

## Statement of Concern

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and ESIB Executive Board  
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### **Why ?**

Academic freedom and institutional autonomy are no gifts from heaven but rights enabling universities to contribute responsibly to a changing and increasingly international society. Independence of thought, capacity of initiative and governance probity shape the institution's credibility, and justify the trust the community puts in its education and research activities.

Respectability is the first victim of laxity, opportunism and partiality. And confidence lost is hard to regain. That is why the Magna Charta Observatory and European Unions of Students feel particularly concerned by academic misconduct, a social cancer that jeopardises the university's *raison d'être* – and makes nonsense of the Magna Charta principles solemnly endorsed by more than 500 universities, in 1988, at the occasion of the 900<sup>th</sup> anniversary of the University of Bologna, or later.

The use of an official function to obtain personal advantages is a permanent temptation, in the universities as in any other institution. The consequences are greater in higher education, however, since the university 'products' are judged mainly on the credit of its services, courses, degrees or innovative projects and ideas. For social purposes, visibility is more important than content. Integrity thus becomes the touchstone of the university's presence in society.

The integrity of university members – teachers, researchers, students and staff – is not a question of individual ethics only, since the institution as such can also be susceptible to shortcuts in order to obtain quick rewards, under the pretext of necessity, or because society encourages a system of exchanges – in kind or in repute - that mixes social positioning with intellectual recognition. In other terms, the system can induce malpractice at collective level.

The danger of impropriety is also strengthened by the transformation of the university into a mass provider of higher education, a conglomerate of many disciplines, institutes and R&D centres – not to speak of commercial satellites – where responsibilities refer to divergent purposes, personal and collective. Integrity implies wholeness: our concern is that universities may be losing sense of their fundamental unity, putting at risk their own identity and that of the higher education system.

### **How?**

Even in a healthy environment, niches of corruption attract mutually reinforcing irregularities: when the purchase of access to higher education or specific programmes becomes commonplace, the peddling of examinations and degrees seems normal; likewise, intellectual property neglect induces cheating and the stealing of ideas while meddling with results and methods to please social masters trivialises the exchange of financial, sexual or other services for promotion rights.

Hidden self-censorship helps shy away from those uncomfortable truths – discretion being encouraged by the fragmentation of academia into self-contained scientific fiefdoms that refer to the world

community of scholars, much beyond the walls of the institution. These multiple allegiances make university power games specific and, compared to other institutions, increase the zones of opacity where rules are blurred, a world difficult to approach through legal action.

Like other professional stages, universities may encourage greed, jealousy and ambition, especially when searching for non material rewards such as reputation and publicity. With its subjective assessment of academic propriety, the world of higher education has little power indeed against individuals or cliques wishing to dominate other persons or influence individual and public opinion - all the more so as priority is usually given to individual academic freedom rather than to institutional rights.

### *Causes and consequences*

When substantial bribes buy examiners' indulgence, this is often justified by the low income of professors who require extra resources to survive. However, poverty does not necessarily drive out honesty as the people with some money are often the most greedy! The cause of the problem – beyond individual avidity - also lies in *social constellations* where confidence in law and institutions is elusive. In war torn areas, for instance, corruption falls on grounds all the more fertile that the country is in greater need of trust in administrative processes. If the university, a key shaper of civil attitudes, proves untrustworthy, a place of appeal disappears in legally unstable countries.

Cheating that makes exams and degrees worthless reflects the *failed internalisation* of truth and honesty rules. When it also aims at obtaining a license to teach – or practise medicine -, it turns into the betraying of society and the daily endangering of co-nationals. Ensuring a successful appointment procedure can represent a turning point in a professional career: if the rules are simply biased to do so, one can speak of malpractice; if they are applied arbitrarily, this amounts to misbehaviour; if they are warped to please dominant powers, this equals corruption – even if discrimination is dressed up as 'justified' selection practices.

Consequently, regulations – internal or external – should be codified in a way appropriate to the *type* and the *context* of inappropriate university practice.

### *Systems and global approaches*

At *system* level, malpractice may grow from social and political circumstances, especially when established rules lack effective sanctions; at *institutional* level, malpractice can hide behind traditional academic bias, and customs that preserve the power of academic elites; at *individual* level, malpractice fluctuates with personal ethical convictions that can express different thresholds of corruption acceptance.

Autonomy is both an *end* unto itself, because it induces a range of potential actions for the provision of science, and a *means* used for other purposes, such as recognition, authority, or knowledge and education considered as services to society. Hence, the legitimacy of the university and its government are bound to trust in its procedures and the quality of its operations – areas constantly requiring strengthened credibility.

At system and institutional level, universities should first contribute to higher education *policy making* by demonstrating public weight as responsible social partners – conscious of their impact on the community – rather than agents responsive to the needs of State or other 'owners'. Then, leadership should develop sustainable processes of good conduct. This requires a *permanent and critical review* of all rules since, too often, institutions tend to react to past evils rather than form internal attitudes helping control future misbehaviour. And to assess the impact of external regulations on the system – such as the judiciary - there would be need for common references to be provided by an international *code of institutional conduct*.

At personal level, as malpractice rarely provokes guilt, individuals should uphold the sense of collective obligation that derives from the repute of the academic community they belong to. What they need is a climate based on transparency, confidentiality and on public debates about the consequences of malpractice and required personal change. The rules of openness that individual academics – teachers, staff or students - refer to should be outlined in a general *code of deontology* proposing institutional procedures to foster freedom of thought, and indicating the academics' *personal duties* when they enter teaching, research and other intellectual services to society.

For the moment, since social enforcement from outside and guild-like moral urgency from inside rarely cover the grey zone in-between, where malpractice can flourish, a broad consensus on potential dangers has developed among the universities and their stakeholders – a soft consensus, however, on ‘not-so-hot issues’ that proposes a kind of alibi for not facing the uncomfortable reality that could endanger the new functions of higher education in an emerging society of knowledge.

That is why, the *Collegium* of the Observatory and the Board of ESIB reiterate their concern in the risks of academic malpractice and calls for new transparency to ensure the universities’ future.

*For further reflections on the topic, see the essay below*