



University of Denver FACULTY FORUM

VOL. XVIII No. 4

MAY 2004

Governance and the Importance of Community

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My remarks today are critically focused on the role of “community” on the postsecondary campus. I would like to make some observations about institutional governance and offer an opinion as to where I think we are here at DU in respect to shared governance. My thoughts and observations are related to what we are experiencing here at DU and also reflect issues much broader than those of our own institution. I think you will find them on a much more personal level than you might expect. I would be the first to say that I am not presenting an “academic paper.” I do have about four book chapters and a couple of journal articles relating to issues of governance and systems of postsecondary governance. My remarks today are not of that type. I should also say that I know I am not taking the “safe” route in discussing these issues. I do care about DU and share my concerns because of my level of commitment to DU. I also trust that you do not dismiss or label them as “why can’t we just get along” kind of remarks. I do hope you think about them and reflect on how you can take action here at DU that will support and enhance our campus.

Today we are considering whether or not governance, management, leadership, faculty development, and faculty scholarship are complementary or exclusionary concepts. My premise is that these are complementary concepts. I’d like to propose that it is the expectation of community that allows these concepts to be complementary for a university.

First, let me start by defining governance. As many have already said today, we tend to think of university governance, and more specifically faculty governance, as the procedures, processes, and structures that allow individuals with instructional responsibility access to the decision-making process of the institution (Rosser, 2003). At the

same time, it is important to clarify that access does not mean we as faculty get to make the decisions but rather to have input into the decision-making process of our institutions (Miller, McCormack, Maddox, & Seagren, 1996). It is often considered healthy for the campus for faculty to speak about key issues. Many campuses have come to rely on broad-based decision making to validate both the processes of policy formation and decision making as well as to provide internal accountability (Pope, 2000). Faculty are called on to examine, support, and challenge institutional decision-making. These critical tasks are expected and considered part of our service to our institution. After all, we are in fact, reviewed on the extent of our service contributions for tenure and merit increases. So there is a long-term history of faculty participating in decision making for institutions as it is embedded as part of the faculty role.

I know that I am using the term “faculty” and in most cases I am specifically talking about those who provide the instructional services of the institution in a traditional sense. I do, however, understand, appreciate, and expect that more than traditional instructional faculty are and should be a part of university governance. But, in many cases, I am addressing faculty in the traditional sense. I would suggest though, that we faculty could learn by watching how involved staff are in many campus activities.

Though expected, we faculty have not always embraced the aspects of shared governance as much as we could have. In fact, we have looked at the management of the academic enterprise as though it is someone else’s problem. Frankly, for decades we have often thought of administrative involvement as suspect activity, of lesser value (Pope, 2000). For shared governance to work, all faculty can and should take a more active interest in the governance of the institution and at a minimum should work to support those who do become directly involved.

The exchange and sharing of decision making must be expected from campus administrators, too. Moreover, administrators and trustees must openly welcome faculty input and provide for a process that recognizes these inputs and allows for the full consideration of the input in

appropriate ways. We can create a culture and expectancy of participation. We can have a campus that expects each of us to be present and to care about what happens with us and to us. This sense of participation is critical to make shared governance work.

In a new book by John Bennett on Academic Life, he notes that faculty can "understand their departments or university in one of two ways: Simply as aggregations of individuals or as communities of intertwined persons" (Bennett, 2003, p. x). If we take the view that we are just a collection of individuals, then our opinions seem to matter less and we just assume conflict will occur. Under that particular perspective, we might expect or think we need certain kinds of campus leaders and/or a campus leadership style that focuses on power and competition.

If however, we view our institution as one of a community, as Bennett suggests, we would expect a leader or a leadership style of openness to others and one who and one that values and expects our contributions.

But how do we get to a point where the governance process allows for institutional introspection and reflection? I would offer that we get there through the establishment of community.

So what would that community look like? What do we have to do to reach the point where we believe we have a community where we can share in the decision-making process? I suggest six simple ways to evaluate or think about the importance of community by defining community as Boyer first suggested in his 1990 publication Campus Life: In Search of Community. He proposes that every college ought to be the following:

- first an educationally purposeful community where academic goals are shared and work is done to strengthen teaching and learning on campus.
- second, an open community where freedom of expression is uncompromisingly protected and civility is powerfully affirmed.
- third, a just community where sacredness of the person is honored and diversity is pursued.
- fourth, a disciplined community where individuals accept their obligations to the group and where well-defined governance procedures guide behavior for the common good.
- fifth, a caring community where the well being of each member is sensitively supported and where service to others is expected.
- last, a celebrative community where the heritage of the institution is remembered and where rituals affirming both tradition and change are widely shared.

A campus compact to these principles is suggested.

I would extend these principles to say that if we had this kind of campus community we might not be here today having this kind of conference. We would not have had a conversation about what is governance or the faculty's role in it since by its very definition "community" would imply shared governance.

We would not be here today if we took our role in university decision making seriously and maintained a sustained commitment to it and to our obligations to one another. We should ask ourselves if a community were present at DU (the kind Boyer notes) would there have existed more concern about the external media than to our own colleagues? A community of engaged scholars would not have allowed that kind of rationale to be used for not including us in key decisions. It would not have taken place... much less an admitted strategy for not involving us in that critical decision.

If we had the community Boyer espoused we would know more of how to treat our colleagues and would have known what to anticipate from one another. My contention is that we do not have a failure in campus decision-making. **What I believe we have is a failure in our notion of what makes us a community.** We have lost our direction on how to be a community of scholars.

I further contend that we do not have a community when we have a one-campus committee, a task force, or decision-making body such as UPAC purporting to deliberate on key campus issues and at the same time have a separate set of conversations about campus priorities that are not discussed with the purported "campus-wide planning group." We do not have community when key decisions about campus-wide decisions are made at the top level without broad-based involvement. We might also need to ask ourselves if we had community would we have hired a campus president without campus-wide involvement?

No trustee or board system, no campus structure, no internal or external checks and balances will ensure future involvement that can be sustained without a true feeling of a "campus community" that is educationally purposeful, open, just, disciplined, caring, and celebrative.

Some of the literature on college student development suggests that our students need to be "validated" with their experiences on campus (Rendon, 1996). She is using the term validation to mean that they need to see themselves and people like them, who know them, and who care about them. I would take her concept of validation and stretch it a bit to say that we as contributors to the educational enterprise need to be validated too. We need to see ourselves in campus decisions and we need to feel that the decisions made reflect us, represent our values, and result from our involvement.

We must take our responsibilities seriously and pledge to stay involved in our own campus issues in addition to our professional disciplines in our national or international arenas. We must be present at home and be productive campus community members. We cannot move forward with a system of shared governance that does not begin with a solid sense of who we are as a campus community. We can and should be national experts, but if we are not also concerned with our home campus and our home community, we might find that there is no home or a place to hang our academic hats that matters to us.

Lest you think my entire perspective is negative and that I have no concrete suggestions for moving forward, I'd like to conclude with a suggestion for consideration much along the lines of Dean Saitta's "modest proposal" he

made in the most recent edition of the Faculty Forum. He made a specific proposal to strengthen UPAC, and though I am not supporting his specific proposal, I am not advocating that, but I am suggesting that we have to strengthen UPAC. We have to strengthen the role of UPAC and involve all decision makers and their proposals in the campus-wide planning process. I would suggest that we not consider a campus-wide planning system that allows other key decisions to be made that have not been proposed, debated, discussed, shared, reviewed by UPAC. I would ask that our Trustees routinely inquire of each major proposal “who was involved”? “What process was followed”? If our Trustees require that each key campus decision brought before them demonstrate the broadest range of campus involvement, it would assure each of us that our opinions and input matter. At the same time, I would ask each of our top administrators to stop and check to make sure every major proposal that you want to take to the Trustees have campus-wide input. UPAC members come from across the campus and represent a good attempt to seek cross-sectional participation and its decisions and recommendations are intended to serve as our only campus-wide planning body. We need to systemically support and require campus-wide issues to UPAC for thoughtful deliberations.

If we have a structure in place that ensures major university efforts are shared with UPAC, we might be moving in a university decision-making direction that could include us all.

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University Governance and its Moral Context

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Moral life is a process. It is not an accomplishment, at least until one dies¹ or an institution is defunct. Given these alternatives, I think we can all get on the bandwagon of moral life as a process.

The University’s own commitment in its Mission, Values, and Goals statement to valuing ethical behavior and choosing “specific goals” that “affect...ethics...”² is laudable. In order to honor this commitment, we will need to persist in learning as much as we can about ethics, in finding and emphasizing the worthwhile, as well as identifying the problematic and articulating potential improvements in our life together.

A crucial reason to care for our pursuit of greater awareness of the fundamentals of ethics is that the tradition of European and American thought with regard to ethics has addressed the question, “What is a good life?”³ Some might think this is a reference to luxury car and cruise advertisements, but in fact moral philosophers have rather quickly dispensed with notable wealth as a primary qualification for having a “good life.”⁴ The difficulties of acquiring it, the annoyances of maintaining it, the ease of losing it, and the potential for doing harmful things with it are straightforward factors weighing against a large amount of material goods as a major contributor to a good life. Similar arguments hold against “honor,” “fame,” or “good reputation.”⁵

By contrast, we want to be concerned with ethics because it is the sphere of inquiry into and pursuit of a good life that may resist the storms of fortune or even the assaults of wickedness. After all, who lived a more worthwhile life, Socrates, when he died apparently too early and by his own acquiescence, or his opponents, narrow-minded then and mostly forgotten now? His example suggests that inquiry into a worthwhile life and the pursuit of it are part of the process of a moral life together.

Please note several more things the moral life is not. It is not adherence to a code of professional ethics, a congeries of values or principles, an individualistic enterprise, or exclusively the pursuit of good character or good intentions. It may include all of these but it is not reducible to them.

Fortunately, we are not the first to inquire into the good life. From previous inquiries I will highlight several guiding thoughts that I believe moral philosophy would strongly urge us to wrestle with as we strive toward an ethical governance system for the University of Denver. They are (1) the fact of moral life as a social enterprise affecting the organization of institutions and including public intelligibility as a condition of just social arrangements; (2) the notion that both those who govern and those who are governed have souls that are affected by the process of governance and that limit the power and authority of everyone in the social system; and (3) the awareness that every social enterprise operates by implicit as well as explicit conventions that make the enterprise possible at all. In short, the three topics are “public intelligibility,” the souls of the governing and the governed, and the conventions that constitute the enterprise.

First, a social life that allows worthwhile human existence requires public intelligibility of the understandings, rules and laws that coordinate our social life. The moral philosophical convergence on a notion like public intelligibility is almost startling. Here is one statement from John Rawls, a philosopher who talks about the concept using words related to the root word “public”:

In saying that an institution [e.g., a university], and therefore the basic structure of society, is a public system of rules, I mean then that everyone engaged in it knows what he would know if the rules and his participation in the activity they define were the result of an agreement. A person taking part in an institution knows what the rules demand of him and of others. He also knows that the others know this and that they know that he knows this, and so on.... There is a common basis for determining mutual expectations.⁶

I will highlight two points for reflection developed from Rawls’s discussions, although Rawls’ notions are not exhaustive of the topic.

From Rawls I take the notion that a social system is more sustainable if its roles and relationships are public and intelligible.⁷ For instance, an institution where the mutual expectations are clear is one in which, other things being equal, it is easier to get things done. Second, the easier it is to get things done in an institution, the better its competitive advantage. Third, Rawls points out that a stable organization also has an advantage in perpetuating itself.⁸ If the expectations are clear and if people know how to get things done and succeed in doing so, then they are more likely to be satisfied in their work and eager to continue in it. Fourth, if the institution needs new initiatives, people can imagine how to adapt its structure to include the innovation. By contrast, if the institution is less publicly intelligible, when it is time to innovate, it risks responses like the following (although perhaps less explicit): “How are we going to get that done? We don’t know what we’re doing now...”

Need I add that inviting people to work and contribute their time and energy to an institution that is unstable, ineffective or not adaptable would on most accounts be unethical? Such an institution would quite likely ask a lot and give little in return.

Another point adapted from Rawls for our reflection is that public intelligibility affects the basis of people’s self esteem.⁹ First, when an organization is publicly intelligible, a person has a reasonably good chance to know how to contribute to it. The person’s effective contributions may provide a source of self-esteem. But when public intelligibility is lacking, abilities can more easily be poured into activities that do not bear fruit and are therefore disheartening. Second, one of the implications of a non-intelligible organizational system is that people’s curiosity about their own institution is not valued. In other words, the message, intended or not, is, “You don’t need to know about the organization as long as you’re pushing your broom, or computer mouse. Your interest in being an intelligent participant here doesn’t matter.”¹⁰ This--I’m sure you can see--is not good for people’s self esteem. And if it is not good for their self-esteem, how can it be good--on the whole-- for a worthwhile life in society?

As a point for further discussion, I would offer a test of public intelligibility: if an initiative or decision meets with a lot of comments like, “where did that come from?” “Says who?” “Why should we believe that?” “Why would anyone want to go along with that?” then our life in community is not as publicly intelligible as it should be and not as good as it could be. Such ethical inadequacy would make human, not deplorable, and can give us a challenge on which to work.¹¹

My second major topic in the ethical context of university governance is a concern, often seen in major philosophical treaties on governance, for the souls of the governed and the governing.¹² It points to at least two important ideas: First, the governing agents don’t get to defend their governance by saying, “It would work, if only the governed were different”; second, the governed cannot expect the impossible from the governing, either in the abilities of those who govern or in the outcomes for the institution. The great treaties propose instead reflecting on the souls of the governed, as well as on the governors’ own souls, and trying to fashion a situation in which all can have a reasonable chance to live a worthwhile life.

I will address a few, more specific points for our university. Some of the things I say about faculty will also prove true of our staff with “terminal degrees”—not degrees that killed them, but degrees higher than which one cannot go in a field. The idea is that the very earning of terminal degrees and the attempt to augment and make available knowledge, perspectives, and even wisdom is likely to instill features of a culture of these activities in the people most involved in it.¹³

Let’s look at some important capacities.

To start with, the faculty (and others with terminal degrees) are very intelligent, and highly educated to think both broadly and deeply about complex problems. Sometimes they are specialists in systems. Perhaps better in regard to understanding university governance, some of them are specialists in chaos. In either case, a system is something that they will often try to understand, perhaps without even noticing that they are doing so. An unclear system is probably just sufficiently annoying that they will try to figure it out.

Some related characteristics. Faculty are tenacious, verbal, and scrappy. Academic research is competitive. A payoff of contending of our points is that we have learned that serious and tenacious argument can lead to improvements, even in our own beloved ideas. So we are likely to have learned to bring all kinds of problems out in the open, have a look, and see what we can do. The process may be contentious and messy at times, but we are likely to anticipate good results and to recognize tidying up as the inevitable end stage of good investigation and conclusions.

Third, our work requires us to be innovative. On the whole, presses are not primarily interested in publishing what's been published before.¹⁴ And in our own institutions, we probably want to know who's got the resources to make new things possible and how we can get those resources.

A couple of reflections on the souls of governing--permissible for a moment because they are only suggestions and because a faculty member does have some experience of governing:

First, the qualities of the faculty outlined above -- intelligence, tenacity, scrappiness and innovation-- sound like a brief catalogue of qualities of successful entrepreneurs and other business people, that is, of the kind of people who are our trustees. Perhaps our grounds for understanding each other in a publicly intelligible exchange will be reasonably broad and firm, as the experience of the G6 seems to suggest.

Second, no one's qualities are infinite. Blindness inevitably will accrue even in the souls of the best governing people if we don't bring everyone's view into the full light of day for a bracing look-see. Public intelligibility followed through as a matter of course can work to counter this blindness.

Note that everyone will have a turn sooner or later in needing to be publicly intelligible, so everyone has an interest in reasonable and respectful discourse, in preference to the well-targeted put down or cool dismissal.

Our third major consideration is the conventions that constitute a socially established effort at all. The ideas outlined so far are taken from works addressed to broad theoretical and practical questions about the governance of

whole societies. But how close is the analogy of governing a specific institution within a society to the governance of a whole society?

Moral philosophy recognizes that the principles that found a society may not serve every aspect of its functioning equally well. A standard example might be the need for expertise to flourish, as nourishing expertise does work against equal opportunity for everyone in all spheres of existence. For instance, for the good of all concerned, the Colorado Rockies should not be required to let me try out for the team, no matter how much I want an equal chance to pitch. And yet in regard to most fundamental opportunities in society, we do want equal opportunity.

The usual proposed solution is that various organizations within a society should be permitted their own conventions within the parameters set out by the fundamental ethics of the society itself.¹⁵ So, for instance, a university may set its own standards for grading, but it is not permitted to include the grade of "B- and two noogies on the head" that one of my friends and I wanted to establish for unnecessarily mediocre writing. The society at large gets to decide when people can inflict bodily pain. Universities, and within them the faculty, get to decide when one can inflict a B-.

I am speaking of the standards internal to an institution as "conventions" because I am looking for a term that might include the specificity of rules as well as the concepts of acting that make an institution or a way of life what it is. Nonetheless, we'll listen to a little "rule" talk, because in using it, Rawls clarifies the point:

On [what Rawls names "the practice conception"]...rules are pictured as defining a practice. Practices are set up for various reasons, but one of them is that in many areas of conduct each person's deciding what to do on utilitarian grounds case by case leads to confusion, and that the attempt to coordinate behavior by trying to foresee how others will behave is bound to fail. As an alternative one realizes that what is required is the establishment of a practice, the specification of a new form of activity; and from this one sees that a practice necessarily involves the abdication of full liberty to act on utilitarian and prudential grounds. It is the mark of a practice that being taught how to engage in it involves being instructed in the rules which define it ... Those engaged in a practice recognize the rules as defining it.¹⁶

Being a scholar--a teacher, a producer of knowledge and a disseminator of the knowledge one produces--is a practice: "being taught how to engage in it involves being instructed in the rules which define it..." And by the same token, if one is not a teacher, producer of knowledge, and a disseminator of the knowledge one produces, one does not know the conventions that make

those roles (more nearly those ways of life) both possible and actual.

What are the ethical consequences of this? One is that it is quite possible for the university as an institution to undermine the practices that presumably define it. The university operates in a complex society where the people running the institution may not know in depth the practices that the institution purportedly supports.

Why should we see the contradictions as moral? One reason is that to call an institution a university is, by the conventions that have arisen as defining university life, to announce that it supports certain kinds of practice.¹⁷ But if it is overly attached to some of the markers of a business corporation--to knowledge that comes on short timelines,¹⁸ to teaching that yields certain tuition revenues, to responsibility for finances that debilitates the cross-fertilization of knowledge and research-- then it will undermine the practice that is thought to support. In this eventuality it would, if inadvertently, verge on false advertising every time it uses the name "university."

A second ethical consideration related to practices is the notion of goods internal to practices. This has been an important topic in moral philosophy; revived in recent decades by Alasdair MacIntyre in his book *After Virtue*.¹⁹ The notion is roughly that certain kinds of good are intrinsic to doing a certain kind of complex activity--the kind with sufficient complexity and interest that it might require conventions to establish it. The practice not only has goods intrinsic to it, it may also extend those goods as the practice is pressed by its practitioners. For example, the introduction of a new bowing technique may extend the goods and pleasures of playing a violin or other bowed instrument. So practices may change over time, and indeed goods in them may be lost as well as gained.

The ethical difficulties arise especially if people unaware of the practice, its goods and pleasures, demand from outside of the practice itself that it change to meet goals outside itself. And if the practice of scholarship and teaching is to be changed from the outside by the increasing implementation of a business corporate model of governance, the possibility of losing real intrinsic goods looms large, and the justification of it is not apparent. For the demands of the business corporate model are likely to be brought forward by people who don't know the goods internal to the practices of the scholarly life, hence by people who cannot justify why those goods should be lost.

The notion of practices with goods internal to them highlights the ethical issues of governing institutions that produce not only external goods--e.g. more automobiles or gourmet recipes--but also centrally internal goods. How does governance affecting these goods in turn affect the good life in society of people both outside and inside the institution?

How we work on all of these issues together will affect how our moral lives grow in each other's company. Ethical issues are always ones that can be sore spots. While ethically one can criticize a person's actions without criticizing the person's character, in our daily lives we can easily confuse negative comments on our actions with attacks on our person. But attacks will not increase a good life together. So I hope we will reflect on public intelligibility, on the souls of the governing and the governed, and on conventions that make our practices what they are--and in so doing emphasize, ahead of any judgmental urges that may arise, the effort to affirm and augment a good life together.

¹ Of course one hears echoes here of Aristotle, *Nicomachean Ethics*, where the good life is seen as a complete life and "one swallow does not a summer make" (I.vii, 1098a).

² University of Denver, "University Planning and Advisory Council (UPAC): Vision, Values, Mission, and Goals" [UPAC at University of Denver website]; available from <http://www.du.edu/upac/vvm.html>; Internet; accessed 9 September 2003.

³ Cf. Bernard Williams, *Ethics and the Limits of Philosophy* (Cambridge: Harvard University Press, 1985), p. 1; Aristotle, *Nicomachean Ethics*, I.viii; 1098b; Plato, *Republic*, 328e-329d, 344d, 352d.

⁴ Plato, *Republic*, 553b-d; Aristotle, *Nicomachean Ethics*, I.viii, 1098b

⁵ Additional reasons can also be given; the list is not intended to be all inclusive, but is sufficient for rejecting material gain (or honor, fame, and reputation) as the main contributor to the good life. Aristotle, *Nicomachean Ethics*, I.3, 1094b; I.5, 1095b-1096a.

⁶ The fuller quotation from Rawls follows:

In saying that an institution [e.g., a university—SLD], and therefore the basic structure of society, is a public system of rules, I mean then that everyone engaged in it knows what he would know if these rules and his participation in the activity they define were the result of an agreement. A person taking part in an institution knows what the rules demand of him and of others. He also knows that the others know this and that they know that he knows this, and so on. . . . Where the rules of a certain subpart of an institution are known only to those belonging to it, we may assume that there is an understanding that those in this part can make rules for themselves as long as these rules are designed to achieve ends generally accepted and others are not adversely affected. The publicity of the rules of an institution insures that those engaged in it know what limitations on conduct to expect of one another and what kinds of actions are permissible. There is a common basis for determining mutual expectations. Moreover, in a well-ordered society, one effectively regulated by a shared conception of justice, there is also a public understanding as to what is just and unjust.

John Rawls, A Theory of Justice (Cambridge: Harvard University Press, Belknap Press, 1971), pp. 55-56. See also Rawls' following paragraph for strategies within institutions and how the institutions should be designed to take them into considerations.

Annette Baier, while explicitly challenging the extent of Rawls' ideas of contract as a basis for just social relations, affirms the idea of the possibility of public intelligibility as a basis for morally worthy relationships of trust:

A trust relationship is morally bad to the extent that either party relies on qualities in the other which would be weakened by the knowledge that the other relies on them. Where each relies on the other's love, or concern for some common good, or professional pride in competent discharge of responsibility, knowledge of what the other is relying on in one need not undermine but will more likely strengthen those relied-on features. . . . the knowledge that others are counting on one's nonreciprocated generosity or good nature or forgiveness can have the power of the negative, can destroy trust ("Trust and Anti-Trust," Ethics 96 (1986):255-256).

In the effort to see commonality across moral schools of thought, one should note that Baier shows herself in another article to be more a Humean than a Kantian—and a Humean is not a Rawlsian (Moralism and Cruelty: Reflections on Hume and Kant, pp. 436-437). Rawls clearly chooses Kant over Hume (A Theory of Justice, pp. 179-180).

See Williams, Ethics and the Limits of Philosophy (pp. 101 and 214, 281-6), for a comment that Rawls' notion of "publicity" matches standard discussions of "transparency." In a discussion that otherwise disagrees with Rawls, Williams emphasizes that being held to standards of transparency is crucial. In fact, his language is much stronger:

Society should be *transparent*, in the sense that the working of its ethical institutions should not depend on members of the community misunderstanding how they work. This demand, adopted explicitly by Rawls, fits naturally with liberal contractualism, but it is one that is also made more widely... there are also cases in which there is nothing very sophisticated about it: the falsehood of the bad social arrangements is merely falsehood – lies, humbug, polluted speech...

...It is one aspiration, that social and ethical relations should not essentially rest on ignorance and misunderstandings of what they are, and quite another that all the beliefs and principles involved in them should be explicitly stated. That these are two different things is obvious with personal relations, where to hope that they do not rest on deceit and error is merely decent, but to think that their basis can be made totally explicit is idiocy. (pp. 101-2)

Williams does cite Sidgwick on what he calls "Government House utilitarianism" and its possible

allowance of hidden rules for an elite, but Williams also dismisses this point of view (pp. 108-110).

⁷ Rawls, A Theory of Justice, p. 454.

⁸ *Ibid.*, pp. 454-457

⁹ In this particular, Rawls emphasizes the publicity of the two basic principles of justice he has worked out and the implications of *their* publicity (*Ibid.*, pp.177-179). I am led by his discussion to reflect on public intelligibility and self-esteem more generally.

¹⁰ One could also point out that a lack of public intelligibility can create some awkwardness for the institution in the broader society, because the people in the organization who are uninformed about its workings are likely, sooner or later, to be informal ambassadors for the institution—at a bar, a local picnic, their house of worship, etc. Their inability to speak for the institution may speak badly for it. But this point is perhaps more closely related to the points on institutional stability, and in any case with respect to a larger institution, it is not likely to have a major impact on community relations.

¹¹ A third issue related to public intelligibility, drawn from the work of Annette Baier cited above, is its effects on trust. So, for example, if the Trustees' trust in the faculty's ability to teach and do research, to disseminate and advance the knowledge base of our society, and to provide leadership and counsel for the direction of the University is founded on the lack of any other faculty to do the job—in other words, the unspoken basis of the Trustees' trust in our faculty to do the work is that they can't replace us all—then the relationship of trust between the board and faculty is not worthwhile. If, on the other hand, the relationship of trust between the board and the faculty as the people who define the unique nature of a university (as opposed to some other kind of institution), is based on the trustees' confidence in the strength of the faculty's own intelligence and education and the dedication and accomplishment that the faculty show in their profession, then the relationship of trust is probably quite worthwhile.

¹² Prime cases are Plato, Republic; Aristotle, Nicomachean Ethics, 1.2, 1094 a-b; 1.4, 1095 a-b; 1.7, 1098a; Aristotle, Poetics, 3.4; Augustine, The City of God Against the Pagans, Book 19; Rawls, A Theory of Justice; and in a very different vein, Niccolo Macchiavelli, The Prince.

¹³ I mean here to recognize that a sharp divide may exist between the "faculty psychology" of the ancients, such as Plato and Aristotle, and the psychology investigated in psychology departments at universities. And my argument might be taken to presuppose the existence of such traits. From another perspective, however, we may expect patterns of response in social settings that have developed their own norms, demands, and possibilities (something on the line of a "cultural psychology"). My argument does not assume that all of the characteristics listed above are uniformly distributed in all faculty. Rather, it proposes that the pressures of the academic life promote these values and characteristics and reinforce them sufficiently that it is likely that they would come into play in a substantial number of faculty in a given situation.

¹⁴ Of course we all feel that some publisher may have fallen down on the job in regard to such-and-such an article or

book (especially if it comes from our nearest competitor—“it’s derivative,” we sniff as we look down our noses), but there’s the point. If the material is old, publishing it is falling down on the job.

¹⁵ Rawls, A Theory of Justice, pp. 56, 195-197.

¹⁶ Here is the fuller quotation:

The other conception of rules I will call the practice conception. On this view rules are pictured as defining a practice. Practices are set up for various reasons, but one of them is that in many areas of conduct each person’s deciding what to do on utilitarian grounds case by case leads to confusion, and that the attempt to coordinate behavior by trying to foresee how others will behave is bound to fail. As an alternative one realizes that what is required is the establishment of a practice, the specification of a new form of activity; and from this one sees that a practice necessarily involves the abdication of full liberty to act on utilitarian and prudential grounds. It is the mark of a practice that being taught how to engage in it involves being instructed in the rules which define it, and that appeal is made to those rules to correct the behavior of those engaged in it. Those engaged in a practice recognize the rules as defining it. The rules cannot be taken as simply describing how those engaged in the practice in fact behave: it is not simply that they act as if they were obeying the rules. Thus it is essential to the notion of a practice that the rules are publicly known and understood as definitive; and it is essential also that the rules of a practice can be taught and can be acted upon to yield a coherent practice.

John Rawls, “Two Concepts of Rules,” in John Rawls: Collected Papers, ed. by Samuel Freeman (Cambridge: Harvard University Press, 1999), p. 36. Paper originally published in 1955.

¹⁷ See Alasdair MacIntyre, After Virtue: A Study in Moral Theory, 2nd ed. (Notre Dame, IN: University of Notre Dame Press, 1984), pp. 193-196, on practices and institutions and the contradictions that he sees as inherent in the necessity for institutions to support practices.

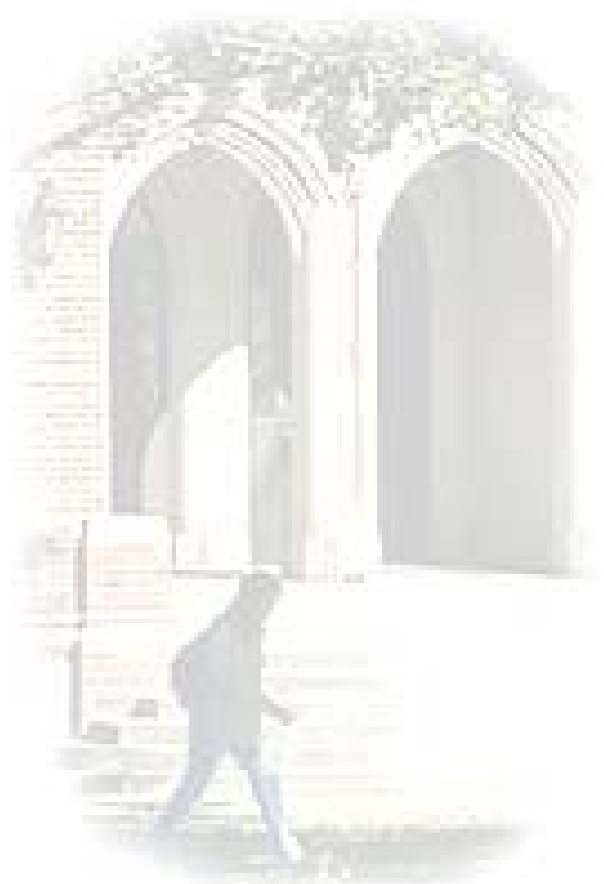
¹⁸ William G. Bowen, “At a Slight Angle to the Universe: The University in a Digitized, Commercialized Age” (Princeton: Princeton University Press, 2001), pp. 37-38. Lecture delivered on 17 October 2000 before University of Oxford.

¹⁹ See pp. 188-191. I take it that my inclusion of MacIntyre, in addition to Rawls, Baier, and Williams, will round out the picture of a convergence of diverse moral viewpoints on the ethical topics I advance for consideration.











¹ Of course one hears echoes here of Aristotle, Nicomachean Ethics, where the good life is seen as a complete life and “one swallow does not a summer make” (I.vii, 1098a).

² University of Denver, “University Planning and Advisory Council (UPAC): Vision, Values, Mission, and Goals” [UPAC at University of Denver website]; available from <http://www.du.edu/upac/vvm.html>; Internet; accessed 9 September 2003.

³ Cf. Bernard Williams, Ethics and the Limits of Philosophy (Cambridge: Harvard University Press, 1985), p. 1; Aristotle, Nicomachean Ethics, I.viii; 1098b; Plato, Republic, 328e-329d, 344d, 352d.

⁴ Plato, Republic, 553b-d; Aristotle, Nicomachean Ethics, I.viii, 1098b

⁵ Additional reasons can also be given; the list is not intended to be all inclusive, but is sufficient for rejecting material gain (or honor, fame, and reputation) as the main contributor to the good life. Aristotle, Nicomachean Ethics, I.3, 1094b; I.5, 1095b-1096a.

⁶ The fuller quotation from Rawls follows:

In saying that an institution [e.g., a university—SLD], and therefore the basic structure of society, is a public system of rules, I mean then that everyone engaged in it knows what he would know if these rules and his participation in the activity they define were the result of an agreement. A person taking part in an institution knows what the rules demand of him and of others. He also knows that the others know this and that they know that he knows this, and so on. . . . Where the rules of a certain subpart of an institution are known only to those belonging to it, we may assume that there is an understanding that those in this part can make rules for themselves as long as these rules are designed to achieve ends generally accepted and others are not adversely affected. The publicity of the rules of an institution insures that those engaged in it know what limitations on conduct to expect of one another and what kinds of actions are permissible. There is a common basis for determining mutual expectations. Moreover, in a well-ordered society, one effectively regulated by a shared conception of justice, there is also a public understanding as to what is just and unjust.

John Rawls, A Theory of Justice (Cambridge: Harvard University Press, Belknap Press, 1971), pp. 55-56. See also Rawls’ following paragraph for strategies within institutions and how the institutions should be designed to take them into considerations.

Annette Baier, while explicitly challenging the extent of Rawls’ ideas of contract as a basis for just social relations, affirms the idea of the possibility of public intelligibility as a basis for morally worthy relationships of trust:

A trust relationship is morally bad to the extent that either party relies on qualities in the other which would be weakened by the knowledge that the other relies on them. Where each relies on the other’s love, or concern for some common good, or professional pride in competent discharge of responsibility, knowledge of what the other is relying on in one need not undermine but will more likely strengthen those relied-on features. . . . the knowledge that others are counting on one’s nonreciprocated generosity or good nature or forgiveness can have the power of the negative, can destroy trust (“Trust and Anti-Trust,” Ethics 96 (1986):255-256).

In the effort to see commonality across moral schools of thought, one should note that Baier shows herself in another article to be more a Humean than a Kantian—and a Humean is not a Rawlsian (Moralism and Cruelty: Reflections on Hume and Kant, pp. 436-437). Rawls clearly chooses Kant over Hume (A Theory of Justice, pp. 179-180).

See Williams, Ethics and the Limits of Philosophy (pp. 101 and 214, 281-6), for a comment that Rawls’ notion of “publicity” matches standard discussions of “transparency.” In a discussion that otherwise disagrees with Rawls, Williams emphasizes that being held to standards of transparency is crucial. In fact, his language is much stronger:

Society should be *transparent*, in the sense that the working of its ethical institutions should not depend on members of the community misunderstanding how they work. This demand, adopted explicitly by Rawls, fits naturally with liberal contractualism, but it is one that is also made more widely... there are also cases in which there is nothing very sophisticated about it: the falsehood of the bad social arrangements is merely falsehood – lies, humbug, polluted speech...

...It is one aspiration, that social and ethical relations should not essentially rest on ignorance and misunderstandings of what they are, and quite another that all the beliefs and principles involved in them should be explicitly stated. That these are two different things is obvious with personal relations, where to hope that they do not rest on deceit and error is merely decent, but to think that their basis can be made totally explicit is idiocy. (pp. 101-2)

Williams does cite Sidgwick on what he calls “Government House utilitarianism” and its possible allowance of hidden rules for an elite, but Williams also dismisses this point of view (pp. 108-110).

⁷ Rawls, A Theory of Justice, p. 454.

⁸ *Ibid.*, pp. 454-457

⁹ In this particular, Rawls emphasizes the publicity of the two basic principles of justice he has worked out and the implications of *their* publicity (*Ibid.*, pp.177-179). I am led by his discussion to reflect on public intelligibility and self-esteem more generally.

¹⁰ One could also point out that a lack of public intelligibility can create some awkwardness for the institution in the broader society, because the people in the organization who are uninformed about its workings are likely, sooner or later, to be informal ambassadors for the institution—at a bar, a local picnic, their house of worship, etc. Their inability to speak for the institution may speak badly for it. But this point is perhaps more closely related to the points on institutional stability, and in any case with respect to a larger institution, it is not likely to have a major impact on community relations.

¹¹ A third issue related to public intelligibility, drawn from the work of Annette Baier cited above, is its effects on trust. So, for example, if the Trustees’ trust in the faculty’s ability to teach and do research, to disseminate and advance the knowledge base of our society, and to provide leadership and counsel for the direction of the University is founded on the lack of any other faculty to do the job—in other words, the unspoken basis of the Trustees’ trust in our faculty to do the work is that they can’t replace us all—then the relationship of trust between the board and faculty is not worthwhile. If, on the other hand, the relationship of trust between the board and the faculty as the people who define the unique nature of a university (as opposed to some other kind of institution), is based on the trustees’ confidence in the strength of the faculty’s own intelligence and education and the dedication and accomplishment that the faculty show in their profession, then the relationship of trust is probably quite worthwhile.

¹² Prime cases are Plato, Republic; Aristotle, Nicomachean Ethics, 1.2, 1094 a-b; 1.4, 1095 a-b; 1.7, 1098a; Aristotle, Poetics, 3.4; Augustine, The City of God Against the Pagans, Book 19; Rawls, A Theory of Justice; and in a very different vein, Niccolò Machiavelli, The Prince.

¹³ I mean here to recognize that a sharp divide may exist between the “faculty psychology” of the ancients, such as Plato and Aristotle, and the psychology investigated in psychology departments at universities. And my argument might be taken to presuppose the existence of such traits. From another perspective, however, we may expect patterns of response in social settings that have developed their own norms, demands, and possibilities (something on the line of a “cultural psychology”). My argument does not assume that all of the characteristics listed above are uniformly distributed in all faculty. Rather, it proposes that the pressures of the academic life promote these values and characteristics and reinforce them sufficiently that it is likely that they would come into play in a substantial number of faculty in a given situation.

¹⁴ Of course we all feel that some publisher may have fallen down on the job in regard to such-and-such an article or book (especially if it comes from our nearest competitor—“it’s derivative,” we sniff as we look down our noses), but there’s the point. If the material is old, publishing it is falling down on the job.

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