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12-2000

## Ethics in Academia

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### WMU ScholarWorks Citation

Haenicke, Diether, "Ethics in Academia" (2000). *Center for the Study of Ethics in Society Papers*. 55.  
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## 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 or 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 relationships 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.