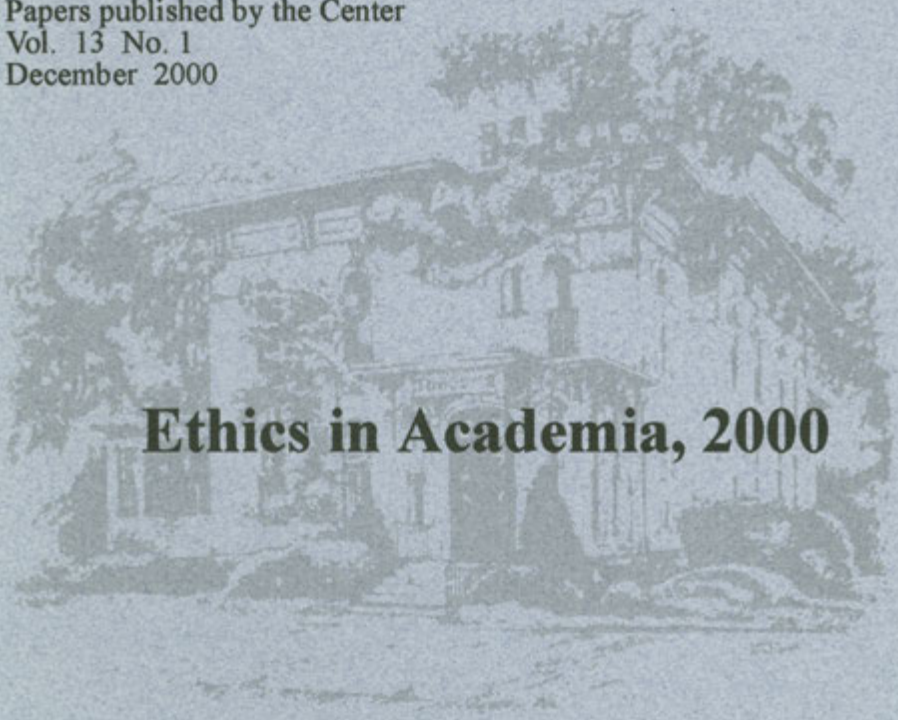
12-2000

Ethics in Academia, 2000

WMU Center of the Study of Ethics in Society

Center for the Study of Ethics in Society

Papers published by the Center
Vol. 13 No. 1
December 2000



Ethics in Academia, 2000

Center for the Study of Ethics in Society

Founded 1985

Western Michigan University
308 Moore Hall
1903 West Michigan Avenue
Kalamazoo, MI 49008-5328

The purpose of WMU's Center for the Study of Ethics is to encourage and support research, teaching, and service to the university and community in areas of and professional ethics. These areas include, but are not restricted to: business, education, engineering, government, health and human services, law, media, medicine, science and technology.

Tel: 616-387-4397

Fax: 616-387-4390

ethicscenter@wmich.edu

http://www.wmich.edu/ethics

ETHICS IN ACADEMIA, 2000

Essays by Elson Floyd, Diether Haenicke, Elise Jorgens, with Preface by Michael Pritchard

Papers presented for the
Center of the Study of Ethics in Society
Western Michigan University

Vol. 13 no.1
December 2000

— Contents —

— Preface —

The Ethics Center at Fifteen Years

The origins of the Center for the Study of Ethics in Society can be traced to a meeting of 19 WMU faculty in August of 1985. These faculty, representing disciplines across the curriculum, met for the purpose of discussing their common research and teaching interests in ethics. During this meeting plans were made for establishing an across the curriculum ethics center at Western Michigan University. Although several such centers already existed elsewhere, ours was the first to be established at a public university in the State of Michigan.

The traditional home of ethics in public universities has been in departments of philosophy. During the 1970's the place of ethics in higher education began to change dramatically. Courses, seminars, workshops, lectures, and research on ethics issues surfaced in a wide range of academic areas. However, even if it is acknowledged that ethics has a place across the curriculum, many questions remain regarding how it might best be pursued.

Shortly before we established our center, I ran across an article about two psychologists who had conducted research on facial expressions that one may be lying. In order to obtain more reliable results, the researchers deliberately deceived participants in their study about the nature of their research project. Asked by the author of the article whether they ever ask themselves if they can morally justify deceiving participants in their research on deception, one of the researchers replied, "No, we leave questions like that to the philosophers."

How might we expect philosophers to respond to questions like this? A traditional response might be to ask another question: What is a lie, anyway? From here it is but a short step to a variety of other general questions: What is truth? What is deception? Can we ever know "the whole truth and nothing but the truth"? These are all important philosophical questions, ones that philosophers typically and rightly are eager to discuss. But they can easily be pursued at the expense of never getting to the more particular question about the use of deception in research.

So, for which academic discipline is the reporter's question most appropriate? That is, which discipline should claim this question as its own? Unfortunately, as long as philosophy and psychology try to sustain the characterizations just described, neither would seem anxious to claim ownership. It seems to fall between the cracks, only to land back in the laps of the two researchers, neither of whom seem interested in pursuing it. Fortunately, it is much less likely today, some twenty years later, that this sort of question will fall between the cracks. It is much more likely to be taken up both by philosophers and psychologists--and by institutional review boards (IRBs), whose composition is distinctly interdisciplinary.

In any case, from the outset the Center for the Study of Ethics in Society has been committed to interdisciplinary approaches to ethical inquiry. Associate Vice President for Academic Affairs Michael Moskovis authorized $3000 for us to get the center off the ground in the fall of 1985. However, he couldn't resist adding that interdisciplinary programs at WMU never seem to work. Undaunted by his skepticism, we decided that it was important to locate our center someplace that reaches across the university. The Graduate College was one such place, and Dean Laurel Grotzinger had recently expressed her thoughts on the importance of ethics in a Graduate College publication. So, we sought her support. For the balance of her tenure as Graduate Dean, Dr. Grotzinger provided us with a home and funding enabling us to present a rich and varied set of public programs that put the center "on the map" both at WMU and elsewhere.

During those early years we received other significant administrative support. Provost George Dennison provided funds enabling me as center director to reduce my teaching load one semester (one course off), provided that I would submit three proposals for external grants. As luck would have it, the three proposals were successful. These grants launched a series of faculty workshops on teaching ethics and our initial work in developing teaching materials in engineering ethics.

President Diether Haenicke funded our publication series. Dr. Haenicke also authored the second issue in our series, Ethics in Academia, which urges academia to examine its own ethics rather than focusing only on ethics in the other professions and the larger society. This issue is the only one in our series that is currently out of print, thus providing evidence of the importance of his message, which is as relevant today as

it was more than 10 years ago. We are reprinting his essay in this issue, with only slight modifications made by Dr. Haenicke.

Shortly after Laurel Grotzinger returned to Waldo Library, Douglas Ferraro, Dean of the College of Arts and Sciences, generously offered to provide the center with a new home. His thoughtful remarks on the role of ethics centers in higher education are published in the 10th anniversary issue in our publication series. He was succeeded as dean by Dr. Elise Jorgens, who has continued the college's strong support of the center. In fact, as her presentation in this issue makes obvious, she has given a great deal of careful thought to ethical issues in higher education herself.

President Elson Floyd's presentation reveals not only the seriousness with which he takes the ethical responsibilities of his presidency, but also the responsibilities all of us must bear in our student centered research oriented university. In keeping with these responsibilities, the center is currently working with the Office of Research and the Graduate College in developing programs and teaching materials on research ethics.

A real strength of the Center for the Study of Ethics in Society lies in its "grass roots" beginnings. It evolved from already existing faculty interest in ethics, and it has been sustained for 15 years by a significant number of faculty volunteering time and energy to the center's various activities. The only paid position in the center is a full time graduate assistantship. It is most gratifying that the university community has welcomed our efforts.

However, ethical leadership must come from the top as well as below. As the presentations in this issue make clear, we have had that sort of administrative leadership at WMU during our first 15 years. For that we are most grateful, and we look forward to more of the same in the years to come.

Michael S. Pritchard, Director
Center for the Study of Ethics in Society

Walking the Walk --- The Reality of Ethics in the University Presidency

– Elson Floyd –
President, Western Michigan University
Presented April 3, 2000 for the Center for the Study of Ethics in Society

The university holds an exalted place in our society. Since the inception of higher education, the university has been seen as a place of morality and higher ethical standards. Because of the nature of our business -- that of learning, teaching, and gaining knowledge -- we place high value on rational thought, fairness, and principled behavior. Colleges and universities are built on moral obligations, ethical responsibilities and principles and codes of behavior. We are expected to encourage and promote ethical behavior and to exhibit such behavior in all of our actions.

A Carnegie study reinforced this ideal, stating that "universities have taught and practiced moral and civic virtues through our national history, have sought to advance the truth and have been devoted to public service. Their members often have served as the conscience of the nation. The academic virtues are a model for the conduct of society at large."

While such high regard and expectations are quite a compliment and privilege, they also bear a burden of awesome responsibility. As the president of a university, I am always critically aware of this responsibility and my own role in administering it. A university president not only provides academic and administrative leadership for the institution, but serves as its ethical leader as well. When hired to do this job, I was given a public trust and am held accountable -- not only to the Board of Trustees, but to the taxpayers, parents, students, alumni, and community members who support this University. I am accountable for the expenditures, activities, actions, and direction this University takes. I am accountable for the character of this organization. And I strongly believe that accountability can be a great motivator.

As former Suffolk University President Daniel Perlman said, "apart from a desire a president may have to build a more just, open, fair and

moral community, self-protection and self-interest alone will motivate the president to monitor and elevate the university's ethical behavior. "

It was not self-interest and self-protection I had in mind when I set out to chart a new future for our University. But certainly at the heart of my imperative was an ethical foundation. In trying to balance the multiple responsibilities and accountabilities that come with this job, it is inevitable to run headlong into conflicting or competing values. Certainly in my tenure thus far, I have had to weigh the desire to grow the University, with the knowledge that there are certain sensitivities and stewardship responsibilities that must be addressed regarding how we use our land. Equally, I have been challenged by the need to improve teaching and educational quality, while keeping college affordable and accessible in an era of advancing technologies, diminishing public funds, rising enrollment, and rapidly changing public expectations.

While preparing this speech, I attempted to define my own ethical philosophies and those I employ in my day-to-day dealings on behalf of WMU. Because I deal with more than 27,000 students, 2,000 employees, and a community of more than 80,000, the utilitarian ethic of always "doing the greatest good for the greatest number" may seem the way to go.

Unfortunately, it is not that easy, and most certainly it is not that cut and dried. Ethics are a personal matter and are about means as well as ends. Moral action may not always yield good or even acceptable outcomes, because we all know it is possible to do the right thing for the wrong reasons and vice versa. What ethical action is ultimately about is decision making, reasoning, and acting out of a perceived responsibility. We are responsible for what we choose to do, and what we do includes the way in which we choose to do things.

The ethical tenets that most fit what I purport to be and what I encourage this University to embrace are those found in virtue ethics. Integrity has to do with the relationship between what one says and believes and the actions one takes. In the most simplistic terms, if you talk the talk, then walk the walk. This is a personal philosophy I staunchly stand by, and I strongly believe it goes for this University as well. Our words and our actions are telling of our character. It is my intention that this University will have a strong ethical character, be known for its integrity, and behave in a manner that reinforces those beliefs.

I have made a commitment to make this ethical character inherent in every aspect of the University's mission. I am determined to see that the University exhibits the most moral of character in the pursuit of our highest goals, three of which often tread on shaky ethical ground. It is the University's role in these pursuits and the ethical nature behind them that I plan to address with you this evening.

Western Michigan University is committed to being one of the nation's premier student-centered research institutions, a goal which often raises the question of whether teaching and research are mutually exclusive. I argue that ethically they cannot be; the University has a fiduciary responsibility to pursue excellence in both.

Improving community relations and making sure the University acts as a good citizen are mutually beneficial goals the University is ethically bound to strive for. Sometimes the needs of the University and the needs of its community seem to diverge, but we have the responsibility to make sure they come closer together in a way that is mutually beneficial.

The last area I will address is that of public-private partnerships and the ethical questions that come from academe aligning itself with the for-profit world. It is a relationship that no University can afford to neglect, but at the same time these relationships can present some moral challenges.

A student-centered research institution

From my first moments on campus, I have sought for Western Michigan University to be one of the nation's premier student-centered research institutions. This involves a commitment to scholarship, research, and teaching which I have heard from many people are goals that are simply incompatible. It has been said that resources -- both in terms of time, money, and human capital -- cannot be equally committed to quality scholarship and quality teaching. I beg to disagree. The University is morally bound to fulfill these dual roles and must do so without diminishing one over the other.

More and more, America's universities are looked to for the cutting-edge research that is saving lives, changing technology, and making advances in all aspects of our world from medicine to mechanical engineering. Donald Walker, the author of The Effective Administrator, points out that "the university is established by society to serve society's purposes. The campus is a service institution in the highest sense of that

terminology and is established by society because it provides needed and worthwhile services." In today's increasingly complex landscape, the university has found that the worthwhile services it provides includes teaching, scholarship, and research.

From the standpoint of research, the changing economic landscape means that fewer corporations are willing to take on the burden of intensive research on products, goods or services that may prove to be limited in potential profitability. One needs to only look at the lack of development for treatments of "orphan diseases," those disorders that impact only a small proportion of a population, such as progeria, which is a rare progressive disorder of childhood characterized by premature aging and shortened life. This disease, while devastating, affects only about 100 children in the United States.

Because progeria affects so few, does this make this disease unworthy of being investigated with the hope of finding a cure or treatment? Utilitarian ethics would advocate that spending research dollars on such a disease is not in the interest of the greatest good for the greatest number, and those dollars would be better spent studying heart disease or obesity. However, I believe that academia has a responsibility to further knowledge. We are uniquely positioned to be able to do so without regard to profit. We have a moral imperative to continue that process, not only because it could save lives, but also because there is no certainty on where such research could lead. Research on progeria could result in innovative findings on how humans age, leading to knowledge that can affect us all.

We cannot forget, however, that universities were established by societies to educate. And it is the educating, or teaching, that can often suffer in the interest of pursuing research. We will not allow this to be the case at Western Michigan University. Teaching is an enterprise that is afforded the highest ethical expectations; and once again, we have a fiduciary responsibility to provide education that is of high quality. A student-centered research institution is one where the student is not secondary to grants and scholarly pursuits but, instead, is at the center of all we do. We are here to teach more than knowledge based on the achievements of previous generations of scholars. As educator Charles Chambers noted, a significant number of young persons get their first chance to learn about the world on a university campus. It is at a univer-

sity that students frequently develop the mental capacities that will allow them to accept and initiate social change.

As we learn more from the research and scholarship that is pursued, we have an obligation to pass that knowledge on to our students. Knowledge should never be hoarded. For this reason, teaching, scholarship, and research truly go hand in hand. The quality of the education we provide increases as the quality of the research and scholarship of our faculty increases. Students will undoubtedly learn more from experts who are continuing to learn more themselves in the pursuit of scholarship. And as Kalamazoo College President James Jones recently pointed out at our Presidential Scholars convocation, the university also has the responsibility to teach students how to use that knowledge wisely.

In the community

As one of the largest employers and landholders in this community, Western Michigan University has an ethical obligation to be a good neighbor. I am committed to improving the University's relationship with the community. This is where the practice of virtue ethics is the most critical and the most visible. Our character is defined by what we say and believe and the actions we take. If we want to be perceived as a good neighbor, we must act like one.

As an example, the decisions we make on how we develop the land we own cannot be made in the isolation of the ivory tower. This community has a vested interested in developments at Asylum Lake, the Arboretum project, and Lee Baker Farm. We are a member of a community and region and without their support, our progress and success are severely limited. The decisions we make about the University's future facilities will affect traffic flow in residential neighborhoods, services provided for the citizens of Kalamazoo, and the economic development of not only the city of Kalamazoo, but also the entire region. That is why it is critical that we actively listen to our neighbors and civic officials and then act in good faith to address their concerns, all the while moving the University forward. And we will continue to do so. We cannot ask a community to listen and understand our concerns, if we do not do the same.

Public private partnerships

Perhaps one of the higher education issues most fraught with the potential for ethical conflict is a university's pursuit of private-public partnerships.

I strongly maintain that universities and private industry must form strong collaborative relationships and we must strengthen our curricula to prepare our students to meet the needs of businesses and corporations. Many times corporate-educational linkages are opposed on the grounds that the University should not be corrupted by the influences of the for-profit sector. However, the University is not immune to the impact of the health and growth of our economy and plays a viable role in its vitality. Public-private partnerships are innovative means to meet the mutual needs of the educational and corporate sectors. More and more universities and corporations team up to share capital and operational costs in an effort to find and commit to common research goals.

Just last week, Procter & Gamble gave our Paper Technology Foundation the rights to a significant number of global patents for new technology that our University researchers will develop and commercialize. That donation, which recognized the quality of our paper science and engineering programs, provides examples of the very best benefits that accrue from University/industry cooperation.

The technology Western Michigan University will develop has the potential to bring huge savings to the packaging industry and decrease the number of trees required to produce pulp for shipping containers. It also may lead to a number of improved consumer products and it could significantly increase the market for Midwest farmers.

Not only will our researchers be involved in developing technology that will positively impact the economy and quality of life for the people we serve, but also they will be enhancing the knowledge base that they pass on to their students. Our students will gain experience in working with new technologies that will make them highly sought after by industry and other graduate programs. And if all of that is not enough, commercializing the technology will bring revenue that will be turned into scholarships that will dramatically increase student access to our paper engineering programs.

As I said, these are examples of the very best possible outcomes for a university/industry partnership.

The argument has been posed, however, that corporate influence can quell academic freedom and the free flow of information that is a hallmark of the university setting. Certainly, some collaborations are of a proprietary nature, and that raises issues about secrecy. In other cases, the university is asked to venture into ethically murky waters regarding the content of research efforts. Recently, Virginia Tech teamed up with PPL Therapeutics, the same organization that cloned Dolly the sheep, to produce cloned piglets. And while they celebrate the medical advances that can be made by their success in cloning the pigs, the ethical questions of cloning and its human implications loom large.

How does a university, in partnership in such controversial endeavors, not take a stand? Does it not make its position clear by participating in the research? Universities, by their nature, are committed to the pursuit of truth. In his 1979 Jefferson Lecture, Edward Shils pointed out that "although universities are often regarded as the means of providing for society's economic, scientific and technological needs, they have an existence independent of that as a purpose far higher. Their primary justification is, quite simply, the search for the truth."

By examining the implications of cloning and developing the methods to do so, the university researcher is seeking the truth about the implications of such revolutionary procedures. Those in opposition of such research on ethical grounds could argue that the ethical tenet of "first do no harm" is applicable to research of this nature. However, from a utilitarian standpoint, it can be said that potentially more good than harm will come from these endeavors. The organ and tissue transplant possibilities afforded by the development of this research can save up to more than 60,000 lives in the United States alone. But at the same time, animal and moral activists can argue that the potential for harm is great especially if you are the pig whose organs are to be harvested.

To be honest, these are ethical dilemmas that are still being negotiated within our society. There are no right or wrong answers. It is, however, incumbent on both leaders of the university and the private sector to find a comfortable common ground. Universities can pledge neutrality in some cases, but the fact remains that the worlds of higher education and corporations have become interdependent. A university that ignores these developments is not meeting its fiduciary responsibility to the society that supports it. Society depends on the pursuit of truth from the university community; if we walk away from issues because of their

controversial or questionable ethics, then we are not pursuing truth, only cowardice.

There is hardly an aspect of higher education that does not have a moral component. As this University moves forward in its agenda of progress and growth, ethical concerns will be dealt with on a daily basis. As a university president, my task as the ethical leader for the campus is not to try to achieve sainthood, but to mediate and arrive at creative solutions. A university's president plays a fundamental role in setting the attitudinal tone of a campus. It is my commitment and determination that this campus will have the kind of character and integrity that I expect of myself. No less. As I go, so goes the University.

It works in reverse as well; the University must engage in the kind of moral and ethical conduct that has been its historical role. As the University goes, so goes each and every one of us.

Sources Cited

Carnegie Council on Policy Studies in Higher Education (1979), cited in Baca, M. Carolta (1983), "The Right and Good: A Matter of Conscience," in Ethical Principles, Practices and Problems in Higher Education (pp. 5-10), M. Carlota Baca and Ronald H. Stein, eds., Springfield, Ill.: Charles C. Thomas.

Perlman, Daniel H. (1990), "Ethical Challenges of the College and University Presidency," in Ethics and Higher Education (pp. 364-385), William W. May, ed., New York: American Council on Education and Macmillan Publishing Company.

Walker, Donald E. (1981), "The President as Ethical Leader of the Campus," in New Directions for Higher Education, 33, pp. 15-27.

Chambers, Charles M. (1981), "Foundations of Ethical Responsibility in Higher Education Administration," in New Directions for Higher Education, 33, pp. 1-13.

Jones, James, president, Kalamazoo College (March 23, 2000), "On Wisdom and Knowledge," at Western Michigan University's Presidential Scholars Convocation.

Shils, Edward (1979), Jefferson Lecture, National Endowment of the Humanities, cited in "Ethics of Cross-Sector Cooperation -- The Case of Business and Higher Education," in Ethical Principles, Practices and Problems in Higher Education (pp. 165-178), M. Carlota Baca and Ronald H. Stein, eds., Springfield, Ill.: Charles C. Thomas.

BIOGRAPHICAL PROFILE
ELSON S. FLOYD

Dr. Elson S. Floyd became Western Michigan University's sixth president August 1, 1998. Dr. Floyd brings a wide range of administrative experience to WMU as well as a systemwide and statewide perspective on higher education issues and policies.

For the three years prior to joining Western, Dr. Floyd served as executive vice chancellor of the University of North Carolina at Chapel Hill. In that role he served as UNC-Chapel Hill's chief administrative and operating officer and the senior official responsible for business and finance, human resources, auxiliary enterprises, student affairs, information technology, university advancement and development, and enrollment management.

Dr. Floyd began his career at UNC-Chapel Hill, one of the nation's leading research institutions, in 1978. He subsequently spent a total of 13 years with the university, in positions that included dean posts in the Division of Student Affairs, the General College and the College of Arts and Sciences.

From 1988 to 1990, he was assistant vice president for student services for the UNC system office, helping develop and articulate policy in student affairs and academic affairs for the 16-campus university system.

From 1990 to 1993, he served at Eastern Washington University as vice president for student services, vice president for administration, and executive vice president. In the latter capacity, he was the university's chief operating officer.

Before returning to UNC-Chapel Hill in 1995, Dr. Floyd spent two years as executive director of the Washington State Higher Education Coordinating Board. This agency is responsible for statewide coordination, planning, oversight, policy analysis and student financial aid programs for Washington's post-secondary education system.

A native of Henderson, N.C., Dr. Floyd has three degrees from UNC-Chapel Hill, a bachelor of arts degree in political science and in speech, a master of education degree in adult education, and a doctor of philosophy

degree in higher and adult education. He is a tenured faculty member in the Department of Counselor Education and Counseling Psychology and in the Department of Teaching, Learning and Leadership in WMU's College of Education.

Dr. Floyd is active in a number of civic and professional associations including Rotary International, United Way of America and Greater Kalamazoo, Borgess Health Alliance Board of Trustees, the Kalamazoo Symphony Board of Directors, the Michigan Economic Development Corporation Corporate Board, the Regional EDGE Board of Directors, and The Economic Club of Grand Rapids. He is actively involved in fund raising for Western Michigan University and select community projects and continues to write, present, and speak professionally.

Western Michigan University is a vibrant, nationally recognized student-centered research institution with an enrollment of more than 28,000.

ETHICS IN ACADEMIA

– Diether Haenicke –
President Emeritus, Western Michigan University
Presented April 4, 1986 for the Center for the Study of Ethics in Society

Over the last decade philosophy departments in the United States have witnessed an amazing renaissance in one of their teaching areas: ethics. Courses have been sprouting up in business ethics, medical ethics, and ethics and the legal professions, and this topic has drawn students back to our philosophy departments some of which had, for a long time, shown considerable disdain for such "applied" aspects of their discipline. The renewed focus on ethics in the professions was essentially established by members of the academic professoriate, not by business people demanding business ethics courses in the academic curriculum, nor by doctors or lawyers. This is not amazing. It has, in my observation, been a longstanding practice of the academic professoriate to lecture others, but to refrain from lecturing its own membership. Although we have begun talking about ethics, I have not yet seen any of our colleagues lecture about ethics in academia. If there is a need for reconsideration of ethical questions in the professions, why spare our own? After all, through well-established processes judges get removed from the bench; lawyers face disbarment by their peers and judicial commissions; police officers have internal investigation procedures that may lead to dismissal; and medical doctors can, and do, lose their licenses for violations of the ethical canon of their profession. This "self-policing" is executed through established boards of professional peers, through peer review mechanisms that view the practitioner with critical eyes, and which have the power to stop the practitioner from practicing.

It is unfortunate that a similar process or mechanism does not yet exist in our profession. Who has ever seen tenured university professors removed from their positions in the university as a result of a peer review process or by action of their professional association? If we are to consider the AAUP as the professional organization that represents the interests of American academe, then we can state that this association has

never removed any one of its members from the profession nor has suggested that this be done. The AAUP, traditionally, has seen its role rather as defending its members against public scrutiny and disciplinary action. This has become even more evident in recent years when the AAUP developed into a collective bargaining agent, a faculty union for the professoriate. There is, to the best of my knowledge, not a single case known in the history of the AAUP that involves even a reprimand of one of its members for ethical of professional misconduct, not to speak of disbarment. In this regard we, as a professoriate, look very different from other professions.

Why this striking difference from other professional organizations? Do we not have colleagues who abuse their positions? Are we more ethical than other professions? Or are we able to hide too easily behind the shield of academic freedom?

The answers to all these questions are relatively easy. Everybody in academia knows that we are as fallible, as subject to temptation, as capable of unethical behavior as all other professions. However, we have not, as a profession, developed the concept of malpractice. While other professions certainly are not always as vigilant and as self-regulating as one would wish them to be, we, as a professoriate, are viewed by outsiders as excessively self-indulgent and willing to tolerate the most bizarre behavior in our colleagues. In addition, our profession has not developed a stringent code of ethical standards, and we currently find ourselves in the position of drafting ethical codes for many other professions without taking a look at the situation in our own house. It is my contention that we would be a much more respected profession if we were tougher on ourselves; if we were more critical vis-à-vis our own practices and, in general terms, less self-indulgent.

I would like now to point to some particular areas where, I think, ethical standards for our profession need to be developed.

According to my experience, ethics cases in the academic profession typically deal with three basic problem areas: sex, money, and personal power.

I. Sex. A recently published book, The Lecherous Professor, (Dziech and Weiner, 1984) claims that 30 percent of all graduate students experience sexual harassment from their professors. As a matter of fact, the sexual harassment policies adopted by most American institutions of

higher learning were adopted fairly recently, in many cases not without considerable opposition and only because of strong pressure brought upon the academy by the feminist movement. Fortunately, the question of what constitutes sexual harassment is, by now, fairly well defined; although in some quarters this definition is only reluctantly accepted and then not adhered to in every respect. But beyond the question of what constitutes actual sexual harassment, another equally fundamental question is still being debated. This question is: Should professors have sexual relationships with their students at all? The medical profession has answered this question for itself: Physicians are not to have sex with their patients, although one observes with some astonishment that there are psychiatrists who consider sexual relationships with their patients as part of their "treatment." But we must state that, while some few practitioners in medicine seem to have divergent opinions on this matter, the profession as a whole has taken a clear stand.

Not so in the academic world. True, some universities have developed papers and policies on this question. These policies correctly point out that any assumption of truly "consensual" sexual relationships between students and their professors is always, at best, questionable. Even if a student consents to a sexual relationship, the student remains throughout this relationship dependent on the professor, whose role and influence as mentor very possibly are used for seduction. In many situations professors are idolized by their students, are taken as role models and their behavior is often emulated by those whom they are educating. It appears therefore obvious that in practically all such sexual relationships a significant imbalance prevails in which their usually younger and less experienced partner cannot make fully rational, and thus, consensual decisions. Nevertheless, I observe a great reluctance on the side of the professoriate to rule on this particular question.

Even the consensual sexual agreements have their highly knotty aspects. A case from my own experience: A department chairman, a bachelor, regularly engaged in sexual relationships with female graduate students in his department. All these relationship appeared to be entirely voluntary and between consenting adults; no complaint was ever received from the women engaged in these relationships. However, those female graduate students in the department who were not having sex with the chairman brought a complaint of sexual harassment to my office. The complaints maintained that those women who engaged in these

relationships with the chairman were getting more agreeable time slots for their teaching assignments, more frequent renewals of the teaching contracts, more positive performance reviews and so on. Their claim was that since the entire department knew about and condoned the situation, the complainant might be treated unequally with regard to their professional duties and assignments when compared to those female members of the graduate student population who had sexual relationships with the chairman. The department which, by the way, taught ethics courses, refused to act on the complaint.

II. Money. By and large, university professors are underpaid in comparison to other professions in which the years of training and the intellectual challenges of such training are comparable. Therefore, the lure of additional income is great for academics and, in many cases, a simple economic necessity. In recent years, universities have been challenged by legislatures and the business community to become more helpful in developing economic opportunities for the regions in which they are located and beyond. As a consequence, large segments of university research have taken a more applied, practical bent. Research in many of the emerging "promising" fields, is now strongly oriented toward applicable results with the attendant economic benefits to the researcher. While the general trend to assist economic development is quite commendable, one has to be aware of the considerable pitfalls accompanying this trend.

Universities and industry work for different motives and purposes, all proper and honorable, but often at odds with each other. Universities, in their purest form, seek truth; industry seeks profit. The university seeks new knowledge objectively and should share it openly and freely. Industry seeks new knowledge for commercial application and exploitation and will treat new knowledge as private property. From these differences result all other questions. If the university and its members become too much oriented toward developing marketable products and, as a by-product, profits for the inventor (i.e., the professor), it might happen that our faculty begin to lock their laboratory doors because formerly collaborating colleagues are now doing work for competing companies. Collegial inquiries about work done in other labs might be eventually considered "industrial espionage." Similarly, research done for industry in university labs might have limits on publication. University research-

ers, because of the financial disadvantages doing so might pose, might not display in their reports to the scientific community the methods and the techniques used to achieve certain results, unless these methods and techniques are first patented. It is further possible that graduate students working in university research labs would not be able to talk to their peers but would be sworn to secrecy by their advisors. Already we hear occasional rumors from leading research institutions that graduate associates are advised not to share their findings with others. There are other reports that claim university researchers put their graduate assistants on research projects only after they have been cleared with particular industrial firms. A graduate student known to me recently claimed she was ordered to change her thesis topic after she had put two and half years' work into it because it did not lead to a commercially applicable product. All these instances, and these may be the most crass, raise, of course, significant ethical questions about the relationship between professors and their students, and about collegial relationships in general.

Furthermore, we might easily find research interests of the university determined by industry. It is easily conceivable that a particular industry might tell a university professor what kind of product to develop for marketing, and the university research (plus the employment of GAs depending on this research) would then follow that direction. I know, for instance, of the development of computer games as a master's project in a computer graphics department. Needless to say, computer games are highly marketable; whereas a more basic research question might not have been. Because of financial considerations the findings in our labs might not be shared with the public, although they are of benefit to the public. Former Yale President Giammatti stated correctly that we have the right to be sure that patentable solutions will be fully and beneficially used, and that knowledge with a potential benefit to our society at large will reach the public in a timely and useful fashion. I have heard fears raised by professors of pharmacy who predict that the current trend might lead to the neglect of research for remedies that address the disease of "only" 5,000 persons and the results of which are, therefore, commercially not exploitable.

The basic and unanswered question before the academy with regard to outside income is not only that of conflict of interest but also that of conflict of commitment. The dollar-influenced research interest for personal gain has its inherent dangers. Graduate research associates and

university facilities can easily be, and will be, used for private profit purposes by individual members of the university. In addition, the time pressures that industries may put on an academic researcher may easily lead to the neglect of other professional duties. Research started (with GAs dependent on it) might be abruptly ended, as often occurs in industry when the executive staff decides to drop a particular development line. All these situations are, of course, incompatible with traditional academic standards, since they produce conflict of interest situations, which must be strictly avoided.

Let us consider conflict of commitment. The university recognizes and vigorously states that the faculty, individually and collectively, are at the core of the university. The university commits itself to the position that faculty are central to the university enterprise. This means, conversely, that each faculty member recognizes that his or her primary commitment of time, of attention, of interest, and of intellectual energy is to the university. Any professor who builds his own company diverts his energies from the university, neglects the students and concomitant service commitments. Most universities have a "consulting policy" which states that one out of seven days the university member can engage in outside work. This policy is intended to keep the professor's skills honed in practice so that the university instructor becomes a better teacher of his or her discipline. However, this policy should not be interpreted as a license to pursue profit and business interests unrelated to the university. The best remedy for this potential for conflict of commitment is a full disclosure of all outside activities and disclosure of income generated from research/consulting relationships with industry.

However, most universities have not adopted such rigorous disclosure plans; but, there are already cases, notably that of Walter Gilbert, noble laureate at Harvard, who had become CEO of his own biogenetic research company and was asked by the university to resign his tenured faculty position. A 1974 California law considered professors public officials who must disclose personal financial information if they receive funds from a company in which they have a financial interest. Predictably, many of these disclosure statements show potential for conflict of interest and commitment. William Smith, the president of Stanford's GA association (in 1983), stated (in *The Chronicle of Higher Education*), "I and my peers are very concerned about professors who split commitments between campus and company; who follow, in their research, not

the exciting intellectual interests but who choose research topics for which they know industry dollars are available. Having research directly connected to a company's needs make us students feel used. This is a problem that universities, by default, are ignoring. To protect the interest of students, I suggest full disclosure of faculty members' outside commitments, grievance procedures students can follow when they sense something wrong in a research arrangement that affects them, and university guidelines that make a strong distinction between industry and university research."

III. Personal Power. A third and often-neglected area in the ethics in academia discussion deals with the considerable power a professor wields over a student. The instructor gives grades; designs and evaluates the tests; writes letters of recommendation; decides on admission to programs, to fellowships, to Fulbright grants. In other words, we influence in a significant way the careers and, therefore, the future lives of our students. All students are, of course, very much aware of this fact; and they realize that this fact puts them in a state of dependency. While questions relating to sexual harassment and potential economic gain, as discussed above, remain relatively rare and restricted if one looks at the professoriate as a whole, this latter complex of personal power relates to every individual professor's position with regard to his or her students. Since we traditionally grant ourselves unlimited freedom in our classrooms and on our grading techniques, this area demands of us enormous awareness of the ethical questions relating to this complex. Our judgment in these areas should be guided by the highest ethical standards; although they are, of course, difficult to define.

Another area that leads to many questions stands out: that of course content. It is here that I have experienced most legitimate concerns regarding ethical questions in instruction. The course content is usually entirely controlled by the classroom instructor. This is how it should be; however, occasionally academic freedom is perverted into academic license. It is not as uncommon as one would wish that a course in botany or geography turns into a course on political analysis of the situation in Nicaragua or El Salvador. Most students do not have the courage to oppose outright political indoctrination in the classroom. Those who have the courage often have the wisdom to realize that the instructor will give them a grade at the end of the course. Similar situations prevail where

instructors regale their students endlessly with wartime memories or "personal experiences" that have little, if any, relation to the course title. Industry is subject to a "truth in packaging" standard; the academic world is not. Unfortunately, it occurs in our profession that package labels promising sugar contain salt. In contrast to industry we can intimidate our "consumer" with the fact that we are grading him or her at the end of the course. To make matters even more difficult, well-established university procedures require that any student with a complaint must carry this complaint first to the instructor who, in practically all cases, is the reason for the complaint. It is hard to believe that the person who is the accused in a complaint will be the best judge of the case.

Many examples could be added, but those listed may suffice to characterize the three areas that concern me the most. This paper is not to create the impression that, in my opinion, much is rotten in the state of academia. I firmly believe it is not. In fact, I think that with very few exceptions our profession is committed to the principle of high ethical standards like most other professions; however, reputations are easily lost and they have to be guarded carefully. This is all the more so since universities have, over time, become highly complex organizations; and many of the new research questions and academic developments pose new ethical challenges for our community. We have given significant attention to ethical problems in other professions, and I think it is time to turn our critical abilities to our own affairs. We have to begin defining ethical standards for the university and its members, and we must develop not only the mechanisms but also the courage to hold all practitioners of our profession to these standards.

This article was originally published by the Center for the Study of Ethics in Society in 1988.

BIOGRAPHICAL PROFILE
DIETHER HAENICKE

Dr. Diether Haenicke, a professor of foreign languages and linguistics, was president of Western Michigan University from 1985 – 1998.

Haenicke holds a Ph.D. (magna cum laude) from the University of Munich (1962). He also attended the Universities of Marburg, Gotting-

gen, and Freiburg (Germany) where he studied Psychology, History, and Literature. He taught on the graduate faculties of Wayne State University and The Ohio State University and has over 100 publications, including five books, on topics in romantic literature, modern poetry, graduate education, foreign study, and academic management.

Haenicke has served in many administrative roles including Dean of the College of Humanities at Ohio State and as Academic Vice President and Provost at Wayne State University and Ohio State University.

He was a Fulbright Scholar twice and is an honorary member of Phi Beta Kappa and four other national Honor Societies. He holds honorary doctorates from Central Michigan and Western Michigan Universities.

Haenicke met his wife Carol, a native Detroiter, in Munich, Germany. They have lived in the United States since 1963, first in Detroit (1963-1978) and later in Columbus, Ohio (1978-1985). They settled in Kalamazoo in the summer of 1985. They have two children.

The Quality of Mercy, the Public Trust, and Ethical Issues in Higher Education

Elise Bickford Jorgens
Dean, College of Arts and Sciences, Western Michigan University
Presented September 13, 2000 for the Center for the Study of Ethics in Society

Mike Pritchard asked me last year if I would make a presentation to this group on the occasion of the fifteenth anniversary of the Center for the Study of Ethics in Society. He said I could talk about most anything I wanted to, related to higher education or not. I said, "Of course; I would be delighted," thinking somehow that I would put together a little scholarly paper, something more or less literary, I guess. But I have been an academic administrator for going on nine years now, and the ethical issues raised in my day-to-day business are what keep me awake at night. It became obvious to me as I set to work on what I might say that those issues were what I have to talk about.

Prior to becoming an administrator, I had spent my career primarily in the English Renaissance, doing scholarly work and teaching on literature and music. It was an "arts and humanities" career, and my subject was sufficiently in the past (in the 16th and 17th centuries, to be exact) that I never had to worry much about the impact of my research on life decisions today. Nor did I have "human subjects" to be concerned with. I had, of course, discussed ethical issues as they came up in works of literature I had assigned to my classes, but overall, you might say I had the quintessential ivory tower job and I did not think much about ethics per se. From my present perspective, however, it is patently clear that every faculty member and every administrator faces ethical issues all the time, and I am going to muse on some of those situations this afternoon.

But let me pause here to point to a few people who have tackled this subject before me. Last Spring, President Floyd spoke to this group, highlighting some ethical issues that face a university president (such as conflict of interest in dealing with a donor). Former Dean of Arts and Sciences Douglas Ferraro spoke on the occasion of the tenth anniversary of the Ethics Center in September 1995, talking primarily about the place and role of ethics centers; I will want to return to his comments briefly at

the end of this talk. And Former President Diether Haenicke addressed the Center in April 1986 on "Ethics in Academia" (in the typed copy of this address that Mike Pritchard kindly dug out and sent to me, it was headed "Ethics *is* Academia," a title that seems to have been incorrect but that might make good sense after all). Diether, in his inimitable fashion, spoke very directly about ethical issues as they affect faculty members under three bold subheadings: Sex, Money, and Personal Power. His remarks are worth repeating, and I hope the Ethics Center will consider re-issuing his paper. Finally, I note that ethics in academe is a current hot topic in the Chronicle of Higher Education. Just last week, the "Chronicle Review" section published some excerpts from *The Academic Ethicist* by Lawrence Douglas and Alexander George, both faculty members at Amherst College. In the mode of a "Dear Abby" column for troubled academics, they attempt to answer letters such as this one:

> Dear Academic Ethicist: Though already in my late 50's, I consider myself still in the prime of life, as both a scholar and a man, if you know what I mean. Unfortunately, my marriage has been deteriorating for years. Recently, I have been conducting a clandestine affair with a first-year student in one of my courses. She wants to "go public," but I know that would destroy what's left of my marriage, not to mention my job and reputation. So I told this girl I'd flunk her if she opened her mouth. Was this the proper thing to do?

The Academic Ethicist responds in the negative, advising that the professor should *never* threaten but should, instead, promise the student an A if she keeps her mouth shut. [The other two excerpts are actually more interesting, though no less outrageous. I did not want to take the time to read them to you, but they are worth looking at.]

Obviously, we in academe are ripe for parody on a number of fronts. But I want to spend my remaining time with you this afternoon considering some concerns for the ethical practice of the academic enterprise in a more serious way. I am not an ethicist. But in my years in academic administration I have now had many opportunities to consider the ethical nature of my own decisions as well as to ponder the choices some of us make that get us into trouble.

The first part of my title is an allusion to Shakespeare's *The Merchant of Venice*. That play, to my mind, is so fraught with questionable actions and ethical dilemmas as to be nearly incomprehensible from that perspective. Fortunately for you, I am not doing a literary paper and therefore will not try to untangle those dilemmas today. The quotation, however, does serve as an overarching motto for my comments. These familiar lines are spoken by Portia, disguised as a judge, in her effort to secure the release of Antonio—the real merchant of Venice—from his unusual and potentially lethal bond to Shylock. (The situation is that Antonio has had to borrow money from Shylock against the successful return of his merchant ships. Shylock has, as if in jest, required a bond of a pound of flesh. When the ships appear to have been wrecked at sea, Shylock reveals that he will exact as payment of his bond a pound of flesh "nearest the heart.") The full passage is as follows:

> The quality of mercy is not strain'd;
> It droppeth as the gentle rain from heaven
> Upon the place beneath. It is twice blest:
> It blesseth him that gives and him that takes.
> 'Tis mightiest in the mightiest, it becomes
> The throned monarch better than his crown.
> His sceptre shows the force of temporal power,
> The attribute to awe and majesty,
> Wherein doth sit the dread and fear of kings;
> But mercy is above this sceptred sway,
> It is enthroned in the hearts of kings,
> It is an attribute to God himself;
> And earthly power doth then show likest God's
> When mercy seasons justice.

There is no particular reason for Shylock to be merciful, except that he has been pretty mean-spirited. He has not broken the law, but most of us would probably say that it would be ethical, all the same, for Shylock not to take Antonio's life just because the law entitles him to do so. The point of Portia's statement is that ethical action, unlike legal action, is freely determined. It cannot be coerced. If the judge were to order Shylock to release his bond, it would be a legal action, not an ethical one.

The granting of mercy, then, is an ethical decision, as I understand the term.

In the environment of higher education, of course, many decisions are not simple nor simply made, and a "free" decision is not always possible. What is legal is not always what is ethical, and establishing laws or rules does not always determine the ethical course. Furthermore, we are subject to any number of forces that lead us to compromised positions. As educators, we make daily decisions that will affect the lives of our students. Some of these are individual decisions; some are collective decisions that set academic policy. And it is sometimes questionable whether the principal factors affecting those decisions are ethical ones. Too often, I suspect they are based on other, less laudable, factors such as expediency, popularity, or personal aggrandizement or gain.

The second part of my title, "the public trust," refers to something that I consider another essential component in ethical decision-making in higher education. Particularly as employees of a public institution, we are all, faculty, staff, and administrators alike, "entrusted" with the future of the nation. It is no longer fashionable to talk about educating for the "common good," but it seems to me that we should remind ourselves occasionally that a commonweal remains, and must remain if we are to sustain a healthy society, a basic goal of the philosophy of "education for all" that has shaped this country. Without a commitment to fulfilling the public trust placed in us, we fall prey to caving in to what is easier or contains personal gain as the basis for decisions in the workplace of academe.

But how do we define the common good? Precisely what has the public entrusted us to do? Does the public trust refer to what the public *wants*, or are we entrusted also to decide what is best for society? My guess is that it is questions like these that underlie the widespread *dis*trust that we often feel from other segments of society. In the very decisions we make every day (Johnny gets an A; Charlie gets a C; and Michael gets an E) we throw ourselves directly into such questions.

Let me invent an example here. Suppose a student has received a failing grade and comes to the professor to plead for mercy. What will it hurt the professor to give this student a passing grade? Probably nothing other than a blemish on her academic integrity which no one but she is likely to know about. He's a nice kid; he deserves another chance. But she has undertaken a trust that the grades she assigns are duly earned and

testify to what the student has learned. That trust is given not only by the institution she works for but by a "public" comprised of parents; future employers, legislators, and others who have a stake in the credibility of the degrees we grant; and certainly not least of the students themselves. So while it might be easier, facing our pleading student, to say okay to a passing grade, even this everyday sort of decision for a faculty member cannot meet Portia's test for mercy, let alone professional ethics.

The academic mission, in other words, is complicated and ethically charged at almost every turn. We educate—we instruct—but we also certify, and we cannot easily shirk that responsibility. Furthermore, in our professorial wisdom, we also determine *what* will be taught and what we will certify has been learned.

In my opinion, one of the most serious ethical dilemmas we face in higher education is the one occasioned by the shift in our business toward what has been called a consumer—or customer—mentality. I know you are all familiar by now with what this means, and I trust we can agree that there are many areas in which we have not, historically, thought seriously enough about our students and *their* needs, focusing as we often have on our needs as faculties and institutions. For the moment, though, I want to pass over all that to the essence of this shift in institutional culture (and I mean "institutional" here in the very broadest terms—that is, not WMU as an institution but the social institution of academe or higher education).

As soon as we think of our students as customers, rather than, say, clients, we put the power to purchase—or not to purchase—in their hands. Students, and their parents, would of course argue that that's where it has been all along. But we have not behaved as though that were the case. At least not until fairly recently.

Some other things have changed, however, that have made this position more viable. For one thing, the real cost of a university education has escalated dramatically due to the infusion of technology into virtually every aspect of what we do, higher costs of maintaining buildings and facilities, demand for more "amenities," the need for faculty and administrative salaries to keep pace with salaries in other professional areas, and a host of other factors. In that atmosphere, the coin of the realm is students. Universities across the country are competing ferociously for students, because it is students who pay the bills, not only

through their tuition dollars, but in the case of public institutions, through per-student state allocations as well.

At the same time, as employees and agents of the state, it is incumbent on us to provide our service at the lowest possible cost. In the competitive environment, we also need to keep the cost to students as low as possible.

In other words, we have become a big business like any other. Our bottom line is students, translated into dollars. We must now compete for them and that means we must attract them and *please* them as well as educate them and certify that they have been duly tested and have, in fact, learned.

Let me go back to my earlier example. Suppose this student says to the professor that he just couldn't do any better in the class because it was at an inconvenient time for him; he has a strange condition that makes it impossible for him to think clearly before 10:00 a.m., and the fact that this required class is only offered at 9:00 a.m. means that, well, he just couldn't hack it. He tells her further that if he does not get a C in the course he will not be able to continue in his major, causing him to lose his financial aid. Then, he tells her, he would be forced to transfer to another institution so he could live at home to save money. Now she has a *real* ethical conundrum before her.

The professor's dean and department chair have made a big issue of retention and of not, at all costs, sending students away without going out of her way to help. She could, she figures, give him an incomplete, even though technically he does not meet the University's criteria for an incomplete, and then she could ask him to sit in on her class the next semester (i.e., take the course again without paying for it—also technically not allowed); she could give him special help outside of class if he needs it and arrange special exam times for him after 10:00 a.m. Her student-customer would like it; probably his parents would like it; her chair and dean would like it because it would keep this tuition-paying student on the books and in good standing; his major department would like it because it would keep their number of majors up; institutional research would like it because it would keep the retention rate high without adding to average class size (since he would not be registered for her class), and that would make the provost and the president happy because then our rankings in U.S. News would stay higher.

But what about the public trust? What will our professor be certifying at the end of the semester? Will this student be ready to go out into the world and hold a position of responsibility in his job and in society? Has our professor, or indeed the university, given up any notion of guardianship? Here is the ethical dilemma: If our public tells us it does not want us to be guardians of academic integrity, should we say, "Okay, tell us what you want and we'll give it to you, so long as you spend your tuition dollars here."

But, of course, it's more complicated even than that. The public *does* want us to guard academic integrity. The public wants that very much. And they want it to start with us.

The fact is that faculty and administrators, despite that we all feel increasingly hemmed in by rules and restrictions, have an enormous amount of latitude in many, many areas, and consequently are bearers of an unusual amount of public trust. Academic ethics, I believe, begins with acceptance of the burden of that public trust in every aspect of our professional lives. We must all consider, every day, with every real decision, just what that trust entails and endeavor to act accordingly.

Make no mistake: I am an academic administrator. As my faculty friends and colleagues have ceased to remind me (having by now given up), I have sold out to the enemy. I think and act like an administrator; I pursue the bottom line. But I believe there is an ethical conundrum implicit in the "student as customer" mode that we have only begun to fathom. Pursuit of the bottom line may not always be consistent with acting in the interest of the common good.

And there are other ethical issues we need to consider. What *should* we be doing about affirmative action? The courts are telling us that we should not have programs and quotas. What would the ethical solution be? To return once more to Portia, the ethical choice, at this stage in our history, perhaps needs to be the free volitional option. We make the effort—the special effort—to include underrepresented groups in our student recruitment or hiring pools not because we have an affirmative action program in place but because, simply, it is the ethical thing to do.

Distance education. How will we manage that without betraying the trust placed in us by the public that we do our very best to educate? The ethical choice, in my opinion, will require much discussion and very careful planning. There are, without question, many courses that will serve many students exceptionally well through the internet. But not all

courses, and not all students—and that would include some students who think they can take a web-based course, never come to campus, and learn everything they need. Do we adopt the attitude that it's their problem? I don't think so. Not if we are principled in our academic decisions.

For better or for worse, an enormous amount of power and influence is entrusted to institutions of higher education and those who operate them, both faculty and administrators. In my present position, I have many opportunities to witness the best of this system—faculty who take these responsibilities very seriously indeed. Unfortunately, I must occasionally tend to the worst as well. Faculty members and administrators are, after all, mere mortals and subject to the same lapses of wisdom and judgment as other mortals.

On those rare occasions when such behavior violates a law or an institutional rule or policy, choices are limited and my course of action is relatively clear. Far more often, however, I am confronted with a situation in which someone has made a questionable decision and a complaint about it comes to my office. Then *I* am forced to make an ethical decision too, and believe me, the complications are no less puzzling.

I would like to conclude by referring again to the comments of two of my predecessors at this podium, Diether Haenicke and Douglas Ferraro. Diether closed by noting that "it is time to turn our critical abilities to our own affairs. We have to begin defining ethical standards for the university and its members, and we must develop not only the mechanisms but also the courage to hold all practitioners of our profession to these standards." Douglas took this call directly to the Ethics Center itself, asking "Will it be enough that ethics centers support discussion and scholarship about professional ethics or will they need to be more affirmative in generating ethical codes of conduct? Could we challenge our Ethics Center, for example to draft a detailed code of ethics for professors and administrators at WMU?"

Our profession *is* governed by a code of ethics. It is far less explicit and detailed than comparable codes developed by some other professions (such as the medical profession, or psychological/psychiatric professions), yet it does provide guidelines for professional conduct. I am referring to the AAUP code quoted in our faculty contract. [see reprint at end of article] In my opinion it is a good statement, and as a starting point, it would be good for all of us, faculty and administrators, to reread it occasionally and think about its implications. A code like this,

however, refers to personal, individual conduct and will not answer the ethical questions that face the broader practice of higher education such as those I have raised here.

On this fifteenth anniversary of the Center for the Study of Ethics in Society, I would like to thank the Center members and their guest speakers through the years for thought-provoking and enlightening presentations on any number of ethical issues; their accumulated force goes a long way toward leading us to the refinement of ethical judgment that is asked for. Would a fully-developed manual or code of academic ethics take care of the wide range of ethical issues in academe? My guess is that it would not (as much as such a code might simplify *my* life). For one thing, a decision to violate a rule or code is not usually an ethical choice; it is a willful violation, most often for some *un*ethical purpose. But more fundamentally, I think it is in the nature of many of the ethical dilemmas surrounding the academy that they are not subject to codification. They will remain judgment calls, which I hope we will make freely, without inappropriate constraints, and ever mindful of what is entailed in the public trust in our enterprise.

BIOGRAPHICAL PROFILE
ELISE B. JORGENS

Elise B. Jorgens received her Bachelor of Arts in English from Carleton College and her Ph.D. in Musicology from the City University of New York. After a year on an Andrew Mellon Post-doctoral Fellowship in the Humanities, she came to Western Michigan University in 1977, teaching first in the School of Music and then in the Department of English where she was tenured and promoted. She became Director of the Graduate Programs in the Department of English in 1989, Associate Dean in the College of Arts and Sciences in 1992, and Dean of the College in 1996. Her scholarly research and publication has focused primarily on relations between music and literature in the English Renaissance.

AAUP Code of Ethics

Article 21
Professional Conduct

21.§1 Statement on Professional Ethics. Professors, guided by a deep conviction of the worth and dignity of the advancement of knowledge, recognize the special responsibilities placed upon them. Their primary responsibility to their subject is to seek and to state the truth as they see it. To this end professors devote their energies to developing and improving their scholarly competence. They accept the obligation to exercise critical self-discipline and judgement in using, extending, and transmitting knowledge. They practice intellectual honesty. Although professors may follow subsidiary interests, their interests must never seriously hamper or compromise their freedom of inquiry.

21.§1.1 As teachers, professors encourage the free pursuit of learning in their students. They hold before them the best scholarly and ethical standards of their discipline. Professors demonstrate respect for students as individuals, and adhere to their proper roles as intellectual guides and counselors. Professors make every reasonable effort to foster honest academic conduct and to assure that their evaluations of students reflect each student's true merit. They respect the confidential nature of the relationship between professor and student. They avoid any exploitation, harassment, or discriminatory treatment of students. They acknowledge significant academic or scholarly assistance from them. They protect their academic freedom.

21.§1.2 As colleagues, all those holding academic rank at Western Michigan University have obligations that derive from common membership in the community of scholars. Professors do not discriminate against or harass colleagues. They respect and defend the free inquiry of associates. In the exchange of criticism and ideas professors show due respect for the opinions of others. Professors acknowledge academic debt and strive to be objective in their professional judgment of colleagues. Professors accept their share of faculty responsibilities for the governance of their institution.

21.§1.3 As members of an academic institution, professors seek above all to be effective teachers and scholars. Although professors

observe the stated regulations of the institution, provided the regulations do not contravene academic freedom, they maintain their right to criticize and seek revision. Professors give due regard to their paramount responsibilities within their institution in determining the interruption or termination of their service, professors recognize the effect of their decision upon the program of the institution and give due notice of their intentions.

21.§1.4 As members of their community, professors have the rights and obligations of other citizens. Professors measure the urgency of these obligations in the light of their responsibilities to their subject, to their students, to their profession, and to their institution. When they speak or act as private persons they avoid creating the impression of speaking or acting for their college or University. As citizens, engaged in a profession that depends upon freedom for its health and integrity, professors have a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.

Membership

Membership in the "Ethics Center" is open to anyone interested. There is no membership fee, although donations are appreciated.

Please enroll me as a member of the WMU Center for the Study of Ethics in Society.

Name: _____

Email: _____

Address: _____

_____

_____

Institutional Affiliation: _____

Send to: Center for the Study of Ethics in Society
Western Michigan University
1903 West Michigan Ave.
Kalamazoo, MI 49008-5328

The Center publishes papers of interest to readers. Distribution is free to members. Additional copies are available for $2.00 by contacting the Center.

Lithograph on Front Cover: The Oaklands, WMU

Center for the Study of Ethics in Society
308 Moore Hall
Western Michigan University
1903 West Michigan Ave.
Kalamazoo, MI 49008-5328