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The secularisation of divine right: ethics, research, and management

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Justification for decisions to do with managing affairs in universities is often claimed on the ground of 'managerial prerogative'. When other, less arbitrary, grounds might be thought more appropriate - such as grounds of evidence, sound argument, ethics, fair and equitable procedures, and the like - resort to managerial prerogative may appear remarkably like unwillingness to be answerable on these grounds. Resort to managerial prerogative has accompanied the corporatisation of universities. Where previously imperious heads of departments would simply rest their decisions on their authority as heads of departments, they now tend to appeal to managerial prerogative. The earlier appeal to authority fitted comfortably in the tradition of *ex cathedra* pronouncements inherited from the clerical origins of universities. Often characterised less reverently as the pronouncements of 'god professors', such behaviour seemed to have been rendered obsolete in some universities in the final third of the 20th Century by the emergence of alternative administrative structures. These took the form of, for example, multi-disciplinary schools with elected or quasi-elected chairs, not necessarily professors, instead of disciplinary departments with appointed heads. More deliberative, open, and participative decision-making seemed to be at least the aim of such structures.

However that may be, recent pressures to turn universities into businesses with corporate structures, control systems, and practices seems to have produced a reversion to a top-down decision-making model of educational institutions, with a theological ethos but a secular intent. Just as in earlier university structures heads of departments were virtual kings of their domains - queens were rare - so in the corporate university the manager has virtual sole sovereignty over her or his domain. The most striking manifestation of this is the existence of 'managerial prerogative'. A decision invoking managerial prerogative is absolute. Once invoked, no further consideration is permitted; once the sovereign has spoken, unquestioning obedience is demanded. What, then, gives managerial prerogative such power?

Secularisation of the divine right of kings

The quality of absoluteness in the notion of managerial prerogative is reminiscent of the 17th Century doctrine of the divine right of kings as argued by Robert Filmer in his *Patriarcha*, where he:

...defended the divine right of kings against the notion of popular or parliamentary control of the crown by unconvincing argumentation based on God's gift of royal authority to Adam and its inheritance from him by subsequent monarchs. (Quinton, 1994, p 321).

Divine right was exploited in the 17th Century for political purposes, and the use of managerial prerogative in the 21st Century seems to follow this precedent. Moreover, the

dubious nature of the notion of divine right seems to extend to that of managerial prerogative, though for different reasons. Where divine right was claimed to descend from Adam, claims for managerial prerogative have more disparate grounds. At the immediate level of practicality, the need for decisions to be made expeditiously is plausible in a general way.

This should warn us that the notion of managerial prerogative is not necessarily altogether bad. To the extent that it may be essential to the effective operation of beneficial human organizations, it is desirable; no-one would want ineffective health care, inefficient transport networks, and so on. The difficulty, however, is that the notion has acquired notoriety because it seems too often to have been abused for the benefit of select groups at the expense of others. It is this damaging effect of managerial prerogative as it has been used in practice that renders the notion suspect. Insufficiently rigorous attention to whether particular, or particular kinds of, organizations are beneficial or otherwise to human beings, together with a preoccupation with the means aspect of means-ends relations may be at least partly responsible for this. Since managerial prerogative is easily associated with the means aspect of means and ends, such as in the *prima facie* desirable notion of 'efficient means', it is often accepted at face value. However, often efficiency is interpreted simplistically. It is, for example, taken simply to mean getting things done quickly. But this is a naïve imperative which overlooks the fairly obvious but important distinction between speed and soundness. While of course speed may be essential in some circumstances, taken generally the idea of speed as a supreme requirement is a poor substitute for thoroughly thought-through and evaluated courses of action.

At a deeper level, the pernicious interpretation of managerial prerogative may be seen to gain spurious legitimacy from gravely distorted 20th Century logical positivist views. How it does so may be sketched, in brief outline, in the following way. At root, logical positivism seems to render managerial prerogative plausible by drawing a dichotomy between fact and value, and identifying as meaningful only those statements which satisfy the:

verifiability criterion of meaning, i.e.,...the view that if a proposition or statement is to be meaningful it must be empirically verifiable unless it is logically necessary.

(Hamlyn, 1970, p 60)

Statements satisfying this criterion include factual and logical statements. Other utterances, such as ethical utterances which are in the realm of value, are taken to be, strictly, meaningless; their use is limited to expressing emotions (Ayer, 1936). Such utterances fall outside the domain of reasoned thought in the sense that, while logical relations might be discerned and developed between particular value utterances, this does not amount to meaningful discussion since such language behaviour fails to satisfy the verifiability criterion of meaning. This seems to justify managerial prerogative. For, on the logical positivist notion, views expressed by people on anything not factual (that is, anything not empirically verifiable) must fall within the domain of value and, as such, be counted as mere expressions of emotion or opinion.

At this point the notion of managerial prerogative is invoked on two grounds. First, within any organization different individuals hold different views about what is desirable, these views are matters of value, and - since on the logical positivist conception values themselves are not open to reasoned discussion - the question arises of how decisions are to be made about what is to be done. The question is answered by invoking managerial prerogative; essentially, that is, questions of decision-making within an organization are defined as being an exclusive function of management. Second, this management function is accorded privileged status by associating it with factual matters

in the form of empirically verifiable results such as measurable increases in production - the ultimate standard of which is taken to be 'the bottom line', the financial dividend to shareholders. It is this that is assumed to be the factual and therefore meaningful justification of management's access to, and use of, power to enforce its will.

Managerial prerogative has serious implications for relations between persons in universities. Formerly, universities were conceived of as constituted by their *members*, that is, by the persons who worked and sometimes lived in them - essentially teachers and students comprising communities of scholars. This conception has been deliberately abandoned and replaced by a much narrower idea of the university as defined primarily by management, with staff required as employees - no longer members of the institution - along the lines of a business corporation whose purposes and policies may be of no interest to employees who are taken on merely to carry out the instructions of management. This is the world of managerial prerogative, the world in which managers have a secularised divine right (by the grace of Logical Positivism) largely to do what they will.

It is a world which has inherited a deep-seated conception of social reality as essentially dichotomous. In an influential early idealist articulation, Plato's *Republic* argues in favour of philosopher-kings ruling the comparatively ignorant artisans for their own good, a conception translated in a later religious context as, on the one hand, divinely-derived authority and, on the other, the great unwashed who, although some are more unwashed than others, must nonetheless obey divinely-derived authority without question. Now, in a more secular age (probably more fashionably described as 'post-religious') it has undergone a materialist and consumerist incarnation as the secularisation of divine right in the form of management on the one hand and workers on the other.

The logical outcome of this conception for management is a manipulative exploitation of persons disguised by an ostentatious but superficial display of supposedly warm, human emotion. For example, institutions sometimes make pious, warm-sounding claims that their most valuable asset is staff. However, in such cases what is meant by value is all too often exposed as purely instrumental: staff are not valued as human beings, but purely as productive units with a value measured by their input to the bottom line of financial profitability. In academic work financial profitability is not measured directly but in terms such as numbers of research publications annually (with different categories of publication tagged with different financial values), the financial value of externally funded research-grants awarded, the government-funding value of each undergraduate or postgraduate student-unit, and so on. While staff are, of course, nominally referred to as human beings, the conception is schizoid. It is one of an individual as an accidental bundle of quite separate components - essentially, factual aspects on the one hand, and values on the other.

On this conception, human beings are useful objects with a role in managerial calculations to do with productivity. Since effective managers know that happy workers are more efficient and productive than disgruntled workers, they will build this into their instrumental calculations. Thus, the conception of the worker as a productive unit requires a strictly utilitarian view with employment justified solely in quantitative empirical terms (typically, maximum production with the least means). However, since this empirically measurable outcome will be affected by the emotional state of the workers, it is incumbent on management to treat workers in a way which makes them feel happy. Consequently, effective management technique is seen to require displays of emotionally mollifying behaviour by management towards workers in order to ensure maximum productivity. In this way, on the conception in question, the factual and valuational aspects of being human are combined in effective management. Managerial prerogative is necessary in order to short-circuit what the conception regards as futile discussion of value preferences in the interests of maximising productivity. This is 'managerialist-technicism', or 'technicism with an emotivist

façade' (Margetson, 1997), in ethical terms a utilitarian view which treats human beings as means to ends rather than as ends in themselves.

Managerialist-technicism and its managerial prerogative in practice

Appreciation of the meaning and significance of managerialist-technicism in practice increases with "'thick" description' which 'according to Geertz...represents an important contribution to our understanding of human affairs' (Dancy and Sosa, 1993, p 480). This may be illustrated by the example of someone claiming that, where two researchers disagree about work, this is merely a matter of 'normal academic dispute', or a 'personality conflict', or the like. At an abstract and general level, such a claim may seem quite innocent and unobjectionable.

However, suppose, hypothetically, that at a more detailed level of description it becomes apparent that the disagreement is not over specifically academic matters such as different theories relevant to the research, alternative methodologies, and so on (which could reasonably be thought to be resolved by negotiation and compromise by the parties concerned without damage to integrity). Suppose, rather, that what is at issue is one researcher attempting to gain control of a project by thoroughly unscrupulous means for his or her own benefit to the disadvantage of others and the project, and that the institution in which they work is so preoccupied with ensuring that funding for the project continues that it ignores the researcher's unethical conduct in the interests of securing funding. In such a case the nature of the disagreement could not be understood soundly as merely a 'normal academic dispute', or a 'personality conflict', or the like. Without the 'thicker' description the ethical problem would escape notice.

The value of 'thick description' has come to be acknowledged in qualitative social research. However, it seems that too often its acceptance is dependent on an unspoken but rigidly practised proviso that 'thick description' is acceptable so long as it is carried out on some more or less remote social group, with the researcher remaining largely as a detached scientific observer. But woe betide the academic who draws attention in detailed description to attitudes and behaviours closer to home, especially if 'closer to home' means the academic's own institution or a section of it. Suddenly, by practising in the local context what in a more distant context is quite commonly regarded as sound social science, the academic is likely to bring down on his or her own head an astonishing array of accusations - unprofessional behaviour, dubious personal motives, and so on.

NIMBY ethics (doing the right thing is praiseworthy, so long as it is Not In My Back Yard) should surely be unacceptable in a university. In so far as it preserves the appearance of respectability while not expressing this in practice, it seems parallel with, for example, systematic distortions of language such as those parodied as 'Newspeak' in George Orwell's *1984*, in the attitudes and practices described in Kafka's *Darkness at Noon*, in the language of Soviet totalitarianism with its euphemistic terms such as 'liquidation' to gloss over brutal murder, in the similar euphemism of the term 'homelands' in apartheid South Africa to disguise the overcrowded and under-resourced areas to which some sections of the population were confined, in the term 'ethnic cleansing' in the former Yugoslavia to disguise attempted genocide, and so on.

It is itself a major ethical question as to whether resort to such supposedly 'neutral' language or to its use only to preserve an appearance of respectability without practising accordingly is, far from being 'scientific', rather a case of covering up and hiding attitudes, actions, and behaviours that have only to be expressed in plain language for their grossly evil character to be made crystal clear. This is a point made abundantly plain by 'a famous example of

Isaiah Berlin's' which shows that, contrary to logical positivist dogma, fact and value can be intimately related rather than entirely independent of each other:

Thus compare the following accounts of what happened in Germany under Nazi rule:

- (a) 'the country was depopulated'
- (b) 'millions of people died'
- (g) 'millions of people were killed'
- (d) 'millions of people were massacred'.

All four statements are true. But (d) is not only the most evaluative, it is also the best (that is, the most precise and accurate) description of what actually happened.

(Bhaskar, 1998, p 59)

While Berlin's example illustrates an extreme situation, very much less extreme but still highly questionable situations are far from rare in institutions of higher education. This is shown by, for example, regular reports in the 'Whistleblowers' column in *The Times Higher Education Supplement*, and in sources such as Martin et al. (1986), Martin (1997), Callahan (1988), Dempster (1997), and Patience (2000). Barnett (1997), In arguing that academic freedom has not been eliminated in recent reforms of higher education, only 'effectively reduced' (Barnett, 1997, p 53), Barnett makes the salutary observation that:

Academics speaking out on matters of general professional significance are unusual. They never did *en masse* when they had every opportunity to do so. Whistle-blowers need not apply, but they hardly ever applied anyway. (p 55)

Nonetheless, a poor record of speaking out on matters of general professional significance is no excuse to continue poor practice (as the disciples of continuous quality improvement are always keen to emphasise, at least in regard to their versions of 'quality').

Intellectual freedom, ethical action, and academic virtue

The centrally objectionable characteristic of actions in a university such as those discussed by Martin and others must, then, surely be the direct attack such actions represent on intellectual freedom, on associated ethical action, and, consequently, on the practice of academic virtue. Attempts by universities themselves to limit and harm intellectual freedom are by no means only a recent phenomenon. Orkin (1979, p 37), for example, illustrates this with reference to the University of Oxford which required students 'to undergo tests of religious orthodoxy...until the British parliament decided otherwise in 1854', and to the University of California which, during the McCarthy era in the mid-twentieth Century, 'required its staff to take an oath of political loyalty' and fired a professor for refusing to take the oath, although on appeal by the professor 'the Supreme Court...ruled that the requirement was unconstitutional.' More recently, Patience (2000) has described a situation involving the use of email, threats by university management against the person concerned, and an implicit attack on 'intellectual freedom *and responsibility*' (p 67).

While such attacks are, as we have seen, not new, their apparent resurgence under the guise of managerial prerogative are cause for the deepest concern about the future of universities. The kind of contribution that universities can make to the societies of which they are part include, at the least, a disinterested search for truth and its wide communication. Notions of a disinterested search for truth are now often dismissed as naïve and superficial in a brave new postmodern world. However, even such views need an environment which will allow their dismissive claims to be heard, and it is far from clear that they possess any theoretical or other resources to maintain such an environment. One way or another, it would seem that the independence of those who work in universities is a vitally necessary requirement if universities are to be able to make the contribution they can make to the social good.

This contribution cannot be made in conditions which disregard intellectual, moral, professional, and academic integrity in favour of mendacity, vacuous sophistry, personal political interests, cronyism, a one-dimensional, exclusive preoccupation with finance (it needs to be emphasised that this point is not some ivory-tower fantasy denying the need for funding, it merely acknowledges that other considerations carry weight *together with* funding considerations) and so on. In a phrase, some current university management attitudes and practices that Charles Dickens would have found all too familiar in 19th Century England are, if much less sensational, as sure a means of destroying what could be valuable in universities as was the burning of books by Nazi thugs in pre-war Germany.

Given that, as Quinton (1994, p 323) notes, '...like Algernon Sidney...[John Locke undertook] the far from difficult task of demolishing the arguments of Filmer' in favour of the divine right of kings, it is perhaps surprising that in the late 20th Century similar threadbare views, propagated under dubious interpretations of the fashionable terms 'management', and 'managerial prerogative' in particular, should gain any credibility and be carried into the 21st Century.

This suggests that the route to a better state of affairs will be at the very least long, hard, and by no means certain. Patience (2000, pp 69-70) outlines five points in a valuable guide towards working for sound academic conduct. But formidable obstacles continue to threaten the achievement of such conduct. Two general observations by MacIntyre (1990) provide a harsh but realistic appraisal of deeper central difficulties to be overcome if universities are to fulfil anything like their promise:

the variety of social pressures which have recently required of universities that they produce more cogent justifications for their continued existence and their continued privileges than they have hitherto been able to do out of what have suddenly been revealed as the astonishingly meagre cultural and intellectual resources of the academic *status quo*...[where] the official spokespersons...have with rare exceptions responded with stuttering ineptitudes. (p 221)

And:

The student radicals of the late 1960s and early 1970s failed to understand many things, and their own intellectual poverty reflected the intellectual poverty of much, if not all, of that against which they rebelled. But they had understood this and those who defeated them by the use of political as well as academic power still fail for the most part to understand it. The rejection of the liberal university which was signaled by that revolt of the 1960s was a response to the barrenness of a university which had deprived itself of substantive moral enquiry, a barrenness already diagnosed in the nineteenth century by Nietzsche and his successors in one way, by Joseph Kleutgen and the thinkers of the Thomistic revival in another. That such philosophical

critics still cannot be heard in any authentic and systematic way in the central forums of our cultural and social order is a mark, not of their irrelevance, but rather of the importance of the task now imposed upon us, of continually trying to devise new ways to allow these voices to be heard. (p 235-6).

The vital importance of MacIntyre's final sentence could, it would seem, hardly be overemphasised in a context of higher education increasingly intolerant of intellectual freedom, associated ethical action, and their integration in the practice of academic virtue.

References

- Ayer, A.J. (1936) *Language, Truth, and Logic*. Victor Gollancz, London.
- Barnett, Ronald (1997) *Higher Education: A Critical Business*. The Society for Research in Higher Education & The Open University Press, Buckingham.
- Bhaskar, Roy (1998) *The Possibility of Naturalism*, 3rd Ed. Routledge, London & New York.
- Callahan, Joan C. (Ed.) (1988) *Ethical Issues in Professional Life*. Oxford University Press.
- Dancy, Jonathan & Sosa, Ernest (Eds) (1993) *A Companion to Epistemology*. Blackwell, Oxford.
- Dempster, Quentin (1997) *Whistleblowers*. Australian Broadcasting Corporation, Sydney.
- Hamlyn, D.W. (1970) *The Theory of Knowledge*. Macmillan, London and Basingstoke.
- MacIntyre, Alasdair (1990) *Three Rival Versions of Moral Enquiry: Encyclopaedia, Genealogy, and Tradition*. (London, Duckworth).
- Margetson, Don (1997) Ethics in assessing and developing academic quality. *Assessment & Evaluation in Higher Education*, 22, 2, 123-133.
- Martin, B., Baker, C. M. A., Manwell, C. & Pugh, C. (1986) *Intellectual Suppression*. Angus & Robertson Publishers, North Ryde, NSW.
- Martin, Brian (1997) *Suppression Stories*. Fund for Intellectual Dissent, Wollongong.
- Orkin, Mark (1979) Two concepts of academic liberty. *Philosophical Papers*, 8, 37-55.
- Patience, Allan (2000) Silencing the academy? Reflections on a dispute in a corporatising university. *Australian Universities Review*, 2/1999-1/2000, 64-71.
- Quinton, Anthony (1994) Political Philosophy. In Anthony Kenny (Ed.) *The Oxford Illustrated History of Western Philosophy*. Oxford University Press.